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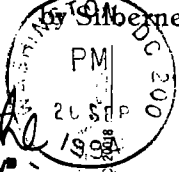
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Sat 9/24

THE DISTINGUISHED COLLECT

Dear Mike,
Thanks for the
visit + interest
in Ingarloaf. I'll
be in touch.
Best wishes

Steve
Norman



Mike Davis
OEP
OEQB 360
WASH DC
20005

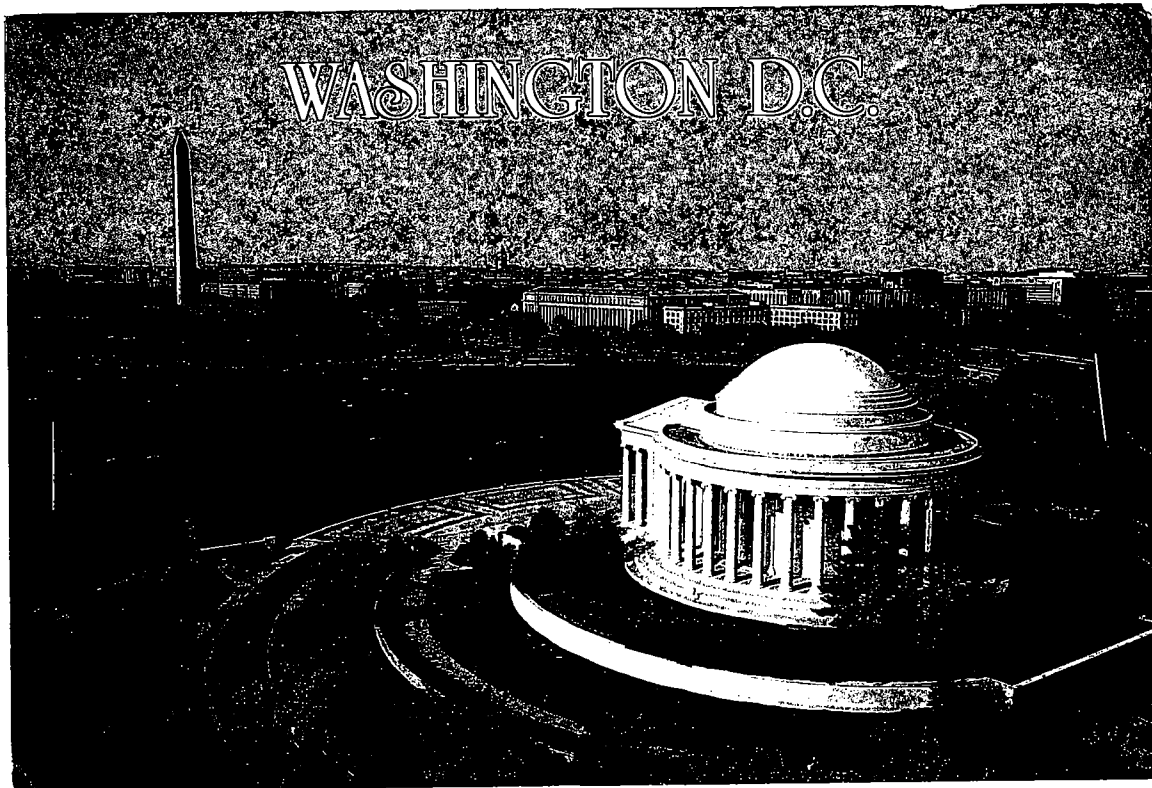
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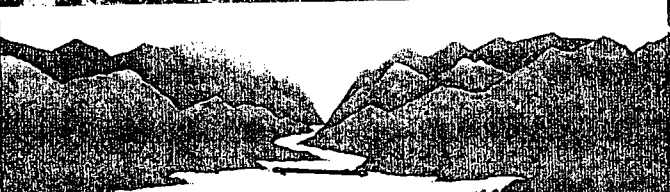
WASHINGTON, D.C.
Jefferson Memorial and Washington
Monument aerial view

Photo © Tom Wachs

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Headwaters

Working to protect and restore forest ecosystems

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Headwaters

*Working to protect and restore forest ecosystems for
sustainable forests and sustainable communities*

- forestry research
- watershed monitoring
- public education
- environmental law

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Sugarloaf Unit 3

80" Douglas fir
marked to cut ...

one of the 1000 over
46" in diameter.

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SUGARLOAF

The First Major Timber Sale under the President's Forest Plan Violates an Ancient Forest Reserve

By Robert Brothers, Photos by Julie Norman

A Sad History of Misinformation and Broken Promises

As this *Journal* goes to press, we are in the middle of a desperate, last ditch effort to stop the Sugarloaf Timber Sale. After four years in limbo as a "sold but unawarded" Section 318 sale, Sugarloaf was finally awarded on August 22 to Boise Cascade Corporation, the high bidder at the September 1990 auction. Boise has until September 22 to sign the contract, and four years to cut the sale if they do. We have heard that Boise will not have helicopters available for use in logging the sale until next year, so trees are not likely to start falling soon. There may still be time to save these incredible high mountain forests.

Years of legal struggle have finally resulted in a new Forest Plan for the threatened "spotted owl forests" of the Pacific Northwest, but the first major timber sale put out under the new Plan violates the Plans' primary means of wildlife protection—the Late-Successional (Ancient Forest) Reserves.

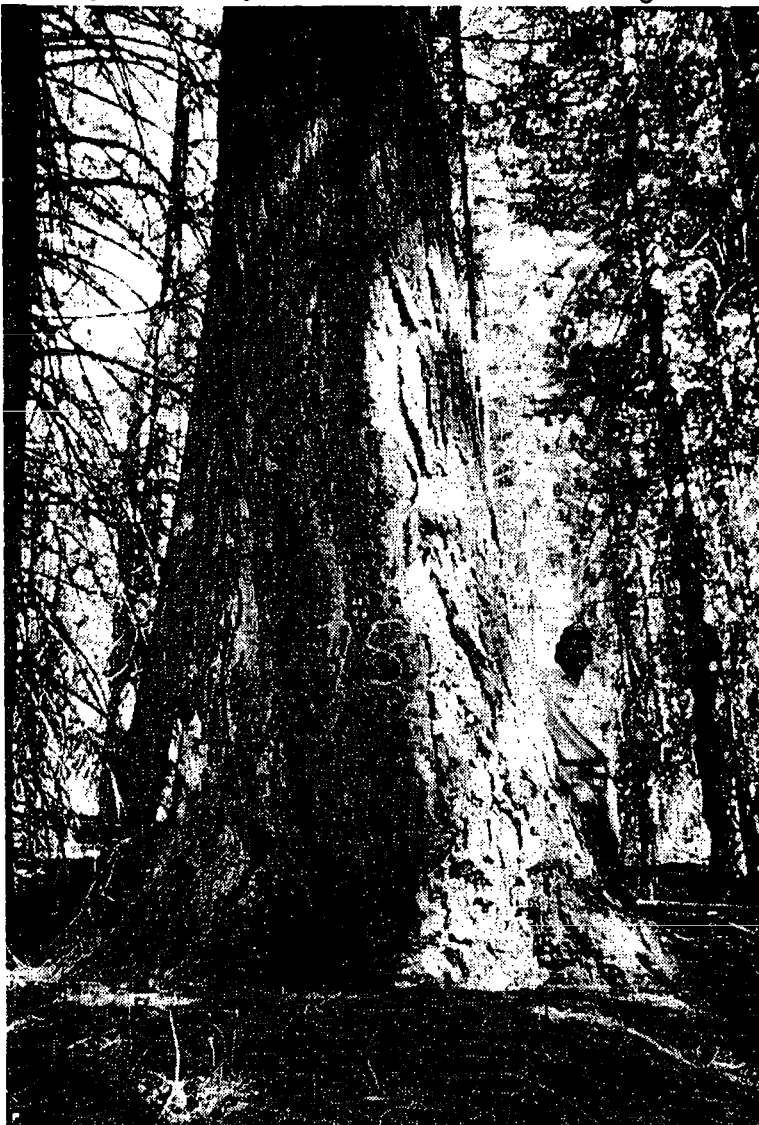
The Sugarloaf Timber Sale is located inside a Reserve in the Siskiyou National Forest in southwest Oregon. It has been opposed for a decade by local conservationists, because it would destroy over 500 acres of beautiful old-growth forest below Grayback Mountain (at 7,000 feet, the highest mountain in the Siskiyou National Forest). The sale area is part of a large Roadless Area that qualifies for Wilderness. [The U.S. House of Representatives approved it for Wilderness designation in 1984, but this was stopped in the Senate by Mark Hatfield and others.] The forests are also part of a vital connecting corridor of pristine wildlands that reaches 20 miles south to the Klamath River in California.

President Bush wanted the laws bent to allow the Section 318 sales, and President Clinton is following right in his footsteps. The Administration has gone to extreme lengths to sacrifice these priceless forests, despite the fact that their own scientists have designated this area as "most ecologically significant old-growth," a "Key Water-

shed" for clean water, salmon and steelhead, and a "Late-Successional Reserve." At the last minute, a special loophole was written into the "Record of Decision" implementing the President's Forest Plan. This loophole allows 21 old timber sales from 1990 to be "grandfathered" into new Late-Successional Reserves, despite the fact that these sales were designed under out-moded forest plans that have been declared illegal by Judge William Dwyer of the Federal Dis-

The Thousand Giants

The forests of Grayback Mountain are truly unique. We know of no other area in the Siskiyou where so many magnificent large trees stand in such a classic old-growth ecosystem. Their loss would be tragic.



*Greg Harty of the Public Forestry Foundation
standing by an ancient tree marked to be cut.*

We are asking for a **Presidential Pardon** that would stop the Sugarloaf Timber Sale and keep the top of Grayback Mountain as a Forest Reserve.

We have three suggested alternatives:

1. Substitute the three Sugarloaf units with 9.5 million board feet of timber from Matrix or Adaptive Management Area lands.
2. Buy back Boise Cascade's contract.
3. Modify Boise's contract to only log the non-old-growth Unit 1 for a projected volume of 2.6 million board feet. Delete Units 2 and 3 (prime old-growth and spotted owl area).

HEADWATERS PARTICIPATES IN HISTORIC FOREST CONFERENCE

JULIE NORMAN ADDRESSES THE FOREST CONFERENCE

HELLO FRIENDS. On April 2nd I was indeed honored to speak on behalf of the forests at President Bill Clinton's Forest Conference in Portland. It was thrilling, scary and inspiring. There is no doubt that we have successfully "nationalized" the outcry over the destruction of our public forests. The White House came to see us, and the nation tuned in on live radio and TV.

The day ended with President Clinton asking his Cabinet to come up with a plan BY JUNE 1st! So much is at stake! We must help them be strong!

The President, Vice President Al Gore, five Cabinet members, and over 300 observers absorbed 6 hours of testimony from 55 panelists in three Roundtable Sessions. They listened to tales of wrenching (though predicted) economic changes and heard compelling data about old-growth/salmon/owl habitat collapse. They were also briefed on innovative ideas for shaping our next economy (which has already begun).

President Clinton was friendly and well-informed as he relaxed into the role of host and counselor. Individuals and communities crushed by the changes in the industry had a big shoulder to cry on. Clinton clearly empathized with their plight, citing the agricultural collapse he had witnessed in Arkansas which resulted in many ghost towns along the Mississippi River. He stated, however, "I cannot repeal the laws of change."

Headwaters was chosen to lead off the third session on "Solutions" with a 3-minute statement (reprinted inside). [There were so many lights and cameras and people! And looking down that huge table I could see BILL AND AL!! So after the President introduced me I just started

Headwaters President Julie Norman speaking with President Bill Clinton at the Forest Conference.

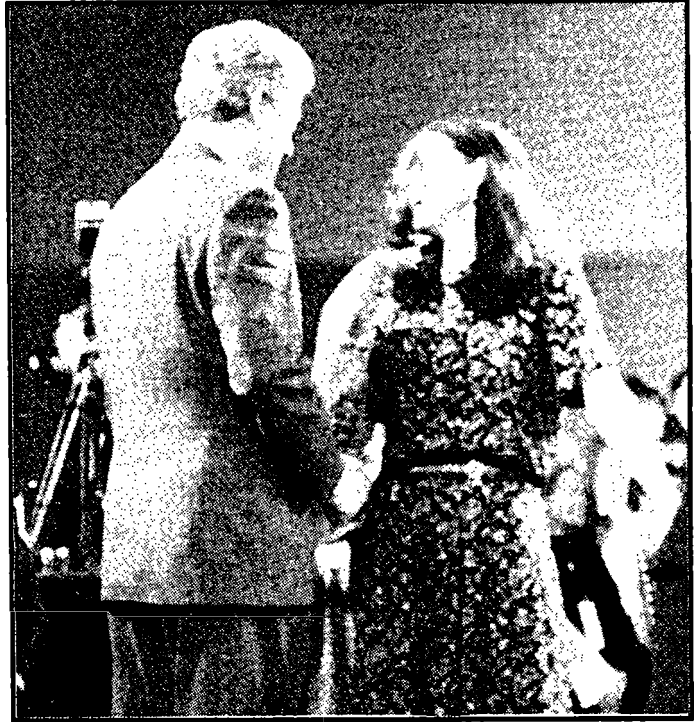


PHOTO BY SCOTT LEWIS

reading, and then the spirit of the forest and all you forest lovers welled up inside and carried me through.]

I tried to be an able voice for the forests we love so much. Many thanks to all the people who helped craft our "position" and the prose to convey it with beauty, precision and power.

How do I feel now that it's over? Nervous, but hopeful.

As of today, Headwaters has not gotten specific direction from the Administration on how to proceed in post-Conference communications, but we expect that they will reveal the rest of the process soon. At the Conference, I was told we would be kept in the loop. Of course, politics is full of surprises.

So the task at hand, pending further detail, is to WRITE BILL CLINTON, AL GORE, Interior Secretary BRUCE BABBITT, and Agriculture Secretary MIKE ESPY. Notes, letters, and phone calls from you and your circle of influence are CRUCIAL in the next 30 DAYS! We hope the Clinton Administration has the wisdom to adopt the strategy and goals outlined on page 3.

PLEASE HELP! WRITE TODAY!

"We can probably grow spotted owl habitat. But it's unlikely we are going to know any time soon how to grow old-growth forests. The complexity of these systems is beyond imagination."

**Dr. Jerry Franklin
Univ. of Washington**

STATEMENT BY JULIE NORMAN AT THE FOREST CONFERENCE

Good afternoon and welcome. We are so appreciative to have this forum.

I have lived in the beautiful Rogue River Valley in Southwest Oregon for 17 years, working as a whitewater guide and computer systems analyst. My involvement in this issue blossomed during the late 70's when I was a river guide and I began to notice the march of clearcuts across the vast expanses of tall, wild forests.

Later, when I began to investigate Forest Service and BLM data in their files and computers, I learned that four million acres of prime old-growth forests had been turned into monoculture tree-farms in the last 40 years on Forest Service land in Oregon and Washington alone.

We must disturb no more of the last remaining centers of biodiversity. These are the refuges and the seed sources for tomorrow's forests, tomorrow's wildlife, and tomorrow's economy.

Therefore we must establish a permanent forest and watershed reserve system based on the best scientific knowledge. We must also establish interim protection for additional areas to preserve options while thorough scientific studies are completed. All suitable habitat for threatened species, all roadless areas, key watersheds for salmon, riparian zones, and large blocks of intact forest must serve as our scientific "controls" during this research period.

These reserves must encompass the east side of the Cascades as well as the westside forests.

Yet when we take these strong steps, when we protect large areas from logging and roadbuilding, we must remember that we are only treating the symptoms and bandaging the wounds. The decline of our forest's health must be dealt with at its source. Cutting practices must be reformed, and diversity must be restored to the four million acres of tree-farms. Otherwise the carefully designed system of reserves will crumble, a victim of forest fires and insect and disease epidemics spreading from the "managed" lands.

We need a "Scientific Review Committee for the Managed Lands." One goal of this committee would be to focus the new "ecosystem management" policy of the Forest Service and BLM into a program of well-monitored experiments. This should occur on a very limited basis in the least controversial areas.

As Jack Ward Thomas stated in the recent Scientific Analysis Team Report, unless "adequate research and monitoring are instituted and pursued vigorously" (p. 24), an even stronger habitat reserve system will be needed in the future.

To achieve this will require nothing less than a revolution in the federal forest agencies. The Forest Service, BLM, and U.S. Fish and Wildlife Service must be placed under new leadership to ensure reform and proactive compliance with environmental laws. Weakening or making exceptions to our laws is neither useful nor necessary.

As conservationists, we realize that all solutions must involve both the federal agencies **and** the communities. The future of both obviously lies in restoration and second-growth industries, given the fact that the old-growth will soon be gone if not protected. We believe the answer lies in adding value to forest products and investing in new community-based market opportunities. As an example, Headwaters is working with the Applegate Partnership to find common ground with the local timber industry in designing sustainable forestry and restoration projects. We also work with the Rogue Institute for Ecology and Economy to promote value-added wood products.

A healthy ecosystem is the economic infrastructure for communities with a natural resource base. By working for sustainable communities as well as sustainable forests, we hope to ensure the well-being of both.

Thank you.

A sea of bodies spilled out of Waterfront Park and into the streets at the Thursday rally.

PHOTO BY JOHN STAHMER



Headwaters

To protect and restore forest ecosystems

TO: MIKE DAVIS
OFFICE OF ENVIRONMENTAL POLICY

FROM: JULIE NORMAN

DATE: THURSDAY, SEPTEMBER 29

RE: SUGARLOAF SALE ON SISKIYOU NF

Dear Mike,

Thanks again for allowing me to make a presentation to you last Friday about the Sugarloaf Timber Sale on the Siskiyou National Forest. You and the other two officials I met with (Kevin Sweeney, USDI Communications, and Peter Hamm, USDI Congressional Affairs) gave me an ounce of hope! They would be good folks for you to discuss the sale with, since they were both involved with the Record of Decision last April.

Enclosed here is a news release I'm putting out today. Your name is mentioned in item 2 on the third page entitled "Sugarloaf Opposition Updates," where I state that you agreed to look into the matter but made "no commitments."

Please let me know how I can assist you further.



Headwaters

To protect and restore forest ecosystems

FOR IMMED. RELEASE: Sugarloaf Timber Sale Awarded Inside Reserve

THURSDAY SEPTEMBER 29, 1994

Contact: Julie Norman (President), 503/482-4459

Citizen outcry against the Sugarloaf Timber Sale on the Siskiyou National Forest in SW Oregon is spreading nationwide, with appeals now going directly to President Clinton. The Sugarloaf Sale is the first major timber sale (9.5 million board feet) that Region 6 Forest Service has pushed since President Clinton's Forest Plan was adopted in April, but it does not comply with the Plan.

Sugarloaf and 20 other old 1990 timber sales were "grandfathered in" through a last-minute, controversial loophole (crafted in D.C.), even though these sales log inside the President's new Forest Reserve System. Sugarloaf is the worst of the bunch; it is entirely in a Roadless Area and Key Watershed.

The Forest Service (Grants Pass, Portland, and D.C.) has turned a deaf ear to the coalition of local and national environmental groups, local businesses, the Grants Pass Unitarian Church, Oregon Democratic Party,

and even Oregon's Governor Barbara Roberts, who all oppose the sale.

Amidst unresolved confusion and admitted "misinformation" about the number of giant trees marked to cut, Siskiyou Supervisor Mike Lunn awarded the contract to log this pristine public forest on August 22nd. [According to the last Forest Service tally, there are approximately 1,000 marked trees over 46" in diameter.] Boise Cascade Corp. (high-bidder with mills in Medford and White City) now has four years to log over 12,000 individually marked trees on 660 acres, all inside the Reserve.

Julie Norman: "I spoke at President Clinton's Forest Conference when this process began. Now we need Bill Clinton to follow through with an integrity check, so that his Forest Reserve System isn't violated on day one of his Plan's implementation.

"Headwaters suggests that Boise Cascade be substituted other timber from the commercial logging zones and keep the new Forest Reserve intact."

FOR MORE DETAILS SEE ENCLOSED HEADWATERS JOURNAL

Cover photo and story starting on page 6.

Back cover: aerial photo of sale area.**

** LIGHTHAWK AIR TOURS AVAILABLE OUT OF SEATTLE!

SUGARLOAF OPPOSITION UPDATES:

1. Lou Gold, nationally known forest activist and defender of Bald Mountain on the Siskiyou National Forest, has now moved his peaceful prayer vigil to Lake Mountain, overlooking the Sugarloaf Timber Sale. [See enclosed Bald Mtn. Alert.] Lou's group, Siskiyou Regional Education Project, has just distributed the Alert to 11,500 people nationwide, initiating a boycott against Boise Cascade and asking for citizens to contact President Clinton and Asst. Sec. of Agriculture Jim Lyons. Siskiyou Project is also running a series of hard-hitting, full-page ads in Oregon entitled: "The New Forest Plan: Log it and lie about it" (see reverse).

2. Julie Norman, President of Headwaters, last week visited Clinton officials in Washington D.C. She explained how the public had been doublecrossed in August by the Forest Service, when they unilaterally cut off discussions about reassessing the sale. Ms. Norman suggested that Boise be given substitute timber from outside the Reserve System. Two officials (Mike Davis of Office of Env. Policy, and Kevin Sweeney of Dept. of Interior Communications) promised her they would explore the matter further (no commitments).

RECENT MEDIA COVERAGE:

1. "Clinton errs with Sugarloaf Sale." *Salem Statesman Journal*
2. "First offering of Westside plan is 'worst'." *High Country News*
3. "Sugarloaf Sale Awarded: First Major Sale under Clinton Plan Lies within Spotted Owl Reserve." *Earth First! Journal*

DOCUMENT HEADER

Document name: LUNN 2

Document type: WRD

Drawer: MAIL

Folder: GENERAL

Received from: Lunn, J. Michael

Last modified on Sep 13, 94 12:30 PM

by J. LOWE

Author: John E. Lowe

Typist: John E. Lowe

Filed on: Sep 13, 94 11:23 AM

Message attached

Subject: Sugar Loaf II

Summary:

Comments:

DRAFT

With the recent awarding of the controversial Sugarloaf Timbersale on the Siskiyou N.F. there has been a flurry of information released concerning many things that led up to the award of the sale. The Forest Service and Forest Supervisor Mike Lunn and others have been of lying, purposely misleading the public, and malfeasance. Rather than respond directly to the allegations, I will explain what we did in terms of communications and background. You can decide for yourself whether our actions were appropriate leading up to award of the sale.

COMMUNICATIONS WITH LOCAL GROUPS

A primary issue of which I want to express my perception is the question of how we handled the communications relative to the period just prior to the award of the sale. It is important to know that the authority to award the Sugarloaf sale was with the Forest Supervisor following the direction in the Record of Decision (ROD). A communication strategy which guided the release of information by the Forest Supervisor was a joint product of various levels of the organization, was developed collaboratively through a number of iterations, and was not finally given the "go-ahead" until the last day before award. There is no question but what that strategy was carried out as directed. I have reviewed the communications which has taken place at the District, Forest and Regional level and am confident that communications were adequate. I personally attempted to contact, by phone, those most opposed to the award of the sale prior to the actual award.

I also acknowledge that the information flow could have been better. This is nearly always the case when we are dealing with complex, highly technical issues in a very political framework. Communications on Sugarloaf involved a lot of people from different organizations and layers of the Forest Service and Department. But above all, there is no evidence of intentionally misleading anyone.

In terms of decision authority, the decision with which I was dealing and, I think applied to my superiors as well, was to either give direction not to award or, in the case the Forest Supervisor, decision was to not award to review that decision to determine if it was consistent with the ROD.

Due to the high level of interest in the Sugarloaf sale, I personally walked part of the sale and visited on the site with folks from Headwaters, Southern Oregon Timber Industry Association, Northwest Forestry Association, Public Forestry Foundation, Boise Cascade, and Professor Dave Perry from OSU. We had a good exchange of information, and I committed to the following:

1. Have the tables with mis-information corrected.
2. To relay my perspective about the kind of stands being harvested to my superiors. In comparing what I had heard about the sale to what I saw, I had three comments.
 - A. I saw more large trees marked than I had visualized,
 - B. I saw trees marked that I would not have marked and some not marked that I would have marked; and
 - C. I did not see anything that would indicate a need to stop the sale.

DRAFT

3. Asked the Forest Supervisor to reassess the sale based on the discussions we had. This was not a direction or a request to make any adjustments but, rather, to make an assessment. This assessment was done (August 8, 1994) and a report submitted to me by the Forest Supervisor. The action plan proposed minor modifications (post award) to lessen the road impacts and to seek additional protection for the spotted owl (retain a few more old trees around activity centers).

There was no suggestion that this information would be cleared through any one particular group prior to award of the sale.

The SW Oregon media accurately reflected these points based on my post-review interviews with them. All of these commitments were completed and provided to me several weeks prior the award of the sale. I recognize they did not provide the results some had hoped for, but the tasks were completed as assigned.

Responsible officials, scientists, and other professionals on the Siskiyou believe Sugarloaf to be a quality step forward in moving towards ecosystem management. If we were to start fresh with the same stand in planning an entry, there would be some things we would do differently; but more that we would do similarly with the same goals. It is and will remain controversial. But we firmly believe it is not just a good timber sale, it is an appropriate treatment of the land to meet the test as described by President Clinton "where sound management policies can preserve the health of forest lands, sales should go forward."

I fully support the actions of the Forest Supervisor and the highly qualified staff on the Siskiyou and the decision to move forward with the Sugar Loaf Sale. Hopefully we can get this behind us and move forward with implementation of the President's Plan.

BACKGROUND TO AWARD

Prior to the publication of the Record of Decision accompanying the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl, many questions had to be addressed concerning existing projects which were not consistent with all the Standard and Guidelines in the plan. Especially important were timber sales under contract and timber sales which had been previously sold but not awarded due to legal issues or other delays. The Sugarloaf sale was one of the latter.

The decisions relative to the 318 sales were particularly contentious, but having dealt specifically with these issues the Record of Decision was clear in how these sales would be handled. I believe the direction is clearly within the concepts and five principles President Clinton set to guide the interagency planning effort.

These are reflected in the Record of Decision (ROD). The first of these states in part:

"First, we must never forget the human and the economic dimensions of these problems. Where sound management policies can preserve the health of forest lands, sales should go forward.-----" (ROD at page 3)

DRAFT

The ROD further addressed the issue of timber sales both in terms of existing and future sales. New sales are clearly directed to be consistent with the Standards and Guidelines required by the ROD. It further provided management policies concerning sales already sold and awarded and sales sold but not awarded within late successional reserves (LSR's) and key watersheds. The ROD at page 13 stated: "With one exception described below, [applicable to previously enjoined sales] all planned and sold but unawarded timber sales were reviewed and adjusted as needed, following publication of the Draft SEIS, pursuant to the process described in paragraph (a) above. The review ensured that these sales would not prevent the attainment of the environmental objectives of the selected alternative" (emphasis added).

"Some previously-offered sales are located in the LSR's. If those sales proceed, the integrity of the LSR's will not be significantly impaired and the cumulative environmental effects of the sales will not be significantly different from the effects set forth in the Final SEIS. Between the Draft and Final SEIS, the size of the LSR's increased by 378,200 acres, to a total LSR acreage of 7,431,000. The amount of late successional, old growth habitat protected in various reserves (e.g. late successional, riparian, and known owl activity centers in the matrix) increased by 240,900 acres, to a total of 6,864,100 acres. These increases more than offset the approximately 26,000 acres of previously sold and awarded or sold and unawarded sales located within proposed LSR's. The late successional and old growth habitat in LSR's that might be harvested (assuming that these areas meet ESA requirements) represents about one-third of one percent of the total of this habitat in reserves in the preferred alternative." (ROD at page 13)

Sales sold and awarded or unawarded were also looked at in regards to key watersheds and roadless areas. "Sales were assessed to determine their effect on state water temperature standards, large wooded debris, stream flow, sediment regime, aquatic organisms, and other aquatic resources. The criteria for this evaluation were developed by the scientific group assisting the implementation team." (ROD at page 13) Sales have been, or are in the process of being, adjusted to eliminate or mitigate long-term, unacceptable effects on riparian and aquatic ecosystems. Considerable volume in existing sales is currently not being operated pending final conclusion of consultation under the Endangered Species Act.

Locally on the Siskiyou National Forest, the Plan significantly strengthened protection for fish and wildlife species dependent on late-seral habitats. Within the SDEIS, only 142,000 acres were allocated to matrix; of which 41,000 acres was roadless. Further changes occurred again between the SDEIS and SFEIS; leaving 76,000 acres in matrix of which 19,000 acres is roadless. The potential sale quantity of timber dropped from 34mmbf/yr to 22mmbf/yr. For reference, the total acreage within the Siskiyou NF is 1.09 million acres.

There should be no question that from a regional perspective the small acreage of old-growth timber to be harvested under existing contracts and those sold but not awarded was carefully considered, and found to not affect attainment of the goals of the plan. The changes to the Siskiyou plan likewise have clearly increased levels of protection/management for older-aged stands. Sugarloaf Timber Sale must be viewed in that context, as well as on its own merits. And on its own merits, it is at worst a neutral effect on long-term stand health but more likely will have a beneficial effect both in the near and long terms.

DRAFT

SUGARLOAF TIMBER SALE - Sugarloaf was one of three sold but unawarded timber sales on the Siskiyou. It is in the Kangaroo Roadless Area, and it is in a key watershed and Late Successional Reserve in the new plan. The sale will harvest trees from areas which have some or mostly old growth characteristics. There are several "definitions" of old growth floating around; these particular stands may or may not meet all of these so called scientific definitions. However most people would equate a large portion of the area (Units 2 and 3) to their personal concept of "old growth".

Sugarloaf is not a product of the plan; therefore it cannot be construed as the "1st timber sale out under the new plan". It is a product of the past; it does not meet the criteria for sales under the plan and there was no intent for it to be or to make it appear to be consistent. It is an old sale which was allowed to proceed after it was determined that it did "preserve the health of the forest". There was considerable discussion about its relation to the Plan.

Sugarloaf was designed to try to accomplish a series of objectives that came from discussions with the 318 Advisory Board when they could not come to agreement. This resulted in a sale that was far different than the normal clearcut prescriptions which were so prevalent in the past. Features of the sale that resulted include:

1. No clearcuts - approximately 1/3 of the trees across all size classes will be selectively designated for harvest; the intent is to reduce basal area and increase stand diversity.
2. Trees less than 90 years old comprise the great majority of the trees to be harvested, but less than half the volume.
3. Large trees (greater than 44 inches in diameter) make up a significant part of the volume, but relatively small number of the stems to be harvested (approximately 1000 trees from a total of nearly 17000). A few of these are quite old (300-500 years possibly), most are between 125 and 250. Tree size relative to age can be deceiving, as one 60 inch dbh tree was only 208 years.
4. More significant though, the stand will retain many larger trees. Where it currently has older-stand attributes, they will remain after harvest. The remaining portions of the stand will more quickly attain old stand character following harvest.
5. The sale maintains habitat for spotted owls. The biological opinion from the US Fish and Wildlife Service confirms that the entire area will remain suitable habitat for roosting and foraging. The core area of the owl pair in unit 2 is fully protected (withdrawn from harvest).
6. All yarding will be by helicopter. Minimal roading is planned; only that required to provide access to safe landings for helicopter operation.
7. Riparian zones have been carefully designed and screened for full protection of hydrologic functions.

It is apparent from the numerous recent letters and phone calls that probably the KEY issue with the Sugarloaf sale is that it is in a roadless area (Kangaroo Roadless Area). The public makes reference to Ancient Forest Reserves "to be preserved" instead of LSR's. Clearly many people desire "hands off" management of this and other roadless areas. Comments such as "permanently drop Sugarloaf and provide complete protection" or "stop entry into--virgin areas" and "off limits to logging" while substituting the word "preserve" for "reserve" would indicate that these concepts are central to their concern.

DRAFT

From my discussions with a few representatives from the "environmental" community, I felt that some were truly concerned about the way the sale had been marked and could better accept a sale with a different cutting prescription. It was just as obvious that some had a bottom line of no harvest in the Roadless area regardless of the prescription.

Many of the letters received stated that moving ahead with the sale would violate the intent of the President's Plan. In these cases it is obvious that the plan is either not well understood, or not well received.

I think one needs to understand the recent history of the Siskiyou N.F. to evaluate the present situation. The two major social/political issues on the forest for several years has in one way or the other revolved around the timber sale program or the roadless areas.

TIMBER SALE PROGRAM HISTORY

1. 1989 FOREST PLAN - A.S.Q. 160MMBF
2. 1992 I.S.C. PLAN - A.S.Q. 122MMBF
3. 1993 DRAFT OPTION 9 - P.S.Q. 34MMBF
4. 1994 FINAL OPTION 9 - P.S.Q. 22MMBF

During the period of FY 91-94, only 10mmbf (approximate) of new sales has been awarded on the Siskiyou NF due to gridlock. Literally millions of dollars have been expended trying to meet the local needs for timber with little success due to changing rules, appeals, and lawsuits. It will three years before the PSQ of 22MMBF can be reached, assuming funding is available, due to the changed requirements in the President's Plan. Sugarloaf Timber Sale, and Briggs Secret (4.7mmbf) provide the only near term opportunity for supporting the local timber economy.

SISKIYOU ROADLESS AREA ANALYSIS

1. Total Forest Area - 1,090,000 ac
2. Original (Pre-Forest Plan) Roadless Area - 522,000 ac (47%)
3. Roadless Area not in the timber base - 503,000 (45% of Forest)
(96% of Roadless area)

284,000 ac Wilderness/Wild & Scenic
146,000 ac Allocated Roadless in Forest Plans
73,000 ac Late Successional Reserves
(Two grandfathered sales; Sugarloaf and China Left
are in LSR's and harvest app. 2,000 ac)

TOTAL 503,000 AC

Final Option 9 - 76,000 ac (tbr. base) - 7% Forest Acres

Includes - 19,000 ac roadless - 4% of Roadless Ac

Due to lawsuits, changing plans, consultation etc the
Siskiyou has sold only 10MMBF between 1990 and Present.

DRAFT

Everyone can draw their own conclusions from the two sets of data above but my observation is that those who have supported and actively pushed for either preservation or a very high degree of protection for the roadless areas have been very succesful compared to those primarily interested in the size of the timber harvest program.

Decision-makers throughout the Agency and Department recognized the contentiousness of the 318 Sale issue prior to issuing the Record of Decision. It should be clear that even the most intensive, best executed plan of public involvement or notification would not have made the decision to award the timber sale any more tenable to the folks who oppose it so strongly.

DRAFT

Regional forester expects changes in Sugarloaf sale

By Michele LaBounty
of the Daily Courier

7-21-94

GRANTS PASS, OREGON

The controversial Sugarloaf Timber Sale is still on, but fewer old-growth trees might be logged.

Regional Forester John Lowe, who flew over and then hiked the sale on Grayback Mountain Wednesday, said he saw nothing to make him shelve the contract.

But Lowe and Siskiyou National Forest Supervisor Mike Lunn revealed that math errors made statistics inaccurate on the size of trees to be cut.

Headwaters, an Ashland-based environmental education group, uncovered the mistake with help from the Pacific Forestry Foundation in Eugene. Headwaters brought it to Lowe and Lunn's attention a few days ago.

The percentages for old-growth trees apparently were underestimated by 7 to 8 percent in a "worst-case scenario," Lunn told reporters after the tour. But Lunn said most of the trees in the 739-acre sale are expected to be young, roughly less than 90 years.

The numbers will be reworked in the next several days and released to the public, Lunn said.

He added the mistake was not an attempt to conceal how many old-growth trees were targeted.

The error doesn't pose a legal problem that might stall the sale, Lunn said. However, he said he is not in any hurry to rush the sale through.

Recalculations might reduce the amount of timber to be cut below the expected 10.5 million board feet, he said.

Lowe said he noticed more old-growth trees marked for cutting than he expected. While he said he saw trees he wouldn't have marked, he saw others he would have put on

the cut list.

Lowe, who oversees national forests in Oregon and Washington, visited the sale for the first time because of mounting opposition from local and national environmental groups.

Those groups include Headwaters, the National Audubon Society, Sierra Club Legal Defense Club and Siskiyou Regional Education Project.

Environmentalists say logging the area will harm forest health. The sale is in an old-growth reserve used by threatened northern spotted owls and other wildlife, a key watershed and the Kangaroo Roadless Area.

"The sale was not exactly like we would do it today," Lowe acknowledged, referring to its history dating to before President Clinton's forest plan.

The sale has generated protests for years and spiking of trees to stop chainsaws. Part of the controversy centers on Sugarloaf as a so-called 318 sale that resulted from a political deal to release some timber for harvests that otherwise would have been locked up by a court injunction.

Lowe took several environmentalists on the tour — Dave Perry, a forest scientist at Oregon State University, and Julie Norman, president of Headwaters.

Norman said Lowe told the group that the new numbers for the size of trees will be sent back to Washington, D.C., so officials know that the mistaken calculations would result in more old-growth trees than expected being cut.

"We hope that the new information will trigger a serious reconsideration," Norman said.

We had an AGREEMENT!



SEP- 8-84 THU 21:44

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 05

Siskiyou forest will reassess Sugarloaf sale data

The Mail Tribune, Thursday, July 21, 1994

MEDFORD OREGON

By PAUL FATTIG
of the Mail Tribune

→ The Forest Service is taking another look at a harvest plan for the controversial Sugarloaf timber sale in the Siskiyou National Forest.

After a consulting forester hired by the Ashland-based Headwaters environmental group challenged figures supplied by Siskiyou officials concerning the percentage of old-growth to be cut, the agency decided to reassess the numbers, said Siskiyou Forest Supervisor Mike Lunn.

The contract forester showed that a higher percentage of older trees were marked for cutting, Lunn said.

"We want to go back and correct the misinformation we've been responsible for," Lunn said. "It wasn't done with the intent to hide anything. But we did miscalculate the numbers."

The 739-acre Sugarloaf timber sale, on the west flank of Grayback Mountain about six miles south of Williams, calls for a harvest of some 10.5 million board feet.

→ A new assessment could result in fewer older trees being cut when the logs are harvested by helicopter, he said, although noting the new assessment won't be available for two weeks.

Rojce Cascade Corp. was the high bidder on the sale when it was offered three

years ago, but it was not awarded the contract because of the spotted-owl court injunction. However, the U.S. Fish and Wildlife Service has given the agency the go-ahead to award the sale. That award is pending.

Opponents have argued that the contract shouldn't be awarded, noting that the area has been designated a late-succession forest reserve and a key watershed under the Clinton forest plan.



John Lowe

Gov. Barbara Roberts has come out in opposition to the sale, saying it under-

mines Clinton's forest plan.

Meanwhile, John Lowe, the Forest Service's regional forester in the Pacific Northwest, bled through the sale Wednesday with Lunn and other officials.

"I didn't see anything today that would shut down the process we're going through," he stressed, although he noted that options remain open.

← "I found the sale had more large Doug fir marked than I would anticipate," he said. "But on the other hand I saw some that weren't

marked that I would have marked." Like Lunn, he said a reassessment may change the percentage of large trees harvested.

Because the sale was sold before the Clinton forest plan went into effect, it doesn't follow the same guidelines, he noted.

"This is an old sale that was grandfathered in," Lowe said. "My concern is that it be a good sale, that there is nothing out there that is going to harm the environment."

"The reason we are in there is still ... very good," he added. "We will continue to have scientific argument over whose mouse trap is better, but we've got to move ahead with what we've got, continue to learn and adapt as we go."

Sugarloaf

SEP- 8-94 THU 21:44

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 08

DEPARTMENT OF
FOREST SCIENCEDavid A. Perry
ProfessorOREGON
STATE
UNIVERSITYForestry Sciences Lab. 020
Corvallis, Oregon
97331-7501Telephone
503-737-6588
Fax
503-737-1393

August 1, 1994

James R. Lyons
Assistant Secretary for Natural Resources and the Environment
U.S. Department of Agriculture
Room 217E Administration Building
14th & Independence Avenue, SW
Washington, DC 20250

Dear Jim:

This concerns the proposed Sugarloaf timber sale on the Siskiyou National Forest. Headwaters gave me a copy of your letter to them, in which you state the sale will (among other things) "...perpetuate old-growth structure...and enhance stand vigor." In my opinion the sale as marked will do neither, and in fact is more likely to degrade owl habitat and make the stand more vulnerable to wildfire. There seems to be some confusion in the FS about how much volume is to come from the 600-acre old-growth stand within Units 2 and 3 of the sale, but it's clear that a significant number of healthy, dominant old-growth trees are marked to cut. If the objective of this sale is to move volume, it certainly accomplishes that. The prescription in Unit 1 (the second-growth stand) will probably also improve the health of that stand, however the prescription in the old-growth of Units 2 and 3 will in my judgement degrade stand health and jeopardize owl habitat. Removing older trees will open the stand to wind and heat, hence dry it out. Leaving understory white fir trees perpetuates the problem of fire-ladders. These two facts add up to greater vulnerability to wildfire. Increasing the cover of white fir, a species that is especially vulnerable to fire and pathogens, is not a good strategy for maintaining long-term stand health. With regards to the pair of owls that live in that stand, it's difficult for me to see how what is already prime habitat can be improved by a cut of this nature. It may even expose the owls to greater predation from corvids.

When the prescription for Units 2 and 3 was written four years ago, it was a significant improvement over clearcutting old-growth, and the FS deserves credit for moving away from clearcutting stands like these and toward protecting at least some older trees. However, the overall objectives of forest management in the PNW have changed dramatically in the past four years, and cutting healthy old trees under the guise of improving forest health will

SEP- 8-94 THU 21:45

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 07



OREGON
STATE
UNIVERSITY

James R. Lyons

Page 2

August 1, 1994

only fuel the cynicism among scientists and environmentalists about FS motives. Presently that cynicism is getting in the way of real measures to improve forest health, and it sure as hell doesn't need more fuel. If you stick with the decision to log this sale without a significant change in the mark, I hope that you will at least acknowledge that purported "health" benefits are highly controversial within the scientific community.

With best wishes.

David A. Perry

Professor, Ecosystem Studies

DAP/cw

c: J. Michael Lunn, Supervisor, Siskiyou NF
John Lowe, Regional Forester
Julie Norman and Robert Brothers, Headwaters

SEP- 8-94 THU 21:46

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 08

Headwaters

To protect and restore forest ecosystems

FOR IMMEDIATE RELEASE:
FRIDAY, AUG. 26, 1994

CONTACT: JULIE NORMAN, PRESIDENT, 503/482-4459

THE FOREST SERVICE BREAKS ITS WORD ... ONE MORE TIME:
SUGARLOAF TIMBER SALE "AWARDED" BEFORE RESULTS OF
SALE RE-ANALYSIS MADE PUBLIC.

=====

On Monday morning, August 22nd, Headwaters President Julie Norman was shocked to learn from reporters that the highly controversial, 669-acre Sugarloaf Timber Sale had been "awarded" to Boise Cascade Corp, which indicated that Regional Forester John Lowe and Siskiyou Supervisor Mike Lunn had both failed to follow through on their widely known commitments to reassess the sale before the "award."

Julie Norman: "We don't blame Regional Forester Lowe or Supervisor Lunn for awarding the sale, because the responsibility for that lies in Washington D.C. But we do blame them for breaking their agreement to work together in reassessing the sale after the Siskiyou NF staff corrected certain errors (discovered by Headwaters) in their public statements describing the size of trees to be cut. (See clips from press conference after sale tour on July 20th.)

"On July 20th John Lowe and Mike Lunn told the world that the public could expect a recalculation of the inaccurate sale description and then a reassessment of the sale based on those results. That did not happen.

"Headwaters' Richard Hart and Robert Brothers, Greg Harty of Public Forestry

SEP- 8-94 THU 21:46

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 09

Foundation, OSU Professor Dave Perry, and several Forest Service staff were present when the commitment was made."

"The data I finally received in the mail from Supervisor Lunn, after the sale was awarded, indicates that there are over 1,000 marked trees over 46" in diameter, out of 11,299 marked to cut. These statistics clearly show that the Siskiyou National Forest staff had misrepresented the quantity and quality of the old-growth being cut, which they had previously described as 'only a few old trees' (see May 1994 Briefing Paper).

"We can't know if this misinformation was their intent or a comedy of errors. But we have no doubt that the Forest Service intentionally broke our agreement to work together in reassessing the sale.

"Headwaters repeatedly asked the Siskiyou for copies of the information needed to calculate the diameter of marked trees. When we finally received the tally sheets and completed our calculations, we sent the results to the Forest Service on August 15th. Instead of informing us that they had made similar calculations, John Lowe and Mike Lunn chose to keep us in the dark, break off negotiations, and award the sale behind our backs.

"Now Regional Forester Lowe and Supervisor Lunn are acting like they didn't say what was widely reported in the news. It feels like a doublecross to me."

-30-

Attachments: clip "Regional forester expects changes in Sugarloaf sale"
Grants Pass Daily Courier, July 21, 1994
clip "Siskiyou forest will reassess Sugarloaf sale data"
Medford Mail Tribune, July 21, 1994

Statesman Journal, Salem, Ore., Saturday, September 3, 1994

Clinton errs with Sugarloaf sale

The old-growth deal sets a bad example for the president's timber plan

In going ahead with the Sugarloaf timber sale in the Siskiyou National Forest in southwest Oregon, the Clinton administration has made a major environmental and public relations mistake.

The public relations gaff may be the most serious of the two because the success of Clinton's controversial forest management plan for the Northwest depends on creating confidence that the federal government will deal carefully and intelligently with our forests.

Clinton's stated aim — and we are among the few who have supported his plan — is to allow a reduced but assured harvest of timber while also promising a higher level of environmental protection.

So what is the first action taken by the administration after pronouncing these lofty ideals? It abruptly goes ahead with a 660-acre selective harvest of old-growth timber in a roadless area that is a key watershed and that lies adjacent to Oregon Caves National Monument. Besides that, it picked a project that has a long history of controversy and an army of opponents.

The Sugarloaf area also is one of Clinton's old-growth reserves — a category of protection that is intended to reassure the public that the Northwest's remaining

Whom to contact

To comment on the sale, you can contact John Lowe, Regional Forester, U.S. Forest Service, P.O. Box 3623, Portland, Ore. 97208, (503) 325-3625, or contact Jack Ward Thomas, Director, U.S. Forest Service, 201 14th and Independence Ave., Washington, D.C. 20250, telephone (202) 205-1065.

old-growth stands will not be leveled; they will be open to thinning and minor management of diseased or defective trees, but not to wholesale cutting.

Yet, environmentalists argue, 60 percent of the Sugarloaf timber proposed for cutting is old-growth and only 5 percent of it has visible signs of defects.

Many environmentalists are totally opposed to Clinton's forest plan and would not agree to cutting even one tree at Sugarloaf or any place else. But many of us believe that the forests can be a source of timber without losing their ecological and other qualities. We want Clinton's plan to be successful, but its debut is not encouraging.

We urge the administration to abandon Sugarloaf and look to second-growth or other less controversial areas to prove to skeptics that the Clinton plan will work.

Boise Cascade is the high bidder for the timber. If the administration doesn't change its mind, Boise Cascade still could decide that the controversy is not worth it and tear up its contract.

TO: ANCIENT FOREST STAFF
FR: SUGARLOAF ALLIES



United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

P.O. Box 3623
Portland, OR 97208-3623
333 S.W. First Avenue
Portland, OR 97204

Reply To: 2450

Date: September 13, 1994

Julie Norman
Headwaters
P.O. Box 729
Ashland, OR 97520

Dear Julie:

I received your FAX, and I read it with much consternation. I was not here when the Sugarloaf decision was made, so I cannot address the substantive issues. You have been working with John and Mike and that is where the dialogue and discussion should remain.

But, Julie, I want you to know how strongly I object to your attacks on the personal character of John Lowe and Mike Lunn. Your personal attacks against both Mike and John are serving to do one thing--undermine credibility and effectiveness of both of our organizations.

I know you feel strongly about this sale; however, I do not think that gives you the right to use counterproductive tactics like name-calling, personal attacks, and misrepresenting circumstances.

Any productive and healthy relationship must be founded on mutual respect and the premise that, though we will not always agree, we know we will hear each other out with respect and the presumption of good will. I am disappointed that you do not seem to care what damage you do the credibility of the Forest Service or to the people who work for the Forest Service, in the name of the pursuit of your own organizational ends. I am concerned about the damage to Headwaters as an organization.

You and your organization have always found ways to work with us productively in the past and have had the respect of us all for your innovative leadership in bringing diverse interests together to find common ground. I deeply regret this new path you have chosen to pursue.

Sincerely,

NANCY GRAYBEAL
Deputy Regional Forester



SEP- 8-94 THU 21:41

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 02

Headwaters

To protect and restore forest ecosystems

TO: NANCY GRAYBEAL, DEPUTY REGIONAL FORESTER
FROM: JULIE NORMAN AND ROBERT BROTHERS
DATE: THURSDAY, SEPTEMBER 8, 1994
RE: SUGARLOAF TIMBER SALE COMMUNICATIONS

Dear Nancy,

Welcome back to the fray. I hope you had a wonderful summer holiday with your family.

As you may have heard, the controversy over the Sugarloaf Timber Sale has not subsided, and this memo is meant to inform you of recent events. We will also be asking for advice.

1. RECENT EVENTS: The Sugarloaf Sale was unexpectedly awarded to Boise Cascade on August 22nd by Siskiyou Supervisor Mike Lunn. As illustrated by the enclosed clippings, this was a severe violation of the July 20th commitments made to the public by Supervisor Lunn and Regional Forester John Lowe. They had both agreed and were quoted as saying there would be a reassessment of the Sugarloaf Sale based on corrected information about the number of large trees to be cut. It didn't happen.

In fact, Supervisor Lunn completed an abbreviated reassessment behind closed doors, and did not bother to contact even one of the interested parties from the July 20th tour (Headwaters, Dr. Dave Perry, or Public Forestry Foundation) before he awarded the sale. On the day of the award, John Lowe called Headwaters to notify us (although we had already been informed by the media), and he told us he had talked to Jim Lyons and received the go-ahead.

2. INVOLVEMENT FROM JIM LYONS: Asst. Secretary Lyons called Headwaters yesterday to discuss the breach of process concerning the sale reassessment. In describing what he had been told by John Lowe, it became clear that there had been a communication breakdown between Lyons and Lowe. Jim Lyons was certain that John Lowe had told him the sale had been "adjusted" based on the concerns about the number of large trees to be cut. As we told him, this was false.

In sum, the sale was never adjusted based on the corrected information that was the subject of the tour, e.g. that there were 1,033 trees over 46" diameter marked for cutting. [Supervisor Lunn may claim that adjustments were made, but by looking at the August briefing booklet you will learn that he is referring to last summer's revisions for aquatic values, the deletion of 6 trees around the pine grove in June; and the revision of the owl core area...none of which were discussed at John Lowe's tour in July.]

SEP- 8-94 THU 21:42

HEADWATERS-ASHLAND

FAX NO. 5034827282

P. 03

Nancy, we have a broken promise and a discrepancy between what John Lowe and Jim Lyons think they communicated to each other. All we know is that we were stonewalled after being led to believe our concerns would be addressed in a good faith process. Dr. Perry was extremely upset, because he personally felt that his input was thwarted. Mike Lunn has yet to release the fully corrected information to the public-at-large.

3. WHAT NOW? HOPING FOR REINSTATED PROCESS TO REASSESS SALE: The outcome of our call with Jim Lyons yesterday is that he will talk to John Lowe and have John Lowe call us to figure out a way to proceed. We hope that Mr. Lowe will reinstate the good faith process he promised in July that will lead to a truly "adjusted" sale based on the corrected information.

For your information, our proposed "adjustment" is for the sale to be modified to contain Unit 1 only. [Unit 1 is a young, natural stand without old-growth characteristics.]

4. WHAT ELSE? FILING A COMPLAINT FOR VIOLATION OF PROCESS:

The Coordinating Council of Headwaters has decided to file a complaint against Supervisor Mike Lunn for breaking commitments and his deliberate obstruction of cooperative efforts to resolve controversial decisions regarding the Sugarloaf Sale. John Lowe's behavior has also been questionable and we are considering filing a complaint against him as well.

Jim Lyons tells us Mike Lunn has already been reprimanded for not notifying us of his intention to award the sale on August 22nd. We would like your advice on how to request detailed information on this reprimand and receive a copy. Can you please describe to us the mechanisms within the Forest Service for filing a complaint against a line manager?

5. OPPOSITION IS MOUNTING: Lou Gold has now relocated his summer vigil site from Bald Mountain to Lake Mountain (which overlooks the Sugarloaf Sale) while gearing up his media machine nationwide. Siskiyou Project is sending out a 12,000 piece mailing next week. Headwaters just sent a newsletter and alert to 3,000. Editorials (see last week's Salem clip) are blasting the Clinton Administration for abandoning the principles in the new Forest Plan. Monitor Radio called today about the story from Boston. The outrage is growing. No one is swallowing the idea of a giant old timber sale being allowed in a new RESERVE!

6. MEETINGS WITH BOISE CASCADE: A peaceful demonstration was staged at several different Boise Cascade offices last Wednesday. In Medford, 75 locals gathered to ask Boise to tear up the contract. On Friday, three of us (Chris Bratt of the Applegate Partnership, Boyd Peters of Siskiyou Audubon, and Julie Norman) met with Boise representative Bob Smith to propose that equal sale volume be cut from a substitute site within the Siskiyou NF's Matrix or Adaptive Management Area. We argued that this would be a win-win-win solution.

Thanks for listening,

Julie Norman
Robert Bratt

Clinton errs with Sugarloaf sale

■ The old-growth deal sets a bad example for the president's timber plan

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Clinton's stated aim — and we are among the few who have supported his plan — is to allow a reduced but assured harvest of timber while also promising a higher level of environmental protection.

So what is the first action taken by the administration after pronouncing these lofty ideals? It abruptly goes ahead with a 660-acre selective harvest of old-growth timber in a roadless area that is a key watershed and that lies adjacent to Oregon Caves National Monument. Besides that, it picked a project that has a long history of controversy and an army of opponents.

The Sugarloaf area also is one of Clinton's old-growth reserves — a category of protection that is intended to reassure the public that the Northwest's remaining

Whom to contact

To comment on the sale, you can contact John Lowe, Regional Forester, U.S. Forest Service, P.O. Box 3623, Portland, Ore. 97208, (503) 326-3625, or contact Jack Ward Thomas, Director, U.S. Forest Service, 201 14th and Independence Ave., Washington, D.C. 20250, telephone (202) 205-1055.

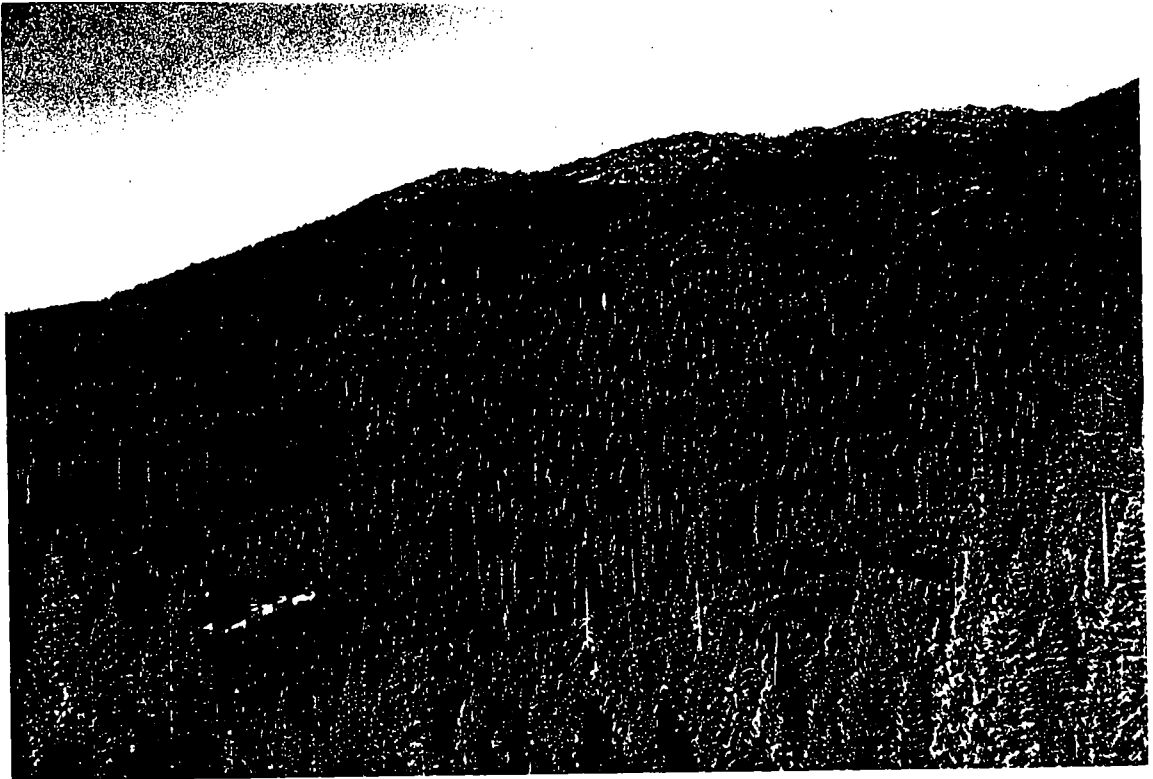
old-growth stands will not be leveled; they will be open to thinning and minor management of diseased or defective trees, but not to wholesale cutting.

Yet, environmentalists argue, 60 percent of the Sugarloaf timber proposed for cutting is old-growth and only 5 percent of it has visible signs of defects.

Many environmentalists are totally opposed to Clinton's forest plan and would not agree to cutting even one tree at Sugarloaf or any place else. But many of us believe that the forests can be a source of timber without losing their ecological and other qualities. We want Clinton's plan to be successful, but its debut is not encouraging.

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Sugarbark of Unit 2

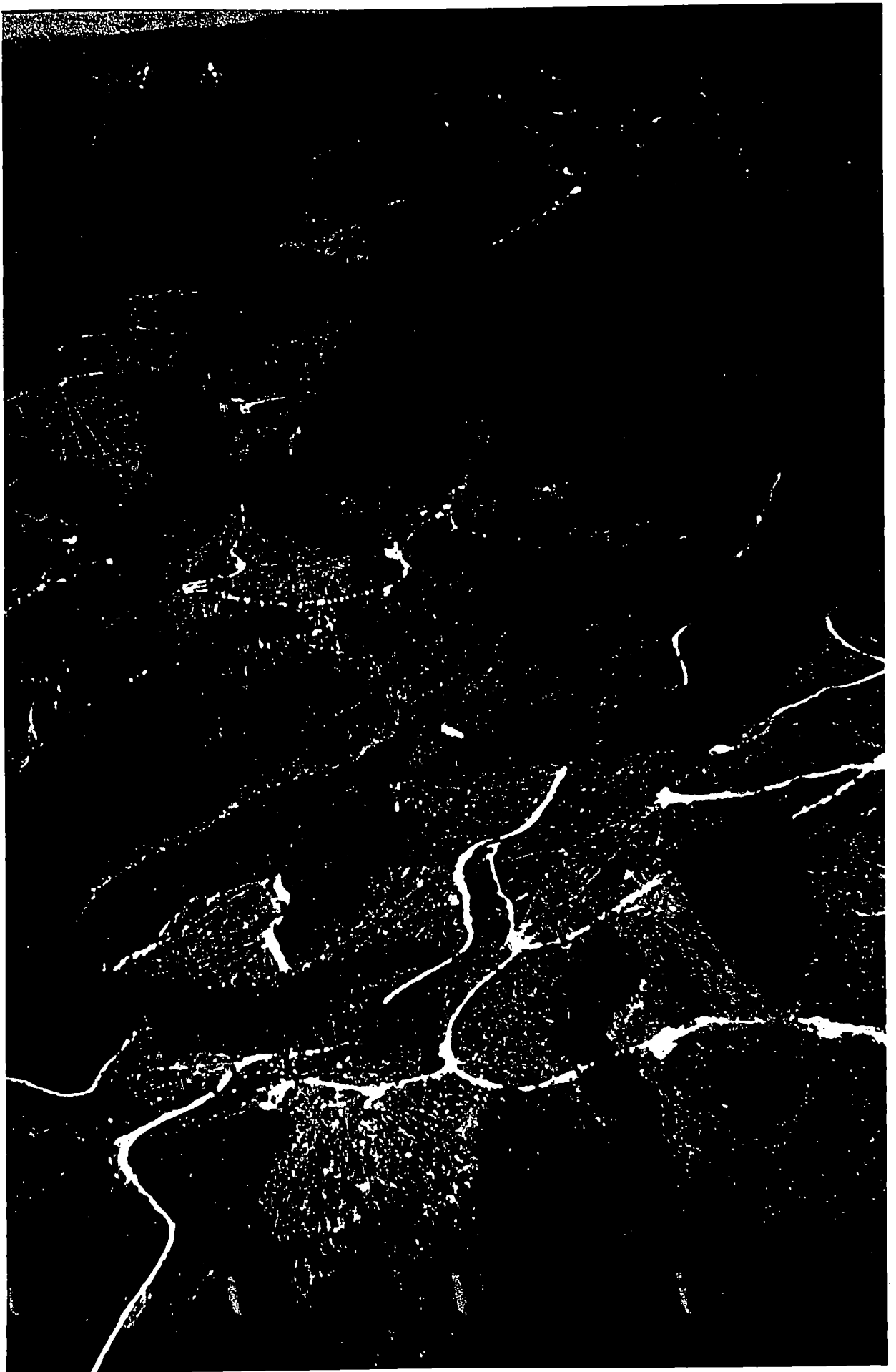


Grayback Mountain on the
Siskiyou National Forest ...

--> --> -->

... a rare island of ancient forest

... in a sea of recent clearcuts
(many of them struggling).



The proposed Sugarloaf Timber Sale
on Grayback Mountain ... --> --> -->

... 660 acres (1 sq. mile) of partial cuts
in prime, roadless forest
near the mountaintop.

Sugarloaf is one of 21 old Section 318 sales
"grandfathered in" at the last minute under
President Clinton's new Forest Plan,
even though the sale lies
inside a Forest Reserve.



Dashed red lines show (from left to right) proposed cutting units 1, 2, and 3

Despite outcry from Oregon's Governor --> and thousands of citizens, the Forest Service recently awarded the Sugarloaf Sale to Boise Cascade. Boise has 4 years to cut the 11,200 individually-marked fir trees.

Note: One thousand marked trees are over 4 feet in diameter. Some are 700 years old and 7 ft. wide.

The Siskiyou NF had claimed that only "a few old trees will be cut," until Headwaters and Public Forest Foundation demonstrated the truth during a sale area tour with Regional Forester John Lowe (see July 21 clips).

Consequently, we believe the Forest Service's decision-making process to award this sale was unsound and unfair.

Governor Roberts is correct. Awarding Sugarloaf undermines the integrity of the Forest Plan. Citizens thought this area was "reserved" and feel betrayed by the loophole in the Record of Decision (page 14, item c.)

BARBARA ROBERTS
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310-0370
TELEPHONE: (503) 578-2111
TDD (503) 378-4859

June 14, 1994

Mr. John Lowe
Regional Forester
USDA Forest Service
Post Office Box 3623
Portland, Oregon 97208-3623

Dear John:

It has come to my attention that the Fish and Wildlife Service has completed consultation on the Sugarloaf timber sale, and that harvest may proceed.

As you know, Governor Roberts has been a strong supporter of the President's Forest Plan. We see no other promising solution on the horizon.

I understand that Sugarloaf will be a selective harvest, and that timber will be removed by helicopter; nonetheless, the sale appears to undermine the forest plan. It is in a key watershed, and also in a late-successional reserve. While the sale is allowed to proceed under the Record of Decision, it is not required to comply with standards and guidelines of the plan.

You have selected the Grayback as a pilot watershed for analysis this year. Since land downstream from the Sugarloaf sale has been heavily harvested, surely it would not make sense to harvest further without the benefit of a watershed analysis to determine appropriate location and harvest levels.

We have concerns about the sale for several reasons unrelated to the President's Plan. The state has selected the Grayback watershed as one of two high priorities on the South Coast for restoration, and will spend some portion of \$5 million to restore riparian areas within the watershed. Our concerns include the potential for continued degradation upstream as we spend restoration funds downstream.

Mr. John Lowe
June 14, 1994
Page 2

Finally, the Sugarloaf sale is a part of the Kangaroo Roadless Area. As the Governor has earlier indicated, and I am certain you have heard from local residents, the roadless areas are special places to Oregonians.

Governor Roberts has urged you many times to hasten the flow of federal timber to mills in Oregon. At the same time, once we establish a process to sell timber while maintaining healthy ecosystems, we need to follow that process. We have been extremely pleased with your efforts to implement this new approach, and look forward to opportunities to support sales that comply with the plan.

Sincerely,



Anne W. Squier
Senior Policy Advisor
Natural Resources

c: Jim Lyons
Jack Ward Thomas
Tom Tuchmann

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Boise Cascade is the high bidder for the timber. If the administration doesn't change its mind, Boise Cascade still could decide that the controversy is not worth it and tear up its contract.

We are asking for a **Presidential Pardon** that would stop the Sugarloaf Timber Sale and keep the top of Grayback Mountain as a Forest Reserve.

We have three suggested alternatives:

1. Substitute the three Sugarloaf units with 9.5 million board feet of timber from Matrix or Adaptive Management Area lands.
2. Buy back Boise Cascade's contract.
3. Modify Boise's contract to only log the non-old-growth Unit 1 for a projected volume of 2.6 million board feet. Delete Units 2 and 3 (prime old-growth and spotted owl area).

Sugarloaf timber sale

First offering of Westside plan is

—Kathie Durbin

Bucking strong opposition that includes the governor of Oregon, the Clinton administration has picked a controversial old-growth timber sale in the heart of a roadless area as its first major offering under the President's Northwest Forest Plan.

The Sugarloaf sale on the flank of Grayback Mountain is one of 21 sales the administration will allow in old-growth reserves created by the plan. To Julie Norman, president of the Ashland, Ore., group Headwaters, the sale "is the first ... and the worst," based on a survey of activists.

The 669-acre sale, which includes trees 700 years old, was auctioned in 1989 and subsequently protected from legal challenge by Congress, so it did not have to comply with standards in the administration's new regionwide plan.

The plan — famously or infamously — is supposed to protect the coastal ecosystem that includes remnant ancient forests in Washington, Oregon and northern California.

Conservationists in southwest Oregon had fought the Sugarloaf sale for a decade. Now, they say, they've run out of options.

"I thought I had a promise from (Assistant Secretary of Agriculture) Jim Lyons, but I guess it was a hoax," says Norman.

Norman contends that Lyons, along with Siskiyou Forest Supervisor Mike Lunn and Regional Forester John Lowe, broke a promise to reevaluate the sale. Norman says she was told the sale would be redesigned after a survey by an independent forester found two cutting units included far more old-growth trees than the agency had estimated.

But when Lowe and Lunn awarded the Sugarloaf sale to Boise Cascade Aug. 22, it was virtually unchanged.

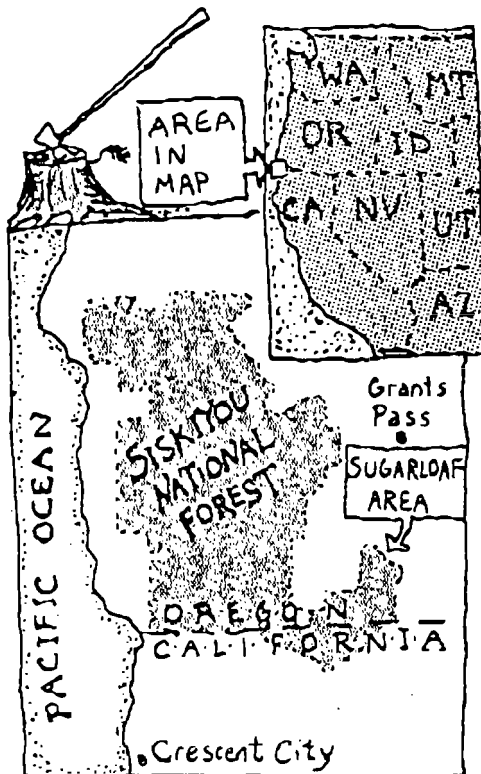
Pressure to move the sale forward came from over the head of Forest Service Chief Jack Ward Thomas, environmentalists charge.

Norman said opponents of the sale knew the area well and had done their homework. Forester Greg Harty of the Public Forestry Foundation found that 40 percent of the timber volume in the sale — 4.2 million board-feet — would



Julie Norman

During a monthly visit to the site of the Sugarloaf sale, activist Kay Knack measured Douglas fir 80 inches in diameter



estimated that only 1.2 million board-feet would come from such large trees. Although Assistant Agriculture Secretary Lunn said "only a few old trees"

vice's follow-up survey found more than 1,000 trees over 46 inches in diameter were marked for cutting.

The Forest Service says the Sugarloaf sale has been designed to protect the environment. It will require Boise Cascade to log selectively and to remove the 10.5 million board-feet of timber by helicopter. The roadless character of the area will be preserved and forest health will be improved, the Forest Service says.

David Perry, professor of ecosystem studies at Oregon State University's Department of Forest Science, scoffs at that notion.

Perry wrote to Lyons twice in August urging him to rethink the Sugarloaf sale. Fragmenting a 600-acre stand of old-growth trees and taking large numbers of healthy older trees could jeopardize the integrity of the forest, as well as the survival of a pair of northern spotted owls, Perry says.

"Cutting old trees under the guise of improving forest health will only fuel the cynicism among scientists and environmentalists about Forest Service motives," Perry says. "Presently, that cynicism is getting in the way of real

Sugarloaf Timber Sale continued

p. 2

it sure as hell doesn't need more fuel."

Oregon Gov. Barbara Roberts became involved in the dispute over the sale because her administration had picked Grayback Creek, which drains the area set for logging, as one of two watersheds the state plans to invest millions in to restore stream banks.

"Our concerns include the potential for continued degradation upstream as we spend restoration funds downstream," wrote Anne Squier, Roberts' natural resources aide, in a letter to Regional Forester Lowe.

Laurie Hennessey, a spokeswoman for the Clinton administration's Office of Forestry and Economic Development in Portland, says the administration is doing its best in an environmentally sensitive way to meet past commitments to log. "This was a very, very tough call," she says. "Nobody in the administration is happy about it."

But Norman questions why Clinton appointees feel so bound to deliver on a logging plan developed during the Bush administration. "This undermines all the thinking that went into the Clinton forest plan," she says. On Sept. 7, Lyons called her, Norman adds, but only to say he thought the Sugarloaf sale had been adjusted and the concerns of critics addressed.

Norman says there's still time for the Clinton administration to take a second look and decide that a key watershed needs preserving. "We need a presidential pardon," she says.

—Kathie Durbin

For more information, contact Julie Norman of Headwaters, P.O. Box 729, Ashland, OR 97520 (503/482-4459), or Siskiyou National Forest, P.O. Box 440, Grants Pass, OR 97526 (503/471-6500).

High
Country
News

9/19/94

History:

1990

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Senator Hatfield and others passed the Sec. 318 "rider" to the Interior Appropriations Bill, which nullified environmentalists' injunction in Dwyer's court and required the auction of 7 billion board feet of timber.

The original Sugarloaf Sale was presented to the Siskiyou NF Sec. 318 Advisory Board, but it was the one sale environmentalists staunchly rejected, so the Board never approved it.

Just before Sec. 318 expired, the Siskiyou NF staff revised the sale on their own and auctioned it. [Their failure to submit the revised sale for the Advisory Board's approval violated Sec. 318.] Boise Cascade (the high bidder) got no contract, because Sec. 318 was declared unconstitutional by the 9th Circuit Court.

1991

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A House Agriculture Committee scientific study (by Chief Jack Thomas and Dr. Jerry Franklin) designated the area as "most ecologically significant old-growth."

1992-1993

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The award of the Sugarloaf Sale was re-authorized when Judge Clarence Thomas reversed the 9th Circuit decision and declared Sec. 318 constitutional. However, the sale was further delayed by Fish and Wildlife Service requirements for spotted owl and marbled murrelet consultations.

Summer 1993

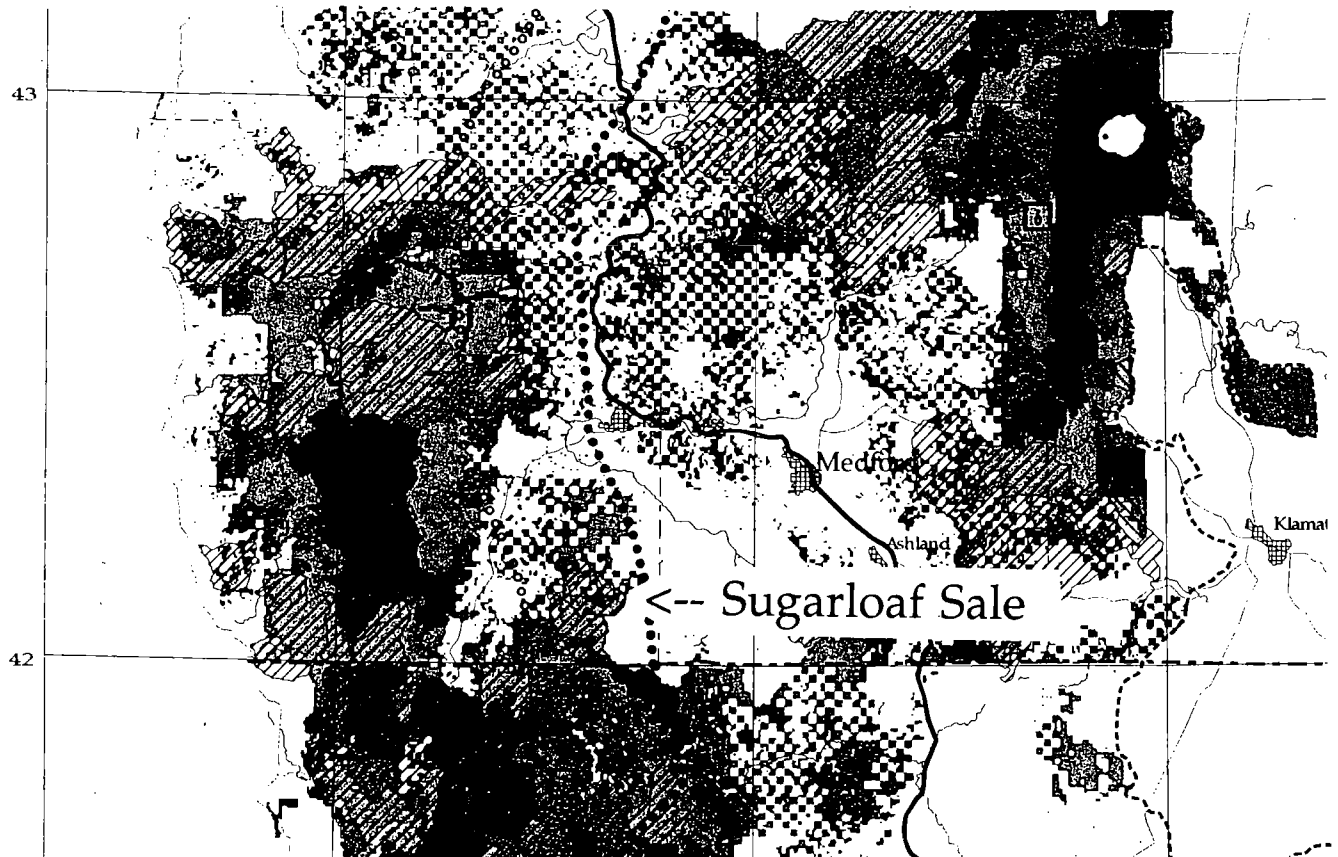
=====

The Draft Clinton Forest Plan designated the Sugarloaf Sale area to be inside a Late-Successional Reserve. People were elated that this Sec. 318 sale was finally stopped!

KEY: Final Forest Plan Land Allocations

medium green
diagonal lines
dark green
gray
yellow
purple

Late-Successional Reserve
Key Watershed
Wilderness
Matrix
Adaptive Mgmt. Area
Admin. Withdrawn



The Sugarloaf Sale area is:

- in a Reserve
- in a Key Watershed
- in a Roadless Area
- in occupied owl habitat

Fall 1993

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At the urging of the Administration, environmental plaintiffs in the cases before Judge Dwyer began negotiations to release some timber sales from the spotted owl injunctions, in exchange for protection against a "sufficiency rider."

On October 6, Bruce Babbitt and Mike Espy signed the agreement with the owl plaintiffs to release 54 sales.

--> --> -->

The release of timber sales was part of a larger agreement of cooperation between the plaintiffs and the Administration. For example, the plaintiffs agreed to seek alternatives before appealing timber sales, and the Administration agreed to work with us on particularly bad sales.

On October 6 in Portland, Sugarloaf was discussed with Jim Lyons and Will Stelle as an example of one not to award.

THE WHITE HOUSE
OFFICE ON ENVIRONMENTAL POLICY

FOR RELEASE: THURSDAY, October 7, 1993

ADMINISTRATION REACHES UNPRECEDENTED AGREEMENT FOR NW FORESTS
1st Step Toward Releasing 54 Timber Sales Now Under Injunction, Review Process Expanded
Other Timber Ready to Move, New Sales to be Offered

WASHINGTON -- The Clinton Administration has reached an unprecedented agreement that is the first step toward releasing 54 Pacific Northwest timber sales currently locked up under federal court injunction. In addition, up to 1 billion board feet of already sold timber is available for harvesting and, Administration officials said today, between now and year's end, another 140 million board feet of new sales would be offered.

Under the agreement with Agriculture Secretary Mike Espy and Interior Secretary Bruce Babbitt, more than a dozen environmental groups, plaintiffs in a court suit against the government, have agreed not to oppose the Administration's request to the court that the sales be removed from the injunction so they can be harvested. If Judge William Dwyer agrees to the request, 83 million board feet of timber would be released from the injunction.

As part of the agreement, the Clinton Administration will continue in its opposition to "sufficiency" language, legislation that would allow the President's forest plan to be considered on a 'fast track' that would circumvent environmental laws and insulate the President's plan from lawsuits.

"This is a good agreement, a constructive agreement, and one that I fully support," President Clinton said. "It reflects our commitment to end the gridlock, to replace confrontation with cooperation, and to make every effort to move timber back to the mills. I also support the agreement's continued commitment to allow existing law to work and to oppose any legislative shortcuts that would insulate the final plan from review."

Under the agreement, the plaintiffs and the Forest Service also have committed to review an expanded set of sales now tied up in administrative appeals in Region 5 and 6 (Northern California, Oregon, and Washington), with the objective of identifying and resolving the issues quickly, withdrawing the appeals, and allowing the sales to proceed without further delay. The plaintiffs also have agreed to continue to review sales under injunction and not cleared by this initial agreement to identify additional sales which also might proceed.

"No one is pretending this is a large volume of timber but this is an important agreement. These two sides, which have been engaged in an aggressive, pitched battle for more than a decade, have finally agreed to work together," said Agriculture Secretary Mike Espy. "This is the best tangible evidence to date that this is in fact a new day in northwest forest management."

Significantly, the agreement moves negotiations into a new arena, with the potential for the release of substantially more timber. The agreement calls for the plaintiffs to look at all sales they currently have under appeal in Forest Service Regions 5 and 6 with the intention of identifying those sales that are likely candidates for prompt resolution outside the appeals process. The agreement calls on both the Forest Service and the plaintiffs to undertake to a prompt, good faith effort to resolve issues associated with the appeals, dropping the appeals and allowing the sales as agreed upon to proceed without further appeal by the plaintiffs.

"This moves these sales away from the time-consuming and adversarial appeals process," said Secretary Espy. "It moves us away from conflict and toward consensus."

Interior Secretary Bruce Babbitt said, "Far more significant than the volume is that we have secured from the environmental community a commitment to work with us and not against us in designing a stable, defensible timber sales program. They have committed to continue and expand this process."

The environmental groups joined as plaintiffs are Pilchuk Audubon Society, Oregon Natural Resources Council, Headwaters, Forest Conservation Council, Northcoast Environmental Center, National Audubon Society, Seattle Audubon Society, The Wilderness Society, Washington Environmental Council, Klamath Forest Alliance, Lane County Audubon Society and Portland Audubon Society.

Officials at federal land management agencies said there is another 1 billion board feet of timber under contract and ready for harvest that is clear of any injunctions and has passed the Endangered Species Act review. And, that between now and the end of 1993, another 140 million board feet of new timber sales will be offered.

##

Oregonian 10-8-93

Administration, environmental groups reach timber accord

From staff and wire reports

The Clinton administration struck a deal with 12 environmental groups Thursday to allow logging on some Northwest lands that have been locked up under a federal court order protecting the northern spotted owl, the groups said.

The agreement, if approved by a federal judge in Seattle, would release 83 million board feet of timber for logging, said a statement from the groups released by the Oregon Natural Resources Council.

In exchange, the Clinton administration agreed it would not seek legislation or take any other action that would exempt its forest policy from existing laws or insulate it from legal challenges.

Four dissident environmental groups in Oregon have filed to intervene in the case and block release of the sales.

The government also agreed to review some timber sales that already have been awarded to see

if they could be modified — or potentially bought back — to minimize ecological harm to the region's oldest forests, congressional aides said.

In addition to the 83 million board feet, the administration intends to offer for sale another 140 million board feet not covered by the federal court order on national forests in Oregon and Washington, the aides said. Those sales would be offered before the end of the year.

Jackie Lang of the Oregon Lands Coalition criticized the deal, saying, "That little bit of timber spread around the region won't assure the survival of any one mill in any one community."

The administration must ask U.S. District Court Judge William Dwyer in Seattle to approve its request to release the lands for logging. Dwyer issued an injunction prohibiting the logging in May 1991 when he found government timber harvests violated environmental laws.

Winter 1993-1994

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Rumors indicated that BLM was about to award old Sec. 318 sales in Reserves, so Headwaters lobbied the Administration to protect them until the Final Plan's Reserve System was adopted in the spring.

On Dec. 14th, Jim Lyons (USDA) and Bob Armstrong (USDI) issued a joint directive to "defer" the award old Sec. 318 sales that are inside the Reserve System. --> --> -->

In February, the Final Clinton Forest Plan designated the Sugarloaf Sale area as a Late-Succesional Reserve.

Now we thought the Sugarloaf Sale was stopped for sure!

12/16/93

08:57

DOI ASST SECT L & M

002/002



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

December 14, 1993

MEMORANDUM

TO: Jim Baca
Director, Bureau of Land Management

Jack Ward Thomas
Chief, United States Forest Service

Dean Bibles
Oregon State Director, Bureau of Land Management

John Lowe
Regional Forester, Region 6, United States Forest Service

FROM: Bob Armstrong *Bob Armstrong*
Assistant Secretary, Land and Minerals Management

James R. Lyons *JR Lyons*
Assistant Secretary, Natural Resources and Environment

SUBJECT: Unawarded 318 Timber Sales

As you are aware, the status of sold, unawarded 318 timber sales remains an unresolved issue. Please use the following guidance to ensure that unawarded 318 BLM and Forest Service sales are treated consistently.

If unawarded, 318 sales are outside proposed Late Successional Reserves, use the aquatic screen to determine if these sales require modification prior to award. Proceed with award as soon as the aquatic screen requirements have been met. If unawarded 318 sales are inside proposed Late Successional Reserves, defer award of these sales until after the Record of Decision on the President's Plan.

Of course, all sales must meet the consultation requirements of the Endangered Species Act and other applicable environmental statutes prior to award.

We appreciate your assistance in awarding the sales that meet this criteria as quickly as possible.

Spring 1994

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DOUBLECROSS #1: In early April a last minute loophole was added to the Record of Decision that "grandfathered in" the Sugarloaf Sale and 20 other unawarded Sec. 318 sales, even though they would log inside the Reserve System. --> --> -->

Note: Despite claims to the contrary by OEP's Tom Tuchmann, the environmental analyses underlying the Clinton Forest Plan's Option 9 did not assume the Sec. 318 sales in Reserves would be cut. [Source: Dr. Martin Raphael (FEMAT Deputy Team Leader, PNW Research Station/Olympia) & others]

Julie Norman immediately approached Clinton Administration interagency officials, Jim Lyons (USDA), Tom Tuchmann (OEP), Will Stelle (OEP) and Jim Pipkin (USDI), about making an exception for Sugarloaf.

On April 22nd, Jim Lyons told Julie he would "intercede" if necessary. Great!

Loophole in the Clinton Forest Plan's Record of Decision - Page 14, Item c.

b. Timber Sales Offered Subsequent to the Effective Date of the ROD

Timber sales offered subsequent to the effective date of this Record of Decision must be consistent with the appropriate planning documents as amended by this Record of Decision. Where appropriate, timber sale planning documents may reference the analysis in the Final SEIS.

c. Timber Sales Sold but Unawarded

With one exception as described below, all planned and sold but unawarded timber sales were reviewed and adjusted as needed, following publication of the Draft SEIS, pursuant to the process described in paragraph (a) above. The review ensured that these sales would not prevent the attainment of the environmental objectives of the selected alternative.

The environmental effects of these timber sales were disclosed in site-specific NEPA documents and subsequent review. Some of these sales have subsequently been awarded and some have not yet been awarded.

This Record of Decision specifically provides that the remaining sales that have been offered but not awarded prior to the effective date of this Record of Decision, other than those sales referred to in paragraph (1) below, may be awarded after the effective date of this Record of Decision without further modification provided that they meet the requirements of the Endangered Species Act.

(1) Timber Sales Sold, Unawarded but Enjoined

Timber sales sold, unawarded, but enjoined prior to the effective date of the ROD have not been reviewed using the procedure described in paragraph (a) above, but must be consistent with the appropriate planning documents as amended by this Record of Decision. Where appropriate, timber sale planning documents may reference the analysis in the Final SEIS.

d. Timber Sales Released from the Injunction in Seattle Audubon Society v. Lyons

On March 24, 1994, the court in Seattle Audubon Society v. Lyons modified the injunction to allow 24 timber sales in northern spotted owl habitat to be sold and awarded. These sales will be adjusted to conform to the amended planning documents resulting from our decision unless they are awarded prior to the effective date of this Record of Decision.

Summer 1994

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Opposition to the sale grew enormously, but no one in the Administration made a move to stop it.

DOUBLECROSS #2: With no warning, Headwaters received a letter from Jim Lyons (July 12) approving the award of the Sugarloaf Sale. --> --> -->

We found questionable statements in Lyons' letter, which claimed this "light" timber sale would improve the forest's health. It appeared that Lyons was not aware that trees up to 7 feet in diameter would be cut.

An investigation of these and other Forest Service claims, by Headwaters and Public Forestry Foundation, eventually forced Supervisor Mike Lunn to admit that Siskiyou NF "misinformation" had underestimated the number of large trees to be cut (see July 21 clips).



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

182 JUL 12 1994
12 JUL 94

Ms. Julie Norman
Headwaters
Post Office Box 729
Ashland, Oregon 97520

Dear Ms. Norman:

Thank you for your June 2, 1994, letter and your telephone call of June 10 concerning the Sugarloaf Timber Sale on the Siskiyou National Forest.

Forest plans are developed by local professional land managers after extensive public involvement and analysis by interdisciplinary teams. In this case, the review indicated that the Forest Service could proceed with the sale while maintaining the scientific integrity of the resource management plan.

The Siskiyou National Forest has completely redesigned the sale to minimize forest fragmentation and maintain the roadless characteristics of the area. Helicopters will be used to harvest the timber, and only .66 miles of road will be constructed to access helicopter landings. Forest connectivity, habitat for late successional wildlife species, watershed protection, and high quality water for anadromous and resident fish will be maintained after timber harvest. Also, the area will be less susceptible to insects, disease, and catastrophic wildfires.

As you are aware, the Sugarloaf Timber Sale was the only 318 sale on which the Siskiyou Advisory Board was unable to reach consensus. The original design called for harvesting approximately 12 million board feet (mmbf) using conventional systems, clearcuts, and roading. The advisory board split on the volume, with some favoring a low entry (2.5 mmbf) and some favoring high entry (12-14 mmbf), and others in the middle of the issue. As a result, the advisory board directed the Forest Service to resolve it as best they could.

Sugarloaf is a light individual tree-marked sale, harvesting parts of the overstory or understory depending on the stand structure. Helicopter yarding will be used for the entire sale. About 20 percent of the area could classify as old growth with the remaining stand comprising a mosaic of ages resulting from past fires.

Ms. Julie Norman

2

Sale objectives are, among others, to perpetuate old-growth structure, promote species and structural diversity, enhance stand vigor, and maintain the roadless character. Those objectives are fully met by the designed sale. The biological opinion affirmed that the area will remain suitable roosting and foraging habitat for the spotted owl, and the core activity area is fully protected. It is in compliance with the Endangered Species Act based on several years of consultation.

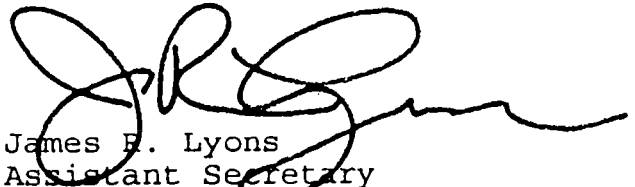
The U.S. Fish and Wildlife Service has issued a "no jeopardy" opinion on the marbled murrelet and northern spotted owl; therefore, the Siskiyou National Forest will now move to award the Sugarloaf Timber Sale.

I encourage you to continue to express your views and to participate directly in national forest management planning.

Thank you again for writing. If I can be of further assistance, please do not hesitate to contact me.

Best personal regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Lyons', with a large, stylized loop at the end.

James R. Lyons
Assistant Secretary
Natural Resources and Environment

Summer 1994 (cont.)

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The controversy brought Regional Forester John Lowe down for a personal tour and discussion with Headwaters, Public Forestry Foundation and Prof. Dave Perry of OSU.

Both Lowe and Supervisor Lunn made personal commitments and public statements that the sale statistics about the large trees would be corrected and the sale would be reassessed based on the corrected numbers.

Supervisor Lunn was quoted saying he was "not in any hurry to rush the sale through" and that the new numbers would soon be released to the public.

Lunn and Lowe were reported in two newspapers and on local TV as saying the corrected numbers could result in fewer older trees being cut.

Regional forester expects changes in Sugarloaf sale

By Michele LaBounty
of the Daily Courier

7-21-94

GRANTS PASS, OREGON

The controversial Sugarloaf Timber Sale is still on, but fewer old-growth trees might be logged.

Regional Forester John Lowe, who flew over and then hiked the sale on Grayback Mountain Wednesday, said he saw nothing to make him shelve the contract.

But Lowe and Siskiyou National Forest Supervisor Mike Lunn revealed that math errors made statistics inaccurate on the size of trees to be cut.

Headwaters, an Ashland-based environmental education group, uncovered the mistake with help from the Pacific Forestry Foundation in Eugene. Headwaters brought it to Lowe and Lunn's attention a few days ago.

The percentages for old-growth trees apparently were underestimated by 7 to 8 percent in a "worst-case scenario," Lunn told reporters after the tour. But Lunn said most of the trees in the 739-acre sale are expected to be young, roughly less than 90 years.

The numbers will be reworked in the next several days and released to the public, Lunn said.

He added the mistake was not an attempt to conceal how many old-growth trees were targeted.

The error doesn't pose a legal problem that might stall the sale, Lunn said. However, he said he is not in any hurry to rush the sale through.

Recalculations might reduce the amount of timber to be cut below the expected 10.5 million board feet, he said.

Lowe said he noticed more old-growth trees marked for cutting than he expected. While he said he saw trees he wouldn't have marked, he saw others he would have put on

the cut list.

Lowe, who oversees national forests in Oregon and Washington, visited the sale for the first time because of mounting opposition from local and national environmental groups.

Those groups include Headwaters, the National Audubon Society, Sierra Club Legal Defense Club and Siskiyou Regional Education Project.

Environmentalists say logging the area will harm forest health. The sale is in an old-growth reserve used by threatened northern spotted owls and other wildlife, a key watershed and the Kangaroo Roadless Area.

"The sale was not exactly like we would do it today," Lowe acknowledged, referring to its history dating to before President Clinton's forest plan.

The sale has generated protests for years and spiking of trees to stop chainsaws. Part of the controversy centers on Sugarloaf as a so-called 318 sale that resulted from a political deal to release some timber for harvests that otherwise would have been locked up by a court injunction.

Lowe took several environmentalists on the tour — Dave Perry, a forest scientist at Oregon State University, and Julie Norman, president of Headwaters.

Norman said Lowe told the group that the new numbers for the size of trees will be sent back to Washington, D.C., so officials know that the mistaken calculations would result in more old-growth trees than expected being cut.

"We hope that the new information will trigger a serious reconsideration," Norman said.

We had
an
AGREEMENT
!



Siskiyou forest will reassess Sugarloaf sale data

The Mail Tribune, Thursday, July 21, 1994

By PAUL FATTIG
of the Mail Tribune

The Forest Service is taking another look at a harvest plan for the controversial Sugarloaf timber sale in the Siskiyou National Forest.

After a consulting forester hired by the Ashland-based Headwaters environmental group challenged figures supplied by Siskiyou officials concerning the percentage of old-growth to be cut, the agency decided to reassess the numbers, said Siskiyou Forest Supervisor Mike Lunn.

The contract forester showed that a higher percentage of older trees were marked for cutting, Lunn said.

"We want to go back and correct the misinformation we've been responsible for," Lunn said. "It wasn't done with the intent to hide anything. But we did miscalculate the numbers."

The 739-acre Sugarloaf timber sale, on the west flank of Grayback Mountain about six miles south of Williams, calls for a harvest of some 10.5 million board feet.

A new assessment could result in fewer older trees being cut when the logs are harvested by helicopter, he said, although noting the new assessment won't be available for two weeks.

Boise Cascade Corp. was the high bidder on the sale when it was offered three

years ago, but it was not awarded the contract because of the spotted-owl court injunction. However, the U.S. Fish and Wildlife Service has given the agency the go-ahead to award the sale. That award is pending.

Opponents have argued that the contract shouldn't be awarded, noting that the area has been designated a late-succession forest reserve and a key watershed under the Clinton forest plan.

Gov. Barbara Roberts has come out in opposition to the sale, saying it under-

mines Clinton's forest plan.

Meanwhile, John Lowe, the Forest Service's regional forester in the Pacific Northwest, hiked through the sale Wednesday with Lunn and other officials.

"I didn't see anything today that would shut down the process we're going through," he stressed, although he noted that options remain open.

"I found the sale had more large Doug fir marked than I would anticipate," he said. "But on the other hand I saw some that weren't

marked that I would have marked." Like Lunn, he said a reassessment may change the percentage of large trees harvested.

Because the sale was sold before the Clinton forest plan went into effect, it doesn't follow the same guidelines, he noted.

"This is an old sale that was grandfathered in," Lowe said. "My concern is that it be a good sale, that there is nothing out there that is going to harm the environment."

"The reason we are in there is still ... very good," he added. "We will continue to have scientific argument over whose mouse trap is better, but we've got to move ahead with what we've got, continue to learn and adapt as we go."



John Lowe

Sugarloaf

Summer 1994 (cont.)

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Jim Lyons called Headwaters after the July 20th John Lowe tour, "humbly" regretting misinformation and confusion, and promised that he and the Chief would stay involved from now on.

Meanwhile, Headwaters repeatedly asked the Siskiyou NF for dialogue and corrected data, but were told to wait. Documentation of the timber cruise was finally provided to Headwaters (after the Forest Service had completed their analysis, we found out later).

Requests for discussion of our parallel analysis of the large trees were ignored.

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Headwaters

To protect and restore forest ecosystems

TO: Decision-makers for the Sugarloaf Timber Sale
Jim Lyons, Jack Thomas, John Lowe, and Mike Lunn
FROM: Julie Norman
DATE: Monday, August 15, 1994

RE: Sugarloaf Timber Sale Update:

Citizen estimates of the large trees marked for cutting have been verified by calculations from the cruise tally sheets.

Thank you for your continued involvement in the decision concerning the proposed Sugarloaf Timber Sale on the Siskiyou National Forest. The purpose of this letter is to request an update from you, as well as provide you with new summary information developed here at Headwaters which confirms earlier estimates by the Public Forestry Foundation.

It has now been almost four weeks since Regional Forester John Lowe's tour of the sale area, which resulted in a commitment from the Forest Service to work cooperatively with us in reassessing the sale statistics that were found to be in error. To date we have received no communication from the Siskiyou National Forest about this reassessment, although we have heard second-hand that some of the sale data is being re-analyzed. We would appreciate being brought up to date.

During the past three weeks we have pursued our own analysis, with the following results for Units 2 and 3 based on the original cruise tally sheets from the Illinois Valley Ranger District. [See the attached documentation and spreadsheets for details.]

Total # of marked trees	11,299	(100%)
Total # of marked trees 46" or greater in diameter	924	(8%)
Previous Siskiyou NF estimate		1%
 Total estimated gross volume of marked trees	 11,275 mbf	 (100%)
Total estimated volume from marked trees over 46"	4,597 mbf	(41%)
Previous Siskiyou NF estimate		11%

The amount of large trees marked for cutting is greatly in excess of what decision-makers have been told, and this fact adds considerably to the many other good reasons to cancel this timber sale.

(Continued on the next page)

Two other good reasons to drop this sale involve potential problems that we have presented previously, and which also need additional review. First, the sale's total estimated volume (10.5 mmbf) may be underestimated due to the use of "1.8" as the average number of 32 foot logs per Douglas fir tree. Second, the sale volume may also be skewed by the use of "70" as the form class for both Douglas fir and white fir.

We are very concerned about these questions of fact, and sincerely hope that we will be afforded adequate opportunity to discuss these issues with you in the very near future.

Thank you again for your attention to this matter.



Attachments:

1. Documentation for Calculations of the Number and Gross Volume of trees larger than 46" dbh marked for cutting in Units 2 and 3 (3 pages).
2. Spreadsheet #1: Number and Gross Volume of Douglas-fir and white fir trees larger than 46" dbh marked for cutting in Units 2 and 3, as derived from the cruise tally sheets (2 pages)..
3. Spreadsheet #2: Gross Volume in "SURE" trees from the 3-P cruise (1 page)
4. Spreadsheet #3:
 - The Number and Gross Volume of ponderosa pine trees > 46" dbh in Unit 2
 - SUMMARY: Trees > 46" as a percentage of trees of all diameters.(1 page)

Robert Brothers
August 15, 1994

Headwaters

To protect and restore forest ecosystems

Documentation for Calculations of the Number and Gross Volume of trees larger than 46" dbh marked for cutting in Units 2 and 3 of the Sugarloaf Timber Sale, Illinois Valley Ranger District, Siskiyou National Forest.

This memo is a follow-up on the agreement reached in discussion with Regional Forester John Lowe during his tour of Sugarloaf on July 20, 1994. At that time, Headwaters agreed to cooperate with the Siskiyou National Forest in determining the number and volume of trees marked for cutting in various diameter classes in Units 2 and 3 of the timber sale. This work was necessary due to the fact that information on this question previously released by the Siskiyou NF had been found to be inaccurate.

The following discussion will describe how numbers of trees and gross volume were calculated for the three major components of marked trees in Units 2 and 3. At the conclusion of this memo, totals found by Headwaters will be compared to the original estimates provided by the Siskiyou NF prior to Mr. Lowe's tour.

Component #1: Douglas-fir, and white fir marked on the cruise tally sheets

In a letter of July 27, 1994, Headwaters requested that Dwight Fickes (timber manager of the Illinois Valley R.D.) provide us with "copies of all the cruise cards/plot cards/tally sheets etc. from the marking crew for Units 2 and 3." In addition, we requested "any other information you might have that would help in determining the tree heights and related log heights of Douglas-fir marked in Units 2 and 3."

In response, we were provided with copies of some of the "cruise cards", but these only provided data about the "measured trees" in the "3-P" cruise that we had already obtained in computer printout form from Mike Cowan of the I.V.R.D. However, we learned in a follow-up phone call that actual "tally sheets" for the cruise did exist. Copies of these sheets, hand-written on large-format computer paper, were mailed to us by Larry Pera of the I.V.R.D.

These tally sheets provide a volume estimate (in hundreds of board feet) for each Douglas-fir or white fir tree that was marked for cutting in Units 2 and 3,¹ with the notable exception of the trees marked as "SURE" in the tabulation of "measured trees" for the "3-P" cruise. [Calculations regarding these "SURE" trees are presented in the following section.]

¹ Other species, such as shasta red fir, are included along with Douglas-fir in the totals. We have observed at least one large shasta red fir (> 46" dbh) marked for cutting in Unit 3.

It is possible to calculate the range of diameters that normally accompanies a given volume figure for a particular tree, and Larry Pera provided us with a "conversion chart" that translates volume into diameter at breast height, depending on how many merchantable logs are present in each tree. The greater the number of logs/tree, the smaller the diameter will be for any given volume.

In order to save time and avoid having to count all 11,299 trees in the unit, we decided to focus on counting the trees in the largest diameter class. For consistency with the previous Siskiyou NF estimates, we chose the largest class as beginning with trees 46" diameter or larger. This corresponds approximately with a total tree volume of 3,000 board feet (written as "30" on the tally sheets).

It appears that someone at the Siskiyou NF has already performed a similar count, because (almost) every tree with a volume of 3,000 board feet or larger was marked with an asterisk on the tally sheet.

The results of our calculations are presented in Spread Sheet #1 (enclosed). The results are as follows:

The gross volume of 855 Douglas-fir & white fir trees > 46" dbh = 4,028,300 board feet.

These calculations also show that large *Douglas-firs* were marked for cutting almost *three-times as often as were white firs*, despite the instructions in the Silvicultural Prescription to favor the cutting of white firs.

Component #2: Douglas-fir and white fir marked as "SURE" by the "3-P" Cruise

When mailing the tally sheets to Headwaters, Larry Pera was careful to instruct us to "add in SURE trees from the Summary Printout for the Final Tally." The number and volume of "SURE" trees was taken from five pages of computer printout entitled, "(3P) Measured tree listing), where dbh, log height, and gross volume are listed for each tree. The results of adding up the volume from the "SURE" trees are presented in Spreadsheet #2. Note that all "SURE" trees are greater than 46" dbh. In the calculations, all trees with the same diameter are assumed to have the same gross volume, although variations will occur depending upon the number of merchantable logs per tree.

Component #3: Ponderosa pine

Ponderosa pine trees are marked for cutting only in Unit 2, and their number and volume was compiled on a separate hand-written sheet taken from a 100% cruise. The markings on 4 of these trees were later removed in response to citizen protest (see the

6/6/94 memo from Chip Weber to Mike Lunn). The number and volume of large pines has been reduced accordingly, as shown by Spreadsheet #3.

Component #4: Miscellaneous Additional Corrections

(a) Two large Douglas-fir trees were "de-marked" in Unit 2, in addition to the 4 ponderosa pines mentioned in the previous section. A correction that reduced timber volume accordingly is made on Spreadsheet #3.

(b) No documentation has been received from the Siskiyou NF regarding the effects on timber volume of removing 70 acres from Unit 2 in order to provide protection for a resident spotted owl pair. Therefore, no correction for this deletion has been made in these calculations, and all numbers for Unit 2 are proportionately inflated.

Conclusion:

For Units 2 and 3:

Total # of marked trees	11,299	(100%)
Total # of marked trees 46" or greater in diameter	924	(8%)
Previous Siskiyou NF estimate	---	(1%)
Total estimated gross volume of marked trees	11,275 mbf	(100%)
Total estimated volume from marked trees over 46"	4,597 mbf	(41%)
Previous Siskiyou NF estimate	-----	(11%)

See Spreadsheet #3 for more summary details.

Sugarloaf Timber Sale: Siskiyou NF, analysis completed by Robert Brothers, Headwaters, August 15, 1994

Number and Gross Volume of douglas-fir and white fir trees larger than 46" in Diameter in Units 2 and 3

Source: Tally sheets from the "3-P" cruise provide the number of trees with a given volume.

Diameter ranges which commonly correspond to a given volume were derived from a conversion chart (appropriate for form class 70).

The tally sheets and conversion chart were provided to Headwaters by Illinois Valley Ranger District personnel.

		Unit 2	Unit 2	Unit 3	Unit 3	Grand Total	Grand Total	Grand Total	Grand Total	Grand Total	Grand Total
Diameter Range (from the conversion chart)	Gross Volume in board feet	Number of Douglas - fir trees	Number of White fir trees	Number of Douglas - fir trees	Number of White fir trees	Number of Douglas-fir and white fir trees in Units 2 and 3	Volume of Douglas-fir and white fir trees in Units 2 and 3	Number of Douglas - fir trees	Volume of Douglas-fir trees	Number of White fir trees	Volume of White fir trees
40-50 *	3,000	14	29	11	9	63	189,000	25	75,000	38	114,000
	3,100	1	0	0	0	1	3,100	1	3,100	0	0
42-52 *	3,300	12	3	8	5	28	92,400	20	66,000	8	26,400
	3,400	1	3	0	0	4	13,600	1	3,400	3	10,200
46	3,500	51	30	19	9	109	381,500	70	245,000	39	136,500
50-54	3,600	6	3	2	1	12	43,200	8	28,800	4	14,400
44	3,700	2	0	2	2	6	22,200	4	14,800	2	7,400
48-56	3,800	32	20	11	7	70	266,000	43	163,400	27	102,600
52	3,900	4	4	1	6	15	58,500	5	19,500	10	39,000
46	4,000	9	11	3	1	24	96,000	12	48,000	12	48,000
50-54	4,200	37	12	13	6	68	285,600	50	210,000	18	75,600
48-60	4,400	4	2	1	4	11	48,400	5	22,000	6	26,400
	4,500	7	0	4	0	11	49,500	11	49,500	0	0
52	4,600	37	7	7	5	56	257,600	44	202,400	12	55,200
50	4,800	7	1	8	2	18	86,400	15	72,000	3	14,400
54-58	4,900	27	4	8	1	40	196,000	35	171,500	5	24,500
	5,000	2	3	5	1	11	55,000	7	35,000	4	20,000
52	5,200	3	2	3	1	9	46,800	6	31,200	3	15,600
56-60	5,300	37	4	14		55	291,500	51	270,300	4	21,200
	5,400	1	0	0		1	5,400	1	5,400	0	0
	5,500	10	0	4	1	15	82,500	14	77,000	1	5,500

TABLE CONTINUED ON THE FOLLOWING PAGE

* The smallest reasonable diameter for these volume classes in these forest types is 46"

According to the conversion chart, smaller diameters would only result from the unlikely situation where there are 4 logs/tree in this diameter class.

TABLE CONTINUED FROM PAGE ONE, column headings are repeated for convenience

		Unit 2	Unit 2	Unit 3	Unit 3	Grand Total	Grand Total	Grand Total	Grand Total	Grand Total	Grand Total	
Diameter Range	Volume in hundreds of board feet	Number of Douglas - fir trees	Number of White fir trees	Number of Douglas - fir trees	Number of White fir trees	Number of Douglas-fir and white fir trees in Units 2 and 3	Volume of Douglas-fir and white fir trees in Units 2 and 3	Number of Douglas - fir trees	Volume of Douglas-fir trees	Number of White fir trees	Volume of White fir trees	
54	5,600	10	2	2	1	15	84,000	12	67,200	3	16,800	
58-62	5,700	26	4	7	1	38	216,600					
	5,800	1	1	0		2	11,600	1	5,800	1	5,800	
	5,900	1		0		1	5,900	1	5,900	0	0	
64	6,000	5		7		12	72,000	12	72,000	0	0	
56	6,100	4		5	1	10	61,000	9	54,900	1	6,100	
60	6,200	21	3	7		31	192,200	28	173,600	3	18,600	
66	6,400	0	1	0	1	2	12,800	0	0	2	12,800	
	6,500	9		7		16	104,000	16	104,000	0	0	
62	6,600	41	1	12	2	56	369,600	53	349,800	3	19,800	
	6,700	0		1		1	6,700	1	6,700	0	0	
	6,800	2		0		2	13,600	2	13,600	0	0	
68	6,900	3		1	1	5	34,500	4	27,600	1	6,900	
60-64	7,000	16	3	3		22	154,000	19	133,000	3	21,000	
70	7,300	1				1	7,300	1	7,300	0	0	
	7,400	0	1			1	7,400	0	0	1	7,400	
62	7,500	3			1	4	30,000	3	22,500	1	7,500	
72	7,700	1				1	7,700	1	7,700	0	0	
64	8,000	1	1			2	16,000	1	8,000	1	8,000	
74	8,200	1				1	8,200	1	8,200	0	0	
66	8,500	1	1			2	17,000	1	8,500	1	8,500	
76	8,600	1			1	2	17,200	1	8,600	1	8,600	
	8,800	1				1	8,800	1	8,800	0	0	
GRAND TOTAL		453	156	176	70	855	4,028,300	629	2,907,000	226	1,121,300	
Percent of Total						100%	100%	74%	72%	26%	28%	

Worksheet # 1
page 2

SPREADSHEET #2								
Sugarloaf Timber Sale: Siskiyou NF, analysis completed by Robert Brothers, Headwaters, August 15, 1994								
Gross Volume in "Sure" trees from the 3-P cruise								
All trees with the same diameter are assumed to have the same gross volume, although variations will occur depending upon the number of logs per tree.								
NUMBER AND VOLUME OF DOUGLAS-FIR TREES								
D.B.H.	Assumed number of logs/tree	Board foot volume per tree	# of trees in Unit 2	Unit 2 Total Volume	# of trees in Unit 3	Unit 3 Total Volume	Grand Total # of Trees	GRAND TOTAL GROSS VOLUME
60	3	5,250	0	0	1	5,250	1	5,250
62	3.5	6,700	0	0	0	6,700	1	6,700
64	3.5	7,420	1	7,420	0	0	1	7,420
66	3.5	7,550	5	37,750	0	0	5	37,750
68	3.5	6,270	5	31,350	0	0	5	31,350
70	3.5	8,560	2	17,120	2	17,120	4	34,240
72	3.5	9,060	5	45,300	3	27,180	8	72,480
74	3.5	9,940	6	59,640	1	9,940	7	69,580
76	3.5	10,240	8	81,920	3	30,720	11	112,640
78	3.5	10,840	5	54,200	1	10,840	6	65,040
82	3.5	11,800	3	35,400	1	11,800	4	47,200
84	3.5	12,620	2	25,240	1	12,620	3	37,860
86	3.5	13,110	1	13,110	0	0	1	13,110
88	3	11,580	1	11,580	0	0	1	11,580
GRAND TOTAL VOLUME (ALL DIAMETERS) BOTH UNITS								552,200 board feet
Grand total number of trees (all diameters) both units							58	
NUMBER AND VOLUME OF WHITE FIR TREES								
D.B.H.	Assumed number of logs/tree	Board foot volume per tree	# of trees in Unit 2	Unit 2 Total Volume	# of trees in Unit 3	Unit 3 Total Volume	Grand Total # of Trees	GRAND TOTAL GROSS VOLUME
80	3.5	11,270	0	0	1	11,270	1	11,270 board feet
GRAND TOTAL VOLUME OF DOUGLAS-FIR AND WHITE FIR								
Grand total number of Douglas-fir and white fir trees (all diameters) both units							59	563,470 board feet

SPREAD SHEET # 3				
Sugarloaf Timber Sale: Siskiyou NF, analysis completed by Robert Brothers, Headwaters, August 15, 1994				
The Number and Gross Volume of Ponderosa Pine trees larger than 46" D.B.H. in Unit 2				
Source: a two page hand-written sheet provided by the Illinois Valley Ranger District				
Tree #	D.B.H.	logs/tree	Gross Volume in board feet	
2	48	3.5	410	
15	48	4	469	
16	46	3	320	
17	56	3.5	565	
18	54	3.5	524	
19	58	3.5	610	
24	54	3.5	524	
25	62	3.5	698	
Total Gross Volume			4,120	
SUMMARY: Total Gross Volume > 46" dbh, all species, Units 2 and 3				

August 1994

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DOUBLECROSS #3: With no prior notification to the public, Supervisor Mike Lunn awarded the Sugarloaf Timber Sale on August 22nd, thereby breaking off discussions unilaterally.

Jim Lyons later called Headwaters, saying he had been assured by John Lowe that the sale had been "adjusted" with regards to our concerns.

In fact, no such changes were made.

Now Headwaters and others are seeking a **PRESIDENTIAL PARDON** to stop this sale and save the top of Grayback Mountain.

clips

Clinton errs with Sugarloaf sale

■ The old-growth deal sets a bad example for the president's timber plan

In going ahead with the Sugarloaf timber sale in the Siskiyou National Forest in southwest Oregon, the Clinton administration has made a major environmental and public relations mistake.

The public rela-

tions gaff may be the most serious of the two because the success of Clinton's controversial forest management plan for the Northwest depends on creating confidence that the federal government will deal carefully and intelligently with our forests.

Clinton's stated aim — and we are among the few who have supported his plan — is to allow a reduced but assured harvest of timber while also promising a higher level of environmental protection.

So what is the first action taken by the administration after pronouncing these lofty ideals? It abruptly goes ahead with a 660-acre selective harvest of old-growth timber in a roadless area that is a key watershed and that lies adjacent to Oregon Caves National Monument. Besides that, it picked a project that has a long history of controversy and an army of opponents.

The Sugarloaf area also is one of Clinton's old-growth reserves — a category of protection that is intended to reassure the public that the Northwest's remaining

Whom to contact

To comment on the sale, you can contact John Lowe, Regional Forester, U.S. Forest Service, P.O. Box 3623, Portland, Ore. 97208, (503) 326-3625, or contact Jack Ward Thomas, Director, U.S. Forest Service, 201 14th and Independence Ave., Washington, D.C. 20250, telephone (202) 205-1055.

old-growth stands will not be leveled; they will be open to thinning and minor management of diseased or defective trees, but not to wholesale cutting.

Yet, environmentalists argue, 60 percent of the Sugarloaf timber proposed for cutting is old-growth and only 5 percent of it has visible signs of defects.

Many environmentalists are totally opposed to Clinton's forest plan and would not agree to cutting even one tree at Sugarloaf or any place else. But many of us believe that the forests can be a source of timber without losing their ecological and other qualities. We want Clinton's plan to be successful, but its debut is not encouraging.

We urge the administration to abandon Sugarloaf and look to second-growth or other less controversial areas to prove to skeptics that the Clinton plan will work.

Boise Cascade is the high bidder for the timber. If the administration doesn't change its mind, Boise Cascade still could decide that the controversy is not worth it and tear up its contract.

Sugarloaf timber sale

First offering of Westside plan is

—Kathie Durbin

Bucking strong opposition that includes the governor of Oregon, the Clinton administration has picked a controversial old-growth timber sale in the heart of a roadless area as its first major offering under the President's Northwest Forest Plan.

The Sugarloaf sale on the flank of Grayback Mountain is one of 21 sales the administration will allow in old-growth reserves created by the plan. To Julie Norman, president of the Ashland, Ore., group Headwaters, the sale "is the first ... and the worst," based on a survey of activists.

The 669-acre sale, which includes trees 700 years old, was auctioned in 1989 and subsequently protected from legal challenge by Congress, so it did not have to comply with standards in the administration's new regionwide plan.

The plan — famously or infamously — is supposed to protect the coastal ecosystem that includes remnant ancient forests in Washington, Oregon and northern California.

Conservationists in southwest Oregon had fought the Sugarloaf sale for a decade. Now, they say, they've run out of options.

"I thought I had a promise from (Assistant Secretary of Agriculture) Jim Lyons, but I guess it was a hoax," says Norman.

Norman contends that Lyons, along with Siskiyou Forest Supervisor Mike Lunn and Regional Forester John Lowe, broke a promise to reevaluate the sale. Norman says she was told the sale would be redesigned after a survey by an independent forester found two cutting units included far more old-growth trees than the agency had estimated.

But when Lowe and Lunn awarded the Sugarloaf sale to Boise Cascade Aug. 22, it was virtually unchanged.

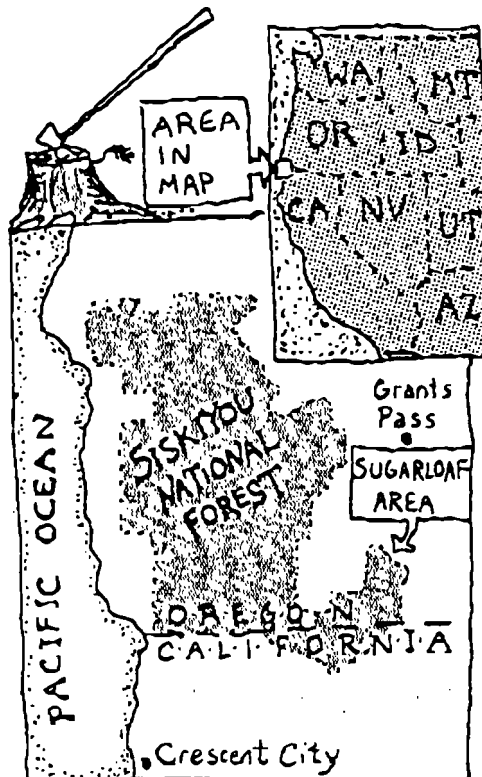
Pressure to move the sale forward came from over the head of Forest Service Chief Jack Ward Thomas, environmentalists charge.

Norman said opponents of the sale knew the area well and had done their homework. Forester Greg Harty of the Public Forestry Foundation found that 40 percent of the timber volume in the



Julie Norman

During a monthly visit to the site of the Sugarloaf sale, activist Kay Knack met Douglas fir 80 inches in diameter



vice's follow-up survey found more than 1,000 trees over 46 inches in diameter were marked for cutting.

The Forest Service says the Sugarloaf sale has been designed to protect the environment. It will require Boise Cascade to log selectively and to remove the 10.5 million board-feet of timber by helicopter. The roadless character of the area will be preserved and forest health will be improved, the Forest Service says.

David Perry, professor of ecosystem studies at Oregon State University's Department of Forest Science, scoffs at that notion.

Perry wrote to Lyons twice in August urging him to rethink the Sugarloaf sale. Fragmenting a 600-acre stand of old-growth trees and taking large numbers of healthy older trees could jeopardize the integrity of the forest, as well as the survival of a pair of northern spotted owls, Perry says.

"Cutting old trees under the guise of improving forest health will only fuel the cynicism among scientists and environmentalists about Forest Service motives," Perry says. "Presently, that

mated that only 1.2 million board-feet would come from such large trees.

Although Assistant Agriculture Secre-

Sugarloaf Timber Sale continued

p. 2

it sure as hell doesn't need more fuel."

Oregon Gov. Barbara Roberts became involved in the dispute over the sale because her administration had picked Grayback Creek, which drains the area set for logging, as one of two watersheds the state plans to invest millions in to restore stream banks.

"Our concerns include the potential for continued degradation upstream as we spend restoration funds downstream," wrote Anne Squier, Roberts' natural resources aide, in a letter to Regional Forester Lowe.

Laurie Hennessey, a spokeswoman for the Clinton administration's Office of Forestry and Economic Development in Portland, says the administration is doing its best in an environmentally sensitive way to meet past commitments to log. "This was a very, very tough call," she says. "Nobody in the administration is happy about it."

But Norman questions why Clinton appointees feel so bound to deliver on a logging plan developed during the Bush administration. "This undermines all the thinking that went into the Clinton forest plan," she says. On Sept. 7, Lyons called her, Norman adds, but only to say he thought the Sugarloaf sale had been adjusted and the concerns of critics addressed.

Norman says there's still time for the Clinton administration to take a second look and decide that a key watershed needs preserving. "We need a presidential pardon," she says.

—Kathie Durbin

For more information, contact Julie Norman of Headwaters, P.O. Box 729, Ashland, OR 97520 (503/482-4459), or Siskiyou National Forest, P.O. Box 440, Ashland, OR 97520 (503/482-4459).

High
Country
News

9/19/94

Regional forester expects changes in Sugarloaf sale

By Michele LaBounty
of the Daily Courier

7-21-94

GRANTS PASS, OREGON

The controversial Sugarloaf Timber Sale is still on, but fewer old-growth trees might be logged.

Regional Forester John Lowe, who flew over and then hiked the sale on Grayback Mountain Wednesday, said he saw nothing to make him shelve the contract.

But Lowe and Siskiyou National Forest Supervisor Mike Lunn revealed that math errors made statistics inaccurate on the size of trees to be cut.

Headwaters, an Ashland-based environmental education group, uncovered the mistake with help from the Pacific Forestry Foundation in Eugene. Headwaters brought it to Lowe and Lunn's attention a few days ago.

The percentages for old-growth trees apparently were underestimated by 7 to 8 percent in a "worst-case scenario," Lunn told reporters after the tour. But Lunn said most of the trees in the 739-acre sale are expected to be young, roughly less than 90 years.

The numbers will be reworked in the next several days and released to the public, Lunn said.

He added the mistake was not an attempt to conceal how many old-growth trees were targeted.

The error doesn't pose a legal problem that might stall the sale, Lunn said. However, he said he is not in any hurry to rush the sale through.

Recalculations might reduce the amount of timber to be cut below the expected 10.5 million board feet, he said.

Lowe said he noticed more old-growth trees marked for cutting than he expected. While he said he saw trees he wouldn't have marked, he saw others he would have put on

the cut list.

Lowe, who oversees national forests in Oregon and Washington, visited the sale for the first time because of mounting opposition from local and national environmental groups.

Those groups include Headwaters, the National Audubon Society, Sierra Club Legal Defense Club and Siskiyou Regional Education Project.

Environmentalists say logging the area will harm forest health. The sale is in an old-growth reserve used by threatened northern spotted owls and other wildlife, a key watershed and the Kangaroo Roadless Area.

"The sale was not exactly like we would do it today," Lowe acknowledged, referring to its history dating to before President Clinton's forest plan.

The sale has generated protests for years and spiking of trees to stop chainsaws. Part of the controversy centers on Sugarloaf as a so-called 318 sale that resulted from a political deal to release some timber for harvests that otherwise would have been locked up by a court injunction.

Lowe took several environmentalists on the tour — Dave Perry, a forest scientist at Oregon State University, and Julie Norman, president of Headwaters.

Norman said Lowe told the group that the new numbers for the size of trees will be sent back to Washington, D.C., so officials know that the mistaken calculations would result in more old-growth trees than expected being cut.

"We hope that the new information will trigger a serious reconsideration," Norman said.

We had
an
AGREEMENT
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Siskiyou forest will reassess Sugarloaf sale data

The Mail Tribune, Thursday, July 21, 1994

By PAUL FATTIG
of the Mail Tribune

The Forest Service is taking another look at a harvest plan for the controversial Sugarloaf timber sale in the Siskiyou National Forest.

After a consulting forester hired by the Ashland-based Headwaters environmental group challenged figures supplied by Siskiyou officials concerning the percentage of old-growth to be cut, the agency decided to reassess the numbers, said Siskiyou Forest Supervisor Mike Lunn.

The contract forester showed that a higher percentage of older trees were marked for cutting, Lunn said.

"We want to go back and correct the misinformation we've been responsible for," Lunn said. "It wasn't done with the intent to hide anything. But we did miscalculate the numbers."

The 739-acre Sugarloaf timber sale, on the west flank of Grayback Mountain about six miles south of Williams, calls for a harvest of some 10.5 million board feet.

A new assessment could result in fewer older trees being cut when the logs are harvested by helicopter, he said, although noting the new assessment won't be available for two weeks.

Boise Cascade Corp. was the high bidder on the sale when it was offered three

years ago, but it was not awarded the contract because of the spotted-owl court injunction. However, the U.S. Fish and Wildlife Service has given the agency the go-ahead to award the sale. That award is pending.

Opponents have argued that the contract shouldn't be awarded, noting that the area has been designated a late-succession forest reserve and a key watershed under the Clinton forest plan.



John Lowe

Gov. Barbara Roberts has come out in opposition to the sale, saying it under-

mines Clinton's forest plan.

Meanwhile, John Lowe, the Forest Service's regional forester in the Pacific Northwest, hiked through the sale Wednesday with Lunn and other officials.

"I didn't see anything today that would shut down the process we're going through," he stressed, although he noted that options remain open.

"I found the sale had more large Doug fir marked than I would anticipate," he said. "But on the other hand I saw some that weren't

marked that I would have marked." Like Lunn, he said a reassessment may change the percentage of large trees harvested.

Because the sale was sold before the Clinton forest plan went into effect, it doesn't follow the same guidelines, he noted.

"This is an old sale that was grandfathered in," Lowe said. "My concern is that it be a good sale, that there is nothing out there that is going to harm the environment."

"The reason we are in there is still very good," he added. "We will continue to have scientific argument over whose mouse trap is better, but we've got to move ahead with what we've got, continue to learn and adapt as we go."

Sugarloaf

Timber sale that stirred long fight finally awarded

THE OREGONIAN, THURSDAY, AUGUST 25, 1994

■ The sale in the Siskiyou National Forest was authorized by Congress in a rider that is recognized in the Northwest Forest Plan

By JOAN LAATZ
of The Oregonian staff

A timber sale fought by environmentalists for 10 years went through this week, dashing opponents' hopes that the sale would be saved by President's Clinton's Northwest Forest Plan.

Gov. Barbara Roberts was among the opponents of the Sugarloaf timber sale in the Siskiyou National Forest, which calls for nearly 700 acres of trees up to 500 years old to be logged in a roadless area on Grayback Mountain. It's the Siskiyou's largest timber sale in more than three years.

The sale was authorized to Boise Cascade Corp., which bid \$2.2 million for it in 1989 but hadn't officially been awarded the sale in part because of a court injunction to protect the northern spotted owl. That injunction was lifted in July.

The sale, which includes about 9.5 million board feet of timber, accounts for more timber than was

sold out of the Siskiyou forest between 1991 and 1993, forest spokeswoman Sue Olson said.

"We're excited about finally receiving the award for this sale," said Bob Smith, spokesman for Boise Cascade's Medford office. "Any amount of wood coming off of a national forest right now is significant."

No date was set for cutting to begin.

Julie Norman, president of the environmental group Headwaters, said she was "shocked" that the sale would go ahead. It's in an area identified in Clinton's forest plan as an old-growth reserve and a key watershed. The timber sale is in the Illinois River basin.

"I think it is really going to undermine the public's confidence in whether the administration is going to follow through and abide by the new plan," Norman said.

Roberts objected to the sale in a recent letter to top Forest Service officials. A state watershed restora-

“

We're excited about finally receiving the award for this sale. Any amount of wood coming off of a national forest right now is significant.

Bob Smith,
Boise Cascade

”

tion project is going on in the river valley below the sale.

"We're disappointed," Paula Burgess, Roberts' forest policy adviser, said when she heard the sale had been awarded. "I don't think there's anything we can do."

Congress authorized sales

The Sugarloaf sale is among 21 timber sales that probably wouldn't be allowed under the new forest

plan, known as Option 9, but were authorized by Congress during the Bush administration under an appropriations bill rider called Section 318.

The sales had been held up during legal wrangling that took the issue all the way to the U.S. Supreme Court, which ruled they were constitutional.

The Clinton administration agreed to honor those sales in its forest plan even though some of them fall within areas protected by the plan.

"Part of the president's commitment is to let these sales go forward," said Tom Tuchman, head of the administration's forest plan office in Portland. "That doesn't mean we haven't thought long and hard about this and recognize the objections people have. We do."

But the forest plan, he said, "is about protecting old growth and about protecting people whose livelihoods are dependent on our forests."

Tuchman said all the environmental impact analyses done on the forest plan assumed the Section 318 timber sales would be logged. And the size of the reserves was in-

creased by nearly 400,000 acres, he said, to compensate for the acreage in those sales. About 7.4 million acres of federal forest land are included in Option 9's reserves.

Two Oregon State University scientists wrote to the administration, urging officials to stop the Sugarloaf sale on the grounds that it would jeopardize the forest. But Tuchman said the sale had been tailored to lessen its impacts.

The original sale called for about a million more board feet of timber to be cut, some of it in clear cuts, and a system of roads to be built. Under the new sale terms, Tuchman

said, the timber will be selectively cut and removed by helicopter. Forest spokeswoman Olson said that less than a mile of road would be built and that it would be removed when the cut is done.

"We can't just wave a magic wand and just undo decades of rules, regulations and interpretations in a few months," Tuchman said.

"We need to meet our commitments of the past and at the same time show people we are going to do things differently in the future."

Correspondent John Griffith also contributed to this story.

FALSE

Sugarloaf

Partial cuts proposed for the Sugarloaf Timber Sale below Grayback Mountain in a Late-Successional Reserve



Dashed red lines show (from left to right) proposed cutting units 1, 2, and 3

Photo by Trygve Steen, 1992, flight by Lighthawk

Sugarbark Sale - Unit 3



Who Opposes the Sugarloaf Timber Sale?

Governor Barbara Roberts

Democratic Party of Oregon - Beverly Hills Democratic Club

Dr. David Perry (Oregon State Univ. Professor of Forest Science)

Dr. William Ferrell (OSU Professor Emeritus of Forest Science)

Lou Gold and Siskiyou Regional Education Project

Headwaters - Northcoast Environmental Center

Siskiyou, Kalmiopsis, and Columbia Gorge Audubon Societies

Public Forestry Foundation

Sierra Club/Oregon Chapter - Oregon Natural Resources Council

Western Ancient Forest Campaign

Ancient Forest Alliance (national groups)

Klamath Forest Alliance - Soda Mountain Wilderness Council

Friends of the Coquille River - Little Foot Expeditions

Threatened and Endangered Little Applegate Valley

Williams Watershed Protection Association

Friends of Elk River

Pacific Botanicals - Herb Pharm - Horizon Herbs

Forest Farm - Williams Creek Farm - Hi Hoe Farms

Siskiyou Buckle - Spero Surveying - M & M Auto Solar

FACT SHEET:

The Sugarloaf Timber Sale vs. Grayback Mountain

Siskiyou National Forest, southwest Oregon

*** All information on this page is taken from Siskiyou N.F. data, except as cited.*

Total area to be cut = 669 acres

Elevation = 4,300 to 5,700 feet

Mile of road to be built = 0.7

High bidder = Boise Cascade

Cutting method: individual tree selection and patch clearcuts 1/4 to 4 acres in size

After cutting, helicopters will pull the trees up through the canopy with the tops attached.

186 acres will be "underburned" after logging.

Misinformation on the volume of large trees to be cut is being corrected.

The Siskiyou National Forest has acknowledged errors in their calculations that *under-estimated the amount of large trees being cut*. Headwaters and the Public Forestry Foundation are currently working with the agency to find the source of the mistake. Preliminary estimates are given below.

<u>Total volume to be cut:</u>	Siskiyou N.F. estimate (to be corrected)	Public Forestry Foundation estimate
46"+ diameter trees	= 1.2 million board feet	= 4.2 million bf (40%)
26-44" " "	= 5.0 " " "	= 5.3 " " (50%)
10-24" " "	= 4.3 " " "	= 1.0 " " (10%)
Total Volume	= 10.5 million board feet	= 10.5 million bf (100%)

What kind of forest is growing there now?

Unit 1: 150 acres, an even-aged stand of young trees approximately 100 years old

Unit 2: 280 acres, mature/old growth forest of white fir, douglas fir, and shasta red fir.
"overmature" (old-growth), 250+ years old, 24-70" diameter, 25 trees/acre
PLUS... a very unique grove of high-elevation old-growth ponderosa pine

Unit 3: 240 acres ... similar in species and age distribution to Unit 2

How many of the large old trees are planned to be cut?

Unit 2: Remove 30% of the trees bigger than 24" diameter

[Ponderosa pine bigger than 48" diameter will not be cut.]

Unit 3: Remove 50% of the trees bigger than 24" diameter

-- Headwaters, 7/30/94

A Siskiyou National Forest Public Information Handout, with a Rebuttal by Headwaters

QUESTIONS AND ANSWERS ABOUT THE SUGARLOAF SALE

MAY 1994

The following questions and comments are being heard from the public about the Sugarloaf Timber Sale on the Siskiyou National Forest. Here are some answers.

1. It's in the Kangaroo Roadless Area. Why won't you stay out of roadless areas for any harvest activities?

Timber harvest is not prohibited by law in roadless areas, even though this issue has been the focus of considerable debate. Many roadless areas were included within Late Successional Reserve areas in the President's Plan, and this is one of them. The Record of Decision grandfathered this sale into new business, as it was one of the 318 sales of 1990 that was exempted from further judicial review by a Congressional rider.

2. Are you clearcutting at Sugarloaf?

A. → No. This sale is a premiere example of how sales can be designed in an ecologically sensitive manner. Approximately one-third of the trees are individually marked for selective harvest across a broad area. Riparian zones are fully protected, and a 70-acre core has been designated for protection for spotted owls. Roosting, nesting and foraging habitat for the owl will still be present after the sale is harvested. The sale will be logged by helicopter. Visitors will be challenged to find differences in the view after the sale is harvested. A minimum of roading (.66 miles) is provided just to locate helicopter landings away from the main road.

3. You're cutting the last of the old growth, aren't you? And you'll take the best trees, not the worst ones.

B. → The trees at Sugarloaf are mixed ages, with the trees to be harvested ranging from about 40 years old to a few over 200 years. Our timber markers designed removal of about 30% of trees at the site across all size classes. So yes, a few old trees will be cut. Recognizing that old growth for many people is defined in the eye of the beholder, this stand is not old growth by technical definition. C.

REBUTTAL: Sugarloaf Timber Sale facts documented by Headwaters, July 30, 1994

(Letters "A," "B," and "C," below refer to underlined passages in the above Siskiyou N.F. handout.)

A. Riparian zones are not "fully protected" up to current standards.

Many large trees are marked for cutting within 100 ft. or less of streams in the Sugarloaf Timber Sale Area. This violates the requirements of the President's Forest Plan which prohibits any logging within 200 ft. of all perennial or intermittent streams.

B. Hundreds of trees over 250 years old are marked for cutting.

From 10 to 98 trees per acre that are 250 years old or older are reported growing now in Units 2 and 3, according to the Siskiyou N.F.'s "Silvicultural Prescription" for Sugarloaf, which states that from 30-50% of these trees should be cut down. At least one 7 ft. diameter, 700 year old tree is marked to cut.

C. 500 acres of forests will be cut that meet the technical definition of "old-growth."

Standard technical definitions list a minimum number of large live trees, standing dead trees, fallen trees, and a multi-layered canopy as characteristic of classic old-growth forests. According to the sale's "Silvicultural Prescription," over 400 acres in Units 2 and 3 meet this definition. Timber sale documents give no description of the forest structure of an additional 100 acres that are marked for cutting in Units 2 and 3, but these have been found to be old-growth by a Public Forestry Foundation survey. The forest structure in Unit 1 (150 acres) is also not described in the timber sale documents, but it is not old-growth.

RECORD OF DECISION, CLINTON FOREST PLAN

criteria developed by the scientific advisory group.

b. Timber Sales Offered Subsequent to the Effective Date of the ROD

Timber sales offered subsequent to the effective date of this Record of Decision must be consistent with the appropriate planning documents as amended by this Record of Decision. Where appropriate, timber sale planning documents may reference the analysis in the Final SEIS.

c. Timber Sales Sold but Unawarded

With one exception as described below, all planned and sold but unawarded timber sales were reviewed and adjusted as needed, following publication of the Draft SEIS, pursuant to the process described in paragraph (a) above. The review ensured that these sales would not prevent the attainment of the environmental objectives of the selected alternative.

The environmental effects of these timber sales were disclosed in site-specific NEPA documents and subsequent review. Some of these sales have subsequently been awarded and some have not yet been awarded.

This Record of Decision specifically provides that the remaining sales that have been offered but not awarded prior to the effective date of this Record of Decision, other than those sales referred to in paragraph (1) below, may be awarded after the effective date of this Record of Decision without further modification provided that they meet the requirements of the Endangered Species Act.

(1) Timber Sales Sold, Unawarded but Enjoined

Timber sales sold, unawarded, but enjoined prior to the effective date of the ROD have not been reviewed using the procedure described in paragraph (a) above, but must be consistent with the appropriate planning documents as amended by this Record of Decision. Where appropriate, timber sale planning documents may reference the analysis in the Final SEIS.

d. Timber Sales Released from the Injunction in Seattle Audubon Society v. Lyons

On March 24, 1994, the court in Seattle Audubon Society v. Lyons modified the injunction to allow 24 timber sales in northern spotted owl habitat to be sold and awarded. These sales will be adjusted to conform to the amended planning documents resulting from our decision unless they are awarded prior to the effective date of this Record of Decision.

NOTE: SALES "MAY" BE AWARDED.

LOOP
HOLE
FOR
Z1
SEC 318
SALES

Att n: Cowrie

Date: Sept. 29To: Michael DavisOffice Environmental
Policy

Destination Facs No.: _____

From: Gary Reynolds

Origination Facs No.: _____

Comments: As discussed in our
Meeting 9/28 @ 11:30 -

_____USDA Forest Service
Deputy Chief
National Forest System
P.O. Box 96090
Washington, DC 20090-6090



U.S. Department of Agriculture
Forest Service
Office of the Deputy Chief,
National Forest System

September 29, 1994

Michael Davis -

Some News Clips
that Address some positive
Aspects of Sugarloaf Sale.

Gray Reynolds

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NEWSPAPER CLIPPING SLIP

NAME OF PAPER: Ore County Reporter
 NAME OF CITY: Gold Beach
 DATE OF ISSUE: 8-27-94
 SENT BY: Siskiyou N. F.
 SECTION: Gold Beach

FOREST AWARDS TIMBER SALE

The First Major Sale In Several Years

The Sugarloaf timber sale on the Illinois Valley Ranger District out of Cave Junction has been awarded to Boise Cascade according to Mike Lunn, supervisor of the Siskiyou National Forest.

The sale is 9.5 million board feet of timber. Sue Olson, public affairs officer for the forest, said this is the first major sale award since she became information officer more than three years ago, but does not expect it to open the floodgates.

She said the protests of this sale may not be over yet, even though it has been all the way to the U. S. Supreme Court, where it was delayed, and the White House. She expects it to be controversial all the way through.

This is one of the "318" sales, made with a congressional rider exempting the sales from judicial review.

Lunn said the record of decision for the president's Forest Plan, signed by the Secretaries of Agriculture and Interior on April 13, specifically states that remaining sales that have been offered but not awarded prior to the effective date of the decision. "May be awarded without further modification provided that they meet the requirements of the Endangered Species Act". Lunn said the Sugarloaf sale falls within this category.

JOHN GRAFFIN
Specialist, The Oregonian

The Siskiyou National Forest on today awarded its first large timber sale in more than three years. Called Sugarloaf, the sale has a controversial from its start. It gives a little less than 10 million board feet from trees selected in a acre area on the eastern bound- of the Southern Oregon national forest. Sugarloaf was laid out in the mid beginning in the late 1970s, but sold at auction in 1989. Environmentalists fought it twice in federal court, once up to the Supreme Court, and lost.

12003

Oregonian 8/24/94

Forest Service grants Sugarloaf timber sale

The sale of the Siskiyou National Forest timber winds up a long and led fight against logging the old-growth trees

The amount of timber in Sugarloaf is more than the Siskiyou National Forest sold in total from 1991 to 1993, according to Sue Olson, forest spokeswoman. It is a remnant from a congressional rider to an appropriations bill known as Section 318.

Under President Clinton's forest plan, which set aside a 1981 federal court injunction banning the Forest Service and Bureau of Land Management from selling timber, the Siskiyou has an annual target sale amount of 24 million board feet.

"Any amount of wood coming off of a national forest right now is significant," says Bob Smith, spokes-

man for Boise Cascade, Medford district, the high bidder on the sale.

"We're excited about finally receiving the award for this sale," Smith said. "We'll demonstrate a commitment as will our contractors to following both the terms and the intent of the contract."

When the president's forest plan first came out in July 1993, the Sugarloaf area was designated an old-growth forest reserve and a key watershed.

"At that point we thought we had won," said Steve Marsden, executive director of the Siskiyou Regional Education Project. "We thought it was over with, that this issue was dead."

However, when final notice of the president's plan was issued, Sugarloaf sale went forward as an exception, due to its history as a Sec-

tion 318 sale. "To us, it was a real betrayal of the president's word," Marsden said.

Gov. Barbara Roberts voiced opposition to the sale in a June 14, 1994, letter. Currently, watershed enhancement projects are going on in the valley below Sugarloaf.

"We're disappointed," said Paula Burgess, Roberts' federal forest and policy advisor, when she heard Sugarloaf had been awarded.

"I don't think there's anything we can do," Burgess added. "I don't think there's anything that we would want to do. They'll understand that we'll be disappointed. But they're the federal government. They have to make those calls. I guess they did."

The logging contract was changed through consultations with the U.S.

Fish and Wildlife Service and by Siskiyou staff to better protect streams and spotted owl habitat. In a 1993 environmental assessment, Sugarloaf was planned at 13 million feet, clear-cut and with many miles of roads. Now it requires helicopter logging, with trees to be cut selected by the Forest Service.

Sugarloaf is in the Kangaroo Roadless Area, in the Illinois Valley ranger district of the national forest near Bigelow Lake and just south of Sugarloaf Peak. Boise Cascade cannot start on the sale immediately. That part of the forest is closed to logging because of fire danger. Additionally, the Sugarloaf contract prohibits logging from Oct. 1 through February for spotted owl roosting and foraging season.

08/24/94 09:02 503 471 8882

SISKIYOU NF

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Sugarloaf sale goes to Boise Cascade

Helicopters key part of disputed logging plan

By Jim Davis
of the Daily Courier

The Sugarloaf Timber Sale, which has withstood numerous environmental lawsuits, has been awarded to Boise Cascade, according to Forest Supervisor Mike Lunn.

"The award follows a long process of sale design, public involvement and modifications intended to meet many environmental concerns," said Lunn.

Boise Cascade reportedly will harvest about 10 million board feet of timber from the area, and all the logs will be removed by helicopter to minimize ground disturbance.

"The sale has been through several years of consultation with the U.S. Fish and Wildlife Service for the northern spotted owl and marbled murrelet," he said. "They found the sale to be in compliance with the Endangered Species Act."

There are spotted owls in the sale area. But Lunn said the sale is designed to protect them, providing a fully protected 70-acre core area around their suspected nest trees.

However, Julie Norman of Headwaters in Ashland said the environmental group has objected and still objects to the sale.

"This stand is very, very old and very rare," Norman said. "This area is very important ecologically to a key forest reserve area."

Nevertheless, Lunn said he is convinced the sale is environmentally responsible.

"We took a hard look," Lunn said, "and it is our belief that forest health will be preserved in the Sugarloaf area."

"Management activities within roadless areas are nearly always controversial."

The Sugarloaf timber stand is in the Kangaroo Roadless Area east of Cave Junction and south of Sugarloaf Peak. According to the Forest Service, a major objective of the sale when it was designed in 1989 was to provide timber for the local industry.

There is no timeline as to when logging of the area will begin.

Grant's Pass Daily Courier 9/23/94

08/25/94 13:56 2503 471 8882

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Sugarloaf wood sale awarded

The Sugarloaf Timber Sale in the Siskiyou National Forest, opposed by factions including the Cave Junction-based Siskiyou Project, has been awarded to Boise Cascade, according to Forest Supervisor Mike Lunn.

"We took a hard look," he said, "and it is our belief that forest health will be preserved in the Sugarloaf Timber Sale area."

Boise Cascade could harvest approximately 10 million board feet of timber from the area. The company has 30 days to review the contract, which has not been signed.

The sale is located in the Grayback area, near Williams, approximately 25 miles southeast of Cave Junction.

"The award follows a long process of sale design, public involvement and modifications intended to meet many environmental concerns," said Lunn. The sale, announced Monday, Aug. 22, is selectively marked.

All the logs will be removed by helicopter to minimize ground disturbance.

"Additionally," he said, "The sale has been through several years of consultation with the U.S. Fish and Wildlife Service for the northern spotted owl and marbled murrelet. They found the sale to be in compliance with the Endangered Species Act."

Lunn said the sale design protects them, providing a fully protected 700-acre core area around their suspected nest trees, and maintaining the entire area as suitable habitat for roosting and foraging.

The record of decision for the president's forest plan, signed by secretary of Agriculture and Interior April 13, specifically states that remaining sales that had been offered, but unawarded prior to the effective date of the record of decision, "may be awarded without further modification provided that they meet the requirements of the Endangered Species Act."

The Sugarloaf Sale, said Lunn, falls within this category. "As noted in the record of decision, those sales were evaluated using criteria established by a scientific advisory group; the review assured that harvest of the sales would not prevent the attainment of the environmental objectives of the selected alternative," he said.

A major objective of the sale, when designed in 1989, was to provide timber for the local industry. Following a recent reassessment of the sale by Siskiyou National Forest specialists and scientists, Lunn said he is convinced that the sale is environmentally responsible.

"If we were to design it today, under the new requirements of the president's forest plan, we would cut fewer large trees there, and," he continued, "we likely would cut many more of the smaller trees."

Sugarloaf is an older sale that was exempt from the new standards. There have been many concerns raised over the issue of cutting larger trees.

"But the real concern should be over what we leave, not what we take," Lunn added. "There will be a healthy, older stand of trees remaining."

Continued on Page 2

Illinois Valley News

8/24/94

Sugarloaf timber sale awarded

Continued from Page 1

Located in the Kangaroo Roadless Area, the Sugarloaf sale has survived two lawsuits. "One lawsuit went to the Supreme Court, another to the 9th Circuit Court of Appeals before it was dismissed," he noted. "Management activities within roadless areas are nearly always controversial."

The sale lies within a late-success-

sion reserve and key watershed, under the president's plan. The Grayback Drainage is an important watershed area of the Illinois River and important for production of anadromous fish. The Sugarloaf Sale was carefully re-evaluated following issuance of the plan to ensure that the health and integrity of the stream systems would be protected, Lunn said.

The Mail Tribune, Wednesday, Aug. 24, 1994

LOCAL

Boise promises showcase timber sale

Sugarloaf will be logged by helicopter

Boise Cascade Corp. plans to make its newly awarded Sugarloaf timber sale a showcase for future logging operations, a company leader said.

Russ McKinley, Boise's timberland manager in Medford, said the company will sign the contract for the controversial Sugarloaf sale, which calls for using helicopters to selectively cut about 10.5 million board feet of timber on 739 acres on the west flank of Grayback Mountain about six miles south of Williams.

The Siskiyou National Forest sale has been the cornerstone of five years of debate and two lawsuits over whether logging is legal on the older trees and northern spotted owl territory.

"We're going to log it when we can do the best possible job on the sale, and when we need (the tim-

ber)," McKinley said today.

"Our firm desire is to really do a class job on the sale and let the public determine what they think of it," McKinley said.

Those opposed to the sale will not give up, said Julie Norman, head of the Ashland-based Headwaters environmental group.

Headwaters, which lobbied with the Clinton administration to stop the sale, had argued that contract shouldn't be awarded because it was designated a late-succession forest reserve and a key watershed under the Clinton forest plan.

The Siskiyou Forest awarded the Sugarloaf sale Monday to Boise.

The plan, as drawn by a special Siskiyou Forest team, calls for the timber to be selectively cut and removed with helicopters. A half

mile of logging road will be constructed.

Boise was the high bidder on the sale when it was offered three years ago, but the contract was not awarded because of the spotted-owl court injunction. However, the U.S. Fish and Wildlife Service has given the agency the go-ahead to award the sale.

The sale was opposed by environmental activists who want to save the large trees in the stand. Gov. Barbara Roberts also spoke out against logging the site.

The sale was designed in 1989, making it exempt from new regulations, according to Forest Supervisor Mike Lunn.

"If we were to design it today, under the new requirements of the president's forest plan, we would cut fewer large trees there, and we likely would cut many more of the smaller trees," he said in a prepared statement.

McKinley said logging Sugarloaf will help reduce fire danger in the basin and, with the help of Erickson Air Crane, it will be done with little visual impact.

"I think five years after the job is done, 85 percent of the people walking through the forest won't even know it was logged," McKinley said.

Boise Cascade has 30 days to sign the contract after receiving the letter announcing the sale was awarded, said Siskiyou spokeswoman Sue Olson.

McKinley said Boise was reviewing the contract this morning and planned to sign it. The company has until March 1998 to finish the work.

In addition to other activities, a weekend workshop sponsored by Headwaters and the League of Wilderness Defenders, will feature hikes into the sale area.

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To Sue Olson	From	
Cc	Cc	
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Fax # 503-471-6544	Fax #	

Page 42

THE REGISTER-GUARD, Eugene, Oregon, Thursday, August 25, 1984

Old growth logging gets final approval

■ Timber: Environmentalists lose a 10-year battle to halt a sale in the Siskiyou National Forest.

By The Associated Press

PORTLAND — A southwestern Oregon timber sale fought by environmentalists for 10 years has been given final approval by the Forest Service.

The move ended opponents' hopes that the Sugarbush sale in the Siskiyou National Forest would be saved by President's Clinton's Northwest forest plan, but environmentalists haven't given up fighting.

The Sikkim Regional Education Project is holding a gathering this weekend to guide the public on tours of the site, which includes old growth forest.

"This isn't the end. This is the beginning," executive director Steve Madden said Wednesday. "We're going to oppose this sale as long as it's out there."

Gov. Barbara Roberts was among the opponents of the sale, which calls for nearly 700 acres of trees up to 500 years old to be logged in a roadside area on Grayback Mountain.

The sale was awarded to Boise Cascade Corp., which bid \$2.2 million for it in 1988. The wood products company hadn't officially received the sale in part because of a court injunction to protect the northern spotted owl. The injunction

was lifted in July.

The sale, which includes about 9.5 million board feet of Umber, accounts for more Umber than was sold out of the Sitkayu forest between 1891 and 1893, forest spokeswoman Sue Olson said.

"We're excited about finally receiving the award for this sale," said Bob Smith, spokesman for Boise Cascade's Medford office. "Any amount of wood coming off of a national forest right now is significant."

No data was set for cutting to be
 dia.

The Sugarcoated sale was among 21 timber sales authorized by Congress during the Bush administration under an appropriations bill rider designed to bypass appeals and lawsuits from environmentalists.

The sales had been held up during legal maneuvers that took the issue all the way to the U.S. Supreme Court, which ruled they were constitutional.

The Clinton administration agreed to honor those sales in its forest plan even though some of them fall within areas protected by the plan.

It is in an area identified in Clinton's forest plan as our old growth reserve and a key watershed.

4M

B5:

Timber sale that stirred long fight finally awarded

■ The sale in the Siskiyou National Forest was authorized by Congress in a rider that is recognized in the Northwest Forest Plan

BY JOAN LAATZ
of The Oregonian staff

A timber sale fought by environmentalists for 10 years went through this week, dashing opponents' hopes that the sale would be saved by President's Clinton's Northwest Forest Plan.

Gov. Barbara Roberts was among the opponents of the Sugarloaf timber sale in the Siskiyou National Forest, which calls for nearly 700 acres of trees up to 500 years old to be logged in a roadless area on Grayback Mountain. It's the Siskiyou's largest timber sale in more than three years.

The sale was awarded to Boise Cascade Corp., which bid \$2.2 million for it in 1989 but hadn't officially been awarded the sale in part because of a court injunction to protect the northern spotted owl. That injunction was lifted in July.

The sale, which includes about 9.5 million board feet of timber, accounts for more timber than was sold out of the Siskiyou forest between 1991 and 1993, forest spokeswoman Sue Olson said.

"We're excited about finally receiving the award for this sale," said Bob Smith, spokesman for Boise Cascade's Medford office. "Any amount of wood coming off of a national forest right now is significant."

No date was set for cutting to begin.

Julie Norman, president of the environmental group Headwaters, said she was "shocked" that the sale would go ahead. It's in an area identified in Clinton's forest plan as an old-growth reserve and a key watershed. The timber sale is in the Illinois River basin.

"I think it is really going to undermine the public's confidence in whether the administration is going to follow through and abide by the new plan," Norman said.

Roberts objected to the sale in a recent letter to top Forest Service officials. A state watershed restoration project is going on in the river valley below the sale.

"We're disappointed," Paula Burgess, Roberts' forest policy adviser, said when she heard the sale had been awarded. "I don't think there's anything we can do."

Congress authorized sales

The Sugarloaf sale is among 21 timber sales that probably wouldn't be allowed under the new forest plan, known as Option 9, but were authorized by Congress during the Bush administration under an appropriations bill rider called Section 318. The sales had been held up during legal wrangling that took the issue all the way to the U.S. Supreme Court, which ruled they were constitutional.

66

We're excited about finally receiving the award for this sale. Any amount of wood coming off of a national forest right now is significant.

Bob Smith,
Boise Cascade

77

The Clinton administration agreed to honor those sales in its forest plan, even though some of them fall within areas protected by the plan.

"Part of the president's commitment is to let these sales go forward," said Tom Tuchman, head of the administration's forest plan office in Portland. "That doesn't mean we haven't thought long and hard about this and recognize the objections people have. We do."

But the forest plan, he said, "is about protecting old growth and about protecting people whose livelihoods are dependent on our forests."

Tuchman said all the environmental impact analyses done on the forest plan assumed the Section 318 timber sales would be logged. And the size of the reserves was increased by nearly 400,000 acres, he said, to compensate for the acreage in those sales. About 7.4 million acres of federal forest land are included in Option 9's reserves.

Two Oregon State University scientists wrote to the administration, urging officials to stop the Sugarloaf sale on the grounds that it would jeopardize the forest. But Tuchman said the sale had been tailored to lessen its impacts.

The original sale called for about a million more board feet of timber to be cut, some of it in clear cuts, and a system of roads to be built. Under the new sale terms, Tuchman said, the timber will be selectively cut and removed by helicopter. Forest spokeswoman Olson said that less than a mile of road would be built and that it would be removed when the cut is done.

"We can't just wave a magic wand and just undo decades of rules, regulations and interpretations in a few months," Tuchman said. "We need to meet our commitments of the past and at the same time show people we are going to do things differently in the future."

Correspondent John Griffith also contributed to this story.

8-24-94
Oregonian

U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION
GENERAL LITIGATION SECTION
601 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004

FAX NUMBER (202) 272-6817, 5775, 6815
CONFIRMATION NUMBER (202) 272-8056

*Discuss with F.S.
on 9/29*

MEMORANDUM

To: Ellen Athas
Andrea Berlowe
Ted Boling (202) 514-4231
Wells Burgess
Todd Campbell (202) 456-6429
Kristina Clark (202) 219-1792
Ana Cobian (202) 514-7971
William Cohen
Peter Coppelman (202) 514-0557
✓ Michael Davis (202) 456-2710
Lisa Freedman (503) 326-6254
Mark Gaede (202) 720-4732
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David Gehlert
Michael Gippert (202) 690-2730
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Tom Tuchmann (503) 326-6254
Jean Williams

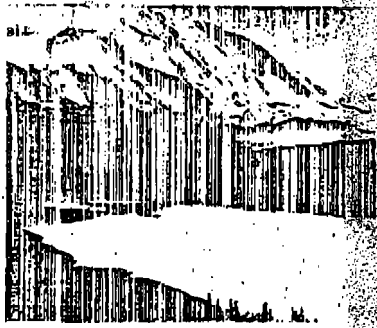
DATE: September 22, 1994

NUMBER OF PAGES TO BE TRANSMITTED: 3

FROM: Paula Clinedinst, Legal Assistant (202) 272-8019

MESSAGE: Please see attached letter from Todd True re: timer sales.

09-22-94 09:32AM FROM SIERRA CLUB LEGAL NW TO 912022726815/456 P002003



SIERRA CLUB LEGAL DEFENSE FUND, INC.

The Law Firm for the Environmental Movement

203 Hoge Building, 705 Second Avenue, Seattle, WA 98104-1711 (206) 343-7340 FAX (206) 343-1126

Sanriz, Mr. McKinley

Amel Adams

NORTHWEST OFFICE

Patti A. Goldeman*

Todd D. True

Staff Attorneys

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Project Attorney

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Associate Attorneys

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Honolulu, Hawaii

Juneau, Alaska

New Orleans, Louisiana

Tallahassee, Florida

Washington, D.C.

September 20, 1994

Via Facsimile & U.S. Mail

Ms. Ellen M. Athas
Department of Justice
Environment and Natural Resources Division
General Litigation Section, Room 868
601 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Fax: (202) 272-6815

Re: SAS v. Espy & Babbitt, No. C92-479WD, et
al. (W.D. Wash.)

Dear Ellen:

This letter follows up on your letter of September 8, 1994, to Mike Axline. In your letter, you suggest that if the SAS plaintiffs have concerns about specific timber sales for which the government has given us 30-day notices, we should contact you and alert you to the problems.

After reviewing the BLM and Forest Service timber sales for which you have provided the plaintiffs 30-day notice of advertisement, we believe additional action is required for the following nine sales in order to bring them into compliance with the ROD and Standards and Guidelines:

<u>Sale</u>	<u>Forest</u>	<u>Decision Notice</u>
Toad Ski	WNF	7/1/91
Jude East Salvage	WNF	8/13/91
Santiam Demo	WNF	8/25/93
Watchdog	UmpquaNF	5/12/90

September 20, 1994
Page 2

Rush I	GPNF	5/1/92
Rush II	GPNF	5/1/92
Point SH	GPNF	5/1/92
Whiz	GPNF	3/14/91
Davis Friend	GPNF	5/2/90

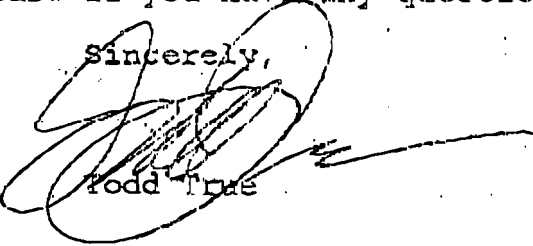
Unlike other timber sales for which you have given us notice, for each of the above sales, there has been no additional NEPA compliance or public involvement of any kind to demonstrate that the sales are consistent with the ROD and Standards and Guidelines.

Instead, some modifications to each sale have been made through unpublished memoranda to the sale file (for the Willamette and Umpqua sales) or thorough unpublished "letters of correction" (for the Gifford Pinchot sales). These brief and cursory -- usually one page or less -- summaries of changes to the timber sales, at a minimum, do not satisfy the requirements of the ROD that "timber sales must undergo appropriate site-specific analysis, and must comply with applicable regulatory requirements for public participation and administrative appeal." ROD at 13. In addition, because of the cursory nature of the discussion of changes to these sales, it is impossible at this time to determine whether the sales violate other requirements of the ROD and its Standards and Guidelines.

The problems with these nine sales must be corrected before they proceed. Please confirm to us in writing what steps the government will take to correct the problems. In addition, we have raised in a separate letter to Andrea Berlowe specific concerns about the Smoke timber sale.

We look forward to hearing from you about these matters. Please feel free to give me a call if you have any questions.

Sincerely,


Todd True

cc: Bonnie Phillips-Howard
Mark Hubbard

9/17

Contra

Ple try to set
up a meeting with
Gray Reynolds (Forest
Service). I would
like a short briefing
on the Sugarfoot Sale
and the Cherokee Issue.
Try to set up for
week of Sept 26.

206-1523

TH
MO
(202) 206-1758
TRUST
TRUST

THE WHITE HOUSE
WASHINGTON

MIKE,

I SPOKE TO TRISH TRUITT
WHO WORKS WITH GRAY REYNOLDS.
I SCHEDULED A MEETING
ON WEDNESDAY, SEPT. 28
AT 11:30 AM. YOU HAVE
TO GO TO 14TH & INDEPENDENCE
ON THE 3RD FLOOR. OF
AGRICULTURE BUILDING
I PUT IT ON YOUR SCHEDULE

-CONNIE

Siskiyou Regional Education Project

P.O. Box 220, Cave Junction, Oregon 97523 • (503) 592-4459

September 8, 1994

SEP 12 1994

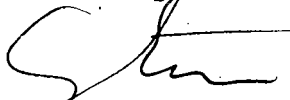
Mike

Lou Gold has begun his prayer vigil on Lake Mountain overlooking the highly controversial Sugarloaf timber sale in the Siskiyou National Forest of southwestern Oregon. His proposed agreement with the Forest Service (see attached letter) is an attempt to repeat his peace-keeping activities which were so successful on Bald Mountain.

An inquiry from you or someone in your office to Mike Lunn (Supervisor, Siskiyou National Forest, 503-471-6500) might facilitate this agreement by demonstrating national concern. We are all anxious to ensure Lou's safety.

If you have any questions concerning Lou's vigil or the Sugarloaf timber sale controversy, please contact me at the Siskiyou Project office.

Sincerely,



Steve Marsden
Executive Director

Lou Gold

PO Box 220

Cave Junction OR 97523

9/5/94

Mike Lann, Supervisor
Siskiyou National Forest
200 NE Greenfield Rd.
Grants Pass, OR

Dear Mike,

This is a follow-up to the meeting between you, I, Sue Olson and Mary Zuschlag at the Siskiyou Forest Headquarters on August 31, 1994. I appreciated the candid and friendly tone of the meeting and being able to learn of your concerns about my Lake Mountain vigil first-hand. For the record I would like to go over them point-by-point.

Fire. Due to the continuing extreme fire danger, I will follow all fire restrictions scrupulously, including not smoking cigarettes (it's time for me to let go of that habit anyway). I will keep myself posted of any relaxation in fire restrictions through the Oregon Caves National Monument.

Trail Maintenance. I have permission to clear the brush and reopen the trail to the old lookout site. I have received information from Mary Zuschlag on Aggregate Gooseberry (Ribes Marshallii) and will be careful not to remove or disturb this sensitive plant.

(2)

Cleanup of Lake Mountain Lookout Site. There is a classic pile of trash at the old lookout site and I would like to remove it as soon as possible. However, since the lookout dates back to 1936 and a Federal Law requires an inventory and review of "artifacts" more than 50 years old, I will not remove anything until the Forest Service archeologists have had an opportunity to assess the historical significance of the items at the site. I trust that this review process will be conducted in a timely manner.

Personal Security. Thank you for your concern for my safety and for beefing up law enforcement in the area. When you said, "I have no intention of letting you become a martyr, Lou", I said to myself, "there is an intention Mike and I can agree on completely." I am well aware of the contentiousness surrounding the Sugarloaf sale and of the usual "hot head" talk on both sides. Hopefully, my prayer vigil will bring a peaceful presence to the area and serve to constrain rash actions, as it did during my stay on Bald Mountain. Since you were not with the Siskiyou Forest during the several North Kalmiopsis controversies, let me briefly review those events with you.

My vigil on Bald Mountain began at the height of the Bald Mountain Road controversy back in 1983 when civil disobedience campaigns were a new and highly provocative tactic locally. My vigil continued

(3)

through several North Kalmiopsis timber sale controversies during the mid and late 1980's. Finally, my camp and prayer circle was immediately adjacent to the protest area and subsequent Silver Fire Salvage logging. In total, I have spent twelve peaceful summers on Bald Mountain. With the single exception of a rather comical "helicopter raid" on my prayer circle which knocked down a few flag poles during the summer of 1988 there has never been an "incident." At no time have I or visitors to my camp been threatened in any way.

Across twelve years the visitors have been many and varied -- loggers, environmental activists, law enforcement folks, road builders, survey crews, media, the president of the National Wildlife Federation, and many just plain hikers. I repeat -- there were no incidents and no one was ever threatened. My camp became a safe spot in a sea of controversy and my vigil gained a national reputation for its peaceful ways. I became most aware of this during the summer of 1989 when the owner of the construction company that was extending the Bald Mountain road for Silver Fire salvage logging made a personal visit to thank me for my peaceful presence.

Of course, I can take only partial credit for this history. My job is to maintain a peaceful and religious presence, to let go of any lingering anger over past abuses, and to treat all comers with

4

equal respect no matter where they stand on the issues. But that is only part of the story. My intentions have been supported as a model of peaceful action by individuals and groups on all sides of the issue. Perhaps, most important, was the cooperation I received from the Forest Service which chose to formally acknowledge the beneficial consequences of my vigil. Your predecessor, Ron McCormick and then Galice Ranger Terry DeGrow chose to "legitimize" my presence through a Voluntary Service Agreement between myself and the Forest Service. This agreement also represented a broad consensus between cooler heads on all sides that nothing can be gained through anger and threats, that above all resource controversies must be resolved through a peaceful political process.

Mike, I've got a solid track record and a lot of support. I believe that we can repeat the Bald Mountain experience on Lake Mountain. If the Forest Service would issue me another Volunteer Service Agreement we could stand together to promote a peaceful resolution of the Sugarloaf controversy. I'm willing to do my part -- my camp will not be a vehicle for any illegal or provocative activity and I will conduct the vigil as an individual and not as a spokesperson for any particular group. I will be there peacefully -- dividing my time between prayer and religious ceremony, trail maintenance, photography and developing a new educational program

on the biodiversity of the Siskiyou. If you feel that we can join together to promote a peaceful process please send in a Volunteer Service Agreement for me to sign. I will gladly do so!

Touch the Earth and Blessed Be,

Lou Gold.

cc: Katie McGinty, President's Office of Environmental Policy
 Hon. George Miller, U.S. House of Representatives
 Hon. Bruce Vento, " " " "
 Hon. Sid Yates, " " " "
 Hon. Elizabeth Furse, " " " "
 Hon. Peter DeFazio, " " " "
 Jay D. Hair, National Wildlife Federation
 Hon. Gaylord Nelson, The Wilderness Society
 Brock Evans, Audubon Society
 Bruce Hamilton, Sierra Club
 Carl Ross, Save America's Forests
 Andy Kerr, Oregon Natural Resources Council
 Julie Norman, Headwaters
 Steve Marsden, Siskiyou Regional Education Project
 John Denver
 Jeff Barnard, Associated Press
 David Seidman, Time Magazine
 Brad Knickerbocker, Christian Science Monitor
 Roland Smith, National Broadcasting Company
 Mary Zuschlag, Illinois Valley Ranger District

Clinton errs with Sugarloaf sale

■ The old-growth deal sets a bad example for the president's timber plan

In going ahead with the Sugarloaf timber sale in the Siskiyou National Forest in southwest Oregon, the Clinton administration has made a major environmental and public relations mistake.

The public relations gaff may be the most serious of the two because the success of Clinton's controversial forest management plan for the Northwest depends on creating confidence that the federal government will deal carefully and intelligently with our forests.

Clinton's stated aim — and we are among the few who have supported his plan — is to allow a reduced but assured harvest of timber while also promising a higher level of environmental protection.

So what is the first action taken by the administration after pronouncing these lofty ideals? It abruptly goes ahead with a 660-acre selective harvest of old-growth timber in a roadless area that is a key watershed and that lies adjacent to Oregon Caves National Monument. Besides that, it picked a project that has a long history of controversy and an army of opponents.

The Sugarloaf area also is one of Clinton's old-growth reserves — a category of protection that is intended to reassure the public that the Northwest's remaining

Whom to contact

To comment on the sale, you can contact John Lowe, Regional Forester, U.S. Forest Service, P.O. Box 3623, Portland, Ore. 97208, (503) 326-3625, or contact Jack Ward Thomas, Director, U.S. Forest Service, 201 14th and Independence Ave., Washington, D.C. 20250, telephone (202) 205-1055.

old-growth stands will not be leveled; they will be open to thinning and minor management of diseased or defective trees, but not to wholesale cutting.

Yet, environmentalists argue, 60 percent of the Sugarloaf timber proposed for cutting is old-growth and only 5 percent of it has visible signs of defects.

Many environmentalists are totally opposed to Clinton's forest plan and would not agree to cutting even one tree at Sugarloaf or any place else. But many of us believe that the forests can be a source of timber without losing their ecological and other qualities. We want Clinton's plan to be successful, but its debut is not encouraging.

We urge the administration to abandon Sugarloaf and look to second-growth or other less controversial areas to prove to skeptics that the Clinton plan will work.

Boise Cascade is the high bidder for the timber. If the administration doesn't change its mind, Boise Cascade still could decide that the controversy is not worth it and tear up its contract.

TO: ANCIENT FOREST STAFF
FR: SUGARLOAF ALLIES

THE NEW FOREST PLAN: LOG IT AND LIE ABOUT IT

Earlier this year the Forest Plan for Northwest National Forests was signed. It was heralded by the U.S. Forest Service as a new beginning. It created Ancient Forest Reserves. It established Key Watersheds to protect streams and rivers critical to the recovery of salmon. Immediately following the signing, the Siskiyou National Forest announced their intention to award the 10,500,000 board foot Sugarloaf timber sale. This Ancient Forest contains trees over 700 years old. In the President's Plan it's a Forest Reserve and a Key Watershed, but the real plan is to log it and lie about it.

Smoke Screen

"This is a scientifically sound timber sale."

Mike Lunn

Siskiyou National Forest Supervisor
6/1/94

"Sugarloaf (timber sale) is a light individual tree-mark sale, harvesting parts of the overstory or understory depending on the stand structure. About 20 percent of the area could classify as old growth."

James R. Lyons

Assistant Secretary of Agriculture
7/12/94

"According to Siskiyou National Forest Supervisor Mike Lunn, most of the trees in the sale are roughly less than 90 years old"

Grants Pass Daily Courier
7/21/94

"...watershed protection, and high quality water for anadromous and resident fish will be maintained after timber harvest. The (timber sale) area will be less susceptible to insects, disease, and catastrophic wildfires."

James R. Lyons

Assistant Secretary of Agriculture
7/12/94

"We will tell the truth."

Jack Thomas

Chief of the Forest Service
12/09/93

The Truth

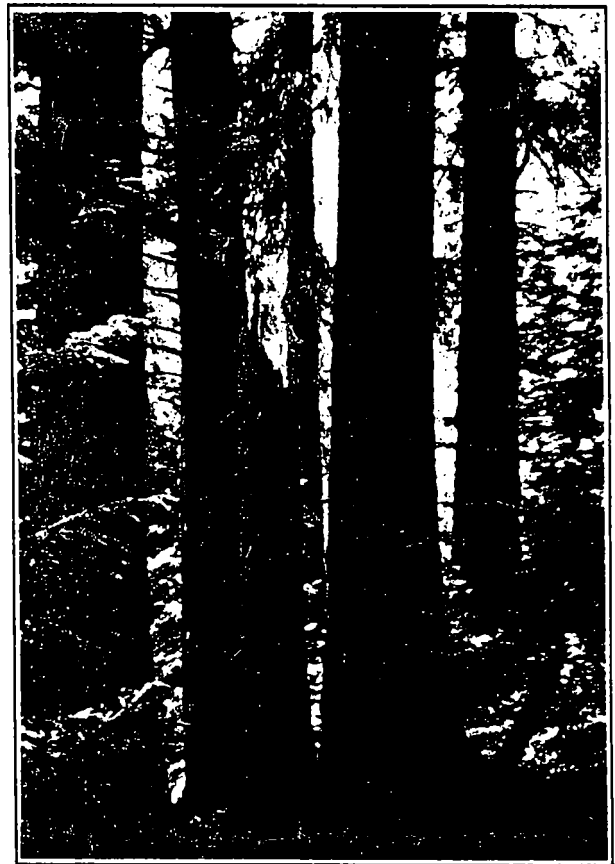
There is NO scientific justification for cutting this forest. Supervisor Lunn, when asked if he would allow an independent scientific review, responded; "Yeah, after it's cut!"

This "light" thin will level over a third of the largest trees from 669 acres of high mountain slope. The silviculturalist's report says 80% of the sale area contains trees over 250 years old.

In fact two-thirds of the volume comes from big old trees. Some are over 700 years old and 7 feet in diameter.

The Forest Service refuses to do the watershed analysis mandated in the new forest plan before they log. The stand is already healthy, and logging will only increase the risk of infestation. Taking the old, thick-barked trees that have survived many fires will not decrease the risk of fire.

When it comes to the Sugarloaf Timber Sale, the U.S. Forest Service and Administration have done everything but tell us the truth. They've run a misinformation campaign to deceive the hundreds of people that have called protesting this decision. They're making the new Forest Plan look like a Smokey Bear smoke screen.



These four trees marked for cutting are over 4 ft. in diameter and several hundred years old.

Ad paid for by
Siskiyou Regional Education Project,
a grassroots environmental
protection organization
P.O. Box 220, Cave Junction, OR 97523

Several businesses, a local town council and church, the Governor of Oregon and hundreds of people have asked the Administration to deal in good faith and not log this high mountain old growth forest. The response: Justify the destruction, even if it means lying to the public.

Applegate Partnership

C.P.O. Box 277, Applegate, Oregon 97530

PHONE & FAX: (503) 846-6917

Sept. 15, 1994

Nancy Graybeal
U.S.F.S. Regional Office
P.O. Box 3623
Portland, Oregon 97208

Dear Nancy,

Post-It™ brand fax transmittal memo 7871		# of pages > 1	
To	MIKE DAVIS	From	JACK SHIPLEY
Co.		Company	APPLEGATE PARTNERSHIP
Dept.	WASH. DC.	Phone #	
Fax	(202) 456-2710	Fax	(503) 846-6917

This letter is sent to clarify misinformation about the Applegate Partnership that was conveyed to you by Julie Norman and Robert Brothers of Headwaters, in correspondence about the Sugarloaf timber sale dated September 8, 1994.

The Headwaters correspondence was a litany of strong words protesting the Sugarloaf timber sale process and also personally attacking Jim Lyons, John Lowe and Mike Lunn. The final paragraph of this not so pleasant letter stated....."6. Meeting with Boise Cascade: A peaceful demonstration was staged at several different Boise Cascade offices last Wednesday. In Medford, 78 locals gathered to ask Boise to tear up the contract. On Friday, three of us (Chris Bratt of the Applegate Partnership, Boyd Peters of Siskiyou Audubon and Julie Norman) met with Boise representative Bob Smith to propose that equal sale volume be cut from a substitute site within the Siskiyou NF's Matrix or Adaptive Management Area. We argued that this would be a win-win-win solution."

Chris Bratt, who is on the Applegate Partnership Board as a representative of the Thompson Creek residents and is also a Headwaters Board member, did not speak on behalf of the Applegate Partnership at the above mentioned meeting. Please note that the Applegate Partnership Board has purposefully avoided the Sugarloaf timber sale process because it is primarily in the Illinois River Watershed and because it seems to have turned into a religious war that won't be resolved.

We can appreciate the desire by Headwaters to talk with Boise in hopes of finding a solution, however, we don't want to be used by them to create the illusion of something that didn't exist. Our Board discussed this issue at our September 14th board meeting and have requested that Headwaters write a letter to you with a copy to us disclaiming any involvement by the Applegate Partnership either in the Sugarloaf timber sale process or at the Boise Cascade meeting.

Respectfully submitted,


Jack Shipley for the Applegate Partnership Board

HEADWATERS FAX COVER SHEET

FAX # (503) 482-7282

DATE: TUES, 9/13FAX TO: MIKEI DAVISTO FAX NUMBER: #72FROM: JULIE NORMANTOTAL NUMBER OF PAGES (INCLUDING THIS PAGE): 5

If you do not receive this complete transmission, please call (503)482-4459.

MESSAGE: Thanks, for, agreeing to see me
on Friday, Sept. 23rd at 9:30.FYI—Here is memo sent to Jim Lyons
after our conversation last week.

• Ashland, Oregon 97520 • Telephone (503) 482-4459

P.O. Box 729

Headwaters

To protect and restore forest ecosystems

To: Jim Lyons, Asst. Secretary
for Natural Resources

From: Julie Norman and Robert Brothers

Date: September 8, 1994

Re: Yesterday's phone call on the **SUGARLOAF TIMBER SALE**

Thanks for calling! We really appreciate you taking the time to try and clear up what's been happening around the award of the Sugarloaf Timber Sale.

To recap our conversation, we concluded that there was a communication breakdown between John Lowe and yourself, regarding the Forest Service followup to his tour of the Sugarloaf Sale area on July 20th. Your conversation with John Lowe (mid-August, Portland) led you to believe that the Sugarloaf Sale had been "adjusted" based on the Siskiyou NF's corrected sale description information, when in fact this did not occur.

To summarize the sequence of events, on July 20th Supervisor Mike Lunn and Regional Forester John Lowe made a tour and public commitment (see clips) to reassess and adjust the Sugarloaf Sale, following Headwaters' discovery of agency misinformation about the number of very large trees marked for cutting, and other issues. John Lowe assured us that you and Chief Thomas were to be informed about this sale reassessment process. In mid-August John Lowe told you the process had been followed and the sale had been adjusted. In fact, Supervisor Mike Lunn was carrying on the reassessment behind closed doors and did not release the corrected sale data to the public as promised. On August 22nd Supervisor Mike Lunn unexpectedly awarded the sale to Boise Cascade without ever making contact with Headwaters or Professor Dave Perry to discuss the corrected data or possible sale adjustments. The Siskiyou NF briefing booklet on the final sale configuration contains no description of any adjustments being made that respond to the issues discussed at the July 20th tour. [What a disappointment!]

Based on conversations with John Lowe, Mike Lunn, and yourself, we expected that the corrected data on the number of large trees marked for cutting would be used as the basis for a re-assessment of the timber sale. Alternatives discussed included the use of thinning-from-below with an upper diameter limit, or dropping old-growth Units 2 and 3 entirely. When our own calculations showed that approximately 1,000 trees bigger than 46 inches in diameter were marked for cutting, we sent the results to you on August 15th. We then waited for your response to what was now unquestionably the high-grading of an old-growth forest.

We still don't fully understand the role that you played in the final decision to award the sale. After John Lowe told you the sale had been "adjusted," why didn't you check with us to learn our view of the adjustments? You accepted information from the Forest Service at face value before, when you wrote your July letter endorsing the award of this "light thin," based upon what we later found out to be agency "misinformation." And now it seems you accepted Forest Service information again at face value when John Lowe told you the sale had been

2

"adjusted." It is disappointing that you didn't call us out of mere courtesy.

We are considering filing a complaint against Mike Bunn and John Lowe for breaking their commitments to us and others. We know this will be controversial, but we feel an obligation to the public not to let it slide. Could you please make us aware of the mechanisms for filing such a complaint and advise us about the best course of action?

We appreciate your commitment to discuss this latest communication breakdown with John Lowe, and have him call us to figure out how to proceed, and your offer to be available by phone as the process unfolds. Thank you so much for your help. I hope that the next process we agree upon with them can be implemented in good faith.

As you know, Headwaters and many others still do not believe that any cutting should occur within the very rare, very old forests in Units 2 and 3, even if only small diameter trees were cut. Re-marking Units 2 and 3 to cut fewer large trees would lessen the damage to these classic 500-year old stands, but not make it acceptable inside a roadless Late-Successional Reserve with such an unusually high concentration of big trees. Consequently, we want to respond to the excuses now being used by the Administration to rationalize the award of Sugarloaf. We offer these rebuttals (in italics) to what we are being told:

1. The ROD requires the award of Sec. 318 sales inside Reserves.
 - a. *The ROD says these sales "may be awarded" (p. 14)*
 - b. *The ROD says it does "not provide authorization for any timber sale nor does it compel that any sale be awarded." (p. 13)*
 - c. *The loophole (item c, p. 14) in the ROD is arbitrary and capricious, because there is nothing in the administrative record or SEIS to support it.*
2. The interagency scientific team assumed that 318 sales would be cut in their analysis of the preferred alternative and the viability ratings.
 - a. *Dr. Martin Raphael and Lisa Brown (who served on the SEIS team) polled their colleagues at our request, and both refute this claim. Marty remembers being asked by Jack Thomas about the effects of cutting the unawarded 318 sales, but he states that no response was given, for many reasons, including lack of information. And as Lisa points out, the maps they used did not include any Sec. 318 sale cuts on Grayback Mountain.*
 - b. *There is no discussion whatsoever in the SEIS or administrative record about the impacts of cutting Sec. 318 sales in Reserves or not.*
3. The Clinton Administration must meet past commitments (from the Bush Administration) by awarding the Sec. 318 sales.

3

- a. There is legal precedent stating that Sec. 318 cannot compel the awarding of any particular timber sale, e.g. Gifford Pinchot Alliance v. Buttrille, 1990.
 - b. The Siskiyou NF failed to even ask the Sec. 318 Advisory Board for approval of the final version of Sugarloaf (providing perfect cover for dropping this one sale for not meeting all the conditions required by Section 318.)
4. The timber industry needs quick volume and can't wait.
- a. Boise is getting BLM timber right now
 - b. Boise doesn't have helicopters ready to log it until next year and likely will wait years for top prices.
5. 95% of the Roadless Areas are now protected on the Siskiyou NF, said John Lowe after his tour of the sale area, so we should be satisfied.
- a. Is the Sugarloaf Sale being awarded for revenge?
 - b. Cutting this sale will violate Standards and Guidelines for Roadless Areas, Reserves, and Key Watersheds.
6. Even the Chief of the Forest Service says he can't stop this sale.
- a. Jack Thomas could stop it, with your blessing.

These excuses condone bypassing the science underlying the Forest Plan. Please, don't dismantle the integrity of the new Plan by forcing the Sugarloaf Sale through a last-minute, politically-driven loophole!

A suggested compromise that we have proposed before is to only sell Unit 1. This would provide a net volume of 2.6 mmbf of timber from a young, natural forest without old-growth characteristics. Unit 1 contains 27% of the current net sale volume, recently revised down to 9.5 mmbf to protect the owl pair in Unit 2. We hope that you will conclude that (a) this timber sale process has been bungled so badly and (b) there is so much opposition to this one sale, that the best course of action that will still allow the Forest Service to save face is to drop Units 2 and 3 from the sale contract.

Jim, our cooperative relationship is at stake. The general public knows a doublecross when they see one like Sugarloaf. We feel like Headwaters has lived up to every inch of our commitment to you, starting last summer (see attached accounting of our cooperation over the past 12 months). If moderate conservationists who earnestly try to cooperate are blatantly ignored and abused, as we have been, others will resort to entrenched confrontation.

Talk to you soon.

Julie Norman
Robert Buttrille

P.S. Lou Gold is moving his camp from Bald Mountain to Lake Mountain, directly across from Sugarloaf. Please don't underestimate Lou's ability to win the sympathies of America.

4

Attachment:

How Headwaters has followed through on agreements made on October 6, 1993 in a meeting with Jim Lyons, Will Stelle, and the other spotted owl plaintiffs.

1. We strongly supported the timber sale release agreement itself, in many heated discussions with other (more skeptical) plaintiffs.
2. We released about 90% of the available timber volume from the Rogue River National Forest from the Dwyer injunction.
3. We promoted the development and completion of new timber sales that were environmentally acceptable.
 - Ramsey Thin and North Thin (Siskiyou National Forest)
 - Partnership One and roadside hazard tree sales (Rogue River National Forest)
 - Panther Gap (Medford BLM, still in process)
4. We did not object to (or appeal) violations that we could live with, in order to get the flow of timber volume moving, for the following sales in the Siskiyou National Forest:
 - Lone Secret (auctioned prior to the ROD inside a Key Watershed without a formal "Watershed Analysis," and partially inside a Late-Successional Reserve).
 - Buckwhiskers (auctioned prior to the ROD inside a Key Watershed without formal "Watershed Analysis.")
5. In discussions with other plaintiffs, we supported the proposal not to object to the lifting of Dwyer's injunction.

During the course of our October 6th meeting, several "nightmare" sales were mentioned that should not be allowed to go forward under the new plan. Sugarloaf was one of these sales that was named and noted at that time.

We feel that we have done our best to live up to all the requirements of our agreement. The last-minute decision in the ROD to grandfather in 21 old timber sales is not consistent with the spirit of our agreement. Stopping Sugarloaf Units 2 and 3 would certainly make us feel that the Administration is still looking for cooperation and positive solutions, as we felt to be the case last fall.

**U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION
GENERAL LITIGATION SECTION
601 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004**

**FAX NUMBER (202) 272-6817, 6815, 5775
CONFIRMATION NUMBER (202) 272-8056**

MEMORANDUM

To:

Ellen Athas	
Andrea Berlowe	
Ted Boling	(202) 514-4231
Wells Burgess	
Kristina Clark	(202) 219-1792
Ana Cobian	(202) 514-7971
William Cohen	
Peter Coppelman	(202) 514-0557
Michael Davis	(202) 456-2710
Lisa Freedman	(503) 326-6254
Mark Gaede	(202) 720-4732
David Gayer	(202) 208-3877
David Gehlert	
Michael Gippert	(202) 690-2730
Jim Kilbourne	
Thomas Lee	(503) 727-1117
Karen Mourtisen	(202) 219-1792
Roger Nesbit	(503) 231-2166
Tim Obst	(202) 690-2730
Steve Odell	
Jim Pipkin	(202) 219-1220
Planned Support Grp.	(503) 326-5690
Lois Schiffer	(202) 514-0557
David Shilton	(202) 514-4240
Robert Simmons	(415) 744-3170
Tom Tuchmann	(503) 326-6254
Jean Williams	

DATE: September 9, 1994

NUMBER OF PAGES TO BE TRANSMITTED (including cover) 10

FROM: Margaret Frost, paralegal (202) 272-8237

MESSAGE: Attached is NFC's notice of intent to sue.

**PEPPER
HAMILTON &
SCHEETZ**

ATTORNEYS AT LAW

1300 NINETEENTH STREET, N.W. • WASHINGTON, D.C. • 20036-1685

PHONE (202) 828-1200 • FAX (202) 828-1665

FAX INFORMATION SHEET

Date: September 9, 1994

Danyl Number: 38812

Recipient(s): Wells Burgess

Company: US Dept. of Justice

Recipient's General Number: (202) 272-6213

Recipient's Fax Number(): (202) 724-5836

Sender: Charley Carpenter

Sender's Direct Line: (202) 828-1307

Total Pages Including Cover: 9

Comments:

An original or a copy has [x] or has not been [] sent to you by mail
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Matter Number:

48032

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September 9, 1994

BY TELECOPY AND BY MAIL

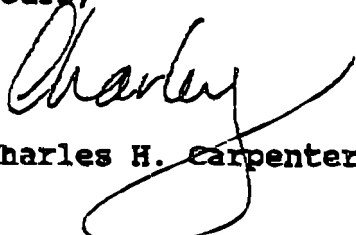
Wells Burgess, Esquire
United States Department of Justice
Environment and Natural Resources
General Litigation Section
P.O. Box 663
Washington, DC 20044-0663

Re: Northwest Forest Timber Suits

Dear Wells:

Please find enclosed a copy of the notice of intent to sue sent yesterday pursuant to 16 U.S.C. § 1540(g)(2)(A)(i) by the Native Forest Council to the Secretary of the Interior. By my reckoning, sixty days from yesterday is November 7, 1994.

Yours,


Charles H. Carpenter

cc: Counsel -- Seattle Audubon v. Lyons
Counsel -- NFRC v. Dombeck

BAHR & STOTTER LAW OFFICES
359 EAST FIFTH STREET - SUITE 200
EUGENE, OREGON 97401
(503) 686-3277

September 8, 1994

Mr. Bruce Babbitt
Secretary of the Interior
Interior Building
1849 C Street, NW
Washington D.C. 20240

Mr. Jack Ward Thomas
U.S. Forest Service
201 14th Street
SW at Independence Avenue SW
Washington D.C. 20250

Mr. John Iowa, Regional Forester
Pacific Northwest Region, U.S. Forest Service
333 S.W. First Avenue
P.O. Box 3623
Portland, Oregon 97208-3623

Mr. Marvin Planart, Regional Director
U.S. Fish and Wildlife Service
911 N.E. 11th Avenue
Portland, OR 97232-4181

**RE: NATIVE FOREST COUNCIL'S NOTICE OF INTENT TO FILE
CITIZEN SUIT, PURSUANT TO 16 U.S.C. 1540(G) OF THE
ENDANGERED SPECIES ACT**

Dear Secretary Babbitt et. al.:

I am writing on behalf of the Native Forest Council (NFC), an Oregon non-profit organization dedicated to protecting public forest lands, to notify each of you of our client's intent to file, within 60 days of your receipt of this Notice, a citizen suit under the federal Endangered Species Act (ESA), 16 U.S.C. 1540(g), to address the United States Forest Service and United States Fish and Wildlife Service's failure to adequately consult regarding the cumulative impacts of the Forest Service's 1994-95 timber sale program. This duty is required by section 7 of the ESA, 16 U.S.C. 1536, and by the ESA implementing regulations, as set forth at 50 C.F.R. 402.14.

The Forest Service is required by law to consult with the Fish and Wildlife Service concerning all of the direct, interrelated, interdependent, and cumulative consequences of any proposed action that may adversely impact an ESA listed species, or its critical habitat. See 50 C.F.R. 402.14(g)(3)-(4); 50 C.F.R. 402.02. Your agencies' activities associated with the 1994-95 Forest Service timber sale program pose a significant risk to the well-being of the northern spotted owl and the marbled murrelet. The populations and habitat of these species

are clearly in immediate danger of extinction. See e.g., Appendix J to the regional FSEIS (Burnham et. al.) (finding the probability of adult owl survival has continued to decline and that populations of northern spotted owl are declining at a significant rate). This constitutes an emergency situation requiring immediate action. See 16 U.S.C. 1540(2)(C).

APPLICABLE LEGAL STANDARDS FOR ESA CONSULTATION

The scope of environmental effects that must be evaluated by the Fish and Wildlife Service for §7 ESA consultation is set forth by regulations adopted by the U.S. Fish and Wildlife Service:

"Effects of the action refers to the direct and indirect effects of an action on the species or critical habitat, together with the effects of other activities that are interrelated or interdependent with that action, that will be added to the environmental baseline. The environmental baseline includes the past and present impacts of all Federal, State, or private actions and other human activities in the action area, the anticipated impacts of all proposed Federal projects in the action area that have already undergone formal or early section 7 consultation, and the impact of State or private actions which are contemporaneous with the consultation in process. Indirect effects are those that are caused by the proposed action and are later in time, but still are reasonably certain to occur. Interrelated actions are those that are part of a larger action and depend on the larger action for their justification. Interdependent actions are those that have no independent utility apart from the action under consideration."

50 C.F.R. 402.02.

The U.S. Forest Service is now proceeding with a myriad of timber sales for Fiscal Year 1994 and 1995. These timber sales, by the Forest Service's own admission, may adversely impact ESA listed species, including the northern spotted owl (*Strix occidentalis caurina*) and the marbled murrelet (*Brachyramphus marmoratus marmoratus*), and these species' ESA designated Critical Habitat. See e.g., July 1, 1994 Biological Opinion of the

Fish and Wildlife Service (regarding 26 timber sales on five National Forests in the Pacific Northwest and the Pacific South West Regions).

The Fish and Wildlife Service has found that "[t]hese 26 timber sales will result in the removal or degradation of 1,187 acres and 232 acres of spotted owl habitat respectively, and may result in incidental take of up to 29 spotted owl pairs or resident singles." See July 1, 1994 Biological Opinion of the Fish and Wildlife Service regarding 26 timber sales on five National Forests in the Pacific Northwest and the Pacific South West Regions, at page 8.

However, the Forest Service and the Fish and Wildlife Service have failed to undertake a legally sufficient consultation regarding these 26 timber sales, and all other FY 1994 and 1995 U.S. Forest Service timber sales that may adversely impact these species and/or their Critical Habitat, as required by 50 CFR 402.14(g)(3)-(4).

These regulations expressly require consultation by the Fish and Wildlife Service to "[e]valuate the effects of the action and the cumulative effects on the listed species or critical habitat," 50 CFR 402.14(g)(3), and to "[f]ormulate its biological opinion as to whether the action, taken together with cumulative effects, is likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat." 50 CFR 402.14(g)(4).

In the above described consultation of July 1, 1994, regarding 26 timber sales on five National Forests in the Pacific Northwest and the Pacific South West Regions, the Fish and

Wildlife Service and the Forest Service have made no attempt to examine the myriad of impacts from contemporaneous timber sales and other forest management decisions or actions by the Forest Service, the Bureau of Land Management, and actions by State and private parties, which are likely to cumulatively and adversely affect these ESA listed species, or its critical habitat.

In this consultation document, it is clear that neither the Forest Service, nor the Fish and Wildlife Service, have made any serious attempt to determine the cumulative impacts on adjacent or biologically connected State and/or private forest lands. There is no documentation suggesting any review or consultation with any State agencies regulating adjacent private or State forest lands. Moreover, it is clear from the above referenced July 1, 1994, Biological Opinion for 26 Forest Service sales that cumulative impacts from adjacent state and private lands were never considered. The Biological Opinion observes that:

"It is likely that there will be cumulative effects from activities on private and state lands on lands adjacent to or surrounded by CHUs [Critical Habitat Units]. The extent of these cumulative effects is unknown but is not expected to be great as very little private land containing suitable habitat remains within the affected area."

See Biological Opinion at 15.

However, the Fish and Wildlife's conclusion in this Biological Opinion is flatly contradicted by the interagency conclusions and analysis found in the regional ROD and FSEIS, which recognized the critical role of non-federal lands for both the recovery of northern spotted owl, see FSEIS Chapter 3&4-244,

and for the recovery of marbled murrelet, see FSEIS Chapter 364-245.¹

It is equally clear that there was no attempt to consider other contemporaneous timber sales which are likely to impact these ESA listed species and/or their habitat in the Forest Service's own 1994 timber sales program. See e.g. Forest Service Proposed Sales List for Last Quarter FY 1994 (August 30, 1994) (describing numerous timber sales undergoing ESA consultation in addition to the above referenced 26 timber sales); see also Exhibit C to the Declaration of James Lyons submitted in support of Defendants' Motion For Modification of Injunction in the Seattle Audubon Society litigation (Case No: C92-479WD) (listing 54 timber sales in spotted owl habitat that the Forest Service currently seeks to release from injunction to log as soon as possible).

In addition, there are a number of other Forest Service timber sales which are expected to be awarded and logged in the near future within late successional reserves pursuant to the Regional ROD (item 3c at page 14 of the ROD) (permitting unawarded sales that were previously reviewed and modified to be immediately awarded without further modification).²

¹ See also Fish and Wildlife's observations regarding the role of state and private lands in the regional ROD's Biological Opinion at 44-46 (Attached as Appendix C to regional FSEIS).

² At this time, NFC is aware of at least seven timber sales in late successional reserves which are expected to be awarded and logged in the near future under item 3c of the ROD at 14. On the Siuslaw: the Prong and Mr. Rogers; on the Siskiyou: Briggs Secret, Sugarloaf; on the Willamette: Horse Byers, Roaring Pot and ROD 90.

There was also no attempt to consider the impacts of contemporaneous timber sales which are in the process of being awarded and logged on lands administered by the U.S. Bureau of Land Management (BLM), many of which will occur within designated late successional reserves under the Regional ROD (item 3c at page 14 of the ROD).³

Clearly, the existing Biological Opinion for the 26 Forest Service Sales proposed for logging by the Forest Service at this time is both substantively and procedurally inadequate, and is thus contrary to law. The agencies failed to consider the relevant criteria required by 50 CFR 402.14(g). In addition, the Fish and Wildlife Service erred in concluding that these timber sales, when undertaken in conjunction with other reasonably foreseeable contemporaneous activities in 1994-95, would not jeopardize the continued existence of the northern spotted owl and marbled murrelet, pursuant to 16 U.S.C. 1536 and 50 CFR 402.14.

The Forest Service is now taking a large slice of the ESA resource pie, with no attempt to evaluate, or to even consider the contemporaneous slices of critical habitat proposed for logging on adjacent state and private forest lands, on BLM lands, and by the Forest itself in other contemporaneous timber sales.

This "ignorance is bliss" attitude is precisely the sort of

³ At this time, NFC is aware of at least 12 BLM timber sales which are scheduled to be logged within late successional reserves without further modification. In the Eugene BLM District: Major Tieko, 88 Black Jack and 90-Roman Dunn; in the Roseburg BLM District: Yellow Creek Mtn, Summit Creek, Panther Creek, Upper Renhaven, Canton Creek II, Pleasant Plunder; in the Medford BLM District: Big Winds; in the Coos Bay BLM District: Bear Air and China Creek timber sales.

administrative response which caused the current threatened status of the northern spotted owl and the marbled murrelet. The U.S. Supreme Court has observed that it is "beyond doubt" that "Congress intended endangered species to be afforded the highest of priorities" in enacting the Endangered Species Act. Tennessee Valley Authority, 437 U.S. 153, 174 (1978). "The plain intent of Congress in enacting this statute was to halt and reverse the trend toward species extinction, whatever the cost." *Id.* at 184. Any attempt to proceed with these sales without adequate or legally sufficient consultation is not consistent with the "explicit congressional decision to require agencies to afford first priority to the declared national policy of saving endangered species," nor the "conscious decision by Congress to give endangered species priority over the 'primary missions' of federal agencies." Tennessee Valley Authority, 437 U.S. at 184.

Please be advised that any attempt to proceed with these timber sales prior to adequately completing the consultation requirements provided by 50 CFR 402.14 and section 7 of the ESA are in violation of the law, and will result in litigation by this office.

We are hopeful that you will take all appropriate and timely measures to address the above described matter, and thereby obviate the need for our litigation of this matter. Please feel free to call our office if you have any questions, or if we can be of any other assistance.

Sincerely,


Daniel J. Stotter
Attorney at Law

Oregon leads 812 U.S. lumber production

Mills gross more but cut less timber as restrictions push ahead log values

By BILL MacKENZIE
of The Oregonian staff

Owls and environmentalists notwithstanding, Oregon is still the top of the heap in lumber production.

Oregon remained the No. 1 lumber producing state in the nation in 1993, with mills producing 5.45 billion board feet at an estimated wholesale value of \$2.55 billion, according to the Western Wood Products Association.

That's a slide in production from 6.2 billion board feet in 1992, but an increase from the 1992 wholesale value of \$2.17 billion.

Washington was second in 1993, at 3.86 billion board feet valued at \$1.68 billion, down from 4.07 billion board feet valued at \$1.34 billion in 1992. California was a close third in 1993 with 3.54 billion feet valued at \$1.76 billion.

"Western mills were shackled by the timber gridlock in 1993, keeping them from fully participating in improving markets," said association president, Bob Hunt. "Unfortunately, we see nothing permanent on the horizon to resolve this supply situation. Long term, Western mills will continue to struggle to find the logs they need to meet our country's demand for wood products."

Timber harvests have been curtailed by continuing disputes over protection of the spotted owl and the failure of the Clinton administration's forest management plan to be implemented.

Lumber production at Western



ROSS W. HAMILTON/The Oregonian

Weyerhaeuser Co. logs stack up at a lot at the Port of Longview.

mills declined by 9.6 percent in 1993, the lowest annual volume since recession plagued 1982 when 13.72 billion feet of lumber was produced.

But at the same time, estimated wholesale value rose 19 percent to a record \$7.96 billion, up from \$6.68 billion in 1992.

Production totaled 16.985 billion board feet, down from 18.78 billion feet produced in 1992. That made 1993 the sixth straight year Western production has declined.

"When there's a short supply, that tends to make the value of the existing supply higher," said Cathy Baldwin, a spokeswoman for Willamette Industries. Baldwin declined to predict the direction of future markets.

Lumber consumption in the United States totaled 45.81 billion board feet in 1993, up slightly from 45.74 billion board feet in 1992.

The Wood Products Association which represents lumber manufacturers in the 12 Western states and Alaska, released the 1993 figures Tuesday following its annual survey of some 500 mills.

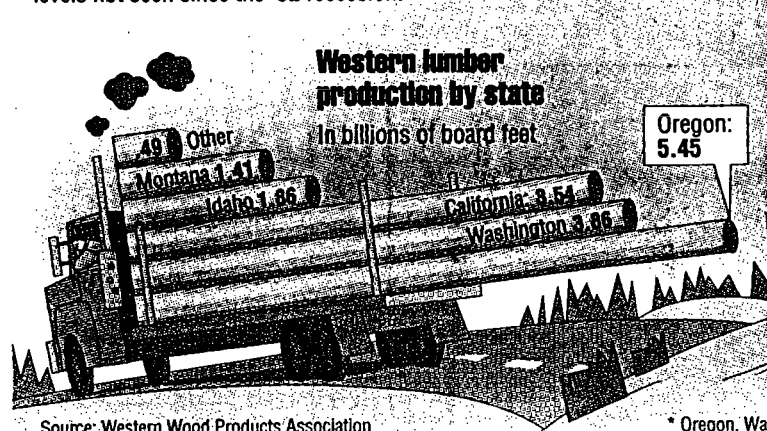
With Western mill production on a downward trend, sawmills in Canada and the South moved to fill the gap. Imports, mostly from Canada, surged to a record volume of 15.26 billion feet, an increase of 14 percent. Southern mills shipped 14 billion feet to U.S. markets last year, up almost 10 percent from 1992.

Portland, OR
(Multnomah Co.)
Oregonian
(Cir. D. 337.672)
(Cir. S. 440.923)

AUG 24 1994

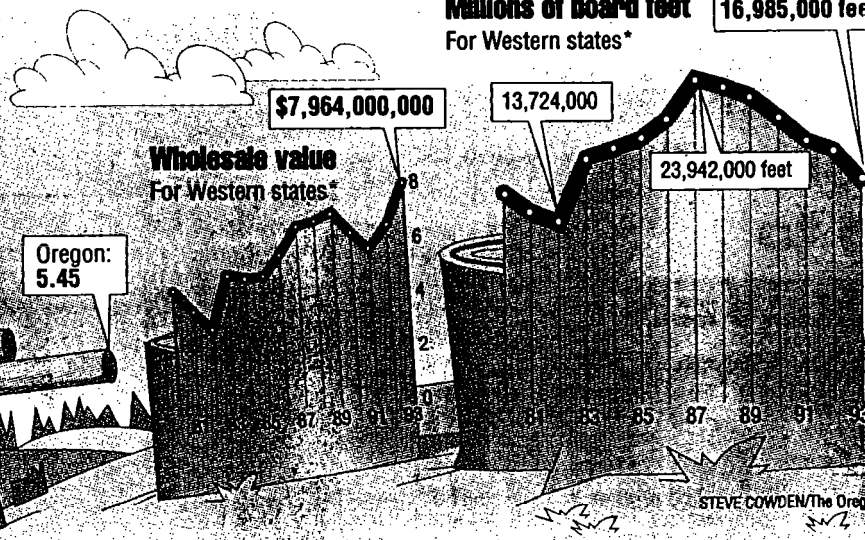
Knock on wood

Oregon was the top lumber producing state in the West. But production for all Western states declined 9.3% to levels not seen since the '82 recession.



Source: Western Wood Products Association

Millions of board feet
For Western states*



Timber sale that 8/2 stirred long fight finally awarded

■ The sale in the Siskiyou National Forest was authorized by Congress in a rider that is recognized in the Northwest Forest Plan

Portland, OR
(Multnomah Co.)
Oregonian
(Cir. D. 337,672)
(Cir. S. 440,923)

AUG 24 1994

A timber sale fought by environmentalists for 10 years went through this week, dashing opponents' hopes that the sale would be saved by President's Clinton's Northwest Forest Plan.

Gov. Barbara Roberts was among the opponents of the Sugarloaf timber sale in the Siskiyou National Forest, which calls for nearly 700 acres of trees up to 500 years old to be logged in a roadless area on Grayback Mountain. It's the Siskiyou's largest timber sale in more than three years.

The sale was awarded to Boise Cascade Corp., which bid \$2.2 million for it in 1989 but hadn't officially been awarded the sale in part because of a court injunction to protect the northern spotted owl. That injunction was lifted in July.

The sale, which includes about 9.5 million board feet of timber, accounts for more timber than was sold out of the Siskiyou forest between 1991 and 1993, forest spokeswoman Sue Olson said.

"We're excited about finally receiving the award for this sale," said Bob Smith, spokesman for Boise Cascade's Medford office. "Any amount of wood coming off of a national forest right now is significant."

No date was set for cutting to begin.

Julie Norman, president of the environmental group Headwaters, said she was "shocked" that the sale would go ahead. It's in an area identified in Clinton's forest plan as an old-growth reserve and a key watershed. The timber sale is in the Illinois River basin.

"I think it is really going to undermine the public's confidence in whether the administration is going to follow through and abide by the new plan," Norman said.

Roberts objected to the sale in a recent letter to top Forest Service officials. A state watershed restoration project is going on in the river valley below the sale.

"We're disappointed," Paula Burgess, Roberts' forest policy adviser, said when she heard the sale had been awarded. "I don't think there's anything we can do."

Congress authorized sales

The Sugarloaf sale is among 21 timber sales that probably wouldn't be allowed under the new forest plan, known as Option 9, but were authorized by Congress during the Bush administration under an appropriations bill rider called Section 318. The sales had been held up during legal wrangling that took the issue all the way to the U.S. Supreme Court, which ruled they were constitutional.

We're excited about finally receiving the award for this sale. Any amount of wood coming off of a national forest right now is significant.

Bob Smith,
Boise Cascade

”

The Clinton administration agreed to honor those sales in its forest plan even though some of them fall within areas protected by the plan.

"Part of the president's commitment is to let these sales go forward," said Tom Tuchman, head of the administration's forest plan office in Portland. "That doesn't mean we haven't thought long and hard about this and recognize the objections people have. We do."

But the forest plan, he said, "is about protecting old growth and about protecting people whose livelihoods are dependent on our forests."

Tuchman said all the environmental impact analyses done on the forest plan assumed the Section 318 timber sales would be logged. And the size of the reserves was increased by nearly 400,000 acres, he said, to compensate for the acreage in those sales. About 7.4 million acres of federal forest land are included in Option 9's reserves.

Two Oregon State University scientists wrote to the administration, urging officials to stop the Sugarloaf sale on the grounds that it would jeopardize the forest. But Tuchman said the sale had been tailored to lessen its impacts.

The original sale called for about a million more board feet of timber to be cut, some of it in clear cuts, and a system of roads to be built. Under the new sale terms, Tuchman said, the timber will be selectively cut and removed by helicopter. Forest spokeswoman Olson said that less than a mile of road would be built and that it would be removed when the cut is done.

"We can't just wave a magic wand and just undo decades of rules, regulations and interpretations in a few months," Tuchman said. "We need to meet our commitments of the past and at the same time show people we are going to do things differently in the future."

Correspondent John Griffith also contributed to this story.

Michael/-

Attached is a press package on Sugarloaf. It will be "awarded" (the actual contract award) Monday in Grants Pass, Oregon. The Governor, Congressional staffs, & county commissioners are being briefed today -- some have apparently already been briefed.

Please let me know if you need anything further. The person below provided the attached and can at least steer you to the right people for further info.

I'll call you
again
soon -

Ms. Sandy Buser
503/326-5139

Don Kuwabe

Loni Hensley - Tom T's office
503 326-6251

Sugarloaf Timber Sale
Communications Plan
August 1994

Background

The Sugarloaf timber sale has been through a full evolution of social, legal and biophysical adjustments. Sold to high bidder Boise Cascade in 1990, it is ready to award after going through the 318 process, to the Supreme Court and back, acknowledged in the President's Plan Record of Decision, and scrutinized by the Fish and Wildlife Service for protection of owls and murrelets. Sugarloaf is in the Kangaroo Roadless Area in the Grayback drainage of the Illinois Valley Ranger District, Siskiyou National Forest, in Southwestern Oregon. In light of the President's Plan, it is also now in a key watershed and a late successional reserve.

Notification List

CONGRESSIONAL

Senator Bob Packwood - General interest
Senator Mark Hatfield - General interest

Congressman Bob Smith - Timber sale is in his district.
Congressman Peter DeFazio - District includes half of Siskiyou, general interest.

OREGON GOVERNOR

Governor openly opposed sale, was notified of pending award by RF Lowe.

JOSEPHINE COUNTY COMMISSIONERS

Irv Whiting - Represents that section of Jo County
Harold Haugen - General interest
Fred Borngasser - General interest
*Commissioners have strongly supported award of Sugarloaf

Strategy for Notifying Interested Publics

Julie Norman of Headwaters, a local/regional environmental group, has provided focused leadership in opposition of the Sugarloaf award. A letter will be mailed to Ms. Norman, in which the communication errors are noted, and the corrected data shared.

Copies of this letter will be sent to the many other parties with whom she's been in contact, along with other interested parties, to provide a clear Forest Service position. This mailing will go to:

Siskiyou Regional Education Project - Steve Marsden
 Williams Town Council - Pat Rickert
 Siskiyou Audubon - Barbara Ullian
 Jim Britell
 Ancient Forest Alliance
 Treasure Oregon Chapter Sierra Club - Dan Kellogg
 Southern Oregon Timber Industry Association - Sharla Moffett
 Northwest Forest Association - Ross Mickey
 Public Forestry Foundation - Roy Keene
 Applegate Partnership - Jack Shipley
 Oregon Forest Industry Council - Greg Miller
 Rogue Institute for Ecology and Economy - Brett KenCairn
 Earth First, Eugene Chapter - Karen Wood
 Boise Cascade

LOCAL MEDIA

A news release will be made available on Monday, August 22, announcing award.

OTHER FEDERAL AGENCIES

Courtesy calls will be made to managers in this area.

Time Line

What	Who	When
Brief local congressional staffers and county commissioners	Mike Lunn	August 19 p.m.
Mail letter to Julie Norman and copies to other contacts	Mike Lunn	August 20
Fax news release to local media	Siskiyou PAO	August 22
Fax news release to key contacts	Siskiyou PAO	August 22
Hold a town hall meeting in Williams	Mike Lunn	After August 22

USDA Forest Service - Siskiyou National Forest
Public Affairs Office, P. O. Box 440
Grants Pass, OR 97526
Phone: (503) 471-6515/6517

FOR IMMEDIATE RELEASE
DRAFT -- DRAFT -- DRAFT

Date:

Contact: Sue Olson
Phone: (503)-471-6515

SUGARLOAF SALE AWARDED

The Sugarloaf Timber Sale on the Siskiyou National Forest has been awarded to Boise Cascade, according to Forest Supervisor Mike Lunn. The company will harvest about 10 million board feet of timber from the area.

"The award follows a long process of sale design, public involvement, and modifications intended to meet many environmental concerns" says Lunn. The sale is selectively marked, and all the logs will be removed by helicopter to minimize ground disturbance.

"Additionally," Lunn continued, "the sale has been through several years of consultation with the U.S. Fish and Wildlife Service for the northern spotted owl and marbled murrelet. They found the sale to be in compliance with the Endangered Species Act." There are spotted owls present in the sale area. Lunn said the sale design protects them, providing a fully protected 70-acre core area around their suspected nest trees, and maintaining the entire area as suitable habitat for roosting and foraging.

The Record of Decision (ROD) for the President's Forest Plan, signed by the Secretaries of Agriculture and Interior on April 13, 1994, specifically states that remaining sales that had been offered but unawarded prior to the effective date of the ROD, "may be awarded without further modification provided that they meet the requirements of the Endangered Species Act." The Sugarloaf Sale falls within this category. As noted in the ROD, these sales were evaluated using criteria established by a scientific advisory group; the review ensured that harvest of the sales would not prevent the attainment of the environmental objectives of the selected alternative.

A major objective of the sale when it was designed in 1989 was to provide timber for the local industry. Following a recent reassessment of the sale by Siskiyou National Forest specialists and scientists, Lunn says he is convinced the sale is environmentally responsible. "We took a hard look," Lunn stated, and it is our belief that forest health will be preserved in the Sugarloaf Timber Sale area."

"If we were to design it today, under the new requirements of the President's Forest Plan, we would cut fewer large trees there, and," continued Lunn, "We likely would cut many more of the smaller trees."

Sugarloaf is an older sale that was exempt from the new standards. There have been many concerns raised over the issue of cutting larger trees. Lunn adds "But the real concern should be over what we leave, not what we take. There will be a healthy, older stand of trees remaining."

Located in the Kangaroo Roadless Area, the Sugarloaf Sale has survived two lawsuits. "One lawsuit went to the Supreme Court, another to the Ninth Circuit Court of Appeals before it was dismissed," notes Lunn. "Management activities within roadless areas are nearly always controversial."

The sale lies within a late-successional reserve and key watershed, under the President's Plan. The Grayback drainage is an important watershed area of the Illinois River and important for production of anadromous fish. The Sugarloaf Sale was carefully re-evaluated following issuance of the Plan to insure the health and integrity of the stream systems would be protected.

Sugarloaf Talking Points

Sale Awarded: Sugarloaf Timber Sale in the Siskiyou National Forest has been awarded to Boise Cascade. The company will harvest about 10 million board feet of timber from the area.

Background: The award follows a long process of sale design, public involvement, and modifications intended to meet many environmental concerns. The sale has been through several years of consultation with the U.S. Fish and Wildlife Service for the northern spotted owl and marbled murrelet. It complies with the Endangered Species Act.

Relationship to President's Forest Plan: Sugarloaf Timber Sale pre-dates the President's Forest Plan.

Pre-existing sales: The Record of Decision for that plan specifically states that remaining sales that had been offered but unawarded prior to the effective date of the record of Decision could "be awarded without further modification provided that they meet the requirements of the Endangered Species Act."

* These sales, including Sugarloaf, were evaluated using criteria established by a scientific advisory group.

Reserves and watersheds: Sugarloaf lies within a late-successional reserve and key watershed, under the President's Plan. The Grayback drainage is an important watershed area of the Illinois River and important for production of anadromous fish.

* Sugarloaf Timber Sale was carefully re-evaluated following issuance of the Plan to insure the health and integrity of the stream systems would be protected.

Roadless Concerns: There have been many concerns raised over the issue of cutting larger trees. Located in the Kangaroo Roadless Area, the Sugarloaf Sale has survived two lawsuits.

* Management activities within roadless areas are nearly always controversial. The real concern should be over what we leave, not what we take. There will be a healthy, older stand of trees remaining.

**QUESTIONS AND ANSWERS
SUGARLOAF SALE
SISKIYOU NATIONAL FOREST
August 1994**

The following questions and comments are being heard from the public about the Sugarloaf Timber Sale on the Siskiyou National Forest. Here are some answers.

1. It's in the Kangaroo Roadless Area. Why don't you stay out of roadless areas for any harvest activities?

Timber harvest is not prohibited by law in roadless areas, even though this issue has been the focus of considerable debate. Many roadless areas were included within Late Successional Reserve areas in the President's Plan, and this is one of them. The Record of Decision grandfathered this sale into new business, as it was one of the "318" sales of 1990 that was exempted from further judicial review by a Congressional rider to the Appropriations Bill.

2. How can this sale be allowed, given the President's Plan?

This sale is not representative of the process that will be followed in future sales. Sugarloaf is a 318 sale that was sold but not awarded in 1989. Award was held up first for several lawsuits, then for consultation on the northern spotted owl and marbled murrelet under the Endangered Species Act.

As a pre-existing "sold but not awarded" sale, it has met all requirements for award described in the Record of Decision for the President's Plan. However, it is different from sales that will be going forward in the future--due to different processes that will be required.

3. Are you clearcutting at Sugarloaf?

No. This sale is an example of how sales can be designed in an ecologically sensitive manner. Approximately one-third of the trees are individually marked for selective harvest across a broad area. Riparian zones are fully protected, and a 70-acre core has been designated for protection for spotted owls. Roosting, nesting and foraging habitat for the owls will still be present after the sale is harvested. Logging will be done by helicopter. Visitors will be challenged to find differences in the view after the sale is harvested. A minimum of roading (.66 Mile) is provided just to locate helicopter landings away from the main road.

4. You're cutting the last of the old growth, aren't you? And you'll take the best trees, not the worst ones.

The trees at Sugarloaf are mixed ages with the trees to be harvested ranging from about 40 years old to a few trees over 200 years old. Specifically, 6.4% of the 17,000 trees that will be harvested from the nearly 700 acres are larger than 46 inches in diameter. That diameter roughly correlates with 200 years of age at Sugarloaf. From a lumber standpoint, the larger trees with minimum defect are preferred. Only a portion of the stand is truly old-growth, and the thinning of large trees will maintain that condition. The thinnings of the younger trees will hasten achievement of late seral stand conditions by allowing faster growth of the remaining trees.

5. Why are you cutting any of the bigger trees?

One objective of the sale was to provide volume for local industry, and about 40% of the total sale volume will come from larger trees greater than 46" diameter. Also, some of the large trees have considerable mistletoe brooms which can increase fire risk and "crowning" of wildfires. Some large trees were marked to relieve competition stress, and some large trees were harvested in groups to create small openings.

6. What about the special old pines high on the ridge in Unit 2?

We recently decided to remove the big old pines and two large old Douglas-fir trees from the sale design, thus marking them for retention. This was done to respond to the aesthetic values of several people for these old trees, and to retain them as seed sources for new growth.

To further encourage vitality in the seed trees, about 250 small Douglas-fir and white fir were marked for thinning in the same vicinity. Understory burning will complete the treatment, and prepare the site for natural pine regeneration. The hydrologist has also recently screened the sale again, and retained 24 more trees from cutting in the riparian areas. The marking of trees for cut is very light in order to ensure ample shade and soil stability near the stream courses.

7. What happens to the .66 mile of road after harvest?

The soil that is compacted for the short spur road will be loosened by a tractor to promote regrowth of vegetation after the sale is harvested.

8. Will there be any burning associated with this sale?

Yes. There is some burning included in the prescription for the sale, to further reduce fuels and the attendant wildfire risk, to kill additional encroaching white fir, and create additional structural diversity for optimal wildlife habitat.

9. Will there be an opportunity to purchase firewood after the sale?

Yes. Residents of local communities, particularly in Williams and Cave Junction, have expressed the desire to purchase firewood if there is slash available after the sale. This opportunity will be provided.

10. Did the Forest Service lie about the numbers of large trees to be harvested?

No, but incorrect information was presented earlier due to a simple error in calculating percentage distribution by size. "Lie" implies an intentional effort to deceive, or deliberately stating information known to be false. That never occurred. As soon as the error was noted, we immediately went about getting the correct information out and acknowledging the error publicly.

11. How many big trees will be cut?

A total of 17,000 trees will be cut, of those, just over 1,000 will be in excess of 46" in diameter.

SUGARLOAF TIMBER SALE
Executive Summary

Sugarloaf Timber Sale is a sold but unawarded 318 sale located in the Grayback drainage of Illinois Valley Ranger District. It meets the direction in the Record of Decision, section III, D, 3, and is ready for award. Considerable controversy has surrounded this sale since its inception due to its location in the Kangaroo roadless area. This continues unabated, and has been exacerbated by attempts to discredit the sale. A basic communication error (see below) compounded the problem.

Controversy has included concerns over harvesting large diameter trees, its location in what was later designated a key watershed and late-seral reserve, effects on forest health, and overall credibility of the Administration and Forest Service in implementing the President's Forest Plan. Strong opposition has been expressed by local/regional environmental organizations, other individuals and groups, and the office of the Governor of Oregon.

The communication errors referenced earlier were made in trying to be too exact in terms of percentage of trees harvested by diameter class and age. A simple calculation error caused understating of the percentage of large trees marked for harvest. Terms such as old-growth, old trees, and forest health lack common definition outside technical circles, and this contributed to perception problems. Even a question like "what is a big tree?" is not a simple one.

None of the communication errors affect the sale as planned, sold, or other follow-up action prior to award. The problem was one of perception that was created. There was never an intent, nor reason to have such intent, for the Siskiyou managers to try to make Sugarloaf something other than what it was: A 1989 318 sale of which they are proud, and which meets requirements for award.

The reassessment was conducted by specialists, managers, and scientists of the Siskiyou NF on August 8, 1994. Corrections and better descriptions of numbers and volumes of trees by size classes have been made. While not a condition of the sale, the issue of forest health and Sugarloaf was addressed in an action plan that proposed modifications post-award to lessen the amount of road, which already was minimal. It also seeks additional protection for spotted owl habitat, i.e., retains a few more large trees near activity centers.

At the meeting, relevance of the Sugarloaf Timber Sale to implementation of the President's Forest Plan was discussed. It is clear that in 1989, Sugarloaf represented a major step into the future. It meets some needs today for forest health and maintenance of late-seral stands, particularly in the reduction throughout the sale of overcrowded stands of young trees. There is considerable controversy even among scientists about the need or benefit of cutting large trees for forest health. Sugarloaf clearly provides a learning opportunity for future ecosystem management, but is only partially the model we would follow in implementation of the new Plan.

Award of the Sugarloaf Sale is planned for, or shortly after, August 22. While controversial, it clearly meets the test of the first principle laid down by President Clinton on April 22, 1993. "First, we must never forget the human and the economic dimensions of these problems. Where sound management policies can preserve the health of forest lands, sales should go forward."

**SUGARLOAF TIMBER SALE
RATIONALE FOR AWARD**

President Clinton set five principles that were to guide the federal interagency effort in developing a management strategy and Standard and Guidelines for managing habitat for late successional and old growth forest related species. These are reflected in the Record of Decision (ROD) to amend the Forest Service and Bureau of Land Management Planning documents within the range of the Northern Spotted Owl. The first of these states in part:

"First, we must never forget the human and the economic dimensions of these problems. Where sound management policies can preserve the health of forest lands, sales should go forward.-----" (ROD at page 3)

The ROD further addressed the issue of timber sales both in terms of existing and future sales. New sales are clearly directed to be consistent with the Standards and Guidelines required by the ROD. It further provided management policies concerning sales already sold and awarded and sales sold but not awarded within late successional reserves (LSR's) and key watersheds. The ROD at page 13 stated: "With one exception described below, [applicable to previously enjoined sales] all planned and sold but unawarded timber sales were reviewed and adjusted as needed, following publication of the Draft SEIS, pursuant to the process described in paragraph (a) above. The review ensured that these sales would not prevent the attainment of the environmental objectives of the selected alternative" (emphasis added).

"Some previously-offered sales are located in the LSR's. If those sales proceed, the integrity of the LSR's will not be significantly impaired and the cumulative environmental effects of the sales will not be significantly different from the effects set forth in the Final SEIS. Between the Draft and Final SEIS, the size of the LSR's increased by 378,200 acres, to a total LSR acreage of 7,431,000. The amount of late successional, old growth habitat protected in various reserves (e.g. late successional, riparian, and known owl activity centers in the matrix) increased by 240,900 acres, to a total of 6,864,100 acres. These increases more than offset the approximately 26,000 acres of previously sold and awarded or sold and unawarded sales located within proposed LSR's. The late successional and old growth habitat in LSR's that might be harvested (assuming that these areas meet ESA requirements) represents about one-third of one percent of the total of this habitat in reserves in the preferred alternative." (ROD at page 13)

A portion of the 26,000 acres of old growth in sold and awarded or sold and unawarded sales will not be harvested due to ESA requirements for the marbled murrelet. This further reduces effects on old growth in LSR.

Sales sold and awarded or unawarded were also looked at in regards to key watersheds and roadless areas. "Sales were assessed to determine their effect on state water temperature standards, large wooded debris, stream flow, sediment regime, aquatic organisms, and other aquatic resources. The criteria for this evaluation were developed by the scientific group assisting the implementation team." (ROD at page 13) Sales have been, or are in the process of being, adjusted to eliminate or mitigate long-term, unacceptable effects on riparian and aquatic ecosystems.

Locally on the Siskiyou National Forest, the President's Plan significantly strengthened protection for fish and wildlife species dependent on late-seral habitats. Within the SDEIS, only 142,000 acres were allocated to matrix; of which 41,000 acres was roadless. Further changes occurred again between the SDEIS and SFEIS; leaving 76,000 acres in matrix of which 19,000 acres is roadless. The potential sale quantity of timber dropped from 34mmbf/yr to 22mmbf/yr. For reference, the total acreage within the Siskiyou NF is 1.09 million acres.

There should be no question that from a regional perspective the small acreage of old-growth timber to be harvested under the 318 contracts has been carefully considered, and found to not affect attainment of the goals of the plan. The changes to the Siskiyou plan likewise have clearly increased levels of protection/management for older-aged stands. Sugarloaf Timber Sale must be viewed in that context, as well as on its own merits. And on its own merits, it is believed by responsible Siskiyou officials that Sugarloaf has at worst a neutral effect on long-term stand health but more likely will have a beneficial effect both in the near and long terms.

SUGARLOAF TIMBER SALE - Sugarloaf is one of three sold but unawarded 318 timber sales on the Siskiyou. It has been hotly contested since its inception, primarily because of its location in the Kangaroo Roadless Area, and somewhat because it will include harvesting of some large, older trees in a key watershed and Late Successional Reserve. Until the Record of Decision was released, some environmentalists believed they had a "deal" with the administration which would have cancelled the sale and thus they feel betrayed by the decision which allowed it to go forward.

Sugarloaf was designed to try to accomplish a series of objectives that came from discussions by the 318 advisory board, which was unable to reach consensus on whether the sale should go forward or be dropped. Sale features include:

1. No clearcuts - approximately 1/3 of the trees across all size classes will be selectively designated for harvest; the intent is to reduce basal area and increase stand diversity.
2. Trees less than 90 years old comprise the great majority of the trees to be harvested, but less than half the volume.
3. Large trees (greater than 44 inches in diameter) make up a significant part of the volume, but relatively small number of the stems to be harvested. Approximately 1100 trees of this size are included (less than two per acre for the total sale). A few of these are quite old (300-500 years possibly); most are between 125 and 250. Tree size relative to age can be deceiving, as one 60 inch dbh tree was only 208 years.
4. More significant though, the stand will retain many more larger trees than are being harvested. Where it currently has older-stand attributes, they will remain after harvest.
5. The sale maintains habitat for spotted owls. The biological opinion from the US Fish and Wildlife Service confirms that the entire area will remain suitable habitat for roosting and foraging. The core area of the owl pair in unit 2 is fully protected (withdrawn from harvest).
6. All yarding will be by helicopter. Minimal roading is planned; only that required to provide access to safe landings for helicopter operation.
7. Riparian zones have been carefully designed and screened for full protection of hydrologic functions.

It is apparent from the numerous recent letters and phone calls that probably the KEY issue with the Sugarloaf sale is that it is in a roadless area (Kangaroo Roadless Area). The public makes reference to Ancient Forest Reserves "to be preserved" instead of LSR's. Clearly many people desire "hands off" management of this and other roadless areas. Comments such as "permanently drop Sugarloaf and provide complete protection" or "stop entry into--virgin areas" and "off limits to logging" while substituting the word "preserve" for "reserve" would indicate that these concepts are central to their concern. Many of the comments stated that moving ahead with the sale would violate the intent of the President's Plan. In these cases it is obvious that the Plan is either not well understood, or not well received.

TIMBER PROGRAM HISTORY - Siskiyou National Forest

1. 1989 FOREST PLAN - A.S.Q. 160MMBF
2. 1992 I.S.C. PLAN - A.S.Q. 122MMBF
3. 1993 DRAFT OPTION 9 - P.S.Q. 34MMBF
4. 1994 FINAL OPTION 9 - P.S.Q. 22MMBF

SISKIYOU TIMBER SALE PROGRAM FY 91-94

Fiscal Year	Sale Target MMBF	Accomplishment Offer MMBF	Funding \$MM	*
1991	133	1.6	7.1	
1992	145	1.2	7.2	
1993	119	5.0	5.5	
1994	15	8.9 (projected)	2.3	

* Funding amount includes costs for: (1) timber planning
(2) preparation (3) stand exam/Rx (4) resource
coordination (5) engineering support

CONCLUSION

Like so many controversial roadless area projects on the Siskiyou National Forest, Sugarloaf has been the subject of a well-planned and orchestrated campaign of opposition by local environmentalists. They clearly believe they were betrayed by the Administration decision to continue with the 318 sales in general and Sugarloaf in particular. It is further recognized that many people without any connections to organized environmentalists have strong and heartfelt concerns about the choice to proceed with Sugarloaf. And certainly we must respect the opinions and concerns of Anne Squiers, Senior Policy Advisor for Natural Resources and Environment to Governor Barbara Roberts of Oregon. However, serious consideration was given to these kinds of social/political tradeoffs in the Record of Decision, and it is those decisions and policies which direct the actions of the Siskiyou National Forest.

If we were to start fresh today with the same stand in planning an entry, there would be some things we would do differently; and there would be much we would do similarly with the same goals. It is and will remain controversial. But we firmly believe it is more than just a good timber sale, it is an appropriate treatment of the land. It fully meets the test as described by President Clinton "where sound management policies can preserve the health of forest lands, sales should go forward."

United States
Department of
Agriculture

Forest
Service

Siskiyou
National
Forest

200 NE Greenfield Road
PO Box 440
Grants Pass, OR 97526-0242

Reply To: 2410

Date: August 19, 1994

Ms. Julie Norman
Headwaters, Inc.
P.O. Box 729
Ashland, OR 97520

Dear Julie:

I appreciate your patience and diligence in working with us to resolve differences concerning the Sugarloaf Timber Sale. I acknowledge your continuing strident opposition to the sale award and respect that. After reviewing your fax of August 15 to John Lowe, myself, and others, we now are in close agreement about the numbers of trees by given size classes in units 2 and 3. I earlier provided corrected data to you, but am attaching it to this letter as well.

I regret our unintentional miscommunication earlier concerning the size of trees marked for harvest. It stemmed from an error in reading the cruise data. By interpreting the numbers as trees rather than logs, it skewed the information to cause us to understate the percentage of large, or old, trees that were included for harvest. You have helped us "set the record straight" through your willingness to work with us to correct that information.

I intend to award the Sugarloaf Sale on August 22. The reassessment that Regional Forester John Lowe asked us to undertake has been completed, and is now available for your review. We thoroughly discussed, and documented, issues that have been raised and our current thinking on them. A minor change will result to the owl core area to incorporate updated information from surveys done this spring after we laid out the core.

I noted that your fax of August 18 has some continuing concerns about the cruise and volume changes resulting from the deletion of acres to protect the spotted owl core area. You are also seeking additional documents on several subjects. I'm sure the Illinois Valley District Ranger will continue to work with you on those questions.

Copies of this letter will be provided to other groups and individuals who have expressed an interest in the Sugarloaf Timber Sale.

Sincerely,

J. MICHAEL LUNN
Forest Supervisor

Attachment

To:

Mike

Lynn & Sve Olson

Mark

Gaede / Agriculture

Tom

Amortuel / Agriculture

Jim

Sanders / Forest Service

- Mike

Davis / Office of Environmental Policy

Attached is today's
Oregonian article. Tom &
I think it went
really well.

Lauri
Hennessy

and motorists can expect delay of up to 10 minutes.

A gun ownership initiative makes Jackson County ballot

EDFORD — An initiative urging people to keep guns in their homes qualified for the November ballot in Jackson County. Election officials said Tuesday that backers of the measure gathered more than the 3,361 voter signatures required. The initiative wouldn't force anyone to buy a gun who doesn't want to, said initiative co-sponsor Lynne Smith. It's a message to the criminals,

Timber sale that stirred long fight finally awarded

■ The sale in the Siskiyou National Forest was authorized by Congress in a rider that is recognized in the Northwest Forest Plan

By JOAN LAATZ
of The Oregonian staff

A timber sale fought by environmentalists for 10 years went through this week, despite opposition from

“
We're excited about finally receiving the award for

"I won't put up with your garbage," he said. "They don't know who's got them and who doesn't." A similar measure in neighboring Ephraim County fell short of the required signatures, but backers say they will try to get on the ballot. The town of Chiloquin passed a mandatory gun ownership measure in 1982, and city recorder Lil Head figures 95 percent of the town's people are armed.

Teen charged in Pendleton shooting to be tried as adult

PENDLETON — A teen-ager charged with attempted murder in a farm drive-by shooting last month will be tried as an adult. Francisco Garcia, 17, of Irrigon is remanded to adult court Monday by Morrow County Juvenile Judge Louis Carlson. Nobody was hurt in the July 30 shooting, but police say they're concerned the incident marks a growing gang problem in northeast Oregon. Police arrested Garcia a few weeks ago in Irrigon. He is in the Multnomah County Jail awaiting arraignment.

— From staff and wire reports

Medford

The Tyes Creek and other fires have burned more than 220,000 acres and destroyed at least 37 homes or cabins in central and Eastern Washington since July 24. Most were started by lightning.

Near Portland, a two-alarm field fire threatened a block of homes near Aloha before firefighters were able to stop the fire's advance.

The 15-acre fire was started by juveniles making a campfire in a dry grass field, fire officials said.

The fire started at 2:20 p.m. near Basa Road and 205th Avenue and quickly spread, burning a 70-foot section of fence near a home.

Arrangements: Omega Cremation and Burial Service.

George Elmer Williams

Graveside service will be at 10 a.m. Aug. 26, 1994, in Willamette National Cemetery.

Mr. Williams was born Feb. 8, 1902, in Puyallup, Wash. He died Aug. 21 of complications following a stroke. He was 92.

Mr. Williams was a surveyor and draftsman for the Army Corps of Engineers and the Bureau of Land Management. He was a U.S. Marine Corps veteran of World War I.

Survivors are his niece, Sue Behn of

that the sale would be saved by President's Clinton's Northwest Forest Plan.

Gov. Barbara Roberts was among the opponents of the Sugarloaf timber sale in the Siskiyou National Forest, which calls for nearly 700 acres of trees up to 500 years old to be logged in a roadless area on Grayback Mountain. It's the Siskiyou's largest timber sale in more than three years.

The sale was awarded to Boise Cascade Corp., which bid \$2.2 million for it in 1989 but hadn't officially been awarded the sale in part because of a court injunction to protect the northern spotted owl. That injunction was lifted in July.

The sale, which includes about 9.5 million board feet of timber, accounts for more timber than was sold out of the Siskiyou forest between 1991 and 1993, forest spokeswoman Sue Olson said.

"We're excited about finally receiving the award for this sale," said Bob Smith, spokesman for Boise Cascade's Medford office. "Any amount of wood coming off of a national forest right now is significant."

No date was set for cutting to begin.

Julie Norman, president of the environmental group Headwaters, said she was "shocked" that the sale would go ahead. It's in an area identified in Clinton's forest plan as an old-growth reserve and a key watershed. The timber sale is in the Illinois River basin.

"I think it is really going to undermine the public's confidence in whether the administration is going to follow through and abide by the new plan," Norman said.

Roberts objected to the sale in a recent letter to top Forest Service officials. A state watershed restoration project is going on in the river valley below the sale.

"We're disappointed," Paula Burgess, Roberts' forest policy adviser, said when she heard the sale had been awarded. "I don't think there's anything we can do."

Congress authorized sales

The Sugarloaf sale is among 21 timber sales that probably wouldn't be allowed under the new forest plan, known as Option 9, but were authorized by Congress during the Bush administration under an appropriations bill rider called Section 318. The sales had been held up during legal wrangling that took the issue all the way to the U.S. Supreme Court, which ruled they were constitutional.

this sale. Any amount of wood coming off of a national forest right now is significant.

Bob Smith
Boise Cascade

The Clinton administration agreed to honor those sales in its forest plan even though some of them fall within areas protected by the plan.

"Part of the president's commitment is to let these sales go forward," said Tom Tuchman, head of the administration's forest plan office in Portland. "That doesn't mean we haven't thought long and hard about this and recognize the objections people have. We do."

But the forest plan, he said, is about protecting old growth and about protecting people whose livelihoods are dependent on our forests.

Tuchman said all the environmental impact analyses done on the forest plan assumed the Section 318 timber sales would be logged. And the size of the reserves was increased by nearly 400,000 acres, he said, to compensate for the acreage in those sales. About 7.4 million acres of federal forest land are included in Option 9's reserves.

Two Oregon State University scientists wrote to the administration, urging officials to stop the Sugarloaf sale on the grounds that it would jeopardize the forest. But Tuchman said the sale had been tailored to lessen its impacts.

The original sale called for about a million more board feet of timber to be cut, some of it in clear cuts, and a system of roads to be built. Under the new sale terms, Tuchman said, the timber will be selectively cut and removed by helicopter. Forest spokeswoman Olson said that less than a mile of road would be built and that it would be removed when the cut is done.

"We can't just wave a magic wand and just undo decades of rules, regulations and interpretations in a few months," Tuchman said. "We need to meet our commitments of the past and at the same time show people we are going to do things differently in the future."

Correspondent John Grisham also contributed to this story.