

*Oregon Wild ~ The Wilderness Society ~ Umpqua Watersheds ~ Cascadia Wildlands*  
*Oregon Council, Trout Unlimited ~ Environment Oregon ~ Lower Columbia Canoe Club*  
*Soda Mountain Wilderness Council ~ Friends of the Elk River*

Honorable Tom Vilsack, Secretary  
United States Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

December 10, 2009

Re: Roadless Rule Re-Delegation Memorandum and the Umpqua National Forest's D-Bug Timber Sale

Dear Secretary Vilsack:

On behalf of nine conservation groups, we write to express our concern regarding your roadless re-delegation memorandum dated October 16, 2009. That memorandum may be interpreted by some in the Forest Service as a green light to forge ahead with controversial and destructive projects like the D-Bug Timber Sale on the Umpqua National Forest – a project that includes logging and road building within inventoried roadless areas. This sale and others like it warrant close examination by your office.

After years of conflict and uncertainty over roadless area protection, we have been heartened by President Obama's commitment to uphold and defend the 2001 Roadless Rule. We were further encouraged when you issued Memorandum 1042-154 on May 28, 2009, a directive "intended to assure the careful evaluation of actions in inventoried roadless areas while long term roadless policy is developed and relevant court cases move forward." Unfortunately, your most recent memorandum re-delegating authority to approve timber sales in inventoried roadless areas effectively revokes the much-heralded May directive. While the criteria outlined in the re-delegation memorandum are sound (they are taken directly from the 2001 Roadless Rule), removing the requirement of your approval sends the wrong signal and may embolden individual Forest Service managers to forge ahead with unwise roadless area projects. Many projects developed during the Bush administration sought to broaden and abuse exceptions within the Roadless Rule; your review to ensure consistency with current policy was an important backstop for these lingering efforts.

For projects to be referred to your office under your re-delegation memo, Forest Service managers must declare them to be in direct violation of the Roadless Rule. This provides a clear incentive to assert compliance even if the facts indicate otherwise.

Close to our hearts is the proposed D-Bug Timber Sale, which violates both the spirit and the letter of the Roadless Rule. By making the necessary claim of compliance, the Umpqua National Forest can continue to press on without any scrutiny from your office. The proposed D-Bug Timber Sale is located on the doorstep of Crater Lake National Park and encompasses Diamond Lake, the second most popular recreation destination on federal forest lands in Oregon. The project includes several logging units within inventoried roadless areas, and logging and road building in the congressionally-designated Oregon Cascades Recreation Area. If approved, the preferred alternative would include more logging and road-building in inventoried roadless areas than occurred across the entire country since the Roadless Rule's inception, including eight full years of the previous administration.

The Umpqua National Forest argues that the naturally occurring presence of mountain pine beetle in the high elevation, lodgepole pine forests north of Crater Lake justifies an aggressive logging plan allowed under the Roadless Rule exception for projects intended "to maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects...." The assumption is that these forests are "uncharacteristic" for natural conditions in the area. To the contrary, these roadless areas represent some of the most pristine and "characteristic" lands left in the entire Umpqua National Forest. More importantly, the logging and road building will not improve any of the roadless characteristics as required by the Roadless Rule. 36 C.F.R. § 294.13(b)(1). In fact, the Roadless Rule requires that restoration logging in inventoried roadless areas target "generally small diameter timber," but for D-Bug, the Forest Service's preferred alternative targets mature lodgepole pine, and often the largest trees in the stand.

Many of the roadless areas proposed for inclusion in the D-Bug Timber Sale area were included in the original proposals for Crater Lake National Park, and are today part of a wilderness proposal developed by the conservation groups Oregon Wild, Crater Lake Institute, and Umpqua Watersheds. They are what remain of the pristine backcountry of the Umpqua National Forest -- a shining example of the need for strong, clear, and consistent federal roadless protections. Though parts of this project (thinning small trees in the immediate vicinity of summer homes leased from the Forest Service and treating small fuels within 150 feet of roads that serve as escape routes) make sense, the Forest Service has developed a project and designated a preferred alternative that goes far beyond those modest and laudable efforts.

Projects that take place in Roadless areas are rightfully subject to intense public scrutiny. Unfortunately, your recent re-delegation may allow direct violations of the Roadless Rule to fly under your radar. Under your re-delegation, by making the necessary, though false, claim of compliance for D-Bug, the Forest Service may continue to press on without your oversight. It behooves all involved to stop such indefensible projects as early as possible – or prevent their genesis in the first place.

Although in place for only a few short months, the original directive requiring your review and approval of roadless area projects was effective on the ground. After you issued your May 28<sup>th</sup> directive, the Winema-Fremont National Forest worked with Oregon Wild to come to a compromise on the Red Zone Project – another potential controversial project. The Forest Service reduced the roadless portions of the Red Zone Project to focus only on legitimate hazard tree removal along the edge of roadless areas.

With D-Bug, however, the Umpqua National Forest has made a clear decision to choose controversy and confrontation over the spirit of collaboration and cooperation that we had hoped would be the trademark of this new administration. The D-Bug Timber Sale violates the spirit and the letter of the Roadless Rule. Allowing the sale to go forward as proposed in alternatives 2, 3, and 4 would rightfully invoke a strong reaction from Americans who value our remaining roadless wildlands. That the Umpqua National Forest chose Alternative 4, the most destructive of the alternatives, as its preferred alternative seems calculated to generate the maximum controversy and conflict. **We maintain that this sale does not fall under your October 16, 2009 memorandum and urge you not to allow it to proceed.**

From a bigger picture perspective, we are concerned at how your re-delegation memorandum will be viewed around the country. Across the nation, the Forest Service and conservation community are beginning to find common ground on restoration-based initiatives, but there are still lingering projects and personnel hostile to common-sense conservation protections like the 2001 Roadless Rule. **We urge you to stand by your directive of May 28<sup>th</sup> and continue to take responsibility for providing “consistency and clarity that will help protect our national forests until a long-term roadless policy reflecting President Obama's commitment is developed.”**

Very Sincerely,

Steve Pedery  
Conservation Director, Oregon Wild

Cindy Haws  
Executive Director, Umpqua Watersheds

Dan Kruse  
Legal Director, Cascadia Wildlands

Brock Howell  
Advocate, Environment Oregon Wild

Russ Pascoe  
Conservation Chair, Lower Columbia River Canoe Club

Bob Freimark  
Acting Regional Director – Pacific Northwest  
Senior Policy Analyst, The Wilderness Society

Tom Wolf  
Chair, Oregon Council, Trout Unlimited

Dave Willis  
Chair, Soda Mountain Wilderness Council

Jim Rogers  
Friends of the Elk River

Cc:

Senior Advisor for Environment & Climate, Robert Bonnie  
Pacific Northwest Regional Forester, Mary Wagner  
United States Forest Service Chief, Tom Tidwell  
Deputy Undersecretary for Natural Resources and Environment, Jay Jensen  
Governor Ted Kulongoski  
Attorney General John Kroger  
Senator Ron Wyden  
Senator Jeff Merkley  
Congressman Peter DeFazio  
Umpqua National Forest Supervisor, Clifford J. Dils

D-Bug Facts:

The preferred action alternative of D-Bug involves:

- 9,195 acres of commercial logging
- 621 acres of logging inside inventoried roadless areas
- 3,069 acres of logging in a potential wilderness area contiguous with Crater Lake NP
- 318 acres of logging in the Congressionally designated Oregon Cascades Recreation Area
- Over 2,000 acres of logging in spotted owl habitat
- 432 acres of logging in stream-side riparian reserves (some streams won't be buffered)
- 25 miles of new road construction, including 13 miles in potential wilderness areas, and the conversion of 8.1 miles of hiking and skiing trails into logging roads
- 31% of the high quality marten habitat on the Umpqua NF would be seriously degraded by logging.

Our concerns with this project fall into the following categories:

- 1) The D-Bug Project intrudes on three categories of roadless areas, including inventoried roadless areas covered by the National Forest roadless rule at 36 CFR §294 and not consistent with its requirements.
- 2) The D-Bug project will also have significant adverse effects on species of concern, such as the northern spotted owl and American marten.
- 3) This project is being developed under the Healthy Forest Restoration Act but does not follow its requirements, including the mandate to “fully maintain” old-growth, maximize the retention of large trees, focus on real insect “epidemics” (rather than “outbreaks” which are a natural ecological process that does not need intervention), and the HFRA requirement of forest plan consistency.