



Letter # 004

THE WILDERNESS SOCIETY

Pacific Northwest Regional Office

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November 10, 2003

Carolyn Wisdom, District Ranger
Silver Lake Ranger District
P.O. Box 129
Silver Lake, OR 97638

Dear Ms. Wisdom:

Thank you the opportunity to comment on the draft environmental impact statement on the Toolbox Fire Recovery Project. As you know, post-fire salvage logging is a very controversial land management practice with many potentially significant environmental impacts. The Wilderness Society therefore urges the Forest Service to comply fully with all applicable laws regarding environmental review and public involvement for this project.

In particular, we strongly urge the agency not to declare the Toolbox project as an "emergency situation" and thereby exempt it from the automatic stay requirements of the Appeals Reform Act. While the new appeals regulations allow the Regional Forester to declare an emergency based on "substantial loss of economic value to the Federal Government," we believe that such an economic-based declaration would likely violate the Appeals Reform Act. It is difficult to imagine that an additional 45 to 60 days delay in implementing the project would result in the kind of emergency situation that would justify a special exemption from the requirements of the Appeals Reform Act.

Attempting to invoke the emergency exemption in this situation could actually cause a much greater delay in project implementation by substantially increasing the project's vulnerability to court challenge and injunction. We believe it would be more prudent to observe the normal, legally mandated appeals process.

Sincerely,

Michael Anderson
Senior Resource Analyst

cc: Karen Shimamoto