



United States  
Department of  
Agriculture

Forest  
Service

Pacific  
Northwest  
Region

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**File Code:** 1570  
**Date:** August 28, 2012

Mr. Tom Buchele  
Pacific Environmental Advocacy Center  
Lewis and Clark Law School  
10015 SW Terwilliger Blvd  
Portland, OR 97219

**CERTIFIED MAIL – RETURN  
RECEIPT REQUESTED  
NUMBER: 7011 1150 0000 9640 4580**

Dear Mr. Buchele:

This constitutes my decision, pursuant to 36 CFR 215.18(b)(1), on your appeal (#12-06-00-499-215) of Deschutes and Ochoco National Forest Supervisors John Allen and Kate Klein's Record of Decision (ROD) for the Invasive Plant Treatment, Deschutes and Ochoco National Forests, Crooked River Grassland Final Supplemental Environmental Impact Statement (FSEIS).

### **Background**

On May 2, 2012, John Allen and Kate Klein, Forest Supervisors for the Deschutes and Ochoco National Forest respectively, signed a record of decision (ROD) for the Invasive Plant Treatment Project Final Supplemental Environmental Impact Statement (FSEIS). Their decision to implement Alternative 2 includes:

- Invasive plant treatment of 1,892 inventoried sites across 14,547 acres with 289 project area units. Herbicides will be used alone or in combination with non-herbicide methods (manual, mechanical, cultural, burning) on a total of 13,814 acres. Buffers to protect species of concern and aquatic resources are prescribed. Extensive project design features (PDFs) are incorporated to reduce the risk to non-target organisms and to protect ecosystem and human health.
- Authorization of Early Detection-Rapid Response (EDRR) to treat new and/or previously unanalyzed sites.
- Treatment caps of 16,000 acres per year, including acreage assessed through EDRR.
- Site restoration, including both active and passive restoration of sites that have been rehabilitated.
- Monitoring of at least 50% of the treatment areas.
- Amending the Ochoco National Forest and Crooked River National Grasslands Land and Resource Management Plans (LRMP) to remove standards that were replaced by the 2005 R6 Invasive Plant Treatment ROD.

Pursuant to 36 CFR 215.17, an attempt was made to seek informal resolution of the appeal. The record indicates that informal resolution was not reached.

My review of this appeal has been conducted in accordance with 36 CFR 215.18, *Formal review and disposition procedures*. I have reviewed the appeal record, including the recommendations of the Appeal Reviewing Officer. A copy of her recommendation is enclosed. The Appeal Reviewing Officer focused her review on the appeal record and the issues that were raised in your appeal.



**Appeal Decision**

After a detailed review of the record and the Appeal Reviewing Officer's recommendation, I affirm the Responsible Officials' decision for the Invasive Plant Treatment Project and deny your requested relief. This decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c)].

A copy of this letter will be posted on the national appeals web page at <http://www.fs.fed.us/appeals>.

Sincerely,

*/s/ Nora B Rasure (for):*

KENT P. CONNAUGHTON  
Regional Forester

Enclosures: 2

cc: Debbie Anderson  
Amanda McAdams  
Susan Skakel  
Gery Ferguson  
Debra J Mafera  
John P Allen  
Kathleen Klein  
Marcelle Anderson  
Rochelle Desser  
Shawna Bautista