

SOUTHERN ENVIRONMENTAL LAW CENTER

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December 13, 2013

Via U.S. Mail & E-mail

Kristin Bail
Forest Supervisor
National Forests in North Carolina
160 Zillicoa Street, Suite A
Asheville, NC 28801
appeals-southern-north-carolina@fs.fed.us

Re: *In re Appeal of the Decision Notice, Finding of No Significant Impact and Environmental Assessment for the Courthouse Creek Project, Pisgah Ranger District*

Dear Supervisor Bail:

As a result of a productive informal disposition meeting with Ranger Ibarguen, we have reached a compromise solution for the Courthouse Creek project that my clients accept as a final resolution of their appeal. We have reviewed the attached letter from the Pisgah Ranger District regarding the agreement reached between the Appellants and the Forest Service during the informal disposition meeting held December 12, 2013, in the above-referenced matter. By this letter, we are confirming that the Southern Environmental Law Center, on behalf of Appellants the Western North Carolina Alliance, Wild South, and the Wilderness Society, is withdrawing the Appeal, provided the Courthouse Project is modified in accordance with the terms of the agreement reflected in the attached letter. We are grateful to Ranger Ibarguen and his staff for working with us to find a collaborative way forward.

Please do not hesitate to contact me with questions or concerns.

Sincerely,



DJ Gerken

Enclosure

cc: (via e-mail)

Derek Ibarguen	Heather Luczak
Bob Gale	Hugh Irwin
Josh Kelly	Ben Prater



United States
Department of
Agriculture

Forest
Service

National Forests in North Carolina
Pisgah National Forest
Pisgah Ranger District

1600 Pisgah Hwy
Pisgah Forest, NC 28768
828-877-3265

File Code: 1900

Date: December 13, 2013

Austin D. Gerken, Jr., Senior Attorney
Southern Environmental Law Center
22 South Pack Square, Ste. 700
Asheville, NC 28801

Dear Mr. Gerken,

I would like to thank you and your clients for meeting with me and my staff at the informal disposition on December 12, 2013 at the Pisgah Ranger District. With this letter I am confirming the following project changes to the Courthouse Creek project that I agreed to at the informal disposition. These project changes were agreed to between all appellants (Western North Carolina Alliance, Wild South and The Wilderness Society) and the U.S. Forest Service with the understanding that the appeal of the Courthouse Creek project is resolved in whole;

Project Changes:

1. Remove Stands 93-01, 93-05 and 88-20
2. Western North Carolina Alliance – Provide funds to physically decommission Panther Branch Road (140A) from Stand 93-12 to junction with Kieseese Creek Road (FR 5031) and put Kieseese Creek Road (5031) into storage (DO) from Kieseese Creek itself to Farlow Gap and address any needs at Kieseese Creek Ford. If necessary, provide funds for decommissioning 140A from junction with Indian Creek Road (5003) and Stand 93-12. Official agreement with identified scope of work description will be in place prior to any of this work being conducted.
3. Timber Sale Actions will decommission Panther Branch Road (140A) from the beginning of the road at its junction with Courthouse Creek Road (FR140) to Stand 93-12
4. Utilize a Temporary Bridge Crossing at Chestnut Creek on Forest Road 5033

Sincerely,

/S/ DEREK J.S. IBARGUEN
DEREK J.S. IBARGUEN
PISGAH DISTRICT RANGER

