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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CASCADIA WILDLANDS PROJECT,
LEAGUE OF WILDERNESS DEFENDERS -
BLUE MOUNTAINS BIODIVERSITY
PROJECT, OREGON CHAPTER OF THE
SIERRA CLUB,

Civ. Case No. 07-6147-AA

FIRST DECLARATION OF JOSH
LAUGHLIN

Plaintiffs,

vs.

WILLIAM ANTHONY, in his capacity as
District Ranger of the Sisters Ranger District
of the Deschutes National Forest; UNITED
STATES FOREST SERVICE, an
administrative agency of the United States
Department of Agriculture,

Defendants.

I, Josh Laughlin, do hereby declare and say:

1. I am the Conservation Director of the Cascadia Wildlands Project (CWP), a non-profit conservation organization based in Eugene, Oregon. I have worked full time for the CWP since 2001 and as a volunteer since 1997.

2. CWP has approximately 700 members. Our members are interested in and support CWP's work to protect the ecosystems of the Cascadia Bioregion for aesthetic, recreational, scientific, and ecological values. CWP has members throughout Oregon, including members near the Black Crater planning area in the towns of Sisters and Bend. CWP members derive aesthetic, scientific, educational, spiritual, and recreational benefits from visiting the landscape within the Black Crater planning area. CWP brings this action on its own behalf and on behalf of its adversely affected members and staff.

3. Part of my job description is to monitor federal landscape management projects in Oregon, both on the ground and on paper through the National Environmental Policy Act (NEPA) process. I have had the opportunity to read the Black Crater Project proposal issued by the Deschutes National Forest and visit the post-fire landscape since the fire petered out in fall 2006. Visiting the area has been for the primary purpose of documenting the effects of the fire on the Trout Creek watershed as well as to "groundtruth" the proposed logging units.

Groundtruthing is the process of physically comparing the NEPA file (in this case the Black Crater Project Categorical Exclusion document) to what things look like on the ground. I always hike through proposed timber sales units with a pen, paper, maps, GPS unit and a digital camera. Through this process in the past, the Cascadia Wildlands Project has documented many violations that have helped inform successful legal challenges.

4. One such groundtruthing visit I made to the Black Crater fire area occurred on April 4, 2007. The fire area, located in the Trout Creek watershed, has been heavily fragmented through past logging, both on federal public land and adjacent private land. A massive swath of private land lay adjacent to Black Crater timber sale units 1, 3, 7 and 8. It appears that the private land had just recently been clearcut. If the Black Crater timber sale were to move forward, there would be unquestionable cumulative impacts associated with both the public and private land logging that was never disclosed in the Black Crater decision memo.

5. It is appalling that the Forest Service would authorize the logging of eight Black Crater timber sale units, as it appears that these forested units are much of what exists unlogged in the vicinity. Most of the rest has been logged off in the past. Signs of past timber harvest are evident all around. Also, it angers me that the Forest Service would propose this project in an area that is a designated old-growth reserve and also “critical habitat” for threatened northern spotted owls. The science is very clear in that this species continues to use post-fire landscapes for both foraging, roosting and nesting.

6. The harm that myself and the members of the CWP will experience if the Black Crater Project is allowed to proceed would be redressed by an injunction from this court.

7. I declare under penalty of perjury that the foregoing is true and correct.

Dated this 26th day of June, 2007.



JOSH LAUGHLIN