

NLWJC- Kagan  
Counsel - Box 004 - Folder 005

Timber-Warner Creek

E X E C U T I V E   O F F I C E   O F   T H E   P R E S I D E N T

30-Jul-1996 10:16am

TO: Kathleen A. McGinty  
TO: Elena Kagan  
  
FROM: Dinah Bear  
Council on Environmental Quality  
  
SUBJECT: Warner Creek sale

FYI, USDA called me and also announced at yesterday's interagency timber mtg. that an agreement in principle had been reached with the purchaser of the Warner Creek sale. The agreement would result in the settlement of a number of claims w/the purchaser besides the Warner Creek sale issue, and would involve payment of about \$475,000 from the government to the purchaser. The proposed agreement will now go to both the civil and env. division at Justice for review. USDA is quite concerned that unless the agreement is approved quickly, it could fall apart.

Unfortunately, while the details of the proposed agreement remain confidential, the fact of settlement discussions was leaked to the media.

DOJ and the Forest Service are concerned that the settlement not send the wrong signal about protests and the willingness of the gov. to settle. Either or both of you may hear more about this over the next couple of days.

## Telecon w/ Drak

Utility → Tuckman / USPA - interest office to no up implement of F.Plan  
FS law enf, st law enf, county law enf  
upset over alleged leak

WT interference w/ law enf - what interest?  
Perception:

leak to protester

initial hold on actions by Seny.

even when Seny was satisfied, WT put  
indef hold.

"They can do it w/out us."

What guess?

Timber Oregon Situation 7-12-96

Warren Creek - Lane County (Oregon) - 20-30 miles from

1991 arson fire - burned 9000 acres

Warren Recovery Project - 400 acres of this

280,000<sup>\$</sup> to  
liquidate  
sale.  
Now - we part of this 14 acres - 500,000 ft. - very small  
awarded last June - Thomas Creek boundary before wider  
fall - protesters began to occupy

Contract for arson fire - rewarding fire -  
not env'ly harmful sale.

Contract expires Aug 26 - need 4 wks to cut  
Co. now wants to log.

Obligated as 2001k sale by Judge Hoffman's  
injunction to move forward with it.

Never determined who was responsible for fire  
Co. alleged to have committed timber theft  
Ultimately convicted - principals + co (plhd.)  
Suspended for a time

Size of protesters 20-30 now sometimes up to 100  
no org'd gp.

FS got info that 1 indiv. attached to this gp w/ an auto.  
weapon.

30 FS law enforcement personnel

6-7 sheriff's officers

some earlier protests in fall

Op-exec. a s.w. to post videos of protesters destroying  
govt prop. Ask protesters to leave. If not, remove by  
force. Secure perimeter for duration of sale.

Last element of surprise this week. (How? What needs  
to believe?)

Replacement Title

Buy-out

Telcan Dinah Bear

Warren Creek

Salvage sale following fire - arson

BL brought in given ruling on scope

F. signs added units - green

Contingent of enviro rods camped on b some  
time. <sup>upset abt arson.</sup>

I sale where - not env. harmful

not even meet criteria for cancellly  
Luhman called DB - massing of law enforcement  
gun in enviro camp?

July 5 - ~~Forest Service USFS~~ - & going in.

Earlier this week (Tues) - JSW got call saying  
They had found a weapon in enviro camp.

Planning on going thru all camps / search /  
erect. At same time, logging co going  
up the road.

Glickman called Gruelich -

ap - & would happen in 24 hrs.

out calls - Glickman / Gruelich / law enft.

Gruelich called asked s's re sale / purchaser -

of FS.

Ashed for info on this / & should happen  
until then.

Say seemed to be moving to eliminate  
add'l part of sale - not 2001 k.

Ashley abt options - 280lh - cancellation -  
Told there were great difficulties.

This morning - USDA info -  
no additional info.

Lori tells USDA - White House  
says not to go forward  
w/ sale. Ron said.

Katie said that - they had 2  
conns w/ VP / lecn

They indicated they wanted sale canceled.

Don't want troops running around pulling  
enviros out of camps

② Clearly misinformed as to harmfulness of sales.

Also misinformed as to cost.

Looking at options - replacement timber?

Katie - do that; but come back to 10th latm release.

Giving in to protesters?

Not cont. that we know what facts are  
Weapon?!

Logging co wants to start Aug 1.

Sale of 14 acres - burnt timber  
Warner Creek Sale - under K for a yr. to bad guy.  
Want to cut 500,000 bd ft of timber  
20-30 treefalls entrenched on land -  
"sleeping dragons" on road.

FS prepared to go in this w/  
lumber - weapons?

Nw, Chickman / VP don't want to go ahead w/ sale.  
Any kind of env harm?  
Problem of corruption?

Call over to Veep's Office.

Name	Date
Steven Reich	6/2/99
Colin Poland	12/6/99

counsel  
counsel