



Forest
Service

Washington
Office

1400 Independence Avenue, SW
Washington, DC 20250

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Route To:

Subject: District Court Issues Injunction in *Sierra Club v. Bosworth*, 04-2114, (E.D. Cal.) Prohibiting Use of the Hazardous Fuels Reduction Categorical Exclusion, Subject to Certain Exceptions

To: Regional Foresters, Station Directors, Area Director, IITF Director, Deputy Chiefs, WO Directors

On November 25, 2008, Judge Garland Burrell of the United States District Court for the Eastern District of California signed an order in *Sierra Club v. Bosworth*, 04-2114, enjoining the use of the Hazardous Fuel Reduction Categorical Exclusion (HFRCE).¹ The injunction requires that work be halted on projects approved under the HFRCE after October 8, 2004, subject to exceptions that are specifically enumerated in two tables that are attached to the Court's order and enclosed herein.

We must implement the conditions of the Court's order and injunction immediately. If you have any questions, please contact National Litigation Coordinator Ricardo Garcia at rgarcia01@fs.fed.us or (202) 205-9972.

/s/ Abigail R. Kimbell
ABIGAIL R. KIMBELL
Chief

¹ In its December 5, 2007 ruling the Ninth Circuit Court of Appeals found a NEPA violation in the Forest Service's promulgation of the Hazardous Fuels Reduction Categorical Exclusion (HFRCE) found at Forest Service Handbook 1909.15_31.2(10) (2007), and directed the District Court to issue the injunction that is the subject of this letter.

