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8. FORESTS: Lawsuit tries to prevent Sierra logging

Arthur O'Donnell, *Land Letter* editor

A coalition of California-based environmental groups this week asked a federal district court to issue an injunction against planned logging in the Sierra National Forest meant to reduce risks of wildfires. The complaint filed by Earthjustice on behalf of Sierra Forest Legacy, the Sierra Club and the California Native Plant Society, seeks to halt the Kings River Project on the grounds that aggressive logging will further imperil the Pacific fisher and other species [*Sierra Forest Legacy, et al., v. Bernard Weingardt, et al., U.S. District Court for Northern District of California*; No. C-072646 JCS].

The same groups have for years pressed the federal government to list the Pacific fisher as endangered under the Endangered Species Act, although that has not yet happened. The small mammal has been a candidate species since 2004.

According to the suit, the project, which would involve logging trees up to a diameter of 30 inches "is contrary to sound science" and will disturb some of the most critical habitats for the fisher and other species including spotted owls.

The Forest Service has been planning the project for several years to analyze various fire prevention treatment methods in several parts of a 131,000-acre portion of the Southern California national forest ([Land Letter](#), Jan. 27, 2005).

"This is a huge logging experiment that's highly questionable," said Craig Thomas of Sierra Forest Legacy. "The trees are supposed to be cut to improve fire resiliency, but they are not the right trees. It's a logging project that's not ecologically sensible."

"There's no need to take trees this big to accomplish those goals," added Earthjustice attorney George Torgun.

Though he could not talk specifically about pending litigation, Forest Service spokesman Matt Mathes described the "unnatural conditions" in the Sierra forest in which past efforts to suppress all fires in the forest have allowed proliferation of brush and smaller diameter trees that would have been burned out by natural fires. When a fire does occur, he said, these act as ladders for the fire to reach the crown canopy of larger trees, including Giant Sequoia and Sugar Pine.

The problem for the budget-strapped agency, however, is that it can cost \$1,000 per acre to hire contractors to clear away such brush, he said. By including larger trees in a timber sale -- while prohibiting logging of the largest trees -- there is a greater likelihood of attracting competitive bids, he said. "Thirty inches is the lower limit," Mathes said.



This photo shows what the Forest Service hopes the stands near Big Creek and Dinkey Creek will look like after the Kings River Project is completed -- more open with widely spaced, large diameter trees. Photo courtesy of the Forest Service.