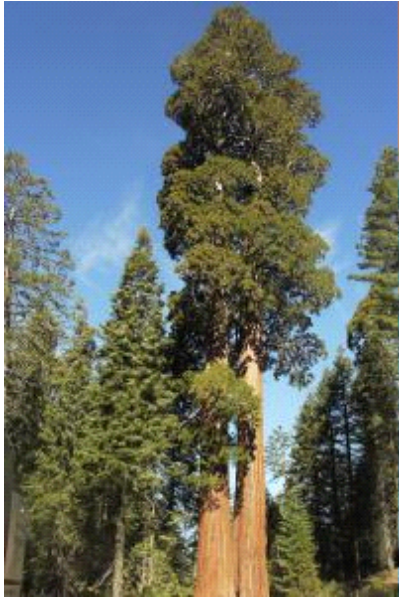


Bush Plan to Log Giant Sequoia Monument Ruled Illegal

SAN FRANCISCO, California, August 23, 2006 (ENS) - The Bush administration's plan to allow commercial logging in California's Giant Sequoia National Monument is illegal, a federal judge ruled Tuesday in two companion cases - one brought by the state of California and the other brought by conservation groups.

"The Forest Service's interest in harvesting timber has trampled the applicable environmental laws," wrote Judge Charles Breyer of the U.S. District Court for the Northern District of California, ruling in the conservation groups' case.

Complaints against the U.S. Forest Service were brought by the Sierra Club, Sierra Nevada Forest Protection Campaign, Earth Island Institute, Tule River Conservancy, Sequoia Forest Keeper, and Center for Biological Diversity, and in separate suit filed by the California Attorney General.



Found only in California's Sierra Nevada mountains, Giant sequoias can live as long as 3,000 years. (Photo credit unknown)

Judge Breyer found that the "Monument Plan is decidedly incomprehensible" and "lacks coherent or clear guidance" on how the unique ecological resources of the Monument, including numerous sequoia groves and old forest dependent species, would be managed.

In addition to ruling that the Forest Service's overall management plan for the monument is illegal, Judge Breyer invalidated several individual timber sales inside and adjacent to the monument because of their potential impact on endangered wildlife.

"The court recognized that the Forest Service's business as usual approach to managing the Giant Sequoia National Monument was indefensible, especially given the magnificent resources at risk," said George Torgun, an attorney from Earthjustice who served as co-counsel in the case. "Protecting the Monument is essential so that future generations of Americans can experience this national treasure."

California Attorney General Bill Lockyer said, "Today's court ruling is a resounding victory for the Giant Sequoias, towering treasures that symbolize the magnificent beauty of California's Sierra Nevada range and inspire awe in all of us."

"The ruling also is a resounding defeat for the Bush administration, which aggressively sought to unravel the protections guarding John Muir's big trees," Lockyer said. "We simply cannot afford to sacrifice for short term gain majestic sequoias that have stood for centuries. Today's ruling helps ensure these state gems will be standing for generations to come."

On April 15, 2000, at the Trail of 100 Giants on the Sequoia National Forest, President Bill Clinton announced the creation of the Giant Sequoia National Monument. The 328,000 acre area is intended to protect 38 groves of these giant sequoia trees, found only on the west slope of the Sierra Nevada.



President Bill Clinton signs the Giant Sequoia National Monument proclamation in Sequoia National Forest, California, April 15, 2000. (Photo courtesy [GPO](#))

The species has existed for at least 20 million years and individual trees can live to be 3,000 years old, grow taller than 270 feet and reach diameters of 30 feet.

The Giant Sequoia National Monument encompasses 38 sequoia groves, 1,000 miles of trails, including three national trails, four stretches of wild and scenic rivers, and more than 50 developed campgrounds, including 144 campsites located in the groves.

Lockyer in 2005 filed a lawsuit against the Bush administration's Giant Sequoia National Monument Management Plan, which allowed an annual timber harvest of at least 7.5 million board feet, enough to fill 1,500 logging trucks each year. This policy would have included logging of healthy trees of any species as big as 30 inches in diameter or more. Trees that size can be 300 years old.

Lockyer's lawsuit challenged the Bush Plan for violating the April 2000 proclamation by President Bill Clinton that established the Monument. The proclamation prohibited tree removal in the covered forest land unless "clearly needed" to protect the ecology or public safety.

The suit also alleged the Bush plan violated the National Environmental Policy Act (NEPA), which requires agencies to evaluate the potential environmental impacts of a management decision before the decision gets made and irreversible consequences occur. NEPA also requires written plans to be clear and comprehensible to the public, and the lawsuit alleged the Bush plan was incomprehensible and unclearly incorporated parts of other plans.

The court agreed with Lockyer and with the conservation groups that the Forest Service's plan violated NEPA. Judge Breyer wrote, "The Court concludes that the Forest Service failed to comply with NEPA in preparing a management plan for the Grand Sequoia National Monument as required by the Presidential Proclamation."