

# The Press-Enterprise (CA)

## Forest Service's wilderness plans scuttled by judge

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By JANET ZIMMERMAN  
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A federal judge has ruled that the U.S. Forest Service did not give adequate consideration to potential wilderness areas in its management plan for four Southern California forests.

The state of California and seven environmental groups sued the Forest Service last year over its plan for more than a million acres of so-called roadless areas across the San Bernardino, Cleveland, Angeles and Los Padres national forests.

The groups said the agency's decision to allow road building, oil drilling and off-highway vehicle use in remote areas would harm endangered species and threaten forest health.

California's Natural Resources Agency, which sued separately on behalf of the state, contended the federal plan ignored state policy banning road building in pristine areas. The state and environmental group lawsuits were combined.

Although U.S. District Court Judge Marilyn Hall Patel found no merit in most points, she agreed with the principal complaint that the Forest Service violated federal law by failing to consider cumulative damage that roads would cause in those areas.

Patel's order, issued Tuesday, instructed both sides to return to court in 35 days with proposed remedies.

Erin Tobin, the attorney representing the environmental groups, said Wednesday she will ask that the Forest Service re-do its 15-year management plan.

The plan, issued in 2006, recommended 79,000 acres of roadless areas for possible wilderness designation. More than 942,000 acres were slated for possible roads or other development, she said.

Ileene Anderson, a biologist with the Center for Biological Diversity, one of the groups that sued, said the areas are strongholds for endangered species such as the California condor and arroyo toad.

"There's no question that this is going to benefit a lot of the species that are just tenuously clinging to existence in these forests that are a host to so many species," she said.

John Heil, a regional Forest Service spokesman, said officials are reviewing the judge's decision and could not provide further comment.

In the past, forest officials said the agency's planning document was designed to allow flexibility for building roads needed to help fight fires in susceptible areas.

### **Firefighting routes**

The officials also said the plan would open about 25 percent of roadless areas for firefighting routes and limited off-roading, essentially replacing a series of winding routes with a well-planned loop to keep riders from cutting across sensitive areas.

On those points, Patel sided with the Forest Service. She ruled that the environmental groups failed to prove that clearing trees and chaparral for fire management or allowing limited off-roading would harm the forest.

Environmentalists contend that such roads create erosion and degrade drainage from the mountains into creeks, which are important sources of drinking water for the Inland area.

Roads also allow invasive species to be carried deep into the forest on vehicle tires, where weeds and grasses can contribute to fires, Anderson said.

Giny Chandler, who represented the state as chief counsel for Cal Fire, said the Forest Service is required to comply with state policies on roadless areas. That will be the goal when both sides return to court next month, she said.

"The state wants the Forest Service to recognize that certain areas of forest should remain more in their natural state," she said.

Other groups involved in the lawsuit were the Los Padres ForestWatch, Sierra Club, Defenders of Wildlife, California Native Plant Society, California Wilderness Coalition and The Wilderness Society.

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