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Judge rules sequoia monument fire plan violated federal law

By: BRIAN MELLELY - Associated Press Writer

SACRAMENTO (AP) -- A judge ruled Monday that a fire-control plan for Giant Sequoia National Monument violated federal law because the blueprint, which includes logging the preserve that is home to two-thirds of the world's largest trees, did not undergo an environmental review.

U.S. District Court Judge Charles Breyer ruled that the U.S. Forest Service failed to comply with the National Environmental Protection Act and that its plans to manage the 327,769-acre central California preserve could have significant environmental consequences.

Attorney General Bill Lockyer sued in March to halt the plan that would have allowed commercial logging in the monument designed to preserve the ancient monster conifers.

"In a whole series of forest management cases, the Bush Administration has ignored federal law while showing great deference to the timber industry's interests," Lockyer's office said in a statement.

Breyer did not rule what the Forest Service needs to do, but scheduled a hearing Aug. 12 in San Francisco federal court to discuss the case.

The Forest Service argued that it didn't need to file an environmental impact statement because it overlapped with other documents that provide environmental assessments.

A spokesman for the Forest Service did not immediately return a phone call for comment after business hours.

The service had defended timber cuts on trees with diameters up to 30 inches as needed to protect the 38 sequoia groves in the monument that is part of the Sequoia National Forest east of the San Joaquin Valley. If a small fire spread, it could devastate the trees, spokesman Matt Mathes said at the time.

The Sierra Club estimated that loggers could cut 7.5 million board feet each year, or enough to fill 1,500 logging trucks.

"They basically tried to do a shortcut," said Eric Antebi of the Sierra Club. "If they did the full environmental review they would have found there were better ways to accomplish the same thing without putting a rare sequoia forest at risk."

Central California is the only place in the world where sequoias are found. The trees grow up to 270 feet high and 30 feet wide and live for thousands of years.

President Clinton created the monument in April 2000, banning logging unless it was necessary for public or environmental protection.

Several lawsuits have been filed since, including a failed effort by timber interests, recreational groups and Tulare County to reverse the designation on the grounds that Clinton acted beyond his authority. Environmental groups have gone to court to block the fire plan.

Lockyer has filed several challenges to federal logging plans. While the Forest Service has claimed he doesn't have legal standing in the cases, Breyer ruled that the state had an interest because two state-owned forests lie within the Sequoia National Forest.

On the Net:

Giant Sequoia National Monument: <http://www.fs.fed.us/r5/sequoia/gsnm.html>

Attorney General Bill Lockyer: <http://www.ag.ca.gov>

Maps of areas where logging would be permitted:
<http://www.sierraclub.org/wildlands/sequoiaplan>
