



EARTHJUSTICE



PROTECTING OUR SIERRA NEVADA

Our Treasured National Forests Under Attack

CALIFORNIA'S SIERRA NEVADA MOUNTAIN RANGE IS A UNIQUE NATIONAL TREASURE. TOWERING STANDS OF MATURE FORESTS WITH TREES OLDER THAN THE U.S. CONSTITUTION BLANKET THE SAW-TOOTHED RANGE. DRAWN TO THIS NATURAL SPLENDOR, TRAVELERS FROM THROUGHOUT THE WORLD VISIT THE SIERRA NEVADA TO MARVEL AT ITS BEAUTY. THE WILD, UNSPOILED GRANDEUR OF THE SIERRA NEVADA WILL BE LOST TO FUTURE GENERATIONS IF THE 11 NATIONAL FORESTS IN THE RANGE ARE NOT MANAGED RESPONSIBLY. TO RESTORE OLD-GROWTH AND FIRE PROTECTIONS FOR THESE PRECIOUS FORESTS, EARTHJUSTICE PROVIDES FREE LEGAL SERVICES TO 85 CONSERVATION GROUPS.

A PLAN FOR RESPONSIBLE FOREST MANAGEMENT

The Sierra Nevada Forest Plan Amendment ("Sierra Framework") was adopted in 2001 as an ecosystem-wide approach to managing the individual forests of the Sierra. Scientists, government agencies, and community groups had worked together for 14 years to create a plan that would reduce wildfire threat while protecting old-growth areas, waterways, and their inhabitants. But recently, the Forest Service has announced changes to this plan that reduce or eliminate most of its environmental protections.

The original Sierra Framework prohibited logging in approximately 4.5 million acres of "old forest emphasis areas" unless absolutely necessary for fire prevention. It also phased out cattle grazing in sensitive Yosemite toad and willow flycatcher habitats, and restricted logging projects near California spotted owl nests and Pacific fisher dens. To promote fire protection, it encouraged harvesting of highly flammable smaller trees and brush, especially near towns and other communities.

Broad public support led to finalizing the Framework plan in January 2001, but it was never fully implemented. Less than a year later, the new Bush administration immediately set about dismantling the plan.

Under the guise of fire protection, the newly revised Framework significantly reduces protections for land, water, and wildlife. As a give-away to the

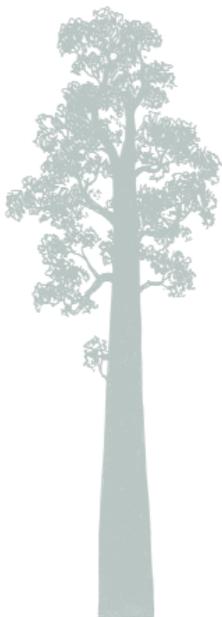


"Removal of moderately sized trees (20-30 inches in diameter), in the majority of cases, will not significantly reduce potential fire behavior."

—U.C. Berkeley fire scientist Dr. Scott Stephens

timber industry, it allows almost three times more logging than the original Framework. The logging size limit has been increased to include trees that are hundreds of years old (30" in diameter), even though older trees are more fire-resistant and provide essential shade to the forest floor. The new Framework also permits increased off-road vehicle use, and allows grazing to continue despite its contamination of waterways — endangering our rivers and the fish and wildlife who depend on them.

As of March 1, 2004, this revised Framework is the governing forest plan for the 11 Sierra Nevada national forests. To reverse these changes, Earthjustice has helped a coalition of 85 conservation groups file an administrative appeal with the US Forest Service. When it is denied, we will file a suit to defend the original Sierra Framework.



SIERRA SPECIES AT RISK

The overall health of the Sierra Nevada can best be measured by the welfare of the animals who live there. Protecting these species under the Endangered Species Act will help protect their habitat against threats from the agriculture and timber industries.

The spotted owl is the primary indicator species for old-growth forests. In 2003, the Fish and Wildlife Service



California spotted owl

declared that listing it was "not warranted," because the existing protections under the (original) Framework were enough. They did not mention that the Framework was being revised to permit more logging in old-growth areas. Our lawsuit is intended to address this discrepancy, and restore protections to the owls and their habitat.

The shy, furry Pacific fisher lives in the old-growth forests of the southern Sierra Nevada. Scientists report that 60-85% of its habitat has been threatened or lost due to logging, grazing, road construction, and development. These disturbances in the environment can cause fishers to flee an area, which makes them more vulnerable to predators and poachers.



Pacific fisher

The decline of the Yosemite toad and mountain yellow-legged frog indicate the poor health of the Sierra Nevada's meadows, lakes and streams. These sensitive amphibians have perished from between 50%-95% of their ranges in the Sierra Nevada, due largely to the introduction of non-native fish, livestock grazing, and pesticide contamination.

By April 2004, the Fish and Wildlife Service had concluded that listing the Pacific fisher, Yosemite toad, and mountain yellow-legged frog was "warranted," but that listing was "precluded" due to more urgent priorities. Yet for these species, there is no priority more urgent.



Mountain yellow-legged frog

Earthjustice is pressing ahead with suits intended to get the listing process back on track. We will continue to work hard to protect these creatures and their delicate home in our Sierra Nevada.



The Bush administration's new plan allows increased logging in precious old-growth habitats, even protected national monuments like the Giant Sequoia National Monument.

APPEAL ALERT: GIANT SEQUOIA NATIONAL MONUMENT

In June 2000, President Clinton issued a Presidential Proclamation protecting Giant Sequoia groves and their surrounding areas. His straightforward language stated that: "Removal of trees, except for personal use fuel wood, from within the monument area may take place only if clearly needed for ecological restoration and maintenance or public safety."

In December 2003, the Forest Service issued its Final Sequoia Monument Plan, which is entirely contrary to that intent. It arbitrarily allows any species of trees up to 30 inches in diameter to be removed from any part of the monument area, in the name of fire protection. Eighty percent of those large trees are more than 100 years old.

Giant sequoia groves are not a timber crop to be cut and replanted. Once these old growth areas are harvested, they will be gone forever.

The Forest Service's new plan does not prioritize thinning and removing brush from areas that pose a real fire threat to nearby communities. Instead, it calls for logging far from homes, requiring the construction of new roads. The Forest Service will cut and sell 7.5 million board feet of timber every year, enough to fill 1500 logging trucks, for the next ten years.

Our clients' administrative appeal of the Sequoia Monument Plan is currently pending before the Forest Service. Earthjustice will consider filing suit challenging this plan if the appeal is denied.