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Attorney General Lockyer Files Legal Challenge To Preserve California's Giant Sequoias  
*Moves To Block Bush Administration Plan To Destroy Treasured Trees*

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(SAN FRANCISCO) – Attorney General Bill Lockyer today filed a lawsuit to block the Bush Administration's plan to permit commercial logging in the Giant Sequoia National Monument (Monument).

"The giant sequoias are more than part of the California landscape," said Lockyer. "They are part of us. They stand as majestic guideposts to our history and treasured symbols of our state. Now, the Bush Administration, continuing to supplicate itself to the timber industry, wants to turn John Muir's 'big trees' into dead wood. We have too much at stake to let them succeed."

The 2000 proclamation by President Clinton (Proclamation) that established the Monument prohibited tree removal in the covered forest land unless "clearly needed" to protect the ecology or public safety. The Bush Administration's Giant Sequoia National Monument Management Plan – adopted in December 2003 – allows an annual timber harvest of at least 7.5 million board feet. In the process, Lockyer's complaint alleges, the Bush plan violates the Proclamation, the National Environmental Policy Act (NEPA) and the federal Administrative Procedure Act (APA).

Filed in U.S. District Court for the Northern District of California, [Lockyer's complaint](#) asks the court to compel the U.S. Forest Service (USFS) to set aside the 2003 plan. Along with the USFS, other defendants include: the U.S. Department of Agriculture and its secretary, Mike Johanns; USFS Chief Dale Bosworth; USFS Regional Forester Jack Blackwell; USFS Deputy Regional Forester Kent P. Connaughton; and Arthur L. Gaffrey, forest supervisor of the Sequoia National Forest.

The Proclamation recognized the "unparalleled resources of the giant sequoia groves and their related ecosystems," Lockyer's complaint states. In part, the Proclamation reads, "The rich and varied landscape of the Giant Sequoia National Monument holds a diverse array of scientific and historic resources. Magnificent groves of towering giant sequoias, the world's largest trees, are interspersed within a great belt of coniferous forest, jeweled with mountain meadows. Bold granitic domes, spires and plunging gorges texture the landscape."

In barring timber harvesting, the Proclamation found the affected forests needed to be restored to help them recover from "a century of fire suppression and logging" that not

only virtually destroyed entire forests, but also increased the wildfire hazard.

The Bush Administration's 2003 plan runs roughshod over the Proclamation, its purposes, wildlife and the sequoias. For example, the plan permits tree cutting in certain spotted owl protection areas and allows canopy cover to be reduced by as much as 30 percent. Such tree cutting, Lockyer's complaint alleges, threatens both the spotted owl and the Pacific fisher.

Additionally, the 2003 plan is not really a plan at all, the complaint alleges. This defect frustrates the public's ability to understand the actions that will be taken under the plan and their environmental consequences, according to the complaint. In place of a management plan with specific standards and guidelines, the complaint alleges, the USFS refers to a patchwork of previously adopted forest management documents that have been superseded or modified.

The Bush plan "has so little detail and analysis that it is impossible to discern how the diverse resources and extraordinary number of habitats within the Monument will be managed, or which of the overlapping set of guidelines from the patchwork of conflicting planning directives applies," the complaint alleges.

The Bush Administration's "failure to adopt a discernible management plan," as well as its failure to adequately assess alternative approaches or the environmental effects of the 2003 plan, violates the Proclamation, NEPA and APA, according to Lockyer's complaint. Additionally, the complaint alleges the 2003 plan violates the 1990 Sequoia Mediated Settlement Agreement (MSA). The MSA resolved disputes over the 1988 land and resource management plan for the Sequoia National Forest, which encompasses the Monument. The Attorney General's Office is a party to the MSA.

Six conservation groups on January 27, 2005 filed a similar federal-court challenge to Bush's management plan for the Monument.

Giant sequoias, which sometimes grow taller than 270 feet and reach diameters of 30 feet, exist only in the Sierra Nevada. Their ancestors graced the Earth as far back as 20 million years ago. The Monument is home to 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.

One of the more eloquent commentaries about the unique majesty of the giant sequoias came from President Bush's father, former President George Bush. In a 1992 presidential proclamation that launched the effort to preserve these crown jewels of the Sierra Nevada, George Bush observed, "For centuries, groves of the Giant Sequoia have stimulated the interest and wonder of those who behold them. The Giant Sequoia is a tree that inspires emotion like no other and has mystically entered the hearts of humanity everywhere."

The lawsuit filed today is the second major legal challenge mounted this year by Lockyer

against the Bush Administration's forest policies. On February 1, 2005, he sued in federal court to set aside the USFS plan to cut down more trees and reduce wildlife protections in 11.5 million acres of Sierra Nevada National Forest land.

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