
Judge: Agency violated own rules on timber sales

DAVID ERICKSON

david.erickson@missoulain.com

A judge has concluded that the U.S. Forest Service violated its own rules by approving two timber sales north of Albion.

Called the Butler and Soldier-Blue timber projects, the sales would require logging and road construction in habitat crucial to the survival of grizzly bears, elk and trout. Logs would come out of a 45,160-acre area in

the Ninemile Ranger District and be sent to timber mills.

U.S. District Court Judge Kathleen DeSoto issued a series of findings and recommendations on the matter Wednesday after hearing oral arguments last week. She recommended that the sales be halted until they no longer violate the Endangered Species Act and the National Forest Management Act.

The Alliance for the Wild

Rockies and the Flathead-Lolo-Bitterroot Citizen Task Force sued the Forest Service and the U.S. Fish and Wildlife Service, saying the government agencies ignored Lolo National Forest planning standards.

The plaintiffs had argued that the Forest Service hadn't taken into account 137 miles of old roads in the logging areas when analyzing how grizzly bears might be affected. Forest plans

say that backcountry roads can harm grizzly bears, which are protected under the Endangered Species Act.

DeSoto found that the Forest Service did not adequately ensure grizzly bears will not be harmed by road construction and use. DeSoto also found that the Forest Service did not comply with its own standards to protect

Please see **LOGGING**, Page A12

Logging

From A9

elk winter range and habitat for species that depend on standing dead trees.

DeSoto's findings and recommendations will be reviewed by a judge in U.S. District Court. A final binding order will be issued at a later date.

"This is another enormous 'landscape scale' logging and road-building project that encompasses more than 70 square miles and adds well over 44 miles of new roads to the already highly-roaded landscape," said Mike Garrity, executive director of the Alliance for the Wild Rockies. "This case is not over, we have not won or lost, but we are happy with the court's finding and recommendations

to the District Court Judge."

The project calls for logging or burning 9,975 acres, he said, including 114 acres of clearcuts. It's located about seven miles northwest of Huson.

A spokesperson for the Lolo National Forest did not return a call seeking comment on Thursday. A call to Anna Munoz, a public affairs specialist for the U.S. Fish and Wildlife Service, was not returned on Thursday.

"The Forest Service estimates that they will lose \$5,122,000 on the Soldier Butler logging and burning project," Garrity said. "That's a direct subsidy of federal taxpayer dollars to the timber industry to seriously damage our dwindling intact National Forests which are badly needed carbon sinks and wildlife habitat for private profit."