

THE SESPE WILD

The Newsletter of the Keep the Sespe Wild Committee

P.O. Box 715, Ojai, CA 93024 (805)

921-0618 www.sespewild.org

LAWSUIT FILED TO SAVE PINE MTN. ANCIENT CONIFERS

APRIL 2022

KSWC joined Los Padres ForestWatch to retain Santa Barbara's Environmental Defense Center (EDC) to file suit against the decision by Los Padres National Forest (LPNF) to log up to 15,000 old growth native conifers from the Pine Mountain/Reyes Peak ridge line north of Ojai.

The lawsuit was filed on April 27. The City of Ojai and the County of Ventura are both filing their own lawsuits opposing the logging plan. The EDC is also representing the American Alpine Club and the Earth Island Institute. The Center for Biological Diversity is representing itself and Patagonia Works in the same lawsuit. LPNF's decision to go ahead with their logging plan came on October 04, 2021, after receiving many thousands of public comments from around the region that almost unanimously opposed this ill-conceived proposal. Lawsuits such as this can take a year or more to come before the federal courts - so please do not expect a decision any time soon.

EXCERPTS FROM THE LAWSUIT

The Forest Service intends to log thousands of trees in the Project area, including an unlimited number of old-growth trees as large as sixty-four inches in diameter.

Reyes Peak contains the only "sky island" near Santa Barbara or Los Angeles, meaning it provides unique habitat to higher-elevation species that cannot survive in the nearby lowland regions.

The Reyes Peak Project is also located entirely within ancestral lands of the Chumash people, and Pine Mountain (known by its traditional name of "Opnow"), is a sacred peak that is significant to the spiritual and religious beliefs of the Chumash.

The Forest Service violated the National Environmental Policy Act when approving the Reyes Peak Project. The agency wrongly relied on categorical exclusions instead of conducting an environmental assessment or environmental impact statement, thereby short-circuiting public involvement and the consideration of alternatives. The Forest Service ignored the requirements of the categorical exclusions that were relied upon.

The agency's categorical exclusions do not authorize commercial thinning, and do not authorize the logging of large trees that contain dwarf mistletoe, or the removal of snags or downed wood. The agency failed to maximize the retention of old-growth and large trees, consider the best available scientific information, and develop and implement the project using a collaborative process.

Wildlife impacts were also wrongly ignored under the Endangered Species Act. The Project area is home to the endangered California condor, which uses large trees for roosting.

In addition, the Sespe-Frazier Inventoried Roadless Area (IRA) is protected by the Roadless Rule. This Rule forbids logging in any IRA except in very limited circumstances, such as the logging of small diameter trees.

Moreover, over thirty percent of the Project would occur within two proposed additions to the Sespe Wilderness approved by the House of Representatives with the passage of the Central Coast Heritage Protection Act. The Act is awaiting a vote in the Senate. The data shows there are fewer trees in the Project Area today as compared to 1930. The Forest Service based its decision to log the Project area on

these wrongful assumptions. The Forest Service did not consult with several of the local Chumash tribes, bands, clans and family groups in order to identify cultural resources on the Project site.

The Project authorizes the mastication of hundreds of acres of chaparral. Plaintiffs' comments discussed how this action can increase, rather than decrease, wildfire risk. Specifically, it can lead to an increase in non-native, invasive plant occurrence in the area ... especially by non-native annual grasses which can increase fire occurrence and frequency.

Vegetation removal on Pine Mountain ranks very low on the Forest Service's own priority list. Specifically, in a 2015 assessment, officials listed the Reyes Peak project as priority number 118 out of 163 projects.



One of several campgrounds along the Pine Mountain ridge line, at 7,000 feet in elevation, east of the summit of Hwy. 33, surrounded by old-growth conifer trees.

DONATIONS TO KSWC:

Please continue to support KSWC's work with a donation. You may mail your donation to - KSWC, PO Box 715, Ojai, CA. 93024. Donations are not tax-deductible. If our lawsuit against Los Padres Forest's planned logging of up to 15,000 trees along the Pine Mountain ridge line is successful, the funds we expended for the legal team at the Environmental Defense Center will be refunded to KSWC and the other plaintiffs at the conclusion of the proceedings.