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Lawsuit aims to block major logging projects in Bozeman area

By Helena Dore Chronicle Staff Writer Jul 24, 2020



From left, Jeanelle Fromelt and her kids Mackenzie Fromelt, 3, and Jordan Fromelt, 4, and Adrienne Qualm with her daughter, Bryndle, 1, react to the splash from a rock Jordan threw into Bozeman Creek on Thursday, July 23, 2020. Custer Gallatin National Forest has approved a logging and burning project in the Bozeman and Hyalite Creek drainages. The project hopes to protect Bozeman's water supply in the event of a wildfire.

Rachel Leathe/Chronicle

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An environmental law firm has sued the Forest Service to block two major logging projects in the Bozeman area.

In the lawsuit, the Cottonwood Environmental Law Center accused the Forest Service of approving the Bozeman Municipal Watershed Project and the North Bridgers Forest Health Project under an outdated forest plan that doesn't address climate change.

Cottonwood sued the Forest Service in U.S. District Court for allegedly not supplementing the 1987 plan's environmental analysis before approving the two timber projects. The Bozeman Municipal Watershed Project and the North Bridgers Forest Health Project were approved under the 1987 plan in 2011 and 2018, respectively.

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John Meyer, attorney for Cottonwood, said the failure to supplement the forest plan's review is a violation of the National Environmental Policy Act (NEPA), as the law requires agencies to supplement environmental analyses when "significant new circumstances" or "information relevant to environmental concerns" arise.

Marna Daley, a Custer Gallatin National Forest spokesperson, said the Forest Service is reviewing Cottonwood's lawsuit and continues to collaborate with the city of Bozeman to implement the Bozeman Municipal Watershed Project.

Officials anticipate project work on National Forest lands will begin in late summer or early fall, and work on city-owned lands will begin in the spring or summer of 2021.

"The work on this project is designed to protect the city's municipal water supply, provide for firefighter and public safety, and address wildland urban interface concerns by reducing the risk of fire spread from private property to National Forest, or vice versa," wrote Daley. She did not address the North Bridgers project in her statement.

Meyer said the Forest Service should hold off on projects until it conducts a new environmental analysis of the old forest plan, though a new plan is already in the works.

A draft of the new plan includes updated science related to climate change and wildlife management. The new plan likely won't be finalized until 2021, according to Mariah Leuschen-Lonergan, a Custer Gallatin National Forest spokesperson.

In the lawsuit, Cottonwood cites a 2017 article published in the National Academy of Sciences in which researchers suggest that "most treatments have little influence on wildfire."

The lawsuit also cites a scientific paper written by a U.S. Forest Service scientist in 2000. The study suggests the key to reducing fire losses is reducing "home ignitability." Meyer claims the papers suggest the Forest Service doesn't need to conduct large logging projects to protect homes and structures.

"Climate change is the most existential threat facing humanity," Meyer wrote. "If logging has little influence on wildfire, the Forest Service should let these trees continue to grow and sequester carbon."

The Bozeman Municipal Watershed Project calls for thinning and burning on around 4,700 acres of forest land in the Bozeman and Hyalite Creek drainages. Since 80% of the city's water comes from these drainages, officials worry a large wildfire would cut off or contaminate Bozeman's drinking water.

Though the project was approved in 2011, its implementation was delayed due to an injunction, which a judge recently lifted.

The North Bridgers Forest Health Project is a thinning and logging project set to take place on 2,300 acres between Bridger Bowl and north of Flathead Pass. Officials plan to log along Fairy Lake Road, on Battle Ridge, on Grassy Mountain and along Brackett Creek.

The project targets trees impacted by beetle kill to prevent large wildfires. A judge sided with the Forest Service in a recent lawsuit over the project.

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Helena Dore can be reached at hdore@dailychronicle.com or at 582-2628.

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Helena Dore
Helena is the Environmental Reporter for the Bozeman Daily Chronicle.

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2820 West College
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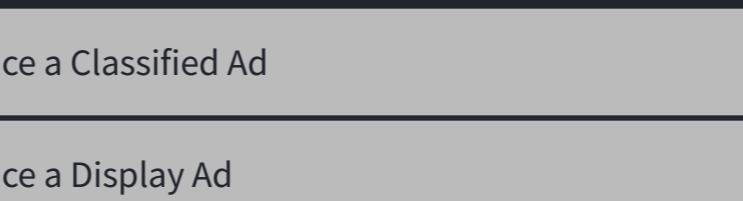
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