

## **PRESS RELEASE**

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*For immediate release*

### **Judge rules Forest Service violated the law in rolling back forest protections**

Today, [a federal judge made a sweeping recommendation](#) to set aside an illegal Forest Service rule change made under the Trump administration. Conservation groups, with support from the Nez Perce Tribe, challenged a change to the Eastside Screens, a longstanding set of rules to protect old growth on six national forests in Eastern Oregon and Washington.

The Screens protected trees over 21” in diameter on over 7 million acres of public lands. These represent the largest 3% of trees in the region. Just days before President Biden took office, a political appointee of the Trump administration illegally changed the rule and allowed those trees to be logged. The Forest Service was joined by the timber industry in defending the change.

A U.S. Magistrate Judge in Pendleton, Oregon, found that the Forest Service should be required to prepare a full environmental impact statement: “The highly uncertain effects of this project, when considered in light of its massive scope and setting, raise substantial questions about whether this project will have a significant effect” on the environment, including endangered aquatic species.

Jamie Dawson of Greater Hells Canyon Council was pleased with the result but stated, “It’s a shame that we needed a court to tell the Forest Service that they must follow the bedrock environmental laws that have been in place for decades. Completing a full public process and taking a hard look at the environmental impacts of their actions is the least they should be doing, especially when considering such an impactful decision.”

The Eastside Screens were initially put in place by the Forest Service to protect remaining habitat for old-growth-dependent wildlife; certain species were in rapid decline after decades of logging of the biggest trees in Eastern Oregon and Washington. For almost 30 years, the Screens reined in the removal of large trees and prevented unnecessary conflict on many logging projects.

The amendment was criticized for being a politically-motivated action that circumvented public and tribal involvement and ignored an established and growing body of science that contradicts the decision. More than 100 independent scientists joined dozens of conservation, climate, indigenous, and public health groups in opposing the rule change.

The court recommended that the plaintiff groups prevail on all three of their claims, finding that the Forest Service violated the National Environmental Policy Act, the National Forest Management Act, and the Endangered Species Act, and recommended that Forest Service’s

decision be vacated and the Service be required to prepare a full Environmental Impact Statement (EIS).

"We're pleased with the Court's decision to invalidate the Forest Service's misguided choice to remove protections for large trees on our public lands," said Rory Isbell from Central Oregon LandWatch. "Today's decision solidifies the value of large trees for our forests, wildlife, freshwater, and climate. We look forward to seeing these trees safeguarded well into the future."

A recent scientific study found that the biggest and oldest trees covered by the rule make up only 3% of regional forests in the Pacific Northwest yet [store 42% of forest carbon](#). Those trees also provide critical habitat for wildlife, keep water clean and cold, are resilient to wildfire, and are at the core of cultural values.

"The Sierra Club has long stood with our nation's trees and forests, protecting these resources for our health and well being, as well as for that of future generations. We are encouraged that the court has sided with our case to protect the largest trees of our Eastside forests. We cannot stop here, but will continue to enlighten and encourage all people to experience the peace and awe of large trees and complex ecosystems, and use our legal system when we have to," said Mathieu Federspiel of the Juniper Group Sierra Club.

In addition, on April 22, 2022, President Biden issued [Executive Order 14072 on Strengthening the Nation's Forests, Communities, and Local Economies](#), which directs the Forest Service to conserve America's mature and old-growth forests as a part of a science-based approach to reduce wildfire risk and combat the climate and biodiversity crises.

"The Forest Service rushed through a politically motivated rule change to log the most ecologically important trees left on our landscape. Sadly, this is in line with their well-earned reputation for putting logging before the need to address the climate and biodiversity crises," said Chris Krupp of WildEarth Guardians.

Rob Klavins, an advocate for Oregon Wild based in rural Wallowa County is looking forward, saying "We hope the Forest Service will take this decision to heart. As they go back to the drawing board, we expect them to meaningfully involve all members of the public to create a durable solution. That includes Tribes, local conservationists, and independent scientists who were all deliberately marginalized in the first process. We call on the Biden administration to stop defending this illegal Trump rule change, and we encourage Senators Wyden and Merkley to empower all stakeholders in a process that will reduce conflict and ensure better outcomes in the future."

"We stand ready to move forward with all parties, and the Forest Service to achieve a durable solution." said Amy Stuart, a fish biologist and spokesperson for the Great Old Broads for Wilderness.

Greater Hells Canyon Council, Oregon Wild, Central Oregon LandWatch, Great Old Broads for Wilderness, WildEarth Guardians, and the Sierra Club are represented by attorneys Meriel Darzen and Oliver Stiefel from the nonprofit Crag Law Center.

For more information, see the [FAQs](#); for maps and photos, see the [Press Folder](#).

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