



NEWS RELEASE

United States
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U.S. Forest Service
Helena National Forest
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For Immediate Release

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Clancy Unionville Project Upheld by Ninth Circuit

HELENA, MONT., January 21, 2009—In a decision issued on January 21, the Ninth Circuit Court of Appeals affirmed the Helena National Forest's Decision for the Clancy Unionville Vegetation Management Project. In a lawsuit brought by Alliance for the Wild Rockies, Native Ecosystems Council and the Wildwest Institute, the court held that the Forest Service had adequately ensured the viability of wildlife, has not violated the National Forest Management Act and had fully complied with the National Environmental Policy Act.

Helena District Ranger Duane Harp said, "We are obviously extremely pleased that the Ninth Circuit has found in our favor, but it's bittersweet news because with the current beetle epidemic, the vast majority of the project area which was proposed for timber harvest is now dead." Harp went on to say that of the 1300 acres of commercial thinning and 115 acres of regeneration harvest included in the decision, only about 100 acres of harvest could now be done because of the change from live to dead and dying trees.

"We now have to decide if we will do any harvest at all under the Clancy Unionville decision. We will however, move forward with the prescribed burning and other treatments that are outside the timber harvest units."

Planning for the Clancy Unionville project began in 1997. The purpose and need for the project included reduction of the threat of large scale catastrophic wildfire, and providing for healthy native forest and grassland communities. A final environmental impact statement and decision for the project was issued in 2000; that decision was appealed and remanded back to the Forest by the Regional Forester. Additional analysis was conducted and a new decision issued in February 2003. That decision was litigated and was in the legal system until the decision by the Ninth Circuit.

The project was proposed to be a stewardship contract where the value of the timber would be used to accomplish important work including weed spraying, road and watershed improvements, fuel reduction and other important work.

If you have questions or want more information call Duane Harp at 406-495-3924 or stop by the Helena Ranger District office.

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