

USFS in legal fight over coverup of employee who may have used pot

By Denny Walsh, Sacramento Bee

The Moonlight Fire was the U.S. Forest Service's worst nightmare.

For two weeks in September 2007 it raged like a fire-breathing dragon across 65,000 acres in Plumas and Lassen counties, devouring everything in its path, including 46,000 acres of lush national forest.

But there is an additional troubling dimension to this catastrophe, one that, like the fire itself, still haunts the Forest Service. From the start, there was a recognition of potential legal complications if it became known that a Forest Service patrol officer claimed another agency employee may have been smoking marijuana while he manned the lookout tower closest to the site where the fire started.

That fear has now been realized. A timber company being sued for causing the fire has filed documents in court that reveal the government tried to cover up the claim, causing dissension within the Forest Service.

Long before the devastating wildfire was contained, federal and state investigators were satisfied that a bulldozer belonging to a company harvesting timber for Sierra Pacific Industries hit a rock and a spark flew into dry duff on private property.

Sierra Pacific and the logger, Howell's Forest Harvesting, strongly dispute that.

The final report on the fire, publicly released on June 30,

2009, included no mention of suspected marijuana use by the Red Rock lookout the day the fire started.

In court papers, Sierra Pacific lawyers describe the report as “completely sanitized.”

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