

Feds blasted for Lake Tahoe logging

By Nick Cahill, Courthouse News Service

SACRAMENTO – A federal judge refused to dismiss a professor's claim that the U.S. Forest Service is damaging the Lake Tahoe watershed by clearing timber and brush and depositing the slash in streams and wetlands.

U.S. District Judge Garland Burrell Jr. ruled Tuesday that the Forest Service's argument was based upon faulty evidence and that plaintiff Dennis Murphy did not waive his legal challenge to the Upper Echo Lakes Hazardous Fuels Reduction Project by failing to comment during a public comment period.

Burrell denied all three of the Forest Service's claims for dismissal.

Murphy, a former consultant for the Forest Service, claims the agency violated the National Environmental Protection Act when it invoked a categorical exclusion for an environmental assessment, and falsely claimed that the project "does not individually or cumulatively have a significant effect on the human environment."

The Forest Service also implemented the project contrary to the description in a memo sent to the public, Murphy said.

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