



# CLEARWATER DEFENDER

## NEWS OF THE BIG WILD

A PUBLICATION OF  
FRIENDS OF THE CLEARWATER

ISSUED QUARTERLY  
WINTER 2013, NO.4

### **Upper Lochsa Land Exchange would shortchange Idahoans** **Guest Opinion** **Janine Blaeloch & Gary Macfarlane**

**Editor's Note: This article originally appeared in *The Spokesman-Review* on November 9, 2013.**

In spring 1999, *The Spokesman-Review* learned that a group of brokers called Clearwater Land Exchange was quietly putting together a 2-million-acre land exchange that would cover vast areas of federal, state and private lands across Idaho. Clearwater was meeting with sportsmen, conservation groups and politicians to tie up support for their scheme. They had maps and detailed plans. They hired a big-name public relations firm to shop it to the public.

But they had yet to speak with the agencies whose lands would be involved.

Once exposed in the pages of *The Spokesman-Review*, Clearwater dropped the deal. A few months later, a *Spokesman-Review* reporter found that some of the same guys had earlier reaped a huge profit courtesy of U.S. taxpayers when they bought a coveted 520-acre parcel of old-growth cedar on Priest Lake for \$1.55 million, and later traded it to the U.S. Forest Service at a value of \$8.75 million.

Idaho is not alone in hosting land exchanges. Wherever there are swaths of public lands, there are land traders ready to go to work. Most Western states have seen dubious deals, and the U.S. Government Accountability Office reported in 2000 that land exchanges were harming the public interest. Not every exchange is a shady deal, but experience has taught people who value public lands to be deeply skeptical of these projects.

It is within this context that Idahoans were confronted with the Upper Lochsa land exchange proposal. The overall plan was to consolidate checkerboard lands to simplify land management. Western Pacific Timber would trade 39,000 acres of mostly cutover land they own within the boundaries of the Nez Perce-Clearwater National Forests for 18,000 acres of public land (and lots of trees) in those forests, and in the Panhandle.



**Does Senator Jim Risch intend to bail out Western Pacific?**

**FOC File Photo**

that district would pretty much be privatized.

Nevertheless, over seven years, hundreds of citizens participated in the U.S. Forest Service's analysis and public involvement process for the trade under the National Environmental Policy Act. Many advocated the outright purchase of the WPT lands. Unfortunately, the Forest Service badly bungled its approach, at one point issuing an analysis of an acre-for-acre exchange at the behest of Idaho County commissioners who didn't want any net gain in public land. Such an exchange is illegal because land trades are based on equal land value, not acreage.

This foray outside the law didn't bolster the public's confidence in the Forest Service. Worse, it raised the specter of land-exchange legislation because that is the only way to get a trade through with such special provisions. Opponents of that trade understand that this opens the door to all manner of manipulation, and closes the door on the public.

Flawed though it can be, the agency process for land trades involves the public every step of the way, and citizen input really can make a difference in the outcome. Once a deal goes to Congress though, your only recourse is seemingly futile letters and phone calls, or the expensive option of flying out to Washington, D.C., to give five minutes of testimony. That is, if you are invited.

**See purchase option page 4**

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**We honored the Nez Perce Tribe and Idaho Rivers  
United at our Annual Meeting & Gathering for  
their dedication and sacrifice in helping prevent  
the Middle Fork Clearwater & Lochsa Rivers from  
becoming an industrial mega-corridor.**

**Photo Credits, Tom Hansen.**



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## FRIENDS OF THE CLEARWATER

THE CLEARWATER DEFENDER  
IS A PUBLICATION OF:

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Friends of the Clearwater, a recognized nonprofit organization since 1987, defends the Clearwater Bioregion's wildlands and biodiversity through a Forest Watch program, litigation, grassroots public involvement, outreach, and education. The Wild Clearwater Country, the northern half of central Idaho's Big Wild, contains many unprotected roadless areas and wild rivers and provides crucial habitat for countless, rare, plant and animal species. Friends of the Clearwater strives to protect these areas, restore degraded habitats, preserve viable populations of native species, recognize national and international wildlife corridors, and bring an end to commodity extraction and industrialization on public lands.

Friends of the Clearwater is a 501(c)(3) non-profit organization. All contributions to Friends of the Clearwater are tax-deductible.

The Clearwater Defender welcomes artwork and articles pertaining to the protection of the Big Wild. Articles in the Clearwater Defender do not necessarily reflect the views of Friends of the Clearwater.

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**A festive evening it was**  
**Guest Opinion**  
**FOC Member Barbara Paulson**

A festive evening it was! Something set it aside from other Friends of the Clearwater (FOC) annual meetings. It truly was a celebration of our unusually beautiful and rare part of the world. We are aware that the threats to this area are the “for profit” mega-corporations. This night, together in joy, we were strongly united in our commitment to preserving our lands for future generations.

On November 9, 2013, nearly 100 people arrived at the 1912 building in Moscow to a place made festive by staff, board members, and the general membership. The room was elegantly decorated with red and blue linen tablecloths and napkins. FOC members Kelly Kingsland and Russell Poe, who also managed the silent action, furnished table centerpieces with conifer branches and winter squash. Local businesses and individuals contributed to the many fine items at the auction.

Gary Macfarlane, Brett Haverstick, and members of the FOC Board of Directors facilitated the program, with the original music of Tom Peterson, underscoring the celebration.

Jeff Juel, an outstanding contributor over many years to preserving the natural world, received the Macfarlane plank award. He was also presented with a Great Bear Pendleton blanket by FOC board members Steve Paulson and Chris Norden.

Ashley Lipscomb and Harry Jageman were elected to the FOC Board, along with the re-election of board members who had come to the end of their respective terms.

Idaho Rivers United, represented by staff member Kevin Lewis, received an award for their ongoing contributions and successful lawsuit to halt megaload shipments within our sacred lands.

NPTEC member Brooklyn Baptiste, FOC advisory board member and Nez Perce Tribe member Julian Matthews, and Nez Perce Tribe attorney Mike Lopez accepted an award on behalf of the Nez Perce Tribe in recognition of their leadership in working to stop megaload degradation of our sacred lands. Brooklyn reminded us of the Treaty of 1855, and the gravity of our commitment to uphold these promises.

Complimenting the festivity were baristas Cindy Magnuson and Ashley Lipscomb, both members of the Palouse-Great Old Broads for Wilderness. Staff members of the 1912 Center were also a tremendous help with the set-up and clean-up of the event and shared their kindness and grace. Sioux Westervelt took on the huge job of managing the food and kitchen with her generous spirit and an efficiency beyond comparison.



**Jeff Juel, plank award recipient**

**Tom Hansen Photo Credit**



**Another yummy potluck at the annual meeting**

**Tom Hansen Photo Credit**

**We would like to thank the local businesses and individuals that donated to our silent auction**

Deadbeat Records, Read It Again Books, Moscow Food Co-Op, Deep Roots Farm, Bookpeople of Moscow, Hyperspod Sports, Gnosh, Mailina Pizzeria Napoletana, Sangria Grille, Moscow Yoga Center, Teresa Baker, Kenworthy Performing Arts Centre, Nectar, Bloom, Howard Hughes Video, Tye-Dye Everything, Paradise Creek Bicycles, Orchard Farm, Twister's Hair Salon, Northwest River Supply, Mikey's Greek Gyros, One World Cafe, Yarn Underground, Julia Parker, Steve Streets, Gail Taber, Maria Magee, Tom Peterson, Brused Books, Landgrove Coffee, Donal Wilkinson and Rolling Hills Bikes.

**Purchase option cont. from page 4**

It seemed like a classic stumps-for-trees exchange. There would be value in the public acquiring WPT's lands, but what would the public lose? People living in the Palouse Ranger District were especially concerned because that district would pretty much be privatized.

Fears were recently confirmed when Idaho Sens. Jim Risch and Mike Crapo and Rep. Raul Labrador asked the Forest Service to suspend the exchange so that they can put together legislation that would include "additional authorities" (read: special provisions) for the Upper Lochsa trade. The list of "principles" guiding their effort is mostly a bland litany of good intentions, but one standout in the list is that the exchange "must provide a net economic benefit to the citizens of Idaho County." That goal is sufficiently off the rails of a normal land trade to signal that the legislation will end up a treasure trove of special language aimed more at gifting constituents than creating a better land-management situation.

The Forest Service largely failed the public on this land trade, and Congress is almost guaranteed to make matters worse. The best outcome at this juncture would be for both the Forest Service and the Idaho delegation to walk away from the exchange. Time, energy and public dollars would be better spent finding a way to purchase the lands in the Upper Lochsa that should be in public hands.

**Editor's Note: Janine Blaeloch is the Executive Director of Western Lands Project. [www.westernlands.org](http://www.westernlands.org).**



This is what Western Pacific Timber land looks like  
FOC File Photo

**Take Action**

Senator Jim Risch (R-ID) is leading the effort to possibly facilitate the transfer of public lands to Western Pacific Timber. It would be disappointing if legislation for an exchange results from this effort. Congress has long held that the National Environmental Policy Act be the public involvement tool for decision-making. Indeed, Congress realized years ago it didn't want to micro-manage federal agencies and came up with guidance in laws on how agencies were to conduct exchanges in the rare instances they would seem to be warranted. Legislative exchanges violate that sound policy, are usually backroom deals, and almost always result in a loss for the public.

Senator Risch or any other member of Congress could best serve the public by assisting the public to purchase these lands. Some of the money needed for the purchase could come from the Land & Water Conservation Fund, a federal program established and controlled by Congress, for such acquisitions. Some money could also come from private entities through donation or conservation trust that works to acquire lands for the public good. A complete purchase option in order to obtain the 39,000-acres of private lands in the upper Lochsa drainage is the only viable solution in the public interest.

Please consider contacting Idaho Senator Jim Risch to let him know that you oppose any efforts to sponsor legislation that would take away valuable public lands owned by all Americans, in order to satisfy the desires of Western Pacific Timber. The upper Lochsa lands need to be returned to the public domain, but not at the expense of trading away other valuable public lands.

**U.S. Senator Jim Risch**  
**United States Senate**  
**Washington, D.C. 20510**  
**(202) 224-2752**  
**[www.risch.senate.gov](http://www.risch.senate.gov)**

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- We welcome any letters from FOC members or
  - citizens that are opposed to the Idaho legislature's
  - efforts to steal tens of millions of acres of federal
  - public lands. If you would like your letter to
  - appear in this newsletter, please submit them to:
  - 
  - **[foc@ friendsoftheclearwater.org](mailto:foc@friendsoftheclearwater.org)**
  - 
  - Try and keep letters to 250 words. We will resume
  - printing them in 2014. Thanks!
  - • • • •



## **Imperiled Fisher**

**Editor's Note: FOC recently worked with other conservation groups to file a petition seeking protection for the Fisher. The native population in the Clearwater is considered by biologists to be the most robust. With that being said, the population(s) in the northern Rockies are alarmingly declining, hence the need for federal protection. Below is the news release, which was issued on September 23, 2013.**

A coalition of conservation groups filed a petition with the U.S. Fish and Wildlife Service today seeking Endangered Species Act protection for the Northern Rockies fisher, a secretive carnivore that lives in old-growth forests along the border of Montana and northern Idaho. The fisher is a cat-like, medium-sized member of the weasel family with a slender, brown body and long, bushy tail. The fisher nearly went extinct in the early 20th century because of trapping and logging of old-growth forests.

"This feisty carnivore that eats porcupines for breakfast has already fought off extinction once. But now it needs Endangered Species Act protection to protect it from the many threats it's facing," said Tierra Curry, a biologist at the Center for Biological Diversity and primary author of the petition.

Fishers are legally trapped in Montana, and in Montana and in Idaho they are sometimes accidentally caught in traps set for other species, such as martens and bobcats. In recent years the number of fishers caught in traps set for other species has increased dramatically, raising concerns for the rare carnivore's survival. Twice as many fishers have been incidentally trapped in Idaho since 2008 as were captured from 2002 to 2007. In Idaho reported nontarget catch of fishers by individual fur-takers was 46 fishers in the 2010-2011 trapping season, four of which were killed, and 30 fishers in the 2011-2012 trapping season, 18 of which were killed. There has also been an increase in the number of trapping licenses sold in recent years, likely related to trapping for wolves.

"Northern Rockies fishers are one of the rarest carnivores in the West. Their dangerously low numbers make this cousin of the weasel susceptible to ongoing and increasing threats such as trapping and habitat loss from logging and fires," said Kylie Paul, Rockies and Plains representative at Defenders of Wildlife.

Today the Northern Rockies fisher is found only in sections of western Montana and northern and central Idaho, but it once ranged from eastern British Columbia and southwestern Alberta through areas of northeastern Washington, Idaho, Montana, northwest Wyoming and north-central Utah.

In 2011, the Service determined that fishers in the Northern Rockies portion of their range are distinct from fisher populations in the East and on the West Coast due to genetic differences. New genetic information has also revealed that the fisher is the only member of its genus, elevating its conservation priority. Previously fishers were considered to be in the same genus as martens.

Conservation groups originally petitioned for protection for the Northern Rockies fisher in 2009. The Service issued a negative finding on that petition, because at the time trapping levels were lower and less information was available on the specific habitat needs of the species in the northern Rockies. The Service must issue an initial finding on the new petition within one year.

"The increasing number of fishers being caught in traps is alarming and likely poses a threat to the northern Rockies fisher population. We hope the Service will act quickly to grant the fisher the protection it needs to address this problem," said Arlene Montgomery, program director at Friends of the Wild Swan.

"Endangered Species Act protection will help save fishers in the Clearwater Basin where many fishers have been killed in the past few years by incidental trapping," said Gary Macfarlane, ecosystem defense director at Friends of the Clearwater.

"Fisher habitat faces a variety of threats as a result of landscape manipulation and other human activities in the northern Rockies. Endangered Species Act protection for the fisher is overdue, and listing under the Act would help protect and restore the striking western landscapes that fishers call home," said Travis Bruner, public lands director at Western Watersheds Project.

"Protecting the Northern Rockies fisher and its habitat will also protect habitat for many other species that make this region so special," said Larry Campbell, conservation director at Friends of the Bitterroot.



**This native of the Clearwater needs federal protection  
US Fish & Wildlife Service Photo Credit**

## **Around the Clearwater**

### **Gary Macfarlane**

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#### **Adios National Forests: Graft**

The robber barons of the late 1800s have not gone away, though they have changed with the times. Further, in spite of polls to the contrary, a significant segment of Congress is trying to pass legislation that seeks to steal public lands and/or resources from those public lands for the benefit of the current robber barons or corporate special interests. While the purpose of this article is not to delve into the history and politics of public lands, it is interesting to note the role graft and corruption have played in public land issues, a history that goes back essentially to the founding of the United States.

Below are some of the current bad pieces of legislation. While these bills may not go anywhere, the mere fact that they have been introduced is great reason for concern. It suggests that neither the democrats, nor republicans, take the conservation movement seriously, and/or the political system is so broken that the opinions of ordinary citizens don't matter.

A bill that passed the House, HR 1526, would mandate massive logging on national forests, restrict public involvement by gutting the National Environmental Policy Act, grant special interests more control over public lands, and give away over one-million acres of forested public lands in southwestern Oregon, currently administered by BLM, to a so-called trust to be managed under state laws. This bill has all sorts of other provisions in it, mostly bad, including one that would restrict the ability of the Forest Service to regulate off-road vehicles. There are a couple of small wilderness designations, but they are a minor part of this awful bill. Even though the bill has limited bi-partisan support in the House, President Obama has promised a veto if it passes.

Senator Wyden introduced a senate bill that only deals with the lands in southwestern Oregon. Thus, it is not as expansively bad as HR 1526, and it wouldn't give the public land to a so-called trust. However, it would reduce Endangered Species Act protections, gut the National Environmental Policy Act – the law that creates a meaningful public engagement process for public lands -- and reduce stream buffers designed to protect fish habitat and water quality.

Yet, another bill, intended to gut public input processes and ignore the serious impacts of livestock grazing on public land, has momentum in both the House and Senate (S 258). While there are different versions, essentially the bill would make it nearly impossible for the

Forest Service and BLM to manage livestock on public lands. This would have devastating impacts to wildlife and watersheds.

Don Young from Alaska recently introduced a bill that would allow states to manage public lands. This is one of the worst bills -- along with HR 1526 -- to ever be introduced, as it is geared toward commodifying and marketing public land -- all public land, including national parks. While it is unlikely this bill could pass in the near future, it shows the degree to which those that want to commodify and marketize our national treasures will go. Not long ago, a bill like this would never have been introduced.

Finally, the state legislature is still toying with the idiotic idea of taking over public lands. In spite of overwhelming opposition, they seem intent on pushing forward. Hearings on the proposal may be held in north-central Idaho and other parts of the state. Stay tuned.

#### **Around the Clearwater in Snapshots**

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It has been very busy in the Clearwater country. The Forest Service has again delayed release of the first legitimate round of public involvement -- called scoping under the National Environmental Policy Act -- for the revision of the forest plans for the Nez Perce and Clearwater National Forests. The two forests were recently combined administratively, though they remain separate forests. The Forest Service is calling them the Nez Perce-Clearwater National Forests. It doesn't look like the Forest Service will have an initial proposal until well into 2014. The new planning regulations under which forest plans are to be revised, were intended to be more efficient than the old regulations. They are not.

Friends of the Clearwater will provide important information to members and all interested parties once the Forest Service officially begins the scoping process. Stay tuned.

Alliance for the Wild Rockies and Friends of the Clearwater received a strange ruling from the magistrate judge on the Little Slate Timber Sale, which we had challenged in court. The Forest Service conceded some of the Endangered Species Act claims early on, but the judge said the work the agency did after the lawsuit was filed is sufficient. We are looking at appealing this odd decision to the 9th Circuit Court of Appeals.

FOC also joined in a coalition effort in the new objection process on the recently revised Idaho Panhandle National Forest Plan. That plan is an odd hybrid. It was prepared under the 1982 regulations, yet, the administrative review process, called an objection, is under the new 2012 regulations. Jeff Juel, the best forest watch person in

the conservation community, was the main author of the objection. The Forest Service has 90 days to respond and then make a decision. Unlike appeals, objections are filed before the Forest Service makes its final decision.

A poor piece of legislation for the wild Clearwater is poised to pass Congress. HR 876 is supposedly designed to clear up problems with private inholdings in the Selway-Bitterroot and Frank Church-River of No Return Wildernesses where existing water facilities were inadvertently located in Wilderness. Wilderness Watch and Friends of the Clearwater sent in a Freedom of Information Act request, which was greatly delayed due to the government shutdown. Anyway, we learned that rather than being innocent mistakes, it appears that many facilities were either built without Forest Service authorization or the Forest Service abrogated its duty and turned its head. We suggested that the legislation be delayed until more investigation into the circumstances behind these inholdings -- (3) in the Selway-Bitterroot Wilderness and about (20) in the Frank Church-River of No Return Wilderness--can be undertaken.



**Anna Vee Brandborg**

**Brandborg Family Photo Credit**

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### **Remembering Anna Vee Brandborg Gary Macfarlane**

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Wilderness advocates lost a longtime champion of wilderness when Ann Vee Brandborg passed away on November 2 after 88 years. Ann Vee was born in 1925 in Oklahoma. After her family moved to Montana, she graduated at the top of her high school class in Glasgow. She graduated from the University of Montana (then Montana State University in Missoula) in 1947. Among many life experiences, she was a fire lookout in the Bitterroot, an expert in caring for animals (including wild animals that had been injured or orphaned), and a longtime teacher and educator, handling some of the most difficult teaching assignments.

She and her husband, Stewart "Brandy" Brandborg, met at the university. They were both at the forefront of battles to protect wilderness and pass the Wilderness Act. After they married in 1949, they spent part of their honeymoon on a pack trip into the Selway-Bitterroot Wilderness. Regarding their marriage, Brandy is quoted saying he was "big dumb lucky that he got her." After moving east to Maryland, she continued teaching school, while Brandy worked for little pay for conservation groups, and eventually landing as the executive director of the Wilderness Society when the Wilderness Act passed in 1964.

Anna Vee and Brandy moved back to Montana in the 1980s to the Bitterroot Valley. Anna Vee immediately became involved with environmental activism by helping found and nurture the Friends of the Bitterroot and Bitterrooters for Planning. In more recent years, she dedicated much time to the goal of placing a community college in Hamilton, Montana. She also took the plunge into acting, appearing as the lead in *Arsenic and Old Lace* in 2001.

While words don't do her justice, Anna Vee was dazzling and electric. She was the only person who could handle Brandy's talkative nature with such wit and charm. Besides being a longtime FOC member, Anna Vee has a very special connection to the organization. Many FOC members may remember in 2007 when Anna Vee and Brandy danced up a storm at our annual meeting to big band music by Fritz Knorr and Jeanne McHale. What a night that was!

Anna Vee will be sorely missed. Our condolences go to Brandy, her husband of 64 years, and the rest of the Brandborg family. Anna Vee made the world a much better place. There wouldn't be a National Wilderness Preservation System if it weren't for people like her.





Seasons Greetings! Winter in the Clearwater National Forest  
FOC File Photo

## FRIENDS OF THE CLEARWATER CALENDAR OF EVENTS WINTER 2014

FOC BENEFIT CONCERT

**With Smokin' Mojo, Fiddlin' Big Al, Matti Sand & Others**

SATURDAY MARCH 22, 2014

GREAT ROOM, 1912 CENTER, 412 E THIRD STREET, MOSCOW, 7-11PM

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