



CLEARWATER DEFENDER

NEWS OF THE BIG WILD

A PUBLICATION OF
FRIENDS OF THE CLEARWATER

ISSUED QUARTERLY
WINTER 2017, NO.1

Update on Highway 12 mega-loads settlement and outlook

Guest Opinion, Laird Lucas
Executive Director, Advocates for the West

The battle over mega-loads on Highway 12 may not be over yet, but it has taken a positive turn: the U.S. Forest Service has now officially advised Idaho Transportation Department (ITD) that mega-loads should not be allowed in the Wild and Scenic River corridor across the Clearwater National Forest.

The Forest Service sent ITD the letter on January 26, 2017 as part of a settlement to resolve the federal court litigation brought by the Nez Perce Tribe and Idaho Rivers United (IRU), in response to several Omega Morgan (OM) mega-loads proposed in summer 2013. Advocates for the West represented IRU in that case, and we worked very closely with the Tribe to reach settlement.

As FOC members may recall, one OM mega-load was allowed in August 2013 by ITD, and widespread protests resulted in arrests of the entire Nez Perce Tribal leadership. We quickly filed suit and won an injunction in September 2013 ordering the Forest Service to close Highway 12 to any further OM mega-loads in the Wild and Scenic corridor.

The Forest Service has consistently argued it lacks authority to close Highway 12 to mega-load use, since ITD operates the highway under a 1995 easement. In prior litigation we won for IRU, the Idaho federal court ruled that easement required protecting scenic values in the river corridor. Yet both ITD and the Forest Service refused to do so.

The Forest Service appealed the September 2013 injunction order, but instead of pursuing the appeal it agreed to mediation through the Ninth Circuit. The injunction order remained in effect while the mediation dragged on for 3 ½ years. No mega-loads were permitted on Highway 12 during that time.

See settlement page 4

Legal victory against unprecedented helicopter intrusions in River of No Return

Guest Opinion, Katherine O'Brien
Senior Associate Attorney, Earthjustice

On January 19th, wilderness advocates won an important victory when a federal judge ruled that the Forest Service illegally authorized unprecedented helicopter intrusions in the Frank Church-River of No Return Wilderness. Wilderness Watch, Friends of the Clearwater and Western Watersheds Project challenged the agency's authorization for the Idaho Department of Fish and Game (IDFG) to conduct 120 helicopter landings in the wilderness to radio-collar elk. The plaintiffs were represented by the public interest environmental law firm Earthjustice.



IDFG's elk collaring project constitutes the most extensive helicopter intrusion in the history of the National Wilderness Preservation System. And it advanced IDFG management plans that call for exterminating the majority of wolves in the River of No Return Wilderness

to inflate elk numbers for the benefit of commercial outfitters and recreational hunters. Specifically, IDFG aimed to gauge the "effectiveness" of wolf-killing operations it carried out in 2013 - 2014 and generate data to support a ten-year helicopter-assisted elk collaring project in the wilderness.

IDFG's helicopter operations and plans to manipulate the natural predator-prey balance in the River of No Return strike at the very heart of wilderness. As Congress declared in the Wilderness Act, a wilderness, "in contrast with those areas where man and his own works dominate the landscape," is "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." The River of No Return Wilderness epitomizes this vision: at 2.4 million acres, it is the largest contiguous wilderness in the Lower 48 and one of the few wilderness areas large enough to allow natural wildlife relationships to play out without human interference. Because of its size and

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FRIENDS OF THE CLEARWATER

THE CLEARWATER DEFENDER
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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 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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USFWS Photo Credit

Fisher Update

Friends of the Clearwater recently submitted public comments to the US Fish & Wildlife Service concerning the agency’s 12-month long status review for the potential listing of the Northern Rockies Fisher under the Endangered Species Act. Fishers are the largest arboreal or tree-dwelling member of the weasel family and are most closely related to wolverines and martens. The best available science suggests that a staggeringly low 500 individuals remain in Idaho and Montana combined, and that the best habitat for them may be located in the Clearwater Basin. We will keep you informed of the federal agency’s decision.

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Wild Scribes
 Ashley Lipscomb

Is your congressional representative’s voicemail full? Has Idaho Senator Jim Risch locked you out of his office and now requires an appointment? Are you worried your hard-copy letter opposing proposed legislation will not be answered in time?

Writing a letter to the editor (LTE) is an effective way to fast track your thoughts to politicians and staffers. They read newspapers, too. Fellow citizens may appreciate a letter that reflects their sentiments, as well.

Here are two examples submitted by Friends of the Clearwater members. These letters use personal stories as leverage and highlight the importance of legal victories to protect wild places.

Idaho Statesman February 8th, 2017

Last winter brought alarming news that Idaho Department of Fish and Game conducted helicopter landings in the heart of Idaho’s crown jewel, the Frank Church - River of No Return Wilderness — and while the claimed purpose was to collar elk, the agency collared four wild wolves as well.

It was easy to guess the true purpose of IDFG’s collaring activities: continuing its “war on wolves.” IDFG and the Idaho State Legislature make no secret of the fact that they want to decimate the wolf population in Idaho, even in Central Idaho’s wilderness.

The recent news that conservationists prevailed in a legal challenge was gratifying (“Judge orders destruction of data from elk, wolf collaring in Idaho wilderness,” Jan. 19). The court confirmed that such landings violated the Wilderness Act.

IDFG should not be able to use GPS data collected illegally in our wilderness areas. This decision and the order to destroy related information ensures that illegally-gathered data won’t be used to harm wilderness character.

Our wilderness is no place for wolf-killing or collaring. Our large wildness areas are what makes our state great.

Ron Marquart - Boise, Idaho

Lewiston Morning Tribune October 30, 2016

A letter recently accused Friends of the Clearwater, the Nez Perce Nation and others of wanting to end logging and resource extraction on public lands. That is not true. Those groups want to see enforcement of existing environmental laws and protection for areas that are unsuitable for resource extraction.

We are lucky to live in Idaho, where there is abundant

wildlife, wild places and clean water. We cannot continue to build endless miles of roads, to clearcut huge swaths of land or accept pollution of pristine creeks and rivers from mining and landslides. The purpose of activism is not to deprive families of a livelihood, but to leave a healthy land for future generations.

If people want their children to have the same world we have, they will accept that times have changed and figure out how to do things better. When my dad was logging in the ‘50s and ‘60s, things were different. Many manual jobs have been replaced by machinery. Logs were not exported to other countries for processing and mills were robust places of employment.

No one wants to take food from families or cast them onto the streets. The goal is to leave healthy forests and clean water for the future.

Anger at environmental activists is misplaced. Big trees are disappearing and it will be a long time before plantations are ready to cut again. There is plenty of work to be done in the woods. It’s just never going to be like it was.

Susan Westervelt - Deary, Idaho

Not sure what to write about? Contact me at ashley@friendsoftheclearwater.org for more information about becoming an effective *Wild Scribe!*

REGIONAL NEWSPAPERS
 THAT ACCEPT LETTERS TO THE EDITOR

Idaho Statesman

Word Limit: 200
idahostatesman.com/opinion/letters-to-the-editor/submit-letter

Lewiston Morning Tribune

Word limit: 250
letters@lmtribune.com

Moscow - Pullman Daily News

Word limit: 300
letters@dnews.com

Idaho County Free Press

Word limit: 300
idahocountyfreepress.com/submit/letter-to-the-editor

Spokesman Review

Word Limit: 200
spokesman.com/letters/submit

Missoulian

Word Limit: 300
oped@missoulian.com

settlement cont. page 1

The injunction order also directed the Forest Service to study mega-load impacts on the Wild and Scenic corridor and consult with the Tribe. In response, the Forest Service talked extensively to folks who live, work and recreate in the corridor, and they overwhelmingly opposed mega-loads. And the Tribe extensively communicated with the Forest Service to educate it about the Tribe's deep historic, cultural, spiritual and other interests in the corridor.

Through that process, the Forest Service came around – it agreed that mega-loads constitute new industrial uses that threaten corridor values, and should not be allowed. So we agreed to settle the case in return for the Forest Service sending its January 26th letter to ITD stating that.

Normally one would expect a state agency that administers a federal easement to respect the instructions of the federal agency about how the easement should be administered on federal land. I hope ITD will adhere to the Forest Service's instruction not to permit any new mega-loads on Highway 12. But I am not holding my breath.

ITD amended its regulations late in 2016 to address mega-load permitting, and stated – over the Forest Service's objection – that the Forest Service is responsible for authorizing any mega-loads through the Wild and Scenic corridor. This suggests that ITD may well continue to give state permits for mega-loads to use Highway 12, and tell the truckers to get further authorizations from the Forest Service. We are not sure what the Forest Service will do in that event.

But with low oil prices the last couple years, the main demand for mega-load transports – Canadian tar sands development – is far reduced, and it is doubtful that we will see future proposals for extensive mega-load permits like Exxon Mobil's planned 200+ mega-loads in 2011-12.

Moreover, we have proven through the multiple rounds of litigation and appeals brought since 2011 that we can substantially delay and obstruct any mega-load shipment, even if we were unable to stop all of them. The speciality trucking companies that handle mega-loads are well aware of that, and will surely view Highway 12 as not a friendly place going forward – particularly given the recent Forest Service letter to ITD.

Advocates for the West will continue to partner with IRU, FOC, the Tribe, and the many friends who live, work, and care about the Wild and Scenic corridor to battle any future mega-load permits that may arise. The Forest Service's position now that mega-loads should not be allowed will definitely assist in any such future battles.

So stay tuned, stay alert – but enjoy this latest victory in the long mega-loads battle!

Editor's Note: FOC would like to thank Laird and Advocates for the West for their excellent legal representation.

Congratulations to the Nez Perce Tribe and Idaho Rivers United for their great work. We'd also like to acknowledge Borg Hendrickson and Linwood Laughy for their leadership. Pictured from top to bottom: Citizen resistance at Port of Lewiston in response to Conoco Phillips and ExxonMobil megaload proposals, one of the the Nimiipuu Highway 12 blockades and the corridor - the way it is supposed to be. FOC File Photos.



ruling cont. page 1

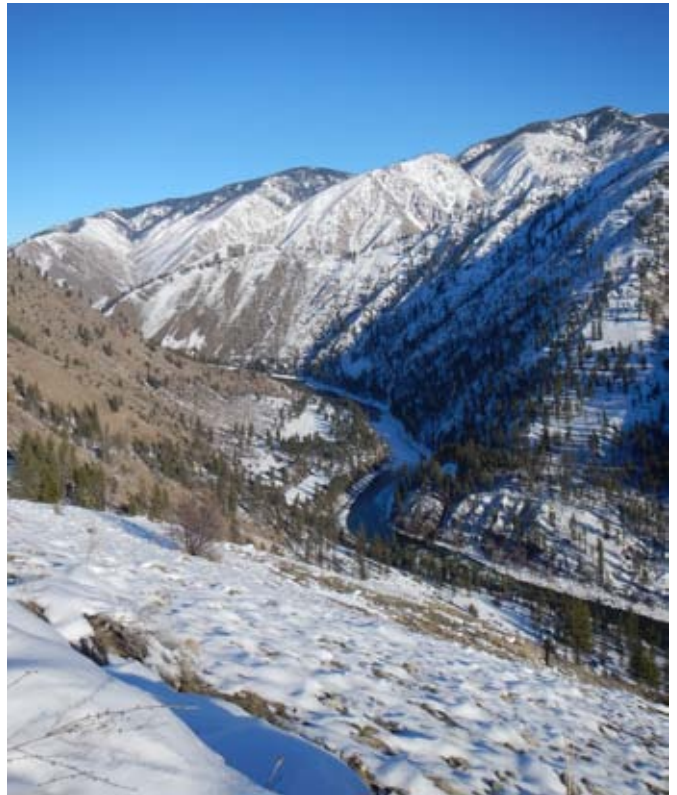
remote location, far from potential sites of conflict between native predators and humans, the River of No Return has served as a key refuge supporting the return of gray wolves to the Northern Rockies. But IDFG's ambitions to manage the wilderness like a game farm, and the Forest Service's refusal to stand up for one of our nation's premier wilderness areas, place the River of No Return under threat.

Because of these concerns, Wilderness Watch and its allies took the Forest Service and IDFG to court when the Forest Service issued a permit for IDFG's helicopter operations in January 2016. Unfortunately, IDFG moved quickly to complete its project in a matter of days, before wilderness advocates could obtain even an emergency court ruling to stop it. Stunningly, IDFG exploited the access afforded by its permit to radio-collar four wolves in addition to elk, despite the fact that the Forest Service never authorized wolf collaring. With those collars in place, IDFG had locational information on four wolves, which it could use to target those wolves and their pack mates for extermination.

The plaintiffs persisted with their lawsuit, and on January 7, 2017, federal district court Judge B. Lynn Winmill ruled that the Forest Service's authorization of the helicopter operations violated the Wilderness Act and National Environmental Policy Act. Judge Winmill also determined that destruction of all radio-collar data generated by the illegal project is necessary to prevent IDFG from using the data to seek approvals for future helicopter intrusions in the wilderness. Judge Winmill rejected IDFG's claims that it has authority to undertake such projects without federal authorization.

The ruling is a major step forward in restoring the rule of law in management of the River of No Return Wilderness and combating IDFG's plans to engineer natural wildlife dynamics to suit its hunter-driven goals. Such heavy-handed manipulation falls far outside the mainstream of state wildlife management practices and is irreconcilable with wilderness.

Editor's Note: Friends of the Clearwater would like to thank Managing Attorney Tim Preso and the entire Earthjustice staff for their great work. We also want to recognize the leadership of Wilderness Watch and the strong efforts of Western Watersheds Project to keep wilderness wild. FOC and allies will continue to watchdog federal agencies to ensure that our public land laws are enforced, and that an "enduring resource of Wilderness" is maintained for present and future generations. Pictured from top to bottom: looking southeast into the Wilderness from the Nez Perce National Forest, and looking upstream on the Salmon River in the River of No Return Wilderness. FOC File Photos.



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Adios National Forests: The Challenge Ahead

Gary Macfarlane

One of the fallouts from what passes for democracy in US elections is an expected assault on public lands and the conservation laws that protect our public land heritage. Many bills have already been introduced in Congress, one of which was withdrawn by its sponsor due to public outcry (see next paragraph). However, members of both political parties have already done much damage to our public land system, including reducing the ability of citizens to participate in public land decision-making. Past *Defenders* have detailed issues such as changes in laws that facilitate massive logging on National Forests without meaningful public involvement or adequate environmental review via the 2014 Farm Bill. Other examples include proposed funding mechanisms that promise to make it difficult to even walk on public lands without paying a fee.

Current threats to our public lands fall into several categories. The first is outright theft of public lands from citizens, which is less likely, though still possible. This would occur through land giveaways, sales or other mechanisms. One bill, which was a step in this direction, was withdrawn by its sponsor, Rep. Chaffetz from Utah, due to tremendous public opposition. Rep. Chaffetz has also introduced a bill that would make enforcement of public land laws the province of local sheriffs rather than Forest Service or other public land employees. This would make any public land law unenforceable.

The second type of threat is turning over management of public lands to special interests and reducing or eliminating citizen involvement in decision-making. Schemes that fall under positive sounding names like “partnerships” (usually with special interests or corporations) or “collaboration” fall into this category - where elite groups dictate management without real citizen involvement.

The third main category of threats is simply repealing laws or reducing protections. The threat of Utah Rep. Rob Bishop repealing the Endangered Species Act is one example, though nothing, yet, has been introduced. Bills have been introduced, however, that would greatly weaken the Act. Another bill recently introduced, the Guides and Outfitters Act, would emphasize corporate recreation interests on public lands over regular citizens.

What makes this assault so daunting is the fact that many in Congress may care little for public lands. Certain elected leaders may be willing to trade public lands in order to keep a social safety net or to prevent other perceived wrongs from happening under the current Congress.



FOC File Photo

Pending bills in Congress affecting public lands:

HR 232: This legislation would allow states to steal ownership of National Forests and make them state land.

HR 289: Would increase fees and give outfitters priority on “special” areas where use is limited due to sensitive resources. FOC sent out an email about this with help from Western Slope No-Fee Coalition.

HR 520: Requires more mineral development on public lands.

HR 622: Terminates law enforcement by BLM and the Forest Service on National Forests and public lands, effectively ending any enforcement of environmental laws or public land laws.

HR 717: Amends the Endangered Species Act and would prevent the listing of a species if economic impacts are considered too great.

As of press time, we don't know who will be the Undersecretary of Agriculture, with control over the Forest Service, or the new Chief of the Forest Service. Even though the Chief is a civil servant, in recent years, whenever a new administration comes into office, the current Chief retires. The nominee for Secretary of Agriculture is former Governor Perdue of Georgia, who has little if any knowledge of National Forests. Congressman Zinke from Montana has been nominated to be Secretary of the Interior, and in charge of the National Park Service, the Fish and Wildlife Service and the Bureau of Land Management. While he claims to not be in favor of taking public lands away from citizens, he is in favor of increased exploitation of public lands, be it mineral extraction or making it easier for corporations to control recreation on public lands. Further, he voted to make it easier to sell public lands.

Grassroots groups have joined together to resist this assault from those in Congress or the administration who would work against US citizens by stealing or turning over control of public lands to special interests. Networks are being established among grassroots groups like FOC to follow actions in Congress. Citizens are confronting politicians who would so cavalierly sell out America's public land heritage, and citizens are being creative in their resistance to this corruption.

Regionally, the Forest Service is doing everything it can to increase logging in spite of the fact that current Forest Plan standards and objectives for water quality and fish habitat are not being met. Even then, the Clearwater Basin and Salmon River Basins provide the best remaining wild fish habitat in the lower 48 states. Sadly, these actions by the Forest Service erode trust in the professionalism of the agency and only serve those special interests who would steal control of National Forests away from all citizens.

For example, the Forest Service is proposing to log roadless areas in the near future under provisions of the Farm Bill that would shortcut citizen involvement and environmental analysis. Sales are slated for roadless land contiguous to the Selway-Bitterroot Wilderness near the Selway and Lochsa confluence and roadless land adjacent to the Hells Canyon National Recreation Area west of the Salmon River Canyon, as well as in the Pot Mountain Roadless Area and the Cayuse drainage in the Weitas Creek Roadless Area. The Forest Service will try to categorically exclude these sales from even a small environmental assessment. As reported in the last *Defender*, FOC recently filed a lawsuit against a roadless timber sale near the Gospel - Hump Wilderness, the first of these roadless sales to emerge. We are ably represented by attorney Katheryn Bilodeau.

The Farm Bill also allowed the Forest Service to contract with the State on timber sales, a policy euphemistically termed "Good Neighbor Authority" (GNA). An internal Forest Service email acquired via a Freedom of Information Act request expressed (correctly so) skepticism and cynicism about the GNA, although the Forest Service is fully embracing the program. The email stated "Congress passed the Farm Bill thinking that a dollar spent in GNA will magically perform more work than a dollar allocated to regular program funds." The same email also stated the problem is "looking at it (the GNA) from a common sense viewpoint." The Good Neighbor Authority is just as the email claims, magical thinking and lacking common sense.

The Forest Service also recently released its court-ordered Supplemental Environmental Impact Statement for the Johnson Bar timber sale along the Selway and Middle Fork Clearwater Rivers. However, there is little change compared to the original EIS, other than adjustments made for economic reasons in spite of the court victory by Advocates for the West on behalf of Idaho Rivers United and

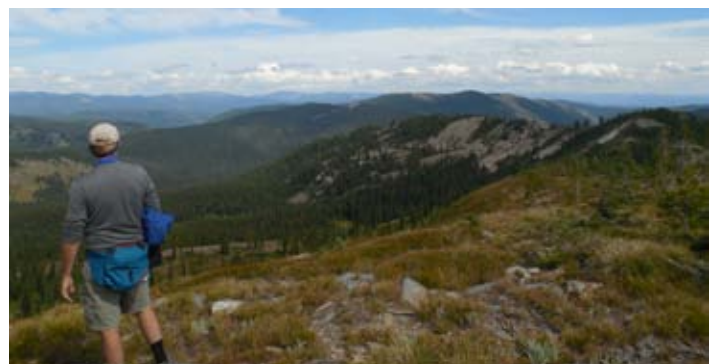
Friends of the Clearwater. The Forest Service must now produce a draft decision, at which point, the objection phase starts over again.

Clear Creek, a nearby proposed massive timber sale was litigated by the Nez Perce Tribe, though the Forest Service dropped the decision before the lawsuit was heard. A faulty sediment model that greatly underestimated sediment impacts from building roads plagued both the Clear Creek and Johnson Bar sales. While the model has supposedly been fixed, it does not seem credible that the Johnson Bar sale would not have been changed even further due to the new model.

One interesting piece of news is that the Forest Service is behind on its revision of the forest plans for the Clearwater and Nez Perce National Forests. The two plans will be combined into one since the two forests have been administratively combined. We expected a draft plan this spring, but it is possible we won't see a draft until 2018. The two forest plans are now almost thirty years old. However, if the initial draft proposal for the Nez Perce and Clearwater National Forests' plan is any guide, the old and outdated plans are far better than what the Forest Service may come up with. Thousands of citizens have already weighed in, the vast majority asking for greater protection of watersheds and fish habitat, roadless areas and rare species.

Lastly, the Forest Service seems prepared to issue travel planning decisions in April on the Nez Perce National Forest and for part of the Clearwater National Forest. However, the Forest Service continues to drag its feet on implementing the judge's order on the FOC, Alliance for Wild Rockies and Sierra Club lawsuit victory for the majority of the Clearwater National Forest. Once the April decisions are out we will consult again with our attorney on how to approach the travel plans on the two forests, plus the plan on the St. Joe Ranger District, which was made last year.

It is going to be a bumpy ride the next few years. We need to stay involved, confronting those who would steal or take away control of public lands from citizens, and insisting that the Forest Service and other agencies act in the broad public interest—humans and non-human alike.



Public land ownership and public involvement go together
Gayla Snyder Photo Credit

2017 Lolo Pass Trip
Guest Opinion, Al Poplawsky
Palouse - group Sierra Club

I'm not sure what my first clue was. It may have been having to drive 35 mph in the dark through slush, snow and ice for over 2 hours on a "curvy road for 99 miles" before finally reaching Lochsa Lodge late Friday evening. Or perhaps it was the abrupt snap of the old Subaru's windshield wiper linkage that couldn't handle the 6 inches of heavy, wet snow on the windshield Saturday morning. Whatever the case, by the time we eventually got to the pass and discovered that the ski trail groomer had broken before the start of the current winter storm, it was obvious that this year's joint FOC/Sierra Club winter outing was going to be a little more "interesting" than usual.

Shortly after noon, outing participants gathered at the Lolo Pass Visitor Center. Some of us had driven up Friday evening, slept in, and then enjoyed a leisurely, scrumptious brunch at the lodge. Others had arisen very early on the Palouse and managed to make it on time. We sorted ourselves into two groups. The first group was made up of nine relative conformists willing to sign the Sierra Club waiver and abide by official Sierra Club outing rules, while skiing through a foot of fresh, heavy, wet snow on an eight mile ungroomed, loop trail. This was the "official" outing. The second and more rebellious group split up into groups of 1-5 and confidently disappeared into the rough terrain on snowshoes or backcountry skis – in falling snow heavy enough to obscure your tracks in the dim light after only a few hours.

The official outing group was lucky to have three 16-year old, young men who by virtue of their youth and need to be first, were excellent at breaking trail through the heavy wet stuff. Even so, we decided at the halfway point of the loop to turn around and take advantage of our set track to sail back to the visitor center long before dark. Gliding through the falling snowflakes in the snow-laden forests and meadows was quite beautiful and peaceful. When we returned some of the snowshoe participants were also back from their forays with a few groups still out.

With light waning and the visitor center getting ready to close at 4:30pm, we realized that something was probably not quite right with the two small groups who had not yet returned. Fortunately, the lone backcountry skier soon appeared and sheepishly admitted to having been "sort of lost."

By 5:15pm however, the two snowshoers had still not returned. We decided to huddle for warmth in the women's bathroom and discuss our options. Should we form our own search party (bad idea in the dark), or should we have the ITD avalanche guy that is sitting in his vehicle in the parking lot call in search and rescue? Just as we were



Group shot near the Visitor Center at Lolo Pass

about to make the difficult decision, we heard relieved yells and screams in the parking lot. The two explorers had "got turned around" but ended up making it back safely - albeit a bit winded and quite late. This might be a good time to remind all backcountry enthusiasts to always take along a compass and topo map or GPS on all outings. Even in relatively familiar territory, conditions can change and add to the challenge of safely finding your way back.

Saturday evening's program was presented by a quickly recovered, but at first somewhat reluctant Brett Haverstick. Gary Macfarlane had canceled due to illness and he was the one that created the powerpoint. Brett shared the slides and did a pretty good job at presenting what Gary probably would have said about the fisher! Between Brett's educated guesses and various contributions from the audience, we had a fascinating discussion. Did you know that the 3 - 13 lb. fisher doesn't actually eat fish? But it is one of the only animals able to kill and eat a porcupine.

Fishers were thought to be extinct due to loss of habitat and extensive trapping, and were "re-introduced" to the Clearwater in the 1960's (due to their ability to eat bark-stripping porcupines and protect newly-planted saplings on the National Forests). However as with other predators, there is good evidence that the fisher didn't need re-introducing (it was still here), and the newcomers have now impacted the native gene pool.

The drive home along the Lochsa, with soaring eagles and water rushing between snow-covered boulders, was beautiful, uneventful and a bit rainy. If your windshield wiper linkage ever breaks, it turns out that two slightly cracked front windows, a seven foot length of parachute cord (thanks Scotty!) with one end tied to each wiper, and a strong-armed person in the passenger seat make pretty good substitutes for the wiper linkage and motor!

Dr. Fred Rabe will be giving a presentation titled, "Diversity of Aquatic Ecosystems in Northern Idaho on Thursday March 9 at 7:00 pm in the Great Room of the 1912 Center in Moscow. The event is sponsored White Pine Chapter - Idaho Native Plant Society.

Don't Pave Paradise
 Guest Opinion, Stephan Flint
 Paradise Ridge Defense Coalition

Are you new to the area and wondering what these “Don't Pave Paradise” bumper stickers mean? Or a long-time resident finding the issue a bit fuzzy because it has gone on so long? Back in 2000 the Idaho Transportation Department (ITD) proposed extending the 4-lane section of US95 over the shoulder of Paradise Ridge, perilously close to one of the largest intact Palouse Prairie remnants. The Paradise Ridge Defense Coalition (PRDC), along with the Idaho Conservation League, challenged this. With the legendary environmental attorney Scott Reed representing PRDC, Judge Winmill made a lightning-fast decision requiring an Environmental Impact Statement (EIS).

Fast forward a decade and a half. On a glacial timeframe, an EIS was completed, public meetings were held, and a Record of Decision issued selecting the same damaging route, now known as “E2”. PRDC is not opposed to completing the 4-lane roadway between Moscow and Lewiston, but believes a lower-elevation route utilizing more of the existing alignment, “C3”, would be less damaging. See paradise-ridge-defense.org for a map and details.

The E2 selection by ITD is not a done deal! The PRDC filed a legal challenge in 2016, and is now preparing court briefs. We have a very winnable case. On every meaningful environmental consideration (wetland impacts, weed spread to Palouse Prairie remnants, wildlife impacts, farmland preservation), the EIS documents our preference (C3) as the logical choice. By ignoring real-world conditions on E2 (more severe weather and inevitably more wildlife collisions), ITD makes the unsupportable claim that E2 is safer than C3.

Paradise Ridge is worth saving! Most of the native Palouse Prairie has been converted to agriculture; only ~1% of the original prairie remains intact. The south end of Paradise Ridge has one of the largest well-preserved remnants.

Long-time FOC member Cass Davis has also found a number of rare giant Palouse earthworms on the ridge. In 2011 Friends of the Clearwater and others were unsuccessful in getting the unique worm listed under the Endangered Species Act.

PRDC needs your help! Legal costs are mounting, and court briefs will be especially time consuming. We welcome your contributions to PRDC, PO Box 8804, Moscow, ID 83843. (PRDC has achieved 501(c)3 status). Like us on Facebook and send questions to flint.stephan@gmail.com

Editor's Note: FOC congratulates PRDC for their efforts to save what's left of the native Palouse ecosystem.

Untamed: The Wildest Woman in America and the Fight for Cumberland Island

Book Review by Ashley Lipscomb

Can a 36,000 acre island be big enough for an old steel family and a road kill-eating, marsh-walkin', wild woman? Find out in William Harlan's New York Times Best Seller, *Untamed*.

Carol Ruckdeschel grew up along Tennessee's Chattahoochee River immersing herself in wildness from a young age. As adulthood set in, Carol tried college and living in Atlanta. However, her desire to live off the land, far from any societal strings, had a much stronger pull than city life.

Carol found her chosen habitat on Cumberland Island, a barrier island off the coast of Georgia, rich in biological diversity. She took particular interest in studying and protecting the island turtle populations and performed autopsies to track the root cause of turtle mortality.

Cumberland Island faced many threats including strip mining projects, resort developments to accommodate more tourists, and private off road vehicle tours. Other issues included the National Park Services' (NPS) wild fire management methods. The NPS continually dumped salt water on freshwater lakes and sprayed fire retardant on sensitive ecosystems. They were more concerned with people's safety and potential property damage. Carol couldn't stand by and let this happen.

The island was already designated a national seashore, but maybe this wasn't enough protection? Maybe Wilderness designation was the only way to protect the island from further degradation?

Follow Carol as she builds her life on the island, interacts with the Carnegie family, navigates personal relationships, and ultimately protects a little piece of paradise along the north shores of Cumberland Island.

Clearwater Country Report
friendsoftheclearwater.org/newsroom

Sign up today to receive 1x month e-updates containing important information about public lands issues and community events!

The future of grizzly bear recovery

Brett Haverstick

Grizzly bears were once common throughout the Clearwater Basin and the Bitterroots. All that changed within one-hundred years of the Lewis & Clark Expedition passing through the region in the early 1800s. Trappers, hunters, homesteaders and ranchers soon took their toll on the “silver-tipped” grizzly bears found along mountain ridges, prairies and various drainages of the Lochsa, Selway and forks of the Clearwater.

Following the fires of 1910, thousands of domestic sheep soon grazed the Clearwater and Nez Perce National Forests, as well as cattle being turned loose in mountain meadows. As a result, stockmen greatly feared grizzly bears and killed them on sight. (Due to forest succession and other issues, domestic livestock grazing no longer occurs on the majority of the Nez Perce-Clearwater National Forests).

The creation of the Selway Game Preserve around 1919, which was for the purpose of preserving elk populations, did little to protect grizzly bears due to the Idaho Department Fish & Game’s continued policy of allowing the killing of all kinds of bears. By the 1940s – 50s grizzly bears were all but extirpated from the Bitterroots and Clearwater.

Around the turn of the 21st Century, the U.S. Fish & Wildlife Service was on the verge of reintroducing grizzly bears into the Bitterroot Mountains of Montana and Idaho. While many groups in the conservation community were critical of the “experimental, non-essential” recovery plan, including the size of the recovery zone and the appointment of a highly politicized “Citizen Management Committee”, the newly elected Bush administration pulled the plug on the entire plan.

Since that time, the federal government has strictly looked at recovery of grizzly bear populations in the North Cascades Greater Ecosystem, Cabinet-Yaak Greater Ecosystem, Northern Continental Divide Ecosystem and the Greater Yellowstone Ecosystem. It’s worth pointing out that the Salmon-Selway Greater Ecosystem offers the best and largest habitat for grizzly bears in the Lower 48. It’s also worth noting that the 2000 Bitterroot Ecosystem Recovery Plan Chapter did not implement the best-available science and instead created artificial boundaries for the planned recovery zone, leaving out excellent habitat in the N. Fork Clearwater, upper reaches of the St. Joe drainage, and other places.

In 2007, a grizzly bear was tragically shot in the roadless Kelly Creek drainage, a tributary of the N. Fork Clearwater on the Clearwater National Forest, by a client of an outfitter. The killer claimed it was a case of mistaken identity and he was not prosecuted. DNA analysis confirmed

that the bear shared similar genetics to grizzly bears in the Selkirk Mountains of north Idaho. The dead bear was the first confirmed sighting in north-central Idaho in over sixty years, although there have been other credible sightings (but never verified) prior to the turn of the 21st Century.

In March of 2016, the U.S. Fish & Wildlife Service proposed a rule to strip protections afforded under the Endangered Species Act for the Greater Yellowstone Ecosystem population of grizzly bears. If approved, management of grizzly bears from this greater ecosystem would be under state jurisdiction (Montana, Wyoming, Idaho) and subject to seasonal hunting. Under these circumstances, trophy hunting and killing of grizzly bears could greatly hamper dispersal, connectivity, genetic exchange and natural recovery in the Greater Salmon-Selway Ecosystem and other identified recovery zones.

On Thursday April 6, Friends of the Clearwater is teaming up with the University of Idaho - Environmental Law Society, The Wildlife Society - UI Chapter and the Palouse Environmental Sustainability Coalition to sponsor a panel discussion about the potential delisting of the Greater Yellowstone Ecosystem grizzly bear population and the social, cultural, ecological and legal considerations. Carnivore policy expert Louisa Willcox, University of Idaho professor emeritus of wildlife biology Dr. Jim Peek, Wilderness Watch attorney Dana Johnson and Nez Perce Tribe member Levi Holt will be on the panel. Someone from the Idaho Department Fish & Game may serve on the panel, too. The event will take place at the University of Idaho - College of Law, 875 Perimeter Drive, in Moscow. Sandwiches and chips will be served starting at 5:30pm, and the panel discussion will begin at 6:00pm.

In the meantime, if you are interested in learning more about the historical, cultural and ecological significance of the “Great Bear,” I recommend visiting the site grizzlytimes.org. It may be, perhaps, the best place on the web to learn more about imperiled grizzly bears and the wild ecosystems in the West that sustain them.



The St. Joe Lake area has some of the best grizzly habitat in the entire Lower 48

Scott Metzger Photo Credit

Free the Snake! Salmon and dams comment period closes - What's next?

Guest Opinion, Joseph Bogaard
Executive Director, Save our Wild Salmon

The Public Comment Period - the first phase of the federal government's court-ordered NEPA Environmental Review – closed on February 7. Despite efforts by the so-called “action” agencies to bury this process amidst a crazy election cycle and the holidays, conservation and fishing advocates did an excellent job ensuring media coverage, contacts with elected officials, and generating comment and turnout at more than a dozen public meetings. More than 2,000 citizens turned out for rallies to free the Snake and to attend agency meetings. And the press paid attention too – more than 50 stories and opinion pieces appeared last fall in print, online and on television – many favorable to salmon, orca, fishing, and river advocates. There were numerous citizen and community leader meetings with state and federal elected officials. And while we don't yet have a final count, we expect that close to half a million people in the Northwest and throughout the Nation submitted official public comments in support of freeing the lower Snake River.

Advocates for wild salmon and a free-flowing Snake River see two main priorities in 2017.

First, we're going to continue to build the public and political momentum to “Free the Snake” that we've created in recent years. Our collective legal, analytical, communications and organizing successes is helping people across the region understand the costly failures of the status quo and the many opportunities that salmon restoration and a free-flowing Snake River represent. We're going to expand our work with conservation, tribal and business partners to hold agencies accountable. They must take care of endangered salmon as required by federal law and ensure a full, fair and transparent NEPA Review. We're going to reach out to communities in the region to find common ground and shared solutions. We'll continue to educate and mobilize people to build the political support in region we need to finally free the Snake River and bring our salmon home.

Second, we know that we need to band together with allies new and old to resist certain assaults from Washington D.C. on values that are essential to our Northwest way of life – clean air and waters, healthy fish and wildlife, public lands, renewable energy, and much more. A successful resistance will demand new partnerships, creativity and determination. Done right, it will foster new alliances and lay the groundwork for securing dam removal as the chosen path in the final EIS and making sure it is “shovel-ready” as soon as the ink is dry on the final plan come 2021.

Thanks for your amazing work and stay tuned for how to stay engaged in 2017.



It was a packed house for the dam breaching meeting in Lewiston
Greg Stahl Photo Credit

Deadbeat Dams: Why we should abolish the US Bureau of Reclamation and tear down Glen Canyon Dam

Book Review by Brett Haverstick

This book was mailed to me in October 2016 by former FOC staff member Larry McLaud - thanks Larry! The book rested on my desk until I got an invitation to raft the Colorado River through the Grand Canyon over the holidays. I knew exactly what book I was going to bring on the trip.

The opening lines of the book read, “What a waste, what a colossal waste. The taxpayers would be outraged if they knew what was really going on here.” From there author Daniel P. Beard, former commissioner of the U.S. Bureau of Reclamation, takes the reader on a strongly-worded and convincing journey that looks at past dam building projects across the West that destroyed hundreds of miles of free-flowing rivers, promoted excessive water use and sent billions of dollars in subsidies to a small number of people. Substitute the Army Corps of Engineers for the U.S. Bureau of Reclamation and the parallels are hauntingly similar.

Later in the first chapter I came across this sentence, “We're repeating failed approaches to solving problems that will have reached crisis proportions.” Substitute the four lower Snake River dams in southeast Washington for the Glen Canyon Dam in northern Arizona and the similarities are shamefully alike.

As the country monitors the Oroville Dam crisis in northern California, one has to wonder when the government will admit that we do not have the resources to maintain all the aging dams and infrastructure in this country. The time has come to breach dams whose costs outweigh their benefits. Public sentiment has shifted over the decades, and the recovery of native fish species and river ecosystems is now a priority. *Free the Snake!* would be a good start. Like Joseph Bogaard said, stay tuned for important announcements this year, including the date of the 2017 flotilla.



FOC Photo Credit

Thank you to everybody that participated in the *3rd Annual Lolo Pass Winter Adventure*. Please consider joining us next year if you want to get out and play in the snow. It's a great way to beat cabin fever! Stay tuned for the announcement of a field trip this summer with Palouse - Sierra Club. We hope to co-sponsor a camping trip together somewhere in the North Fork Clearwater drainage.

FRIENDS OF THE CLEARWATER CALENDAR OF EVENTS

PANEL DISCUSSION ON FUTURE OF GRIZZLY BEAR RECOVERY

Thursday April 6, 5:30 - 8:00 pm

COLLEGE OF LAW, UNIVERSITY OF IDAHO, MOSCOW

MOSCOW RENAISSANCE FAIR

Saturday May 6 - 7

EAST CITY PARK, MOSCOW, IDAHO

VISIT FOC'S YUMMY CREPE BOOTH IN THE FOOD SECTION!

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