



PRESS RELEASE

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For immediate release

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Federal judge blocks megaloads from Clearwater-Lochsa Wild and Scenic corridor

BOISE — A federal judge this morning temporarily blocked additional megaload shipments through the Clearwater National Forest, America's first Wild and Scenic River corridor and the homeland of the Nez Perce people.

Federal Judge B. Lynn Winmill's injunction was issued as part of a lawsuit brought by Idaho Rivers United and the Nez Perce Tribe.

"This is a win for all who cherish the esthetic, spiritual and recreational values of the Lochsa and Clearwater Rivers," said IRU Conservation Director Kevin Lewis. "The judge has provided the time-out needed to complete the environmental reviews, tribal consultation and rule-making necessary to protect this beautiful river corridor."

IRU Executive Director Bill Sedivy pointed to the implications this case has for Wild and Scenic Rivers across the country.

"River managers across the United States are watching this decision, which is a clear win for all the Wild and Scenic Rivers of America," Sedivy said. "This ruling shows that the oil industry and the world's largest corporations can't run roughshod over the Tribe, the people of Idaho or our nations' most precious natural assets."

Judge Winmill granted his 17-page injunction on the basis that IRU and the Tribe are likely to win the case on its merits.

"The plaintiffs are not seeking damages; they are seeking to preserve their Treaty rights along with cultural and intrinsic values that have no price tag," Winmill wrote.

At the hearing in Federal Judge B. Lynn Winmill's courtroom on Sept. 8, Forest Service attorneys sat shoulder-to-shoulder with lawyers for General Electric attempting to explain why they couldn't stop impending loads while building long-term regulations.

General Electric filed Aug. 26 to intervene as a co-defendant alongside the Forest Service in the lawsuit filed by IRU and the Nez Perce Tribe. The suit, filed Aug. 8, sought to protect the Lochsa-Clearwater Wild and Scenic River corridor and Nez Perce homeland from the transport of enormous industrial megaloads bound for the tar sands of northern Alberta.

The Clearwater and Lochsa rivers were singled out for designation as Wild and Scenic Rivers because of their scenic, recreational, cultural and historic values.

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“These rivers represent the embodiment of what the Wild and Scenic Rivers Act was meant to protect,” Sedivy said. “They anchor cathedral-like forests. They are recreational Edens for fishermen, campers, hikers, hunters, bicyclists, history buffs and whitewater boaters. And they form the cultural and spiritual roots of the Nez Perce people. Industrialization doesn’t work there.”

The megaloads stand two stories tall, take up two lanes of the mostly two-lane highway and are hundreds of feet long. Their movement through the corridor requires rolling roadblocks, which block access to popular recreation sites, Tribal cultural and historic sites, and destroy the beautiful scenery of the river corridors.

“If we let the Idaho Transportation Department and oil companies have their way with the Lochsa-Clearwater Wild and Scenic corridor, it would be like allowing construction of a McDonald’s drive-through along the Middle Fork of the Salmon, or building a three story factory along the shores of Redfish Lake,” Sedivy said.

“This wild river corridor is a national treasure, and its industrialization shouldn’t be allowed,” Lewis added. “There are 80-odd tar sands projects either underway or under review in northern Alberta right now, and they’re all going to need oil processing equipment. These companies, some of the largest in the world, can afford to build their equipment in Canada or find other routes to ship it there.”

Since the fall of 2008, the oil industry, their contractors and a specialized group of shipping companies have been working to convert U.S. Highway 12 into an industrial high-and-wide corridor that prioritizes the transport of megaloads over other uses of the highway.

“GE’s intervention shows how desperately the oil industry and their contractors want to convert one of America’s first Wild and Scenic River corridors into an industrial highway,” Lewis said. “They need to know that our rivers are not for sale.”