

**An Analysis of the Clearwater Basin Collaborative Focusing On the Proposed
Wilderness, Special Management Areas and Wild and Scenic Rivers**

Executive Summary

Friends of the Clearwater



Weitas Creek Roadless Area
Chuck Pezeshki Photo

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Introduction

The Clearwater Basin Collaborative (CBC) is a group that formally convened in 2008, their stated purpose being an attempt to resolve resource management conflicts in the Clearwater Basin, with a focus on the national forests. The group includes representatives of the logging industry, motorized vehicle interests, outfitting groups, hunting groups, and mainstream environmental groups. In 2013, the CBC issued an “Agreement and Work Plan” for management and use of the Nez Perce-Clearwater National Forests, much of which the CBC proposes to be implemented through federal legislation¹. The proposed legislation would designate some lands as Wilderness and some rivers as Wild and Scenic Rivers, while possibly “releasing” other lands for increased logging.

While the CBC has received positive press and praise from Idaho’s elected officials and some conservationists, there is serious concern that the group and its proposals will set negative precedent regarding the Wilderness Act and provide inadequate protection for this wild area. It also may serve to circumvent the National Environmental Policy Act (NEPA), which guarantees all American citizens, not just a select group, to participate in national forest analysis and subsequent decision-making processes.

This analysis addresses components of the CBC’s proposal, focusing specifically on wilderness, special management areas, and wild and scenic rivers. A close look at the proposal reveals that these special areas would be less protected than under current management plans in certain crucial respects. First, the deal includes provisions that are inconsistent with wilderness, as defined by the Wilderness Act. These harmful precedents threaten wilderness everywhere by allowing nonconforming uses, thereby weakening the entire National Wilderness Preservation System, and by putting pressure on agencies to allow these uses in designated Wilderness elsewhere.

Second, by any measure, the acreage proposed for protection as wilderness is paltry, with only 20% of the qualifying roadless lands recommended for wilderness designation, and fifteen inventoried roadless areas comprising hundreds of thousands of acres omitted entirely. The designations as proposed could serve to weaken protection on up to one million acres of roadless wildlands.

¹ Available at <http://www.clearwaterbasincollaborative.org/wp-content/uploads/2013/05/CBC-Agreement-and-Work-Plan-as-amended-May-22-2013-Final.pdf>

Third, the river protections proposed under the Wild and Scenic Rivers Act are similarly paltry, with the Forest Service recommending far more rivers for protection than are proposed by the CBC. Fourth, the CBC proposal would dramatically increase logging in large areas of the Clearwater Basin, in a trade-off which will harm water quality as well as fish and wildlife habitat.

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I. A Summary of Clearwater Basin Wildlands and Wild Rivers

The Clearwater Basin has about 1.5 million acres of roadless land that qualify for wilderness. As part of the largest assemblage of roadless country in the lower 48 States, the wildlands in the Clearwater region are unmatched, and form the most important habitat in the entire Rockies for large carnivores, in part because of the amazing low-elevation biological diversity.

II. The Proposed Land Protections are Flawed and Inadequate

The CBC proposal only recommends 20% of the qualifying roadless lands for wilderness. Crucial areas like the quarter-million acre Weitas Creek Roadless Area and the remote Pot Mountain Roadless Area were omitted. Even worse, the deal includes provisions in the proposed wilderness that are completely inconsistent with preservation of wilderness. In contrast, the Northern Rockies Ecosystem Protection Act provides protection for virtually all of the roadless lands in the Clearwater Basin and contains no provisions that weaken wilderness.

A. Giving Commercial Services (Outfitters) Special Rights

To avoid commercializing wilderness, the Wilderness Act states *“there shall be no commercial enterprise”* within any wilderness. At the same time, Congress also recognized that some people may need the services of outfitters in order to experience wilderness. Thus, Congress also made a very narrow exception where *“Commercial services”* like outfitting *“may be performed”* but only *“to the extent necessary for activities which are proper”* to achieve wilderness purposes.

The CBC proposal grants special rights to outfitters that would negatively affect the ability of agencies to administer wilderness and protect it in perpetuity. For example, the proposal would make Forest Service decisions, such as moving outfitter camps, even in the face of severe resource damage, subject to veto by the outfitters themselves.

B. Making Wilderness Game Farms?

The CBC proposal would further allow state game managers unfettered motorized access in designated wilderness. It could also allow illegal manipulation of habitat inside wilderness. Such compromised land is not wilderness. In wilderness, natural processes should determine the relative diversity and abundance of wildlife. The level of human influence, including management actions and decisions, should be minimized in wilderness. Citizens and managers must move wildlife management programs in a direction that leaves wilderness as an area *“untrammeled by man...retaining its primeval character and influence...protected and managed so as to preserve its natural conditions...”* The Wilderness Act does not specifically grant special exceptions for state fish and game agencies to use motorized equipment to eliminate carnivores like wolves or manipulate habitat to increase certain game species.

C. Inadequate Protections for Specific Areas

Current management direction provides far better ecological protection than the CBC proposal. The CBC proposal would only protect about 300,000 roadless acres (203,000 acres on the Clearwater National Forest) as (compromised) wilderness and about 163,000 acres as “special management areas.” But current management direction (*i.e.*, the 1987 Clearwater Forest Plan, as modified by a 1993 lawsuit settlement agreement) offers management as recommended wilderness for a total of 532,000 roadless acres (an additional 26,000 acres if one counts the Idaho Panhandle National Forests 1987 recommendation in the Clearwater Basin) and a total of 261,000 roadless acres protected for the enhancement of fisheries and wildlife habitat (an additional 11,000 acres if one includes the Idaho Panhandle National Forests in the Clearwater Basin). Thus the agreement does not address the real issue of roadless development on the national forests in the Clearwater Basin and, as proposed, could actually weaken protection on anywhere from 340,000 acres to much more, depending on provisions in any legislation.

III. The Proposed River Protections are Inadequate

In terms of river protection, the Forest Service recommends more streams for protection than are proposed in the CBC proposal, with nine eligible and recommended river segments being omitted.

IV. A Summary of Other Issues and Concerns with the Clearwater Basin Collaborative and the Agreement

The CBC’s proposals circumvent the National Environmental Policy Act (NEPA), which guarantees all American citizens, not just a select group, to participate in national forest analysis and subsequent decision-making processes. The CBC also proposes to significantly increase logging in the Clearwater and Nez Perce National Forests. This is unacceptable in important fisheries habitat and where streams currently do not meet water quality standards. Significantly increased logging will have negative impacts to water quality and wildlife habitat.

Conclusion

This year is the 50th anniversary of the 1964 Wilderness Act. The CBC deal denigrates Wilderness by proposing incompatible provisions, which would, if enacted, designate “wilderness” in name only. This threatens the entire National Wilderness Preservation System that generations have worked to build over the past almost 50 years. Wilderness, as we’ve known it, as a wild place and as a concept in America is in danger of disappearing both from our culture and the landscape. Increasing logging in crucial watersheds, potentially weakening protection on hundreds of thousands of existing roadless areas and compromising the Wilderness Act, wilderness values and qualities are too high a price to pay for designation of 300,000 acres of new “in-name-only” wilderness and 163,000 acres of special management.