Salmon/Steelhead Recovery?

(EDITORS’ NOTE: There has been a lot of news about salmon and steelhead recently. Governor Little’s salmon workgroup came up with recommendations that won’t result in recovery, as some members of the workgroup admitted. Katie’s article below discusses the workgroup.

However, the biggest news has been Congressman Simpson’s proposal for salmon and steelhead recovery. This is a big proposal, full of complexities and intertwined parts. Most of the media have portrayed his proposal, which includes removal of the lower 4 Snake River dams, as a bold, conservation breakthrough, and a remarkable effort. Yet, that portrayal, in the proposal’s current form, ignores serious flaws. There are (pick your metaphor) bitter pills, poison pills, or Trojan Horses that are precedential in scope and potentially very damaging. The article by Charles Ray on page 4, long time wild salmon and steelhead advocate, points out significant problems. Since FOC’s mission is the protection of the public lands in and around the Clearwater Basin, we are not well versed in all of the complex issues of the Columbia Basin. We welcome submissions from other river and fish advocates. We also plan to provide links and more information on our website as this issue unfolds and evolves. One last note, Congressman Simpson’s proposal is not legislation, at least not yet. We all still need to advocate for removal of the lower 4 Snake River dams AND to make sure any legislation excludes harmful provisions.)

Governor’s salmon workgroup recommends little to Little after 18 months by Katie Bilodeau

A collaboration that started with a roar on recovering salmon and steelhead culminated in a whimper over the first weekend of 2021. During a 2019 Environmental Conference in Boise, Idaho, Governor Brad Little promised to create a task force to “develop effective salmon and steelhead policy for Idaho to ensure that the abundant and sustainable populations of salmon and steelhead exist for present and future generations to enjoy”; he made this promise because “the current efforts are not enough.” As we see eighteen months later, consensus-driven recommendations aren’t enough, either.

The group was destined for nothing great at its inception because it ignored science. The group was not comprised of scientists who have studied the threats facing salmon and steelhead (salmonids). Rather, the governor assembled interest-based stakeholders by invitation only. Some of these stakeholders are organizations you wouldn’t think would be concerned about fish, like the Port of Lewiston or the Idaho Grain Producers Association. These entities are concerned about fish numbers because when fish numbers are low, there is more pressure to breach the lower four Snake River Dams, suggesting that the true concern was a self-serving goal to keep the dams in place. While certain individuals invited strove to push for real substantive content, the environmental organizations invited were only the ones who place nice, such as environmental organizations with a record of compromising environmental interests on collaboratives like those that endorse Forest Service logging project after logging project on the national forests of Idaho.

And the governor directed his workgroup to find Idaho-based solutions, an implicit prohibition on discussing removal of the dams. Finally, every stakeholder had to agree on recommendations put forth to the governor, so if the self-serving interest groups uninterested in salmonids withheld consent, the group could not recommend the measure.

I sat in on the third salmon workgroup meeting, which occurred September 2019 in Lewiston, Idaho. During this meeting, I watched the workgroup debate over its mission statement, and the members finally tabled that vote for failure to agree on even that. (My mission statement would be easy: Save wild salmon and steelhead.) The entirety of what I witnessed that day prompted me to send a letter then on behalf of Friends of the Clearwater (FOC) to Governor Little calling on him to disband the workgroup.

continued on page 8
Addendum to “Wildlife: My View” written by Sioux Westervelt that appeared in the Fall 2020 issue of “Clearwater Defender”:

Canus lupus, Gray Wolf, has several common names depending on where they live, i.e. Timber Wolf typically lives in forested areas of North America. We use the identifier “Gray Wolf” for the wolves that were introduced into North Idaho from Canada over two decades ago more often than Timber Wolf, even though they are the same species. Wolves are demonized no matter what name is used, but I wanted to be sure people understand there is only one species that resides in Idaho.
Meet Paul Busch

My name is Paul Busch, and I’m excited to announce my addition to the Friends of the Clearwater team!

I was born and raised in Idaho Falls, Idaho, in the southeast corner of the state. Wilderness and conservation were part of my values since I could read. My summers were spent working at scout camp and Grand Teton National Park, hiking, fishing, and birding throughout the west.

In 2013, I came to Moscow Idaho as a freshman at the University of Idaho. While I had always been passionate about the environment, I enrolled as a business marketing major to expand my abilities in research, advertising, and business management.

Marketing was ultimately a huge benefit in my development. I learned the details of how to choose and connect to audiences, as well as fundraise (in Shark Tank-style pitch competitions).

But while I enjoyed the economics-centric and competitive atmosphere of business, it also left me wanting. I loved art, music, getting lost in cedar groves, and stood out like a green thumb in classes of Boeing and Blackwater financiers-to-be. I support a profitable business sector that supports the needs of the communities and environments most vulnerable around us.

And in my opinion, I needed more perspective than business school to round out my character.

Luckily, my view did change. I took a volunteer trip to Ecuador, joined the Society for Conservation Biologists, took courses in videography and design, became a volunteer for PCEI and Friends of the Clearwater, and became good friends with local activists like the late Linda Pall. Moscow really became a home for me. I worked at the nonprofit Backyard Harvest, doing outreach and fundraising while finishing my degree.

All the while I kept exploring further and further into the Selway, Clearwater, Snake, and Palouse drainages, enchanted. Last year, I completed a 100-mile backpacking trip from the Lochsa to the Selway and back again that I will remember forever.

After graduation, I found myself back in southern Idaho. I was a casualty of the economic downturn last year, and as luck had it, became unemployed precisely when Friends of the Clearwater were hiring for a grant writing and fundraising position.

I’m excited to be back in Clearwater Country, and to be part of an organization so devoted to wilderness and ecological health. We live in uncertain times, and it gives me security to be part of something with the purpose of FOC.

I would love to meet and talk to any members (especially if you are interested in bird watching!). Feel free to contact me by email at paul@friendsoftheclearwater.org.

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- New-Land Foundation
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- The Leiter Family Foundation
- Clif Bar Family Foundation, Maki Foundation, Mary and Charles Sethness Charitable Foundation, Fund for Wild Nature
- Network for Good, New York Community Foundation, Elbridge and Evelyn Stuart Foundation, The Oregon County Community Foundation, and the Latah Community Foundation!

Thanks also to the many members who contributed in 2020 and early 2021!
The Simpson Plan - Full Disclosure

Guest Opinion
by Charles Ray

(Ed. Note: Charles Ray has worked for years to protect salmon and steelhead. The text copied immediately below (in bold italics) is from Rep. Simpson's website. See: https://simpson.house.gov/UploadedFiles/WebsiteSlides2.4.pdf and is the issue of concern in the article that follows):

**IF THE 4 LSRDs ARE REMOVED, COLUMBIA AND SNAKE RIVER BASIN DAMS MUST BE LOCKED IN AND THERE MUST BE A SALMON LITIGATION MORATORIUM**

**Locking in Dams- 35 Year Hydro License Extensions**
Upon the breaching of the fourth dam in 2031, all Public and Private FERC Licensed dams in the Columbia River Basin greater than 5 MW (that have produced power for sale in 3 of the last 5 years) will receive an automatic 35-year extension of their license in addition to their currently licensed period with the total maximum extension length not to exceed 50 years. (Eliminates the “slippery slope” argument that “if you allow them to remove these 4 dams they will go after the other mainstem Columbia River Dams and others.”)

**Ending Lawsuits- 35 Year Dam Litigation Moratorium**
Litigation related to anadromous fish under the ESA, NEPA, and the CWA for the fourteen federal Columbia River System dams, the 12 federal projects on the Upper Snake River, and all FERC-licensed dams within the Columbia Basin greater than 5 MW (that have produced power for sale in 3 of the last 5 years) shall be immediately halted with legislation and all litigation shall be stayed for a period of 35 years (excluding safety). (end of quote from Simpson’s plan)

Simpson’s plan demands full disclosure for the following reasons:

The Scope of the Plan is Far Greater Than the Four Lower Snake River Dams

The plan would grant blanket immunity from legal challenge under the Endangered Species Act, the National Environmental Policy Act, and the Clean Water Act to the operators of scores of hydroelectric dams — public and private — operating on public waterways. Rivers on which these dams are located extend from Jackson, WY to Pasco, WA, and from the Canadian border to Astoria, OR. Many of these rivers aren’t even current or former salmon habitat.

Listed below are a few examples of dams that would receive immunity. All of these are enormously destructive to anadromous fish runs. There are many more.

**Columbia River, WA - 5 dams owned by Public Utility Districts in addition to 14 federal dams**

**Snake River, ID - 3 Hells Canyon Complex Dams operated by Idaho Power Co. in addition to 12 federal dams**

**Deschutes River, OR - 3 dams operated by Portland General Electric**

**Cowlitz River, WA - 2 dams owned by Tacoma Public Utilities**

If the 4 Lower Snake Dams are really the focus of concern, then why must the plan include scores of others?

The Plan Would Give the Operators of Scores of Dams, Both Public and Private, a Free Ride Past Environmental Laws and Treaties With Indian Tribes.

The plan would exempt the operation of all these dams from legal challenge under the 3 most powerful environmental laws for 35 years. The plan would shield the operators of these dams — all on public waterways — from legal challenges no matter what the effects of the dams and reservoirs behind them on anadromous fish and the dependent economies.

The Plan Needlessly and Unreasonably Exempts Dam Operators From the Requirements of the National Environmental Policy Act (NEPA).

The National Environmental Policy Act (NEPA) is a disclosure law. It is neither prohibitive nor proscriptive. It doesn't force dam operators into any action other than analyzing and disclosing the effects of their operations continued on next page
and allowing the public an opportunity to participate in the decision-making process. The plan would exempt the operators of these dams from even having to disclose the effects of operations. This exemption totally shuts the public out of any discussion on dam operations. There is simply no legitimate reason that the operators of scores of dams on public waterways should be shielded from having to disclose the effects of their actions.

The Plan Would Throw Out Public Participation and Mitigation Requirements of Dam Relicensing

The plan would grant blanket Federal Energy Regulatory Commission operational licenses for 35 years to scores of dams, many of which aren’t even located in current or former salmon habitat. The relicensing requirements to mitigate impacts of these dams on anadromous fish and the dependent economies would no longer be in effect. Public participation in the relicensing process would disappear. The 4 lower Snake River dams aren’t even licensed by FERC, so why should scores of others that are get a free pass?

The Plan Creates an Incentive for Violating Environmental Laws

For decades, federal agencies and private industries on the Snake and Columbia Rivers have defied federal law, federal court orders, treaties with Indian tribes, and public outcry. That’s why salmon, steelhead, sturgeon, lamprey, and many other species of fish and wildlife and the dependent economies are in the precarious condition they are in today. Simpson’s plan would reward these agencies and industries with billions of taxpayer dollars and exempt them from obeying the Endangered Species Act, the National Environmental Policy Act, and the Clean Water Act. This would be a hugely damaging precedent for the enforcement of all other environmental laws in this country. Once in effect, the plan’s most damaging provisions are in effect for at least 35 years. There is no mechanism for evaluation and revision. Immunity from lawsuits begins immediately. Even if dam removal is stalled for decades, the immunity will remain in effect, and it will likely be impossible to repeal. Simpson’s plan would render powerless many environmental and fishing groups who have worked for decades to limit harm caused by scores of dams other than the 4 on the lower Snake River. If the plan becomes law, other industries such as mining, livestock, timber, and oil and gas extraction are likely to seek exemption from environmental laws in return for some sort of deals.

The Plan Opens the Door to Nuclear Power Reactors on the Snake River

In a recent interview on Boise State University Public Radio, Rep. Simpson repeatedly mentioned modular nuclear reactors as potential replacements for power generation capacity that would be foregone by decommissioning the 4 lower Snake River dams. This has been proposed in the past with the 4 lower Snake River dams specifically identified as sites for reactors. The lower Snake River dam sites are attractive locations, because the power transmission infrastructure is already in place, and the dams are in remote locations away from population centers — out of sight, out of mind. The possibility of nuclear power plants on the Snake River should be made perfectly clear in the Plan, and it isn’t.
Public participation in the Forest Service’s timber-fever era through the lens of the Smith Ridge Project
by Katie Bilodeau

The Forest Service delivered a lump of coal to the public for the winter holidays. In early December, the Forest Service announced that it was amending the Smith Ridge Project, a proposed timber sale and logging project in the North Fork of the Clearwater that borders the Mallard-Larkins Roadless Area. Smith Ridge’s history and second comment period illustrates a concerning trend about an agency more concerned with timber than with environmental impacts or even an informed, transparent public process.

The Forest Service first proposed the Smith Ridge timber sale as a categorical exclusion in 2018. The original proposed timber sale disclosed in very general terms a 500-acre logging project in steep North Fork country, ignoring issues like road mileage proposed or even which categorical exclusions the agency planned to apply to accomplish logging. Categorical exclusions (CEs) are a category of actions under the National Environmental Policy Act (NEPA) that excuse an agency from conducting an environmental analysis because, theoretically, these types of actions rarely have the potential to significantly impact the environment. While this might be true for cutting one or two hazard trees, this is generally not true for 500-acre logging projects. Timber sales often include roadwork and degrade natural habitat for many species by eliminating it and fragmenting the rest—minimally there should be analysis as to whether the impacts are significant, which is what a NEPA environmental assessment does.

For the first Smith Ridge timber proposal, the Forest Service issued contradictory information on the length of public participation. The scoping letter for that CE, which provided the public its only opportunity to comment on the timber sale, told the public that it had thirty days to comment on Smith Ridge. Following that, however, the agency published a legal notice in the Lewiston Tribune that the public had only fourteen days to comment. After FOC raised this issue, the Forest Service released a second scoping period, but for only fourteen more days. At the end of round one of the Smith Ridge timber sale, instead of one 30-day comment period, the public had a fractured 28-days to comment on vague information.

Friends of the Clearwater’s 2018 comments for the timber sale highlighted a real concern with an increased risk of landslides. The Forest Service’s own investigations demonstrate that over half of landslides in the North Fork country coincide with the presence of forest roads on steep mountainsides. Recent science from 2017 discussed how global warming has increased landslide risk. Essentially, warmer temperatures produce more rain than snow and soils absorb that additional rain. Hillsides that may not have been unstable in past sub-freezing temperatures may become more unstable as they absorb more rain. Smith Ridge Project will include roadwork on Smith Ridge Road, on a steep hillside, and add more open areas to logging (and absorbing rain) in addition to what is already there.

A year and a half after approving the Smith Ridge timber sale in May of 2019 under a categorical exclusion, the Forest Service neither recognized FOC’s landslide concern nor the science submitted. While the National Environmental Policy Act (NEPA) requires agencies to respond to issues in environmental impact statements (EISs), there is no such requirement for the less rigorous EAs or CEs. Although the agency is not required to respond to issues raised in EAs or CEs, a good faith attempt to engage the public might include a sentence or two acknowledging the issues raised. Without such a sentence, the line between “We considered this and disagree that this is a potentially significant issue for these reasons” and “We ignored this issue because considering it will delay and could complicate authorizing this timber sale” is indistinguishable to the public.

When the agency approved the Smith Ridge timber sale, in December 2020, the Forest Service withdrew its decision and re-proposed this logging project. In the original timber sale the Forest Service alleged it needed to make the specifically proposed units healthy by logging them. But, the Smith Ridge 2.0 timber sale entirely dropped earlier logging units while adding new ones, including those on the-bound-

Sheep Mountain logging from Smith Ridge
Chuck Pezeshki photo

continued on next page
ary with the Mallard-Larkins Roadless Area. This concerns FOC because in the Windy Shingle Project (another logging project categorical exclusion on the Nez Perce-Clearwater National Forests), Supervisor Cheryl Probert signed a decision that approved logging on the border with an inventoried roadless area and stated there would be no activities in any inventoried roadless area. What FOC later discovered in the Windy Shingle logging project record was that after this decision, Supervisor Probert later authorized cutting trees in the inventoried roadless area so their stumps could serve as anchors for skyline logging in the units that bordered the roadless area. Additionally, in the Smith Ridge timber sale, several logging units are in a strip of habitat and elevation that the Forest Service mapped in 2010 as potential wolverine habitat. Logging would fragment and further degrade this habitat. Perhaps just as concerning as these particular issues, however, is the process by which the Forest Service slid this proposed amendment by the public to avoid meaningful participation.

The Forest Service ensured that the Smith Ridge Project flew past a busy public over the holiday season. On December 4, 2020, the agency sent out a notice that it was re-scoping the new Smith Ridge Project. Although the Forest Service had enough information to know it was re-proposing this timber sale when it sent out the December 4th notice, there was no effort to disclose that information before mid-December, lest the public have longer than fourteen days to digest the information. On December 14th, the Forest Service finally released the new project specifications, meaning the due date was December 28th and overlapped with Christmas, Hanukkah, Kwanza, and the winter solstice. December 24th and 25th were federal holidays this year, and seven of those days (two weekends in addition to Thursday December 24th, Friday the 25th, and Monday the 28th), no agency employees connected to the public face of this project would be available to field the public’s substantive questions.

Using lesser environmental analyses to avoid answering the issues raised and planning extremely inconvenient comment periods are becoming trends for a Forest Service that sold more timber last year (over 84 million board feet) on the Nez Perce and Clearwater National Forests than any other year in the past two decades. Logging trucks can haul about five-thousand board feet, so this is just under 17,000 logging trucks hauling away trees from the Nez Perce-Clearwater National Forests. The Smith Ridge saga illustrates several points. First, the public should more actively assert its right to participate. The agency is trying to shortcut public participation amidst an increasing public voice more concerned about the impact our actions have on the climate and the industry’s hold on public land. Timber sales on the Nez Perce-Clearwater National Forests are at increased levels not seen in the 21st Century. In a warming climate, the absence of each large, carbon-sequestering tree is acute. Assert your right to have a say on what happens to your public lands. Second, do not shy away from pushing back on bad ideas, like roads on steep slopes, logging on the border of an inventoried roadless area, or logging in potential wolverine habitat. Contact FOC’s office if you would like the documents to support these points.

There needs to be a fairer chance for the public to comment on this logging project. What you can do: Concerned members of the public can email Regional Forester Leanne Marten at leanne.marten@usda.gov to express your disappointment that the Forest Service on the Nez Perce-Clearwater National Forest rammed through the Smith Ridge timber sale by the public during the holidays, and ask for a 30-day comment period. And check the legal notices in the Lewiston Tribune or check your inbox for FOC’s bi-weekly blast so you can have a say when the next short comment period comes due. Together, we can hold our government accountable.
continued from page 1

Fifteen months ago, FOC pointed out to the governor that his workgroup was set up to stifle any real policy recommendations—the stakeholders represented interest groups, some more concerned with keeping dams standing than recovering salmonids. FOC pointed out that the presentations in Lewiston did not make scientific forecasts, could not educate the stakeholders on the complete picture, or were not impartial. FOC pointed out that the group couldn’t identify the gaps in their own knowledge. For example, we disclosed to the governor the increased logging and roadbuilding in upstream habitat, particularly in the Nez Perce-Clearwater National Forests. This increased habitat degradation was offsetting any restoration progress in those drainages. FOC highlighted to the governor that his workgroup denied the public a true voice by holding meetings during weekday business hours and prohibiting the public attendees to ask questions. Of course, our letter went unanswered. The governor has exerted no real effort to demonstrate that he is really interested in what the cold, hard science says or even what many of his constituents have to say.

The result of this eighteen-month process was a suite of recommendations that even the workgroup members acknowledged would not recover salmon and steelhead. Because the recommendations needed approval from every member of the workgroup, dam breaching was out. And it was because of the stakeholders who were dam advocates, not the initial directive to consider Idaho-based solutions. The workgroup had no problem recommending lesser non-Idaho-based solutions by recommending increased spill at dams, which would realize minimal benefits. Disturbingly, the workgroup also had no problem recommending that humans just kill more of salmon’s pinniped predators—sea lions. For perspective, pinniped predation on salmonids happens primarily at Bonneville dam just outside of Portland, Oregon, and sea lions consume less salmonids than commercial fishing does.

Other recommendations demonstrated the workgroup’s serious lack of scientific understanding. For example, the workgroup recommended operating hatcheries without harming wild stocks. However, most hatcheries in Idaho produce salmon and steelhead with a different genetic strain than what occurs in the wild populations. This genetic strain makes the hatchery fish less likely to survive in the wild, and hatchery fish that evade the fisherman’s hook and mate with wild fish will add poor genetics into the wild population. Contributing poor genetics to the next wild-born generation in turn lessens the chance that those offspring will survive. It is scientifically impossible to operate most of Idaho’s hatcheries in the way the workgroup recommended. These hatcheries will inevitably continue to suppress wild populations. In the end, the workgroup could only agree that they liked salmon and steelhead and wanted to see more of them in Idaho. The group agreed upon an abundance number, a lofty goal, that hasn’t existed since the lower Snake River dams became operational. There was no groundbreakingly helpful recommendation to actually realize this goal, making it no more than a wish. Unsurprisingly, perhaps, the stakeholder-driven process could recommend no realistic science-informed strategy that would significantly shift the status quo. Science suggests only drastic measures—implemented in tandem with each other—will likely reverse the current course for salmonids. These drastic changes do not include killing sea lions. First and foremost, the most significant change we could implement is to remove the lower four Snake River dams. A 2017 study by the Northwest Fish Passage Center found that removing these dams could provide a two-to-three-fold increase of salmon. Secondly, as wild fish begin to recover from this move, we need to wean off of hatcheries and the inferior genetics they reintroduce into wild populations every single year. As more wild fish return from a free-flowing river, weaning off of hatcheries is possible. Hatcheries rely on fishing to remove the genetically inferior hatchery fish before they mate. So, as we wean off of hatcheries and allow wild fish to recover, the amount of fish harvested must reflect this reduction.

Aside from hydropower and hatcheries, which can offer the most significant changes for salmon and steelhead, no one should lose sight of upstream habitat degradation. While some salmonid spawning habitat is protected by designated wilderness, other places aren’t, particularly in the Clearwater. For example, logging has degraded the Lolo Creek watershed profoundly. The Nez Perce Tribe has spent over a million dollars from the Bonneville Power Administration (BPA) to restore habitat degradation from Forest Service logging legacies there. Even the Forest Service has spent over $200,000 in BPA funds to restore its logging legacy in Lolo Creek. And what has the Forest Service planned for this watershed in the next few years? Logging and roadwork. In addition to the 3,000-acre Lolo Insects and Disease logging project approved July 2019 and the roadwork that will re-
quire (which FOC is currently litigating because of its impact to steelhead), the Forest Service approved another logging project, the Stray Creek project, this past January. The Stray Creek project doesn’t just log in the same watershed, it logs within the same boundaries as the Lolo logging project. Such logging-project pile-ons in steelhead habitat risks undoing and even outpacing restoration efforts. Logging also emits more carbon and reduces carbon sequestration, contributing to even warmer temperatures that also hurt salmon. And the Forest Service continuing this logging trend seems likely. The Forest Service is at a 20-year-high in the acres of logging it annually approves. The agency has also given the public a draft of a forest plan that considers either continuing the current rate of logging or increasing annual logging approvals over two-fold through the next generation.

The governor’s salmon workgroup ended in a whimper, but that need not be our fate. Friends of the Clearwater is considering how to respond to these recommendations in a manner that properly considers science. While we tackle that angle, you can apply the public pressure—the actions of every individual adds pressure. You can write the governor to press him on the strategies that will help salmon: pushing for the removal of the lower four Snake River dams and weaning Idaho from its reliance on hatcheries. You can contact your nationally elected officials to request Congress authorize decommissioning the lower four Snake River dams and implement a total moratorium on logging inventoried roadless areas and old growth. You can contact the Forest Service to protest logging in steelhead habitat or contact the National Marine Fisheries Service and communicate your concern about the increase in the Forest Service’s logging activities. Above all, you can call on our leaders and public land managers to heed the science.

The status quo is driving salmon and steelhead to extinction, and minor amendments to business-as-usual won’t save them. We need to meet this challenge with the gravitas it requires; this challenge calls for drastic changes. Does this require science-driven policy? Unavoidably. Public pressure on decisionmakers? Yes. Sacrifice? Very likely. Will doing everything we can be worth it if we can save wild populations for our generation and generations to come? Absolutely.

In Memoriam: A Tribute to John Holup (1934 to 2020)
by Gary Macfarlane

John Holup (1934-2020) is someone impossible to forget. He made an impression on me—a striking and distinguished man of many talents. I would see John and his wife, Sara, around Moscow and at various events of Friends of the Clearwater.

He was born Dec. 23, 1934, and grew up in Toledo. A very talented person, he worked for the Singer Sewing Machine company. He must have been a mechanical whiz as he repaired sewing machines for friends and neighbors through-out his life.

His wife encouraged him to attend college and he graduated from Bowling Green in three years, with honors, and taught school in Toledo. In 1971, his family moved to Moscow and he taught at the University of Idaho and retired as a professor. His masters degree was from Bowling Green and his PhD from Washington State University.

Along with his wife, Sara, they loved the beauty of Idaho’s wildlands. I suspect that is why they supported Friends of the Clearwater so faithfully. After retiring, he could be found at his favorite fishing holes multiple days of the week.

I knew him as a kind, jolly, and generous person with a wonderful wit and broad smile. His generosity extended to many of the other non-profit organizations in the area. He made the world a much better place. Condolences to his family.

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Along with his wife, Sara, they loved the beauty of Idaho’s wildlands. I suspect that is why they supported Friends of the Clearwater so faithfully. After retiring, he could be found at his favorite fishing holes multiple days of the week.

I knew him as a kind, jolly, and generous person with a wonderful wit and broad smile. His generosity extended to many of the other non-profit organizations in the area. He made the world a much better place. Condolences to his family.
On the Clearwater National Forest, the grizzly bear is one of the Forest Service’s “management indicator species” (MIS). This means the population trend of the great bear informs the agency how well it is managing the species’ habitat. So, how well has the habitat been managed?

A little background information. In 1993, before flirting with grizzly bear reintroduction, the U.S. Fish and Wildlife Service (USFWS) noted “the last verified death of a grizzly bear in the Bitterroot Ecosystem was in 1932 and the last verified tracks were documented in the 1940s.” Still, there had been several bits of evidence of grizzly bears on the Forest since the 1940s. Then in 2007, a bear was shot and killed at a black bear baiting station in the Kelly Creek watershed. This was about 20 years after the Clearwater Forest Plan adopted the grizzly bear as one of its MIS. Given that the grizzly bear’s habitat on the Clearwater proved to be lethal to the only confirmed occurrence for over half a century, the answer to the question posed is—management is preventing the grizzly population from recovering.

In the interlude, the US-FWS approved a 2000 plan to re-establish an “experimental, nonessential” population, to “restore grizzly bears to central Idaho” using artificially relocated grizzlies from outside the Bitterroot Ecosystem (BE). Long story short—politics of the state of Idaho put the kibosh on those efforts before any actions were taken, demonstrating the Forest Service was not the only government entity failing the grizzly.

The Forest Service still has done nothing to regulate black bear baiting in the Nez Perce-Clearwater National Forests, allowing its partner-in-failure, the State of Idaho, to be the sole oversight agency of this “hunting” practice of questionable ethics.

This past December, Friends of the Clearwater joined WildEarth Guardians, Wilderness Watch, and Western Watersheds Project in a lawsuit challenging bear baiting under the Endangered Species Act because of baiting’s impact on grizzlies. The lawsuit, originally filed in 2019 against the Forest Service and USFWS, notes that numerous grizzly bears have been killed because of black-bear-baiting stations in the national forests of Idaho and Wyoming. We believe this triggers a duty for the federal agencies to re-consult and find a way to reduce or eliminate this “take” (i.e., death or harm) of grizzlies under the Endangered Species Act (ESA). Having survived government efforts to dismiss, the case is pending before a U.S. District Court in Idaho.

Looking back, 2019 was a pivotal year for grizzly bears in the BE. In the spring, radio-collared subadult male grizzly “927”, which had been transplanted in 2018 from the Northern Continental Divide Ecosystem (NCDE) to the Cabinet-Yaak Ecosystem (CYE), famously made its way from the West Cabinet Mountains into the BE and the Clearwater National Forest. Grizzly 927 remained in the general vicinity of the Upper Lochsa and Lolo Pass for much of 2019, and was even photographed in a rural area near Lolo, Montana. That fall, 927 headed to the CYE where it denned. In 2020, it made its way to the NCDE where it remained, except for a brief foray into Canada. Not so famously, also in the spring of 2019 a game camera in the vicinity of Grangeville, Idaho captured images of a grizzly bear, labeled the “Whitebird Bear” in some agency emails. Then in April of 2020, an Idaho Fish and Game officer confirmed grizzly bear tracks about seven miles south of Grangeville, in the same vicinity as the 2019 photographs. This means the grizzly likely had denned nearby.

Then in December of 2019 the Forest Service released a draft version of the new forest plan, proposed to replace the forest plans for both the Clearwater and Nez Perce National Forests. The draft Environmental Impact Statement (DEIS) accompanying that draft plan stated, “the Bitterroot Ecosystem continues to be considered unoccupied by grizzly bears despite a male grizzly bear traveling into the Bitterroot Ecosystem.” The DEIS does not mention the Whitebird Bear. Nor does it mention other unconfirmed 2019 occurrences of grizzly bears from tracks or photos, including near Big Cedar (less than 20 miles east of Stites, Idaho), the “Newsome Red River” bear from September 2019, and possibly a second grizzly bear in the Upper Lochsa.

We know of these unconfirmed sightings because FOC made a request to the Forest Service under the Freedom of Information Act (FOIA), seeking documents relating to all known grizzly bear sightings or grizzly presence on the Nez Perce-Clearwater National Forests (NPCNF) subsequent to October 30, 2013. Last May, in light of the Whitebird grizzly bear’s confirmed presence, FOC sent a letter to the Forest Supervisor expressing concerns about two massive timber sales in that vicinity on the Nez Perce National Forest. The continued on next page
Supervisor responded that further consultation was ongoing. Obviously, the events of 2019 forced the agency to delay making a final decision on the timber sales, long after the Forest Service had dismissed our administrative objections.

In late January 2021 the Forest Service finally announced a decision on one of these timber sales—entitled “End Of The World” (EOTW). Documents placed on the EOTW project website at the same time the decision was published reveal convoluted agency excuses for not protecting grizzly bear habitat in the Clearwater Country.

For example, regarding the “Whitebird” grizzly bear confirmed at the Fish Creek Meadows recreation area on the Nez Perce National Forest in 2020—inside the EOTW project area—the Forest Service says, “this was a transient bear and not a resident animal” even while acknowledging its “current location is unknown.” The Forest Service uses this arbitrary “not-a-resident” status to justify their “no effect” conclusion for EOTW, which means they will not even seek an informal concurrence for this conclusion from the USFWS.

So what would it take for a grizzly bear to be considered a “resident” so ESA procedures would kick in? The Forest Service says it must be part of a “population” defined by the 2000 Environmental Impact Statement (prepared in anticipation of the BE reintroduction effort) as “two or more reproductive females or one female reproducing during two separate years.”

It’s well known that young female grizzly bears tend to establish home territories in close proximity to their mother’s. They are not pioneering migrants like male grizzly 927 in 2019. Also, grizzly bears have a strong tendency to avoid highly roaded landscapes, which now effectively wall off the BE from known female grizzly home ranges in other Recovery Areas. In contrast to the BE and the Clearwater country, habitat for bears in other Recovery Areas is delineated by forest plans into Bear Management Units where total and open road densities are limited in order to reduce human caused bear mortality and increase habitat security.

So what would it take for the Forest Service to institute BMUs and road density standards in the forest plan for the Nez Perce-Clearwater National Forests? The Forest Service explains:

“Bear Management Units have not been developed for the BE, however, the Recovery Plan identifies delineation of BMUs as a future task once home range size and habitat use data are available (USFWS 1996). Such data are currently unavailable for the BE because of the lack of resident grizzly bears.” In other words, female grizzly bears would have to defy their genetic programming to migrate into the BE across perilous, roaded landscapes, find a mate, have cubs, and wait for the federal agencies to acknowledge their existence, determine home range size and gather habitat use data—all in order to earn habitat protections enjoyed elsewhere.

So the Forest Service’s 2019 draft forest plan for the NPCNF includes no strong protections for grizzly bears. There are no road density standards, no BMUs, and no ban on black bear baiting. Instead, it reflects status quo motorized recreation and high timber targets.

Any agency questioning of whether grizzly bears, recently confirmed in and around the Clearwater or Nez Perce National Forest, are “residents” is beside the point. Grizzly bear habitat quality is still potentially outstanding, but only if we take steps to remove the human impediments to natural recovery. Recovery of the grizzly requires its population to grow and its range to expand, especially in anticipation of the impending risks of climate change. That the officers of the NPCNF, managers of four-million acres of national forest lands, continue to impede the progress of recovering a threatened species speaks volumes of their priorities. FOC will continue to pressure the agency to follow the science and manage our forests for future generations of humans and all native species. FOC does not believe the grizzly bear must hurdle arbitrarily agency-established bars to be welcomed.

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(Ed Note: Speaking of grizzlies, there are two things you may want to obtain. 1) We encourage everyone to read this excellent and timely publication from David Mattson, PhD grizzly researcher, about grizzlies and their recovery in the Clearwater. The cover page is printed below. It is available for a free download:
https://www.mostlynaturalgrizzlies.org/selway-bitterroot) 2) FOC has a new color brochure on grizzlies. Hard copies are available by writing the FOC office.
The Plan Ignores Climate Change and Locks in Status Quo Dam Operations for 35-50 years.

With the current percentage of CO2 in the atmosphere, a warming climate is inevitable. The earth’s climate is just beginning to react to the current CO2 level, and we won’t realize the full effects for decades. That’s true even if CO2 emissions don’t increase above the current level — a practical impossibility. It is highly likely that climatic warming will result in less water stored in reservoirs, diminished river flows, ocean warming and acidification, and increased river water temperatures. Diminished flows and elevated river water temperatures are already harming anadromous fish. With operations at scores of dams exempt from the requirements of the Endangered Species Act, the Clean Water Act, and the National Environmental Policy Act, and with FERC licenses locked in for 35-50 years, there is no mechanism to compel changes in dam operations in response to changing climatic conditions.

Any Plan Should be Subject to Full Congressional Debate and Public Scrutiny

I understand that Rep. Simpson plans to attach the appropriation language that would implement his plan to some must-pass appropriation bill, such as the defense appropriation act or a critical infrastructure funding bill. If his plan is good for everyone as he claims, then let’s let everyone get a good look at it before it could become law. If his plan is good for everyone as he claims, then it should be able to withstand full Congressional scrutiny and debate. The plan should be a stand-alone bill, not a few pages of appropriation language buried within thousands of pages of a must-pass appropriation act. Changing bedrock environmental laws for 35-50 years into the future demands full public disclosure and Congressional debate, not passage via legislative sleight of hand.

Conclusion

Simpson’s proposal doesn’t force the dam operators to obey the law, it grants them immunity from the law so they can continue to behave as they always have, and it pays them taxpayer dollars for doing so. Instead of gutting 3 environmental laws and allowing the agencies and industries to continue operating as they have for decades, Rep. Simpson should author legislation that strengthens enforcement of the Endangered Species Act, the National Environmental Policy Act, and the Clean Water Act, forces the agencies and industries to obey the laws, and holds them accountable for failure to do so.

Selectively exempting public agencies and private industries from compliance with federal law, allowing them to operate without disclosing the effects of their actions, and shutting the public out of the decision-making process is simply bad public policy. The Simpson Plan is bad public policy that has far-reaching and long-term implications. Many of the plan’s impacts will be felt on rivers far removed from the lower Snake River. Many of these impacts will imperil other runs of anadromous fish far removed from the lower Snake River, and it will make it very difficult, if not impossible, to compel changes in operation of those dams that could save those fish. Allowing long-term exemption from our foundational environmental laws sets a very risky precedent that will likely be capitalized upon by other industries that have little or nothing to do with anadromous fish.

The 4 dams on the lower Snake River are supposedly the focus of Simpson’s plan. If this is really true, the provisions of his proposal should be limited to just those four.

Rep. Simpson speaks of his desire to “keep river users whole” if the lower Snake River dams are removed. Presumably, that’s what the bulk of the $34 billion price tag of his plan is intended to do. I suggest that the first harmed should be the first “kept whole”. I suggest at least $34 billion be paid to the Indian Nations whose subsistence, economies, and cultures have been devastated by the operation of federal and private dams on the Columbia and Snake Rivers — regardless of whether or not the lower Snake River dams are removed.

I would love to see the 4 lower Snake River dams (along with many others) removed. I would love to see wild Snake River anadromous fish runs restored — but not under the onerous conditions and long-term collateral damage promised by Rep. Simpson’s plan.
2020 Annual Membership Meeting

2020 is the first year that Friends of the Clearwater hosted the Annual Membership meeting on Zoom, related to pandemic safety.

This year’s meeting was similar to past meetings, minus the elegant pot-luck and silent auction, the festival atmosphere, the meeting of old and new friends, the comradery of like-minded people, the hugs and kisses and handshakes, the personal stories, the eye contact, the live music, and on. But also, no virus and no driving.

The meeting was hosted by Gary Macfarlane, FOC’s Ecosystem Defense Director.

Beth Hoots (Summer Monitoring Intern, Board Member) and Katie Bilodeau (Staff Attorney) began by telling of their trip in to amazing Cayuse Creek, where the Forest Service recently built a new motorized trail, without analysis or public comments. They shared beautiful photos of low elevation forest and meadowlands.

The Board was represented by Harry Jageman. He pitched for new Board Members, and introduced Beth Hoots, Chris Norden, and Brett Haverstick as seeking election. Julian Mathews and Steve Paulson were re-elected. Tanya Gale, Al Espinosa and Harry are serving through this year.

Katie informed the meeting about litigation to protect the Wild Clearwater Country.
1) The suit with U.S. Wildlife Services for killing wolves without a valid Environmental Analysis, was settled out-of-court. They agreed to not use M-44 cyanide bombs in Idaho, and to not kill wolves or use modern surveillance technology in Wilderness Areas.
2) Windy Shingle litigation was lost, in the 9th Circuit. This was a 3000 acre logging project located in Chinook salmon habitat at Rapid River, near Riggins. The main arguments were logging in Old Growth and a lack of on-the-ground surveys before the logging. Evidently, this is legal now.
3) FOC is in court again concerning the wolverine. After losing a lawsuit years ago, the U.S Fish and Wildlife Service was ordered to take action on Endangered Species Act protection. In 2019, FOC and partner organizations re-su ed. This suit was settled with an agreement to list wolverines by August 2020. In October the USFWS decided to not list. FOC entered the court again on behalf of the wolverine, and that suit will be decided soon.
4) The Lolo Insect and Disease Project lawsuit is a 3400 acre logging and road building project in the last wild stream segment on Lolo Creek. This timber sale will impact threatened steelhead and a few other things. A decision is pending.

Jeff Juel, FOC’s Montana Policy Director, spoke about the Forest Plan Revision. FOC submitted 300 pages of comments. One concern is that the new plan will log most of the remaining Old Growth. If you have not yet commented on this plan, you can through the link on FOC’s web site. The Final Preferred Forest Plan Alternatives will be released this winter.

Gary spoke on the 13 timber sales that FOC commented on this year. The Forests are attempting to quadruple logging every year, despite not being able to meet many of their current environmental standards, for example, water quality and fish habitat. The East Saddle Timber Sale located in Kelly Creek will log roadless habitat, The Green Horse and Limber Elk Timber Sales will log large areas near Elk City. One area was successfully appealed by FOC in the past. Also, FOC commented on the Forests’ renewed interest in mining projects, some that would mine in the Gospel-Hump Wilderness.

Beth shared highlights from her forest monitoring. She presented photos of an escaped burn in Orogrande CCP, logging debris in the Lolo Thin timber sale, a story of a Fisher sighting, an Iron Mountain timber sale, an illegal road and mine in McGuire Creek, and the proposed East Saddle logging in Cayuse Creek.

Gary spoke about the Northern Rockies Ecosystem Protection Act, which will be re-submitted to Congress this year. This Act would protect all the remaining roadless areas and the habitat corridors between the Yellowstone ecosystem, the Greater Salmon-Selway ecosystem and the northern Continental Divide ecosystem.

This year’s awards were presented to: Sioux Westervelt for Activist of the Year. Friends of Rapid River for Group of the Year. Holly Endersby and Scott Stouder spoke about their relationship and commitment to the Rapid River.

Larry Campbell for the Macfarlane Plank Award. Larry spoke about his motivations and challenges, some experiences and the people who he worked with, Stuart Brandborg’s grass-roots organizing philosophy, Friends of the Bitterroot, and litigation for wilderness, rare animals and Old Growth. He left with a message of hope for the future of earth.

The last presentation was a series of photos taken by FOC members of recent hikes and vistas from our beautiful wildland heritage. Tom Peterson sang his River Song to accompany the photos. Thanks to these people for sharing.

These photos, set to music, were the best part of this “virtual” meeting.

For more information on litigation, timber sales, mining proposals or other issues that FOC is working on, https://www.friendsoftheclearwater.org
Adios National Forests? From the Clearwater to DC
by Gary Macfarlane

There is a new administration in Washington, one hopefully friendlier to conservation. Experience has taught us, in spite of hype one way or another, changes in administrations rarely make a dramatic change on public land and wildlife policy. Further, party affiliation is not necessarily a reliable guide as to how an administration treats public lands and national forests. The simple matter of fact is public lands and wildlife habitat are rarely a priority of any administration, regardless of party.

The initial signals coming out of the new Biden Administration are a mixed bag regarding the national forest system. There is still an emphasis on logging to prevent forest fires in spite of the scientific evidence to the contrary. There appears to be no recognition of the impacts of commodifying recreation on citizens or the land. Recreation is conflated with conservation. As of press time, the Secretary of Agriculture (the Secretary of Agriculture is over the US Forest Service, not the Secretary of Interior, which oversees the other public land and wildlife agencies) is a retread from the Obama Administration, Tom Vilsack. Public Employees for Environmental Responsibility (PEER) issued a press release in January noting a 2016 Office of Inspector General survey showing that around 120 USDA agency scientists believed their research findings had “been altered or suppressed for reasons other than technical merit.”

On a more positive note, the Department of Agriculture, via a memo of February 1, 2021 put on temporary hold a series of pending Forest Service actions, including some which would negatively affect Wilderness and roadless areas as well as forest plan revisions. We don’t know whether this will affect the timeline of the Nez Perce and Clearwater National Forests plan revision, or if it will put a stop to proposed roadless logging in Cove-Mallard or elsewhere. In any case, the temporary protective measures for Wilderness and roadless areas should be made permanent and strengthened, as the Forest Service has proven that it won’t protect either Wilderness or roadless areas from itself.

In December 2020, FOC and Adam Rissien of WildEarth Guardians met with the Forest Service, over the Internet, to go over questions about the forest plan revision and the results of monitoring some projects. We learned the draft decision on the revised plan would come out in April with a final plan sometime late in 2021. As reported in our forest plan alert of January 2020, the draft plan was a massive step backward. We don’t know whether the new administration will decide to have any influence on the current direction of this plan. We also learned the Forest Service won’t reissue the Tinker Bugs timber sale for substantive public comment even though the Forest Service wrote that it would prepare an environmental assessment rather than a cursory categorical exclusion. We were awaiting the preparation of the Environmental Assessment, as the agency had promised, when the decision came out. We also pointed out differences in what the Forest Service said would happen on the ground and what did in timber sales. We also asked about roadless logging and the lack of notification. The Forest Service told us they would reply, in writing, to our concerns. As of press time, we have not yet heard back. In essence, accountability is lacking; maybe that is why the agency is taken to court.

Speaking of court, in February FOC filed in court to protect sensitive wildlife habitat in the proposed Great Burn Wilderness (also known as Kelly Creek/ HooDoo), which the Forest Service recommended for Congress to designate as wilderness in 1987. The suit seeks to protect Fish Lake from motorized use, which threatens a unique bull trout population, grizzly recovery, and elk habitat. John Mellgren of the Western Environmental Law Center and Dave Bahr of Bahr Law Offices represents Friends of the Clearwater (FOC). Local counsel in the case is FOC staff attorney, Katie Bilodeau. The challenge builds on a 2015 victory by FOC and co-plaintiffs forcing the Forest Service to rework its travel plan governing motorized use across the Clearwater National Forest. In that case, the court held the Forest Service had violated the Clearwater Forest Plan’s requirement to protect elk habitat in specific areas by authorizing motorized use. Rather than abide by the court’s ruling and its own forest plan, the Forest Service continued the injury to wildlife and again violated the forest plan when, in 2017, the agency decided to allow motorized use on the trail to Fish Lake, in a recommended wilderness. The Forest Service has had decades to follow its own forest plan and over

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five years to correct the court-identified deficiencies with the travel plan. This lawsuit seeks to finally implement those mandates.

FOC has been active in the public involvement process. We submitted comments on a timber sale proposal near Elk City called Limber Elk. It covers some of the same area the Forest Service agreed to drop timber-cutting units in 2005 to avoid a lawsuit with FOC. It seems the agency can’t keep promises. This is a massive proposal, nearly 3,000 acres of logging, 15 miles of new road (supposedly temporary), and reconstructing 40 more miles of road. The Forest Service intends to do this with a cursory categorical exclusion even though the area might have grizzlies, according to the US Fish and Wildlife Service map. They held only a 15-day public comment period even though the clearcut size would exceed 40 acres, requiring a 60-day public notice period. (See also the article by Katie Bilodeau in this newsletter on page 6 about the Forest Service’s recent attempts at squelching public involvement and what you can do. See also Jeff Juel’s article about grizzlies on page 10)

At long last, the dreaded End of the World Timber Sale decision came out, or did it? The Forest Service issued what everyone thought was a final decision, except it was written as a draft decision subject to the objection process for those who provided comments earlier. We submitted another objection but in this instance the Forest Service admitted it goofed and didn’t intend to have another objection period like on some other timber sales.

There are other timber sales awaiting approval—the massive Hungry Ridge, one in Cove-Mallard (called Dixie-Comstock), and Green Horse (near Meadow Creek). We will keep you updated as these proposals progress.

Given all of the above, maybe the new administration in Washington, DC can do something. It could require a modicum of accountability and transparency from the Forest Service. Of course, that will be a tall order.

An Encounter with Wolves Beyond Words
Guest Submission by Ron Marquart

The North Central Idaho “Big Wild” is a great place to be. In 2020, I made my annual 10-day backpack trek in the upper reach of the North Fork Clearwater River. During the first day, I heard wolves howling nearby in late afternoon while pitching a tent by the confluence of Birch Cr. and N. Fk. Clearwater R. How fortunate to be in the presence of wolves on the very first day of this outing!

The next several days I found campsites near Ruble Cr., Boundary Cr. and Graves Cr., but no known encounters with wolves. I did encounter the glorious rewards of our old-growth forests on the steep slope canyons and wetland areas beside the river. Both the living tall Engelmann Spruce, Douglas Fir, Western Larch/Hemlock and Lodgepole Pine, and their dead standing snags were impressive. And just as impressive were the down trees with bark providing habitat for beetles to collect and other diverse assemblages of invertebrates and fungi under the bark. Of course, the understory of diverse shrubs and flowers were growing in abundance.

The last day of my trek produced the greatest reward. After a quick breakfast and packing up tent and gear at the Boundary Cr. Campsite, I trekked south on the east side of the river toward the trail head and my parked car about nine miles away. During the first mile of travel I heard several intermittent high-pitched barks and short howls of wolves. I answered with my own imitation of the barks and howls. To my surprise they responded back to me! The wolves and I communicated back and forth several times in this manner. This area beside the river has intermittent open views of marsh grasses and dense stands of willows among small groups of conifers. Finally, a gray wolf walked out from the willows into the open and stared at me for about 5 seconds with me staring back. Not enough time to get the camera out for a photo. The wolf quickly turned back into the cover of willows. The encounter was over.
The 2021 Wine Event Fundraiser

Our wine event fundraiser was canceled this past spring due to the COVID-19 pandemic. We have tentatively rescheduled it for the spring of 2021. Eric and Jan Jensen are very pleased to have wines from two producers that are new to the tasting: a Syrah blend from highly rated Torrin, and a GSM-style from the limited production Royal Nonesuch Farm. In addition, we have new wines in the silent auction. Pinot noir from Lagom – the sister label of Torrin, and a Grenache from Dilecta. Our special thanks to Nick Elliott of Nicora, and Nikki and Dave of Torrin for their generous donations in support of Friends of the Clearwater. The dining menu continues to be in the planning stages. The Jensens hope to add more wines to the event during their planned winter sojourn to the Paso Robles area; the COVID-19 situation permitting. Please join us for this fun event in 2021 and support Friends of the Clearwater!

(Ed. Note: many thanks to Eric and Jan Jensen for organizing this event)