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Friends of the Clearwater to court: Motorized vehicles in Fish Lake's sensitive habitat would harm bull trout, grizzlies, elk

Moscow—Today, Friends of the Clearwater (FOC) filed a [lawsuit](#) to protect sensitive wildlife habitat in the proposed Great Burn Wilderness, 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. Friends of the Clearwater is represented by John Mellgren of the Western Environmental Law Center and Dave Bahr of Bahr Law Offices.

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,” said Gary Macfarlane, FOC's ecosystem defense director.

“Grizzlies are returning to the large proposed wilderness,” said Macfarlane. “A grizzly bear was illegally killed by a hunter in nearby Kelly Creek in 2007, and in 2019 a bear with a radio collar made extensive use of the proposed wilderness. Motorized use impacts grizzlies at individual and population levels, from using habitat to selecting home ranges. Further, the U.S. Fish and Wildlife Service admits that motorized use also threatens the unique population of bull trout in the lake through increased fishing pressure the motorized access provides.”

“The Clearwater National Forest has dragged its feet for years when it comes to responsibly managing motorized recreation in this crown jewel of Idaho's wild places,” said John Mellgren, general counsel at the Western Environmental Law Center. “Friends of the Clearwater has waited five years for the Forest Service to act on its last court loss. This lawsuit simply aims to make the agency follow the law.”

“The Forest Service has had decades to follow its own forest plan and over five years to correct the court-identified deficiencies with the travel plan. This lawsuit seeks to finally implement those mandates,” said Macfarlane.

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