



# CLEARWATER DEFENDER

## NEWS OF THE BIG WILD

A PUBLICATION OF  
FRIENDS OF THE CLEARWATER

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### Transitions: Adios Brett, Welcome Jeff, and a Sad Goodbye to Ron Mitchell

Gary Macfarlane

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As many of you know, and will read more in this issue of the *Clearwater Defender* we are saying goodbye to Brett Haverstick, who has been with Friends of the Clearwater (FOC) as the Education and Outreach Director for ten years. I remember meeting Brett years ago as he was obtaining his masters degree at the University of Idaho. Brett and I have been out in the Clearwater backcountry together on many occasions the past decade. Actually, he began his employ at FOC on a trip to the Frank Church-River of No Return Wilderness. You can read about his ten years in an article he authored in this newsletter. It is entertaining reading.

Brett grew up in New Jersey. I suppose that explains why he is so outgoing and good at dealing with people. He made many friends here in this part of Idaho and knew just about everyone. His passion, energy, and organizing abilities are well known and will be sorely missed. He was the catalyst that caused FOC to expand its reach and influence. More than a work colleague, he is a close personal friend. I remember fondly our basketball games at lunch on Fridays where we were joined by FOC members Will Boyd (FOC's former Education and Outreach Director), Eric Martin, and sometimes others. Our schedules—certainly not my age—ended our weekly contests a few years ago. I wish him the best in Missoula at his new job at Wilderness Watch, an organization I greatly admire and not just because I happen to serve on its board. Brett is already planning a wilderness adventure with a group of us next year. Adios Brett.

We also welcome Jeff Juel, recently hired as FOC's Montana Policy Director. Why a Montana-based

person for FOC, you might ask? Much of the Clearwater is closer to Missoula Montana, where Jeff is based, than any town in Idaho. I have known Jeff for decades. He is one of the best forest policy experts in the country. Jeff also has an article in this newsletter.

The COVID-19 pandemic has forced changes. We hope you have all maintained health in this difficult time. The pandemic has postponed or cancelled outreach events. We don't know yet if will be safe to plan summer outings. We will let you know if or when that happens. We have tentatively planned our Annual Membership

Meeting for November 7 and a Wine and Wilderness Fundraiser for late September. During the pandemic, the FOC staff had been staying and working at home, though now we are trying to have one of us in the office as of press time. Please feel free to call the office and if nobody answers, leave a phone message. We do check daily.

With so much going on lately—the COVID-19 pandemic, and if that were not enough, the authoritarian politics in the US—nothing seems normal. Yet, we have known for years about threats of consumptive, fossil-fuel-enabled lifestyles and population growth. What previously seemed as normal, at least over much of the country, can't be sustained in the long term. As we recovery recover from the pandemic, we have the opportunity to choose a new normal that is good for all, including humans, grizzly bears, and wild steelhead.

We also say a sad goodbye to Ron Mitchell, an iconic Idaho conservationist, who died recently. You can read more about Ron's remarkable career in this newsletter.



Brett in the Clearwater

FOC File Photo

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**Friends of the Clearwater**  
*Keeping Idaho's Clearwater Basin Wild*

THE CLEARWATER DEFENDER  
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Friends of the Clearwater, a recognized non-profit organization since 1987, defends the Clearwater Bioregion's wildlands and biodiversity through a Forest Watch program, litigation, grassroots public involvement, 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.

The *Clearwater Defender* welcomes artwork and articles pertaining to the protection of the "Big Wild." Articles and viewpoints in the Defender do not necessarily reflect the views of Friends of the Clearwater.

Friends of the Clearwater is a 501(c)(3) non-profit organization. All contributions to Friends of the Clearwater are tax-deductible.

## Keep It Wild!

- Thank you for all you are doing to protect the Clearwater Basin of North Central Idaho. We never got to visit your area before my husband died so long ago, but I have had such an enjoyable time exploring your website and seeing this beautiful forest. May you be more successful each year in all your efforts to save this great land. - from an FOC Member.



FOC Photo

**EXPLORE  
CLEARWATER COUNTRY  
THROUGH OUR WEBSITE**  
friendsoftheclearwater.org

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## Jeff Juel

Are you aware that if clearcutting a nearby national forest doesn't proceed soon, the existing "forest health issues" will "decimate timber stands"? And without clearcutting, species native to the ecosystem will "degrade the integrity of the forest"?

And, if Friends of the Clearwater or other citizens successfully stop this clearcutting, they would be "ignoring a compelling forest health issue" and "negatively impacting landscape resilience" while "creating a second wave of mortality"?

Further, did you know that, without this clearcutting, "the existing high burn severity condition will continue to persist and amplify, putting private property at greater risk" leading to "more severe fire effects"? And that trees not logged inevitably become "a safety hazard"?

Such outrageous U.S. Forest Service assertions are what pass as "facts" these days, as represented in the Clearwater National Forest's recent White Pine Environmental Assessment.

The tree farming mentality dominates Forest Service thinking ever more as time goes by. Agency specialists with allegiance to the principles of good science are being stifled. And the only public opinion that matters to the Forest Service is from those profiting from resource extraction. The membership in that exclusive club is demonstrated by a capability to expend resources and time in endless "collaborative" meetings and processes, wherein one gets to gang up with other collaborators to promote exploitation and serve as an echo chamber for the above cited Forest Service rhetoric.

The exception to this disturbing situation is when empowered citizens and grassroots groups apply pressure—exposing the fiction of "managing for forest resilience" and the

like. And stating publicly what the collaborators won't, which is that ignoring science results in unsustainable resource use that ultimately robs wildlife, fish, future generations—all of us.

It's nice to meet you, empowered citizens. I'm the new Montana Forest Policy Director for Friends of the Clearwater. I have been challenging Forest Service actions such as the one mentioned above for nearly thirty years, based mostly from my town of Missoula. Advocating for the Wild Clearwater Country is not new to me. Since an early monitoring mission of the Forest Service's invasion of the Cove/Mallard Roadless Area in the early 1990s, I've worked with FOC and partners to resist countless other bad agency ideas.

Friends of the Clearwater embodies activism which effectively protects public lands and resources without sacrificing integrity or selling out in any way. It's a great privilege to come onboard, joining an important part of a network of like-minded activists and grassroots organizations extending across the



Jeff Juel at the Brebner Flats Timber Sale (see page 9 for more on this timber sale)

northern U.S. Rockies bioregion.

## Summer and fall volunteers needed for field monitoring

FOC needs a few dedicated volunteers to collect field data for logging projects on the Nez Perce and Clearwater National Forests. Basic training and equipment will be provided. Must have your own vehicle. Reimbursed through mileage. RSVP if interested [gary@friendsoftheclearwater.org](mailto:gary@friendsoftheclearwater.org)

## A decade of defending the Clearwater

### Brett Haverstick

I want all of our wonderful members to know that I have accepted a new job in Missoula, Montana with our close ally Wilderness Watch. I've been incredibly fortunate to work for Friends of the Clearwater for ten years. I want to thank our staff, along with our Board of Directors, as well as you, our dedicated membership, for the excellent support during my time with the organization. Our collective accomplishments and memorable moments together will last a lifetime. Below are some of the highlights.

### Defeating the Megaloads

In 2010, FOC learned about the severe threats that megaload shipments posed to the Middle Fork Clearwater and Lochsa Wild & Scenic River corridors. The Idaho Transportation Department was planning to convert the two-lane Highway 12 into a permanent high-wide industrial corridor for ExxonMobil and other oil corporations to use to get their equipment to the apocalyptic Alberta Tar Sands. A broad coalition of citizens, conservation groups, attorneys, and the Nez Perce Tribe eventually defeated the state of Idaho and Big Oil through an injunction in federal court. Years of attending public meetings, writing letters to the newspaper, organizing citizen protests, and developing a thorough highway monitoring program (in the middle of night) came to fruition. We collectively saved one of the truly great river corridors in America from becoming a tentacle to one of the most destructive projects on the planet.



Megaload protest at the Port of Lewiston  
January 2011

The injunction forced BigOil to seek an alternative route to transport their remaining shipments from the Port of Lewiston. They chose Highway 95 through Moscow. Protests soon erupted and downtown sidewalks became packed every evening with people, signs and banners. On one of those infamous nights, six individuals sat down in the crosswalk on Washington Street and physically blocked a 325,000lb. and 210-ft. long megaload from moving another inch. About an hour later, with approximately 100-people standing in the road, the local police department cleared the street and arrested those that would not disperse. BigOil would go on to abandon this route, too, shortly thereafter.

## Stopping the Upper Lochsa Land Exchange

Around 2010, an equally corrupt government plan was hatched to trade away tens-of-thousands of acres of national forest lands in the Clearwater for 39,000-acres of cut-over private lands near the Idaho/Montana border. The proposal was just as controversial as the megaloads, and citizens from all political spectrums, including FOC, tirelessly organized to defeat the original administrative proposal. FOC continues to advocate for a complete purchase-option of the upper Lochsa in order to bring those important lands back into public ownership. *(Ed. Note: see the FOC web-site at <https://www.friendsoftheclearwater.org/upper-lochsa-land-exchange/> for an update. We will be reporting on this in future newsletters.)*



### Breaching the lower Snake River Dams

For decades, citizens, conservation groups, and the Nez Perce Tribe, with the help of attorneys, have fought endlessly to breach the costly four lower Snake River dams and recover wild salmon and steelhead populations threatened with extinction. In 2015 we organized the first *Free the Snake Flotilla* on the slackwater not far from Lower Granite Dam. Approximately, 200-hundred people from throughout the Pacific Northwest paddled rafts, kayaks, canoes, and other watercraft to the wall of the dam, where a rousing protest with banners and signs occurred. It was such a large gathering that officials from the Army Corps of Engineers nervously walked along the dam to watch the demonstration. Since then, four other flotillas have taken place, with each one adding a new wrinkle to the weekend-long festivities of water protest, music, food, guest speakers, and camping. FOC continues to advocate for the return of a free-flowing river and the recovery of wild salmon and steelhead.

continued on page 5



The first Free the Snake Flotilla  
October 2015



continued from page 4

## Fighting for Gray Wolves and Other Imperiled Species

When the Northern Rockies gray wolf population was wrongfully stripped of protections afforded under the Endangered Species Act in 2011 by a rider attached to a must-pass Congressional spending bill, our battle to protect gray wolves from state-sanctioned hunting and trapping seasons, and government-aerial gunners began. Since then, we have attended numerous Idaho Fish & Game meetings, submitted countless public comments to the agency, and helped organize multiple protests throughout Idaho. We have also joined lawsuits with other conservation groups (see page 8) when possible. We will continue to defend wolves as long as they are ruthlessly killed and prevented from fulfilling their crucial ecological niche in the Clearwater.



**Wolf-killing protest  
at the Idaho State Capitol Building  
Spring 2016**

We have also worked hard the past decade to recover other native species in the Clearwater, including bull trout, Canada lynx, wolverines, Northern Rockies fisher, and grizzly bears. With your support, we have submitted innumerable pages of public comments to the Forest Service, US Fish & Wildlife Service and other federal agencies. We have also joined numerous lawsuits to protect these species from various threats, including efforts (see page 9) to gain new federal protections when it is warranted.

## Giving Thanks to Others

Thank you to all the artists, musicians, and photographers that have volunteered over the past decade to raise money for FOC: Tom Peterson, Kelly Emo, Al Chidester, Yellow Dog Flats, Henry C. & the Willards, Smokin' Mojo, Corn Mash, Rifka Helton, Tofu Farmers, Dana Lyons, Bobbi Kelly, Alison Meyer, Chuck Pezeshki, Roger Inghram, Gerry Snyder, Fred Rabe, Ron Marquart, "Rufus", Alpha One Photography, and the late Walkin' Jim Stoltz. The Moscow Peace Band appeared at numerous FOC events and protests during the past ten years, too. Eric and Jan Jensen have also worked hard to make *Wine & Wilderness* possible. Please excuse us for not listing all the other wonderful volunteers that have donated their time over the past ten years. Everyone is appreciated, and it has been wonderful to work with you.



**Annual Meeting & Gathering  
November 2019**

We sponsored or co-sponsored an untold amount of outreach programs between 2010 - 2020. We participated in events at Lewis & Clark State College, Washington State University, and the University of Idaho. We organized programs in Moscow, Troy, Genesee, Potlatch, Coeur d'Alene, Lewiston, Grangeville, McCall, Boise, and Ketchum, ID, as well as Missoula, MT and Spokane, WA. We held events in community centers, cafes, breweries, eateries, bookstores, libraries, theatres, outdoor gear shops, and city parks. We also organized hikes, camping trips, and field-based monitoring programs. Thank you to the local business owners and non-profits that made much of this possible.

This is also the appropriate time to acknowledge my mentor and friend, Gary Macfarlane. Gary took a chance on me ten years ago after I had completed my graduate work in the spring of 2009 at the University of Idaho. I did an internship with FOC that summer, only to return for a job offer in March 2010. Will Boyd, the Education & Outreach Director at that time, had decided to return to school in order to pursue his graduate degree. If it were not for the two of them believing in me, I would not be writing this article.

I also want to thank former FOC staff member Ashley Lipscomb. We were partners for years, and to this day we remain good friends. Ashley empowered me to become the wildland activist that I am today, and will always remain.

While past events and campaigns are great chapters in our collective story, some threats still remain. The heart of the Clearwater is the vast and undeveloped public wildlands that provides a home for many species, including us. We must endlessly work for the permanent protection of the irreplaceable 1.5-million acres of roadless areas on the Nez Perce and Clearwater National Forests. The *Northern Rockies Ecosystem Protection Act* (see the FOC or Alliance for the Wild Rockies websites) is one way to accomplish this. We must also keep the Selway-Bitterroot, Gospel-Hump and Frank Church-River of No Return Wildernesses wild and free from state and federal intrusions.

Our efforts will never be complete until the dams come down, grizzly bears are feasting on abundant salmon in the wildest drainages of the Clearwater, and the land is spared from the bulldozers, road graders and chainsaws. We will be forever linked to this special place with its old-growth forests, raging rivers, windy ridges, craggy peaks, and the howl of the wild.

## Freedom of Information Act (FOIA) Corner Katie Bilodeau

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The first half of this year we have been busy with FOIA requests. Below is some of the information for which FOC has asked, and how you can access the Forest Service's response to our FOIA requests.

### **The forest-planning file up until when the Forest Service released the December 2019 draft environmental impact statement.**

When the Forest Service released its draft environmental impact statement in December 2019, we submitted a FOIA that same day to obtain the planning file amassed so far. The Forest Service provided us a response in February 2020. This gargantuan file is at our office and available for anyone to review or copy. Our staff are still combing through these documents, but some interesting notes:

- \* the Forest Service had two separate, longer chapters on global warming and carbon sequestration that it provided to other agencies before releasing the draft EIS to the public, but these two chapters were heavily edited and shortened into one chapter in the draft EIS released where the Forest Service failed to recognize the anthropogenic factors causing global warming.

- \* the file has notes from a 2012 planning-team meeting that mentioned, "[W]hen steelhead were listed, the Forest generated a red/green map that identified excess roads and recommended reducing the road network by 30–40%. To date, no decision has been made to include this issue during the revision process." Indeed, the forest-planning team failed to include or consider this map, so we submitted a FOIA for this map (read onto next FOIA request).

### **The 2012 red/green map that identified excess roads and recommended reducing the road network by 30-40%**

This map, with so much red and green, took us back to the holidays. Roads are the primary source of sedimentation into creeks and one of the biggest threats to salmo-

nid spawning habitats, the upstream Idaho waters where salmon and steelhead return to spawn. You can view and download this color map on our website at <https://www.friendsoftheclearwater.org/salmon-and-steelhead-habitat/> (a black-and-white reprint here would not do it justice). While on that page, you can also learn about roads and why sedimentation degrades salmonid habitat.

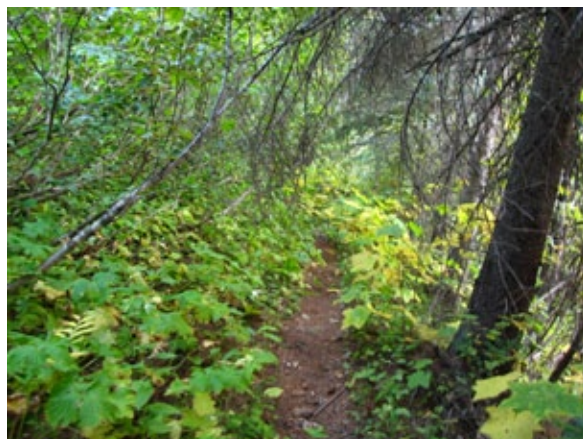
### **The Forest Service's current old-growth inventory on both forests**

Both the Nez Perce and Clearwater forest plans each require the Forest Service to maintain five percent old-growth in each drainage, and ten percent forest-wide. In the early 2000s, the Forest Service used to keep a list of stands it had set aside to manage for old growth. (The Forest Service has mapped out stands designated by a hierarchical number that begins with the region, then the forest, and on down to the stand number within that forest).

We know that the Forest Service used to keep a list of stands that the agency considered old growth because we have the environmental analyses of these old projects. Environmental analysis from the timber sales in the 2000s listed stands, by stand number, that were maintained as part of the old-growth inventory. Wanting to know the current inventory so we could map it and educate the public on old growth remains in the Nez Perce and Clearwater,

FOC submitted a FOIA for this information.

The Forest Service responded that it no longer maintains a list of stands, instead insisting that all current information was stored in geographic information system (GIS) mapping files. After receiving these mapping files, we hired a contractor to map out existing old growth in proposed timber sales, like the End of the World, which is a 20,000-acre logging project awaiting a final decision. Even though the October 2019 final environmental assessment for the End of the World project asserted that the Forest Service was exceeding its required old-growth levels, a map created with the GIS information provided to us this past May (2020) had no documented old growth. FOC has reached out to the Forest Service about this discrepancy and has asked to meet with agency employees on how the agency tracks and calculates its old growth. These GIS files are available at our office for those interested (email us if you are interested in obtaining them), and we will keep you updated on this odyssey.



What the Forest Service calls a road,  
the proposed East Saddle Timber Sale

Katie Bilodeau, FOC the photo



## Supplemental COVID-19 appropriations bill include money to fund logging

Katie Bilodeau

On May 11, 2020, Senator Ron Wyden (D-OR) introduced a supplemental appropriations bill called “The 21st Century Conservation Corps for Our Health and Our Jobs Act” (Senate Bill 3684 for the 116th Congress (2019-2020)). As of the writing of this article (June 4, 2020), the bill has no other senators co-sponsoring it, but has been referred to the Committee on Appropriations for review (where the committee will decide whether to recommend the bill before it goes to a vote in the Senate). The various appropriations (taxpayer money) proposed for the Forest Service drew our attention because it funds logging the public’s lands and is not predicated on science.

This bill funds logging. For example, the bill allocates \$250 million to “forest products” (Sec. 2(a)(1)(A)(iv)), which means timber logged on the national forest. Another \$300 million is allocated “for vegetation and watershed management.” (Sec. 2(a)(1)(A)(iii)). To an average person, this language sounds benign, even beneficial. But, the Forest Service often titles projects that involve significant amounts of logging as “restoration” or “vegetative management,” and the Nez Perce-Clearwater National Forests are no different. For example, according to the National Environmental Policy Act (NEPA) documents released by the Forest Service, the agency-stated purpose of the “East Saddle Restoration Project” is to “manage forest vegetation,” and has proposed 400 acres of logging deep in the North Fork of the Clearwater. The purpose of the “Hungry Ridge Restoration Project” on the Nez Perce National Forest is to “manage forest vegetation,” and has proposed 7,164 acres of logging. Decisions for these projects aren’t out yet, but the “Iron Mountain Vegetation Restoration Project,” decided in 2013, approved 663 acres of logging on the Nez Perce National Forest, and is wrapping up. Logging units beget road construction (temporary or permanent), which fragments habitat for terrestrial wildlife and distributes the fine sediment to streams that adversely impacts fish habitat. Funding this kind of “restoration” adversely impacts the environment.

This bill ignores science. This bill proposes \$3.5 billion for “hazardous fuels management activities.” (Sec. 2(a)(1)(A)(i)). The way to live with fire in the West is not “hazardous fuels reduction” on public lands. Wild-fire comes in mixed severity; in one fire, patches of forest

can burn lightly (or not at all), burn at a moderate level, or burn with high severity. That last type, the high-severity, can be large or small, but occurs less frequently. Scientific evidence demonstrates that the two most effective measures that homeowners (who have assumed the risk of living next to national forests) can take is on their own property. The Forest Service’s own scientist, Jack Cohen, conducted research and found home ignitions were unlikely unless there are flames or ignitions within 40 meters of the home. This means clearing vegetation that can ignite within 40 meters of the house, and it means installing a non-flammable roof so that firebrands (i.e., a piece of burning wood carried by the airstream) will not land on a roof and ignite the house. Other measures that can reduce a home’s ignitability from inevitable firebrands is vent screening, firewood placement, keeping nooks and crannies free of debris, and placing propane and gas tanks away from the house. In the Journal of Forestry, Cohen states, “Homes with low ignitability can survive high-intensity wildfires, whereas highly ignitable homes can be destroyed during lower-intensity fires.”



Iron Mountain Timber Sale, Katie Bilodeau, FOC file photo

Whereas treatments around the home are highly effective, fuel treatments on neighboring public lands are much less effective. Rhodes and Baker, scientists who used fire records from western national forests, estimated that, on average, there is a 2.0-7.9 percent change that a fuel-treatment project would even encounter a moderate- or high-severity fire during the 20-year period these treatments are effective. None of this science is new. Cohen’s research was published in 2000, and Rhodes and Baker’s research in 2008. Other researchers

recognize that, in the northern Rockies where the natural fire regime includes infrequent (on the frequency of multiple centuries) stand-replacing fire, fuel reduction will not stop a stand-replacing fire.

So far, there are no co-sponsors to this bill, but this is one to watch out for to make sure it gains no more traction. And it’s time we start educating all of Congress (Democrats and Republicans alike) about “hazardous fuels reduction,” and the implications of this language when carried out by the U.S. Forest Service. Let’s stop funding the U.S. Forest Service for welfare landscaping that does not work.

## Clearwater Country Report

Receive monthly action alerts  
and comment on proposals on the  
Nez Perce-Clearwater National Forests  
[friendsoftheclearwater.org/get-e-news](http://friendsoftheclearwater.org/get-e-news)

## Around the Clearwater

### Gary Macfarlane

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#### Forest Plan Comments

Given the COVID-19 pandemic, FOC staff did some amazing work to author most of the comments on the Nez Perce and Clearwater National Forests revision of the forest plans. The two current plans would be combined into one single new, fatally flawed plan, as we've discussed in earlier alerts. If you submitted comments, thank you! Massive public pushback is what we need to change this forest plan into one that accounts for climate change and allows ecological processes to govern.

Due to our on-the-ground knowledge and expertise, about seventeen individuals and organizations joined with us in submitting these comments. Our comments included over 400 pages that addressed the plan's failing, from roadless areas to scientific assumptions to impacts from past management activities in addition to attachments and the scientific literature submitted. The agency refused to extend the comment period due to the COVID-19 pandemic beyond the 30-day extension it offered earlier, in part because the draft plan was not available in hard copy for local libraries for 30 days. Regardless, the closure of local libraries due to COVID-19 meant that citizens without computer access could not review the documents. No hard copies were mailed to those who requested them.

The Forest Service said it would take feedback at any time during the planning process and it expects to make a draft decision in early 2021. Those who commented may object to the draft decision. A final plan isn't expected until late 2021.

#### Wildlife: Grizzlies, Wolves, and Wolverines

Earlier this spring, grizzly tracks were sighted by an official from Idaho Department of Fish and Game (IDFG) about a dozen miles from the northwest corner of the Gospel-Hump Wilderness on the Nez Perce National Forest. An FOC member also saw tracks in the same general area. This might be the same bear that was photographed last year a few miles south of where the tracks were observed. IDFG collected a genetic sample of material (probably hair or scat) left by the bear near a camera at a baiting station for black bears. Genetic analysis confirmed the photographs—the bear was a grizzly. Interestingly, the genetic analysis showed it came from the Selkirk Region of northern Idaho. Given the early sighting, it was almost certain the bear denned in the area, possibly in the higher elevations of the Gospel-Hump Wilderness.

FOC sent a letter to the IDFG asking that bear baiting be stopped in the area. We have yet to receive a reply. In 2007, a grizzly was illegally killed (allegedly accidentally) over bait in Kelly Creek in the North Fork Clearwater drainage on the Clearwater National Forest. We also sent two letters

to the Forest Service. We asked the Forest Service to assert its authority and end baiting, to which we haven't received a reply. The other letter stated that the Forest Service needed to consult with the Fish and Wildlife Service about two large timber sales planned for the area—End of the Word and Hungry Ridge—specific to grizzly bears. FOC objected to both sales because they would have disastrous impacts of fish and wildlife. The Forest Service replied saying the Forest Service and Fish and Wildlife Service were communicating and reviewing information.

Last year, what appeared to be two separate grizzlies were photographed near Lolo Pass. One was a radio-collared bear that came from the Cabinet Mountains and apparently returned there to den late last fall after spending spring, summer, and most of fall in and around the Selway-Bitterroot Wilderness. An FOC member also observed griz tracks in the Wilderness. Another grizzly was photographed near Newsome Creek on the South Fork Clearwater late last fall as well.

Grizzlies are using their paws to return to the Clearwater. The website of the Interagency Grizzly Bear Committee (IGBC) stated earlier this year, "In 2001, the Secretary of the Interior halted the plan (for reintroduction) as the agency's strategy shifted to allowing bears to naturally migrate into the ecosystem." After our first letter to the Forest Service this spring, someone changed the website, which, now states, "The IGBC vision 'to develop a defined course of action toward recovery' will require joint understanding of issues, sharing of knowledge (including new science and results of monitoring), and open communication among agencies, tribes, elected officials, interest groups, and the general public." So, in the face of the beginnings of natural recovery, the government agencies no longer recognize what has been their plan since 2001. It sure seems the agencies don't want grizzly recovery—regardless of the method—in the Clearwater, the best overall habitat in the Rockies.

In a key victory for wildlife, conservation groups finalized an agreement in March that sets strict limits on how and where Wildlife Services (the federal agency often referred to as the government trappers) can kill wolves in Idaho, bans the use of M-44 "cyanide bombs" statewide, and prohibits the use of snares to kill wolves on public lands. This settlement followed the Ninth Circuit Court of Appeals decision reversing a lower court ruling and permitting plaintiffs' lawsuit to proceed against Wildlife Services' statewide wolf-killing program in Idaho. Attorneys from Advocates for the West and Western Watersheds Project represented the plaintiffs: Western Watersheds Projects, Friends of the Clearwater, Center for Biological Diversity, Predator Defense, and WildEarth Guardians.

The settlement blocks the Wildlife Services from engaging in lethal activities targeting wolves in Wildernesses throughout Idaho, including those in the Clearwater region—the Frank Church-River of No Return, Gospel-Hump, and Selway-Bitterroot. The agreement also prohibits the federal government to help the State of Idaho aerial-gun wolves in the



upper Clearwater. These measures will remain until Wildlife Services completes an environmental impact statement on its predator-killing program.

FOC and several other organizations, represented by EarthJustice, filed suit to protect the wolverine because the Fish and Wildlife Service had failed to meet its deadline to list the wolverine under the Endangered Species Act. Stay tuned.

### Watchdogging the Forest Service

Friends of the Clearwater joined with the Alliance for the Wild Rockies in a challenge to the Brebner Flats Timber Sale in the St. Joe River drainage, within a wildlife corridor for grizzlies accessing the North Fork Clearwater. The timber sale would also hurt elk habitat. The Endangered Species Act is one of the bases for this lawsuit.

On sadder news, we lost our appeal on the Windy Shingle Timber Sale in the Ninth Circuit. We are very grateful to the Friends of the Rapid River for being the lead plaintiff and for their financial support of the lawsuit. We are sad to lose



Looking into the Rapid River canyon  
near the Windy Shingle Timber Sale area

some very important elk and other wildlife habitat from this needless timber sale. Ironically, the residents who live next to the timber sale—Friends of Rapid River—did not want to see the logging go forth even though the Forest Service supposedly proposed the sale to protect homes. Anybody who knows the southwestern portion of the combined Nez Perce and Clearwater National Forests knows it is hardly a dense forest. Thanks also to Katie Bilodeau and Tom Woodbury for taking this up legally.

Court decisions over the past decade or so have essentially gutted the National Forest Management Act (NFMA). Those decisions, combined with the 2014 Farm Bill amendment creating categorical exclusions under the Healthy Forest Restoration Act (HFRA), have created a cursory process that excludes adequate environmental review and public involvement, which makes it impossible to hold the agency accountable for environmental degradation. In order to save our national forests and the National Forest Management Act, Congress needs to step in and repeal the disastrous provisions

of the 2014 Farm Bill that allow these categorical exclusions for timber sales that are thousands of acres in size, like Windy Shingle. Without strengthening NFMA and eliminating the 2014 Farm Bill's categorical exclusions, the only places the law can protect in the future might be those with endangered species because the Endangered Species Act has not yet been gutted.

Friends of the Clearwater is also filing a formal objection to the White Pine Timber Sale (due June 29, 2019). This area is one of the least damaged on the Palouse Ranger District. It seems that some of the old forest set aside in an earlier timber sale will now be logged, contrary to the Forest Plan. We will update you on this and other agency proposals as they arise.



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\*Since current conditions are not good for steelhead.

## Flathead National Forest Forest Plan Lawsuit

### Keith Hammer, Chair, Swan View Coalition

While reportedly shut down in December 2018, the Flathead National Forest in Montana quietly authorized its revised Forest Plan. With the stroke of a pen, the previous 1986 Plan's protections for fish and wildlife were gutted. Two local conservation groups that had sued successfully to improve the 1986 Plan filed suit against the revised Plan in early 2019.

Swan View Coalition and Friends of the Wild Swan enlisted Earthjustice's attorneys to file a lawsuit aimed at reinstating the road and culvert management programs they had gotten amended to the 1986 Plan, largely as Amendment 19. The 1986 Flathead Forest Plan initially intended to build 75 miles of new logging roads each year until its already abundant 4,000 miles of road system was increased to 6,000.

In response to the court order and to better protect threatened grizzly bears and bull trout, however, Amendment 19 was issued in 1995 to decrease the road system through road decommissioning. This required that culverts be removed from streams so they can't blow out and that the roads no longer function as a road or trail, motorized or non-motorized, in order to not displace grizzly bears.

With the 2015 release of the Proposed Action for its revised Forest Plan, the Flathead reversed course. Roads no longer had to be decommissioned, culverts no longer needed to be removed, and roads could be retained to function as roads and trails without being subject to limits on Total Road Density. According to the revised Forest Plan FEIS, "road decommissioning [removed from] the system 787 miles of classified roads from 1995-2015. Road management shifted to decommissioning roads in the late 1990s, with attention to maintaining grizzly security core area and the corresponding need to reduce watershed effects."

An additional 518 miles of road would need to be reclaimed or decommissioned to finish implementing Amendment 19. Only 3.2 miles of new system road was built from 1996-2010 in grizzly bear habitat and these were largely road relocations with a similar mileage of road decommissioned to not increase TRD.

In contrast since 2015, the Flathead has or is currently planning to: a) reconstruct 37 miles of previously decommissioned roads and retain them in the system, b) construct 68 miles of new system roads, c) construct 24 miles of temporary roads, d) construct 80 miles of new system mountain bike trails, and e) renege on 60 miles of previously scheduled road-specific decommissioning (in addition to the 518 miles of unscheduled decommissioning required to finish implementing Amendment 19).

All this is occurring in grizzly bear habitat and largely in bull trout habitat. It demonstrates a clear rever-



**This photo was taken by the Flathead National Forest of its logging road 10753. It considers this road so well "stored" and "impassable" to motor vehicles that it need not be counted as a road in total road density - as though it does not continue to impact fish and wildlife!**

sal and abandonment of prior limits on development found necessary to protect these and other wildlife species. It also demonstrates the Flathead essentially began implementing its revised Plan when it was proposed in 2015 and that the abandonment of enforceable management standards in the final revised Plan was a foregone conclusion.

So what happened during Flathead Forest Plan revision? In short, the Forest Service flushed the best available science used in Amendment 19 down the toilet and sought political cover from the Whitefish Range Partnership for doing so. WRP "conservation" collaborators, which included Montana Wilderness Association, National Parks and Conservation Association and Headwaters Montana, went along with the timber industry's desire to increase logging in grizzly bear "security core" habitats. MWA bragged in its WRP brochure that logging in grizzly bear habitat in the Whitefish Range would be increased by 66%.

The Flathead applied this template across the entire Forest to increase logging and road building. What the Flathead ignored is that 98% of the 33,744 public comments it received on its draft EIS wanted Amendment 19 retained to decommission another 518 miles of logging roads - and to recommend for wilderness designation all roadless lands. Both were key parts of the "Citizen reVision" alternative submitted to the Flathead by SVC and FOWS.

SVC, FOWS and Earthjustice recently won a court order trimming back the Forest Service's assertion of executive privilege in broadly withholding intra- and inter-agency emails and other deliberative documents from the administrative record it filed with the court. On March 12, 2020, U.S. District Judge Donald Molloy ordered the Forest Service to include those emails and deliberative documents in the administrative record and to clearly identify any to be withheld from the record.

It was precisely such candid deliberative documents that SVC and FOWS used to win their lawsuit against the 1986 Plan, securing Amendment 19's road-and-culvert removal program and its halving of the Plan's logging targets! They will continue to press their case to have those programs reinstated, with briefing of the lawsuit to be finished early next year.



## Ron Mitchell, In Memorium

by Charles Ray, Jon Rhodes, Phil Lansing,  
and Brad Purdy

Ron Mitchell, one of the West's premier conservationists, died in Boise, Idaho, on May 12, 2020. He was 75 years old.

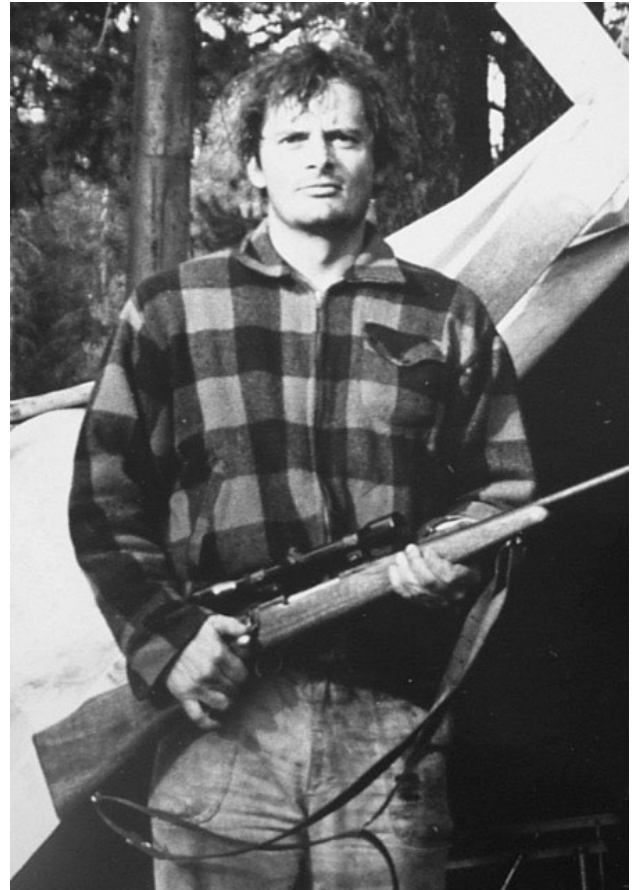
Ron grew up with his family in rural Nampa, Idaho. In his teens, he served as a Salvation Army missionary in Peru. He attended Northwest Nazarene College and graduated from Portland State University with a degree in philosophy and world history. Upon graduation, he returned to Idaho and put his degree to work as a ski patroller. He was a fan of boxing and an accomplished amateur boxer.

Ron was an outdoorsman with knowledge, understanding, awe, and respect for Idaho's wild lands. He loved to fish, and he was a good fly tyer. He hunted elk, deer, antelope, and upland game birds. He always hunted on foot, and he packed his game out on foot. His writing and photographs appeared in national hunting and fishing publications such as *Field & Stream* magazine. He wrote a guidebook to the alpine lakes of the Sawtooth Mountains.

He came to his life's work as a conservationist because of his love of the outdoors. In the '80s, some of his favorite fishing and hunting areas were being logged, and Ron was determined to protect the Central Idaho landscape he revered.

Ron founded, and was executive director of, the Idaho Sporting Congress (ISC). Under his leadership, the ISC successfully appealed and litigated U.S. Forest Service logging projects in central and north Idaho for over a decade. He often enlisted relatively inexperienced young attorneys, and he helped launch several impressive careers in environmental law. Countless acres of Idaho's wild lands remain untouched today because of Ron's work.

He sought no recognition for his conservation work, but he would set the record straight when others tried to claim credit for his accomplishments. He always said, "I did what I thought I had to do. Nothing more. Not much of a choice, really." Others readily acknowledged his efforts; Ron received national recognition when he was awarded the



Ron Mitchell at elk camp, circa 1970, photo courtesy Jeff St. Clair of Counterpunch

Chevron Conservation Award.

Ron never drew a real salary for his conservation work. One of the young attorneys who represented the ISC said, "Ron was poor, because he was honest." He would not compromise for the sake of partial victories. His last years were impoverished, and his health was precarious. He devoted five of those years to caring for his infirm mother.

Ron was a private man, a bit of a hermit, a loyal friend to many, and a captivating storyteller. He had an expansive vocabulary and great sense of humor. He died as he was telling a funny story to a nurse caring for him in the hospital.

Ron is survived by his sister, LaNora M. Myers.

A memorial gathering of remembrance will be held for Ron Mitchell this fall, just ahead of the start of elk hunting season. It will be held in the Payette National Forest, but not in any of Ron's secret places.

*(Ed. Note: I got to know Ron over the years. He had a sharp mind--in fact, he was brilliant--and an acerbic wit. Anybody who knew him has Ron Mitchell stories. He loved to tease his friends and colleagues. I fondly remember traveling to Boise in the 90s and meeting with Ron and others. The last communication I had from him was to add ISC to a letter asking for a time extension on the forest plan comments for the Nez Perce and Clearwater National Forest Plan. He was an committed activist to the end. I miss him. Gary Macfarlane)*



Ron Mitchell, photo courtesy Charles Ray



FOC Photo

Thank you to everyone that commented on the forest plan revision for the Nez Perce and Clearwater National Forests!

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