



# The Clearwater DEFENDER

A quarterly publication of the Friends of the Clearwater | Autumn 2022

## HOME OF THE GREAT BEAR:

A 3-part look at grizzly bears in the Northern Rockies

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Welcome Allison Anders, the newest member of the FOC team.



**Friends of the Clearwater**

*Keeping Idaho's Clearwater Basin Wild*

Back photo: A kokanee in Weitas creek by Katie Bilodeau



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**Friends of the Clearwater**

*Keeping Idaho's Clearwater Basin Wild*

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.

### Join the fight for a wild Clearwater!

FOC is a grassroots organization with hundreds of members in Idaho, Montana, Washington, and throughout the country. Membership requires **only a donation of \$25 per year**, and helps cover our basic operating expenses, including printing and mailing the defender to our members throughout the country.

Please mail a check to P.O. Box 9241, Moscow, Idaho 83843  
or donate online at [www.friendsoftheclearwater.org/](http://www.friendsoftheclearwater.org/)

### Friends of the Clearwater

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### In Memoriam - Dean Stewart

by Gary Macfarlane



Dean and Carole King on Capitol Hill

I first met Dean and his wife, Gretchen, nearly 30 years ago. Dean had just taken a job as the pastor of the Lutheran Church in Moscow, Idaho. He and Gretchen promptly became involved in the community. This was when the Cove-Mallard campaign was ongoing to prevent logging in crucial roadless lands on the Nez Perce National Forest that were contiguous with the Frank Church-River of No Return Wilderness. He and Gretchen helped many conservation activists involved in the effort to end that logging. They were very supportive members of Friends of the Clearwater, both having served as board members.

Dean loved the Wild Clearwater Country. One of my fondest memories of Dean was going with him to Washington, DC, and testifying in favor of the Northern Rockies Ecosystem Protection Act at a hearing. Dean had arranged for me to stay with him at a Lutheran dormitory without charge. As per my usual harried self, I had forgotten to pack my dress shoes with the suit. Dean lent me his second pair so I wouldn't have to wear those dirty old gym shoes while on Capitol Hill. Dean and Carole King made a dynamic duo at the hearing and while meeting various members of Congress.

Because Dean was so widely respected and had so many friends, he undoubtedly performed the marriage ceremony for more agnostics, atheists, and activists than any other Lutheran minister in history. Bobbi Calentine, my wife, and I had the honor of Dean performing our marriage ceremony for us on the slopes of Moscow Mountain.

Dean was a wonderful human being and a great friend. Condolences to Gretchen and their sons from all of us at Friends of the Clearwater. He is missed.

### Meet Allison!

New Outreach and Education Coordinator  
By Allison Anders

Hi, all! Glad to be writing to introduce myself as FOC's newest staff member. I joined at the end of August this year. From the beginning of the application process to my subsequent first days in the office and being recognized and greeted by board members around town, I can honestly say that I have never felt so warmly welcomed and supported stepping into a new position! The least I can do, aside from support FOC with my best and honor all the work that volunteers, members, and staff have spent years building, is share a little about myself and my relationship to this place.

I was born in Bonners Ferry in 1994. At the time my dad worked as a biologist for the Kootenai Tribe's sturgeon recovery projects and my mom was a part-time veterinarian. According to my parents, who were looking for somewhere new to settle, when we wanted to move, we told them Nelson, BC, strictly because "they have great parks there." Though I can imagine that Nelson would have been beautiful and turned out well, too, my parents ended up settling in Moscow, and I'm so glad they did. Moscow's parks definitely made the cut, and growing up here was a delight for many other reasons. Through most of my childhood and adolescence, my parents and my two siblings and I lived on the edge of Moscow Mountain in a cozy home nestled in the trees at the top of one of the steepest driveways in the world (which was always a fun adventure in the wintertime). I have many good memories from living out there and often walk those gravel roads to reset after too much time spent buzzing around town these days.

In 2012, immediately after high school, I attended college in Bellingham, Washington, where I earned my undergraduate degree in a combination of psychology and creative writing. I always pictured landing elsewhere after college, but I am glad that I ended up rooting back in the Palouse, where community feels strong and the land feels so homey to me.

Growing up, my family was not hugely adventurous aside from light camping, local hikes, and lazy lake and riverside hangs, so my connections to much of Idaho's wild lands are still largely forming – there are many to yet be made! However, something

squatting in the Clearwater in our clothes to cool off in the 112-degree heat. While these events became less frequent during the busy high school year, music has remained a big part of my life. After ten years of taking lessons I still enjoy playing piano, and in my



Allison on a hike through a recently burned area

special I do associate with being in or around Clearwater country are memories of bluegrass festivals, where my parents played and performed music with close family friends and us kids ran wild. I remember rivers, tents, getting lost in the woods, and buying late night snacks at the Kamiah Harvest Foods, while our parents played with strangers till 2:00 a.m. Some days we could be found

20's I've developed a passion for banjo, guitar, and singing. It took me awhile to break out of my shy music shell, but I now play and sing for fun and around town quite regularly with friends, as well as with my mom, who is an exceptional flutist! I even found a bandmate in one of FOC's very own: Paul Busch. We try our best to keep the music separate from work.

So far in this new position, I have enjoyed hours of learning from staff, taking on various duties in the office, tabling at farmer's markets here in Moscow, supporting Nimiipuu Protecting the Environment at events in Lewiston, and going on two very memorable and illuminating field monitoring trips along the South Fork of the Clearwater. My brain is still unscrambling so much about ecology and public lands, but I am grateful for every minute of the learning and grateful to be a part of the team. I currently split my time between FOC and another great team at Lena Whitmore (my old elementary school!), where I have served as a reading and math intervention paraprofessional for the last few years. I love my role there and the relationships I've built with students and the feeling of the Lena family, and I am very glad to be able to add to my life the FOC family. It has been so great to make contact with the members and other environmentalists I've met so far, and I look forward to meeting more folks as I continue to settle in.

#### Thank you to the following foundations and organizations for their generous support:

Charlotte-Martin Foundation,  
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The Leiter Family Foundation,  
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# HOME *of the* GREAT BEAR

## Part 1: Missoula, Montana, a valley of death for bears

By Brett Haverstick

I've learned a few things about bears since moving to Missoula. First, the University of Montana is "Griz Nation," and you better be wearing your "Go Grizz" school colors on gameday. "Grizzly Liquors" opens early for the tail-gating party, and "Grizzly Grocery" closes late in the evening. And if you're hung over the next day, you can still pop into the "Grizzly Hackle Fly Shop" and hit your favorite fishing hole.

Along with the commercialization of grizzly bears, I've also observed how many bears in the Missoula Valley get trapped, drugged, collared, translocated, and/or killed every year by humans. The valley suffers from an epidemic of human

food attractants, and the bears for too long have been wrongfully scapegoated for irresponsible and negligent human behavior. Chicken coops, fruit orchards, bird feeders, apiaries, and livestock feed are abundant throughout the city and county. Many of the residents may be graduates of "Griz Nation," but they forget that they live in prime bear habitat.

Last winter, a mother grizzly bear and her cubs were living on the outskirts of Missoula. It was the first confirmed resident grizzly family in Missoula Valley since grizzlies were extirpated from the area. According to Montana Fish, Wildlife and Parks (MFWP), the sow was uncollared, had an appearance of good

### Bear Coexistence tips from bearsmart.com

1. Keep your property free of major bear attractants (fruit trees, berry bushes, chickens, etc.)
2. Don't stockpile trash or recycling
3. Keep doors and windows locked during bear season
4. Use specially designed bear deterrents
5. Learn how to respond to a bear encounter

condition, and may have been living in the area for some time. In other words, she was a truly wild and healthy bear that was making a living in good habitat.

Then came the dreadful day when the mother bear appeared on MFWP's "conflict report."

### Conflict

One evening in the North Hills of Missoula, the family of bears got into a chicken coop. The following night the bears got into an abandoned cabin with lots of human garbage and a freezer full of rotten meat. Later that week, in the next drainage over, they broke some windows in a garage. In a week's time, MFWP had received numerous calls complaining about bear conflicts. Traps were soon deployed, and bear biologists were prepared to "destroy" the mother.

As fate would have it, a cold front dropped some snow in the mountains surrounding the valley. The bears were nowhere to be found, and MFWP decided to close the traps. The mother grizzly and her cubs had most likely denned for the winter. The bears were safe for now, but what would happen to them when they emerged from their den?

### Tragedy

In the spring of the following year, news broke that a cub had one of its feet shot off in the vicinity of where the bear family had last been seen the previous winter. The bear was captured, and put "down" by MFWP because apparently, it was suffering from sepsis and severe dehydration. The other cub was also captured and translocated, and as far as I'm aware, the mother has never been seen or heard from again. Footloose Montana and other

conservation groups are offering a \$5,000 reward for any information leading to the individual that illegally shot the bear(s).

This tragedy is a snapshot of the countless challenges that bears, both grizzly and black, face in the Missoula Valley. A growing human population in the region, combined with a steady diet of ignorance and selfishness, is a bad recipe for co-existing with bears and other wildlife.

### Hope

There is some hope on the horizon, however. The City of Missoula and Missoula County just passed a joint resolution to adopt the Bear Smart program (bearsmart.com). The program was started in British Columbia, and is just catching on in the lower 48. It basically emphasizes measures that need to be taken by a community in order to reduce conflicts between humans and bears, with an emphasis on securing human food attractants. While education is a key component of the program, in order for the program to have any teeth, there must be an enforcement component. We all know that education only goes so far with humans.

"Griz Nation" has a lot of work to do if it wants to live up to its' hype, and live in co-existence with bears and other wildlife. Hopefully, the Bear Smart program will keep more bears alive than dead, and a mother grizzly and her cubs will one day walk into Idaho and the Bitterroot Recovery Area.

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## The Rights of Nature

Should nature have legal standing?  
By Paul Busch

One-hundred-fifty years ago, in 1872, Yellowstone was established as the first National Park in the United States. This park is the mighty center of the Greater Yellowstone Ecosystem, perhaps the largest intact ecosystem in the northern hemisphere.

Yellowstone set the ideological precedent for landscape conservation in late-19th-century America. It represented progressive pushback on exploitative industry and a nationalist vision of democratically governed lands. It shifted the view of wilderness from a European sense of danger and depravity to a sense of spectacle and primeval serenity. It also, sadly, represented the removal of Indians from ancestral lands – Fort Yellowstone was built specifically to keep natives from entering the park, which they had for thousands of years.

Ecological systems remain the primary author of Yellowstone's story. Permanent human habitation is limited, except to manage ever-increasing tourists. The defining legacy of Yellowstone isn't geysers or bears, but the social agreement to limit industrial civilization from every corner of our country.

In philosophical terms, this would be called "negative liberty". That is, freedom from the dominating force of industrial civilization. The Yellowstone bill set aside some two million acres for "the preservation, *from injury or spoliation* [emphasis added], of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition."

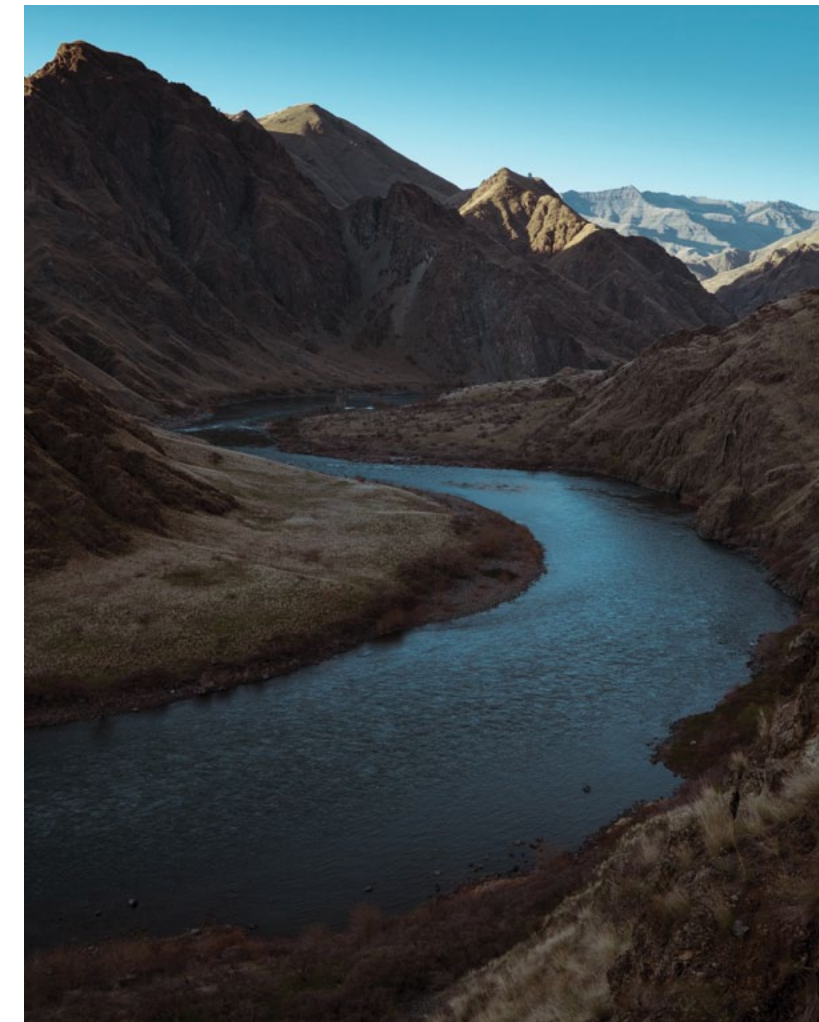
"Positive liberty" is what you have the means to actually do. If you have the right to vote on paper, but no polling station within 300 miles of you, only the most privileged and unburdened of society will vote. The poor, in this case, lack positive liberty.

Wolves, I suspect, are so hated because of their capabilities. They are social and smart. They can plan ahead, travel hundreds of miles in days, and adapt to diverse ecosystems. But even the most

remarkable wolves of Yellowstone are essentially defenseless outside the imaginary park boundary. 25 of Yellowstone's wolves were shot and killed by hunters in 2022, fully 20% of the population. The political boundary of Yellowstone limits humans; it doesn't free animals.

Obligations. Human beings are "natural" persons. Legal persons also include corporations, unions, foreign governments, and even some ships. These are not individual, living, sentient beings.

A powerful argument for the rights of nature comes from 1972. One century after



The Snake River (pictured) is considered a legal person by the Nez Perce Tribe. Paul Busch photo.

For wolves, or any part of nature, to be free, they must have rights and a way to seek redress of grievances. Even the Endangered Species Act (ESA), states that wild species "are of aesthetic, ecological, educational, historical, recreational, and scientific value *to the Nation and its people*" [emphasis added], not in and of themselves.

One idea, the rights of nature, attempts to overcome this gap by considering parts of nature as legal "persons."

"Personhood" doubtless rings a bell to some readers. A "person" in the legal sense is an object of legal rights, an entity that has some rights and

William Douglas contrasts the legal rights of corporations to that of nature:

That is why these environmental issues should be tendered by the inanimate object itself. Then there will be assurances that all of the forms of life [ ] which it represents will stand before the court -- the pileated woodpecker as well as the coyote and [ ] bear, the lemmings as well as the trout in the streams. Those inarticulate members of the ecological group cannot speak. But those people who have so frequented the place as to know its values and wonders will be able to speak for the entire ecological community.

Fifty years since, FOC cannot legally represent the goshawks or grizzly bears or cedar trees that clearcutting decimates, but instead the people who would be affected by their demise. It's a pretty circuitous set-up, since extinct goshawks will be harmed much more than goshawk-less humans.

Douglas's opinion did not win out, and change on this front has been very slow. Some animals in some courts have been seen as legal persons, especially great apes. In the US, the first time personhood was

*"The wolves of Yellowstone are essentially defenseless outside the imaginary park boundary"*

bestowed on an animal may have been in 2021, when feral hippos on drug lord Pablo Escobar's Colombian property (yes, really!) were represented as "interested persons" by the Animal Legal Defense Fund.

Nonbeings, like rivers and lakes, have had a harder time in America. The movement to franchise Lake Erie was a reaction to regional agricultural pollution, and the harmful algal blooms they sustain. The citizens of Toledo passed a law in 2019 to give Lake Erie personhood, but it was struck down in federal court. Beyond being vague and difficult to enforce, the Judge emphasized

(cont'd on page 7)

# HOME of the GREAT BEAR

## Part 2: Denning Habitat in the wild Bitterroots

By Mike Bader and Paul Sieracki

Our study titled Grizzly Bear Denning Habitat and Demographic Connectivity in Northern Idaho and Western Montana is being published in the upcoming issue of the peer reviewed scientific journal *Northwestern Naturalist*, culminating a three-year effort. Flathead-Lolo-Bitterroot Citizen Task Force, Friends of the Clearwater and Nimiipuu Protecting the Environment provided financial support for our research for which we are deeply grateful.

The purpose of our study was to determine the answer to two major questions. Is there adequate denning habitat in the Bitterroot Ecosystem to support a resident grizzly bear population? Is there adequate denning habitat in the areas between the Grizzly Bear Recovery Areas to support the demographic model for genetic and population connectivity? We found the answer to both is yes.

Grizzly bears are protected in the contiguous United States under the federal Endangered Species Act. Leading geneticist Dr. Fred Allendorf has found to ensure long-term viability, a grizzly bear population must number at least 3,000 bears. Existing Grizzly Bear Recovery Areas cannot support that number of bears. They must be linked together into a metapopulation with areas of protected habitat. The U.S. Fish & Wildlife Service conservation strategy for the grizzly bear encourages population connectivity between the isolated recovery areas through Demographic Connectivity Areas. Reestablishment of a breeding

population in the Bitterroot ecosystem through natural immigration is another goal.

Using 362 verified grizzly bear den sites and a resource selection function, we predicted 8,143 square miles (21,091 km<sup>2</sup>) of suitable denning habitats in the study area [of the Bitterroot



ecosystem]. Terrain features, distance to roads and land cover best explained suitable denning habitats. We found that suitable denning habitat exists for hundreds of grizzly bears in the Bitterroot analysis area. We suggest incorporating additional areas in the Bitterroot Recovery Area, particularly north of the Lochsa River and US 12 including the Clearwater Country, where abundant denning habitat exists. Other scientists have identified this area as having excellent spring, summer and fall grizzly bear habitat. More effective motorized access management should be applied to demographic connectivity areas and proposed recovery area additions.

Why does it matter?

Denning habitat would not limit a future resident population of grizzly bears from re-establishing in the Bitterroot Recovery Area.

Denning habitat availability within secure core areas is a fundamental requirement of the demographic model. Female bears can survive and raise offspring there, which then disperse. We found that grizzly bears select den sites away from roads and the vast majority of the verified den sites

*"We found that suitable denning habitat exists for hundreds of grizzly bears in the Bitterroot analysis area."*

were located within Wilderness, inventoried roadless areas\* and other secure core habitat. Standards based upon scientific data would maintain 68% of each Bear Management Unit in secure core habitat. Shifting secure core areas to allow for logging and recreation disrupts female grizzly bears who learn that areas are secure and pass a significant portion of the maternal home range to their female offspring.

Spatially distributing secure core areas within known dispersal distances for female grizzly bears in connectivity habitats provides needed living space. Rather than a sprint between ecosystems, scientists believe it is more likely that population reestablishment and genetic interchange will be dependent on grizzly bears living year-round in suitable habitats outside of and between the Recovery Areas. Highway passage structures are essential for grizzly bear dispersals into historic habitats and having "multiple shots on goal" would provide a higher likelihood of success.

Our work is useful for assessing land management plans including winter use and lends support for efforts to increase protection for the habitat linkages between the designated Recovery Areas. An example is the loss of denning habitat due to logging, roadbuilding and

(cont'd next page)

## Grizzly bear sightings in the Bitterroots

(see map on next page)

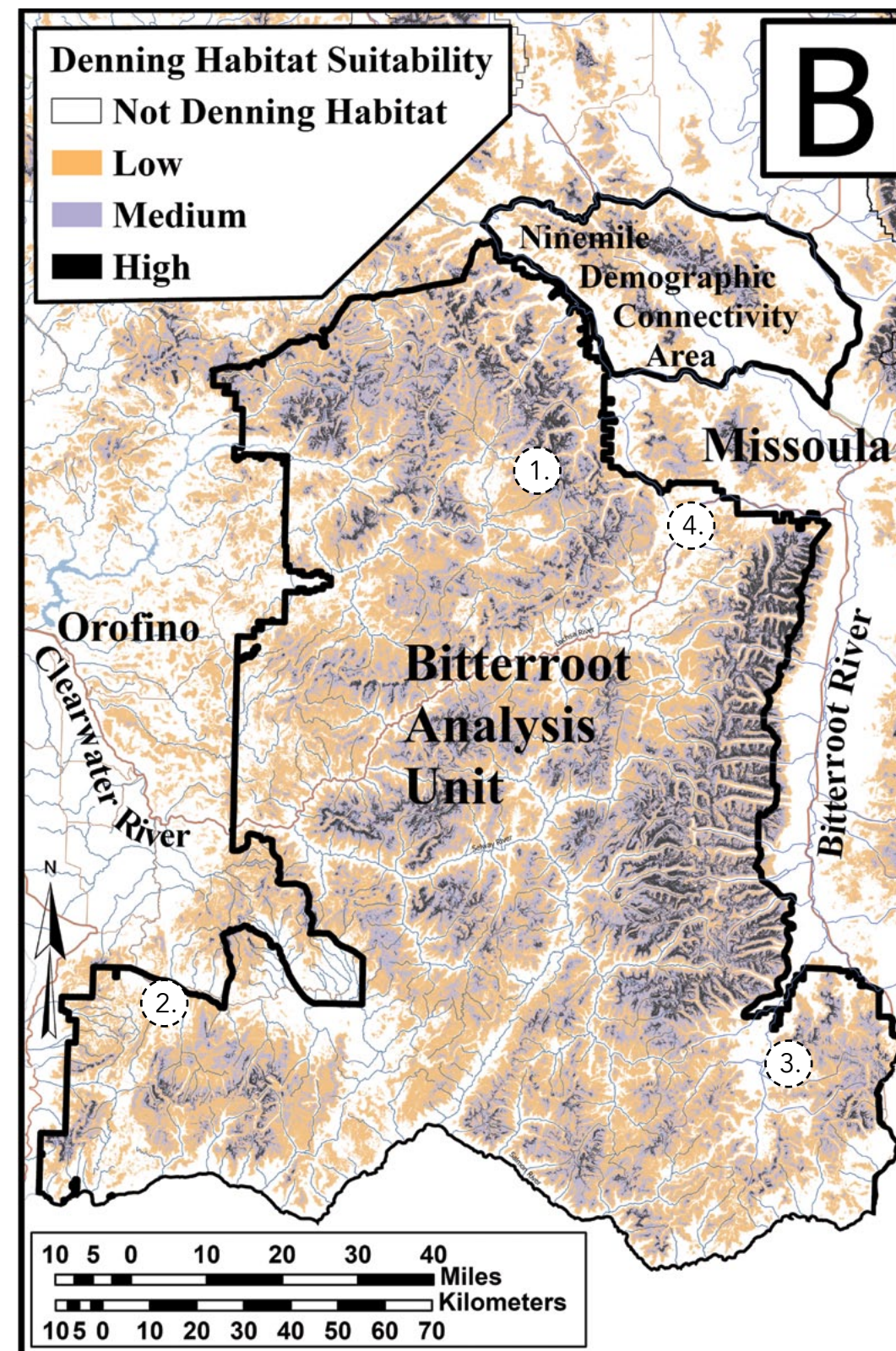
1. *The Kelly Bear*  
The Great Burn/Kelly Creek roadless area contains high quality denning habitat for grizzly bears, but it is not included in the Bitterroot recovery area (see diagram on page 8). A hunter killed a grizzly in Kelly Creek in 2007, the first verified grizzly in the region in decades.

2. *Winter Tracks*  
In the winter of 2020, grizzly prints were found in the snow south of Grangeville, Idaho. The bear, which was likely seen in Newsom creek the previous summer, is the first confirmed grizzly denning in the Nez Perce since the 1940s. It likely traveled south from the Selkirks.

3. *Salmon Bear*  
In 2022, a grizzly was seen just north of Salmon Idaho on the high divide between the Bitterroot and Challis National Forests. The bear represents a unique geographic milestone for connectivity: the North Fork of the Salmon is equidistant to the Yellowstone and Northwest Montana populations

4. *"May be present"?*  
Whether grizzlies occupy a place is a matter of politics. Young males can travel long distances as they establish their territory. For this reason, agencies tend to only consider an area "occupied" once sows with cubs are documented in the area.

*The bachelor pads of young males are where grizzlies "may be present", but not occupied, like this sighting at Lolo pass, the north end of the Bitterroot Valley, and the nearby Sapphire range.*



The above map shows the area that was analyzed for denning suitability. Darker areas, like the high Bitterroots (right edge of analysis area) and upper North Fork Clearwater (top of analysis area) contain ideal denning habitat - vast swaths of steep country far from roads and human development.

(cont'd from previous) snowmobiling in the Selkirk Ecosystem, northwest of the Bitterroot. Activities that cumulatively eliminate denning habitat in the Myrtle Bear Unit include shifting core areas to accommodate logging and roadbuilding, allowing high use trails from secure core, permitting areas around private lands, proposing to open up a

snowmobile play area in denning habitat for a Winter Recreation Environmental Assessment, and allowing high marking within denning habitats. The denning habitat model helped reveal negative effects to the bear management unit. All these activities cumulatively degrade the ability of bears to use the management unit.

Our work fills an

important void in regional assessments of grizzly bear habitat and recovery planning. The vast scope of our study area is unique and our results represent the best available scientific information that by law must be considered by the U.S. Fish & Wildlife Service, U.S. Forest Service, Bureau of Land Management and state agencies.

("Rights" cont'd from page 5) that the municipality couldn't govern the legal status of a lake "bordering dozens of cities, four states, and two countries".

In Idaho, anti-conservation politicians have been proactive on the issue: On March 31st, the Idaho Legislature passed a law that bars "environmental elements, artificial intelligence, nonhuman animals, and inanimate objects" from personhood. Representative Tammy Nichols of Middleton sponsored the bill, and stated that children deserve more rights than trees.

Nichols' bill was aimed to stymie the growing movement to respect our environment in court, not broadly redefine personhood as being unique to human beings. Her bill explicitly exempts corporations which were admitted into the pantheon of personhood in 2010's Supreme Court decision *Citizens United v. FEC*.

Nichols view of what deserves recognition of positive freedoms is absurd. How can a corporation be harmed and trees not? Should the unborn be considered persons when it comes to abortion, but not when it comes to the harm they will incur from climate change? Through agriculture, hundreds of millions of animals can be owned by paper-trails of corporate nonbeings.

Protecting nature has been an ongoing battle, not over acres of parkland,

but the topography of the human spirit. Non-human sentient beings and the environment they depend upon have always had rights, we just refuse to acknowledge them. *Dred Scott v Sandford* (1856) explicitly denied the personhood of enslaved people in court. It took an actual war to settle the debate on the personhood of human beings, so the challenges facing a more equitable view of nature are steep.

In some ways, though, this revolutionary step towards recognizing the inherent dignity of the natural world is a significant step backwards in time. I recently heard a Nez Perce tribal elder speak in Lewiston, who said, "Animals are our brothers and sisters. Salmon offered all his body to the Nimiipuu, and in return asked only that we defend and protect him."

The Nez Perce Tribal government has moved toward this explicit acknowledgement of nature's rights, including the Snake River, in 2020:

Now therefore, be it resolved, that the Snake River and all the life it supports possess the following fundamental rights, at a minimum: the right to exist, the right to flourish, the right to evolve, the right to flow, the right to regenerate, and the right to restoration.

Perhaps it is time to meet our obligation to the persons of nature.

\*Editor's Note: Roadless Areas are not without significant threats of development. You can read more in our 2020 Roadless Report on our website under "reports".

# HOME *of the* GREAT BEAR

## Part 3: How U.S. Fish and Wildlife Service obstructs grizzly bear migration into Bitterroot Ecosystem

By Jeff Juel

In recent newsletters Friends of the Clearwater has chronicled the failure of the U.S. Fish & Wildlife Service (USFWS) to foster recovery of the grizzly bear population in the Bitterroot Ecosystem. The agency has generally charted a course of non-action, maintaining an unacceptable status quo that features numerous barriers to natural recovery of the small grizzly population in the Bitterroot Ecosystem, “See J. Juel. U.S. Forest Service’s passive-aggressive approach to recovering Grizzly Bears in the Bitterroot Ecosystem, Spring 2022 Defender”.

Prior to the mid-20th Century, due to human actions the grizzly had been extirpated from the Bitterroot Ecosystem. Bears were killed for their fur, for sport, and to eliminate perceived threats to humans and domestic livestock. Following passage of the Endangered Species Act (ESA), grizzly bears were one of the first species listed. In 1993 USFWS issued a Recovery Plan, and updated it in 1996 with a Supplement for the Bitterroot Ecosystem. At that time, it had

*“It appears the USFWS is now allowing state wildlife officials to trap and move grizzly bears for no good reason”*

been decades since documented presence of grizzlies in this ecosystem. Finally, in 2000 the USFWS published a Record of Decision in the Federal Register to implement the Recovery Plan, adopting a course of action “to restore grizzly bears to central Idaho, designate this population as ‘nonessential experimental,’ and implement provisions within sections ... of the ESA to conduct special management to address local concerns.”

However, the USFWS never implemented its Decision.

This passive non-implementation of the ESA and the Recovery Plan finally landed them in federal court with a lawsuit filed last November, “See J. Juel. Forcing the U.S. Fish and Wildlife Service to protect Bitterroot Grizzly Bears, Autumn 2021 Defender.”

Now, ominously enough, the USFWS is actively resisting grizzly bears’ attempts to naturally establish home ranges in the Bitterroot Ecosystem. During the first week of October, Montana Fish, Wildlife & Parks trapped, radio-collared and relocated two subadult sibling grizzly bears from Montana’s northern Bitterroot Valley, eastward to the edge of the Welcome Creek Wilderness in the Sapphire Mountains. The grizzlies had been near the towns of Florence and Lolo since early August, after moving south from the Blackfoot River valley.

For a state agency or anyone else to be relocating an ESA-listed species, there must justifying reasons that include fostering grizzly bear recovery, before permission can be granted by the USFWS. But it appears the USFWS is now allowing state wildlife officials to trap and move grizzly bears for no good reason, obstructing the recovery purposes of the ESA. These two grizzly bears were said to be spending time near garbage, fruit trees and livestock but had not gotten into any of these food sources. Nor had they threatened human safety, livestock, or pets. In fact, the bears were doing what bears in the Northern Rockies often do, spending time in areas near human developments while wisely staying out of trouble. So what was it about this situation that elicited such a heavy-handed management response?

These bears were unwittingly entering into a conflict of a different kind, one involving politics. These grizzlies had crossed Interstate 90 and proceeded west of the Bitterroot River and U.S. Highway 93 to a place where there were no more

major roads to cross to make their way to the remote core of the Bitterroot Ecosystem Recovery Zone. They were on the doorstep of what grizzly bear scientist David Mattson calls “The Grizzly Bear Promised Land.”

In its recovery planning, the USFWS acknowledged scientific studies that conclude the Bitterroot Ecosystem has all the necessary natural habitat qualities to support a strong grizzly population. But the Bitterroot Ecosystem (BE) and other areas associated with this Recovery Zone (RZ) lie largely within the state of Idaho. Although this RZ is mostly within

*“The grizzly recovery in the Bitterroot Ecosystem is a lynchpin to achieving a long-term, sustainable, viable grizzly population in the lower 48 states.”*

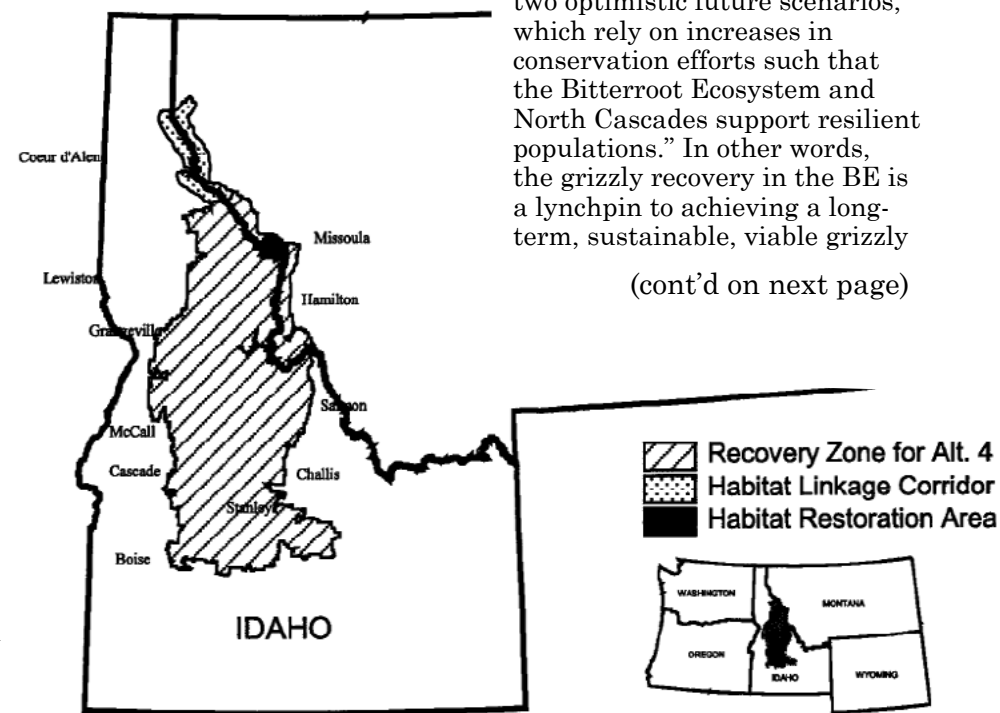
the Frank Church-River of No Return Wilderness and Selway-Bitterroot Wilderness, to achieve the objectives of grizzly bear recovery protections on adjacent lands are necessary. A significant portion of the adjacent lands fall within the Nez Perce-Clearwater National Forests of Idaho. Under the ESA, when a listed species “may be present”, federal land managing agencies such as U.S.

Forest Service must consult with the USFWS when contemplating management activities that might adversely affect their habitat. This consultation must be highly detailed, be based in sound science, and give full consideration to the needs of the listed species. This might result in lengthy delays of the project and restrictions placed on the activities. Because the two migrating Bitterroot subadult grizzly bears were carrying with them all the protections granted them under the ESA, they threatened the political status quo in a place like Idaho where extractive industries pressure

agencies like the USFWS to place politics over science.

The USFWS’s most recent Five-Year Status Review regarding grizzly bear recovery declared the grizzly bear in the lower 48 States “remains likely to become in danger of extinction within the foreseeable future throughout all of its range.” It also acknowledges that viability of the grizzly bear population as a whole “only increases under the two optimistic future scenarios, which rely on increases in conservation efforts such that the Bitterroot Ecosystem and North Cascades support resilient populations.” In other words, the grizzly recovery in the BE is a lynchpin to achieving a long-term, sustainable, viable grizzly

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*Bitterroot Grizzly Bear Recovery Zone and Linkage Corridor. From the Grizzly Bear Recovery in the Bitterroot Ecosystem Final Environmental Impact Statement (2000) for Alternative 4: “Restoration of Grizzly Bears as a Threatened Population with Full Protection of the Endangered Species Act and Habitat Restoration.”*



appearances on the Forest. Probert completely dodged the question—which speaks volumes about agency attitudes towards the great bear.

The Endangered Species Act specifically prohibits the “take” of listed species (defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct”) with limited exceptions that the USFWS must consider when implementing the laws. If, to you the removal and relocation of those two subadult grizzly bears from the edge of the Bitterroot Ecosystem seems to meet the definition of “take”, you’re

not alone. Given there are so few grizzlies currently in the BE, and with the BE’s status as a lynchpin for full recovery (and eventual de-listing) of the lower 48 states grizzly bear population, it should be expected that the USFWS would take the lead and welcome—not obstruct—bears migrating in from other ecosystems. Instead, we have a federal agency that has morphed into “taking” grizzly bears—doing the bidding of private profiteers whose resource exploitation is the very problem that led to the grizzly bear’s listing under the ESA to begin with.

**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/)

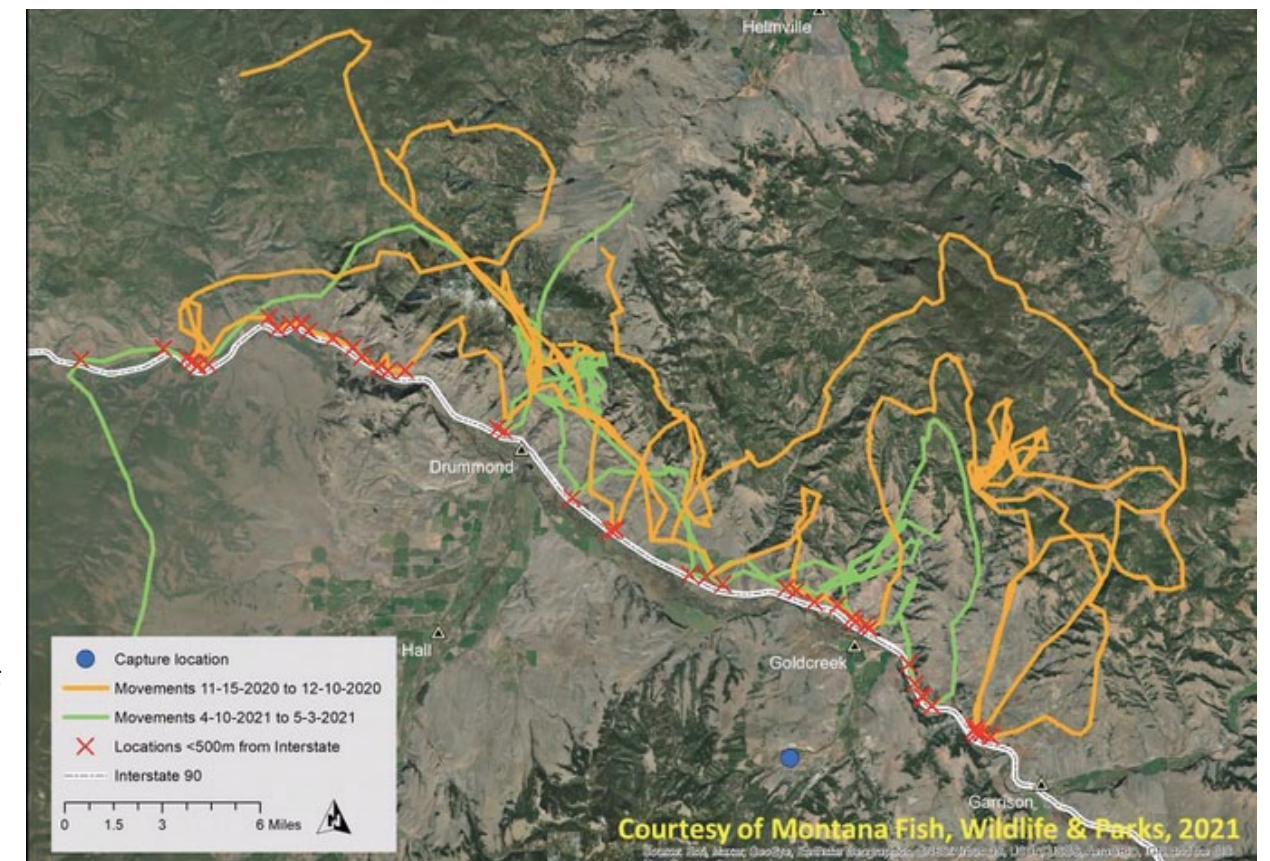
*This photo (left) and caption were included in a story from the Missoulian: Montana Fish, Wildlife & Parks bear managers take a blood sample from a 230-pound, 2-year-old grizzly bear captured in the Bitterroot Valley in October. The young bear and its female sibling were relocated to the Sapphire Mountains before they could get in conflict with human food sources.*

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*Montana. Interstates are massive barriers to the connectivity of populations. Created by Tom Martin of Montana DOT.*

population in the entire lower 48 states.

Our two subadult grizzlies, and the others recently documented in the BE, are also thwarting Forest Service business-as-usual forest planning. For the national forest lands in Idaho south of the Selkirk and Cabinet Mountains in the Panhandle (except for a sliver in the Greater Yellowstone Ecosystem), there are no scientifically-based habitat standards in forest plans. These plans establish no Bear Management Units (BMUs), with accompanying road density thresholds or secure habitat blocks, that the 1996 Recovery Plan and 2000 Decision anticipated would be necessary as grizzly bears became established in the BE. Furthermore, under the ongoing forest plan revision process for the Nez Perce-Clearwater National Forests, the Forest Service has vehemently resisted even contemplating BMUs with their associate protections. During the most recent Interagency Grizzly Bear Committee meeting specific to the Bitterroot Ecosystem, I asked Forest Supervisor Cheryl Probert if they were reconsidering not implementing BMUs given recent years’ grizzly bear



# Why We Monitor

by Katie Bilodeau

“We’re losing the bike!” my husband exclaimed. The bike we had borrowed had come halfway loose from our bike rack, precariously threatening to swing itself off onto Highway 95 at 65 miles per hour. We were only twenty minutes into a particularly challenging monitoring trip, where we departed from home much later than planned. Before the weekend concluded, we spent an hour driving the wrong direction on a Forest Service Road and attempted to pitch our tent amidst a network of ground squirrel holes in the only open area available. My husband, while cooking our dinner, heard me grieve, “Come on. You’ve got to be kidding me,” after almost twisting my ankle—again—in a ground-squirrel hole and relocating our tent for the fourth time.

But, back to that bike. After shoving the bike into the car, we continued our trek down to the Limber Elk project area, north of Elk City, Idaho. Here, the Forest Service has proposed 3,000 acres of logging and the roadwork necessary to access that logging. We came to monitor.

Monitoring—also known



Forest Service Road 1826 has fine dirt and is not drivable by passenger vehicle. Bike displayed across trail for scale. “Reconstructing” this road would include enlarging it for logging trucks.

as “ground-truthing”—has always been a part of Friends of the Clearwater’s history. There is knowledge to be gained from being out in the woods in person. The people who monitor for FOC include staff and dedicated volunteers who generously donate their time, lending eyes and detective work to watchdog public

lands in Wild Clearwater Country. For the Forest Service’s logging proposals, monitoring can elucidate parts of a project by recording existing on-the-ground conditions. Take for example, the trip to the Limber Elk project. The Forest Service’s project-scoping document identified Forest Service Road (FSR) 1826 for “reconstruction” and sketched out logging units on a map. Using several maps, my husband and I biked down FSR 1826. Visiting this area before the Forest Service authorized Limber Elk revealed three things.

First, any road “reconstruction” on FSR 1826 would include significant road widening to accommodate logging trucks. This Forest Service “road” was not much wider than the length of a bicycle. Second, we found FSR 1826 had undergone pre-project work; we found someone had cut back vegetation (trunks up to 2-3” in diameter) that had been growing into the road. We also found berms of dirt and tracks from earth-moving machinery.

Finally, where the Forest Service mapped old growth along the north side of FSR 1826, we found old growth. But across the road to the south, where the Forest Service had not mapped old growth, instead proposing a

person.

Monitoring information helps us understand any undisclosed impacts of a project and helps pressure the Forest Service to conduct better environmental analyses. Better analyses can sometimes influence the agency to reduce proposed logging or roadbuilding. And



Limber Elk proposed logging unit #3: Backpack for scale to demonstrate the size of trees in a logging unit. Large old trees, equally large snags, and other old-growth characteristics in proposed logging unit where the Forest Service has neglected to map old growth.

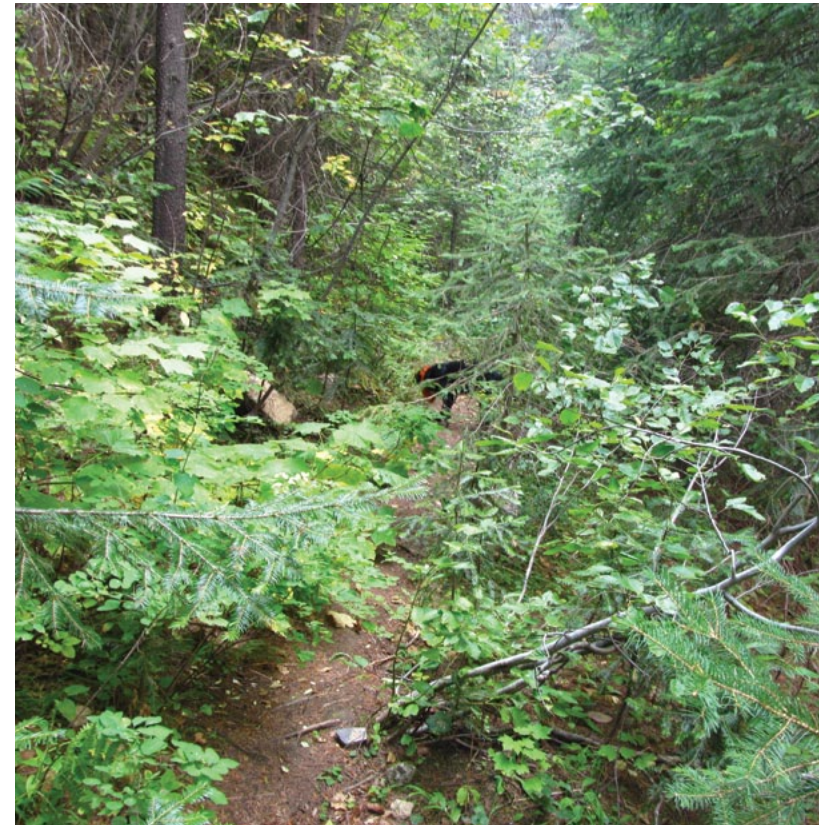
when monitoring information is unpersuasive to the agency, it can be persuasive to a judge. Monitoring is always relevant to the public who, as the landowners, deserve to accurately understand how the Forest Service manages our land.

Monitoring in other project areas has revealed understatements of proposed roadwork. For example, East Saddle is a project in remote country, just south of Kelly Creek, between three roadless areas in the North Fork of the Clearwater. In East Saddle, the Forest Service authorized road “reconditioning” for FSR 582, which branches off of Toboggan Ridge Road (FSR 581). When staff and volunteers visited the area, however, we found a “road” so overgrown that “reconditioning” would amount to new road construction. We have notified the Forest Service of what

FSR 582 looks like, providing pictures and highlighting the disparity between existing conditions and the roadwork the agency envisioned.

Monitoring trips to East Saddle have also revealed a bridge leaking creosote into Kelly Creek, which is overwintering critical

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FOC staff and volunteers have walked down FSR 582, where the Forest Service authorized “reconditioning” to accommodate logging trucks for the East Saddle project.

but are essentially clearcuts. And we have been able to document the significance of roadless logging when the Forest Service has reassured the public that impacts would be insignificant. Monitoring—ground-truthing—holds the Forest Service accountable, whether through increased transparency, pressure to follow-through on commitments, amendments

to proposed projects, or stopping habitat destruction in court.

And sometimes, monitoring has unique rewards for wanderers in woods. After walking through, measuring, and photographing over-20-inch trees that the Forest Service has proposed to log in Limber Elk, we had returned to our car when my husband said, “Katie, look.” I looked



Picture of a berm of dirt (above) moved to the side of FSR 1826, suggesting, with tracks, the presence of heavy machinery on this road prior to any project authorization.

*Editor’s note: If you are interested in monitoring with FOC, please contact our office. While we are at the end of this year’s monitoring season, we’d love to have you for next year. And for the folks who generously donate to FOC, your funds enable staff to ground-truth areas where the Forest Service has not provided accurate information. These pictures, this accurate information, is because of you. Thank you.*

## Coyote’s Comics: Bear-iers



(cont’d on next page)

# Alternative Giving Market of the Palouse

Dec 13th at Latah County Fairgrounds, 5-8 pm

AGMP is a unique event to donate to some of the best nonprofits in the Palouse area.

If you visit the event, tables are set up for different nonprofits. But instead of writing 20+ checks, sign one check made out to Alternative Giving Market of the Palouse and write down how much you want each organization to receive.

It's an efficient and fun way to get to know everyone making a difference in our area, and reduce your taxable income before the year is out.

Find out at  
[www.facebook.com/agmpalouse](http://www.facebook.com/agmpalouse)



Here is what our postcard will look like!



## Thank YOU!

In our last newsletter, we included a "Clearwater Creature Catalog" to gather funds for a trail camera.

Well, it worked out! You folks donated over \$1000 toward the project, so we plan on buying two cameras, batteries, SD cards, and harnesses to get more eyes on the wild.



Thank you so much for your support. We are very excited to document some of the rare and beautiful species of the Clearwater, and will share photos with you next spring if we get any this winter.