



CLEARWATER DEFENDER

NEWS OF THE BIG WILD

A PUBLICATION OF
FRIENDS OF THE CLEARWATER

ISSUED QUARTERLY
SUMMER 2021

A VICTORY FOR STEELHEAD!

BY MICHAEL GARRITY & GARY MACFARLANE

We are happy to announce that we won our court challenge to halt yet another massive logging and road building project in federally-designated Critical Habitat for steelhead on the Clearwater National Forest in Idaho. This court victory was on the Lolo Insects and Disease proposal.

First off, we would like to thank our attorneys Zak Griefen and Bryan Telegin of the Seattle law firm Bricklin & Newman, LLP for representing us in this case. They did an excellent job.

It's been 23 years since the Snake River Basin steelhead were listed as 'threatened' under the Endangered Species Act. Yet their numbers have continued to decline due to hydroelectric dams on the Snake and Columbia rivers and widespread habitat degradation caused by clearcutting and bulldozing new logging roads throughout the Snake River Basin.

As recent fish surveys confirm, steelhead populations have declined significantly over the past few years as the Lolo Creek watershed experienced heavy logging. Alarming, the decline of steelhead in this watershed appears to be even greater than elsewhere in the Snake River Basin.

Yet, while the Forest Service recognizes past road building and logging is responsible for the high level of sediment clogging the spawning streambeds, the agency proposed to continue more of the same, irrationally expecting logging to now be restorative. Fortunately the Court recognized the need for the Forest Service and the National Marine Fisheries Service to seriously analyze logging's impacts on the dwindling Snake River steelhead.

The Lolo Insect logging project called for 3387 acres of logging, including 2644 acres or over 4 square miles of clearcuts and bulldozing 16.5 miles of new logging roads approximately 16 air miles northeast of

Kamiah, Idaho in the Clearwater National Forest. All four of the sub-watersheds affected by the project—Upper Lolo Creek, Mussellshell Creek, Eldorado Creek, and Middle Lolo Creek – are federally-designated “Critical Habitat” for Snake River Basin steelhead under the Endangered Species Act.

A primary basis for the lawsuit was the failure to properly take into account the precarious status of steelhead in the Lolo Creek drainage in Idaho and for the Forest Service to reinitiate consultation with the National Marine Fisheries Service. While there were other claims on which we did not prevail, the claim about the plight of the steelhead was the main focus of the litigation.

Even though there was more recent data on the decline of steelhead in Lolo Creek, that information was not used in the Biological Opinion prepared by the National Marine Fisheries Service. That led Federal Judge B. Lynn Winmill to conclude: “The Court finds Defendants’ decision to not reinitiate consultation to be arbitrary and capricious” in his Order halting the timber sale.

We're happy to announce this huge logging project is now halted pending further order of the Court. It's tough to take the federal government to court, but federal agencies should follow the law and heed the Court's orders, just like the rest of us.



Eldorado Creek Roadless Area. FOC File Photo

Editor's Note:

Forest Supervisor Probert has indicated the FS will try to proceed with an altered project. We may be returning to court.

Our members made this possible, both as standing declarants in the case and providing the financial support to file. No foundations funded this case, only the generous contributions of citizens like you.

Thank you!

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

THE CLEARWATER DEFENDER
IS A PUBLICATION OF:

Friends of the Clearwater
P.O. Box 9241, Moscow, Idaho 83843
208-882-9755
foc@friendsoftheclearwater.org
friendsoftheclearwater.org

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.

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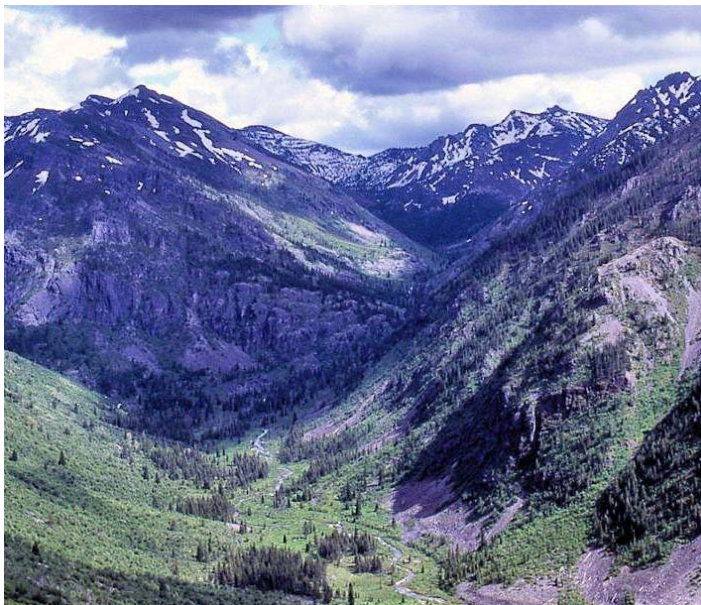
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- Montana Policy Director: Jeff Juel
- Staff Attorney: Katie Bilodeau
- Member and Development Director: Paul Busch

Publication

- Layout & Design: Gary Macfarlane and Paul Busch
- Editors: Katie Bilodeau, Jeff Juel, and Gary Macfarlane
- Copy Editors: Sioux Westervelt and Tanya Gale



Shale mountain, Great Burn Roadless Area, Antone Holmquist Photo

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**STAND FOR FORESTS—BE A
STANDING DECLARANT!**

By **KATIE BILODEAU**

You've commented on the problematic impacts of timber sales to wildlife, fish, old-growth, and roadless areas (thank you!). You've financially supported our work (thank you!). You might be thinking to yourself, "I care about Wild Clearwater Country so much—how else can I protect it?" Help FOC by serving as a standing declarant in a lawsuit.

When suing an agency like the Forest Service for failing to comply with an environmental law, FOC (or any environmental organization) must demonstrate to the court that it has members who will be injured if an activity like a timber sale moves forward.

This requires FOC presenting to the court one or more members who

- 1) has been to the area;
- 2) has concrete plans to return; and
- 3) will be injured if the project proceeds

Injury is place-specific and can be something as simple as aesthetics—you love to hike this area and seek it out to find connection with our natural world. Perhaps you're a photographer or other artist who seeks out the place for your art or inspiration? And, if your place is logged, you will have to find another place to hike or photograph. Maybe it's personal enjoyment—in seeing plants or wildlife—that clearcut logging will ruin? All of this is injury.

Injured members are crucial keys to the courthouse doors—the court would dismiss the case without standing declarants. For every case FOC has brought, our members have written standing declarations for us—we file those documents with the court, where members discuss why the place is special and the injury they will suffer should the agency not follow environmental laws and the activity moves forward.

It also also sends a message to the agency that FOC isn't just four people in an office—it's a nationwide network of people who love this wild country and will go to the mat to protect it.

Please contact our office for more information on helping FOC in this important way!

Clearwater Country Report

Receive monthly action alerts
and comment on proposals on the
Nez Perce-Clearwater National Forests
friendsoftheclearwater.org/get-e-ne

Annual Meeting

This year's annual membership meeting is tentatively scheduled for November 6th, dependent on the risk posed by the Delta variant of COVID-19. We will continue last year's board voting system and send ballots out by mail.

We are trying to be very careful with this event. If it looks like a big wave of cases is here, we will cancel or have a half-capacity event with a live video stream for folks who stay home. However, if cases decline, then we will have our event the same way as previous years.

The meeting is planned to take place at the 1912 Center great hall in Moscow, Idaho. Doors open at 5:30 pm. Entry is free. Bring a food or drink for the potluck. If you are not vaccinated, please wear a mask.

Along with the potluck and presentations, we will be having our silent auction. If you have item donations for the auction, please email Paul: paul@friendsoftheclearwater.org or call our office.

Thank you to the following foundations
for their generous support:

- Charlotte-Martin Foundation,
- New-Land Foundation, The Horn Foundation,
- The Robert L. Crowell Fund of the New Jersey Community Foundation, Network for Good,
- The Leiter Family Foundation,
- Clif Bar Family Foundation,
- Maki Foundation, Fund for Wild Nature,
- Mary and Charles Sethness Charitable Foundation,
- New York Community Foundation, Elbridge and Evelyn Stuart Foundation,
- The Oregon County Community Foundation, and
- the Latah Community Foundation!

**Thanks also to the many members who
have already contributed in 2021!**

REMEMBERING COVE MALLARD

BY KATIE BILODEAU

Armed law enforcement officers donning camouflage and masks had been hiding in the brush, surveilling camp. It was July 1992 on the Nez Perce National Forest. One month later, in a separate incident hundreds of miles farther north, different law enforcement would engage in an eleven-day siege at Ruby Ridge, leaving two people dead. In about nine months in Waco, Texas, there would be yet another law enforcement siege where more would die. But here, in North-Central Idaho, there were no failures to show for court or suspicions of stock-piling illegal weapons. Hidden Forest Service law enforcement officers were surveilling an unarmed camp.

This was no ordinary camp, and these were no ordinary people. The campers were some of the first individuals to jump into the fray to stop the Cove and Mallard timber sales, two adjacent projects in the Nez Perce National Forest where the U.S. Forest Service had planned a mind-boggling amount of logging. The wild country on the chopping block amassed roughly 80,000 acres—40 miles long and 15 miles wide—and connected the Gospel Hump and the Frank Church River of No Return Wildernesses, forming the largest wild forestlands left land in the coterminous United States. Amongst rugged country known for its steep slopes, these particular wildlands had rolling hills that offered a more amenable alternative to wildlife migrations.

But lands through which animals easily migrate are also easily logged. The U.S. Forest Service, favoring wood over wildlife, approved two timber sales slated to log 82 million board feet of timber. The felled trees would fill the beds of 13,500 logging trucks. While the 1964 Wilderness Act protected the adjacent Gospel Hump and the Frank Church Wildernesses, no substantive law protected the wild country caught like a deer in the headlights between them. And the Forest Service planned to hit it head-on at full speed, plowing 145

miles of road into the land. The roads would in turn clear the way for the highest bidder to follow with chainsaws, carving holes throughout the landscape. The projects were, indeed, as activists would call them, “Two timber sales too terrible to ignore.” And people who cared were paying attention—people had migrated from all over to set up camp. They hoped, through non-violent measures, to immediately stymie the roadbuilding, bring to the public’s attention the imminent loss of precious roadless in the lower 48, and ultimately stop the logging.

Covers blown that July day in 1992, the armed Forest Service men left without violence, but with a consolation hostage. The campers followed the retreating men back to their truck, demanding to know who the men were and what they were doing in the brush. One camper—a woman—jumped into the truck bed, refusing to exit until the men disclosed their intentions and turned over the camera film the woman saw them pocket. Instead, the men drove off—with her still in the truck bed—calling it an “arrest,” and deposited her in Boise, Idaho, over 250 miles south.

What followed was approximately a five-year campaign, spanning 1992-1997, to save these wildlands. With a single exception, activists who trickled in to protest arrived as unarmed as the trees and the wildlife they sought to protect. Scientists, lawyers, and even the public joined this fight, pooling diverse resources to save the area. Folks hiked through these lands in search of wildlife that could wield environmental laws to stop the destruction. People went to court, some to defend the wild, some to defend themselves. Other people provided vocal or financial support. There was humor. There was anger. There was violence towards non-violent protesters. There was even a little nudity.

This is the first in a series of articles I hope to write remembering the Cove Mallard Campaign, which is celebrating the 30th anniversary of its inception next year.

The campaign was largely successful. Although the timber companies—aided by the US Forest Service—managed to log a few areas,



Top: A culvert blockade, Greg Mack Photo
 Middle: Moose skull sentinels, Greg Mack Photo
 Bottom: Winter Recon, FOC File Photo

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RIGHTS OF THE SNAKE
 BY JULIAN MATTHEWS

We have a once-in-a-generation opportunity to restore wild salmon in the Pacific Northwest’s Columbia and Snake Rivers and their tributaries, once the greatest salmon rivers in the world. We can do this by removing four outdated and expensive dams on the lower Snake River.

For too long these four dams have impeded the rights of Nez Perce and other Northwest First Peoples to exercise traditional fishing treaty rights. Now the salmon are dying by the thousands. The federal government promised the Nez Perce People the right to hunt and fish in their usual and accustomed places as part of the 1855 Treaty. The promise was broken. It’s time to right this wrong. Wild salmon, steelhead and pacific lamprey have been used by the Nez Perce People for subsistence, trade and ceremonial purposes for centuries. If we free the Snake River, we can save the salmon, honor Treaty Rights and bring about the biggest river restoration in history.

“For the past five decades the Shoshone-Bannock Tribes have been working to restore the Snake River and their salmon runs. With the dams in place, the Tribes have experienced impacts to their culture, spirituality, and way of life. We need to change the system in order for salmon and our people (Newe) to survive. Removing the lower four Snake River dams will help restore our fisheries, protect our culture and create a better future for our Tribal membership.”

On July 15th, the House of Tears Carvers from Lummi Nation brought their totem pole commemorating the importance of protecting sacred sites for a community and media event as part of the Red Road to DC tour.

Julian is an FOC board member and works for Nimiipuu Protecting the Environment.



Below: Activists at the blessing. Above: The totem. Paul Busch photos. Nimiipuu Protecting the Environment organized the event.



YOUR FRIEND IN THE COURTS
 BY JEFF JUEL

Unfortunately, Federal Agencies haven’t slowed down their efforts for illegal projects. Here is a summary of the current status of legal cases FOC has filed, in most cases partnering with other environmental organizations.

End Of The World and Hungry Ridge—logging and road building

FOC is challenging two massive timber sales along the Salmon-Clearwater Divide, proposed by the U.S. Forest Service (USFS) in the Salmon River Ranger

District, Nez Perce-Clearwater National Forests (NPC-NF). End of the World would log around 19,000 acres of forest and Hungry Ridge over 7,000 acres. Both timber sales would involve extensive road construction or reconstruction. Our legal claims include: USFS violation of the Endangered Species Act (ESA) by failing to consult with the U.S. Fish and Wildlife Service (USFWS) concerning grizzly bear habitat disruption; USFS violating the National Forest Management Act (NFMA) by failing to comply with Nez Perce Forest Plan old-growth standards; and USFS violating the National Environmental Policy Act (NEPA) by failing to take a hard look at cumulative habitat destruction of old-growth associated wildlife including fisher, marten, pileated woodpecker, and northern goshawk.

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Advocates for the West is representing FOC before Judge Dale of the U.S. District Court of Idaho, with attorney Bryan Hurlbutt taking the lead. Advocates filed our amended Complaint on July 23. Briefing is scheduled for this fall, and the Court has set Feb. 1, 2022 for a hearing on the merits.

Brebner Flat logging in the St. Joe

FOC and Alliance for the Wild Rockies are challenging a 1,700-acre timber sale in the St. Joe Ranger District, Idaho Panhandle National Forest. Our legal claims include USFS violation of the ESA by failing to consult with the USFWS concerning impacts on grizzly bears and Canada lynx; USFS violations of the Wild and Scenic River Act and NEPA by failing to disclose project impacts on the St. Joe Wild and Scenic River corridor; and USFS violation of NEPA by failing to analyze and disclose impacts on elk habitat. We didn't prevail with a motion for preliminary injunction in the U.S. District Court of Idaho or at the Ninth Circuit Court of Appeals. Our attorney Rebecca Smith will be briefing the full merits to the District Court later this year, but as yet no hearing is scheduled.

New Montana and Idaho laws targeting gray wolves

On behalf of FOC and several other organizations, this summer Earthjustice delivered Notices of Intent to sue under the Endangered Species Act to the states of Idaho and Montana.

The Idaho law calls for the killing of up to 90% of the current gray wolf population, allowing year-round untargeted methods of hunting, trapping, and snaring and allowing hunters and trappers to kill an unlimited number of wolves on a single tag. Laws enacted this year by Montana permit snaring of wolves and expand trapping seasons, with the intent to reduce the wolf population. Because the expanded seasons and methods of killing are also likely to result in death or injury to federally protected lynx and grizzly bears, and since the states have not undergone consultation with the USFWS on how these new laws are implemented, plaintiffs assert the two states are violating the ESA. A sixty-day notice is required under the ESA, and after those times expire complaints alleging ESA violations may be filed in federal courts.

Forest Service flaunts Court Order regarding the Fish Lake Trail

FOC is challenging a Travel Management Plan for the Clearwater National Forest. This is the continuation of legal action we began in 2012, which resulted in Judge Lodge of the U.S. District Court of Idaho issuing a March 11, 2015 Remand Order of the USFS's Travel Plan decision. In February of this year FOC filed a Complaint

concerning the USFS's failure to implement that Remand Order. Our legal claims include the following: USFS violation of NFMA because they continue to allow motorized travel in a Forest Plan Recommended Wilderness Area, in violation of the Forest Plan's 100% Elk Habitat Effectiveness standard for the Fish Lake area; violations of Travel Management Rule and Executive Order 11644 requirements to minimize natural resource damage from motorized travel; and violations of NEPA by failing to take a hard look at environmental impacts on grizzly bears, bull trout, and fisher. FOC is represented by attorneys John Mellgren of Western Environmental Law Center, David Bahr, and FOC staff attorney Katie Bilodeau.



Two wolves in the Clearwater, Borg Hendrickson Photo

Black bear baiting hurts grizzlies

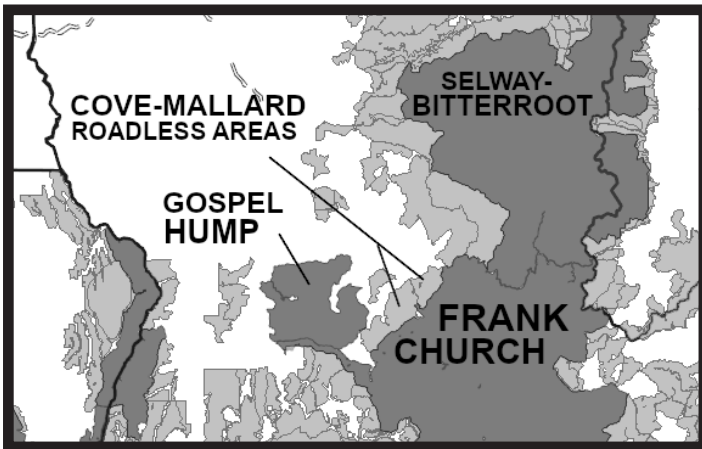
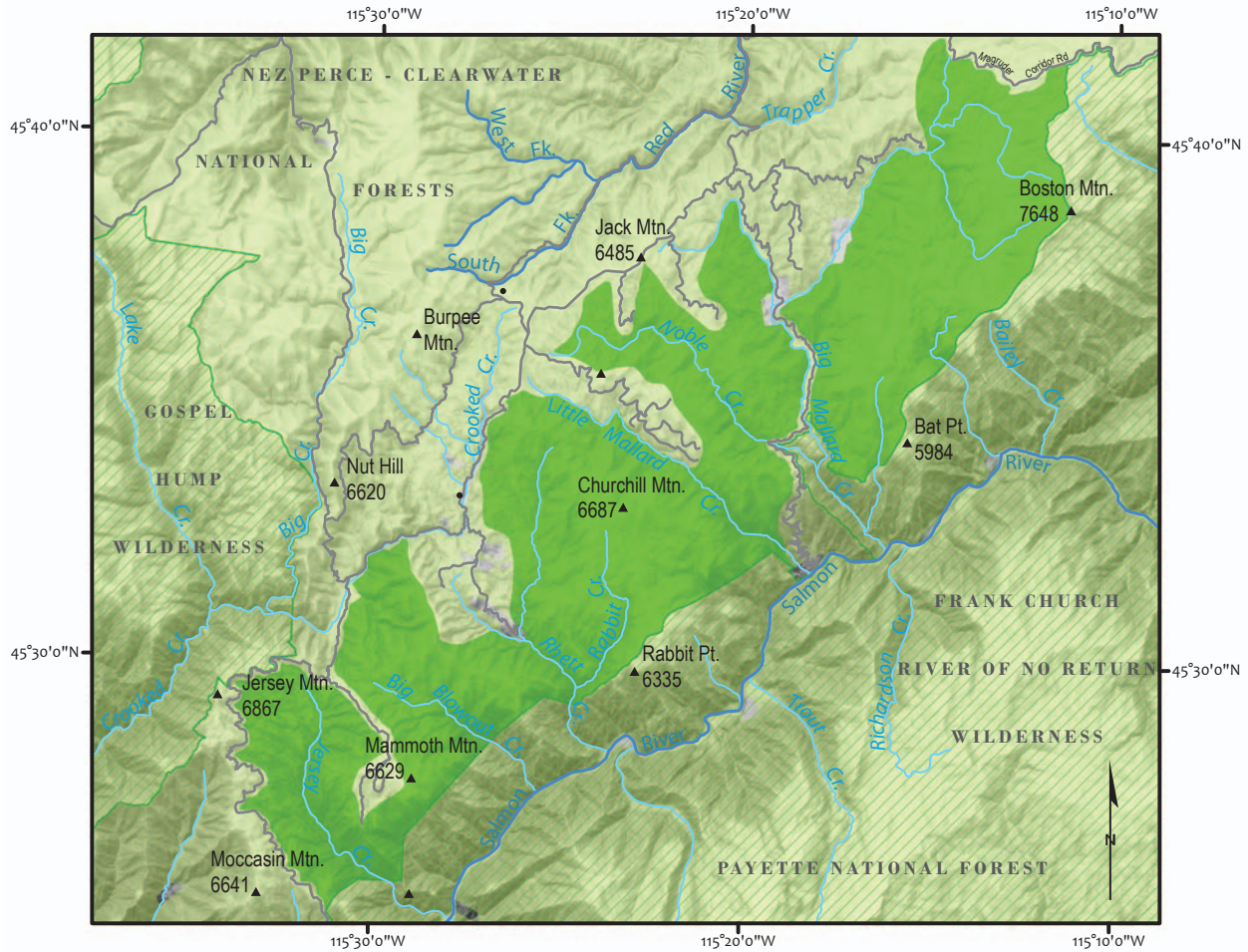
This January, FOC and co-plaintiffs Wilderness Watch, WildEarth Guardians, and Western Watersheds Project filed a complaint to the U.S. District Court of Idaho, alleging violations of the Endangered Species Act for black bear baiting, as allowed by the states of Idaho and Wyoming. Plaintiffs are represented by attorneys Matt Bishop and Pete Frost of Western Environmental Law Center and Dana Johnson of Wilderness Watch. The lawsuit has proceeded slowly, with our surviving two motions to dismiss, and with likely government opposition to our moving to the discovery phase. A hearing on the merits will likely not occur until well into 2022.

The continuing fight for wolverine protections

In December of 2020, FOC along with several other environmental groups filed a Complaint in the U.S. District Court of Montana, challenging the USFWS decision to withhold Endangered Species Act protection from wolverines. This is the latest foray in the battle lasting over two decades, seeking wolverine habitat protections under the ESA. Plaintiffs allege the latest listing denial by the USFWS ignores strong scientific opinion showing wolverines face extinction in the lower 48 states because of climate change, habitat fragmentation, trapping, and low genetic diversity. Attorneys are Timothy Preso and Amanda Galvan of Earthjustice.

FRANK CHURCH - RIVER OF NO RETURN WILDERNESS ADDITION - COVE/MALLARD

Cove-Mallard Map by Jeremy Jenkins



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the collective efforts from protests, lawsuits, and public pressure ultimately stopped most of the biggest roadless logging projects of the 1990s. That collection of people passed along to the next generation many forested wildlands that, without their efforts, would have been lost. I am collecting that history.

When I began practicing law, a public defense attorney once said to me, “Ah, environmental law. Where a win is temporary but a loss is permanent.” This is true for most environmental battles about resource extraction

from our public lands. The Cove Mallard area is no exception. A few years ago, Cheryl Probert, the Forest Supervisor of the now Nez Perce-Clearwater National Forests, released a proposal for Dixie Comstock. Dixie Comstock is where the Cove Mallard timber sales had been planned. While the project is in nascent stages, with few details released to the public, Dixie Comstock appears to repurpose the same areas saved by people almost 25 years ago, gifting wild country to the timber industry. Of course logged areas, without subsequent human entry, will eventually recover. But eventually cannot be counted in a human lifetime. For those who suffer the logging—wildlife and human alike—we will never again see the wildlands as they once were. So, join me in remembering Cove-Mallard, and start paying attention to Probert’s Dixie Comstock.

Editor’s Note:

If you remember or participated in the Cove Mallard campaign, whether it be through protesting, administrative comments, legal advocacy, financial contributions, or you were one of the curious public who visited the area and met the activists, and you are open to an interview, please contact Katie at FOC’s office. She would very much like to talk to you.

NEW FOC REPORT UNVEILS FOREST SERVICE CLEARCUT ABUSES

BY KATIE BILODEAU AND JEFF JUEL

Editor's Note: In August 2021, FOC staff Katie Bilodeau and Jeff Juel released a new report they authored, titled "THE CLEARCUT KINGS: The US Forest Service Northern Region and its obsession with supersized clearcuts." This report is based on findings FOC received from a Freedom of Information Act request. The following is edited from the report's executive summary to fit newsletter length and format. Readers may find the executive summary and the full report at <https://www.friendsoftheclearwater.org/supersized-clearcut-report/>.

Clearcutting is an environmentally destructive but monetarily profitable way to log forests. Clearcutting and its related type of logging—seed tree cuts and shelterwood cuts—are all types of "regeneration" logging. The intent of regeneration logging is to eliminate most of the trees in the area and plant in the resulting openings seedlings to begin, or "regenerate" a tree crop. While modern regeneration logging has various technical terms, such as "clearcut with reserves," "seed tree cut," or "shelterwood cut," the result is often similar. Clearcuts are similar to seed tree cuts and are similar to shelterwood cuts because they create large-scale openings

The National Forest Management Act (NFMA) is supposed to limit clearcuts at 40 acres, with exceptions granted by the regional forester. Friends of the Clearwater anecdotally observed that forest-managers on the Nez Perce-Clearwater National Forests regularly exceeded this regulatory limit with approval from the regional office, US Forest Service Northern Region. So we submitted a Freedom of Information Act (FOIA) request to the Northern Region to find out how often national-forest managers were exceeding the 40-acre limit on clearcuts, and how often the regional office was granting permission for these supersized clearcuts. The resulting report is located on our website. If anyone would like to review the files the Forest Service disclosed, please contact our office.

Some takeaways:

* From January 2013-March 2021, the Northern Region has not denied a single request for a supersized clearcut. The regional office approved 93,056 acres of supersized clearcuts in the national forests of Montana and northern Idaho. This acreage is twice the size of the District of Columbia.

* Supersized clearcuts have increased in recent years. From 2013 until 2017, the Northern Region annual approvals ranged from 5,500-9,430 acres. From 2018 until 2020, however, requests for supersized clearcuts (and approvals) jumped to an annual range of 13,631-24,032 acres per year. This jump is because more national-forest managers are requesting supersized clearcuts in more projects, and because the size of the supersized clearcut is also increasing.

* National-forest managers' requests to exceed NFMA limits contained little meaningful justification as to why supersized clearcuts were necessary.

There is no natural ecological disturbance that exists in the Northern Region where dead trees simply disappear from the Forest. Dead trees continue to store carbon and create complex forest structures and microclimates necessary for wildlife. Regeneration cuts (clearcuts, seed tree cuts, and shelterwood cuts) remove those ecological functions in addition to building roads, compacting soils, and burning fossil fuels to remove trees.

The supersized clearcuts of this report are only

a part of a total clearcut accounting. Clearcutting is still a very common practice on our national forests, and any clearcut under 40-acres would not have needed special regional permission. Thus, the Forest Service wouldn't have disclosed these higher numbers in its response to FOC's request, and the acreage in our report should be considered lower than the total acreage of all clearcuts.

Despite common assumption, there is no effective regulatory limit for clearcuts on the national forests in the US Forest Service's Northern Region. Our

investigation revealed a Forest Service region where especially large clearcuts are no longer the exception—they are the rule. The NFMA limit on supersized clearcuts, once meant to safeguard against on-the-ground misjudgments or excesses of zeal, is so routinely circumvented in the Northern Region that it no longer appears to accomplish either function. We anticipate that this overzealous and now routine circumvention will continue in the Northern Region, and supersized clearcuts will likely continue expanding in the national forests there until the national Forest Service leadership, the Biden Administration, or Congress intervenes.



The 200+ Acre Orogrande project, called an "irregular shelterwood cut", Alpha 1 Photography

Editor's Note:

General membership and donations funded this report. Your generosity allows FOC to continue to push inquiries and unveil abuses of our public lands.

Thank you.

AROUND THE CLEARWATER AND BEYOND: ADIOS NATIONAL FORESTS?

BY GARY MACFARLANE

Legislation

NREPA-- The Northern Rockies Ecosystem Protect Act (NREPA) has been re-introduced into both the US House of Representatives as HR 1755 and the Senate as S 1276. Representative Carolyn Maloney is the lead sponsor in the House and Senator Whitehouse is the lead sponsor in the Senate.

NREPA is a visionary piece of legislation and is based upon science and a precedential effort to enact landscape scale conservation in a bioregion. The Wild Rockies is perhaps the only place in the lower 48 that still retains all of its native species since the arrival of people of European descent. The main reason the area is still relatively intact and wild is because this portion of the Rockies is largely public land owned by all Americans. This includes portions of the National Forest System (the vast majority of public land in the bioregion), the National Park System, the public lands administered by the Bureau of Land Management, and the National Wildlife Refuge System.

NREPA will protect approximately 24 million acres as Wilderness and save taxpayer dollars from subsidizing development, which continues on inadequately protected roadless areas. Hundreds of miles of wild rivers will be protected.

Throughout its quarter of a century history, NREPA has had the support of grassroots conservation groups, scientists, and even larger groups such as Sierra Club and NRDC. Former President Jimmy Carter became a supporter in the 1990s. NREPA addresses other

environmental issues such as climate change. Indeed, NREPA is designed, in part, to allow forests to operate as carbon sinks and wildlife protective migration corridors. Provisions of the bill on federal public lands include designation of Wilderness, Wild and Scenic Rivers, wildlands recovery zones, and biological corridors. There is also a requirement for accountability in implementation and monitoring including an independent scientific review panel, which, among other things, would make recommendations on management of smaller intact and undeveloped areas.

The US Northern Rockies are recognized as containing the largest array of wild lands remaining south of Canada, providing sanctuary for a host of life forms including endangered species.

In and around the Wild Clearwater Country, NREPA would protect such places as Weitas Creek, Pot Mountain, Great Burn/Kelly Creek, Fish and Hungry Creeks, Grandmother Mountain, and the upper North Fork as Wilderness. Prime additions to the Selway-Bitterroot (including the incomparable Meadow Creek), Gospel-Hump, the Frank Church River of No Return (Cove-Mallard), and Hells Canyon (wildlife rich Rapid River) Wildernesses are included. Wild and Scenic River designations would include the North Fork, South Fork, lower Salmon, Johns Creek, Kelly and Cayuse Creeks, and others.

For more information, visit the Alliance for the Wild Rockies at: www.alliancefortherockies.org or the FOC website at www.friendsoftheclearwater.org.

The Infrastructure Bill-- While NREPA is the good news, the infrastructure bill that passed the Senate and, as of press time, is being debated in the House, has some serious problems. The infrastructure bill would include provisions to increase logging on the national forests and other public lands under the ruse of fire suppression, increase mining on public lands and weaken public oversight of potential pollution, and weaken public involvement for a whole variety of development projects, many of which would contribute to global warming. For example, one section would create a categorical exclusion from the normal public input and review under the National Environmental Policy Act to gouge fuel breaks on 3,000 acres of public land. This is likely to increase rather than decrease wildfire risk. Further, the John Muir Project, with its PhD fire ecologist Chad Hanson, notes that provisions, "contained in sections 40803 and 40804 coupled with a



Kelly Creek Roadless Area, Antone Holmquist Photo

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mandate to log 10 million acres over the next six years with another 20 million to follow, and the promotion of logging in naturally recovering fire areas (section 70301-70303) are actually some of the most concerning.”

In sum, regardless of whether or not one believes the legislation contains needed provisions, a host of very bad provisions plague the legislation.

Roadless Rules— Another piece of legislation would codify the roadless rules, including the flawed Idaho Roadless Rule. Katie Bilodeau documented in the past Defenders about FOC’s report on the failure of the Idaho and 2001 Roadless Rules to protect roadless lands. FOC and AWR sent a letter and analysis to the members of Congress noting the loopholes in the Roadless Rules and providing input if the real goal is protection of these areas. Currently, the Forest Service has proposed or approved nearly 86,000 acres of logging/tree cutting in the roadless areas in Idaho. That is far more than the environmental impact statement projected.

Protecting Grizzly Bears

In May of this year, several conservation organizations including Friends of the Clearwater sent federal lawmakers and the Biden administration letters calling for urgent executive and legislative action to bolster grizzly bear recovery, even as western lawmakers and officials seek to remove Endangered Species Act (ESA) protections for the threatened species. Excerpts from the press release are copied below:

According to a new report by Dr. David Mattson (see the last Defender for more details on the report), removal of ESA protections would undermine grizzly bear recovery. The report demonstrates the need to increase current populations and details Idaho’s importance for the long-term viability of the species. “Central Idaho not only provides a significant amount of excellent grizzly bear habitat, but the region serves as a connective corridor for genetic exchange between grizzly population strongholds in current recovery areas,” said Dr. Mattson.

Conservation organizations sent letters to the U.S. Departments of Transportation, Agriculture, and Interior, as well as Congress, calling for coordinated federal action to ensure the long-term survival of the iconic species.

The organizations call for keeping grizzly bears on the endangered species list and ensuring they have safe passage as they return once more to the Bitterroot Mountains in search of food, dens, and mates. Without immediate action, the groups contend that existing—and recently enacted—anti-wildlife policies in Idaho, Montana, and Wyoming will result in more grizzly bear deaths. Due to their wide ranges and diverse habitats, greater protections for grizzlies means more vulnerable habitat protected throughout the West.

In their letter to Interior Secretary Deb Haaland, the groups urge that she resist demands to remove grizzly bears from the list of endangered species and support

non-lethal measures to support community efforts to live in peaceful co-existence with the bears.

“With their paws, grizzly bears are showing us that the wildlands of the Selway Bitterroot can again become home. Bears’ recolonization of this landscape is an inspiring new development with broad implications, for this is the ecological lynchpin for grizzly recovery throughout the Northern Rockies,” explained Louisa Willcox. “We need more bears in more places to ensure that they will flourish in the face of climate change and increasing human pressures – and the Selway Bitterroot provides some of the best bear habitat anywhere.”



A grizzly in central Idaho captured via trail camera.
Courtesy US Fish and Wildlife

The organizations also call on Agricultural Secretary Tom Vilsack to take a close look at the Forest Service, which manages a majority of grizzly bear habitat and has been weakening—or omitting altogether—measures to protect habitat bears need to recover and thrive.

“Under the last administration, the Forest Service pushed through land management plans that fail to protect core grizzly bear habitat and lack any safeguards for corridors that bears need to reach new areas,” said Adam Rissien of Wild Earth Guardians. “Instead, the Forest Service prioritized inflated logging objectives and road building that undermines grizzly bear survival.”

In their letter to Transportation Secretary Pete Buttigieg, the organizations ask him to make wildlife crossings throughout the West a priority for funding, either through existing sources or through requests to Congress for dedicated funds.

“Wildlife crossings over and under highways and interstates connect habitat and provide a practical measure to secure grizzly migration,” said Kristin Combs of Wyoming Wildlife Advocates. “Wildlife crossings are smart infrastructure investments, which can save lives.”

CLEARWATER NATIONAL CARBON RESERVE

BY PAUL BUSCH

This August, the Intergovernmental Panel on Climate Change (IPCC) released its 6th report on climate change for the United Nations. It is a sobering read. Our collective human experiment must change, immediately, into something unrecognizable to those of us living today. The alternative is nightmarish. But either way, we're in for a lot of change in the next century.

The Pacific Northwest is already seeing the effects of a more extreme climate. "We conclude that a one-in-1000-year event would have been at least 150 times rarer in the past," said lead author Sjoukje Philip, from the Royal Netherlands Meteorological Institute in a report on June's "heat dome" that scorched the region. Seattle reached 108 degrees for the first time in recorded history. Salmon developed lesions in the torrid slackwaters of the Columbia dam system. Fires erupted throughout the region. "Climate change is widespread, rapid, and intensifying," the press release of the IPCC report reads.

Business as usual is over. Someone tell the Forest Service! In the face of ecological crises, the agency has taken a Nero-like approach, planning more timber sales, of larger acreage, in more remote and critical habitat throughout the West. Every possible lever to assist in the herculean task of turning off an entire planet's carbon emissions will be necessary. That includes the deindustrialization of our public lands.

Nature can show us a way forward. Forests, along with meadows, wetlands, peat bogs, soils, algae, and plankton, are the industrial warehouses of carbon for the planet. These carbon sinks together absorb millions of tons of CO₂, and have already offset some human greenhouse emissions. Wood, of course, is mostly carbon, but not all trees sequester the same amount. Old, wild, interconnected forests contain higher carbon stocks than younger, logged, disconnected ones.

Differences in individual trees matter, too. The largest 1 percent of trees comprise over 50% of biomass worldwide (Lutz, 2018). In eastern Oregon, the largest 3% of trees account for 44% of above ground carbon (Mildrexler, 2020). These trees also sequester more carbon per year than their smaller counterparts, so logging them and replanting is a decades-long net loss of carbon

(MicKinley, 2011). An obvious step is to stop logging the oldest forests and biggest trees. These big trees are unfortunately the most profitable to extract.

But what is most profitable to the CEOs of timber corporations is not what's most valuable to the living beings of Earth. The externalities of industry are huge. Climate science suggests that active management is a carbon source. Cutting trees and manipulating vegetation by removing it decreases the carbon sequestered, reduces the carbon stored, and increases carbon emitted.

The common retort is that the timber industry is actually a renewable resource, because carbon is stored in the products that are created from trees. This is misleading. For one, there are other sources of carbon than just trees. Carbon in soil takes much longer to accumulate than above ground, and takes much longer to decay into

the atmosphere. Road building exposes soil and reduces carbon stored underground.

The second problem is that only 15% of a living tree's carbon is stored in final products. Waste during logging, milling, and transportation accounts for the emissions (Harris, 2016). A study from Moomaw and Smith in 2017 pegged the number even lower, at less than 10% of original carbon stored. And similar studies show that forest fires emit one tenth of the carbon that logging does (Harris, 2016).

Dead trees too are useful. Big snags decay over decades, much slower than the quick emissions of logging waste. The length of time between succession events, which can stretch over 300 years in North Idaho, provide more time (and therefore more sequestration) as compared to 30

year forest "crop" rotations.

Any way you measure it, the chainsaw-first approach to forest management on public lands is causing increasing concentrations of CO₂ to our atmosphere, and that simply must drop (let alone increase) in order to keep our little world habitable in the next century.

It is becoming increasingly obvious to the scientific community that our forests are worth more standing.

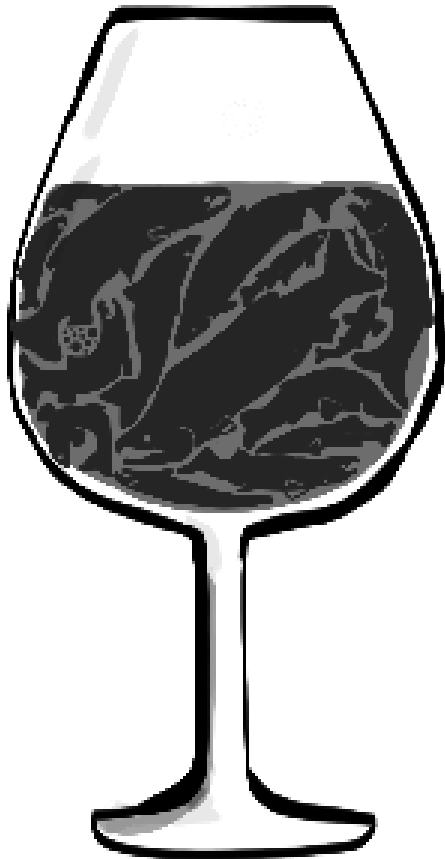
Non-binding pledges and business as usual aren't enough, it's time we require our forests to be managed to sequester carbon, not release it. If American forests are going to be a source of planetary security rather than another avenue for pollution, we have to do the right thing: protect them.



A massive cedar in wintertime. Chuck Pezeshki Photo.



Meadow Creek Meanders, photo courtesy of Ron Marquart



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