



WILDERNESS WATCHER

The Quarterly Newsletter of Wilderness Watch

Volume 27 • Number 2 • Summer 2016

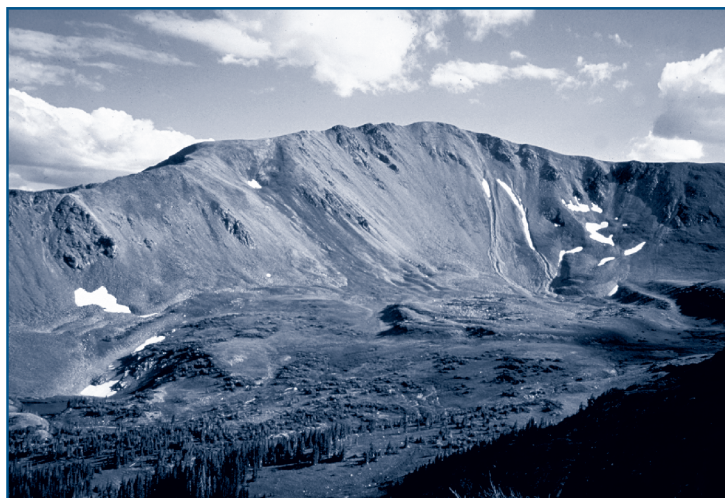
Mountain Bike Coalition Targets Wilderness

By Kevin Proescholdt

A coalition of mountain bikers has announced its plans to ride rough-shod over the 1964 Wilderness Act in an attempt to open the National Wilderness Preservation System to mountain bikes. The Sustainable Trails Coalition has drafted legislation to amend the Wilderness Act, embarked on a fundraising campaign, and announced plans to hire a Washington, DC, lobbying firm to have its bill introduced and passed through Congress.

The Wilderness Act, of course, rightly prohibits bicycles in Wildernesses. Although the modern mountain bike didn't exist in 1964, the Act's authors wisely excluded all motorized and mechanized travel in Wilderness. Section 4(c) of the Act plainly states "there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, *no other form*

bicycles and other forms of mechanical transport out of Wilderness.



The 50 year-old boundary of the Wheeler Peak Wilderness in New Mexico was changed in 2014 to allow mountain bikers to legally use part of a trail originally inside the Wilderness. Photo: Steve Boucher

Yet this new challenge is a serious threat to Wilderness. Mountain bikers have flexed their political muscle recently across the country at the expense of Wilderness, shrinking the boundaries of proposed Wildernesses *before* designation, and in at least one instance, actually eliminating land from an existing Wilderness. Consider these examples:

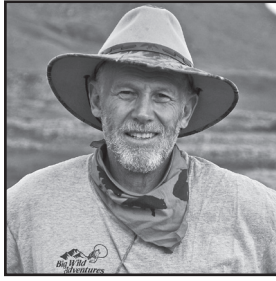
- **Boulder-White Clouds.** Congress designated three Wildernesses in the Boulder-White Cloud Mountains of Idaho in 2015. Mountain bikers succeeded in excluding some trails from wilderness designation in what are now non-wilderness corridors that fragment this area into the smaller Wildernesses.
- **Hermosa Creek Wilderness.** In Colorado, the original Hermosa Creek roadless area covered more than 148,000 acres, and for decades conservationists had pushed to protect about 100,000 acres as Wilderness. But because of active opposition from mountain bikers, the final wilderness boundaries were shrunk in 2014 to just 37,000 acres, with an additional 70,000 acres designated as a Special Management Area to allow mountain biking to continue there.

In This Issue...

Mountain Bike Coalition	1
President's Message	2
In the Courts	3
On the Watch	6
Essay: Doug Scott on Bikes	10
In Congress	11
...and More	

Mountain Bike Coalition continued on page 4

Message from the President



Our readers will note much discussion about mountain biking in this issue of the *Wilderness Watcher*. As I reflect upon my early years in the conservation movement (the mid-1970s), the primary opponents to Wilderness were the timber, mining, oil, livestock and off-road vehicle industries. Mountain bikes simply did not exist. But times have changed.

If, in 1975, I could have peered into a crystal ball and seen that groups of mostly young, physically fit people would replace extractive industry as the primary organized impediment to Wilderness designations and to keeping Wilderness wild, my jaw would have dropped. Yet that's what has happened.

It's not that the traditional wilderness foes have disappeared. Rather, off-road mountain bikers have emerged as an organized anti-wilderness lobby every bit as fanatical as typical four-wheel drive or extractive industry proponents. Almost wherever there are endangered roadless lands, off-road bicyclists emerge to oppose or diminish potential Wilderness designations.

But that's just part of the problem. Radical mountain bikers are also lobbying to open the National Wilderness Preservation System to mountain biking. Over the years, I've often disagreed with Doug Scott over conservation movement tactics, but elsewhere in this issue Doug clearly debunks various mountain biker myths. The most egregious mountain biker claim is that the Wilderness Act's authors never intended to exclude bicycles from Wilderness. Hogwash! As Doug points out, the Wilderness Act did not specifically preclude mountain bikes because these contraptions didn't exist in 1964 and the authors couldn't even imagine them. Yet with impressive foresight, the Wilderness Act specifically excludes "mechanized", not just motorized, transportation.

What really sticks in my craw, though, is that these people claim to be "conservationists" who just want the rules changed to accommodate their "harmless" muscle-powered recreation. Yet bikers destroy fragile vegetation by riding off-trail. And studies show mountain biking to be anything but harmless to sensitive wilderness-dependent species such as grizzly or wolverine, because quiet, speedy approaches startle animals (and around grizzlies, that's dangerous, too).

So mechanized speed renders the deep interior of wild country more accessible and less remote. Wilderness landscapes become effectively smaller, and for non-mechanized human travelers, the "wilderness experience" becomes more ordinary, contrasting less with civilized environments. The opportunity to experience solitude is diminished. And make no mistake; mountain biking is about speed and adrenaline. Otherwise, bikers would be content to walk. And they wouldn't need to wear padded suits with helmets.

Conservationists? Hardly. With exceptions, organized mountain bikers are just another self-interest group, willing to sacrifice land protection for their own selfish purposes. Wilderness, by contrast, is about selflessness, a statement that we humans ought to simply let nature prevail wherever possible, while we still have the chance. Off-road mountain bikers are, in general, as selfish as any organized anti-conservation lobby.

There are so many reasons to designate new Wilderness areas and to keep the National Wilderness Preservation System as wild as possible. It almost seems frivolous to spend so much energy on bicycles. But in modern America, where political discourse routinely sinks to the absurd, nothing surprises me. The mountain biker problem is real. It has already kept millions of deserving acres out of the Wilderness System. And some of these people want to kick the door in for a wheeled invasion of Wilderness, too. It is time for the conservation movement to take the gloves off and oppose these invaders with all of our resources. 🐾

—Howie Wolke



The *Wilderness Watcher* is the quarterly newsletter of Wilderness Watch, America's leading conservation organization dedicated solely to protecting the lands and waters in the National Wilderness Preservation System.

Board of Directors

Howie Wolke, MT *President*
Gary Macfarlane, ID *Vice-President*
Jerome Walker, MT *Secretary/Treasurer*

Marty Almquist, MT
Janine Blaeloch, WA
Talasi Brooks, ID
Franz Camenzind, WY
Fran Mauer, AK
Cyndi Tuell, AZ

Senior Advisor
Stewart M. Brandborg

Executive Director
George Nickas

Staff Attorney
Dana Johnson

Conservation Director
Kevin Proescholdt

Membership & Development
Jeff Smith

Communications & Outreach
Dawn Serra

Advisory Council

Magalen Bryant
Dr. Derek Craighead
Dr. M. Rupert Cutler
Dr. Michael Frome
Dr. Roderick Nash

Wilderness Watch

P.O. Box 9175
Missoula, MT 59807
Phone: (406) 542-2048
www.wildernesswatch.org
wild@wildernesswatch.org

Wilderness in the Courts

Victory in the Owyhee Canyonlands Wildernesses!

Wilderness Watch, joined by Western Watersheds Project, recently gained a significant victory for the six Wildernesses in the Owyhee region in Idaho. The victory came in our settlement of an appeal of the Bureau of Land Management's (BLM's) Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. Last year, we challenged the Management Plan's provisions on commercial trapping, unattended structures (hunting blinds), and motorized use for grazing-related activities.

The Owyhee Canyonlands complex is one of the largest intact desert ecosystems in the lower 48 states. The Canyonlands provide a spectacular maze of rugged plateaus, water-filled canyons, and a sense of remoteness rivaled by few landscapes. The six separate Wildernesses are the Owyhee River Wilderness, North Fork Owyhee Wilderness, Pole Creek Wilderness, Big Jacks Creek Wilderness, Little Jacks Creek Wilderness, and the Bruneau-Jarbridge Rivers Wilderness. Congress designated these six Wildernesses in 2009 and altogether they total over 516,000 acres. The BLM manages all six areas together under the new wilderness management plan.

But several aspects of the wilderness management plan violated the 1964 Wilderness Act and the National

Environmental Policy Act. The Plan delegated the regulation of wilderness trapping to Idaho Department of Fish and Game, an agency that allows trapped animals to be sold under "recreational" trapping licenses. The Plan also allowed unattended hunting blinds in Wilderness so hunters could set up blinds a few weeks before a hunt to get animals acclimated to the structures and make them easier to shoot. And, the Plan contemplated virtually unlimited motor vehicle use, including trucks and ATVs, for routine grazing activities such as live-stock herding and monitoring, with future such proposals to be analyzed and authorized without any public notice.



Bruneau-Jarbridge Rivers Wilderness. Photo: Bob Wick

On April 11, 2016, the Interior Board of Land Appeals approved our settlement on these issues, which made clear that commercial trapping—defined as the sale of fur, hides, or other parts of a trapped animal—and unattended blinds are unlawful in the Canyonlands Wildernesses. Additionally, the BLM will conduct a case-by-case analysis with advanced public notice for each proposal for motorized ranching activities.

This settlement provides sweeping protection for these six Wildernesses, and ensures that the public will be notified and have an opportunity to participate in BLM authorizations that could degrade the wilderness character of these incredible wildlands. 🌿

Defending Wilderness in the Supreme Court

In 2011, a moose hunter from Alaska—John Sturgeon—sued the National Park Service for the right to ride his hovercraft in the Yukon-Charley Rivers National Preserve in Alaska. The Park Service prohibits this type of activity, but Sturgeon argued that the surface of the river was non-federal land and that Congress stripped the Park Service of its authority over navigable waters based on a provision of the Alaska National Interest Lands Conservation Act (ANILCA). The District Court and the Ninth Circuit both upheld the Park Service's authority to regulate waters in national parks and preserves in Alaska. After Sturgeon petitioned the United States Supreme Court to hear the issue, Wilderness Watch joined with several other conserva-

tion groups to file an amicus brief defending the Park Service's authority to regulate activities on rivers within national parks and preserves in Alaska.

The Supreme Court heard the case and recently issued a narrow decision rejecting the Ninth Circuit's interpretation of a discrete section of ANILCA. The Supreme Court stopped there, though. It declined to rule on the merits of Sturgeon's arguments, instead opting to send the case back to the Ninth Circuit for further analysis (to the same three Ninth Circuit judges who previously considered the case). Wilderness Watch will continue to lend our support to keep our public lands and waters in Alaska protected. 🌿

Mountain Bike Coalition (continued from page 1)

• **Wheeler Peak Wilderness.** The 2014 National Defense Authorization Act (NDAA) changed the boundary of the existing Wheeler Peak Wilderness in New Mexico to allow mountain bikes to legally use about a mile of trail that formerly ran inside the Wilderness. The boundary change allowed the creation of a 15-mile mountain biking trail, described by some biking enthusiasts as a “ripping-fast single track”, much of it above 10,000 feet in elevation. The original boundary had been established by the Wilderness Act over a half-century ago; so much for the notion of permanent protection via wilderness designation.

Ironically, it was the Boulder-White Clouds bill that in part prompted the formation of the Sustainable Trails Coalition (STC). In addition to trails kept open by non-wilderness corridors, some mountain bike trails were also closed as part of that legislation. The four mountain bikers who formed the Sustainable Trails Coalition soon after passage of that bill felt that the International Mountain Bike Association (IMBA), the primary mountain biker association in the country, was not forceful enough in fighting to retain all mountain bike trails. These bikers wanted more aggressive action to open all Wildernesses to mountain biking, a move IMBA has not endorsed. And so the STC was formed.

The Sustainable Trails Coalition drafted its legislation, “Human-Powered Wildlands Travel Management Act of 2015,” to allow the federal agencies to open all Wildernesses in the nation to mountain bikes. Furthermore, the bill would allow chainsaws and wheeled devices like carts and wheelbarrows in Wilderness. The bill would further degrade Wilderness by allowing the construction of structures and installations, including cabins, permanent outfitter camps, and fire towers.

Wilderness Watch has been spearheading the effort to oppose this very real threat to our National Wilderness Preservation System. In the spring of this year, Wilderness Watch circulated an organizational sign-on letter

to Congress opposing the efforts by STC members to weaken the Wilderness Act for their personal gain. In all, 115 organizations from across the country signed, and that letter has been shared with Congress.

Elsewhere in this *Watcher* are articles by Wilderness Watch President Howie Wolke and long-time wilderness advocate Doug Scott that further describe this serious issue facing Wilderness.

In his article, Doug uses the “camel’s nose under the tent” metaphor to describe these threats to Wilderness. The analogy is quite apt. Recently in the news, stories have appeared about bicycles with hidden electric motors built into the frames, that are virtually undetectable by visual inspection. The technology for producing these “E-bike” mountain bikes has advanced significantly

in recent times. And they provide yet another reason why Wilderness should be kept free of all mountain bikes.

As Wilderness faces increasing pressures from an expanding human population, growing mechanization, and a rapidly changing climate, the last thing Wilderness needs is to be invaded by mountain bikes and other machines. Wilderness Watch will continue to actively oppose this effort. ☞



Jim McClure-Jerry Peak Wilderness, part of the larger proposed Boulder-White Clouds wilderness complex that was severely fragmented to accommodate mountain bike trails. Photo: Ken Straley

What you can do:

Please urge your members of Congress to support and uphold the Wilderness Act’s prohibition on bikes and other forms of mechanical transportation in Wilderness, and to oppose all attempts to weaken the Wilderness Act and wilderness protections.

• To find and contact members of Congress, visit:

www.usa.gov/elected-officials

• You can write your senator or representative at:

Senator (Name), US Senate
Washington D.C. 20510

Representative (Name), US House of Representatives
Washington D.C. 20515.

PROTECT WILDERNESS FROM BIKES

Adirondack Wild, Friends of the Forest Preserve • Aldo's Silver City Broadband, Great Old Broads for Wilderness • Alliance for the Wild Rockies • Alpine Lakes Protection Society • Amargosa Conservancy • Animals Are Sentient Beings, Inc. • Arizona Wilderness Coalition • Big Wild Adventures • Big Wild Advocates • Blue Ridge Land Conservancy • Boise Broadband, Great Old Broads for Wilderness • Bozeman Broadband, Great Old Broads for Wilderness • Buckeye Forest Council • California Chaparral Institute • California Wilderness Coalition • Californians for Western Wilderness • Cascade Volcanoes Broadband, Great Old Broads for Wilderness • Conservation Congress • Conservation Northwest • Cook Inletkeeper • Environmental Protection Information Center • Fairmont Minnesota Peace Group • Federation of Western Outdoor Clubs • Forest Service Employees for Environmental Ethics • Friends of Allegheny Wilderness • Friends of Bell Smith Springs • Friends of Nevada Wilderness • Friends of Sylvania Wilderness • Friends of the Bitterroot • Friends of the Clearwater • Friends of the Wild Swan • Georgia ForestWatch • Gifford Pinchot Task Force • Grand Junction Area Broadband, Great Old Broads for Wilderness • Great Old Broads for Wilderness • Great Plains Restoration Council • Greater Wasatch Broadband, Great Old Broads for Wilderness • Harding Land Trust • Heartwood • Hells Canyon Preservation Council • High Country Conservation Advocates • High Sierra Hikers Association • Hunters for Predators • Idaho Environmental Council • Idaho Rivers United • Kentucky Heartwood • Kettle Range Conservation Group • Klamath Forest Alliance • Kootenai Environmental Alliance • Lands Council • Massachusetts Forest Watch • Minnesota Center for Environmental Advocacy • Moab Broadband, Great Old Broads for Wilderness • Montanans for Gallatin Wilderness • Mountain Bikers for Wilderness • New Mexico Wilderness Alliance • North Cascades Conservation Council • North Fork Preservation Association • Northeast Wilderness Trust • Northern San Juan Broadband, Great Old Broads for Wilderness • Olympic Park Associates • Palouse Broadband, Great Old Broads for Wilderness • Phoenix Broadband, Great Old Broads for Wilderness • Polly Dyer Cascadia Broadband, Great Old Broads for Wilderness • Public Employees for Environmental Responsibility (PEER) • Quiet Use Coalition • RESTORE: The North Woods • Rewilding Institute • Rio Grande Valley Broadband, Great Old Broads for Wilderness • River Runners for Wilderness • Roaring Fork Valley Broadband, Great Old Broads for Wilderness • San Juan Citizens Alliance • Save America's Forests • Save Our Canyons • Save Our Sky Blue Waters • Sawtooth Interpretive and Historical Association • Scholarly Brass Editions • Selkirk Conservation Alliance • Selway-Pintler Wilderness Back Country Horsemen • Sequoia ForestKeeper • Shawnee Forest Sentinels • Sigurd Olson Environmental Institute • Sleeping Bear Naturally • South Florida Wildlands Association • South Park Broadband, Great Old Broads for Wilderness • Southern Illinoisans Against Fracturing Our Environment • Southern Utah Wilderness Alliance • Speak Up for Wildlife Foundation • Steamboat Springs Broadband, Great Old Broads for Wilderness • Swan View Coalition • Tennessee Citizens for Wilderness Planning • Tennessee Heartwood • Teton Valley Broadband, Great Old Broads for Wilderness • 3 Great Lakes Broadband, Great Old Broads for Wilderness • Tucson Broadband, Great Old Broads for Wilderness • Tuleyome • Upper Peninsula Environmental Coalition • Walden Woods Project • Wasatch Mountain Club • Western Lands Project • Western Watersheds Project • Western Wildlife Conservancy • White Mountain Conservation League • Wild Connections • Wild Utah Project • Wild Virginia • Wild Wilderness • WildEarth Guardians • Wilderness Watch • Wilderness Workshop • WildWest Institute • Willamette Valley Broadband, Great Old Broads for Wilderness • Wyoming Back Country Horsemen of America • Wyoming Wilderness Association • Yellowstone to Uintas Connection

March 22, 2016

Dear Member of Congress,

The 115 undersigned organizations urge you to reject calls to amend the Wilderness Act to allow for the use of mountain bikes in designated Wilderness.

As you may know, some mountain bikers and a mountain biking organization, the Sustainable Trails Coalition, have announced its intention to have legislation introduced in Congress to amend the Wilderness Act to allow mountain bikes in units of the National Wilderness Preservation System. The undersigned organizations strongly urge you to oppose this effort.

These mountain bikers erroneously claim that mountain bikes were allowed in Wilderness until 1984, but then banned administratively by the U.S. Forest Service. This claim is simply not true.

The 1964 Wilderness Act (36 U.S.C. 1131-1136) banned all types of bicycles as well as all other forms of mechanical transportation in designated Wilderness. Section 4(c) of that act states, "[T]here shall be...no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, **no other form of mechanical transport**, and no structure or installation within any such area." (emphasis added).

Furthermore, the Congress stated the purpose of the Wilderness Act was, in part, to protect these areas from "expanding settlement and **growing mechanization**...." (emphasis added) (Wilderness Act, Section 2[a].)

For over a half century, the Wilderness Act has protected wilderness areas designated by Congress from mechanization and mechanical transport, even if no motors were involved with such activities. This has meant, as Congress intended, that Wildernesses have been kept free from bicycles and other types of mechanization and mechanical transport. The undersigned believe that this protection has served our Nation well, and that the "benefits of an enduring resource of wilderness" would be forever lost by allowing mechanized transport in these areas.

Please oppose attempts to weaken the Wilderness Act and wilderness protections by allowing bicycles in Wilderness.

Sincerely,

Legal Interns Bolster WW Programs



Keatan Williams was born in Fort Wayne, Indiana and is a law student at the University of Montana. He worked as a legal intern in our Montana office for three

semesters, helping us research legal issues in the Arctic National Wildlife Refuge (Mollie Beattie Wilderness) and in the Boundary Waters Canoe Area Wilderness. His passion for Wilderness began in the Charles C. Deam Wilderness of Indiana and in the Sierra high country of the Yosemite and Ansel Adams Wildernesses. Currently he enjoys exploring all of the beautiful and wild mountains throughout Montana while working on research to help protect wild places. 🌿



John Schafer has been practicing law for the better part of 15 years and is currently enrolled in Vermont Law School's new distance learning program

completing a post-graduate LLM (Master of Laws) Degree in environmental law. He has been assisting Wilderness Watch in researching Border Patrol impacts in various Wildernesses along the U.S. borders. John always had a love for being "deep into the woods" and in high school often thought of becoming a backcountry ranger well-versed in wilderness medicine. The seeds for his love of the wild were planted by John's dad from birth—something John is now passing along to his two children. John and his family have traveled to 38 of our 59 National Parks. His goal is to travel to all of them before his son graduates from high school. John's friends joke that his family is like "National Park Dead-heads" (referring to the Grateful Dead). John especially relishes the Wilderness areas within or next to our National Parks. John's favorite wild places (so far) are Glacier National Park and the Absaroka-Beartooth Wilderness. 🌿

On the Watch

It's Time to Remove Domestic Sheep in the High Uintas Wilderness



Photo: Ken Lund (courtesy of Flickr)

Wilderness Watch is opposing a plan that would continue to permit domestic sheep grazing in critical bighorn sheep habitat in the High Uintas Wilderness in Utah. This nearly half-million acre Wilderness protects Utah's highest peaks, hundreds of lakes, and many species of wildlife. A Forest Service (FS) proposal would allow nearly 39,000 domestic sheep to graze on 10 allotments totaling more than 150,000 acres in the High Uintas Wilderness. In April we joined the Yellowstone to Uintas Connection and nine other organizations (plus one citizen) in submitting scoping comments strongly opposing this plan.

Grazing is a compromise written into the 1964 Wilderness Act that is one of the more destructive activities allowed in Wilderness. A large concern about this plan is the likelihood of the High Uintas Wilderness losing its bighorn sheep population, which could likely die out due to fatal diseases contracted from domestic sheep. (The two types of sheep cannot co-exist without bighorns dying.) Domestic sheep grazing in this Wilderness will continue to damage the wilderness character here in many other ways as well. The impacts include the trapping and killing of native predators ostensibly to protect domestic sheep; the destruction and loss of vegetation needed by other native species such as elk, moose, and deer; and the extensive damage to streams and wetlands. Due to these and other unacceptable impacts to the High Uintas Wilderness, we are asking the Forest Service to close these allotments to domestic sheep grazing. We also support a bill, the Rural Economic Vitalization Act (REVA, H.R. 3410), which would buy out and permanently retire grazing permits in Wilderness and on other federal public lands. ♪

A Better Plan for Trail Work in the Alpine Lakes Wilderness

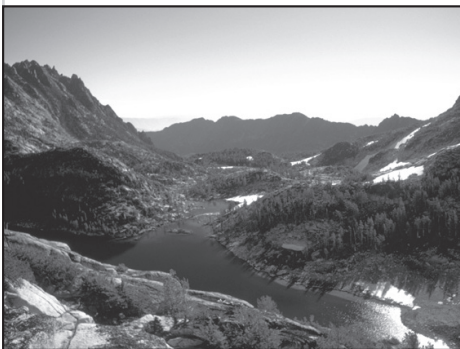


Photo: Steve Boutcher

The Forest Service (FS) has made a good decision for the Alpine Lakes Wilderness in Washington due to pressure from Wilderness Watch and others. The agency's original Talapus Lake trail reconstruction project included using helicopters to ferry several dozen loads of materials and using motorized rock drills to reroute the three-mile trail to Talapus Lake. (The minimum requirements analysis states the reason the trail needs to be rerouted and reconstructed is to handle the "several hundred" people who visit on nice weather days.) Wilderness Watch urged the FS to complete the work without motorized equipment or helicopters (whose use would be unlawful), and we also opposed the agency's plan to construct a steel bridge and extensive trail boardwalks. We suggested a number of other

ways to accomplish the work, including the use of packstock and other traditional skills. The agency issued a decision in May to use pack stock and hand tools instead of helicopters or rock drills, and has abandoned the idea of building the bridge.

The North Cascades Conservation Council and the Alpine Lakes Preservation Society also sent letters opposing the project as proposed. Conversely and unfortunately, the Mountaineers, Washington Trails Association, Washington Wild, and The Wilderness Society sent a joint letter supporting the use of helicopters and motorized equipment as "necessary." ♪

Forest Service Proposes Logging and Burning Wildernesses in Arizona



Pusch Ridge Wilderness by Miguel Vieira (courtesy of Flickr)

Wilderness Watch has told the Forest Service (FS) it needs to drop its plan to significantly manipulate or trammel the Pusch Ridge and Rincon Mountain Wildernesses outside of Tucson, Arizona as part of its Catalina-Rincon Firescape Project. The Forest Service is planning extensive burns along with some cutting, slashing, and logging to build firelines within the Wildernesses. Wilderness Watch supports allowing lightning-caused fire to play its natural role in Wilderness, but there is nothing natural about this FS proposal which would significantly alter these Wildernesses and destroy the areas' wilderness character.

The nearly 57,000-acre Pusch Ridge Wilderness in the Sonoran desert is named for Pusch Ridge, which rises almost 9,000 feet above sea level.

The nearby nearly 37,000-acre Rincon Mountain Wilderness borders the Saguaro Wilderness in Saguaro National Park.

The agency is proposing to allow the use of motor vehicles (mainly helicopters) and motorized equipment (mainly chainsaws) in the Wildernesses to conduct the massive project. The vast majority of both Wildernesses could be affected—about 45,000 acres of the Pusch Ridge Wilderness and 34,000 acres of the Rincon Mountain Wilderness. The agency's Environmental Assessment (EA) fails to prove any of its proposed actions are necessary to administer the Wildernesses to preserve their wilderness character. The EA additionally makes a number of false assumptions related to what drives wildfires. ♪

Vehicles and Roads Coming to 22 Wildernesses in Nevada?

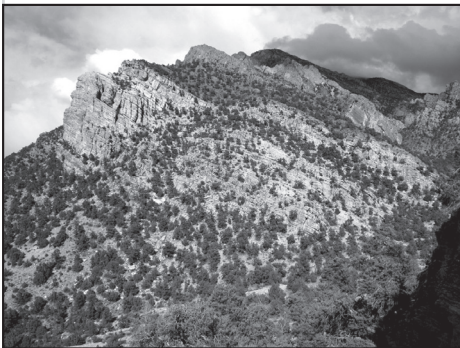


Photo: Far South Egan's Wilderness by Peter Druschke

Wilderness Watch is concerned about a Bureau of Land Management (BLM) proposal to allow the use of motor vehicles and mechanized tools, and to construct permanent roads to maintain structures related to grazing within Wildernesses in Nevada. The BLM's Environmental Assessment (EA) for Maintenance of Range Developments within Ely District Wilderness appears to be trying to disregard Wilderness Act prohibitions and skirt National Environmental Policy Act (NEPA) requirements by providing blanket-approval for all motorized activities related to maintaining grazing structures in 22 Wildernesses. (BLM regulations and NEPA require such prohibited activities in Wilderness to be considered on an individual basis and allow for public comments.)

The EA fails to prove any of these prohibited activities are necessary to administer the areas as Wilderness, and even suggests motorized use is not necessary for maintaining the grazing structures. The EA also fails to prove the grazing structures need maintenance or are necessary in the first place. The EA provides too little information on which to provide site-specific comments, as it is not a site-specific document.

We are urging the BLM to adopt the no-action alternative and proceed with requests for motorized use on a case-by-case basis, with appropriate individual analysis, as required by law. ♪

Lake and Stream Poisoning Proposed for the Teton Wilderness

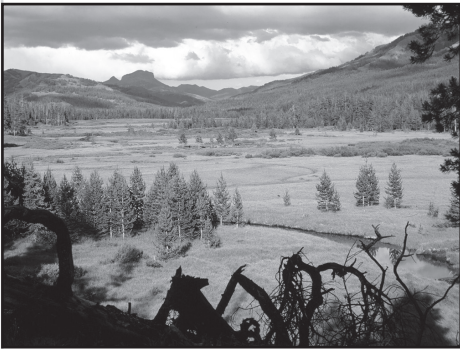


Photo: Howie Wolke

Wilderness Watch is questioning a proposal by the Wyoming Game and Fish Department (WGFD) to use rotenone to kill brook trout and rainbow trout in the Teton Wilderness. The Forest Service (FS) is considering allowing WGFD to poison fish in Dime Lake, Dime Creek, Mystery Lake, and Mystery Creek.

The lakes were naturally fishless before being stocked by overzealous fisheries managers, so ridding the lakes of these alien predators would likely be a boon to the lakes' native biota, such as imperiled amphibians. But the project poses serious questions for its intent to trammel the Wilder-

nesses, and because the poisons used would kill much more than fish. Wilderness Watch has suggested that should the fish removal go forward that the agencies use alternatives to poisoning, including non-chemical methods such as gill netting, electrofishing, disruption, and fish traps. Additionally, if fish are removed, Dime and Mystery Lakes should remain fishless in order to protect the remaining native biota, rather than be re-stocked as per WGFD's proposal.

We are asking the FS to prepare an Environmental Impact Statement (EIS) or environmental assessment (EA) since the "Proposed Action" description lacks any detail, including an analysis of direct, indirect, and cumulative environmental impacts. 🌿

WW Urges Forest Service to Complete Project Outside Glacier Peak Wilderness



Photo: Walter Siegmund

Wilderness Watch is asking the Forest Service (FS) to deny a proposal by the US Geological Survey (USGS) to land helicopters, use motorized equipment, and place installations in the Glacier Peak Wilderness in Washington. The 566,000-acre Glacier Peak Wilderness is a rugged landscape of glaciated peaks and deep valleys, and its namesake, Glacier Peak, is an old volcano that forms the area's highest peak (10,541 feet). The USGS wants to land helicopters, install four "temporary" antennas, and drill core samples with motorized drills. The FS's scoping letter fails to prove the project is necessary to preserve the area's wilderness character.

The Wilderness Act prohibits the landing of aircraft, the use of motorized equipment, and the installation of structures in Wilderness unless deemed necessary to preserve the wilderness character of the area. If the agency were to somehow prove the project is necessary to protect the Glacier Peak Wilderness, we would still question why the USGS can't complete the work without helicopters and motorized drills, or place the installations outside the Wilderness. Additionally, the proposal violates the FS's own policy on research in Wilderness. Wilderness Watch supports scientific study in Wilderness, but such study must not compromise Wilderness while purporting to be necessary to protect it. We are urging the FS to complete a full Environmental Impact Statement (EIS). 🌿

Military Drops Helicopter Training Plans for the Alpine Lakes Wilderness



Photo: THC News

In April, the U.S. Army announced its decision to drop its plan to land helicopters on a number of high-altitude sites on the east side of the Cascades in Washington as part of its military combat training exercises. One site would have been within the Alpine Lakes Wilderness. Wilderness Watch submitted scoping comments on the proposal, letting the Army know the Wilderness site had to be removed from further consideration since the Wilderness Act prohibits the landing of aircraft in Wilderness. We requested further environmental review that would thoroughly analyze noise and other impacts to any Wildernesses or National Parks near the other proposed helicopter landing sites. We also sent out an alert encouraging wilderness advocates to comment. The Army noted that more than 2,350 people weighed in on the proposal. 🐾

Park Service Proposes Helicopters and Bulldozers for Sequoia National Park



Photo: Kevin Hendricks (courtesy of Flickr)

Wilderness Watch is opposing a major motorized invasion the National Park Service (NPS) is proposing for the John Krebs Wilderness in California. This nearly 40,000-acre Wilderness is a diverse landscape of giant Sequoia trees, rivers and lakes, meadows, mountains, and canyons. The Park Service's Environmental Assessment (EA) for the Restoration of Cahoon Meadow in Sequoia National Park calls for up to 50 helicopter flights and 30 days of bulldozer and motorized equipment use in just one year of its 10-year project. We appreciate the Park Service's concern for restoring wet meadows in the Park, but the Wilderness Act prohibits the use of heavy equipment, helicopters, and other motorized equipment in order to protect an area's wilderness character. We question the need to trammel this Wilderness, but we provided the NPS with examples of similar-scale projects completed using

traditional skills. We urged the agency to consider traditional skills if the project is deemed necessary to protect the Wilderness, and to draft a Wilderness-compatible alternative since the EA fails to do so. 🐾

Alpine Lakes Wilderness Threatened by Thirsty Chelan County



Photo: Forest Service

The Alpine Lakes Wilderness in Washington is being targeted by Chelan County for dam construction and water diversion projects for development, irrigation, and a fish hatchery, on seven of its lakes that flow into Icicle Creek—the Colchuck, the Eightmile, the Upper and Lower Snow, the Nada, the Upper Klonaka and Square Lake. The nearly 415,000-acre Wilderness is heavily visited. Wilderness Watch and dozens of organizations joined with a local group—the Alpine Lakes Protection Society—in submitting a group comment letter to prevent this intrusion in the Alpine Lakes Wilderness. In the scoping comments on the Icicle Creek Water Resource Management Strategy, we urged a wilderness protection alternative that would: “not increase the amount of water removed from the Alpine Lakes Wilderness;

not expand easements; not encroach on wilderness lands; not use mechanical transport; and not build any structure or installation in the Wilderness.” We instead support finding new water sources and improving stream flows outside the Wilderness. We are also advocating for Chelan County to facilitate buy-back of private water rights so dams and other structures could be removed and the Wilderness restored. 🐾

ESSAY: Oh, Not Again! Mountain Bikes in Wilderness

—Doug Scott



Bad ideas, even colossal-ly bad ones, have a way of coming up again and again. Like getting rid of werewolves, you have to drive a stake through their hearts... so here we go, again. Whittle up some more stakes.

Bicycles are not permitted in any Wilderness area—not ever, never, under no circumstances. That is what Congress intended in the

1964 Wilderness Act. That is exactly what Wilderness Watch and many other wilderness advocate and stewardship groups have been saying for not just years, but entire generations now.

However, a few bikers are looking for some way to skirt around the law. It is the same old crowd—well, make that, handful. IMBA—the International Mountain Bicycling Association—is even feeling the pressure of their radical ideas.

For years, this tiny but noisy group (four original conspirators, count them, four) trumpeted that they had the solid legal case to persuade Congress and pressure the wilderness administering agencies, notably the U.S. Forest Service, to allow bikes. I met with them. I laid out the words of the Wilderness Act and the intent of the members of Congress who championed its passage, and who I knew well.

One of them is an attorney, so finally, in exasperation, I taunted them: “If you’re so sure of your case, just take it to a federal judge.”

Nope. They may be blindered zealots, but they knew they’d be laughed out of court.

Now they have told *Outside’s* online site and *Dirt Rag*, and say on their website that they are drafting legislation to amend the Wilderness Act to direct the agencies to “consider” allowing bikes on some trails in some Wilderness areas.

This is about the camel’s nose of mechanical transport. Once they have the side of the tent pried up a bit, you could drive an ORV through it.

We could engage in another round of this pointless debate. But we can have a win-win future. There are tens of millions of acres of federal lands open to biking ... and at least some of America’s conservation groups stand ready to help secure special protection for the wild environment in large portions of those places for use by bicyclists in a motor-free environment (though not in areas proposed for wilderness designation).

This is not rocket science. Most bikers appreciate protection of our wilderness heritage. Most bikers also enjoy the kinds of non-mechanical recreation they and their families find in our legally protected Wilderness areas. And many wilderness advocates also enjoy bicycling. We are not—most of us—narrow-minded, single-use zealots.

These guys refer to the legislative history of this language, relying on an argument contrived by the lawyer amongst them, Ted Stroll, that somehow the words “there shall be... no other form of mechanical transport” don’t mean what they clearly say. Stroll asserts they prohibit only “transport and delivery of persons and supplies for development purposes. It was not their intent to prohibit human-powered recreation.” To any serious attorney, this is laughable. When I asked a law professor friend of mine who for a dozen years defended Wilderness Act cases in the Justice Department, he refused to have a student respond to Stroll’s original law review article, saying it was patently a case of compiling “evidence” to prove a predetermined point.

Though there is a reason for some confusion. At first, the Forest Service didn’t explicitly prohibit bikes. Their 1966 regulations interpreting the Wilderness Act were prepared at a time when the idea of bicycles on steep mountain trails was not imaginable to the group drafting them. I know this, for I asked my friend Bill Worf, who was part of that committee—and later founded Wilderness Watch. Bill said the group was thinking mostly of high, rugged western mountains and could not conceive anyone bicycling there. The modern mountain bike would not be invented for more than a decade.

Note, too, that Stroll and his allies never mention the other three agencies that manage Wilderness areas. The U.S. Fish and Wildlife Service, the National Park Service, and the Bureau of Land Management all got it right from the start—they all prohibit bikes and always have.

So now Stroll and his handful of allies are cooking up legislation to permit the agencies to allow bikes in some Wilderness areas. Too clever by half. We’ll be waiting for you in Congress. And, as you know, we know our way around there. And our tens of thousands of wilderness activists across the country know their members of Congress very well.

What a colossal waste of everyone’s time.

Most of us would prefer to be outdoors rather than fussing with this kind of pointless tilting match. 🐉

Doug Scott worked as a congressional lobbyist for The Wilderness Society, the Sierra Club, and other national wilderness advocacy groups for more than 40 years. He is the author of The Enduring Wilderness: Protecting Our Natural Heritage Through the Wilderness Act (Fulcrum 2004).

Wilderness in Congress

Smith Gulch

On April 21, the Senate Subcommittee on Public Lands, Forests, and Mining heard S. 1777, "a bill to amend the Wild and Scenic Rivers Act." The House companion bill is HR 2312. This bill would allow further development at the River of No Return Lodge at Smith Gulch on the Wild Salmon River in the Frank Church-River of No Return Wilderness in Idaho. The U.S. Forest Service illegally allowed the River of No Return Lodge and two other outfitter camps to be developed into permanent lodges on the Salmon River in 1988. Wilderness Watch formed in 1989 to fight this issue, and won a court decision ordering the lodges be dismantled. But in 2004 then-Sen. Larry Craig (R-ID) slipped a rider into an unrelated appropriations bill authorizing retention of the three illegal lodges. Now the owner of this lodge (who has compiled a lengthy record of violations and non-compliance) wants even more permanent development via this narrow special interest legislation, to the detriment of the River of No Return's wilderness character and the Salmon River's wild character. The Forest Service testified in opposition to this bill, and Wilderness Watch and Friends of the Clearwater submitted detailed testimony opposing the bill as well. 🐾

Owyhee Wilderness Motor Vehicle Livestock Herding

The same Senate Subcommittee heard this bill on April 21 as well. The House companion bill is HR 2171. This bill would allow virtually unlimited motor vehicle use in the six Owyhee Canyonlands Wildernesses in Idaho for ranchers and

cowboys to monitor, herd and gather livestock. Such motor vehicle use would dramatically harm the wilderness character of these Wildernesses and would be unprecedented in the National Wilderness Preservation System. Wilderness Watch and Friends of the Clearwater submitted detailed testimony opposing the bill, and we organized a separate sign-on letter of 14 conservation organizations opposing it. We also sent out an action alert for activists to submit testimony directly to the Senate committee. The Bureau of Land Management (BLM) also testified strongly in opposition. 🐾

Sportsmen's Bills

In the Senate, the Bipartisan Sportsmen's Act (Murkowski, R-AK) passed the full Senate on April 20 as part of S. 2012, the Energy Policy Modernization Act. It would open up all Wildernesses to commercial filming for the first time. On May 25, the House adopted and passed a substitute for S. 2012 under the same Senate bill number. This House version of S. 2012 contains wilderness-damaging provisions that would essentially gut the Wilderness Act and allow unlimited habitat manipulations if even remotely connected with hunting, fishing, shooting, or wildlife management. Other bad provisions include a de-listing of the gray wolf in Wyoming and the Great Lakes states from the Endangered Species Act, and blocking agency attempts to limit predator killing and unethical hunting practices on National Wildlife Refuges and National Preserves in Alaska. A conference committee will now work out differences between the Senate and House versions. 🐾

LOVE THE WILDERNESS? Help Us Keep It Wild!
Yes! I would like to make a contribution and help defend Wilderness!

Here is an extra donation to help protect Wilderness!

☐ \$250 ☐ \$100 ☐ \$50 ☐ \$30 ☐ \$ _____

I would like to become a member!

☐ \$30 ☐ \$50 ☐ \$500 ☐ \$15 ☐ \$ _____
Regular Contributor Lifetime Living Lightly Other

☐ My check or money order is enclosed.

☐ Please charge my: ☐ Visa ☐ MasterCard

Card # _____

Exp. Date ____ / ____ / ____

☐ Please send information about the **Wilderness Legacy Donor Program.**

Name: _____

Address: _____

City: _____

State/Zip: _____

Phone: _____

E-mail: _____

(to receive our monthly e-mail update)

Please make checks payable to: "Wilderness Watch"

Mail to:

P.O. Box 9175 Missoula, MT 59807



Wilderness Watch
P.O. Box 9175
Missoula, MT 59807
p: (406) 542-2048
www.wildernesswatch.org

NON-PROFIT
Organization
U.S. Postage
PAID
Missoula, MT
Permit No. 536

CHANGE SERVICE REQUESTED



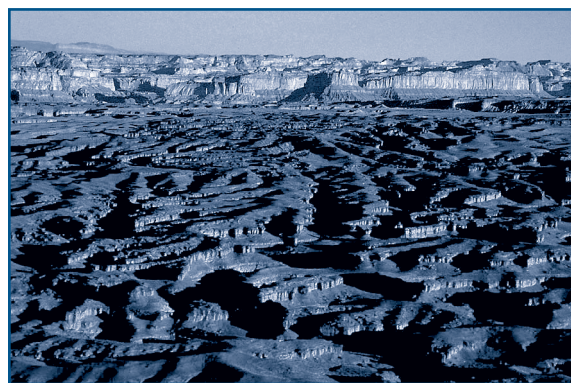
Printed on 100% recycled,
unbleached paper

Utah Public Lands Initiative (PLI)

In January, Reps. Rob Bishop (R-UT) and Jason Chaffetz (R-UT) released their discussion draft of the long-awaited Public Lands Initiative (PLI) for eastern and southern Utah. The 65-page draft bill, dated Jan. 20, 2016, would designate 41 Wildernesses, but contains many problematic provisions dealing with the administration of Wilderness under the 1964 Wilderness Act. Despite containing language that the Wildernesses would be administered "in accordance with the Wilderness Act," the bill then follows with five pages of special provisions and management language ensuring that they won't be.

Knowing of Wilderness Watch's expertise with special provisions in wilderness bills, and with wilderness stewardship in general, colleague organizations asked us to analyze the draft PLI bill. Wilderness Watch produced a nine-page analysis in March detailing these special provisions, many of which are unprecedented for any wilderness bill that has passed Congress. The analysis is available on our website.

The draft PLI includes bad provisions that would damage Wilderness with language on wildlife management, motorized access, buffer zones, and military overflights. These provisions have unfortunately appeared in other wilderness bills. But the PLI also contains completely unprecedented damaging language in the areas of fire, insects, and disease control; livestock grazing; hunting, fishing, and shooting; trail and fence maintenance; water rights and water developments; land acquisition; airshed protection; and bighorn sheep viability.



San Rafael Swell, Utah. Photo: Harvey Halpern

These far-reaching provisions would eliminate many of the protections afforded by the Wilderness Act for Wilderness designated by the PLI. It would instead designate nothing but WINOs: Wildernesses In Name Only. In Utah as in the rest of the nation, we should protect real, wild, authentic Wilderness, and not allow a whole toxic stew of weakened wilderness provisions to corrode the National Wilderness Preservation System. ♻️