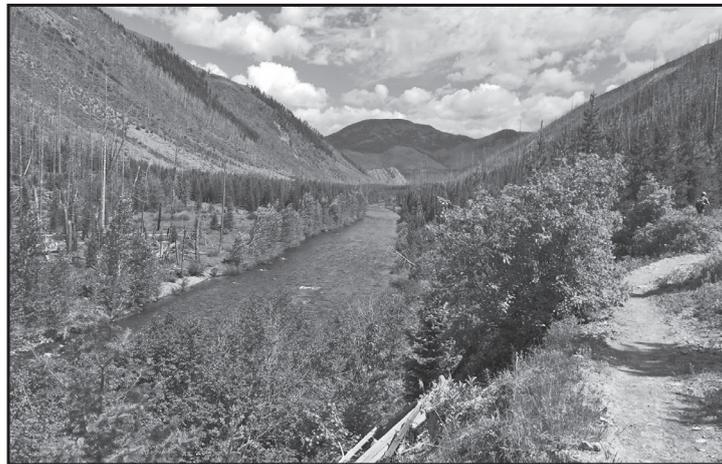


## *Should We Poison the Scapegoat?*

by Gary Macfarlane

The Montana Department of Fish, Wildlife and Parks (FWP) recently put forth a five-year plan to poison 67 miles of the North Fork of the Blackfoot River and three lakes in the Scapegoat Wilderness. The Scapegoat is the southern anchor of the famed Bob Marshall Wilderness Complex, an area of 1.6 million unbroken acres of designated Wilderness that is home to rare species such as grizzly bears, wolves, and wolverines.

The proposal poses a myriad of problems beyond poisoning streams and lakes and much of the life that lives in them. There's the 93 helicopter flights and landings, plus the use of motorboats, pumps, and gas-powered generators—all in a place where machines and motors are banned. Then there's the failure to seriously consider alternatives such as foregoing the use of motorized equipment, or returning the area to its naturally fishless state.



North Fork of the Blackfoot River, Scapegoat Wilderness. USFS

*review of actions that are done pursuant to section 4(c) of the Wilderness Act. The extensive helicopter and other motorized equipment and transport proposed in this project are activities that are presumptively prohibited in Wilderness under Section 4(c). ... If a CE can be used in Wilderness to exempt projects of this size and scope,*

*utilizing a wide array of generally prohibited uses and significantly altering ecological processes, then one has to wonder if any project ever would rise to the level of an EA or EIS in Wilderness no matter how harmful.*

The background behind this shows how ill-advised the plan is, beyond its inappropriate impacts to Wilderness. There were no trout or likely other fish historically above the North Fork

Falls. Rather, fish were planted there some 100 years ago through historic stocking, or "bucket biology," by the agencies and the general public. Even the State's EA tacitly admits there is no good evidence fish were ever there, though it tries to shoehorn in the fact that one fish with westslope genetics was found a few years ago, more likely the result of "bucket biology" rather than an indication of historic persistence. No others have since been found, unlike other places with remnant populations of native fish.

Even though the U.S. Forest Service (FS) is charged with protecting the Scapegoat Wilderness, it has been largely AWOL on the proposal, deferring instead to the State of Montana, which has no

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Wilderness Watch and 14 other groups submitted comments opposing the proposal, stating, in part:  
*[T]he administration has issued an order requiring*

## President's Message



**T**he New Normal. I'm sure by this point you have heard that term used to describe what our lives will be like after the Covid-19 pandemic. Understandably, we should expect that after prolonged events such as this pandemic there will be a lasting impact on our economy, our social interactions, and our visions for the future. We will develop different ways and systems to adjust to the new challenges.

Too frequently the agencies that manage our public lands and Wilderness system feel the need to re-create environments within a landscape to establish a new normal. Whether it is manipulating and maneuvering species around or in or out, or selecting specific aspects of an area as desirable and others as undesirable, or making single, blanket decisions over an area that is comprised of diverse species and habitats, the solutions attempted illustrate the human claim to a knowledge and expertise that is superior to thousands of years of nature's successful progress in finding and excelling in ways to maintain Earth's ecological systems. Unfortunately, many of these attempts or plans to improve habitat or re-establish species on our public lands, including in Wilderness, are to correct earlier attempts to improve habitat or re-establish species, and may likely continue the cycle of unintended consequences and require even more counteractions.

It is a struggle for us to keep a positive attitude when we watch things around us fall apart, to see our familiar landscapes and environments, whether at home or on our nearest wildlands, assume the unfamiliar, a different look or a different function. We wonder if we had a broader perspective, a deeper understanding, we wouldn't have to face these reoccurring steps to restore something that we are responsible for getting out of kilter to begin with.

For me the greatest beauty of the National Wilderness Preservation System is the idea that humans do not have the capability to improve upon nature and the centuries, millennia our Wilderness lands have had adapting to climate, influencing the presence or absence of particular flora and fauna, and being shaped by natural fire. Humans have made and are making very large and consequential decisions on most of the earth's surface—on land and in the oceans. The Wilderness system's protected lands are a refugia from our choices and leave the land and species to continue their much longer-lived experience with finding the right path to meet the new challenges.

My ongoing relationship with Wilderness Watch is based on the trust and understanding that they will be there with the experience, expertise, and passion to not only be my voice, but the voice for many who want our wilderness lands to survive the constant onslaught of management attempts at a new normal. WW is aware of the legal, social and environmental consequences of such attempts, and can make sure our voices and concerns are represented and considered.

Like the glimmer of hope that came with the recent new CDC guidelines for relaxing mask-wearing, maybe we can now, individually or collectively, breathe easier knowing our health is still being protected. And with the continuing pressures on the National Wilderness Preservation System, we know that Wilderness Watch provides a beacon of hope as we count on their unflinching work to protect our valuable wildlands. 🐾

—Louise Lasley



**WILDERNESS WATCH**  
*Keeping Wilderness Wild*

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.

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P.O. Box 9175  
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Phone: (406) 542-2048  
www.wildernesswatch.org  
breth@wildernesswatch.org

## *Should We Poison the Scapegoat? (continued from page 1)*

jurisdiction over Wilderness. The FS's recent scoping letter and short public comment period suggested that this massive proposal that violates the core precepts of Wilderness could be approved via a Categorical Exclusion (CE), and, that instead of completing an environmental impact statement or even an environmental assessment, the FS will likely rely mainly on the State EA, which not did not evaluate the impacts to Wilderness.

In an ironic twist, the State's EA has as its subtitle "Reclamation of the North Fork Blackfoot River upstream of North Fork Falls for Westslope Cutthroat Trout." According to the first definition of reclamation from the online Free Dictionary, reclamation is in agriculture "the conversion of desert, marsh, or other waste land into land suitable for cultivation." That fits in perfectly with the way state fish and game agencies "plant" fish and view aquatic ecosystems. Indeed, these agencies and the FS refer to fishless high mountain streams and lakes as "barren," even though these areas have a profusion of life, from macro-invertebrates to amphibians, all of which will be killed by the poison rotenone that is proposed for killing the "undesirable" trout currently living there.

Meddling with nature is fraught with peril, especially in Wilderness which is supposed to serve as a check against our species' hubris and lack of restraint. A recent article in the journal *Science, Technology and Human Values* described how Colorado fish biologists have for decades been poisoning numerous streams east of the Continental Divide in order to stock those streams with the native Greenback cutthroat trout, only to recently discover the "native" trout they were using are actually Colorado River cutthroats, native west of the Divide, but not to the dozens of streams they've poisoned on the east side of the Divide. According to the authors of that report, "In Colorado, recent findings about native cutthroat trout lineages and genetics have brought to the fore practical and philosophical questions about how DNA analyses will guide management. Categorizations of wildness, nativeness, and purity are complicated not only by changing assumptions about trout taxonomy and genetics, but also by the history of anthropogenic fish transfers and recent decades of attachment by anglers to particular fisheries."

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The State's EA also maintains that angling opportunities will be improved by removing the current fish and stocking with westslope cutthroats. That may be a real reason behind this proposal, along with preventing the westslope cutthroat trout from gaining Endangered Species Act listing. Through their stocking of non-native fish, fish and game departments across the range of the westslope cutthroat trout have endangered this and other subspecies of cutthroat through hybridization. Now, the state fish and game agencies think they know better and want to correct past errors, Wilderness be damned.

In 2010, in another westslope cutthroat trout project in Montana, a FWP rotenone poisoning operation went awry, accidentally poisoning fish outside of the targeted stretch of Cherry Creek, a tributary to the Madison River. FWP never figured out how it happened, but nonetheless, the agency is surprisingly certain it will never happen again. This supposedly "controlled" FWP poisoning project was on a much smaller scale than what is planned for the Scapegoat Wilderness. The FWP suspicion that rotenone got into the ground water and later resurfaced downstream should give the FS and citizens pause about the use of rotenone in the Scapegoat Wilderness. The area's limestone geology suggests it could be easy for surface flows to go underground, similar to what happens at a tributary of the North Fork Blackfoot, Dry Fork, in certain seasons.

If this weren't bad enough, FWP is proposing a similar poisoning plan for the Buffalo Creek drainage in the Absaroka-Beartooth Wilderness, on the northern edge of Yellowstone National Park. This plan also involves the use of helicopters, motor boats, and rotenone. There, though, FWP wants to stock waters it admits were historically fishless with Yellowstone cutthroat trout instead of westslope cutthroat. It is quite clear Montana Fish Wildlife and Parks and the Forest Service need a serious training in wilderness ethics and law. ❧

*Gary Macfarlane is the secretary of the board of directors of Wilderness Watch and ecosystem defense director for Friends of the Clearwater, where he is responsible for tracking public land issues in the Clearwater Basin of Idaho.*

# On the Watch

## *Drop Trump-era Forest Service grazing plan*



George Wuerthner

The Forest Service (FS) needs to drop proposed changes to its livestock grazing program that would negatively impact millions of acres of public lands. Its *Rangeland Management Directives*, released in the waning days of the Trump administration, have huge implications for wildlife and Wilderness.

The FS's proposed revisions would expand grazing by directing vacant allotments to be fully restocked and by returning grazing to the excessive levels permitted in the 1960s, despite conditions that cannot support increased grazing. This is the opposite direction the FS should be taking. Livestock grazing degrades water quality and soils, spreads invasive weeds, destroys riparian and other important habitats, reduces forage for and displaces native wildlife, and it is fundamentally at odds with the

mandate of the Wilderness Act that Wilderness remain "untrammeled."

This leftover Trump administration proposal fails to hold livestock grazers accountable by not setting proper standards to adequately monitor conditions on the ground, and it excludes the public from some grazing decision processes. And if all this weren't bad enough, increased grazing would not only exacerbate the climate and biodiversity crises, but runs directly counter to the Biden Administration's 30x30 land conservation agenda by sacrificing what could be protected lands to the livestock industry.

If the Forest Service wishes to amend its directives, it must undertake a more comprehensive rulemaking process that examines and addresses impacts from grazing through a transparent, public process that complies with federal laws. 🌿

## *Dam would flood the Holy Cross Wilderness*



clare and ben via Flickr

A project that would destroy part of the rugged Holy Cross Wilderness in Colorado is one step closer to reality. In June 2020, WW urged the Forest Service (FS) to reject the Whitney Creek Geotechnical Investigation Project that would drill exploratory wells for a proposed dam. This past March, though, the FS issued a Categorical Exclusion approving the drilling. The dam could flood part of the Wilderness and remove up to 500 acres from the Wilderness for roads or reservoir infrastructure.

Though the purpose of this drilling project is to determine the feasibility of building a dam, the agency is trying to pretend the drilling permit is separate from the intended damage to the Holy Cross Wilderness. 🌿

## *Yellowstone area burn plan scrapped*

In April, thanks to pressure from WW members and supporters, the Forest Service (FS) dropped its massive burn project for up to 1.7-plus-million acres of the Targhee National Forest in Wyoming, including the Palisades Wilderness Study Area (WSA), Recommended Wilderness, and Inventoried Roadless Areas. The agency had proposed approving this Trump-era burn project via a Categorical Exclusion.

The Forest Service is required to manage the Palisades WSA so as to preserve its wilderness character, which includes not interfering with natural processes with projects such as this. The agency failed to clarify in its proposal whether the project would have included helicopter use and/or tree cutting in the WSA, which could have further harmed the Palisades. The Jedediah Smith and Winegar Hole Wildernesses were not included, but could have also been impacted if the FS ignited fires up to the wilderness boundaries. Thank you to everyone who spoke up—your voice made a difference. 🌿

## On the Watch (continued)

### *Chance to restore the Rattlesnake Wilderness*



The city of Missoula is considering what to do with dams on eight relatively small lakes in the Rattlesnake Wilderness in Montana. Only one of the dams is currently operational, and repairing/reconstructing and retaining the dams could perpetuate motorized access and upgrading the existing, deteriorated “jeep routes” in the Wilderness.

Wilderness Watch supports removing the dams and returning the lakes to their natural levels and ecological function, using wilderness-compatible traditional skills rather than motorized equipment. The “cherry-stemmed” road—that intrudes deep into the Rattlesnake Wilderness and was used by the former water company to access the dams—should be closed and converted to a hiking trail. Without dams, there’s no justification for the road. If the city retains any of

the dams, all work needs to be done without motorized access or motorized equipment. 🐾

### *Strip mine threatens the Okefenokee Wilderness*



Despite strong public opposition, including from WW members and supporters, Twin Pines Minerals is pressing on with its plans to build a massive titanium and zirconium sand mine next to the Okefenokee National Wildlife Refuge and Wilderness in Georgia. The Okefenokee is one of the largest Wildernesses in the east, covering 353,981 acres, and a Wetland of International Importance. The mine is a threat to wildlife and wilderness values like solitude, silence, and remoteness.

After the U.S. Army Corps of Engineers told Twin Pines that an environmental impact statement (EIS) would be required to evaluate the adverse impacts of its proposed 12,000-acre mine, it withdrew its original proposal. Twin Pines then resubmitted an application for the first phase of the mine as a “demonstration project” spanning 898 acres,

in the hopes of avoiding the scientific scrutiny and public comments that go with a full-blown EIS. Their latest proposal asks the Georgia Environmental Protection Division to grant five permits needed to excavate the heavy minerals. 🐾

### *Better ways to cross a river*



Wilderness Watch is encouraging the Forest Service (FS) to adopt a wilderness-compatible alternative for addressing the burned out bridge at Crooked Creek in the Wenaha-Tucannon Wilderness in Oregon. The agency is proposing to build a new bridge to replace the 80-foot bridge that was destroyed by fire in 2015. Unfortunately, the agency appears to be leaning toward building a partial steel structure rather than using only native materials, and using helicopters to haul materials to the site.

The FS needs to seriously consider providing a ford instead, even if it means rerouting the trail to a better location. Visitors have continued using the area since the old bridge burned, and there’s no reason that use can’t continue. Crossing in early-season high water is risky, but

that’s true of many places in Wilderness without bridges, and in and of itself isn’t justification to build one. If the FS decides to build the bridge, it needs to design a structure that is the minimum size required and that doesn’t require motorized equipment to build or maintain. 🐾

On the Watch continued on page 8

# Wilderness in the Courts

## A Road Through Izembek, Alaska

A quick recap of the never-ending battle to stop road construction through the Izembek Wilderness: In 2014, after decades of studies and environmental review, then-Interior Secretary Jewell found that a land exchange to construct a road through the Izembek Wilderness would not be in the public interest because impacts to this critical landscape would be “irreparabl[e] and significant.” The State of Alaska and King Cove Corporation challenged Jewell’s determination in federal court and lost. They appealed to the Ninth Circuit, but abruptly pulled their appeal right before oral argument. The reason became clear on January 22, 2018 when, during the government shutdown, former Interior Secretary Zinke effected a closed-door deal committing the federal government to an “equal value” land exchange that would swap a 12-mile corridor through the middle of the Izembek Wilderness for non-Wilderness lands held by King Cove Corporation. We filed suit immediately. The district court decided in our favor finding Interior had not provided a reasoned explanation for ignoring its prior findings that “construction of a road ‘would lead to significant degradation of irreplaceable ecological resources’” and that there were “reasonable and viable transportation alternatives.” Defendants once again appealed, once again pulled their appeal, and once again sealed *another* closed-door land exchange similar to the last exchange. We filed suit, again, on August 8, 2019, challenging the latest land exchange, and on June 2, 2020, we won again on similar grounds with the court describing the Secretary’s errors as “serious and fundamental.” Interior filed *another* appeal on August 14, 2020, and the new Biden administration has, disappointingly, continued to defend the exchange. Briefing is complete, and we expect oral argument sometime later this summer.

Not surprisingly, we’ve learned that in the waning days of the Trump administration, the State of Alaska had another trick up its sleeve—it applied for a road right of way through Izembek arguing it is entitled to access to inholdings under the Alaska National Interest Lands Conservation Act (ANILCA). The Fish and Wildlife Service ruled the State’s application was incomplete, but less than a week before Trump left office, the Service was overruled by then-Interior Secretary Bernhardt. Thus far, the Biden administration has not undone Bernhardt’s order. We are monitoring the situation closely. 🐾

## E-bikes in National Parks

Back in December 2019, we filed suit challenging a National Park Service directive instructing all Park Superintendents to immediately treat electric bicycles the same as bicycles and allowing them “where traditional bicycles are allowed.” The directive exacerbates the already growing issue of overcrowding in National Parks and

threats to wildlife from increased human access, and it is part of a larger push to get bicycles and e-bikes into wilder and more remote places, including Wilderness. The directive was given without formal rulemaking or environmental review, was the product of closed-door meetings with an industry advisory committee called the “E-bike Partner & Agency Group,” and it was yet another authorization carried out by unconfirmed Interior employees unlawfully seated by the Trump administration. The case has been slow-moving, and Interior recently issued a formal rule for e-bikes in National Parks and sought to dismiss our case as moot. We defeated the motion to dismiss, and the court, calling a key portion of the Park Service’s argument “nonsensical,” allowed us to supplement our complaint to include a challenge to the new regulation as well. Unfortunately, the Biden administration is still defending this Trump/Bernhardt fiasco, so it appears the case will continue. Briefing on the merits of the case should begin later this year. 🐾

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*Thank you!*

# Wild Voices—Wilderness for its own sake

By Roy (Monte) High



*Roy (Monte) High lives in Grand Junction, Colorado. He enjoys getting out into the natural areas nearby with his wife Elizabeth.*

**A**s a disabled individual I wholeheartedly disagree with Janet Rowland's statement that the designation of wilderness areas is a slap in the face to the disabled population.

In 1983, at the age of 20, an automobile accident left me a quadriplegic because of a spinal cord injury. I have lived most of my life navigating the world in a wheelchair. Before this life-changing event I was very physically active and spent countless hours in the great outdoors — fishing, hunting and hiking. I still love getting out into nature. In recent years wheelchair accessibility has come a long way. I love spending time along the Colorado Riverfront Trail and the local State Parks. But I realize the importance of setting aside land that will benefit wildlife and endangered plant species. These wilderness areas are crucial habitat for the ecosystems that will sustain the species that I so love. It breaks my heart to see the wildlife and wild areas gradually disappearing from the earth.

As a wheelchair user I have had to learn to adapt. There are many places that are not accessible to me, including many of my friend's homes. I do not take this as a slap to the face that I'm not welcome. I do not expect my friends to spend thousands of dollars to remodel their houses just so I can enter. There are many places we can get together. Likewise, I do not expect the government to build roads and trails over every square inch of wilderness so that I can visit in my wheelchair. Especially when I realize that my selfishness would lead to the demise of the very land I love. I love knowing that there are wild places where animals can roam free without human intervention. And I know these places are crucial to sustain their continued existence. I implore Janet Rowland and others who stand in the way of wilderness designations to change their stance. These lands mean more than how much money we can pump out of them—for much of God's creation these wilderness lands are crucial for their continued existence. 🌿

*Editor's note: This originally ran as a letter to the editor (LTE) in the Grand Junction Sentinel on February 14, 2021.*

## Membership is up, and summer is around the corner

By Brett Haverstick



**I** just returned from a weekend backpacking trip in the Selway-Bitterroot Wilderness (SBW), which was designated in 1964 with the passage of the Wilderness Act. My first backpacking trip into the SBW was in 2006. Despite my most recent trip being very short, it was rejuvenating, and I'm grateful to have made it through the (COVID) winter. I hope you're able to brush off your gear and get into Wilderness soon, too.

We recently held our spring Board of Directors meeting, and everyone in the organization is thrilled with YOUR great support. In the past 18 months, our membership has almost doubled, and we can't thank you enough for your unwavering dedication to defending Wilderness.

In the past six months, we've also grown our monthly donor program by 30 percent. Becoming a monthly donor is simple. Just fill out the donor card on page 6, check the "Monthly Donor" box, indicate the amount, and then mail it back to us. If you'd prefer to set this up over the phone, you can reach me at 406-542-2048, Ext 1.

Wilderness Watch just participated in the 2021 Missoula Gives, which is an on-line celebration of non-profits in Missoula, MT. We received financial contributions from current members, and gained some new members as well. Thanks! We'd also like to acknowledge the Missoula Community Foundation and all the volunteers who help make this annual event possible.

This month you should receive our annual summer appeal fundraising letter in the mail. The letter will highlight some of the new threats to Wilderness, and also provide a few updates on previous issues that we have collectively pushed back on. We send out two appeals each year. Please be as generous as you can.

Happy trails! 🌿



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*Keeping Wilderness Wild*

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P.O. Box 9175  
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## On the Watch (continued)

### *Time to permanently close the Hoodoo Meadows Airstrip*



Wilderness Watch is urging the Forest Service (FS) to permanently close the long-abandoned Hoodoo Meadows Airstrip, which sits at 8200 feet and is surrounded by the Frank Church-River of No Return Wilderness (FC-RONRW) in Idaho. The wild FC-RONRW is the largest contiguous Wilderness in the lower 48. Not only is the airstrip's location inappropriate, but its high elevation and physical surroundings make for questionable safety.

In the 1980s, the Forest Service started the process of permanently closing the airstrip. But the agency now claims there are no records of its past efforts to close it, and without first analyzing the airstrip's negative impacts

to the Wilderness, has approved the maintenance needed to restore it.

The Hoodoo Meadows Airstrip would cause a number of impacts to the Wilderness—with the noise and intrusion of an estimated 50-70 yearly aircraft takeoffs and landings, trees the FS may cut in the surrounding Wilderness in order to re-open the airstrip, and increased visitor use and impacts fueled by easier access to the Craggs, which is already the Wilderness's most-visited area. The Forest Service should do the right thing for the Frank Church-River of No Return Wilderness by permanently closing this airstrip. ♪