Growing Threat of Inappropriate Research and Instrumentation in Wilderness

By Kevin Proescholdt

Wildernesses across the country are seeing a growing threat to their wild, remote and undeveloped character: the increased requests and authorizations for permanent structures, buildings, instrumentation, and motorized access, ostensibly for research or scientific purposes. And the federal wilderness-administering agencies seem all too willing to grant these requests, even though they result in the degradation of an area’s wilderness character.

Wilderness Watch supports scientific research in Wilderness, but it must be conducted in ways that preserve wilderness character and that comply with the Wilderness Act. The central mandate of the Wilderness Act is, after all, to preserve wilderness character.

The 1964 Wilderness Act prohibits buildings and structures in Wilderness as a means to protect the unique values that set Wilderness apart from other lands. The Wilderness Act further states, in its introduction, that one of its purposes is to counter “growing mechanization” and to prevent a growing population from occupying and modifying all areas.

The proposals for research and permanent instrumentation often directly violate the Wilderness Act’s prohibitions. The proposals are frequently requested for weather observations, seismic monitoring or, increasingly, for climate change studies. They sometimes involve buildings and structures, permanent monitoring stations and instrumentation, and usually require landing helicopters in Wilderness, another Wilderness Act violation.

The Wilderness Act does offer one very narrow exception for these prohibited activities. Only if the proposed research is the minimum required for the protection of the area’s wilderness character—unlikely in nearly all instances—can managers allow these violations to occur. Adding new climate change monitoring stations in a Wilderness does not protect the area’s wilderness character. Just the opposite! While the information acquired by such monitoring stations may be interesting or useful to understanding climate change, it generally does not help the wilderness manager protect the area’s wilderness character.

Research installation in the Unimak Wilderness.

Photo: Cyrus Read, Alaska Volcano Observatory / U.S. Geological Survey

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As Marilyn and I wrap up our 37th guiding season for our backpacking company, Big Wild Adventures, it strikes me once again that there’s no better way to get folks excited about Wilderness than to help get them deep into the wilds—and then let Mother Nature work her magic. Over the years we’ve often mused that perhaps our biggest contribution to conservation, maybe more so than our political activism, has been getting folks into the wilds. Sure, on our trips we usually include a campfire talk about public lands and Wilderness, but really, it’s Mother Nature who drives home the point.

Although our family makes a living in wilderness recreation, let’s be clear: Wilderness is not primarily about recreation. Of course, recreation is a wilderness value that endears it to many humans, and that’s important. But the way I see it, Wilderness is primarily about the intrinsic value of wild nature. According to the Wilderness Act, it’s also “…to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions…” The Wilderness Act also describes Wilderness as “untrammeled”, which means that natural processes are allowed to continue unregulated, and therefore, so too the dynamic forces that fuel the embers of evolution. Wilderness is about clean water and air, threatened and endangered wildlife, healthy ecosystems and biodiversity, yes, but more important, Wilderness is about restraint. It is an exercise in humility, a statement that we don’t know it all and can never know it all. When we tinker, we usually mess things up. So the wise course of action, the truly conservative course, is to keep parts of this beleaguered planet as wild as possible, hands off, where we manage the humans—not the landscape. Simply put, the effort to protect Wilderness and to keep it wild is not primarily about us two-legged hominids; it’s about values that are far, far greater.

Of course, getting folks out into the wilds does not guarantee more wilderness defenders. Witness the explosion of off-road vehicle users, including mountain bikers, who have become a potent anti-wilderness lobby throughout much of the country. Even some backcountry boaters now lobby to open waterways in Yellowstone’s proposed wilderness units to a large-scale floating brigade that will make the undisturbed waters of Yellowstone’s wild side decidedly less wild. What these user groups have in common is that they view wild country as little more than an outdoor gymnasium, not the Earth’s primary repository for 3.5 billion years of organic evolution.

As I begin my second stint as President of this wonderful organization, I am humbled by the dedication and determination of the Wilderness Watch “family” to keep Wilderness wild. That has become a bigger challenge than ever in this increasingly crowded and warming world, where an ever-expanding human population leaves its imprint nearly everywhere. And although many conservation groups—especially some of the “big greens”—have dropped the ball and abandoned their commitment to real Wilderness, it warms my heart to know that Wilderness Watch—and quite a few other groups, too—are still fighting the good fight, determined to simply keep it wild. As Ed Abbey notably wrote, “the idea of wilderness needs no defense, only more defenders”. That has never been truer than it is today.

—Howie Wolke
Agency wilderness managers sometimes think that because the Wilderness Act says that Wildernesses "may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value" that they must therefore unquestioningly approve any of these growing number of requests for research into ecological, geological, or scientific understanding. But by doing so, these managers allow the degradation of the very Wildernesses they administer. Managers should instead impose wilderness-appropriate restrictions on researchers as to the type of travel in Wilderness, carefully question the need for permanent structures and instrumentation, and require researchers to examine locations for monitoring that fall outside of wilderness boundaries. Managers also don't need to know every possible speck of information about a particular Wilderness in order to protect its wilderness character, especially if that research results in the area's degradation.

Often lost in the discussion about research is that data and information come at a cost. In Wilderness, this often means the intrusiveness of helicopters, the invasiveness of capturing, collaring, and constant monitoring of its wildlife inhabitants, the unwelcome surprise of discovering the instruments of modern technology in a remote and otherwise pristine setting, where you thought you had escaped the trappings of our technological age.

Here are several recent examples of the growing trend towards these types of harmful research proposals in Wilderness:

1. **Glacier Bay Wilderness, Alaska.** The National Park Service (NPS) has proposed to install eight permanent Remote Automated Weather Stations (RAWS) in the Glacier Bay Wilderness. Helicopter use would be required for at least four of the stations, if not all. The NPS did not look at any alternative locations outside of designated Wilderness.

2. **Mount Hood Wilderness, Oregon.** The U.S. Geological Survey (USGS) has requested of the U.S. Forest Service (FS) the installation of four new permanent volcanic monitoring stations in the Mount Hood Wilderness. Helicopter use has also been requested as part of this proposal. Again, the FS did not analyze any alternative locations outside of the designated Wilderness.

3. **Arctic Refuge Wilderness, Alaska.** This spring, the U.S. Fish and Wildlife Service (FWS) tried to rush through an intrusive research project in the vicinity of Lake Peters in the Mollie Beattie Wilderness of the fabled Arctic National Wildlife Refuge. The agency proposed helicopter landings, airplane landings on sensitive tundra, extensive motorboat travel, numerous instrument installations, use of mechanized equipment, and the placement of a chemical dye in streams. After Wilderness Watch sounded the alarm and many members of the public responded, the FWS withdrew the most onerous aspects of the research proposal.

4. **Glacier Peak Wilderness, Washington.** The USGS again has requested of the Forest Service (FS) the installation of four seismic monitoring stations in the Glacier Peak Wilderness for a period of 20 years. These stations would include electronic monitoring equipment, antennas, batteries, and solar panels mounted to the equipment. Helicopter use is projected to transport heavy equipment, supplies, and personnel. Again, the Forest Service has not even requested that USGS try to justify this violation of the Wilderness Act under the very narrow exception.

5. **Frank Church–River of No Return Wilderness, Idaho.** The Idaho Department of Fish and Game (IDFG) embarked upon a wolf capture and radio-collaring project in this iconic Wilderness in 2010, with the full blessing of the Forest Service, ostensibly as a research project to study wolves. IDFG used helicopters to tranquilize wolves from the air, then landed the choppers to collar the wolves. We learned of IDFG's real intent with that project, of course, when the department hired a trapper in 2014 to wipe out wolf packs in the heart of this same Wilderness. (Wilderness Watch and allies have gone to federal court to successfully block this wolf extermination project for now.)

6. **Tongass National Forest, Alaska.** From 2005-2008, Wilderness Watch successfully opposed a FS proposal to install more than 3,600 permanent structures ("monuments") in Wildernesses on the Tongass National Forest. This was to be part of a national Forest Inventory and Analysis (FIA) program. The FIA proposal for the Tongass would have involved more than 1,000 helicopter landings over the next decade, dozens of hours of low-level hovering, and the installation of thousands of permanent structures to mark and document the individual sites. The FS ultimately withdrew the plan.
“My best days have been climbing!”

During the Great Recession several years back, Wilderness Watch’s experience was very similar to nonprofits throughout the country. Foundation grants and donations significantly declined. In what would have been our darkest hour, a unique member gave WW an extraordinarily generous gift that instantly righted the ship. It was one of a half-dozen gifts from supporters that both pulled us out of the whirlpool and helped secure our future.

Frances Chamberlin Carter has a deep and abiding love of wild places. She has spent her life hiking and climbing the earth’s most inaccessible places. In 1980, in fact, she became the first woman and the eighth person to climb the highest peak in all 50 U.S. states.

Mrs. Carter, now 91, modestly told an audience several years ago, “Climbing various sorts of mountains and various parts of wilderness has always been a very important part of my life [because of the] beautiful scenery, strong friendships, lives often dependent on one another, and the thrill of reaching a goal make it quite exhilarating.”

Mountain climbing runs in her family. She was only a youngster when she began ascending mountains with her father, a geology professor at the University of Chicago, first in the White Mountains in New Hampshire and then in the Tetons in Wyoming. Mount Chamberlin in Alaska is named after her grandfather, who was also a famous geologist. Later, she climbed with her husband Dave and her good friend, Gertrude Smith with the Alpine Club of Canada.

In addition to her climbs in the U.S., she’s ascended peaks in Canada, New Zealand, Switzerland, Austria, Nepal, Antarctica, Mexico, and South America. Her photographs have an incongruity about them, showing her straddling breathtaking cornices at the top of the world in what appeared to be simple clothes, the kind you’d expect to wear for a hike out the back door: duck canvas pants, a flannel shirt, sunglasses, and a bush hat with a fabric flower.

She also downplays the heroic nature of her accomplishments. “We tied a rope around our waists, carried an ice ax and a pack with spare clothes, and set out,” she said. “Now a days, you’d have a hard hat, slide into a harness, carry metal gadgets, click into a fixed rope, get in trouble, take out a cell phone, and call for a helicopter rescue. We had none of that. We were on our own.”

She climbed Alaska’s 20,000-foot Denali in 1962, the third woman to do so and the first via the West Buttress route. She was the only woman in the seven-person team. Their base camp was at 13,000 feet. It took them 17 days up, five days down. They had to leave flags in the snow to find their way back. She felt like quitting because of the cold but didn’t.

She would probably deny it, but she is a hero to many who have come after her. She is a hero to Wilderness Watch, too. We will work hard to honor her belief in us.

–Jeff Smith

Research Threatens Wilderness (continued from page 3)

Wildernesses are likely to continue to see a growing number of research requests involving permanent structures, buildings, instrumentation, and helicopter landings going forward, particularly with the increased urgency to better understand climate change. Wilderness Watch will continue to push for the protection of the Wildernesses in the National Wilderness Preservation System from these requests, and to insist that the federal wilderness-administering agencies protect the areas’ wilderness character.

What is needed is a commitment to non-invasive, non-disruptive research that respects and responds to the demands of wilderness preservation. There are a growing number of non-invasive wildlife study techniques that can help to point the way. Satellite technology can replace much of the need for instrumentation on the ground. Observation—good old-fashioned fieldwork—can usually substitute for radio collars and overflights. And in some cases, we might simply have to forego trying to know everything or to gain those extra data points.
Wilderness in the Courts

WW Sues to Stop the Golden Hand Mine in the River of No Return Wilderness, Idaho

On July 7, Wilderness Watch and several other conservation groups filed a lawsuit challenging the Forest Service’s authorization of extensive drilling, bulldozing, road construction, and motor vehicle traffic in the Frank Church-River of No Return Wilderness. American Independence and Mineral Mining Company (AIMMCO) wants to explore whether an old mining claim from the 1880s is viable. The River of No Return Wilderness in central Idaho is the second largest Wilderness in the lower 48 states and is bordered to the north by the Gospel Hump Wilderness and the Selway-Bitterroot Wilderness. It is also home to the Main Salmon and Middle Fork of the Salmon rivers—both prized for their impressive whitewater and remote wilderness settings.

The Forest Service has authorized as many as 571 motorized trips per year into the Golden Hand mine site within the Wilderness. The majority of these trips would be to transport workers in pickup trucks for shift changes, even though workers could hike or use stock like every other person in Wilderness. AIMMCO would also use jackhammers, drillers, dump trucks, bulldozers, and other heavy machinery in the Wilderness to construct over four miles of road, to construct 11 drill pads and drill 13 to 18 core holes 500 to 800 feet underground, to excavate several trenches to bedrock, and to pump water from Coin Creek. These activities grossly exceed what the Wilderness Act contemplates for proving the validity of a claim, and the Forest Service’s authorization sets a horrible precedent for Wilderness nation-wide.

Wilderness Watch and our co-plaintiffs are represented by attorneys at Advocates for the West and the Western Mining Action Project in our lawsuit. See our Summer 2015 newsletter for more information.

WW Challenges Owyhee Canyonlands Wilderness Management Plan, Idaho

These provisions allow commercial trapping, unattended hunting blinds and recreational structures, and routine motorized access, including the use of ATVs for grazing-related activities across the six Owyhee Canyonlands Wildernesses. The Wilderness Act prohibits all of these activities and uses because they degrade wilderness character, and the Bureau of Land Management’s (BLM) prior drafts of the Management Plan prohibited them accordingly. The agency’s about-face in the final Management Plan represents a sharp departure from its own management guidance and the mandates of the Wilderness Act.

Protected in 2009 as designated Wilderness, 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 BLM has an obligation to protect the unique character of this wild landscape, and we intend to make sure the agency does. We have filed an appeal before the Interior Board of Land Appeals challenging these provisions and requesting that the BLM comply with its statutory obligations.

Wilderness Wins—Court Rejects Izembek Road, Alaska

In a September 8 ruling, a U.S. District Court judge upheld Interior Secretary Sally Jewell’s decision to reject a proposed land exchange and road across the Izembek Wilderness in Alaska. Wilderness Watch and other conservation groups intervened in support of the Interior Department. In 2014, the court dismissed most of the legal claims filed by King Cove and the state of Alaska asking to overturn the decision. This latest ruling was the last remaining claim to be resolved. On November 4 the state filed a notice of appeal with the 9th Circuit Court, so the legal wrangling might continue.

The Omnibus Public Lands Management Act (2009) included a provision by Senator Lisa Murkowski (AK) that mandated consideration of the proposed land exchange and road. Beltway green groups that were pushing the Omnibus bill did not oppose the Murkowski amendment, which left the Wilderness’s future twisting in the Arctic wind. Since passage of the landmark Wilderness Act in 1964, no Wilderness has been stripped of protection for the purpose of constructing a road. The federal government has repeatedly studied and consistently rejected a proposed land swap and road through the Izembek National Wildlife Refuge (NWR). Located near the tip of
Wilderness Watch Files Lawsuit to Stop Motorboat Abuse in Boundary Waters, Minnesota

At the end of September, Wilderness Watch filed a suit in federal district court to force the U.S. Forest Service (FS) to comply with its own regulations limiting commercial towboat use in the 1.1 million-acre Boundary Waters Canoe Area Wilderness (BWCAW) in Minnesota. The FS has allowed towboat use to grow so much that such use may be pushing all motorboat use in the BWCAW to exceed the overall motorboat cap required by Congress.

The towboats are very profitable commercial operations that ferry canoe parties for a fee as far into the BWCAW as motorboat use is allowed, in order to save canoeists time. (Despite their name, towboats typically do not tow canoes, but rather carry them on overhead racks.) But the towboat use often results in making those lakes (or chains of lakes) wilderness sacrifice zones with motorboats buzzing back and forth.

One of the ironies of this case is that the towboat customers typically are wilderness paddlers who want to save time getting to the adjacent Quetico Provincial Park on the Ontario side of the border, which generally has a wilder feel than the BWCAW. But in using the towboat services, these customers degrade the BWCAW through which they zoom.

The 1964 Wilderness Act generally prohibits commercial services in designated Wildernesses, except for a few limited activities like outfitters and guides. The BWCAW is also governed by the 1978 BWCAW Act (P.L. 95-495), which required the FS to implement motorboat use quotas that did not exceed the average actual annual motorboat use in the calendar years 1976, 1977, and 1978.

The Forest Service’s 1993 BWCAW Management Plan established an overall motorboat cap of 10,539 motorboat trips for the entire Wilderness, based on the 1976–78 average use. It limited commercial towboats to their 1992 levels, which the agency later calculated was 1,342 towboat trips per year. Litigation by environmental organizations challenged some aspects of the 1993 plan, including the FS’s proposal to remove towboats from the overall motorboat quota, place all towboat operators under Special Use Permits (SUPs), and cap towboat use at 1992 levels. During the litigation, the agency calculated 1992 use levels and told the court that it would cap the towboat use at 1,342 towboat trips per year.

But since that time, the FS has turned a blind eye to the commercial towboat use and allowed it to grow. Several Freedom of Information Act (FOIA) requests and subsequent analysis showed that the FS has allowed use to significantly grow to several times that cap (e.g., 3,879 “boat days” of towboat use—not trips, which would be a higher number— in 2000, 4,555 “boat days” from just one district in 2003, etc.). In 2014, for example, the FS authorized 2,124 commercial towboat trips, but 2,614 towboat trips were actually reported. And these figures come from substantially incomplete report forms.

As part of our more recent research, Wilderness Watch discovered that the FS never set up any system to actually monitor or control the number of towboat trips. The FS relies upon reports submitted by the outfitters after the season is finished as part of the outfitters’ SUP reporting. These after-the-fact reports have provided no way for the FS to track the number of towboat trips during the season, and to end towboat trips when the maximum limit of 1,342 has been reached. As a result, many years since 1993 have witnessed significant violations of the towboat limit, yet the FS has done nothing to correct this problem. We’re confident the federal courts will be able to convince the FS to do so.

Another Building Boom in the Olympics, Washington

One would be hard-pressed to identify too many things more clearly antithetical to Wilderness than man-made buildings. As defined by the Wilderness Act, “[a] wilderness, in contrast with those areas where man and his own works dominate the landscape, is […] an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.” A wilderness is a landscape “retaining its primeval character and influence, without permanent improvements or human habitation” and which “generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable.” This is why the Wilderness Act expressly prohibits structures unless a very narrow exception is met where a structure is necessary—essential—for the Park Service to administer the Wilderness.

The National Park Service (NPS) is no stranger to controversy regarding its structure rehabilitation activities within Wilderness, particularly in the Olympic Wilderness
In the Courts (continued)

which one Park Service staffer described as “a crime scene of sorts.” In 2005, a U.S. District Court declared that the Park Service violated the Wilderness Act and the National Environmental Policy Act when it reconstructed two collapsed shelters in the Olympic Wilderness. The Court stated that “[w]hile former structures may have been found to have met the requirements for historic preservation, that conclusion is one that is applied to a man-made structure in the context of the history of their original construction and use in the Olympic National Park. Once the Olympic Wilderness was designated, a different perspective on the land is required.” Other Federal Courts have held the same opinion. Given these unequivocal holdings, a Wilderness Watch Board member backpacking in the Olympic Wilderness was surprised to stumble upon a Park Service crew reconstructing yet another building in the fall of 2012. That discovery prompted WW to investigate, and what we unearthed was a broad-scale effort by the Park Service to rehabilitate and reconstruct multiple degraded structures in the Wilderness without any public notice and in direct violation of the Wilderness Act. Here are before and after photographs depicting the Park Service’s rehabilitation activities on one of those buildings, the Wilder Shelter:

Wilderness Watch filed suit in Federal District Court on October 27, 2015 to stop this illegal practice and to force the agency, once again, to comply with the Wilderness Act and the National Environmental Policy Act. We hope this time around the NPS will heed the multiple court opinions finding its actions illegal, and will undertake a comprehensive reassessment of its obligations under the Wilderness Act to preserve wilderness character and under the National Environmental Policy Act to inform the public of its actions.

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Wilderness in Congress

Lots of wilderness bills have been introduced in the current 114th Congress. Unfortunately, many of the wilderness bills actually would harm Wilderness, not protect it! This sad fact speaks volumes for how far this and other recent Congresses have fallen in their support for Wilderness. The wilderness bills can be classified into the following categories:

Bad Bills that Harm Many Wildernesses

Most of the so-called Sportsmen’s bills would do great harm to all Wildernesses across the nation. Two (HR 528, HR 2406) would effectively repeal the 1964 Wilderness Act by allowing unlimited habitat manipulation and development in Wilderness, including road construction, bulldozer use, and buildings, for any actions purportedly done to facilitate hunting, fishing, recreational shooting, or wildlife conservation. Other Sportsmen’s bills (S. 405, S. 556) would open up all Wildernesses in the country to commercial filming for the very first time. On Oct. 8, the House Natural Resources Committee “marked up” and passed HR 2406.

A number of Border bills (HR 399/S. 208, HR 1412/S. 750) would waive many federal laws (including the Wilderness Act) within 100 miles of the borders with Canada and Mexico to allow the Department of Homeland Security to do anything it wants, irrespective of wilderness designation. Wilderness Watch’s analysis uncovered the fact that these waivers would harm 73 Wildernesses across 12 states covering 32 million acres along just the borders with Canada. This does not count those U.S. Wildernesses within 100 miles of Mexico.

Bad Bills that Harm Specific Wildernesses

In this category we find the Idaho Wilderness Motorized Vehicle Livestock Herding Act (HR 2171), (otherwise known as the Owyhee Wilderness Areas Boundary Modification Act), which would allow ranchers to drive motor vehicles in the Pole Creek, Owyhee River, and North Fork Owyhee Wildernesses for routine livestock management practices such as herding and gathering.

Also in this category lurks the Smith Gulch Commercial Recreation Services Perpetuation Act (HR 2312) that would allow increased and perpetual commercial services and mechanized/motorized uses at the lodge at Smith Gulch on the wild Salmon River in the Frank Church-River of No Return Wilderness in Idaho. Wilderness Watch had won a lengthy court case after the Forest Service illegally allowed this and two other camps on the Salmon River to upgrade into permanent lodges. Sen. Larry Craig (R-ID) then slipped in a rider in a must-pass bill allowing the illegal structures to remain. Now the Smith Gulch owner wants even more.

In the same category, Rep. Cynthia Lummis (R-WY) continues to push her bill (HR 974) in the House that would open up some 400 miles of rivers and streams in Grand Teton and Yellowstone National Parks that have been closed to watercraft use for decades to protect wildlife and wilderness. Her bill recently passed the House Natural Resources Committee.
On the Watch

Wolves in the River of No Return Wilderness Spared for Now

At the end of July, Idaho Fish and Game (IDFG) informed the Forest Service (FS) it would not hire a hunter to kill wolves in the Frank Church-River of No Return Wilderness (FC-RONRW) this winter. Wilderness Watch believes the State’s decision was made knowing any plan to kill wolves would face fierce opposition from WW and our allies.

Wilderness Watch has been fighting to protect wolves in the FC-RONRW since we challenged IDFG’s 2009/10 proposal to use helicopters to capture and collar wolves in every pack in much of the FC-RONRW. Though IDFG portrayed the project as an effort to study the wolves, we were sure IDFG would use the information to kill the wolves in the FC-RONRW.

As anticipated, in December 2013 IDFG hired a professional trapper to wipe-out as many packs as possible in the Wilderness. The Forest Service went along, allowing the trapper to use FS facilities to aid his efforts.

Wilderness Watch, along with other conservation groups and Idaho wildlife advocate Ralph Maughan, asked a federal judge in Idaho to stop this IDFG program (which had the support of the FS) to exterminate wolves deep within the FC-RONRW. Earthjustice represented WW and the other plaintiffs. Faced with a looming deadline to defend its actions before a federal appeals court, IDFG announced on January 27, 2014 that it was halting its wolf extermination program in the Middle Fork region of the FC-RONR. (This was after the hunter/trapper had killed nine wolves.) In order to get out from under the lawsuit, IDFG agreed to not kill any wolves during the 2014-15 winter and to notify the FS of its plans for this upcoming winter by July 31, 2015, at which time the FS would have to concur or object to the plan.

Wilderness Watch is extremely pleased that wolves will again get a reprieve this coming winter, but we must remain vigilant, knowing the State’s objective remains to kill 60 percent of the wolves living in the area and it is likely to just try another way to do it.

For now, let’s celebrate for the wolves!

Los Vidrios: The illegal Road

Earlier this year a local Wilderness Watch member, Fred Goodsell, sounded the alarm that the U.S. Fish and Wildlife Service (FWS) had designated an illegal vehicle route as an “administrative road” through the Cabeza Prieta Wilderness in southwest Arizona. The route, known as Los Vidrios, was reportedly created for and used as a smuggling route for many years before vehicle barriers were installed along the U.S. border with Mexico.

On behalf of Goodsell, Wilderness Watch, and the Grand Canyon Chapter of the Sierra Club, local attorney Cyndi Tuell sent a letter to the FWS stating the Service’s actions were likely in violation of both the Endangered Species Act and the Wilderness Act. The letter insisted the Los Vidrios route be identified on all agency maps and documents as an illegal, unauthorized route, and the signage be changed from an “Administrative Trail” to “Road Closed” north of the Camino del Diablo, a dirt road that divides the 803,000-acre Wilderness.

Soon after receiving the letter, refuge manager Sid Slone responded in writing by assuring us the “Administrative Trail” sign would be replaced with a “Road Closed” sign and the route would no longer be referred to as an administrative trail on future maps created by the FWS. In a subsequent email, he also assured us the route would not be used to perform refuge duties.

Kudos to Fred and Cyndi for their great work to protect the Cabeza-Prieta Wilderness from this illegal road!
On the Watch (continued)

Helicopter Invasion Planned for River of No Return Wilderness

The U.S. Forest Service (FS) has issued a draft decision supporting a proposal by the State of Idaho to use helicopters to capture and collar elk in the Frank Church-River of No Return Wilderness (FC-RONRW) in Idaho to purportedly learn more about the impact of predation on elk numbers. The Idaho Department of Fish and Game (IDFG) would make at least 120 helicopter landings inside the Wilderness and use either net guns or immobilizing darts to capture and collar about 60 elk. Through the massive airborne invasion and helicopter landings, and the capture and manipulation of wild elk in the FC-RONRW, this proposal has a massively negative impact on the area’s wilderness character and is obviously inappropriate in Wilderness. Furthermore, we suspect the plan is merely a prelude to resuming the wolf killing IDFG conducted inside this same Wilderness until Wilderness Watch and our allies stopped the killing in court. Unfortunately, IDFG has repeatedly shown it cannot be trusted in matters dealing with Wilderness.

Wilderness Watch, Friends of the Clearwater, Western Watersheds Project, and Center for Biological Diversity filed comments on the proposal this past September. In our comments, we noted that IDFG’s elk management plan, which the Forest Service identifies as the guiding document for the project, makes clear that the State’s elk management decisions are directed at “meeting hunter expectations.” We noted IDFG’s plan to “aggressively manage elk and predator populations,” including through the use of “professional trappers and aerial removal” of native wolves, when the elk population is below IDFG’s management objectives. We also noted that the FC-RONRW Management Plan clearly states wildlife will take precedence over recreational activities, like hunting, when there are conflicts. The Wilderness Plan recognizes that wildlife should be primarily affected by natural forces in Wilderness. The FS ignored those comments and twisted the Wilderness Act’s plain language to come up with an illogical justification for the proposal.

This collaring proposal strikes at the heart of Wilderness by treating the Wilderness as little more than a game farm. There is also little doubt this proposal intends to eventually justify killing more wolves because they prey on elk.

Wilderness Watch and allies are submitting a formal objection to the proposal. Once the agency makes a final decision, then we will consult with our legal team about possible legal action, if necessary.

Wilderness Watch Urges Park Service to Keep Denali Wild

In October Wilderness Watch submitted scoping comments on a proposed trail planning process for Denali National Park & Preserve in Alaska, most of which is either designated Wilderness or suitable for designation. We disagree with the Park Service’s rationale for abandoning its “no formal trails policy” and urge the Park Service to instead retain and implement this policy, which allows wilderness visitors to freely wander and explore Denali’s vast open tundra and subalpine landscape.

Unfortunately, there has been a recent trend of installing structures and building trails in the Denali Wilderness. The agency is citing the proliferation of social trails as a rationale for building more formal trails. The Park Service should instead follow its Backcountry Management Plan’s process for preventing social trails and restoring damaged lands in the Park.

The Park Service has a legal responsibility to preserve the wilderness character of Denali. The “no formal trails policy” has helped protect this special place for over 35 years and must be continued.
This spring, a federal judge issued a decision in a long-standing case of water rights in the Miller Peak Wilderness in Arizona that was a huge victory for Wilderness and a bitter defeat for some officials of the City of Tombstone. In November 2011, Tombstone sent excavators, road graders, pickups, flatbed trucks, and other heavy machinery into the Miller Peak Wilderness to excavate Miller Spring and built a 240-foot long dike to collect and siphon away the spring water. All this occurred with authorization from Forest Supervisor Jim Upchurch. But Tombstone claimed rights to a total of 25 springs within the Miller Peak Wilderness, and planned to do the same work on them. The Forest Service would not grant further access to the springs in the Wilderness, and Tombstone took the agency to court. While the City of Tombstone liked to portray this as a David vs. Goliath story (little Tombstone fighting the big bad federal government), Tombstone also sued the owners of Beatty’s Guest Ranch at the edge of the Miller Peak Wilderness to try to force that family into giving access across their private property for Tombstone’s heavy equipment. The 38-page decision by Judge Frank Zapata in March ruled against Tombstone on every count, and seems to have ended the bitter fight with a victory for the Miller Peak Wilderness.

In August, Wilderness Watch convinced the U.S. Fish and Wildlife Service (FWS) to cancel plans for a commercial logging operation in the Red Rock Lakes Wilderness in Montana. The project had been planned as part of a larger fuels reduction effort at the Red Rock Lakes National Wildlife Refuge, located in the Centennial Valley west of Yellowstone National Park. The Wilderness portion of the project proposed thinning 18 acres using motor vehicles, bulldozers, and other mechanical equipment. Furthermore, the FWS planned to contract with commercial loggers to conduct the project. Wilderness Watch pointed out how the project violated the Wilderness Act, and how it lacked sufficient environmental review under the National Environmental Policy Act. The FWS notified us on September 1 that it would hold off on the wilderness portions of the project until it determined what additional environmental review is required. Let’s hope they realize commercial logging in Wilderness is wrong no matter how much it is analyzed.

Earlier this year, the Forest Service (FS) made an excellent decision to remove an old bridge in the Selway-Bitterroot Wilderness in Idaho rather than replace it. Ranger Ryan Domsalla stated in his decision letter he would “dismantle the existing White Cap bridge” for some key reasons including the bridge was “unsafe,” the agency wanted to enhance the “wilderness character” of the Selway-Bitterroot, “use of trails” in the area was declining, and economic factors for “replacement and long-term maintenance of the bridge in question.” Instead, wilderness visitors will experience Wilderness on its terms by fording the creek. Indeed, fords are common on many creeks in the Selway-Bitterroot Wilderness. Further, the FS will dismantle the bridge by nonmotorized and nonmechanized means and will carry out all of the old unburnable material by foot (or hoof). Wilderness Watch and Friends of the Clearwater have supported removal of this unnecessary bridge by nonmotorized and nonmechanized means. This positive decision makes the Selway–Bitterroot Wilderness in the White Cap drainage a wilder place.
Wilderness Watch Opposes Military Helicopter Landings in the Alpine Lakes Wilderness

Wilderness Watch has submitted scoping comments on the Department of the Army’s proposal for helicopter landing training on a number of high-altitude sites on the east side of the Cascades in Washington state. One of the sites is within the Alpine Lakes Wilderness. We let the Army know that this proposed site within the Wilderness must be removed from further consideration since the Wilderness Act prohibits the landing of aircraft in Wilderness. We also requested further environmental review that would thoroughly analyze noise and other impacts to any Wildernesses or National Parks near the other proposed helicopter landings. We encouraged the Army to follow Federal Aviation Administration (FAA) guidelines to protect Wilderness by restricting overflights to no less than 2,000 feet above ground level. And finally, we noted that any military training (by air, on land, installing instrumentation, etc.) within designated Wilderness is inappropriate and should be prohibited.

Wilderness Watch Supports Proposal to Remove Pemigewasset Wilderness Bridge

Wilderness Watch is supporting the Forest Service’s (FS) proposal to remove an unsafe log bridge over the North Fork of the Pemigewasset River in the Pemigewasset Wilderness in New Hampshire. The agency is proposing to dismantle the Thoreau Falls Bridge using primitive hand tools and other nonmotorized equipment and to remove it from the Wilderness using stock animals, dog sleds, or other nonmotorized means. Wilderness Watch supported the FS in another bridge removal project in the Pemigewasset Wilderness—a suspension bridge over the East Fork of the Pemigewasset River, which was also dismantled and packed out without motorized equipment. This project continues the tradition of restoring the wild character of the area by removing unnecessary human-built structures inside the Wilderness, and doing so without motorized tools or transportation. We support the agency’s decision to remove this bridge, rather than replace it, a decision that upholds the intent of the Wilderness Act and will help restore this part of the Pemigewasset.

Wilderness Watch Explores Challenges at Isle Royale, Michigan

In September, staff members George Nickas and Kevin Proescholdt visited Isle Royale National Park and Wilderness in Lake Superior at the invitation of the National Park Service (NPS) Superintendent. They backpacked for several days exploring the thick forests, lake shores and ridges, and listened to the song of loons at each night’s camp. After backpacking, they also visited various sites of interest to Park Service management, ranging from areas now designated as potential wilderness to former resorts that have been purchased by the NPS. We also visited with retired Isle Royale wolf researcher Dr. Rolf Peterson to learn a bit more about ongoing studies of wolves and moose. Our Wilderness Watch staffers came away with a much better understanding of many challenges facing Isle Royale stewards, and a stronger connection to the unique Isle Royale Wilderness. In August, Wilderness Watch had submitted scoping comments urging the NPS to not manipulate Isle Royale’s wolf and moose populations, but rather to let it remain an untrammelled, unmanipulated Wilderness.
Wilderness Watch Opposes Boundary Waters School Trust Land Exchange

In May, Wilderness Watch submitted comments opposing a proposed land exchange dealing with state-owned school trust lands inside the 1.1 million-acre Boundary Waters Canoe Area Wilderness (BWCAW) in Minnesota. The Forest Service proposed the exchange, which would trade 30,000 out of 83,000 acres of school trust lands inside the BWCAW for federally-owned lands in the Superior National Forest outside of the BWCAW. The land exchange is widely seen as a measure to facilitate the development of new copper-nickel sulfide mines just outside the Wilderness. Wilderness Watch instead supports the purchase of the school trust lands by the federal government, and in late July submitted a letter to Secretary of Interior Jewell and Secretary of Agriculture Vilsack in support of that purchase.

Wilderness Watch Questions Aquatic Poisoning in the North Absaroka Wilderness

Wilderness Watch is questioning a plan to poison 38 miles of waterways in the North Absaroka Wilderness in Wyoming, Yellowstone National Park, and surrounding public lands in Montana to ostensibly remove non-native brook trout. Unfortunately, the proposed project would also kill native Yellowstone cutthroat trout and most other aquatic organisms. We voiced our concerns regarding the inadequate environmental assessment and its deficiencies regarding impacts to Wilderness.

Speaking about Wilderness

Wilderness Watch presented at the 2015 National Wilderness Workshop at the University of Montana in October. Executive director George Nickas participated in a panel entitled, “Preserving the Founding Principles of the Wilderness Act in an Age of Collaboration and Conflict Resolution.” Stewart “Brandy” Brandborg, one of the architects of the 1964 Wilderness Act and a long-time Wilderness Watch member and supporter, along with author and conservationist George Wuerthner, joined Nickas in advocating for the preservation of Wilderness in its untrammeled state. Brandy advocated, “Let’s take wilderness for what it is. Right now, we’re facing a crisis in wilderness. A lot of people at this meeting are discussing degrees and varieties of wilderness. Let’s take the word ‘wild’ and live by it as the initial sponsor intended.”

“We must resist the fuzzy, fuzzy Neverland of collaboration. We may invite people to deliberate with us, but we must recognize the primary value is the wilderness of this land and the preservation of it.” —Stewart Brandborg

On the Watch (continued from page 11)
Idaho and BLM flout conservation laws for fallen officers

–By Kevin Proescholdt

On May 13, the Idaho Department of Fish and Game and the federal Bureau of Land Management tried to honor two fallen Idaho wildlife officers in a most unfortunate way: They did so by violating federal conservation laws.

The story begins back in 1981, when two Idaho conservation officers, Bill Pogue and Conley Elms, were murdered by a poacher named Claude Dallas along the South Fork of the Owyhee River. Pogue and Elms had gone to Dallas’ camp along the river to investigate reports of illegal trapping. Dallas turned out to be the right man, but when they tried to arrest him, he resisted and shot and killed the two officers. He then fled, but was later apprehended and found guilty of two counts of voluntary manslaughter. He was sentenced to 20 years in prison for the manslaughter charges and 10 years for firearms violations. Claude Dallas served 22 of the 30 years and was released from prison in February 2005.

There are many good ways to appropriately honor officers who are killed in the line of duty. But Idaho Fish and Game staffers chose to follow a lawless path—and they did so with BLM personnel on board. Here’s what they did: State staffers drove at least one truck into the Owyhee River Wilderness to the canyon rim in violation of the Wilderness Act, which prohibits motorized travel. Then they installed a permanent rock memorial to the officers—another violation of the Wilderness Act—on the banks of the river where they were slain. At the May 13 event to officially unveil the monument, Idaho wildlife staffers also drove a utility vehicle into the Owyhee River Wilderness to provide access for a person with mobility impairments.

To top it off, the BLM issued an Environmental Assessment and Decision Notice authorizing this behavior on May 14, the day after the unveiling had been conducted. This mockery of legal process violated the spirit and provisions of the National Environmental Policy Act, and deprived the public of any way to comment and protest.

Owyhee County has filed a Notice of Appeal against this action. “This failure to coordinate in good faith prevented consideration of other alternative sites that could well have been appropriate means to honor the lost Fish and Game officers,” the county wrote. “The memorial should be removed from wilderness until the decision process can be done correctly to correct the flaws noted above,” the county concluded. Several local tribes also objected, asking whether they could erect memorials in wilderness area to honor generations of their fallen members, whose bones are scattered across the Owyhee country.

ID and BLM continued on page 14

Review of *Glimpses of Wilderness* by Gary Macfarlane


My friend Kevin Proescholdt is one the nation’s premier wilderness advocates, and works as Wilderness Watch’s conservation director. He may be the best wilderness historian around. Indeed, his degree is in history; and he is a prolific author. His latest book, *Glimpses of Wilderness*, consists of tightly written gems about his personal experiences in his beloved Boundary Waters Canoe Area Wilderness, and the contiguous wild canoe country in Quetico Provincial Park, La Verendrye Provincial Park, Voyagers National Park, and surrounding roadless land. Few people realize this large contiguous roadless area is 2.5 million acres, almost as large as the country’s largest roadless block that includes the Frank-Church–River of No Return and Gospel-Hump Wildernesses and adjacent unprotected roadless land in Idaho.

Kevin Proescholdt weaves into the vignettes lessons about Wilderness—wildness, natural processes, solitude, primitive recreation, and nature on its own terms. His experiences are better teachers of these timeless concepts than anything else, except for one’s own experiences in Wilderness. I loved his descriptions of the weather. I felt as if I were paddling and bobbing on a lake in the wind, or hearing the rain crash into the tent as lightning illuminated the sky.

The encounters with wildlife are particularly memorable, be they the antics of a beaver family, a cow and calf moose swimming a lake, the laughter of loons, or the howls of wolves. My personal favorite was the story of a snapping turtle, an ancient species found as far north as southeastern Canada. Kevin also relates experiences with his wife and two daughters, now grown, learning about the joys and dangers of wild country.

I encourage everyone to read his book, if for no other reason than to obtain a firm grounding in real wild wilderness. It is a worthy addition to any library, and would be a great addition for students of almost any age to help them understand and appreciate wilderness.

Gary Macfarlane is Ecosystem Defense Director for Friends of the Clearwater and serves on Wilderness Watch’s board of directors.
Idaho and BLM (continued from page 13)

Most Idaho residents love the Gem State’s wilderness heritage. Idahoans enjoy the experiences found in designated Wilderness for hunting, fishing, hiking, wildlife watching, or just enjoying the peace and quiet of the great outdoors. And people from across America love to come and visit such iconic wildernesses here as the Frank Church-River of No Return, the Sawtooths, the Selway-Bitterroot and the Owyhees. These places help make Idaho the great place it is.

So it is appalling that Idaho wildlife staffers display so little respect for wilderness protections under environmental laws. From its war on predators, including hiring a trapper to wipe out wolf packs deep within the Frank Church-River of No Return Wilderness, to this current offense, the state wildlife agency consistently shows its disregard for the tenets of the Wilderness Act.

Sadly, the BLM is now proving itself to be not much better. Whether it’s Cliven Bundy trespassing on federal land for 15 years and refusing to pay BLM grazing fees, or the more recent case of northern Nevada ranchers Dan and Eddyann Filippini defying the BLM’s grazing allotment drought closure, it becomes clear that the BLM won’t enforce the law on others, and at the same time is OK with selectively breaking the law itself. The BLM has itself fostered a culture of disobeying the law and getting away with it.

All of this is most unfortunate. America’s wildernesses deserve better. And Bill Pogue and Conley Elms, who gave their lives defending our conservation laws, ought to be remembered by something other than a legacy of lawlessness.

Kevin’s piece was featured on 8/26 in Writers on the Range, a column service of High Country News.

In Congress (continued from page 7)

Wilderness Designation Bills with Bad Special Provisions or Bad Trade-offs

Many wilderness enthusiasts often think that the passage of any wilderness designation bill is a cause for celebration. But this is not necessarily so, especially when the designation comes with bad special provisions that in various ways weaken wilderness protection and make it difficult or impossible to protect the area’s wilderness character. These bad special provisions are also often replicated or expanded in subsequent wilderness bills as well, leading to an erosion of standards for the entire National Wilderness Preservation System.

The Gold Butte Bill (HR 856/S. 199) for Nevada, for example, would allow motor vehicles, aircraft, and helicopters in the Wilderness for any wildlife management purpose; would allow bulldozers and trucks to construct and service wildlife water development projects (“guzzlers”) in the Wilderness, and would allow for the permanent installation and maintenance of hydrologic, meteorologic, or climatological stations and instrumentation. The Douglas County Bill for Nevada (HR 925/S. 472) allows the same incompatible uses. The Central Coast Heritage Protection Act for California (S. 1423) designates about 245,000 acres of Wilderness, but also contains special provisions that allow motor vehicles for some trail work, allows construction of permanent wildlife water structures with motor vehicles, allows military overflights, and permits the installation of permanent hydrologic, meteorologic, or climatological stations and instrumentation. Other wilderness bills for Oregon, New Mexico, California, Idaho, Colorado, and Washington all contain some of these types of special provisions.

Some wilderness designation bills may have bad special provisions as well as bad trade-offs. The Sawtooth NRA and Jerry Peak Wilderness Additions Act in Idaho, for example, designated 275,000 acres of Wilderness in the Boulder-White Clouds, but split up the Wilderness into three pieces separated by motorized corridors. The bill also stripped protections for 155,000 acres of Wilderness Study Areas and gave away 700 acres of federal lands to counties and cities, in addition to special provisions including military overflights. President Obama signed it into law on August 7 as Public Law 114-46.

Other Bills that would Benefit Wildernesess

There can be positive bills that benefit many Wildernesses, even though not a wilderness designation bill. The Rural Economic Vitalization Act (HR 3410), for example, would allow ranchers to waive livestock grazing permits on federal lands, including those in Wilderness, which would then be retired from grazing. This bill could benefit all Wildernesses that currently allow livestock grazing, one of the more destructive activities allowed on public lands. Financial compensation for those grazing permits would be provided.

Clean Wilderness Designation Bills with No Special Provisions

Examples of these good clean bills include the Udall-Eisenhower Wilderness Act (HR 239), which would designate the 1.5 million-acre coastal plain of the Arctic National Wildlife Refuge in Alaska as Wilderness; the Northern Rockies Ecosystem Protection Act (NREPA) (HR 996), a visionary bill that would designate 23 million acres of Wilderness across five states in the Northern Rockies; America’s Red Rock Wilderness Act (HR 2430/S. 1375), another visionary bill that would designate 9.2 million acres of Wilderness in Utah; and the Tennessee Wilderness Act (S. 755), which calls for designating almost 20,000 acres of Wilderness on the Cherokee National Forest in Tennessee. All of these bills are free of the damaging special provisions noted above.
My daughter: The Trailblazer
By Jeff Smith

My daughter Julie peppered me with questions. How cold is it going to get? What about water? Are those freeze-dried meals any good? Am I in good enough shape?

She was joining the Wilderness Watch expedition into the Frank Church – River of No Return Wilderness to see the site of the Golden Hand Mine. This proposed industrial gold mining has been approved by the Forest Service on a tributary of the Middle Fork of the Salmon River in Idaho, featuring drilling rigs, a waste water trench, daily pickups, a dump truck, a D-8 Cat, and the use of 25,000 gallons of creek water a day.

Julie’s just crossed over into her thirties, takes exercise seriously, camps and hikes a lot in Oregon and Washington, but hadn’t done a five-day backpacking trip before. I told her to bring a good hat, sunscreen, good boots. I told her everyone was going to have a hard time keeping up with her, which turned out to be true.

She’s a dues-paying member of Wilderness Watch, but the intricacies of wilderness management probably don’t make it to the top of her reading list. She’s content to let dad follow the Golden Hand Mine permitting process. As it happened, at the end of our first day, she and I were the first ones to arrive at the mine. I asked her recently how she reacted.

“It’s insane,” she said. “It’s not a viable site. There’s not enough water. The road is impassable. You’d have to do so much road construction just to get to the site. Look what just happened on the Animas River in Colorado because of a gold mine. [Three million gallons of acid-mine wastes filled with lead, arsenic, cadmium, aluminum, copper and calcium flowed into the river]. I think these people just want to get a foot in the door so they can open up mining in other Wildernes.

There you have it from an unbiased observer. Advocates for the West and the Western Mining Action Project filed suit on behalf of Wilderness Watch and other conservation groups on July 7 to stop the mine. Your contributions ensure that we will continue to oppose radical mining in Wilderness.

LOVE THE WILDERNESS? Help Us Keep It Wild!
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Together We Can Remove a Wilderness Dam

The Patagonia store in Dillon, Montana, invited Wilderness Watch to talk about our Fish Lake Dam project in the Selway-Bitterroot Wilderness in Montana as part of a “First Friday” celebration on October 2. A committee of employees at the store gave Wilderness Watch a very generous grant for the project earlier this year.

Membership and Development Director Jeff Smith thanked the crew and brought maps and photographs. Two dozen people in this small farming/fly-fishing community stopped by to learn about the project. Several also signed up to help as volunteer dam-removers next summer when—we hope—the Forest Service (FS) will finally green-light this dam removal.

The old dam is deteriorating fast, and the agency faces a dilemma. It’s no longer used for irrigation. Its owners gave up their ownership decades ago. It’s now public property, and it no longer makes sense for taxpayers to pay hundreds of thousands of dollars to repair a dam in Wilderness that has no purpose. At the same time, removing the dam will restore the smaller natural lake and the original high alpine meadow, a rare ecotype in the Selway-Bitterroot.

For several years now, Wilderness Watch has offered to help provide the volunteer labor to remove the dam using Wilderness-compatible (non-motorized) tools. We’ve been to the lake several times with FS officials, and everyone seems to agree the project makes sense. According to agency officials, the last remaining hitch is a long-awaited report by a FS engineer who visited the site last summer and NEPA compliance. We expect the official go-ahead from the forest supervisor in time to begin planning next summer’s deconstruction.

Let us know if you want to take part.