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A Plague on All Your Forests

Country roads may 'take you home,' but logging roads ruin rivers

By Ted Williams

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If you want to locate the best fishing in our national forests, find the logging roads; then go somewhere else. Road building is the federal government's single most destructive land-management practice. Roads are mortality sinks for all manner of fish and wildlife. They fragment habitat; they cause landslides; they block fish migration with their frequently impassible culverts; they serve as delivery systems for silt that bleeds off clearcuts; they provide conduits for invasions of cowbirds and invasive exotic plants.

Consider Deer Creek in Idaho's Caribou-Targhee National Forest. Because it is in part of the forest that, until recently, was officially roadless Deer Creek runs cold and clear, and it ripples with big Yellowstone cutts--one of the most beautiful and ephemeral essences of the American West and recently petitioned for listing under the Endangered Species Act. So pristine was Deer Creek that, in August 2003, a Forest Service survey crew determined that it should be used as the standard of excellence, "a reference area for comparison to streams impacted by various land uses." The survey team went on to recommend "that activities not be allowed which would reduce the quality of fish and amphibian habitat in the drainage."

That recommendation certainly is in keeping with the Forest Service's stated "fish mission" for the 150,000 stream miles and 2.5 million lake acres we've entrusted it with: "World-class fishing depends on world-class habitats, and the US Forest Service together with other federal, state and local partners, is working hard to protect, restore and enhance your streams and lakes." Well, not really.

Deer Creek, along with other pristine trout streams in the Sage Creek Roadless Area, had been protected by President Clinton's roadless rule. Last August--two months after the Bush administration rescinded that rule--Deer Creek became the first victim of the administration's substitute, which relies on "local control" for roadless-area management. In Idaho, dominated by timber and mining interests and with more roadless national forestland than any state other than Alaska, that's like asking two racoons and a hen to vote on what to have for lunch. A major road was punched into the Deer Creek watershed for the benefit of J.R. Simplot Company, which will now drill 25 exploration holes and, if it finds the phosphate its geologists say is there, will expand its open-pit strip mine for another 6.5 miles--through the Deer Creek drainage and the drainages of Manning, Wells Canyon, and upper Crow creeks, all prime cutthroat habitat.

"The Sage Creek Roadless Area, which protected the headwaters of what I consider some of the best cutthroat trout streams in the state, is no longer a roadless area," laments Pete Zimowsky in The Idaho Statesman. "It was a place where many big game hunters packed in on horseback to hunt trophy mulies and elk. It was a place where you could wander through groves of aspen on fall hikes and be amazed by the colors. . . .Will [the area] be the same for my grandson, as it was for my kids? No, it won't."

How did we get from a "roadless rule" that protects trout streams to one that sacrifices them? The

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story starts in the late 1990's when a young, utterly aberrant bureaucrat was running the US Forest Service. His background was not in timber extraction but in fishing, guiding, teaching and fisheries biology. His name was Michael Dombeck, and he understood what no chief before or since has understood--that the most valuable resource produced by our national forests is water. Dombeck also understood that the best of that water comes from the healthiest woods, woods undefiled by roads, and that there aren't a lot of that kind left. In fact, only 58.5 million acres--two percent of the American landscape--were designated by his agency as "roadless," meaning they were greater than 5,000 acres and lacked the major, high-speed logging-truck highways taxpayers buy for timber companies. There were all kinds of smaller roads that allowed vehicular access by sportsmen.

If you just count major roads, the Forest Service has built or paid timber companies to build 383,000 miles worth--222,000 miles more than exist in all of our national highway system. You and I got to pay for these roads twice--first, with our fish, wildlife, plants, soil and water; then with our tax dollars. And we're paying for them still because the Forest Service can't begin to maintain them and, as a result, they're sloughing into the lakes and streams it claims to be "working hard to protect." The road-maintenance backlog is now \$10 billion. Meanwhile, we're paying for new national-forest roads. Roads are the main reason sales of the public's timber cost the public about \$400 million a year.

Roadless areas are roadless for an excellent reason; they were the places Big Timber didn't want to go--the steep, infertile, icy, fragile, water-rich, trout-filled places. In fact, the national forests themselves were acquired because the timber industry didn't want them. Even today, after the industry has high-graded its own holdings, the national forests contribute less than five percent of the nation's lumber and pulp. If all national-forest logging ended tomorrow, our economy wouldn't flinch, and private-land operators would be spared subsidized timber sales that drive down fair-market value of their logs.

Dombeck, like every other thinking

conservationist, concluded that the last thing our national forests needed was more major roads, especially in areas greater than 5,000 acres where none exist. So in January 1999, as part of a modern "transportation policy" for his agency, he proposed an 18-month moratorium on road building in 130 national forests. The industry, accustomed to doing whatever it pleased on our national forestland, was apoplectic. In separate, ultimately unsuccessful, actions the State of Idaho and the Wyoming Timber Industry Association sued in federal district court.

In the most extensive and wide-ranging environmental review in the history of federal rule making, the Forest Service held 600 hearings in 37 states and collected 2.5 million public comments, 96 percent supportive. A poll by Responsive Management of Harrisonburg, Virginia, revealed that 84 percent of America's hunters and 86 percent of America's anglers favored keeping roads out of roadless areas. It was by far the most popular rule ever hatched by a federal resource agency.

On January 12, 2001, largely on the strength of that public commentary, President Clinton issued the Roadless Area Conservation Policy directive that ended virtually all logging, roadbuilding and coal, gas, oil and other mineral leasing in 58 million acres of our last best forestland.

Then George W. Bush became president. To run the Forest Service as undersecretary of agriculture, he selected Mark Rey who, as a timber-industry lobbyist and later as a staffer for forest subcommittee chair Sen. Larry Craig (R-ID), had dedicated himself to increasing the cut on our national forests.

Immediate revocation of an initiative as popular as the roadless rule would have been politically

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costly. So the Bush White House set about administering daily drops of arsenic. First, it put the rule on hold for two months; then it refused to defend it in court. It even aided and abetted the plaintiffs by gushing about the timber industry's imagined woes--this despite the pledge to Congress by John Ashcroft, taken under oath during his confirmation hearings as attorney general, that he would defend the rule as the "law of the land."

In July 2001, in one of Rey's most cynically brilliant moves, the Forest Service issued an "interim directive" to local agency brass instructing them that the decision on whether or not roadless areas should be protected would now be in their hands. No longer would Forest Service officials committed to roadless protection be able to blame it on federal law; now they'd have to confront their neighbors, the powerful, well-connected timber executives who employed them, and the legislators who vote Forest Service appropriations and say: "Sorry, I've decided those trees are off limits." The directive also proclaimed that there would be no roadless protection for Alaska's Tongass and 11 other national forests. In September Rey proposed exempting major activities in roadless areas from the National Environmental Policy Act (NEPA). In December he issued a directive that relaxed standards for road construction in roadless areas.

As Rey chipped away at Clinton's rule he launched concurrent attacks on the roadless areas themselves and on national forests in general. To circumvent the inconvenience of the Endangered Species Act, which requires federal agencies to consult with professional scientists of the Fish and Wildlife Service or NOAA Fisheries on projects that would destroy habitat of listed species--timber sales, for instance--the Bush administration now proposed "self-consultation" by agencies like the Forest Service, which, under Rey, functions as a wholly owned subsidiary of the timber industry. Rey did away with the wildlife liability regulations, implemented under President Reagan, which required the Forest Service to maintain viable populations of fish and wildlife across each planning unit. In its place he imposed a standard that requires managers merely to think about fish and wildlife sustainability. As part of the administration's "Healthy Forest Initiative," Rey tried (and is trying still) to categorically exclude timber sales and forest plans from environmental review and cut the public out of forest-management decision making.

The Bush administration officially killed the roadless rule on May 5, 2005, replacing it with a rule that gives Rey power to decide what roadless areas, if any, get protected but meanwhile invites the governors of each state to do the Forest Service's work for it--that is, commit to an expensive, tedious and perhaps ultimately pointless exercise in which state employees gather data, do inventories, dispense information and hold public hearings. Forest supervisors and regional foresters have been quietly contacting governors and urging them to forget about making recommendations for roadless-area protection and just let the Forest Service deal with it in its planning process.

"If you're not going to have a nationwide policy, why create a special process like this?" asks the Sierra Club's Sean Cosgrove. The answer, of course, is that it sounds better than just announcing you've killed the roadless rule.

Some states, however, understand that "local control" is a euphemism for business as usual. Local control, after all, is why our national forests are already sliced and diced with 383,000 miles of roads--enough to circle the globe 15 times. The attorneys general of California, New Mexico and Oregon responded to Rey's subterfuge by suing the Bush administration, charging that by replacing the roadless rule with a state-by-state petition process the Forest Service violated NEPA.

"When the 2005 Rule was announced, I made it clear that the federal government's actions placed an unfair and unnecessary burden on states that would amount to a price tag of millions of dollars and

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result in piecemeal management of federal forest land," declared Oregon governor Ted Kulongoski. "The 2005 Rule turns back the clock on years of work, including public input and taxpayers' dollars, and the end result is greater uncertainty about the protection of our special roadless areas--not greater security." In November the Bush administration rejected Kulongoski's request for a rule amendment that would give states greater assurance that fish, wildlife and clean water be protected in roadless parts of national forests.

New Mexico's attorney general Patricia Madrid said: "Our water supply comes from our forests and depends upon those forests remaining healthy . . . The federal government acknowledges that road-building and timber harvest will result in decreased water quality, increased sediment and pollutants; yet they refuse to protect our state's few remaining pristine areas. They have also refused to follow federal law that requires them to look at the impacts of their actions on the environment . . . When the Bush administration refuses to obey the law, we have no choice but to sue them."

"I am filing this lawsuit because the Bush Administration is putting at risk some of the last, most pristine portions of America's national forests," announced California's attorney general, Bill Lockyer.

On the other hand, Idaho's elected officials--most notably Sen. Larry Craig and Governor Dirk Kempthorne--are positively giddy about the demise of roadless protection. This seems odd because the state's 9,322,000 acres of roadless national forestland is keeping imperiled fish and wildlife vital to the state's economy on the planet and, at least in some cases, off the Endangered Species List. For example, Idaho's roadless areas contain 68 percent of the state's remaining bull trout habitat, 74 percent of the chinook salmon habitat, 74 percent of the steelhead habitat, 58 percent of the cutthroat habitat, and 48 percent of the redband rainbow trout habitat. And these areas produce the biggest and most elk and deer. After construction of new logging roads on the Targhee half of Idaho's Caribou-Targhee National Forest, the Idaho Department of Fish and Game cut the elk rifle season from 44 to five days.

Idaho is also home of the most tireless and pernicious of all roadless-protection opponents--a wise-use, timber-mining front called the BlueRibbon Coalition. Here's an example of how it operates: In 2004 the Forest Service asked for local input in preparing a new travel plan for the Caribou half of the Caribou-Targhee, as if locals owned the forest. Accordingly, Marv Hoyt, Idaho director of the Greater Yellowstone Coalition, sat down with virtually all invested non-motorized user groups--such diverse outfits as the Backcountry Hunters and Anglers, the Eagle Rock Backcountry Horsemen, the Idaho Conservation League, the Southeast Idaho Recreation Alliance, the Western Watersheds Project, and the Southeast Idaho Mule Deer Foundation--and hashed out an eminently fair compromise over a period of about three months. "We had some 50 individuals and organizations," Hoyt recalls. "We went over the maps of the whole forest, and we put together a balanced alternative that left 50 percent of the routes open to motorized use. Everybody signed it, and we sent it to the Forest Service. The BlueRibbon Coalition went after and obtained the document via a Freedom-of-Information-Act request, then mailed threatening letters to the organizations and individuals who had signed it, even boycotted businesses. They went after people in a really nasty way."

The BlueRibbon Coalition's letter, signed by its director, Clark Collins, read in part: "As representatives of recreation interest groups who enjoy the trails on the Caribou National Forest, we are offended by many of the recommendations you apparently support. . . . We would like to know what level of involvement you had with this document. We want to accurately represent your position to our readers. . . . A lack of response on your part will leave us no choice but to assume that you are in total agreement with the document, and we will so inform our members."

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The Forest Service responded to the alternative offered by the non-motorized users with a draft travel plan that completely blew them off and gave the motorheads all sorts of new ATV and snowmobile roads. "So the message is this," says Hoyt, "If you intimidate people and stymie public comments, you'll get rewarded."

With a few notable exceptions America's sportsmen have been strangely silent on roadless-area protection, despite the fact that about 85 percent of them want it. Unfortunately, many of these exceptions are among the 15 percent who don't want it. They include officials of make-believe conservation organizations such as the Ruffed Grouse Society (who obtain major financing from the timber lobby by whooping it up for roads and clearcuts at every opportunity) and outdoor writers who imagine that Clinton's rule was a conspiracy to separate their butts from their four-wheelers (despite the fact that roadless areas have plenty of off-road-vehicle access) and thereby allocate to predators the game they otherwise would have shot.

Burt Carey, president of Western Outdoor Writers and editor of Rocky Mountain Game & Fish, California Game & Fish, and Washington-Oregon Game & Fish magazines, complains about what he calls "the Clinton administration's thirst for creating wilderness and de facto wilderness (roadless areas) during Slick Willy's second term, and his zeal in repopulating the American West with wolves, linx, grizzlies and other carnivores, and portions of the Southeast with wolves and panthers."

According to Jim Shepherd of The

Outdoor Wire--which bills itself as "the Outdoor Sports Industry's Daily Transaction Newsletter"--the effort to limit roads on public land is really a plot by the antis. "To keep hunting alive in America," writes Shepherd, "it's critical that hunting become easier, rather than more challenging. Anti-hunting forces recognize that fact. They've already changed their tactics from their failed full-on assault on firearms to a 'kinder, gentler' approach to eliminating hunting: protecting the environment by increasing 'protected' wilderness areas. As more and more federal lands fall under the ever-broadening definitions of 'protected' areas, hunters and the hunting industry must recognize the fact that what some perceive to be diminished efforts to eliminate hunting is, in fact, a retrenching of the efforts to a more subtle--but equally fatal--outcome."

In a rambling harangue delivered to conferees of the Outdoor Writers Association of America in June 2004--a year before the Bush administration officially killed Clinton's roadless rule--Kayne Robinson, then president of the NRA and formerly GOP chairman of Iowa, railed against such imagined slights to sportsmen as their alleged eviction from roadless areas. "The Clinton administration closed millions of acres to hunting and shooting," Robinson proclaimed. "Every acre should be reexamined."

Mike Dombeck, the architect of the roadless rule (which didn't close a single square foot of national forestland to hunting or fishing) happened to be sitting in the audience next to OWAA board member Tony Dean. Dombeck poked Dean in the ribs and asked him what the hell Robinson was talking about. (At a press conference later that day Robinson was unable to come up with a single example of land closed to sportsmen by Clinton's rule.) The following week Rich Landers of The Spokane Spokesman-Review offered this commentary: "The NRA's campaign to 'propel hunter rights into the public arena' stinks of opportunism. Robinson is trying to recruit uninformed hunters with the same big talk and promises a pimp uses to lure vulnerable girls into his realm. Some 12 million to 15 million American hunters are not NRA members, and this is no time for them to change their minds. Now, more than ever, a sportsman who is not an environmentalist is a fool."

In the early 1980's, when Bill Geer of the Theodore Roosevelt Conservation Partnership was directing

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the Utah Division of Wildlife Resources, he instructed his biologists to look for environmental factors that limited the size and number of deer. They found that the most important factor by far was road construction. "And in those days," he recalls, "we promoted as many roads as the Forest Service." So Geer had his agency do an about face and start closing roads. It proved to be the best thing he could have done for anglers and hunters.

I asked Geer why sportsmen keep working against their own interests--letting groups like the NRA and the Ruffed Grouse Society speak for them on roadless protection, voting in a president and legislators who cheerfully sacrifice fish and wildlife for the convenience of their campaign contributors. He couldn't answer the question, but I liked his response: "I've had this theory ever since I was director in Utah. You could tell hunters and anglers that 'tomorrow we're going to round you up and shoot you,' and they'd piss and moan about it all night long, and next morning they'd be lined up waiting to get shot."