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Protecting and Restoring the Rivers and Fish of Idaho

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FOR IMMEDIATE RELEASE

Federal court blocks logging in Wild and Scenic Selway canyon

BOISE— A federal court order issued late yesterday protects the Selway and Middle Fork Clearwater Wild and Scenic rivers from clear cuts and roads planned by the U.S. Forest Service following the 2014 Johnson Bar Fire.

Two Idaho conservation groups – Idaho Rivers United and Friends of the Clearwater – argued that the Forest Service violated its duties to protect the Selway and Middle Fork Clearwater rivers under the Wild and Scenic Rivers Act, and also failed to fully evaluate cumulative environmental impacts along with other private and state land logging and 2015 fires in the same area.

U.S. Magistrate Judge Candy Dale agreed. She faulted the agency for failing to adopt a comprehensive river management plan as required by the Wild and Scenic Rivers Act more than 20 years ago.

“Without objective, predetermined criteria, the public is left to trust the Forest Service’s ‘word’ that it considered all relevant factors necessary to protecting the Middle Fork Clearwater and Selway Rivers’ Wild and Scenic values and that the Project will not affect or have minimal impact upon the Wild and Scenic values,” she wrote.

The Court also agreed the Forest Service failed to fully assess how the Johnson Bar project may cause mass erosion and sedimentation into area streams, which are habitat

for imperiled salmon, steelhead and bull trout. She found the agency's sediment delivery estimates "do not appear to accurately represent the Project's overall sedimentation delivery to the river system."

IRU Conservation Director Kevin Lewis said the Selway, one of America's eight original Wild and Scenic Rivers, is too precious a resource for such haphazard work.

"The Selway and Middle Fork Clearwater Rivers are among the crown jewels of our nation's river systems, as Congress recognized back in 1968 when it protected them as the first rivers under the Wild and Scenic Rivers Act," Lewis said. "This is an important court ruling enforcing Congressional direction that these are to be protected for present and future generations."

Laird Lucas, executive director of Advocates for the West, was lead attorney for the plaintiffs.

"The Forest Service has not been candid with the public about this massive logging project that threatens harm to the Wild and Scenic rivers and their important fish populations," Lucas said. "Unfortunately, it sometimes takes a federal court order to enforce the law and tell the Forest Service to do its job as Congress has directed."

Friends of the Clearwater Ecosystem Defense Director Gary Macfarlane said the Forest Service has already damaged Wild and Scenic values along the Selway via state and private timber sales.

"We are pleased the federal court is willing to stand up and insist that the Wild and Scenic be protected," he said.

Citing irreparable harm, the judge's order blocks logging until the case is fully resolved.

Since May of 2015, IRU and allies have vigorously opposed two separate logging operations that would seriously degrade the Wild and Scenic values of the Selway River. To date, we've successfully blocked and won the first case and have won an emergency injunction on the second. Below is a chronology of the two cases.

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