



FOREST NEWS

The Newsletter of Forest Service Employees For Environmental Ethics

Summer 2019

A Rigged System

HOW THE SCALES ARE WEIGHED IN FAVOR OF OIL AND GAS ON PUBLIC LANDS

Inside

FORMER EMPLOYEES SPEAK OUT FOR BOUNDARY WATERS WILDERNESS / ARIZONA COPPER MINE MOVES FORWARD / FSEEE 2018 ANNUAL REPORT

The Long Road to a Wilderness Win

A dozen years ago, FSEEE launched its campaign to protect one of our nation's wildest and most remote old-growth forests. On March 12, I'm pleased to report that Devil's Staircase Wilderness became the latest addition to our nation's system of protected lands. The legislative path was long and circuitous, culminating in President Trump's signature on a public lands bill negotiated by a Republican-controlled Congress (although the bill passed in 2019 its content had been hammered out in the earlier Congress). Devil's Staircase was one of only two national forest wilderness designations (and the only one with trees) in this massive 260-page bill.

At over 30,000 acres, Devil's Staircase now becomes the largest wilderness in Oregon's Coast Range. In the heart of timber country on the southern end of the Siuslaw National Forest, the salmon-rich Smith and Umpqua Rivers define its boundaries. Wassen and Franklin Creeks, both designated "Wild Rivers" in the bill, snake through the notoriously steep, remote terrain. "Remote" fails to give due credit to a landscape that has no trail and is so rugged that GPS units fail to function due to the intervening ridges and valleys.

In the 1960s, the Forest Service imposed a temporary ban on logging the area pending completion of a soil erosion study. Although the study was inconclusive, and the area one of the most erosion-prone on the planet, the Forest Service lifted the moratorium in 1980.

In 1984, when the Forest Service tried to resume timber cutting, a federal district judge ruled the agency violated the National Environmental Policy Act. This so-called "Mapleton" injunction (named after the

affected ranger district), stopped 700 million board feet of logging, then the largest logging injunction in U.S. history, surpassed later only by the northern spotted owl lawsuit.

Speaking of spotted owls, Devil's Staircase is home to the Coast Range's highest numbers of these rare birds and the site of one of the decades-long spotted owl population studies. These studies provide much of the scientific foundation for the Northwest Forest Plan, which seeks to prevent the spotted owl's extinction by protecting millions of old-growth forest acres.

As with most successful legislative efforts, credit for Devil's Staircase wilderness protection is shared widely. Kudos to Oregon's Rep. Peter DeFazio, who was the first elected official to make the arduous trek to the eponymous Devil's Staircase waterfall, and to Sens. Ron Wyden and Jeff Merkley (who also notched the waterfall hike). Credit also to our fellow conservation organizations, Oregon Wild and Cascadia Wildlands, who led hikes and helped move the campaign forward. FSEEE members wrote letters and phoned their representatives, creating a national constituency for this remote forest that most would never see.

The unsung heroes, however, are generations of Forest Service land managers who exercised prudence in the face of political pressure and agency scientists whose pursuit of knowledge provided the facts that supported wilderness protection. The American people will benefit in perpetuity from your wisdom, diligence and civil service.

Sincerely,



Andy Stahl

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Years of advocacy has resulted in the creation of the Devil's Staircase Wilderness in Oregon. Thanks to all who helped!



Featured Forest

https://commons.wikimedia.org/wiki/File:Shoshone_National_Forest.jpg

Shoshone National Forest

The Shoshone National Forest, a critical component of the 20-million-acre Greater Yellowstone Ecosystem, was the very first national forest—and, in fact, one of the first natural areas anywhere to gain national protection.

Originally part of the Yellowstone Timber Reserve, the Shoshone was created in 1891 with the signature of President Benjamin Harrison.

Native Americans lived in these mountains for at least 10,000 years, according to archaeological findings. European settlers and explorers, including such legendary figures as Jim Bridger and John Colter, visited the area, but few stayed. Today, the forest remains largely in its natural state.

The Shoshone sits alongside the Continental Divide, stretching from the Great Plains to the east to Yellowstone National Park to the west. One-fourth of its 2.4 million acres is above timberline. That includes Gannett Peak, the highest point in Wyoming, at 13,804 feet. Well over half of the Shoshone sits within the boundaries of five designated wilderness areas.

In addition to sharing a border with Yellowstone, the Shoshone shares its more famous neighbor's spectacular array of flora and fauna. Some 335 native species of wildlife thrive here, including the ones that draw the throngs to Yellowstone—moose, gray wolves, grizzly and black bear, bison, bighorn sheep, pronghorn.

The Shoshone is in many ways the backbone of the nation; Three Waters Mountain feeds water into a trio of signature rivers—the Missouri, the Snake and the Green.

There's good reason this place was at the forefront of one of the best ideas ever hatched by Americans.



In Depth

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Oil and Gas Leasing: A Case Study

The Ruby Mountains rise abruptly from a sagebrush-dotted plain southeast of Elko, Nevada. In a state known for empty, arid sweeps of landscape, the Rubies are an anomaly. Cleaved by Ice Age glaciers, they offer rugged mountain scenery, rushing streams and crystal alpine lakes.

They are a recreational hotspot, drawing thousands of visitors each year. The range is spanned by the 40-mile Ruby Crest National Recreation Trail. A sign advertising the services of a local outfitter at the head of Lamoille Canyon, one of the main points of access to the range, touts some of the attractions: “Hunting, horseback trail rides, wilderness pack trips, wildlife viewing, alpine lake fishing, scenic photography.”

Two years ago, the Bureau of Land Management informed Forest Service officials that the agency had received a request from “a member of the public” to acquire leases for oil and gas development on about

54,000 acres in the heart of the Ruby Mountains, which are part of the Humboldt-Toiyabe National Forest. That single expression of interest set in motion an exhaustive—and expensive—analysis of whether the Ruby Mountains are an appropriate area to drill for oil and gas.

It also garnered the attention of environmentalists, elected officials, tribal leaders, hikers, hunters, bikers, anglers and local residents who were appalled at the notion that this range, often referred to as Nevada’s Swiss Alps, could be sullied by oil and gas exploration.

A variety of groups mobilized to raise awareness of the issue. The Forest Service received more than 10,000 comments, the vast majority urging the agency to reject any oil and gas development in the Rubies.

This May, Humboldt-Toiyabe National Forest Supervisor Bill Dunkelberger did just that. A comprehensive environmental analysis had determined there was little potential for oil and

gas development in the Rubies. Dunkelberger also pointed to Nevada's \$12.5 billion recreation industry. And, he noted, the agency received not a single objection to the agency's preferred alternative to not allow drilling in the Rubies.

"Based on extensive analyses and public input, I feel that my decision best serves the public," Dunkelberger said.

All of those who had worked to protect the range breathed a sigh of relief. But they also voiced criticism that a "member of the public" could, by a simple expression of interest, launch an in-depth environmental review and prompt months of angst among all those who want to see the Ruby Mountains left in their natural state.

The issue—and the Trump administration's subsequent reaction to Dunkelberger's decision—speaks volumes about how the scales are weighed in favor of the oil and gas industry on public lands.

...

In the 2016 presidential election, 73 percent of Elko County residents voted for Donald Trump. Hillary Clinton garnered just 18.3 percent of the vote. And yet even in this deeply red part of the state, a general consensus emerged that the Ruby Mountains are not an appropriate venue for oil and gas development.

This spring, Nevada Sen. Jacky Rosen met with local residents who had fought the leasing plan. They described their frustration with a system that requires federal land managers to seriously consider and study virtually any expression of interest in oil and gas leasing of land that hasn't formally been

withdrawn from development.

"And you think about the process...and how simple it was to get this ball rolling," one resident told Rosen. "The people that started this don't have any skin in the game. Zero. There should be an investment."

According to the Center for Western Priorities, federally managed land can be leased for oil and gas drilling for as little as two dollars per acre. Oil and gas leasing has increased by 60 percent in the past decade. In 2017, the amount of public land offered for oil and gas increased by six times compared to the previous year, the group says.

Given that reality, Nevada's other senator, Catherine Cortez Masto, introduced S.B. 258, the Ruby Mountains Protection Act. The legislation would permanently protect the range from oil and gas drilling.

In May, the Senate Energy and Natural Resources Subcommittee considered that bill during a public hearing.

"The prospect of oil and gas leasing in the Rubies sparked a public outcry from people of all walks of life and across the political spectrum," Cortez Masto said. The Ruby Mountains, she said, "are treasured by all Nevadans, with an overwhelming majority advocating for the prohibition of oil and gas activities."

Near the end of the hearing, Forest Service Acting Associate Deputy Chief Frank Beum stated the Trump administration's position on the proposed bill.

"The department notes that administrative tools such as environmental analysis completed on this proposal are available to inform these types of decisions," Beum said, reading from prepared

text. "With such agency and community interaction leading to successful outcomes using existing authorities, the department believes this bill is unnecessary."

Cortez Masto was appalled.

She grilled Beum, asking him a series of yes-no questions that he repeatedly answered in the affirmative, shifting uncomfortably in his chair.

"You're going to have to go through the process all over again if a request is made to look into oil and gas, correct?"

"Yes."

"And you're going to have to spend taxpayer funds to do that, correct?"

"Correct."

The senator also noted the schizophrenic nature of the Forest Service making a finding at the forest level one day, and just a few days later taking a completely different position in Capitol Hill testimony.

In addition to laying bare the Trump administration's bias in favor of the oil and gas industry, the exchange presented a stark example of the inherent tension between top agency officials in Washington and rank-and-file land managers wrestling with controversial issues at the local level.

The first group reads carefully worded statements in a cloistered hearing room. The second bumps into friends and neighbors in grocery stores, gas stations and high school gyms, every day.

...

In the past two years, again according to the Center for Western Priorities, nearly three-quarters of requests to lease public land for oil

Briefly

and gas drilling have been filed anonymously.

The Ruby Mountains request is an exception.

Bureau of Land Management documents show that on April 3, 2017, an Ethan Murray of Murray Land Service wrote an email to Aldine Reynolds, a land law examiner for the Bureau of Land Management. The email was titled “EOI for OG lease nomination.” (The abbreviations are for “Expression of Interest” and “Oil/Gas.”)

The body of the email said this:

“Good Morning Aldine,

My name is Ethan, I would like to nominate the attached spreadsheet for oil and gas leasing. It covers part of Elko and White Pine counties, Nevada.

Thanks,
Murray Land Service”

Murray’s identity and affiliation are unclear. There is a Murray Land Services in Oklahoma City, but a receptionist who answered the phone said no Ethan Murray works there. Murray did not respond to an email seeking comment.

Neither the Bureau of Land Management nor the Forest Service responded to requests for comment.

...

One cold day early this spring, the Rubies were veiled in clouds. The snow blew sideways. At the mouth of Lamoille Canyon, a herd of mule deer made their way through the storm. The roar of the far-below creek bounced against the canyon walls. Later in the day, the clouds parted just a bit, revealing soaring peaks cloaked in perfect white.

The Ruby Mountains remain wild and at peace. At least until the next Ethan Murray taps out a two-line email.



Agency Approves Plan for Arizona Copper Mine

The Forest Service has approved a Canadian firm's plan of operations for a nearly \$2 billion open-pit copper mine in the Santa Rita Mountains of southern Arizona.

Toronto-based Hudbay Minerals Inc. plans to extract 112,000 tons of copper from the Rosemont Mine, as well as other minerals, over a span of nearly two decades.

"Rosemont is now a fully permitted, shovel-ready copper project and we look forward to developing this world-class asset," said Alan Hair, Hudbay's president and chief executive officer, in a prepared statement.

Opponents of the project, which include a host of conservation groups as well as area tribes, say the mine would befoul local waterways, threaten Tucson's water supply and result in a mile-wide pit filled with polluted water.

More than half of the proposed mine, which would cover more than 5,400 acres, would be located on the Coronado National Forest. A lawsuit challenging the project is pending, and the mine's opponents have pledged further litigation.

Forest Service Proposes Reopening Road Through Grizzly Habitat

The southern border isn't the only place where Trump administration proposals are stirring controversy.

Earlier this year, officials with the Idaho Panhandle National Forests issued a draft record of decision to rebuild a long-abandoned stretch of road just south of the Canadian border for use by U.S. Customs and Border Protection agents. Wildlife advocates cried foul, saying the road will disrupt key grizzly bear habitat.

Officials closed Bog Creek Road, which bisects the Selkirk Mountains, in the 1980s in an effort to protect endangered grizzlies. The area also offers important habitat for Canada lynx, caribou and bull trout.

Currently, the road is blocked at both ends. The stretch that would be reopened is clogged with vegetation and is washed out in one place. The plan also calls for installing or replacing several culverts.

The Forest Service would close about 26 miles of roads elsewhere on the national forest to help lessen the impact on grizzlies. Studies have shown that more than three-quarters of grizzly bear deaths in North America result from contacts with humans.

Controversial Utah Ski Area On Hold

The owners of a small Utah ski area have apparently withdrawn a request for a Forest Service permit that would clear the way for a major expansion into a roadless area of the Uinta-Wasatch-Cache National Forest.

Last year, Mountain Capital Partners, owners of the 140-acre Nordic Valley ski area, unveiled plans to expand the facility to 2,800 acres. Company officials also proposed building a 4.3-mile gondola that would carry skiers from North Ogden to the ski area.

The company launched a website and held several public meetings about the expansion but never submitted a formal proposal to the Forest Service, which would need to issue a special-use permit before any construction could occur.

Forest Service District Ranger Sean Harwood told the (Ogden) Standard-Examiner newspaper that company officials withdrew their request for a permit "before we could give them an official response. Our official talking point is they pulled the proposal and that's the end of it."

In addition to constructing the gondola and greatly expanding the ski area's footprint, company officials planned to build 12 new chair lifts. The area currently has three chair lifts.

BLM Headquarters Moving West, Interior Official Says

The Bureau of Land Management's Washington, D.C. headquarters will move west, a top Department of the Interior official told a congressional subcommittee this spring, drawing criticism from Democrats on the panel.

Scott Cameron, the department's principal deputy assistant secretary for policy, management and budget, said the move makes sense because the vast majority of land the BLM oversees is located in the West. He said the bureau's actions will be "more fully formed by local conditions on the ground."

Cameron said a western location for the headquarters

will be identified by the end of September.

The move would be part of a broader reorganization effort for the Interior Department that was launched by former Interior Secretary Ryan Zinke.

Rep. TJ Cox, a California Democrat who chairs the House Subcommittee on Oversight and Investigations, called the reorganization "a solution in search of a problem."

Critics say the move would prove expensive and inefficient, as top BLM officials would lose the ability to directly interact with White House officials and other decision-makers who work in

Washington, D.C.

A group comprised of retired BLM employees is also opposed to the plan. In a position statement issued this spring, the Public Lands Foundation pointed out that 97 percent of the BLM's workforce of more than 10,000 employees is already located in western states.

"There are no data or cost benefit-analysis identifying any problems that need to be solved," the group said in the statement.

Trump administration officials have previously said they are considering locations in Arizona, Colorado, Idaho, New Mexico and Utah for the new BLM headquarters.



Former Forest Service Employees: Don't Build Mine Next to Boundary Waters

Nearly three dozen former Forest Service employees have signed a letter urging the Trump administration to back away from plans for a major open-pit mine next to the Boundary Waters Canoe Area in northeastern Minnesota.

Twin Metals, a subsidiary of the Chilean firm Antofagasta, wants to dig the copper and nickel mine on the Superior National Forest, just outside the wilderness area boundary.

The group of former employees, which includes Brenda Halter, who retired as supervisor of the Superior National Forest in 2016, addressed the letter to

Agriculture Secretary Sonny Perdue, Interior Secretary David Bernhardt and Minnesota Gov. Tim Walz.

Twin Metals wants to build the mine along the shores of the Kawishiwi River, which flows into the wilderness area.

“Irrefutable scientific studies and all of our experience tell us that in this extremely valuable, water-rich and highly interconnected place you simply cannot have both copper mining and healthy forests, water and communities,” the letter says.

Just before Trump took office, the Forest Service and the Bureau

of Land Management refused to extend leases to Twin Metals— leases the company needs before it can move forward on the project. At the same time, the Forest Service proposed a 20-year ban on mining in the area.

The Trump administration reversed both moves.

Two years ago, the Wall Street Journal reported that President Trump's daughter Ivanka and her husband Jared Kushner were renting a \$5.5-million-dollar house in Washington D.C. from Andrónico Luksic, a billionaire who owns a majority stake in Antofagasta.

West Virginia Hydro Project Rejected

The Forest Service has rejected a proposal to build a \$1.2 billion hydroelectric facility in the mountains of West Virginia, saying the project would harm rare species and degrade federally protected wetlands.

FreedomWorks LLC, based in Harpers Ferry, wants to build the project on the Monongahela National Forest, adjacent to the Big Run Bog National Natural Landmark.

It would include two reservoirs, each more than 1,000 acres in

size. Water would flow through pipes from an upper reservoir to a lower one, powering turbines. The facility would use wind-generated electricity to pump water from the lower reservoir back to the upper one.

Company officials say the facility would allow extra energy, generated by renewable sources, to be stored during periods of low use.

Late last year, company officials applied for a special-use permit to conduct preliminary studies, including exploratory drilling, to

determine the project's feasibility.

In a letter sent to federal energy officials earlier this year, Monongahela National Forest Supervisor Shawn Cochran said the exploratory work “would adversely affect the Big Run Bog National Natural Landmark.”

The 731-acre area, which is home to an abundance of rare plants and animals, is within the Monongahela National Forest but is administered by the National Park Service.

2018 Annual Report



Public Education

Published and distributed approximately 21,000 print copies of Forest News, which informs our members, Forest Service employees, and the public at large about issues affecting our public lands. Emailed newsletter to more than 35,000 USDA employees and 5000 members of the

general public. Posted regular updates on our website and on social media about national forest issues. Provided assistance to members of the public concerned about national forest management issues. Provided input and information to media outlets covering these issues.

Forest Protection and Whistleblowing

Monitored a wide variety of national forest projects, providing detailed comments in favor of protecting natural resources. Mobilized FSEEE members to contact members of Congress and urge them to oppose anti-environmental provisions inserted into the 2018 Farm Bill. Provided guidance and support to federal employees concerned

about public land management issues. Pursued legal action designed to ensure that national forests are not used as inappropriate training grounds for the U.S. military. Provided input and advice for resolving workplace conflict and ensuring the free speech rights of federal employees.

Membership Development

Reached out to current and prospective FSEEE members via regular mailings highlighting FSEEE's activities and priorities. Posted regular updates on our website and on social media outlets, attracting an increasing number

of followers. Communicated regularly with elected officials and members of the media to raise awareness about FSEEE and our programs and priorities.

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2018 Financial Report



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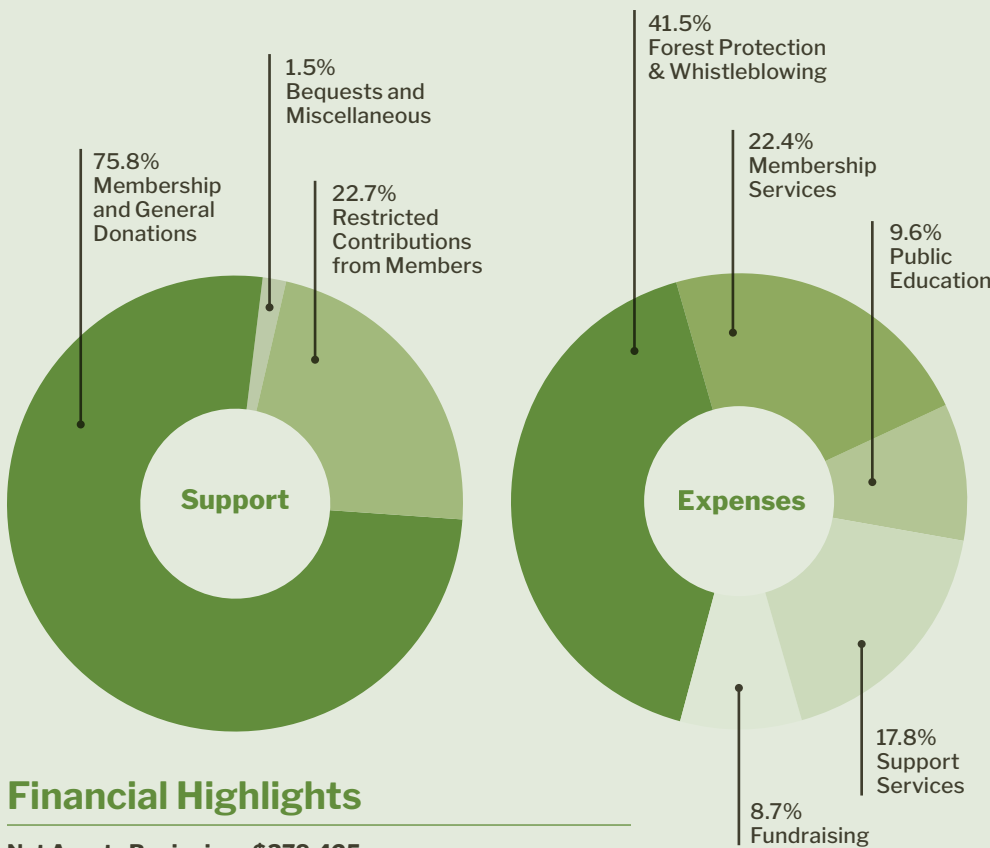
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Forest Service Employees for Environmental Ethics is a 501(c)(3) nonprofit organization. Our mission is to protect National Forests and to reform the U.S. Forest Service by advocating environmental ethics, educating citizens and defending whistleblowers.

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Financial Highlights

Net Assets Beginning: \$378,425

Net Assets Ending: \$376,418

To see our complete 2018 and IRS Form 990, check our website under "About."

FSEEE continues to be funded by the generous contributions from our members, whether it is through general dues and donations or contributions restricted to a specific program. FSEEE does not accept or solicit any contributions from government agencies or affiliates.

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A Wilderness Win!

Years of advocacy have led to a tremendous victory—the creation of the Devil’s Staircase Wilderness Area in the rugged old-growth forests of southwest Oregon.

Thanks to all who helped make this happen!