



February 29, 2024

Randy Moore  
Chief  
Forest Service  
1400 Independence Ave., SW  
Washington, D.C. 20250-0003

Meryl Harrell  
Deputy Under Secretary  
Natural Resources and Environment  
U.S. Department of Agriculture  
1400 Independence Ave. S.W.,  
Washington, DC 20250

To: Forest Service Chief Randy Moore and USDA Deputy Under Secretary Meryl Harrell

Dear Chief Moore and Deputy Under Secretary Harrell,

The Wild and Scenic Rivers Coalition requests your attention regarding an important issue concerning river protections on Idaho's Nez Perce-Clearwater National Forest. The Wild and Scenic Rivers Coalition (Coalition) represents more than 60 local, state, and national organizations from across the country that support Wild and Scenic River protection and stewardship. Formed during the planning for the 2018 50th anniversary of the Wild and Scenic Rivers Act, the Coalition is building greater capacity for effective river advocacy, protecting and defending existing and potential Wild and Scenic Rivers, and broadening the movement for their conservation by raising awareness about their value.

The Nez Perce-Clearwater National Forest is river rich. Not only are rivers flowing through the Forest of tremendous value to Idahoans and the Nez Perce Tribe, they are critical for salmon and steelhead recovery. These are the streams where endangered fish will return following the eventual removal of the Snake River dams, which are immediately downstream of the Forest.

In 2021, the Biden Administration established a goal to conserve at least 30% of U.S. lands and freshwater by 2030, an initiative commonly referred to as America the Beautiful or 30x30. It is the job of public land management agencies, including the U.S. Forest Service, to meet the administration's goal by inventorying and applying protections to deserving lands and inland waters.

Administrative interim protections granted to eligible and suitable Wild and Scenic Rivers are a critical contributor to climate change resilience, adaptation, and mitigation<sup>1</sup>. The agency's own science points to the importance of protecting climate refugia—rivers anticipated to remain cold enough by 2040 to support cold water fish species<sup>2</sup>. With only a fraction of rivers having any type of protected status, the administration is far from meeting its 30x30 goals, meaning that contributions by every Forest count.

Instead, the Nez Perce-Clearwater National Forest is eliminating protections for 86% of its Wild and Scenic eligible rivers. Across four million river-rich acres in north central Idaho, the Forest is offering up just 12 streams within its recent Forest Plan revision to support the administration's broad-reaching climate goals, down from 29 streams that have been protected since 1990 and the agency's recent recognition that 88 streams qualify as eligible for protection. Since Forest Plans routinely last for decades, the detrimental decisions made now by the Nez Perce-Clearwater National Forest affect how well the administration measures up to its 30x30 goals well beyond 2030.

In the Nez Perce-Clearwater National Forest plan revision process, the Forest Service wisely increased the number of eligible streams from 29 to 88, only to then incorrectly and unlawfully release all but 12 of those streams from interim measures to preserve their free-flowing state and Outstandingly Remarkable Values. Specifically, they relied upon a Forest Service-initiated suitability study as the basis for asserting that only 11 river segments are "suitable" for inclusion in the National Wild and Scenic Rivers System and that one additional river should retain its "eligible" status.

This Forest Service decision runs counter to the Wild and Scenic Rivers Act, the agency's own 2012 Planning Rule, and other pertinent agency guidance, including addressing climate change<sup>3</sup>. It is also virtually without precedent; to the best of our knowledge, all but one National Forest that has completed a new or revised Forest plan since the promulgation of the 2012 Planning Rule has not conducted suitability determinations as part of the Forest planning process. In Region 1 alone since 2015, five Forests in Idaho and Montana have revised their plans, foregone suitability, and, collectively, more than doubled the number of Wild and Scenic eligible rivers protected and increased eligible river miles by more than 75%.

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<sup>1</sup> See Perry, D. 2021. [Legible Rivers, Resilient Rivers: Lessons for Climate Adaptation Policy from the Wild and Scenic Rivers Act](#). In J. Cassin, J. Dalton, E. Lopez Gunn, & J. Matthews, *Nature-based Solutions and Water Security: An Agenda for the 21st Century*. Elsevier.

<sup>2</sup> See The Rocky Mountain Research Station's [Climate Shield Cold-Water Refuge Streams for Native Trout](#) and Isaak, Daniel J.; Young, Michael K.; Nagel, David E.; Horan, Dona L.; Groce, Matthew C. 2015. [The cold-water climate shield: Delineating refugia for preserving salmonid fishes through the 21st century](#). *Global Change Biology*. 21: 2540-2553.

<sup>3</sup> See Biden Jr., Joseph R. Executive Order #1408: [Tackling the Climate Crisis at Home and Abroad](#), January 27, 2021; Vilsack, Thomas J. [Action Plan for Climate Adaptation and Resilience](#), Department of Agriculture, August, 2021; Vilsack, Thomas J. Secretarial Memorandum 1077-004: [Climate Resilience and Carbon Stewardship of America's National Forests and Grasslands](#), Department of Agriculture, June 23, 2022; and Forest Service. [Climate Adaptation Plan](#). FS-1196. July 2022.

The decision within the Nez Perce-Clearwater Forest Plan revision process to move forward with suitability and to subsequently release interim protections is a choice. But, it is a choice that Forest Service leadership can reverse to align with biodiversity needs and the administration's broader climate goals.

In this letter, we daylight an increasingly frequent core failure in local agency decision-making that we believe is largely responsible for stripped river protections on the Nez Perce-Clearwater National Forest and likely from future Forests following the Nez Perce-Clearwater National Forest's lead. Forest Service staff ascribe to and perpetuate false assumptions that Wild and Scenic River eligibility will hamstring Forest management and endangered species recovery. In truth, Wild and Scenic protections prevent wholesale commercial logging and clearcutting, but allow vegetation management, fire mitigation, endangered species habitat restoration, motor vehicle travel on existing roads within their corridors, and other activities, as long as they do not diminish river values. Instead, well-planned projects are fully compatible with river protections and can enhance river values.

If adopted as written, the revised Nez Perce-Clearwater Forest Plan will not only conflict with the Wild and Scenic Rivers Act and the Forest Service 2012 Planning Rule, but it contradicts President Biden's Climate Policy. To align with the administration's 30x30 goals, we ask that you instruct the Nez Perce-Clearwater National Forest to retain interim protections for all 88 eligible rivers, regardless of suitability findings, with the revised Forest Plan.

Thank you for your consideration of this request.

Sincerely,

**On behalf of the following Wild and Scenic River Coalition member organizations (listed alphabetically by organization):**

- Jack West, Special Projects Director, Alabama Rivers Alliance, Birmingham, AL
- Sarah Kilbourne, Executive Director, American Packrafting Association, Missoula, MT
- David Moryc, River Protection Program Director, American Rivers, Washington DC
- Kevin Colburn, National Stewardship Director, American Whitewater, Asheville, NC
- Elena Fernandez, Projects Specialist, Amigos Bravos, Taos, NM
- André Sanchez, Community Engagement & Conservation Policy Manager, CalWild (formerly California Wilderness Coalition), Oakland, CA
- Nicole Hayler, Executive Director, Chattooga Conservancy, Mountain Rest, SC
- Alison Sommers-Sayre, Executive Director, Delaware River Greenway Partnership, Stockton, NJ
- Denielle Perry, Associate Professor, Free-flowing Rivers Lab, Northern Arizona University, Flagstaff, AZ
- Barbara Ullian, Chair, Friends of the Kalmiopsis, Grants Pass, OR
- Jann Dorman, Executive Director, Friends of the River, Sacramento, CA
- Fred Akers, Operations Manager & Brooke Handley, River Administrator, Great Egg Harbor Watershed Association, Newtonville, NJ
- Charles Wolf Drimal, Deputy Director of Conservation, Greater Yellowstone Coalition, Bozeman, MT

- Nic Nelson, Executive Director, Idaho Rivers United, Boise, ID
- Erik Fernandez, Wilderness Program Manager, Oregon Wild, Bend, OR
- Michael Morrison, Board President, Pacific Rivers, Portland, OR
- Grant Werschull, Co-Executive Director, Smith River Alliance, Crescent City, CA
- Orion Hatch, Executive Director, Snake River Fund, Jackson, WY
- Gloria Bancroft, Coordinator, Taunton River Stewardship Council, Dighton, MA
- Wendy Scott, Secretary, Upper Missisquoi and Trout Rivers Wild and Scenic Committee, Berkshire, VT
- Tom Uniack, Executive Director, Washington Wild, Seattle, WA
- Autumn Crowe, Deputy Director, West Virginia Rivers Coalition, Charleston, WV

cc: Chris French, Deputy Chief; Angela Coleman, Associate Chief; Katie Armstrong, Director, Wilderness and Wild & Scenic Rivers; Steve Chesterton, Wild & Scenic Rivers Program Manager; Leanne Marten, Region 1 Regional Forester