



# Western Lands Update

Western Lands Project  
Seattle, Washington

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Research, Outreach, and Advocacy to Keep Public Lands Public

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## Congress tells Forest Service it can sell off public assets

In the past few years, with Bush in office and the entire government in a Republic headlock, there has been widespread fear among public lands devotees of a wholesale sell-off of federal lands.

While privatization has not yet been proposed on a massive scale, there have been numerous moves in that direction.

One way has been to gut the land agencies' budgets and make them pay their own way. In the last several years, for example, Congress has passed several bills that ordered the Forest Service to sell off sites in specific national forests in order to pay for other needed facilities, such as new visitors' centers.

Now, that idea is going system-wide. As part of the 2006 Interior Appropriations bill, Congress is giving the Forest Service new authority to convey administrative sites and facilities out of public owner-

ship. The Forest Service Land Disposition and Facility Realignment and Enhancement Act of 2005 authorizes the agency to sell, lease, exchange or otherwise convey a wide variety of property of 40 acres or less, including national forest headquarters, ranger stations, research stations, lookouts, dwellings and guard stations. The bill also authorizes the agency to convey as many as ten isolated, undeveloped parcels of 40 acres or less per year that were purchased or previously used for administrative purposes.

The agency is not allowed to get rid of land in "Natural" or Recreation Areas nor within national

monuments, Wild and Scenic Rivers, or Wilderness. The Forest Service is to receive market value for any administrative site it conveys, through competitive sale or appraisal. Proceeds from conveyances under the Act will be used to acquire, improve, or maintain other administrative sites. Of course, a much better would be that the Forest Service were given adequate funds to maintain the facilities it has without cashing out public lands.

Provisions of the bill will sunset on September 30, 2008 unless renewed before then.

## Park Service denies permit for unwanted telephone system

Over the past few years, Western Lands has worked on several projects with residents of Stehekin, WA, including two bad land trades (one was stopped, the other went through) and general planning issues in North Cascades National Park, in the midst of which the town sits.

The latest project concerned a proposal by a company called Weavtel to install a telephone system in Stehekin. Mind you, the 37 households in the town—reachable only by foot trail, float plane or boat—hadn't asked for phone service. The great majority are quite happy with the town's one pay phone and their two-way radios (there is no cell phone coverage there). But Weavtel wanted to take advantage of a provision of the federal Telecommunications Act of 1996 that makes federal funds available to provide telecommunications service to rural and high-cost areas at reasonable rates. Whether Stehekin

**Maintenance & repair of some Forest Service facilities will now be funded by selling others.**



**In this case, the Forest Service seems to understand that old-growth forest really isn't replaceable.**

wanted a system or not was immaterial—Weavtel would receive federal money if they installed it.

It didn't seem right to us that a company could use Park land counter to the public interest, just to milk a federal program.

In May, the Park Service published an environmental assessment (EA) in response to the company's request. Tellingly (and accurately), the EA didn't make a case that the telephone system was needed. Fortunately, the Park Service has a policy of prohibiting any park use that would cause negative impacts unless the proponent is able to show a compelling park-related need. Ultimately, North Cascades Superintendent William Paleck denied Weavtel's request.

Paleck cited a letter from the county sheriff stating that the proposed telephone system would not enhance emergency response capabilities in Stehekin. After all, telephones would not shorten the travel distance between Stehekin and the rest of the world.

## **Blue Mountains EIS candidly discloses effect on old growth**

In the old days, the Forest Service and other agencies liked to treat land trades as real estate deals with no meaning on the ground. For instance, when it came to trading away public old-growth forest for private clearcuts, the agency always saw the glass as half full—in 250 years, they said, the clearcuts the public got would have trees on them and it would come out all right in the end. Such was the fallacy that prompted us to challenge the Huckleberry Land Exchange, the first proposal we confronted in 1996.

Slowly but surely, things may be changing. A draft environmental impact statement (DEIS) for a land exchange in northeast Oregon's Malheur, Umatilla, and Wallowa-Whitman national forests includes a surprisingly candid discussion of the impact of trading away forestland currently earmarked as old-growth habitat in forest plans.

In the Blue Mountains Land Exchange, third-party exchange facilitator Clearwater Land Exchange has assembled numerous private parcels totaling almost 32,000 acres to be traded for slightly more than 18,000 acres in the three national forests.

Trading federal parcels dedicated as old growth requires amending forest plans and earmarking "replacement" old growth. The Blue Mountains DEIS notes that replacement stands are not necessarily real, present-time old growth—some could take 50 to 70 years to develop into true replacement habitat. Worse, with 385 acres of Malheur national forest old growth slated for trade—a nearly contiguous block providing pileated woodpecker habitat—there is no comparable forest available to replace it. Because the proposed replacement stands are inadequate, the Malheur's forest plan would have to be amended to permit designation of the inferior replacement stands as old growth.

The DEIS rejects the once formulaic claim used in land trades that if the public gets more land in the deal, there will be long-term improvement in old-growth habitat. The DEIS points out that in fact there are already sufficient acres of public forest that could develop into old growth habitat over time. In short, the analysis says, there is "no benefit from losing old-growth habitat now in exchange for potential old-growth habitat several decades from now." While this may seem academic to some, this recognition of reality is a huge step forward in land-trade analysis. The next step is to get the agency to stop considering the trade of such habitat in the first place.

**You can read both recent & archived press coverage of land deals on the "In the Media" page of our website at [westernlands.org](http://westernlands.org)**

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(\* earmarked for Cinnabar match challenge).

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## Last chance! Help us meet the challenge of the Cinnabar Foundation

We have received a little less than half of the \$1,000 in earmarked donations we need to match a challenge grant from the Cinnabar Foundation by the end of this. Please help us round out the match. Cinnabar supports conservation advocacy, grassroots groups, ecologically balanced management of land and water, and wildlife conservation in Montana and the Greater Yellowstone Ecosystem. We were honored that they recognized the significance of our work to their goals. To double your impact, please send a donation to Western Lands Project noting "Cinnabar match." Thank you!

## Public lands at risk



*The Chesapeake and Ohio (C&O) Canal flows alongside the Potomac River for 184 miles, from Washington, DC to Cumberland, MD. The Canal, once an important commercial waterway, became a National Historic Park in 1971, largely through the work of Supreme Court Justice William O. Douglas. Here, the canal flows through several locks in the Georgetown area of DC.*

*This piece of land along the C&O Canal is proposed to be traded*



*out of public hands to Georgetown University, for construction of a mammoth boathouse. Canal devotees are fighting the proposal. For more info, see savethecanal.org. Photos: Western Lands*



## Western Lands Project

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public lands  
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...

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