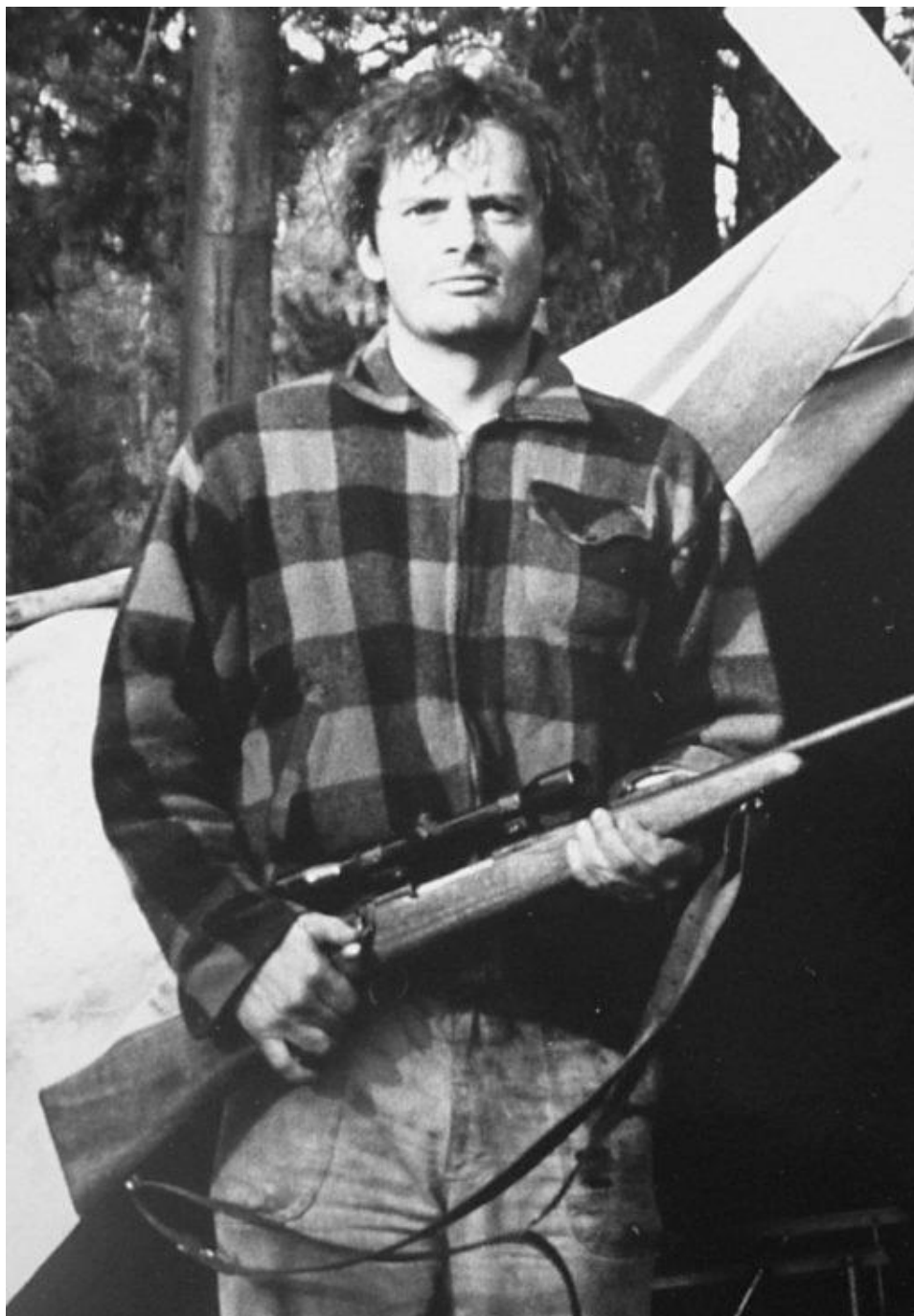


Last Stand in the Big Woods

Jeffrey St. Clair

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Ron Mitchel, guarding the big outside in Idaho, circa 1970.

This essay, excerpted from Red State Rebels: Grassroots Resistance in the Heartland, is dedicated to Ron Mitchell, one of the fiercest defenders of wild nature that I've ever

encountered. Ron died earlier this month, but his legacy lives on in the forest, rivers and mountains he fought, often against great odds and at great personal peril, to protect.

“Every time I’ve compromised, I’ve lost. When I held firm I won. The problem with too many environmentalists today is that they are trying to write the compromise instead of letting those we pay to compromise do it. They think they get power by taking people to lunch or being taken to lunch, when in reality they are only being taken.”

— David R. Brower

There was no reason it had to come down like this: Two militant greens standing in the middle of an isolated, snow-cruised road in a place where a road should never be; bracing their bodies against a train of logging trucks, snowmobiles, and Forest Service jeeps groaning at the gate, demanding entry; willingly subjecting themselves to arrest by Idaho troopers armed with guns, clubs, and a draconian and sub-constitutional new law. All in a last-gasp attempt to halt a vastly destructive timber sale in the heart of the nation’s largest roadless area, a timber sale two federal judges had already found to be a brazen assault on our national environmental laws.

Charged with felony conspiracy to commit a misdemeanor, Mike Roselle, a founder of Earth First!, and Tom Fullum, of the Native Forest Network, now face possible five-year prison terms and \$50,000 fines under Idaho’s so-called Earth First! Statute – a law geared to smother popular dissent against the transgressions of multinational timber companies by slamming the jailhouse door on anyone bold enough to bodily protest logging on federal lands in the Potato Atate. The bill was signed into law in 1993 by then-Governor Cecil Andrus, a noted liberal who called the Cove/ Mallard protesters “just a bunch of kooks.”

The proximate cause of Roselle’s and Fullum’s travails, and a new round of logging in the Cove/Mallard Roadless Area, is an act of organizational cowardice committed by one of the country’s oldest and wealthiest environmental corporations: The Wilderness Society.

In January 1994, The Wilderness Society and Pacific Rivers Council won a slam-drunk injunction against the Forest Service in federal court. Citing the agency’s contemptuous behavior for failing to submit its logging plans for review by the National Marine Fisheries Service after several stocks of salmon were placed on the endangered species list, federal district Judge David Ezra halted all logging, mining, and grazing in salmon watersheds on the Nez Perce, Salmon, Challis, Sawtooth, Clearwater, and Payette National Forest in central Idaho. The Cove/ Mallard timber sale, along with 300 other logging, road building and mining projects, were stopped cold.

The evidence of an imminent ecological collapse of Idaho’s river systems is overwhelming. In America’s wildest state, more than 70 percent of the streams are out of compliance with the standards of the Clean Water Act, dozens of stocks of salmon

gasp along with the bull trout at the brink of extinction. This means that every additional clearcut or mine gouged into these watersheds creates a necrotic wound in the ecosystem. This was the emergency situation to which Judge Ezra responded with his injunction.

Of course, the predictable backlash swiftly erupted in rural Idaho when news of the injunction was leaked to timber contractors, ranchers, and mining companies by the Forest Service. Local papers played up the inevitable chest-beating by a mongrel assortment of loggers, ranch-hands and placer miners from towns with names like Challis, Dixie and Kamiah. Then came the apocalyptic assessments of the ruling by mega-corporations such as Boise/ Cascade, Pot-latch, and Hecla Mining: Mills and mines will be closed, they warned, thousands will be thrown out of work, already impoverished communities will be driven deeper into destitution.

The injunction also became a pretext for yet another round of vituperative cant from Idaho's reactionary congressional delegation. On the floor of the Senate, Dirk Kempthorne (who would later become Idaho's governor and then Interior Secretary under Bush the Younger) bellowed that he would seek congressional action to shred the injunction and "the ill-conceived laws it was based on." Meanwhile, Helen 'Call-Me-Congressman' Chenoweth denounced the injunction as the work of "animal worshipping nature cults." And the stentorious Larry Craig, the senator with the wide stance, amplified the volume of his "forest health" crusade — a cruel hoax on the public in which the last roadless forests in the West will be stripped of the meager protection provided them by current environmental laws and opened to indiscriminate chainsaw surgery in the name of medicating the ecosystem.

The Wilderness Society flinched and folded. They beat a rapid retreat, dragging the Pacific Rivers Council and their lawyers at the Sierra Club Legal Defense Fund along with them. What follows is a saga of graveness that undercuts the credibility of nearly every environmentalist working to protect the planet in the dark times.

A week after the injunction came down, Craig Gehrke, the Wilderness Society's Idaho rep, sent an alarum to the Sierra Club Legal Defense Fund office in Seattle, begging them to reappear before Judge Ezra and beg him to retract his ruling. SCLDF was loathe to engage in such a shameful turnabout. They explained to Gehrke that the Judge might interpret such a back flip as a severe breach of legal ethics. After all, only a week earlier SCLDF had persuasively argued that there was an emergency situation unfolding on the ground that needed a drastic legal remedy.

But Gehrke was undeterred. He insisted that the injunction be lifted. Higher levels of the Wilderness Society also phoned Seattle, explaining to SCLDF attorneys the delicate political situation they faced back at their gilded offices on 17th Street, in Northwest Washington, DC. Word is that former Wilderness Society boss George Frampton, then Bruce Babbitt's right-hand man at the Interior Department, also called to suggest that the injunction was counter-productive to his good efforts at the Interior Department to salvage the Endangered Species Act.

For SCLDF attorneys this entire scenario must have seemed like a bad flashback to the notorious Deal of Shame, where 18 months previously lawyers at the same office insisted that the plaintiffs in the spotted owl case release timber sales in old-growth forest that had been enjoined by Judge William Dwyer. This time, however, the roles were reversed: SCLDF's clients were now twisting their lawyers' arms to jettison an injunction.

By all reports, the conference call with an infuriated Judge Ezra was a bruising encounter for the eco-lawyers. When SCLDF explained the unexpectedly intense reaction the injunction had sparked in Idaho, the judge reportedly pulled out a sheaf of faxes and retorted that he'd been taking heat from Salmon and Challis, too, but he thought the case was about enforcing the law and protecting the salmon. According to a source close to SCLDF, Judge Ezra threatened to impose legal sanctions on the attorneys. Ultimately, however, with none of the parties to the case standing up for the injunction or the salmon, Ezra was left with no choice: the judge delayed imposition of the injunction for 45 days. But for all practical purposes the injunction that could have saved the forests of the Salmon/ Selway river watersheds is gone forever.

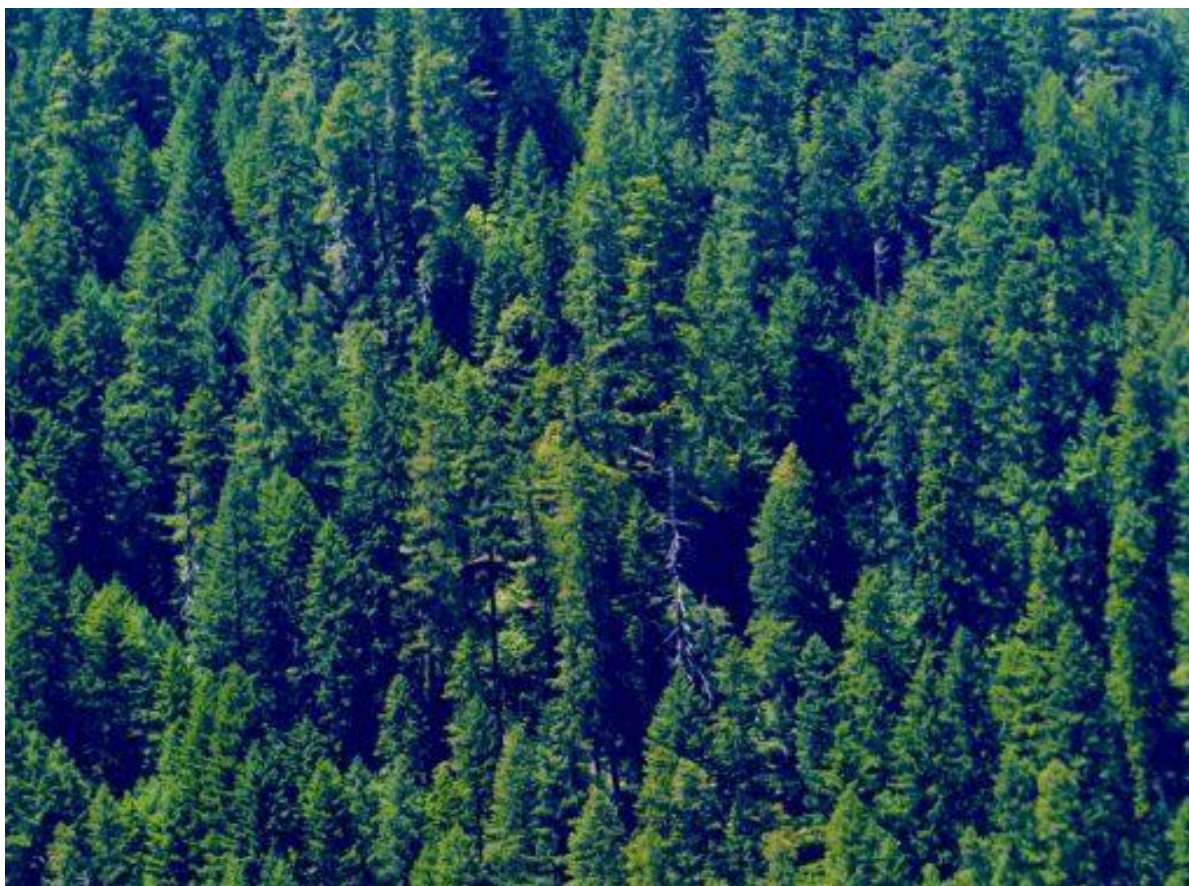
When queried on the subject, SCLDF attorney Adam Berger reasoned: "We believe our actions served the best interest of justice."

Justice for whom? "Well, everyone understands the meaning of justice and that's all we're going to say," Berger concluded.

With Roselle and Fullum safely locked up in the Grangeville jail and Judge Ezra's injunction aborted at the demand of the Wilderness Society, the road was now clear for the Forest Service and the Shearer Lumber Company to bust into the largest units of the Noble timber sale, deep in the heart of the Cove/Mallard. In a move that reminded many forest activists of the midnight strike on Millennium Grove (a forest stand in the Willamette National Forest that harbored the oldest trees in the Oregon Cascades), Shearer Lumber swiftly attacked the two most lucrative and biologically productive stands of ponderosa pine in the 18-unit Noble timber sale.

Most of the Noble sale was already clearcut prior to March 15, the date SCLDF and the Wilderness Society chose to have the injunction postponed until. In fact, the Cove/Mallard EIS required the Forest Service to terminate operations prior to March 15, since that is the beginning of elk calving season. Ron Mitchell, director of the Idaho Sporting Congress, believes the March 15 date may not have been coincidental. "It sure looks like these groups simply wanted to avoid the politically explosive issue of Cove/ Mallard," Mitchell said. "The betrayal of the Wilderness Society on this point is devastating."

The 90,000 acre Cove/Mallard Roadless Area is a biological cradle in the mountains, a rolling landscape of ponderosa pine forests, meandering streams, and wet meadows that serves as a critical biological and migration corridor between the Salmon River and the high country of the Gospel Hump and Selway Mountains. Its brisk streams are home to steelhead, chinook salmon, bull trout, rainbow trout, and cutthroat, while the broad meadows harbor some of the best elk country in the Northern Rockies. The tall



Cove/Mallard roadless area. Photo: Jeffrey St. Clair.

mountains are inhabited by bighorn sheep and mountain goat and the entire area is a key part of the Central Idaho grizzly bear and gray wolf recovery areas. In fact, over the past 10 years the Fish and Wildlife Service has documented numerous confirmed wolf sightings in the Cove/Mallard Roadless Area.

The Noble timber sale was one of nine big timber sales slated for the Cove/ Mallard. These sales called for 200 different clearcuts, the logging of 81 million board feet of timber, and the construction of 145 miles of new logging roads. When completed the Cove/ Mallard timber sale will leave behind only an empty infrastructure: its web of roads a lethal impediment to the migration of wolves and elk; its eroding swaths of bare land quietly smothering salmon and trout. In sum, Cove/ Mallard will be transformed into a crumbling necropolis to modern forest management.

Yet, the Wilderness Society (the organization founded by Aldo Leopold and Robert Marshall, and nurtured by Howard Zahniser) has never objected to the Cove/Mallard logging operations. Indeed, Cove/Mallard was simply a sacrifice area, traded-off year ago by the political brokers at the Sierra Club, Idaho Conversation League and The Wilderness Society in exchange for partial protection of the spectacular, but less controversial, Gospel Hump Wilderness.

The wretched terms of this deal are even now defended with intensity by Sierra Clubber Dennis Baird, of Moscow, Idaho, who in 1992 proclaimed to *The Oregonian*: "If the country need lumber and timber jobs, the Cove/ Mallard isn't such a bad place to get it." Given a chance to retract this comment, Baird instead tried to drive a couple more nails into Cove/ Mallard's ecological coffin. "The Northern Rockies Chapter [of the Sierra Club], which covers all of Idaho and some of eastern Washington, never opposed timber sales in the Cove/ Mallard because the area is mostly flat."

In fact, the relatively flat, rolling terrain of portions of the Cove/Mallard only underscored the area's ecological importance. Yet, we all know only too well that the burghers of the Sierra Club prefer to wage their wilderness fights on steeper terrain, in alpine areas which offer fewer stands of productive forest and less opportunities for political conflict.

Baird was a key author of the Sierra Club's woefully deficient national forest policy, a policy that has been under vigorous assault for years by grassroots Sierra Club activists. Baird also served, along with his friend Craig Gehrke, as a member of Cecil Andrus's secretive 1993 Idaho Timber Supply Task Force, which was chaired by Boise National Forest supervisor Stephen Mealey. The objective of the timber task force was to find ways to provide certainly for timber supplies from national forest lands in Idaho.

"Basically, the intent of the task force was to expedite timber sales in Idaho roadless areas by circumventing NEPA," said Ron Mitchell, whose group was refused access to the background documents generated by the task force. "Gehrke and Baird were there to put a green stamp on illegal timber sales."

The persistent criticism by Mitchell and Dan Funsch, an organizer with the Alliance for the Wild Rockies, effectively checked any official pronouncement from the task force.

However, its secret agenda proceeds apace on the ground. At 10 million acres, Idaho retains more unprotected wildland than any other state; yet the Forest Service plans to lacerate the region with 150 commercial timber sales in these roadless areas in the coming decades, despoiling its wilderness character and placing hundreds of species (from salmon to grizzlies) in peril of extinction.

Meanwhile, Steve Mealey perfected the art of expedited timber sales on the ravaged Boise National Forest, where dozens of so-called salvage sales in roadless areas escaped full compliance with NEPA. Mealey's free-wheeling excursions in the forested foothills around Boise served as a disturbing prelude to the looming gotterdamerung for Western roadless areas promised by Larry Craig's forest health campaign.

As the chainsaws were cleaving through the Cove/ Mallard once again, Craig Gehrke defended his surrender (on the very day Roselle and Fullum were appearing at their preliminary hearing) by telling a reporter for the Missoula Independent: "We trust the Forest Service to abide by the law."

Various rationalizations and excuses for the release of the Idaho salmon injunction pinballed between the parties. SCLDF, for example, told an incredulous Judge Ezra that the injunction was now unnecessary because the Forest Service had agreed to begin consulting with NMFS. Immediately after the stay, Gehrke announced to the Idaho press that the Wilderness Society "did this voluntarily ... We didn't want to come between working people and their jobs."

The Pacific Rivers Council's Ron Cooper (a former Wilderness Society staffer) told distraught Idaho and Montana forest activists that while he personally disagreed with the decision to lift the injunction "sometimes you've got to come promise in the face of political reality." In Oregon, PRC's David Bayles cast a similar line, chirping that they agreed to lift the injunction only in order to save "the Endangered Species Act."

Meanwhile, Rich Hoppe, a spin doctor at the Wilderness Society's DC headquarters, tweeted that they released the injunction to protect Gehrke, who had purportedly received death threats. Back in Idaho, however, Gehrke insisted that he was more concerned about the "safety" of rural activists.

There is nothing especially exculpating in any of these statements. Quite the contrary. SCLDF's comment about consultation is a transparent canard, since it merely relies on the discretionary actions of a discredited agency. In other words, precisely the reason they went to court in the first place. But the legal effects of this surrender extend far beyond merely this case. SCLDF's retreat alienated a sympathetic and friendly federal judge and darkened the prospects for any new environmental suits throughout the Ninth Circuit. Greens may have the legal standing to sue, but now lack the credibility needed to secure difficult legal decisions.

"Maybe the lawsuit was ill-timed considering the new political atmosphere," said Mike Medberry, former public lands director for the Idaho Conservation League. "But it was a good suit, a necessary action. Giving up the injunction so quickly sent the worst possible political and legal message."

The real politick banter of the Pacific Rivers Council also falls flat. It represents the don't-use-it-to-don't-lose-it approach to environmentalism. But of what value is the Endangered Species Act, if the cost of saving the law requires some species to be consigned to extinction? Moreover, there is no evidence that the lifting of the injunction has lessened the rabid attacks against the ESA and other environmental laws launched by Idaho's congressional delegation, and their corporate backers.

Obviously, the political pressure from the wacko right in Idaho was intense, particularly from Craig, Chenoweth and Kempthorne. But there were several angles of effective counterattack against these politicians available to the plaintiffs. Take Rep. Helen Chenoweth, the primed heroine of Idaho's burgeoning population of potbelly punks and middle-aged skinheads, the prissy pinup girl of the Posse Comitatus, a woman who morphed the religio-cosmetic acumen of Tammy Faye Bakker onto the paranoid political sensibilities of Lyndon LaRouche.

Chenoweth is a former legislative aid to former Idaho Sen. Steve Symms (an intellectual neighbor of Dan Quayle's in the lower depths of the Bell Curve), who trounced the ineffectual Democrat Larry LaRocco by running an openly racist campaign, which had as its recurring theme: "White anglo-saxon males are the only endangered species." Chenoweth occasionally grabbed the mic at Don Young's Natural Resources Committee to launch rambling and incoherent ad hominem attacks on the evils of environmentalism, along the lines of her now famous aphorism: "Salmon aren't endangered, there are cans of them on the shelf at Albertsons."

Back in September 1994, Chenoweth's strange election campaign (which featured endangered salmon feast, among other mindless amusements) was running low on cash. For salvation, she turned to a traditional source of financial succor for Idaho politicians: mining companies. Chenoweth sold an "interest" in a parcel of land she owned in the Clearwater country to Allen Ball. Ball paid Chenoweth \$60,000 for part owner-ship in a property with an assessed value of less than \$10,000.

Ball owns the A-B Mining Company. It is possible that A-B Mining purchased the subsurface rights to Chenoweth's property and intends to excavate this mineral-laden land. But A-B Mining also has plans to construct a massive cyanide heap-leach gold mine along Smiley Creek, a salmon stream that flows off the pyramids-shaped Abe's Chair Mountain in the Sawtooth National Recreation Area.

The transfer of cash was not reported to the Federal Election Commission and a new deed was never officially filed with the county clerk. A week after the deal, however, Chenoweth held a press conference to announce that one of her first acts as a "Congressman" would be to open the Sawtooth National Recreation Area to new mining claims. An apparent case of political quid pro quo.

Chenoweth's populist protestations about the injunction could have been exposed as nothing more than a thin veneer concealing her pursuit of self-enrichment. Instead, the Wilderness Society opted for appeasement, a strategy eerily foreshadowed by Gehrke shortly after the election when he publicly declared: "I don't want to pick a fight with these guys." But the neurotic pursuit of the political center in a state where

the ideological spectrum spans from the well-off xenophobe to the well-armed white supremacist's vain and self-immolating.

This leads directly to the dire consequences of the Wilderness Society's most feeble and lachrymose excuse: By placating vague threats of violence, the Wilderness Society dramatically increased the odds of real violence being visited upon grassroots activists in the near future. Their surrender strengthens the resolve and amplifies the intensity of the most venomous sects of the Wise-Use and Militia movements, not to mention the henchmen of Boise/Cascade and Hecla Mining. The atmosphere of intimidation against environmentalists in Idaho, and throughout the West, will only be torqued-up by such supplicant behavior.

"Not only did Gehrke help nullify an effective injunction that had stopped the Cove/ Mallard sale for at least a few more months," said Russ Moritz of the Kanisku Bioregional Council in Sandpoint, Idaho. "But he offended a friendly judge, forced Roselle and Fullum to sacrifice themselves, and show the opposition just how weak the national environmental groups really are."

Craig Gehrke, of course, is a merely deserving scapegoat for the real forces that asphyxiate the Wilderness Society's agenda: money and politics. At the center of this dispiriting nexus is Cecil Andrus; and, most importantly, Walter Minnick, CEO of the Boise-based timber company TJ International.

Minnick's transnational enterprise, Trus-Joist, is partially owned by timber giant MacMillan Bloedel, scourge of Canada's forests. Evidence of the nefarious character of TJ International's operations can be found in the company's 10K filings with the Securities Exchange Commission, where Minnick bemoans the facts that successful litigation on federal forests in the West has constricted timber supplies. In order to combat this "problem," TJ's annual report to its shareholders announced the formation of a "strategic alliance" with MacMillan Bloedel and Weyerhaeuser. Booming profits simply aren't enough to satiate these masters of capital.

TJ International's corporate neighbor Boise/ Cascade, which enjoys a near monopoly on federal timber supplies in central Idaho, may soon be folded into this grim oligarchy of timber interests. The debt-saddled timber company (whose products were being boycotted by environmentalists because of the corporation's logging operations at Sugarloaf in a grove of ancient forest the Siskiyou Mountains of Oregon) is now run by financier George Harad, an old Harvard chum of Minnick's, whom Walt recently described as being "dazzling in his intellectual ability and financial acuity." Boise/ Cascade, it will be recalled, energized much of the so-called popular opposition to Judge Ezra's injunction.

That Walt Minnick might use his position on the governing board of the Wilderness Society to leverage the surrender of the salmon injunction shouldn't surprise anyone familiar with this man's past activities. Many west coast forest activists painfully recall Minnick's performance at Bill Clinton's Timber Summit, held in Portland in 1993, where the CEO seemed more obsessed with advertising his engineered wood products, declaring his opposition to restrictions on log exports, and securing certainly for the

federal timber supply, than in advocating permanent protection for ancient forests, Pacific salmon or spotted owls.

From where I sat that gloomy day (buried in the basement next to the then high-flying and frantic George Stephanopolos and Andrea Mitchell, of NBC News, who kept asking me in the latte line: “Murrelet?...Sounds kinky! What’s a murrelet?”), Minnick came off as more of a timber beast than Weyerhaeuser’s vicious genius Charlie Bingham. As an offer of proof, check out this gem of neoliberalism, delivered as a quasi-threat to President Clinton, where Minnick warns that if timber supplies are not freed from the Dwyer injunction he might be forced to export his mills to Canada: “Essentially what we need the government to do is get out of the way, let the market system work, get some certainly into the west side timber supply because we don’t know whether to build another plant here to go to Canada or even whether we should be hiring folks for a month from now, because we can’t be assured that our veneer supplier are going to have the raw material we’re going to need.”

This was hardly the first time Minnick wielded an iron fist to well-intentioned Wilderness Society policy initiatives. Several years ago Minnick helped crush an attempt by former Wilderness Society staffer Larry Tuttle and former board member Terry Tempest Williams to change the organization’s archaic policy on public lands grazing. Among other things, Minnick vociferously rejected a proposal that the Wilderness Society oppose livestock grazing in designated wilderness areas. It should be noted for the record that many of the society’s board members and large donors own ranches in the West, including new Wilderness Society president G. Jon Roush, who logged off old growth trees on his own big ranch in Montana and then sold the timber to a notorious log exporter.

“The Wilderness Society’s founders, Aldo Leopold and Bob Marshall, believed that progress in environmental protection required radical political and economic changes,” said Larry Tuttle. “But the new Wilderness Society through its repeated actions has refused to challenge a system where our public resources are controlled by renegade public agencies and multinational corporations, a system that assumes that our natural resources exist solely for the purpose of making money. The Wilderness Society’s corporate motto is: Whatever you do, don’t offend anyone.”

That brings us to Cecil Andrus, former Secretary of the Interior under Jimmy Carter and four-term governor of Idaho (where he signed into the law the unconstitutional statute that threatened to imprison Roselle and Fullum), who was angered at the effrontery of the salmon injunction given his long and fruitful association with the Wilderness Society.

In the revolving-door-milieu of American environmental politics it was probably inevitable that in 1981 the Wilderness Society would hire the unemployed ex-cabinet secretary as a high-profile influence peddler. Andrus’ assignment: develop a bridge between industry and environmentalists on natural resource issues. Well, Andrus didn’t so much construct a bridge as a one-way interstate down which Idaho’s forests have been happily transported ever since.

For this contribution to the Wilderness Society, Cecil Andrus was handsomely rewarded when he decided to run for governor. Grateful Wilderness Society board members invested heavily in Andrus's campaigns, side-by side with mining companies, agribusiness conglomerates, and timber interests, including Minnick, Boise/Cascade, and Dick Bennett, purchaser of the Cove/Mallard sales.

When George Frampton threatened to close down the Society's Boise office as a cost-cutting move in 1992, Andrus rushed to the rescue. He declared that Craig Gehrke was just the kind of moderate, homegrown environmentalist Idaho needed. An emergency fund-raiser was arranged at an exclusive ranch north of Sun Valley. It was attended by the likes of Charlotte Ford, Bruce Vento, Walt Minnick, Andrus, and Pamela Harriman. Tens of thousands were quickly raised; Gehrke's office saved.

Then Gehrke speedily climbed aboard the timber supply task force, gave qualified endorsement to the awful LaRocco wilderness destruction bill, and refused to oppose the Cove/Mallard timber sales even when his fellow environmentalists were being assaulted, hit with SLAPP suits, and hauled off to jail. After Andrus left the governor's office, he joined the board of directors of two mining companies, both of which were eyeing claims in central Idaho that might have been hampered by the injunction.

Connect-the-dots; it's not a pretty picture.

The whole Cove/Mallard affair reads like synecdoche for how the environmental elite operate these days. Each new entry on the bleak tableau of conscience-eating concessions, compromises and trade-offs strikes like a body blow against grassroots environmental activists standing up on the frontlines for salmon, wolves, and wildlands.

Still a palpable resistance survives. Amid the cratered reputation of the national environmental corporations a grassroots insurrection is being incubated under fire. This new movement is symbolized by Roselle and Fullum standing there at that gate, facing off with the police, the logging trucks, and the Forest Service, in the freezing mountains of central Idaho, and by the dozens of other activists who rushed to Idaho to stand in their place.

The grassroots movement is healed and galvanized by the feverish efforts of Ron Mitchell and the Idaho Sporting Congress to uncover new legal angles to save this imperiled landscape. And by the growing troops of rural activists with groups like the Alliance for the Wild Rockies and Kanisku Bioregional Council who have the courage to stand up in their communities and say: Damn it, we've simply got to save it all for our own good.

In the end, the wild land itself is redemptive. This land particularly so. Or that's how it seemed to me on an autumn when my son Nathaniel and I camped had come to take our stand at the gate in the lower reaches of the Cove/Mallard: the sky splayed with stars, the air spiced with the scent of ponderosa pine, the sound of the salmon-graced river still flowing free.

Jeffrey St. Clair is co-editor of *CounterPunch*. His most recent book is *An Orgy of Thieves: Neoliberalism and Its Discontents* (with Alexander Cockburn). He can be reached at: sitka@comcast.net or on Twitter @JeffreyStClair3.

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