



'Sy' Believed Gunned Down by Poacher



GOODBYE, SY: The Selkirk's most famous grizzly has been killed.

SPBA Adds to Big Reward Pot

The Selkirk-Priest Basin Association is posting a \$1,000 reward for information that results in the arrest and conviction of the person or persons who illegally killed "Sy," a Selkirk Mountains grizzly bear.

The SPBA offer brings the total in rewards offered in Sy's killing to an amount that could reach almost \$20,000. Other groups offering rewards include the National Audubon Society, Inland Empire chapter Safari Club International, Inland Northwest Wildlife Council, and wildlife agencies.

"We think it's likely someone out there knows something that could lead law officers to Sy's killer," said SPBA Wildlife Com-

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A SURPASSING COMMITMENT: SPBA TURNS TO COURTS TO CONTEST GOVERNMENTAL MISMANAGEMENT

SPBA Strongly Advocates Its Positions in Three Lawsuits

SPBA's involvement in social, environmental and economic reform for the Basin reaches every level of the hierarchy of endeavor.

The group is active politically, scientifically, socially — and legally. From highway litter pickup programs to ground-level forest condition analyses, we are involved. From membership letter-writing campaigns to resolution of intractable issues at the state Supreme Court, SPBA is committed.

But it is the SPBA's legal actions which often get the most attention in the media. Following we summarize for our membership the three legal challenges in which the group is currently involved.

1. SPBA v. Idaho State Board of Land Commissioners

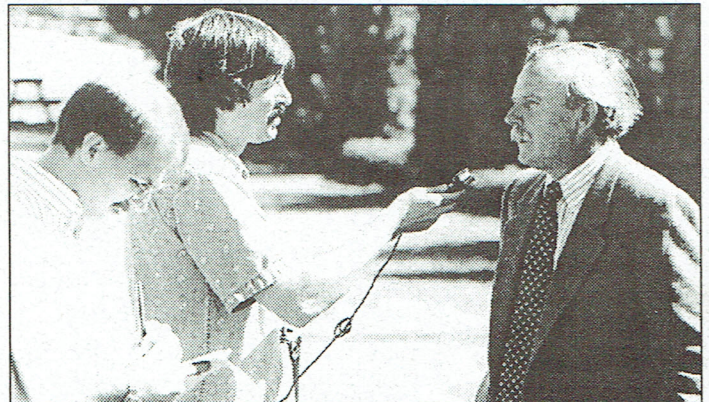
In this, our principal lawsuit against the state, SPBA seeks to reform forest land management policies and practices on Idaho endowment lands, the largest contiguous parcel of which is located along the east shore of Priest Lake.

The facts are simple: the Land Board

is the trustee of state lands. The school children are the beneficiaries of these endowment lands. SPBA contends the lands, by law, must be managed primarily to preserve the trust's productive value, with strict adherence to accepted management principles, while maximizing financial returns.

The state's current timber management practices exceed a sustained-yield harvest by a factor of three. Virtually no meaningful consideration is given for wildlife, water quality and yields, ecosystem health, long-term productivity or other factors affecting the asset's value.

Idaho law stipulates the Land Board must administer its trust duties with undivided loyalty to the school children, the beneficiaries. Our lawsuit alleges the Land Board manages school lands for the



SETTING THE RECORD STRAIGHT: SPBA's Bill Egolf talked to the media in September about SPBA's suit against the Land Board

benefit of the timber industry and in response to political influences. It also asserts management of the lands violates widely accepted principles of forest land management to the long-term detriment of the lands' productive value.

In response to our lawsuit, the Land Board has raised every legal obstacle at every level of the litigation, in order to avoid having to argue the case in court.

To date, SPBA has been forced to address: (1) the state's challenge to the forum of the lawsuit; (2) intervention by the Idaho Forest Industries Association;

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Chairman's Message

Basin Can Be a Biodiversity Reserve

The time has come to open public dialogue to an idea with unquestionable merit. I want to discuss it now because it has been discussed too long behind the hush of short-term political impracticability.

Our nation has endeavored in its history to protect and preserve the great natural wonders which have defined our national character and culture. Yellowstone, Glacier, the Everglades, Yosemite and the Smokey Mountains are examples of the far-sighted wisdom our people and government have shown in protecting intact ecosystems as monuments and treasures of our heritage—our birthrights as Americans.

These ecosystems stand for something today. They are permanent, living legacies of the natural world that informed and shaped our national character. They are legacies of our cultural heritage and they are priceless economic assets that support local communities and businesses, where millions of Americans return to affirm for their families the roots of America's rugged individualism—our culture.

Of course, it was easier a hundred years ago to designate wild areas for varying levels of protection. There were fewer people making fewer demands on the areas, and our leaders were statesmen who were guided by principles of our long term best interests, not parochial, constituent influences.

Today, it's more difficult to protect these areas, but one thing is for certain—there are very few of them left and they need protection. They will not long withstand the pressures of an ever-increasing population, gluttonous corporate self-interests or politicians' expedient machinations.

The Selkirk-Priest Basin is at the top of this short list. It's time for the federal government to recognize the enormous national importance of the Basin—and to protect it by permanent designation as the country's first Biodiversity Reserve.

Now, this is not a new idea. It's been batted, shall I say, quietly and fearfully, by knowledgeable biologists and scientists.

In the past few years, SPBA officials have had discussions with representatives of the Idaho Fish and Game, the U.S. Fish and Wildlife Service, the Forest Service, members of the national and regional environmental community and political leaders about this idea. The consensus of opinion is that the Basin warrants, and should be afforded, formal protection for



its hugely diverse and functional biotic community.

The Selkirk-Priest Basin is undeniably the foremost, relatively intact boreal forest ecosystem in the lower 48 states without formally designated protection.

Why is this ecosystem deserving? The answer is simple. Native populations of grizzly bear, wolverine, fisher, wolf, lynx, and the nation's rarest mammal, Idaho's Black Caribou, still exist here, along with the rest of its indigenous species.

The Basin boasts the cleanest waters outside of national parks, rare species of plants, pure strains of million-year old trout, some of the oldest trees on Earth and a contiguous area of the continent's largest cedar-hemlock old growth—the only interior rainforest environment in the Lower 48.

The Basin, in short, is a fully-complemented, fully functional remnant of America's lost boreal forest ecosystems. In every sentence in which the Basin's environmental qualities are discussed, one talks in superlatives. And, one necessarily talks about it in the singular because the Basin is truly unique today.

Thus, the Basin is about last places—and last chances.

It's time for the public, federal and state officials and local leaders and statesmen to convene a conference on the subject of defining and, in time, of designating the Selkirk-Priest Basin as America's first Biodiversity Reserve.

Clearly, its biotic resources warrant it; clearly it represents an important monument to our national culture and character and, clearly, time will not abide the present opportunity to accomplish its protection.

If it is going to happen, as it should, we must all stop discussing it quietly and wistfully and start the public dialogue.

An enormous opportunity exists to take the next major stride in our country's long tradition of reverence and protection for fast-disappearing natural places.

The nation should formally define and designate Biodiversity Reserves. And the Priest Basin is the place to start.

Bruce Brockway
SPBA Chairman

Huckleberry Bay Legal Fund: 'Insurance' for the Lake

If you believe Priest Lake is a precious legacy, the lake needs your help as never before. SPBA is pressing forward with a lawsuit to overturn a decision by the Bonner County Commissioners to permit a large development at Huckleberry Bay — and forever change the lake's character. *See story, page 1.*

But the Huckleberry Bay Legal Fund needs donations. And Director Jules Gindraux is urging contributions.

"Unlike protection available for the loss or damage to property or health through means of typical 'insurance,' there is no means for recompense of any sort for loss of a natural legacy," said

Gindraux. "The only recourse against loss is prevention."

With mounting court costs, the Huckleberry Bay fund needs donations. Donations to SPBA are tax exempt. Donations can be made payable to SPBA and sent to: SPBA, Attention: Huck Bay Fund, Box 1809, Priest River, ID 83856.

We Must Meet the Future — Now

The Resources Outlook

It is a truism in education, that institution whose purpose is to prepare children for grown-up life, that many of the jobs young people will hold as adults don't even exist yet. A look at changes in the electronics field over the past 25 years would bear that out.

When the whaling industry began to falter, and as municipal gas works slowly began to replace whale oil and kerosene lamps with gaslight, who could have imagined the high-tech fluoride and halide lighting of today?

The timber industry currently faces a similar watershed. Even pro-logging advocates will concede that logging on the scale practiced in the past can no longer continue. Yet demand for lumber continues to grow. History suggests new technology will develop to provide alternatives to conventional building product. Already, wood wastes formerly discarded are being used in alternative, and even more efficient, ways.

People who live in rural areas which have been dependent on the exploitation of natural resources — lumber towns, mining towns, former whaling and fishing towns — face a precari-

ous and diminished future.

If we believe in the worth of this wonderful corner of the Northwest, then we, all of us, need to imagine and help create a future that will allow us all to live here with dignity and independence, holding the best of the past and supplementing it with an expanded spread of future possibilities.

To help us get to that point, columns in the next issues will feature simultaneously, present and future prospects in the Basin; current enterprises and businesses in the area that may be related to or quite unconnected with the timber industry; and interviews with high school students and graduates, in which they will express their feeling about their life here presently, and how — and where — they see their futures. Appropriately, the first interview will be with Zeecha Berry the winner of the first SPBA scholarship in 1991. You may have a suggestion about a young Basin resident to be interviewed; if so, let us know. Keep watching.

Law Suits

Continued from page 1

(3) motions to strike 21 affidavits filed by concerned citizens on our behalf; (4) motions to prevent discovery of the Land Board's records; and (5) a motion to dismiss the suit for want of legal standing.

In July, First District Court Judge Craig Kosonen ruled against the group on the issue of standing. SPBA believes he committed a multitude of legal errors, and appealed to the Idaho Supreme Court.

The high court will determine if SPBA has legal standing to bring the lawsuit. Its decision will take at least another year.

Because the state controls half the land in the Priest Basin, reforming Idaho's management of its forest lands is imperative to assuring the long-term ecosystem health here. A favorable outcome will have huge and permanent effect on future Land Board forest land management decisions throughout the state — and possibly in 11 other western states, where 40 million acres are managed under similar federal land grant legislation.

We are represented in this case by a team of lawyers and interns including Charles "Hoey" Graham, Marc McGregor, Paul Vogel and David Boswell.

SPBA v. Bonner Commissioners

In this action, SPBA seeks to overturn the decision of the County Commissioners allowing Huckleberry Bay Co. to continue construction of its large-scale devel-

opment at Priest Lake.

Our lawsuit is the culmination of nearly a decade of resistance to this project, going back to the Diamond International Corporation proposal for a huge resort. While HBC's proposal is smaller, it is nevertheless a significant threat to the lake's character and water quality.

Currently, there are no so-called destination resorts on Priest Lake. The Huckleberry Bay development proposal would be the watershed event that forever changes the lake's character and degrades its wonderfully high water quality.

It is not difficult to foresee that, if HBC's development succeeds, Priest Lake may become another Lake Tahoe or Coeur d'Alene. Moreover, water quality — Priest's primary asset — will be substantially degraded by the development.

This case will appear in First District in Coeur d'Alene. SPBA is being represented by Paul Vogel and Charles Sheroke.

Our suit will argue that the county comprehensive plan forbids large-scale development in undeveloped areas. We also argue that the commissioners violated procedures for deliberation.

3. SPBA v. Idaho Land Board

Following initiation of our first action against the Land Board, the Idaho Legislature enacted two laws limiting court review of Board actions on timber sales.

The first requires citizens who challenge Land Board timber sale decisions to

post exorbitant bonds before claims can be heard. The second prohibits judicial review of timber sale decisions altogether.

In this suit, we have been fortunate to obtain the help of the Idaho chapter of the Land and Water Fund of the Rockies.

Our suit alleges that the two new laws are unconstitutional because they deny citizens access to the courts — the branch of government intended to provide an impartial forum for resolution of disputes.

Not surprisingly, the Land Board (and the timber industry, because they have intervened) has, again, asked for dismissal of this lawsuit on the grounds that SPBA has no legal standing. Once again, the Land Board's unmistakable strategy is to keep the impartial judiciary from hearing — and deciding based upon the facts — any dispute concerning allegations of forest land mismanagement.

Because the board and the legislature are susceptible to special interest influence by the state's powerful timber industry, which, in fact, exerts controlling influence over both, it is the judicial branch of the government that poses the real threat to their continued control of the school children's estate.

As long as the Land Board and the timber industry can keep courts from reviewing timber sale decisions, their "lock" on the exploitation of the children's trust lands will be complete. That is the reason the laws were passed and the reason they are asking for dismissal.

Sy Killed

Continued from page 1

mittee Chairman Chris Bessler. "We hope that this big reward pot can induce them to come forward."

SPBA members are being asked to help with the reward with pledges of donations that would be collected only in the event the reward is given out.

Sy was a 15-year-old breeding female that has been termed an "ideal" grizzly. Since she was first outfitted with a radio collar 10 years ago, Sy produced eight cubs. A shy bear which avoided humans, Sy provided biologists with more information than any other Selkirk bear.

Designated a "threatened" species in 1975 and the object of a U.S. Fish and Wildlife Service recovery plan since 1982, the grizzly population in the U.S. portion of the Selkirks has dropped from an estimated 20 to as few as 10 bears today, according to a new study.

That estimate included Sy and two cubs who were with her when she was killed. The fate of the cubs is uncertain, but "their chances of survival without the mother are slim," according to Washington Department of Wildlife agents.

Responding to a hunter's report of a carcass in late November, Washington Department of Wildlife Agent Ted Holden found the scavenged remains of Sy and her radio collar in the Willow Creek Road area near Pass Creek Pass, south of the Salmo-Priest Wilderness.

Sy's front paws were not recovered, raising the possibility the poacher removed them as a souvenir or for sale.

"There are only two or three breeding females in the Selkirk population, so the

loss of Sy rubs out a third or a half of its current reproductive capability," said Bessler. "Illegal killings are the No. 1 cause of death of the Selkirk bears. We must drive home to these poachers that they are going to be caught and vigorously prosecuted if they can't just leave the bears alone."

Bessler added that while Sy's killer is clearly a criminal, "the political and bureaucratic inertia which is failing to protect the Selkirk bears can be termed 'criminal,' too. The failure to provide secure habitat is unquestionably the root cause of the Selkirk bears' plunge toward extinction."

Last summer the Fish and Wildlife Service refused to uplist the bear to endangered status because, it said, the uplisting was "not warranted."

And just last month the Idaho Department of Fish and Game signed off on a timber sale by the Idaho Department of Lands that will bring nine miles of new road into prime grizzly habitat in the Bugle and Caribou creek drainages — and, incredibly, put the road within a half mile of an identified grizzly denning site.

"We're losing the grizzly bears forever, right before our eyes" said Bessler. "The only thing that is going to save them is citizens who start shouting about this. Meantime, we hope our reward will help collar the poacher who killed Sy."

Anyone with information can call Washington's 24-hour poaching hotline, 1-800-47-POACH; or the Idaho poaching hotline, 1-800-632-5999.

SPBA members and friends who wish to pledge a donation to the reward offer can contact the SPBA at 208-448-2971.

JOIN THE SPBA

*Support the Selkirk-Priest
Basin Association
by becoming a member!*

Our newsletter, funded entirely by member contributions, keeps you informed of natural resource issues within the Priest Basin, and offers regular updates on the efforts of SPBA to promote environmental excellence. Now is time to give to the environment which sustains us all.

Make a contribution; keep *Sightlines* coming regularly. Dues and donations are tax-deductible.

Enroll me as a member of the SPBA. Enclosed are my dues:

	Individual dues	Couples
Regular:	<input type="checkbox"/> \$25	<input type="checkbox"/> \$30
Limited Income	<input type="checkbox"/> \$15	<input type="checkbox"/> \$20

To help more, I'm enclosing an additional contribution:

☐ \$10 ☐ \$25 ☐ \$50 ☐ \$100

NAME _____

ADDRESS _____

CITY _____

STATE _____ ZIP _____

PHONE _____

☐ **Yes, I'm interested in volunteering for SPBA work. Call me.**

SELKIRK-PRIEST BASIN ASSOCIATION
P.O. BOX 1809
PRIEST RIVER, ID 83856

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