

Ecosystem Management Coordination

Nothing to Report

Court Decisions

Nothing to Report

Litigation Update

Nothing to Report.

New Cases

Notice of Intent

Forest Management | Region 1

NOI- On April 15, 2021, Friends of the Clearwater sent a 60-day notice of intent to sue (NOI)

Region 1 - Friends of the Clearwater state they intend to file suit against the Forest Service alleging violation of Section 7 of the Endangered Species Act (ESA) and the ESA consultation regulations 50 C.F.R. Part 402 when the FS approved the Hungry Ridge Restoration Project on the Nez Perce National Forest in Idaho. The project was approved through a Record of Decision (ROD) based on an Environmental Impact Statement (EIS) on March 24, 2021. The project is a 10 Year logging project to improve forest health; reduce potential risk to private property; maintain and improve wildlife habitat; and improve watershed conditions.

The NOI Claims:

1. The FS determined the project would have “no effect” on grizzly bear and never engaged in Section 7 consultation with the U.S. Fish and Wildlife Service (FWS) despite the grizzly bear being listed as “threatened” under ESA and is present in the area.
2. Grizzly bears “may be present” according to FWS maps and may be adversely affected by noise, other disturbances, risk of human conflict, increased road density and activities associated with logging over 7,000 acres and constructing, reconstructing or reconditioning 59 miles of forest road.
3. The NOI claims the FS admitted in the ROD, EIS and other documents that the project that lasted 10 or more years of logging and road construction would disturb, displace and destroy or degrade the habitat of numerous other wildlife species that are found in the project area,

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but for grizzly bear, the FS reached the opposite conclusion, claiming with no rational basis, there would be “no effect” and refused to consult with the FWS.

Background/Status: A similar NOI was received on February 22, 2021, on the End of the World Project regarding the same type of claim. The Forest responded on April 15, 2021.

Other Agencies

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