

CAPITOL RIDERS



OLYMPIA, WA.

Hoofbeats - April 2012

General meeting May 1st, 7pm
Karen - Coffee, Dean - Treats

With a change in property ownership comes a change in rules and procedures for Wenas. As it is right now you must get permission through DNR for any party size. Contact Jeff Jones (DNR Recreation) 509-972-2862 or Jeff.Jones@dnr.wa.gov. A BCHW Public Lands Committee member you can also contact is Mike Drougas, 509-930-6964 or mdrougas@aol.com but remember it is DNR who gives the permission.

There have been a couple of environmental lawsuits lately. BCHW has been petitioning to have the Suiattle River Road repaired. Horse users in California National Parks are fighting for their right to ride. And the Green Mountain Lookout in the Suiattle River drainage out of Darrington has been ordered removed. Read more further in.

Work parties are still continuing to clean up various areas. Some of the training areas on the Fort are still in need of a little work. Riders have been forced to go out a week in advance of organized rides just to be sure trails are open. Scattercreek was literally a mess.

I have not heard how the Olympic National Park Barn Day event at the Elwha Ranger Station came off. Park employees were to discuss stock use in the park. For what ever reason the use of stock within the park has been low. Most trails are only used by the park's pack string. There are rules and regulations that do differ from those on USFS lands but they are not difficult to abide by. A lot of the back country is rough and requires experienced riders.

The chapter garage sale is May 5th! Put your sale items aside now. Consignment items accepted as always. Please price your items in advance. It will be Joyce and Don's as in years past.

The Chili Dog ride at Nisqually-Mashel on April 21st was another beautiful day. I got myself a good sunburn and no horses came up lame this year. Turnout

was excellent with late comers forced to park along the Mashel Prairie Road.

As you look over the list of rides, both day and overnight, know that trail bosses are needed. Duties and responsibilities are minimal. Yes it is beneficial to know the trails but it's not critical. If you have access to trail maps you can distribute them. You schedule any caravans. You make sure all have a good time.

Want to sharpen your map and compass skills? There are a couple of Competitive Mounted Orienteering events coming up in this area. June 2-3 at Fall Creek Campground, Capitol Forest (call (360)894-6240 or (253)843-1810). August 18-19 at Margaret McKenny Campground, Capitol Forest (call (360)273-6605 or (360)241-2031) and May 19-20 at MT Pockets Ranch in Tenino. (call (360)790-9184) Anyone can participate. Children under eighteen need to be accompanied or have signed permission by a parent or guardian. Families are welcome to ride as a group and some rides offer group discounts or discounts to teams with junior members. All equines are welcome but must be at least three years old to participate.

My hard drive crashed the other weekend. I had the foresight to have backups made on an automated schedule. No web site or newsletter documents were lost. I have yet to see if I can get any of my other files off the drive but for the moment the important documents are restored as well as necessary software.

This is an important lesson for all. Technology is by no means perfect. Mr. Murphy (Murphy's Law - What can go wrong will go wrong) likes to have his way every now and then just to keep us on our toes. I think maybe too, Best Buy wanted some of my cash. My pocket was \$103 lighter when I walked out of the store.

I hope you enjoy this edition.

Events - partial for 2012

April

- 27-29 - Methow Valley Chapter Spring Ride Beaver Creek Camp, 509-997-4802
- 28 - Okanogan Valley Chapter Bannon Mt. Work Party, 509-486-1547 or 509-486-2061
- 27-29 - Methow Valley Chapter Spring Ride Beaver Creek Camp 509-997-4802
- 28 - Okanogan Valley Chapter Bannon Mt. Work Party 509-486-1547 or 509-486-2061
- 28 - Mossyrock Horse and Riders Spring Ride, 9 am, \$15
360-880-4684 or 360-304-9645

May

- 1 - Capitol Forest opens to Horses
- 1 - General Meeting Littlerock fire hall 7 pm
- 4-6 - Olympic Chapter Wenas camp out
- 5 - Chapter Garage Sale, Joyce Nelson's 9 am, Joyce - 360-786-1224
- 5 - Olympic Chapter Green Mt ride Gold Creek TH 10 am
- 11-13 - Winthrop 49er Days
- 12 - Chapter Elbe Hills day ride, Discover Pass required
- 12 - Ferry County Chapter work party Granite Creek 509-775-8165
- 12 - Inland Empire Chapter Poker Ride Fish Trap Lake 509-466-2225
- 12 - Pierce County Chapter Elbe work party, Discover Pass, 253-381-2868
- 12 - Lewis County Chapter Burnt Ridge Fun Ride 9 am 360-262-9132 or 360-262-3606
- 17-20 - Pierce County Chapter BBQ Flats Wenas, Discover Pass, 253-732-7402
- 18-20 - Olympic Chapter Nile camp out
- 18-20 - LNT Train the Trainer, Indian Camp Teanaway, Discover Pass, Jane 509-997-7407
- 19 - Oakland Bay Chapter Fun Ride, Kennedy Creek
- 19 - Alpine Lakes Chapter Fun ride - Joe Watt 9 am \$5 Jason 509-964-9260
- 19 - Ferry County Chapter work party Lambert Creek 509-775-8165
- 24-27 - Chapter Nile camp out
- 25-27 - Okanogan Valley Chapter Whistler/Wilcox Trail Clearing, Camp out 509-486-2061
- 27 - Roslyn Riders Poker Ride
- 28 - Okanogan Valley Chapter Wilcox TH Trail ride, 509-486-1547 or 509-486-2061
- 31 - DNR User meeting 6 pm, 801 88th Ave Tumwater

June

- 2 - National Trails Day Work party Capitol Forest
- 2 - Olympic Chapter ride Stottlemeyer - Port Gamble 10 am
- 2 - Pierce County Chapter Elbe work party, Discover Pass, 253-381-2868
- 2-3 - Competitive Mounted Orienteering, Fall Creek Capitol Forest
- 2-3 - Okanogan Valley Chapter 4th of July work party, camp out 509-486-1547 or 509-486-2061
- 5 - General Meeting Littlerock fire hall 7 pm
- 7-10 - Chapter BBQ Flats Wenas camp out, Discover Pass required (could be cancelled)
- 8-10 - Olympic Chapter Conrad Meadows
- 9 - BCHW Director's meeting, Ellensburg
- 9 - Pierce County Chapter Chicken ride, potluck, auction Elbe, Discover Pass, 253-843-2051
- 16 - Chapter Peterman Ridge day ride - Morton Discover Pass not required
- 16 - Grays Harbor Chapter Fund ride, Mary M Knight School Matlock \$10 9am Mary 360-482-8375
- 16 - Ferry County Chapter work party Lambert Creek 509-775-8165
- 16-17 - Mossyrock Horse and Riders Summer Games 9 am

BCHW Capitol Riders

Meeting minutes

Littlerock fire hall 4/3/12 7 pm

Call to Order: In Laura Kingman's absence, Vice President Dean Hartman called the regular meeting of BCHW Capitol Riders Chapter to order at 7:10 PM on 04/03/2012, in the Littlerock Fire Hall.

Introduction of Guests: Angelle Hickman introduced Diane Killingsworth, director of BCHW Oakland Bay Chapter along with her friend Bryan.

Attendance Last Meeting: 17

Approval of minutes: Connie Bailey

Membership voted and approved March 6, 2012 minutes..

Treasurers Report: Traci Koch

a) Club is solvent.

b) Petty Cash - Angelle Hickman is in charge of petty cash.

Newsletter-Web: Chris Enrico

Updated Delores Besse's new address. Event page updates; Lost Meadow on website- up the Little Naches (from a discussion of moving the Wenas and Nile camp outs.)

Activity Committee: Vice President Dean Hartman.

Ride Committee: Carrie Russell, Martha Kesting and Susan Hartman

Discussion to switch Wenas ride with the Nile ride. Concerns over Wenas BBQ Flats access with ownership property change. Wenas ride will be TBD

Day Rides: Discuss at club meetings. Schedule rides for every other week.

Upcoming Chili Dog Ride - Ron Hamblen-Camp Cook. Carrie Russell is trail boss. 11 AM ride out following with Potluck. Carrie has the plates, bowls, napkins, forks, knives & spoons.

Membership voted to approve reimbursement of the Chili.

Campouts: Discussion on Aug 24-27 Green River Horse Camp. This area supports 13 big rigs.

Hoof Prints Program: Peggy Tucker

Submit your \$5.00 to Peggy and use the Hoof Prints form to document your rides. In November, Peggy will collect your completed forms, turn them in and issue \$15.00 gift certificates from Tack Room Too. Contact Peggy to sign up!

Work Parties: Jeff LaBreck

Jeff reported on the Gravel Haul; rained all day, he helped at the corrals, 7 1/2 tons of gravel hauled.

A question arose if we would want to adopt a trail. Jeff discussed the concern with the membership that if our Chapter adopted a trail, we must take full responsibility. Currently, The Friends of the Forest, a very large group, does a very large amount of trail work.

JBLM Area 23 work Party scheduled for April 7th .

June 2nd, National Trails day - We will go and help on a trail. Jeff will check on what DNR is doing and where we can help

Ways & Means: Dean Hartman & Tom Crowson

Advertising: Jeff LaBreck: Currently 7 sponsors. Note: Advertising revenue will be submitted to petty cash fund.

Garage Sale: Chapter Garage Sale at Joyce & Don's May 5th. Joyce will open the gates to the public at 9 am.

Setup: Friday night, May 4th at 5:30. Susan will bring a 'Crock Pot'. Members bringing items: 1) Items for sale - please PRICE them with a tag/sticker 2) Items for consignment please PRICE them with a tag/sticker and your INITIALS on the sticker. Need several tables.

Dean is asking club members to start sorting out items to bring to the garage sale. This is our annual fundraiser. You may also bring items to sell on consignment. 10-15 percent of sale goes to the club. Our annual garage sale is also a social event and a great time for club members to hang out. Joyce and Don provide wonderful stew/chili and goodies. Feel free to bring some goodies of your own.

Will discuss, at next meeting, what "munchies" to bring.

Traci - Motion made and accepted to put garage sale proceeds into Angelle's 'petty cash pot'.

Map Books: Susan Hartman requested a motion to recycle all maps in box's. Motion made and approved. Membership agreed to keep the old Map books that are bound.

Raffle Tickets: Angelle Hickman

iGive: Connie Bailey: quarterly reports - nothing.

Social Events: Anita Rustvold, Connie Bailey, Loretta Watkins

Need volunteers and ideas for social events. 1) Potluck at the Chili Dog Ride 2) Body Clipping, Wine & Cheese party at Connie's date TBD in April.

Please call or send email to Connie with any ideas you may have for a social.

April 29th, Saturday - Mima Camp-1PM-4PM Suggestion to cleanup camp & social event, bring snacks. Bring shovels, rakes, lawn rakes, gloves.

Membership Correspondence: Chris Enrico, Connie Bailey

Angelle Hickman oversees various personal events with our membership.

Legislative: Judy Francis & Dean Hartman.

Current Information posted on the web site and emailed to the membership.

Discover Pass Bill revisions to add 2nd vehicle still moving through the legislative process.

Director: Karen Johnson

Announced that at the annual BCHW Rendezvous on March 16th-18th, Jeff received 'Honorable Mention' for personally selling 159 Calendars.

Traci Koch, Volunteer Hour Coordinator, passed out reports, at the Rendezvous, to each chapter for their 2011 Volunteer Hours. Capitol Riders had a total of 1981.5 hours for a total value of \$46,644 with 73.5 miles maintained. BCHW had a total of 54,554 hours for a total value of \$1,678,938 with 1085 miles maintained.

Karen then announced the 2 members of our chapter that received BCHW awards:

Jeff LaBreck was awarded the Life Time Achievement Award. He was 1 of 3 people to receive the award this year. Jeff received a beautiful statue from Montana Silversmiths titled: "One for the Wall".

Chris Enrico was awarded the Desk Jockey Award and received a wood pen in a beautiful wood case with his name engraved on the case and his first name engraved on the pen.

ALT Director: Jeff LaBreck:

Motion made and approved to reimburse expenses for Jeff's fuel and room for his attendance at the Directors meeting. Motion made and approved to reimburse expenses for: Director & Alternate Director or Representative(s) of the club as Director and Alt Director attending the 2012 annual BCHW Rendezvous and future annual BCHW Rendezvous.

Old Business:

Discussed members Jeff LaBreck and Chris Enrico's BCHW awards. Jeff and Chris both brought their awards and displayed for the membership.

-Rendezvous; Karen discussed that this event was larger than those in the past with more vendors. There were approx 358 dinners sold plus there were campers that provided their own meals.

New business:

Discuss Garage Sale “munchies” at next meeting. GPS and Compass class - on going dates TBD

Treats & Coffee for March Meeting:

Karen (Coffee) & Dean (Treats).

Adjournment : Vice President Dean Hartman adjourned the meeting at 8:11 PM

Minutes submitted by: Connie Bailey

Minutes approval by: Membership on _____

BCHW Board of Directors Meeting

March 16, 2012

The meeting was called to order at 7:00 PM by President Bob Gish.

A quorum was present for the meeting. The agenda was adopted with two additions.

1. President Gish announced that there are two resumes for the new BCHW Executive Director position. The resumes will be reviewed on March 17.
2. Teri Starke, Treasurer, reported that BCHW is solvent.
3. Trygve Culp presented the BCHW Sawyer Certification Program which has been approved by the USFS, Region 6. The BCHW Board of Directors passed the Sawyer Certification Program with corrections made by USFS, Region 6.
4. Dave Swanberg reported that 1,250 of the 1,500 raffle calendars have been sold. Jeff Labreck got an Honorable Mention for selling 159 calendars out of 175 calendars for Capitol Riders. The Raffle calendars will be sold again in 2013 at the same price (\$20) with the same prize incentives as the 2012 calendars. (One monthly drawing for \$300 and one annual drawing in Dec. for \$3,000.) The calendar committee needs more photos so anyone can submit them. Photos of work parties must show compliance with safety requirements.
5. Lori Lennox was chosen to be the BCHW Director representative to BCHA and Darrell Wallace the BCHW Alternate Director representative to BCHA.
6. A Resolution on Communications written by BCHW to BCHA was passed by the BCHW Board of Directors. It will allow BCHA email to be sent directly to BCHW members instead of passing through BCHW Directors first. This will expedite Action Alerts and other timely material.
7. All BCHW Chapters have been requested to send in an Annual Chapter Report to Darrell Wallace. This report will be compiled for BCHA and includes trail work, volunteer hours, fundraisers, and LNT participation.
8. There will be a Ken Wilcox Benefit Ride on 6/30-7/1 with proceeds going to BCHW. (Information about this ride is on the Capitol Riders website.)
9. Tahoma Chapter of BCHW donated 10% of their Prize Ride money to BCHW (\$890). Another donation of \$800 was made by the Whatcom Chapter to BCHW.
10. The AWARD committee needs a new chairperson for 2013 since Lori Lennox is taking on the BCHW Director Representative position to BCHA.
11. BCHW Insurance covers all BCHW members for liability during a BCHW sponsored event.
12. Lori Lennox motioned getting some new LNT T-shirts which could be sold through the BCHW store with the profit going to the LNT Program. Motion passed.
13. Heather Moorman, Membership Chairman, announced that as of 3/16/12 BCHW has a total of 1,261 members with 358 new members.

14. The Board of Directors voted to give Bill Lawrence, guest speaker at the 2012 BCHW General Meeting, a free one-year membership in BCHW, a BCHW sweatshirt and hat pin.

15. Doc Wesselius, Safety Chair, announced there are new documents available for trailhead safety meetings. There is a USFS Chainsaw Certification program and a Safety CPR program upcoming.

16. Traci Koch, Volunteer Hour Coordinator, passed out reports to each chapter for their 2011 Volunteer Hours. Capitol Riders had a total of 1,981.5 hours for a total value of \$46,644 with 73.5 miles maintained. BCHW had a total of 54,554 hours for a total value of \$1,678,938 with 1,085 miles maintained.

The meeting was adjourned at 9:05 PM.

Karen Johnson, Director
Capitol Riders 2012

Chicken Jambalaya

Serves 10

Prepare the chicken and sausage at home and freeze in Zip-loc bags, along with the broth. Chopped onions and green peppers can also be done in advance. A double batch will squeeze into a 12" Dutch oven. Shrimp can be added or substituted for the chicken. Wild rice can be used instead of long-grained rice.

- 1 broiler-fryer chicken, 2 1/2 to 3 lbs. - remove bones and skin
- 3/4 pound spicy sausage links
- 1 28 oz. can tomatoes
- 1 cup long grain rice, uncooked
- 1 onion, chopped
- 1 green bell pepper, chopped
- 1 clove garlic, minced
- 1 sprig parsley, sniped
- 1 teaspoon salt
- 1/8 teaspoon pepper
- 1/2 teaspoon Tabasco pepper sauce
- 2 tablespoons butter
- 2 cups chicken broth

COOKING INSTRUCTIONS:

1. In a pre-heated 12" Dutch oven brown sausage and cut into bite size pieces. Remove most of the grease from the Dutch oven.
2. Add butter and sauté onion, green pepper and garlic until tender.
3. Place chicken, sausage, broth, tomatoes, thyme and Tabasco pepper sauce into the Dutch oven.
4. Heat contents to a boil. Stir in rice and reduce heat.
5. Cover and simmer for about 25 minutes or until rice is cooked.
6. Sprinkle with parsley and serve.

CHARCOAL HINTS: Use 10 - 12 briquettes underneath and 8 - 10 on the lid.

PREPARATION HINTS: To debone and remove skin of the chicken, place in a large stew pot, cover with water, season with salt and pepper. Heat to a boil and then reduce heat for 45 minutes. Remove chicken from broth and remove skin and debone. Strain and save 2 cups of this broth for the recipe.

Source: Paul O. Mantz-Powers - Northwest Dutch Oven Society www.nwdos.org

Lawsuits -

The Suiattle River Road FR 26 in the Mt Baker Snoqualmie NF, which is the main access to the Pacific Crest Trail north of US2 from the west, suffered several washouts from the storms of 2003 and then again in 2006/2007. The Suiattle River Road serves the trailhead for the Suiattle Trail #784, which itself accesses the PCT in the vicinity of the Suiattle River bridge crossing. This bridge, a subject of earlier BCH action alerts, has already been rebuilt. Now is the time to repair 10.6 miles of the road to get to the trailhead.

Indeed, the USFS did an analysis for the road following the 2003 storms which we commented on. It took a number of years to get the engineering together and secure the highway funding. Road reconstruction work started last year in 2011. However, extreme green conservation groups filed a lawsuit to block the repair in an attempt to keep the 10.6 miles of road closed. They based their argument by arguing the USFS and FHWA should not have proceeded without a full reassessment of the 2006/2007 storm damage, which the USFS/FHWA had done plan revisions for, but not with a new full Environmental (re)-Assessment (EA). BCHW worked to support the USFS/FHWA in counteracting this attempt to stop the road work. However, the USFS/FHWA decided to stop the road work, and indeed, issue a new EA that will fully address all of the storm damage since 2003. That EA is now released with a public comment period through April 20th, 2012.

There is not suitable parking for stock towing vehicles as the situation now stands. The only way to restore stock access is to reconstruct the 10.6 miles of road. In the EA, this is "Alternative B". The other two Alternatives, A (no action), and C (restoring about 8 miles) do not provide adequate facilities to park and would dramatically impact the use of this major recreation and trail maintenance route for stock.

Whether the Suiattle River Road gets repaired or is abandoned has become a major test statewide for whether main roads to trailheads will be fixed or not due to winter storm damage. It is IMPERATIVE that this access road to the PCT be restored. We cannot let this pass without full support.

Comment period has ended.

High Sierra Hikers v. US Dept of Interior (California) Case C 09-04621

The judge ruled in favor of High Sierra Hikers (an anti-stock advocacy group, which most hiking groups are not) in January and against outfitters packing into Sequoia and Kings Canyon National Parks (see BCHA/TWS statement in the current BCHA newsletter). The judge will address remedial action with respect to his decision on May 23rd. What is new is that the NPS now feels forced to put a moratorium on outfitting permits - 16 packers are being told they cannot access these parks until further notice. This will ruin the season and may likely result in outfitters going out of business.

High Sierra Hikers argued that stock have an undue impact on the ground in Wilderness.

The ruling does not affect non-commercial use.

<http://www.visaliatimesdelta.com/article/20120405/NEWS01/204050301>

ADDED ACTION ALERT

Please sign the on-line petition being circulated by Californian horseback riders to save stock access!!! Let's get Washington State members to help out our fellow Californian packers/riders and get this petition count up.

<http://www.change.org/petitions/us-senator-maintain-the-people-s-right-to-access-parks-by-horseback>

"Maintain the people's right to access Parks by horseback.

Horses allow access to your Federal lands when you are unable or unwilling to hike to reach the wilderness. Young people, old people or any person with a disability will lose their right to visit Sequoia National Park with the removal of this option of travel."

(second Court Decision)

Sequoia ForestKeeper v. Tidwell/USFS (Eastern District - California) Case CV F 11-679

The judge ruled in favor of Sequoia ForestKeeper on March 19th that the USFS shall not use most NEPA Categorical Exclusions (CE) without providing a public notice, comment, and appeal option. While this ruling was based on resource use issues, the decision affects all USFS tasks often done as CEs based on a local ranger's decision. Many trail maintenance projects are done as CEs rather than through lengthy expensive procedures under the National Environmental Policy Act (NEPA).

What this ruling has the potential to do is to make authorization and prioritization for USFS trail maintenance tasks much more difficult. A longer process with a risk of appeal also means a more expensive process. Currently the USFS Forests and Districts are evaluating how they will deal with this ruling. It may disrupt or halt some trail, campground, and road maintenance projects scheduled for this year. Forests may be able to streamline the process so that added burden doesn't lead to multi-year delays on needed work. Otherwise they will need to perform more expensive Environmental Assessments (EA). Please be patient as USFS staff work through this.

File Code: 1570 Date: March 29, 2012

Subject: Adverse Ruling in Sequoia ForestKeeper v. Tidwell

To: Regional Foresters, Station Directors, Area Director, IITF Director, Deputy Chiefs and WO Directors

This letter documents instructions from the Forest Service Washington Office for operation of 36 CFR §215 pursuant to the March 19, 2012, judicial ruling in Sequoia ForestKeeper v. Tidwell. The District Court found that Forest Service regulations exempting project decisions from notice, comment, and appeal when they are categorically excluded from analysis under the National Environmental Policy Act (NEPA) are in violation of the Appeals Reform Act (ARA) and enjoined the Forest Service from following these regulations. The Forest Service will immediately comply with the District Court's Orders and Injunction. Until new instructions are issued by this office, or the Agency issues regulations implementing Section 428 of the Consolidated Appropriations Act of 2012 and addresses the Court's ruling, pursuant to the Court's Order the following instructions apply:

First, the District Court granted plaintiffs' request for a nationwide injunction, and enjoined the Forest Service from implementing 36 CFR §§ 215.4(a) and 215.12(f). These regulations had exempted all categorical exclusions from notice, comment and appeal.

Therefore, effective March 19, 2012, all units shall refrain from applying these exemptions.

Second, the Forest Service will offer notice, comment and administrative appeal opportunities for categorically excluded decisions as provided for in the District Court's Order. The District Court held that "[t]o comply with the ARA, the Forest Service should have promulgated regulations that preserved the comment, notice, and appeal for any decisions subject to administrative appeal prior to the proposed changes in 1992." (Merits Opinion p. 11). The opinion notes "Prior to 1992, the Forest Service 'provided a post-decision administrative appeals process, 36 C.F.R. pt. 217, for agency decisions documented in a 'decision memo,' 'decision notice,' or 'record of decision.'" (Merits Opinion p. 2).

Therefore, all units shall provide notice, comment and appeal opportunities for all projects and activities implementing land and resource management plans that are "documented in a 'decision memo,' 'decision notice,' or 'record of decision.'" While the 1992 regulatory standard for appeal ability is quite clear that "Only decisions documented in a Decision Memo, Decision Notice, or a Record of Decision are subject to appeal," 36 C.F.R. 217.3 (1992) (emphasis added,) the Forest Service seeks to diminish the potential for conflict while operating pursuant to the Court's order.

Therefore, line officers are instructed to write decision memos for any proposed action or activity that seeks to authorize the sale of timber, and offer the opportunity for notice, comment, and appeal on these proposed actions, as directed above. Further, line officers at their sole discretion may offer notice, comment and appeal opportunities for individual projects or

activities that do not require a decision memo. Such instances are expected to be infrequent and would be offered only when the line officer deems appropriate or necessary to promote public confidence in agency decision making. As stated above, units will provide notice, comment, and appeal opportunities for all projects and activities that are documented in a decision memo.

Third, questions have already been raised concerning whether the injunction will affect ongoing activities. The Agency believes that retroactive application of the Court's Order would impede the necessary daily functioning of the Agency and could upset the settled expectations of permittees, contractors, and members of the public or other groups interested in using National Forest System land by halting projects already underway. In prior litigation involving these same rules (*Earth Island Institute v. Ruthenbeck*) before the same District Court, the court concluded that "a retroactive remedy would seem to plunge the Forest Service headlong into a crippling morass of confusion. The [injunction], therefore, will apply to Forest Service projects and decisions post-dating the...docketing of the... Order."

Therefore, implementation of decisions that were finalized prior to the Court's March 19, 2012 Order need not be halted or subjected to notice, comment and appeal, and may proceed as planned.

Fourth, for categorically excluded projects and activities currently under development, units should not assume that NEPA "scoping" for the purposes of 36 CFR 220.4(e)(1) will necessarily satisfy the requirements for notice and comment under the Court's injunction. If legal notice of the opportunity to comment has been published, and comments have been accepted in the same or similar manner as that described in 36 CFR 215.6(a) (regarding Environmental Assessments), units need not repeat notice and comment efforts.

Finally, we recognize that these circumstances represent a significant burden and will in many instances delay implementation of needed and valuable management activities or create substantial hardships for users of the National Forest System. This is regrettable, but immediate compliance with the Court's Order is imperative. The agency has and will continue to confer with the Office of the General Counsel and Department of Justice concerning the agency's legal options.

Additional information will be provided as it becomes available. Any questions regarding this direction should be directed to Deb Beighley at 202-205-1277, or Joel Strong at 202-205-0939.

Historic Green Mountain fire lookout at risk

The Green Mountain site made a list of endangered properties after a group sued to have it torn down.

By Gale Fiege, Herald Writer

DARRINGTON -- The Green Mountain forest fire lookout in the Glacier Peak Wilderness east of Darrington topped this year's list of the state's most endangered historic properties. The list is issued annually by the Washington Trust for Historic Preservation.

Last year, Trafton Elementary School in the Arlington School District was on the list. The old school building remains, but its former students attend school elsewhere.

Other buildings on the list released this week are the former Northern State Hospital in Sedro-Woolley, Tacoma's Old City Hall, the McMillin Bridge over the Puyallup River and buildings at the McNeil Island Penitentiary.



Chris Moore, field director of the Trust, said the lookout is a rare example of an original fire lookout in its original location.

The lookout was built in 1933 by members of the Civilian Conservation Corps as part of the forest fire detection system in the North Cascade Mountain Range. The lookout is on the national and state registers of historic places.

Between 1980 and 2010, a cooperative effort by volunteers and the Darrington Ranger District of the National Forest Service worked to save the lookout from sliding down the mountain.

After the rehabilitation and restoration project was complete, Wilderness Watch, a national environmental group based in Montana, sued the Forest Service, arguing that by using a helicopter to make repairs that included a new foundation, that Mount Baker-Snoqualmie National Forest officials violated the federal Wilderness Act. The act doesn't allow for the use of motorized vehicles in wilderness areas nor new construction.

Wilderness Watch seeks to tear down the lookout and have it hauled away. Outdoors groups, the Darrington Town Council and local, state and federal historical associations filed a brief with the federal District Court in Seattle hoping to convince the federal judge involved that the lookout should be saved.

George Nickas, executive director of Wilderness Watch, said the historical groups are operating under the false premise that the National Historic Preservation Act mandates preservation. In reality, it only requires that agencies consider the impacts to historic structures, he said.

Moore doesn't believe that Congress set up the Wilderness Act and the Historic Preservation Act to be in contention, and that historic considerations are indeed part of the Wilderness Act and part of the job of the Forest Service, he said.

Along with the risk of losing the Green Mountain forest fire lookout, said Moore, a successful lawsuit by Wilderness Watch could set the course for the future treatment of other historic structures in federal wilderness areas.

"It would set a precedent that would make the Forest Service wary of doing even basic maintenance on other historic structures," Moore said. "That's our concern."

For more information about the 2011 most endangered historic properties list compiled by the Washington Trust for Historic Preservation, go to www.preservewa.org. More information about the Green Mountain Lookout is at www.fs.usda.gov. And more about Wilderness Watch is at www.wildernesswatch.org.

Wenas update -

If you are considering visiting Wenas/BBQ Flats this spring either as a chapter event or as an individual rider, please first contact Jeff Jones of DNR (509-972-2862, Jeff.Jones@dnr.wa.gov) or our BCHW Public Lands representative Mike Drougas (509-930-6964, mdrougas@aol.com) in order to determine when access will be available. If you have a group over 25 individuals, you will need a permit from DNR as well. However, it doesn't help to have a permit if you can't get to the site.

In order to gain access to the DNR/WDFW trail system, you must drive across two privately held land parcels. One is, and has been gated, and one is now blocked with ecology blocks and cable. The gated access is now under new ownership, and the owners are deliberating on what (and when) they may be willing to allow recreational access. DNR, local BCHW chapter representatives, and other group representatives, are working with the land owners with the goal that they may graciously allow access this season across their property. Some of the problems in the past have been cut fences, gates left open, and general unwanted activities disrespectful of private land use.

The owners do not want every group or individual calling them and pressuring them for access. PLEASE, if you want access to BBQ Flats to be available in the future, cooperate now and work with DNR, with Mike, and with the local BCH Chapters (Wenas Valley and Yakima Valley).

Robert Gish, President
Back Country Horsemen of Washington

Sponsors

Tack Room Too



201 Lee St. SW
Olympia, WA 98501

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STOP
THURSTON COUNTY
STOP TAKING OUR PROPERTY

Glen Morgan
Project Manager

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