

THE WILD CASCADES

THE JOURNAL OF THE NORTH CASCADES CONSERVATION COUNCIL

Winter 2019



THE WILD CASCADES ■ Winter (March 2019)

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COVER: *Wenatchee River near Leavenworth* —ALICIA MAU PHOTO

The Wild Cascades

Journal of the North Cascades Conservation Council

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Tom Hammond, Ed Henderson, and Rick McGuire

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THE NORTH CASCADES

CONSERVATION COUNCIL was formed in 1957 "To protect and preserve the North Cascades' scenic, scientific, recreational, educational, and wilderness values." Continuing this mission, N3C keeps government officials, environmental organizations, and the general public informed about issues affecting the Greater North Cascades Ecosystem. Action is pursued through administrative, legal, and public participation channels to protect the lands, waters, plants and wildlife.

Over the past half century N3C has led or participated in campaigns to create the North Cascades National Park Complex, Glacier Peak Wilderness, and other units of the National Wilderness System from the W.O. Douglas Wilderness north to the Alpine Lakes Wilderness, the Henry M. Jackson Wilderness, the Chelan-Sawtooth Wilderness, the Wild Sky Wilderness and others. Among its most dramatic victories has been working with British Columbia allies to block the raising of Ross Dam, which would have drowned Big Beaver Valley.

N3C is supported by member dues and private donations. These contributions support the full range of the Council's activities, including publication of *The Wild Cascades*. As a 501(c)(3) organization, all contributions are fully tax deductible to the extent allowed by law. Membership dues for one year are: Living Lightly/Student \$10; Individual \$30; Family \$50; Sustaining \$100.

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NORTH CASCADES CONSERVATION COUNCIL

Founded in 1957

SEATTLE, WASHINGTON

THE PRESIDENT'S REPORT

WINTER 2019

It is with a heavy heart that I announce my resignation as president of the North Cascades Conservation Council. I am stepping down from the board as an active member but will stay on in an advisory role. A major life opportunity is taking me to a different mountain range—the Olympics—and I think it appropriate that I focus my conservation efforts and energy where I will be living. Many N3C board members support(ed) conservation efforts on the Olympic Peninsula and I plan to continue that tradition. I have had conversations with Olympic Park Associates and others, so don't be surprised if you see my name associated with their conservation efforts. That is not to say I won't visit the North Cascades. I plan to continue working with the North Cascade Glacier Climate Project for that field season and do other explorations on behalf of discovery and conservation. As such, I expect to continue submitting articles to *The Wild Cascades* as time and events dictate.

As a parting message, I would very much like to see forward-thinking, proactive lands protection efforts take place. There has been too much talk and planning and talk on the part of conservation organizations around the state and across the country, with no real large-scale, integrated efforts to actually protect the landscape on an eco-system or watershed basis. An example of such an effort is the American Alps Legacy Project. It shouldn't be the only effort—there are many ways to secure meaningful protections for our Cascades. This is best exemplified by recent efforts to stop mining proposals on both sides of the Cascade crest. While conservation organizations take a defensive stance in the North Fork Nooksack drainage to try to prevent a mining operation from building road(s) in Inventoried Roadless Area (IRA), still others are trying to prevent an industrial-scale mine in the Methow Valley. Those efforts ran afoul of defrocked Secretary Zinke, who failed to act on a mineral withdrawal such that the threat continues. But these threats offer an opportunity for conservation organizations to coordinate and combine efforts. Look no further than what Dan Newhouse, US Representative R-Washington said:

"As we enter a new year and a new Congress, I am determined to pursue the options available—including legislative routes—to push this effort across the finish line and protect the Methow Headwaters."

When a Republican lawmaker from our state references legislative means of land protection, we should all show great interest in making just such things happen! It doesn't have to be "exclusively" American Alps or any other effort—it can and should be a combination of ideas held by conservation organizations and other stakeholders. No one organization has the perfect idea, but together we can make a difference—if we so choose.

Another message is the value and worth of volunteerism. Be engaged in things that make the world a better place not for monetary gain or material rewards. Making a difference in a positive way just for the sake of doing the right thing is more valuable and rewarding than material compensation and provides a template for those that follow to do the same.

Let me close with some well-deserved thank yous. Thanks to the board of the N3C—what wonderful, intelligent, dedicated individuals working together to make this a better

CONTINUED ON PAGE 4

N3C leadership changes

Recent NCCC leadership changes approved by the board at its February meeting are: Phil Fenner succeeds Tom Hammond as President, Lisa Bergman is Treasurer Pro Tem, while due to their relocation Tom Hammond and Thom Schroeder will become Advisors. Ed Henderson, Carolyn McConnell and Rick McGuire were appointed to renewed 3-year terms as board members.

Now that two board members have become Advisors, two board slots are open. If you're interested in joining the N3C board, apply by email to nccinfo@northcascades.org. Please apply soon, so we can fill the vacancies quickly.

Members

If you're a member who'd like to become more engaged in NCCC's conservation activities, please contact us at nccinfo@northcascades.org or by mail at the address on our membership form. We have lots to do, and we'd like to discuss your interests with you to see how you can help!

A quick hello from the new president



Phil Fenner on trail to Lyman Lake.

Hi, this is Phil Fenner. I was elected to replace Tom Hammond as President of N3C at the recent Board meeting, as he is stepping down. Thanks to Tom for four fine years of leadership. It'll be a proverbial 'bard act to follow!' We certainly hope Tom will continue to be a crucial resource to N3C for many years.

What a privilege it is to be able to lead this unique organization. I have some ideas to enliven it a bit, which I'll be presenting in future issues of this journal, in email blasts to members and on our public Facebook page, so stay tuned.

I want to say to you our members—we need you! Please look at the NCCC Actions list in this issue and choose a couple issues you're most interested in. Then get involved by emailing nccinfo@northcascades.org and telling us about your interests. We have a lot of irons in the fire, and can use your energy and persistence.

Resistance and persistence will see us through these difficult times, I'm sure. Need inspiration? Just head into the North Cascades! See you out there!

Phil

philf@northcascades.org

Changes at Darrington

President's Report

CONTINUED FROM PAGE 3

place. Thanks too to Anne Basye and Pat Hutson—this fine publication has come so far and improved so much in large part because of their efforts and expertise. Thanks to Phil Fenner—his leadership and passion for the North Cascades will serve the N3C well.

Finally, Thank You to all of the members of the N3C—you people are what make conservation matter, and words cannot convey my deep gratitude and appreciation for you.

The Mount Baker Snoqualmie National Forest (MBS) on the western slope of the North Cascades is close to the major population center of Puget Sound and is on the leading edge of the transition from timber extraction to recreational and conservation focus for the U.S. Forest Service. The Darrington District of MBS has been and remains the site of many important and contentious issues about which N3C has challenged the Forest Service's stewardship. These include, but are not limited to, flood closure and subsequent repairs to the Mountain Loop Highway, the Suiattle River Road flood repairs, the Monte Cristo mine remediation and Superfund/CERCLA track, the potential National Environmental Policy Act (NEPA) process for Monte Cristo Area access management, the Green Mountain Lookout, Olympic Mountain goats relocation and release, the Stillaguamish Vegetation (logging, timber thinning) project, numerous other proposed timber sales and road projects.

Darrington District Ranger Peter Forbes retired from the National Forest Service in January after 40 years of Service. For the past 12 years Peter Forbes has been the first point of contact with the Darrington District. While N3C and the Forest Service rarely agreed, we always received a respectful hearing and a prompt and professional response from Peter. We wish Ranger Forbes a happy retirement and look forward to working with his replacement in a cooperative relationship. There remain many challenging issues, as the MBS National Forest's Darrington Ranger District transitions from its "get the cut out" timber economy of the past to supporting sustainable recreation and protecting the forest.

Seismic monitoring at Glacier Peak and Mt. Baker

Last year's eruption of Kilauea volcano and its impact on residents of Hawai'i brought volcanic hazards to the public attention on a scale not seen since Mt. St. Helens erupted in 1980. The Senate recently passed a public lands package (S.47) which includes provisions to increase seismic monitoring at Mt. Baker and Glacier Peak, which are minimally monitored compared to Mt. Rainier and Mt. St. Helens. Glacier Peak is our only "Wilderness volcano," and was the center of N3C's foundational conservation efforts, so we view mechanized intrusions into the Glacier Peak Wilderness with concern. Glacier Peak's violent eruptive history is similar to Mt. St. Helens and presents a similar hazard level (see https://volcanoes.usgs.gov/volcanoes/glacier_peak/), so we understand the need for more and better monitoring, but hope that modern monitoring devices to be used there won't require helicopter sorties to install and maintain. Mt. Baker is visibly active, with fumaroles rising from its crater, and also needs better monitoring. There's an opportunity to place monitors



without intruding on the Mt. Baker Wilderness by locating them within the Mt. Baker National Recreation Area (NRA) on the south flank which leads directly to Sherman Crater.

Mt. Baker. —PHIL FENNER PHOTO

Skagit River appears on USPS stamp

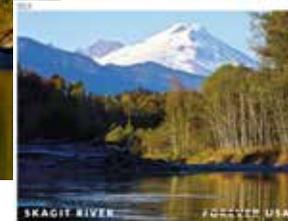
The Skagit River will be featured in the U.S. Postal Service's "Forever" stamp program in a new stamp book showcasing river segments designated as Wild and Scenic Rivers. The Skagit was the first river in Washington state to receive the Wild and Scenic designation, in 1978.



Today six rivers and streams in the state share the designation, including Illabot Creek near Rockport.

The Skagit's Wild and Scenic designation includes 100 miles of waterway from Sedro-Woolley to Bacon Creek between Marblemount and Newhalem, plus parts

The Wild and Scenic Rivers Act was passed in 1968 to recognize and protect free-flowing waterways throughout the country.



of the Cascade, Suiattle and Sauk rivers that flow in the Skagit. The photo used on the stamp, by Tim Palmer, shows a view of Mount Baker that is only visible for a quarter mile. Palmer's photo of a section of the Snake River in Idaho and Oregon is also included in the stamp series.



N3C Actions

JUNE 2018
to FEBRUARY 2019

Advocacy carried out by dedicated N3C volunteers in the last eight months to protect and preserve the North Cascades lands, waters, plants, and wildlife.



EXPANDING, ESTABLISHING, AND PROTECTING WILDERNESS AREAS

Why it matters: federal land designation as Wilderness and Park is the gold standard of ecosystem protection, precluding most damaging industrial and commercial exploitation.

- Submitted comments to the U.S. Council on Environmental Quality opposing proposed changes to the National Environment Policy Act (NEPA) limiting public input to the process.
- Signed joint letter to the Secretary of Agriculture opposing proposed weakening of the Roadless Rule in Alaska and potentially elsewhere.
- Signed joint letter opposing expansion of access to the Excelsior Mine in an Inventoried Roadless Area (IRA).
- Signed joint letter opposing the Draft Decision Notice for the Excelsior Mine Redevelopment.
- Signed joint letter to the British Columbia government opposing timber sales in the upper Skagit River Drainage
- Attended "stakeholder" and public information meetings on the Mountain Loop Highway Feasibility (Paving) Study.
- Attended the Seattle City Light (SCL) kick-off meeting in Newhalem for the upcoming Federal relicens-



PROMOTING ENVIRONMENTALLY SOUND RECREATION IN WILD AREAS

Why it matters: balancing access with economics and Wilderness preservation, we evaluate motorized use and places where it needs to be limited to reduce land impacts and recurring road repair costs.

- Signed joint letter with comments from the 11 conservation and recreation groups on the Stemilt-Squilchuck Recreation Plan Preferred Alternative.
- Contributed \$3,000 to the Liberty Bell Conservation Initiative for trail maintenance and rerouting at the heavily used Liberty Bell Spires climbing area at Washington Pass.
- Submitted letter to the Washington State Department of Natural Resources (DNR) in support of a Trust Land Transfer (TLT) in the Cascade River water shed.
- Attended a public meeting with the Outdoor Alliance (mostly recreational groups) celebrating Public Lands.
- Attended a "Town Hall" meeting sponsored by NOCA in Newhalem, presented talk on N3C in North Cascades.
- Signed another joint letter to Congress requesting inclusion of funding for the Legacy Roads and Trails in the FY 2019 budget.
- Following a ground truthing visit to the Baker Lake Road, submitted scoping comments on the proposed conversion of the last two miles from road to trail.





PROTECTING ANCIENT FORESTS AND PROMOTING RESPONSIBLE FOREST MANAGEMENT

Why it matters: like real estate, they're just not making ancient forest anymore. We seek to restore watersheds and fisheries damaged from decades of heavy logging and road building and protect significant forests from degradation.

- Submitted comments to the Bureau of Reclamation on the Kachess Drought Relief Pumping Plant (KDRPP) and Keechelus to Kachess Conveyance (KKC) Supplemental Draft Environmental Impact Statement (SDEIS).
- Submitted joint comments with 30 other organizations on the Icicle Draft Programmatic Environmental

Impact Statement (DPEIS) for dam maintenance & reconstruction in the Alpine Lakes Wilderness.

- Submitted joint comments on the Icicle Final Programmatic Environmental Impact Statement (FPEIS) for dam maintenance & reconstruction in the Alpine Lakes Wilderness.

Expanding, Establishing, and Protecting Wilderness Areas

(CONTINUED)

- ing cycle for the Skagit Hydro Electric facilities. N3C board members joined the Steering Committee and Resource Workgroups meeting throughout 2019.
- Submitted a Freedom of Information Act (FOIA) request to the Mt. Baker Snoqualmie National Forest for the record of the loan of gate keys for the CERCLA track to Monte Cristo in 2018.

Promoting Environmentally Sound Recreation In Wild Areas

(CONTINUED)

- Signed joint letter supporting the Baker Lake Road to Trail Project in 2019 EA.
- Submitted a letter questioning the need for an expanded new parking lot as part of the Baker Lake Road to Trail Project 2019 EA.



PROTECTING WILDLIFE AND HABITAT

Why it matters: from microscopic fungi to top predators, the wilderness ecosystem's living members are interdependent, so keeping viable populations of each species is essential to preserve the ecosystem for future generations.

- Signed joint letter to the Secretary of Interior and the Secretary of Commerce requesting a 60-day extension of the public comment period for the proposed rule changes to the Endangered Species Act.
- Signed joint letter to the Washington State Governor's Task Force on the Southern Resident Killer Whales to consider federal land management actions as part of their plan to recover the orca population.
- Signed joint letter to the mayor of Seattle expressing concerns about the nomination of Debra Smith to be superintendent of Seattle City Light (SCL).
- Attended a meeting on the Marbled Murrelet and the DNR EIS for logging on state lands, submitted comments in support of the strongest protection for marbled murrelets.
- Signed joint letter to the Washington State House of Representatives and Senate supporting bills regulating motorized suction dredge mining in salmon-bearing streams.



A year's progress at Liberty Bell

By Ed Henderson

The granite crags of Liberty Bell and Early Winters above Washington Pass attract crowds to these iconic spires. This spectacular area is included in the American Alps Legacy Project's proposed North Cascades National Preserve. Administered by the North Cascades National Park, the Preserve will give the area protection from development and exploitation by extraction activities such as logging or mining, protection that it does not currently enjoy. For a full description of the proposal see www.americanalps.org.

But before the Preserve is put in place, the hordes of climbers and hikers are causing a great deal of damage to the subalpine meadows leading to the base of the rock faces. A number of braided social trails have developed as people trample fragile mountain vegetation, compacting the thin soil cover, and creating ditches that lead to erosion. In the Spring/Summer 2018 Wild Cascades we reported on the Liberty Bell Conservation Initiative where both local and national recreational climbing groups were taking responsibility to repair and restore the damage to these subalpine meadows.

Building on the planning completed by the 2016 Conservation Team and Okano-

gan-Wenatchee National Forest Rangers, 2018 marked the first of two years of trail work, a year of heavy lifting. The main goal of this first year was to address the worst cases of trail damage and erosion. Work focused on naturalizing redundant social trails and building rock structures to harden and reduce erosion on the designated-approach trails. Professional and volunteer crews built 90 rock steps in eroded gullies, erected 273 cubic feet of rock retaining wall, restored 660 linear feet of social trail and constructed 1382 feet of rerouted trail.

The second season of work will continue construction and completion of the hardened trail system leading to the climbing routes on the spires. The important work this year will be closing the many braided social paths that have developed throughout the meadows. Crews will work with a Forest Service biologist to identify and plant appropriate native plant seedlings to restore vegetation in these damaged areas. Signage will be installed to direct and educate hikers and climbers to remain on the rerouted trails and avoid the closed braided social trails. Wag bag dispensing stations to encourage collection and removal of human waste will be

Liberty Bell (L) and Early Winter Spires, with Tower Mountain in the background.
—© TOM HAMMOND PHOTO

added.

N3C applauds and strongly supports the responsibility and stewardship demonstrated by the recreational climbing community. They are putting their money where their mouths and boots are. To date the Initiative has raised over \$115,000 to support this effort and fund raising continues. You can donate to the Liberty Bell Conservation Initiative today at www.accessfund.org/libertybell. You may also want to volunteer on a trail work party.

Recognizing the importance of protecting and restoring this easily accessible and very popular area in the North Cascades, N3C has made a contribution to this project, stipulating that our contribution will be used for re-vegetation of the abandoned braided social trails and other damaged areas. We have also requested that a pit toilet be installed. We hope efforts like these can restore other heavily used areas as well.

Support Morningstar Trust Land Transfer

by Fayette Krause

This year the Washington Department of Natural Resources (DNR) Trust Land Transfer (TLT) program celebrates its 30th birthday. During these 30 years the program has transferred lands for protection and recreation to the Washington Department of Fish and Wildlife, Seattle City Light, and a host of other local governmental entities. The DNR has also enriched its own Natural Area Preserves (NAP) and Natural Resources Conservation Areas (NRCA) programs immensely, by transferring Trust lands for ecological, biological, and recreational purposes into these two State-protected categories.

Present in the first round of TLT transfers in 1989 was a portion of the Morningstar NRCA, which now includes the Ashland Lakes, Greider Ridge, Mt. Stickney, and Trust land abutting the Mt. Pilchuck State Park. At 37,000+ acres, Morningstar is the largest protected area in DNR's NAP/NRCA system. Taken on its own, it is a very valuable addition to de facto wilderness, but, context being

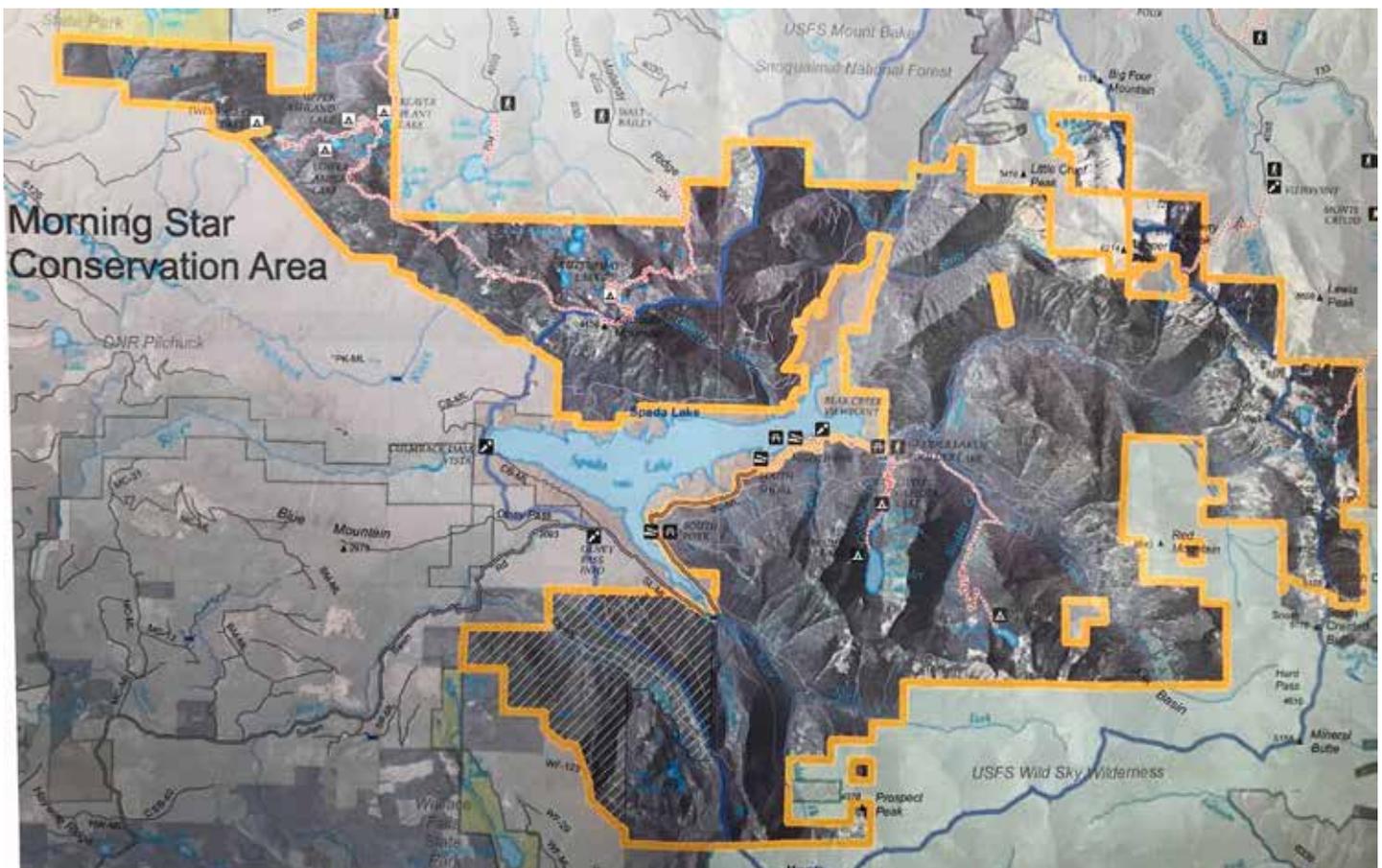
paramount, the Morningstar NRCA is much more important than this. On its eastern edge it is contiguous with both the Henry M. Jackson (102,910 acres) and the Wild Sky Wilderness (106,577 acres) areas. Add Mt. Pilchuck State Park to the west and another 1900 acres of de facto wilderness are included in this sweep of 250,000 protected acres. Finally, the City of Everett owns acreage around Spada Lake (for its drinking water source protection) that is mostly surrounded by Morningstar, so additional protected lands are included by this ownership.

This year DNR has requested almost \$30 million for the TLT program. Included among the projects is an addition of 1,090 acres to the Morningstar NRCA, the largest acreage in the DNR request. Unfortunately, the Governor's budget request is for slightly less than \$15 million, about half of what the DNR requested. While Governor Inslee's request is disappointing, the Morningstar addition is one of the four projects he included in this budget

request. We have an excellent opportunity to add more than 1000 acres to the Morningstar NRCA.

Please write your state legislator and ask that s/he support the DNR's requested appropriation figure. Specifically mention the Morningstar addition as a key project and one of only four in the DNR list of proposed projects that is included in the Governor's budget. While much of the news is disheartening concerning our wild areas, we still have a chance to move protection forward on the state level by supporting the DNR's excellent efforts to create a State system of ecologically and recreationally critical areas. Please write to your legislators today, with cc's to the DNR and the Governor.

Proposed addition to Morningstar NRCA is shown with diagonal-line shading. Map by WA State DNR.



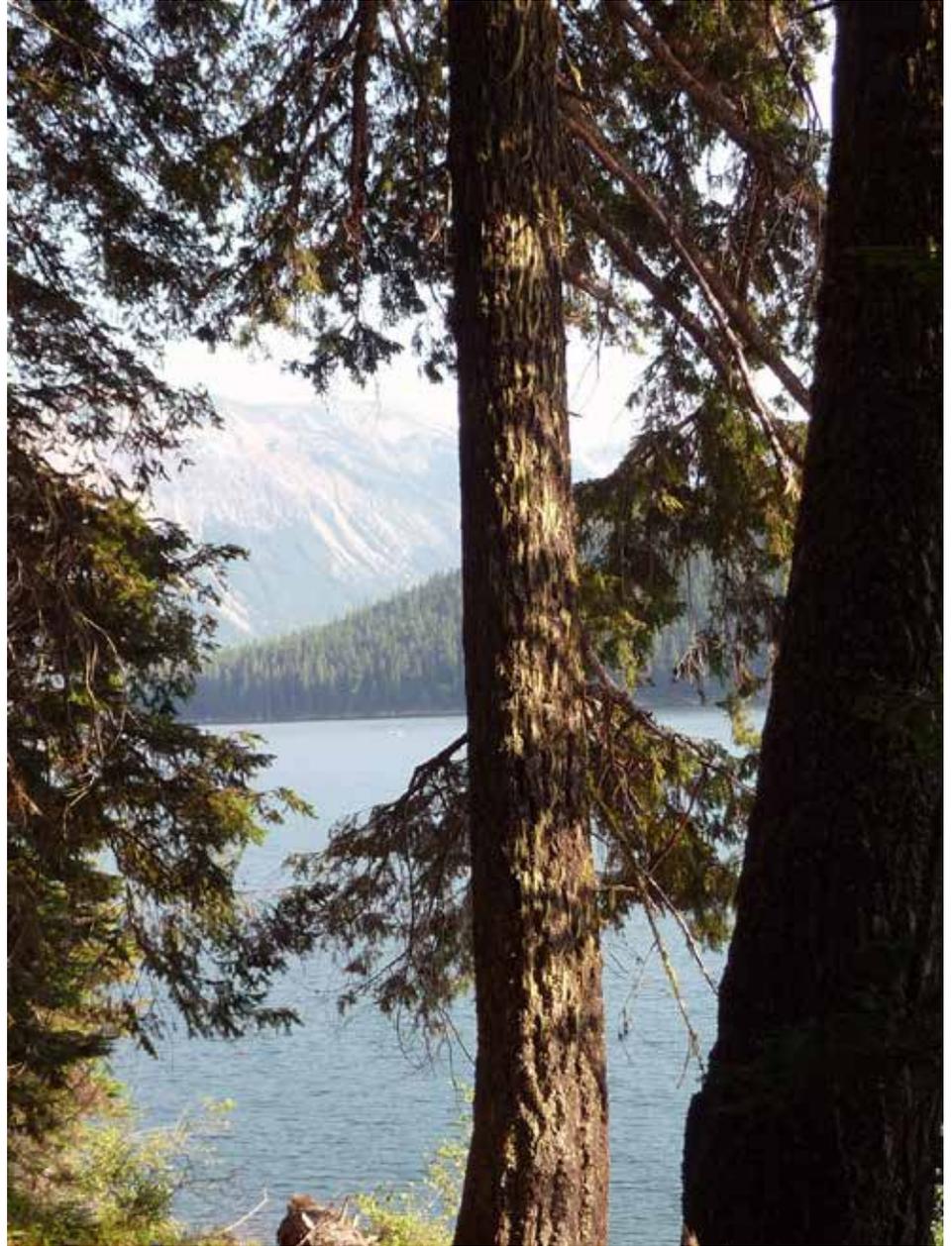
Yakima Plan authorization passes U.S. Senate in omnibus bill

N3C and other conservation organizations are continuing their active opposition to the most destructive parts of the \$5 billion Yakima Basin Integrated Plan. As previously reported (TWC Winter 2016), a benefit-cost study mandated by the Washington State Legislature concluded that most Yakima Plan storage components (including Bumping Lake, Wymer and Kachess projects) miserably fail a benefit-cost test. For example, the Wymer Dam and Reservoir project has a benefit-cost ratio of 0.09, a benefit of nine cents for every dollar spent, i.e. taxpayers would lose 91 cents for every dollar spent.

Senator Maria Cantwell's bill to authorize early phases of the 2012 Yakima Plan failed to pass in prior sessions of Congress. Only Yakima Plan supporters were allowed to testify at the one Senate hearing held on the bill; opponents were not allowed to testify. However, in early 2019 a revised Cantwell bill was included in S.47, the public lands omnibus bill entitled "Natural Resources Management Act," which quickly passed in Congress and is now at the White House awaiting signature. It would authorize implementation of the entire Yakima Plan, not just the early phases. Water conservation provisions are all voluntary. Once authorization occurs, proponents would then seek appropriations to pay for any projects.

The omnibus bill has considerable momentum because many of its components are popular (such as reauthorization of the Land and Water Conservation Fund), and the bill's bad components (such as the Yakima Plan) are avoiding scrutiny due to the enormous number of unrelated, previously unsuccessful proposals bundled into the 698 pages of the bill. Nonetheless, it is worth contacting your congressional representatives to recount the Yakima Plan's major defects and prepare them for future discussion of appropriations.

As previously reported (TWC Spring-Summer 2018), a public comment period ended in July 2018 for the Supplemental Draft Environmental Impact Statement for the Keechelus Reservoir to Kachess Reservoir Conveyance (a.k.a. the K-to-K Pipeline) and the Kachess Drought Relief



Pumping Plant. NCCC timely submitted comments. At the end of February 2019, the Yakima Workgroup said that a Final EIS for the Kachess projects is "anticipated to be released to the public in March 2019."

*Looking south across Bumping Lake toward Mt. Aix and Granite Creek area.
— David E. Ortman photo*

N3C comments on Baker Lake road-to-trail project

In January 2019, N3C submitted comments to the U.S. Forest Service on its Environmental Assessment (EA) for the Baker Lake road-to-trail project. As previously reported (*TWC* Fall 2018), the project would decommission the northern two miles of the Baker Lake Road (FS 11) and relocate the trailhead parking lot for the Baker Lake and Baker River trailheads to a new trailhead near Shannon Creek for hikers, equestrians and other visitors. Decommissioning the road will reduce potential maintenance cost as the Baker River meanders and washes out the road, and adding two miles of trail along the flat

river valley will provide an all-season opportunity for outdoor recreation.

N3C signed onto a group letter supporting the project, emphasizing support for the 2001 Roadless Rule (by avoiding construction of a new road through the Mt. Baker South Inventoried Roadless Area); support for the road-to-trail conversion; and significant benefits to fisheries habitat from moving the end of the road out of the channel migration zone of the Baker River.

In addition to participating in the group comments, N3C also submitted a separate comment letter to express concerns about

the large size of the relocated parking area to be constructed.

N3C's letter stated "We are puzzled by the proposal to increase the size of the parking lot nearly three times, from 0.9 acres to 2.5 acres. We don't see any justification for this increase in the EA. The relocated parking lot must stay completely out of the Riparian Reserve. An effort should be made to keep a functioning, hydrologically mature forest here. The construction damage can be limited while allowing for plenty of relatively cozy parking space, a turnaround for trailers, and some dispersed camping."

Icicle Work Group issues Final Programmatic EIS

As previously reported (*TWC* Spring-Summer 2018), the Icicle Work Group (IWG) released a Draft Programmatic Environmental Impact Statement in May 2018 for water management projects in the Icicle Creek watershed, seeking to construct dams and related structures on seven lakes in the Alpine Lakes Wilderness. In July 2018, N3C co-signed a comment letter submitted on behalf of 31 organizations.

In early January 2019, the IWG co-leads (State Dept. of Ecology and Chelan County) issued a Final Programmatic EIS (FPEIS). It was mostly unchanged from the draft version. Release of the FPEIS was covered in the *Wenatchee World* and the *Seattle Times*. In February, 34 organizations including N3C submitted a letter to IWG regarding defects in the FPEIS.

The letter notes that the FPEIS fails to meaningfully consider construction constraints and environmental impacts flowing from federal wilderness law. This omission is wasteful and irresponsible, and renders the FPEIS useless for subsequent environmental review of projects in wilderness. The FPEIS also fails to present an adequate water conservation plan, and fails to account for the Icicle Peshastin Irrigation District's relinquishment of some of its water rights.

At IWG's February 2019 meeting, IWG members complained about how the IWG co-leads released the FPEIS "without consensus," contrary to IWG operating rules requiring consensus. IWG member Icicle Creek Watershed Council said its main substantive issues were water conservation, climate change and wilderness impacts, and asked for a dispute resolution proceeding under IWG's operating rules.

The Irrigation District said it would like to start applying for permits by the end of March to pursue construction of a new dam at Eightmile Lake in the wilderness. The Irrigation District also said that its Automation/Optimization project (which affects seven wilderness lakes) would not be ready to start permitting processes until 2020.



Join Canadians to help save the B.C. Skagit watershed

Just as the Skagit's Wild and Scenic River designation is being celebrated by the US Postal Service, the headwaters of the Skagit in British Columbia are threatened by clearcutting in "the donut hole"—a gap of unprotected lands between Manning and Skagit Provincial Parks. The area is a centerpiece of efforts to reintroduce grizzlies to the North Cascades.

N3C, along with a number of groups on both sides of the international boundary, has weighed in against the "donut hole" logging. Seattle mayor Jenny Durkan and Washington governor Jay Inslee have also expressed their concerns about the Skagit watershed to the B.C. government.

Canada's Wilderness Committee is asking people to join them in gaining protection for this critical area by urging B.C.'s premier and ministers of environment and forest and ask them to take immediate action to:

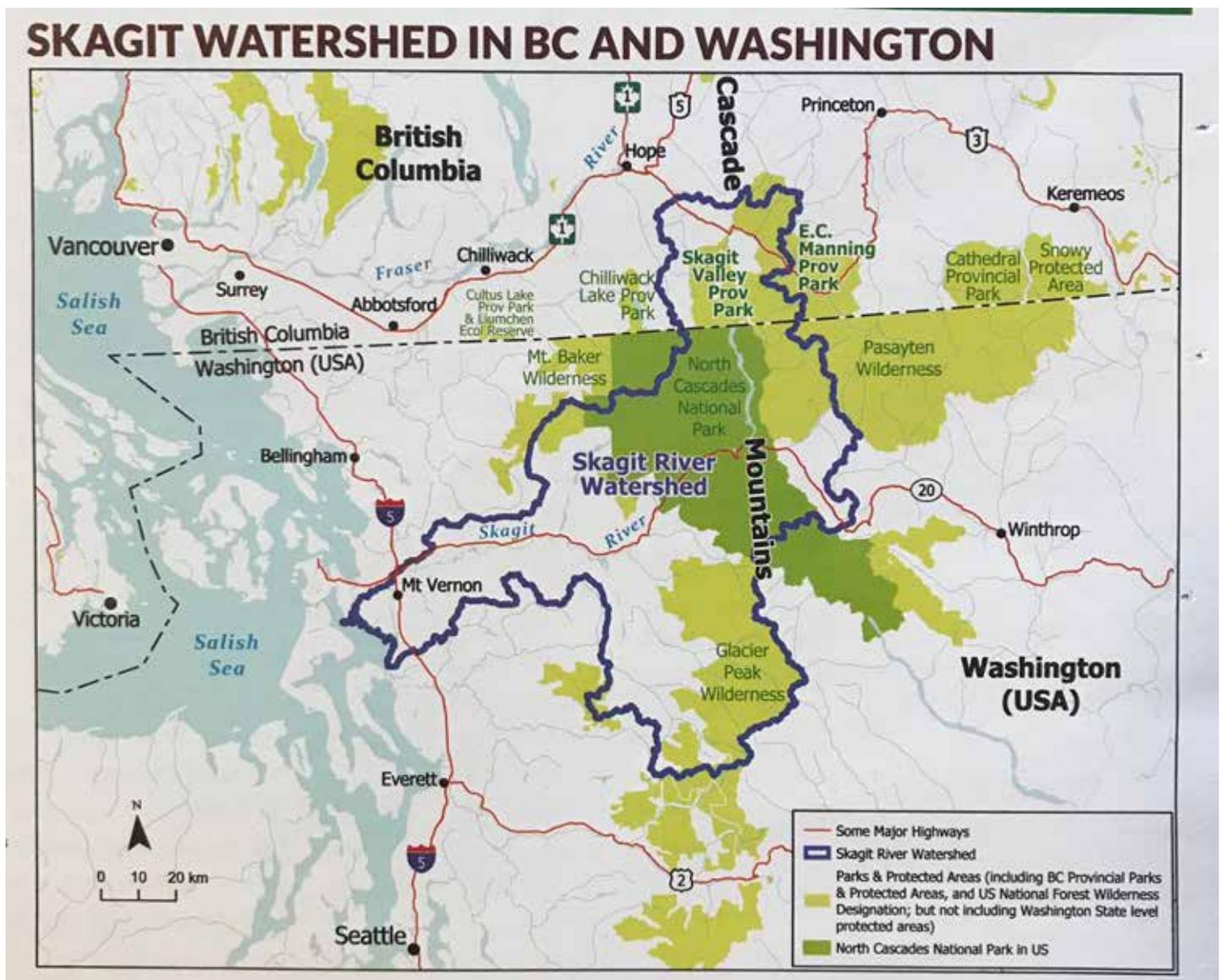
- halt all logging in B.C.'s Skagit river watershed
- secure the mineral tenure in the Donut Hole Skagit watershed to prevent mining and other industrial activities
- in cooperation with First Nations, designate the Skagit watershed and the upper Silverhope and upper Chilliwack watersheds as protected areas.

Contact:

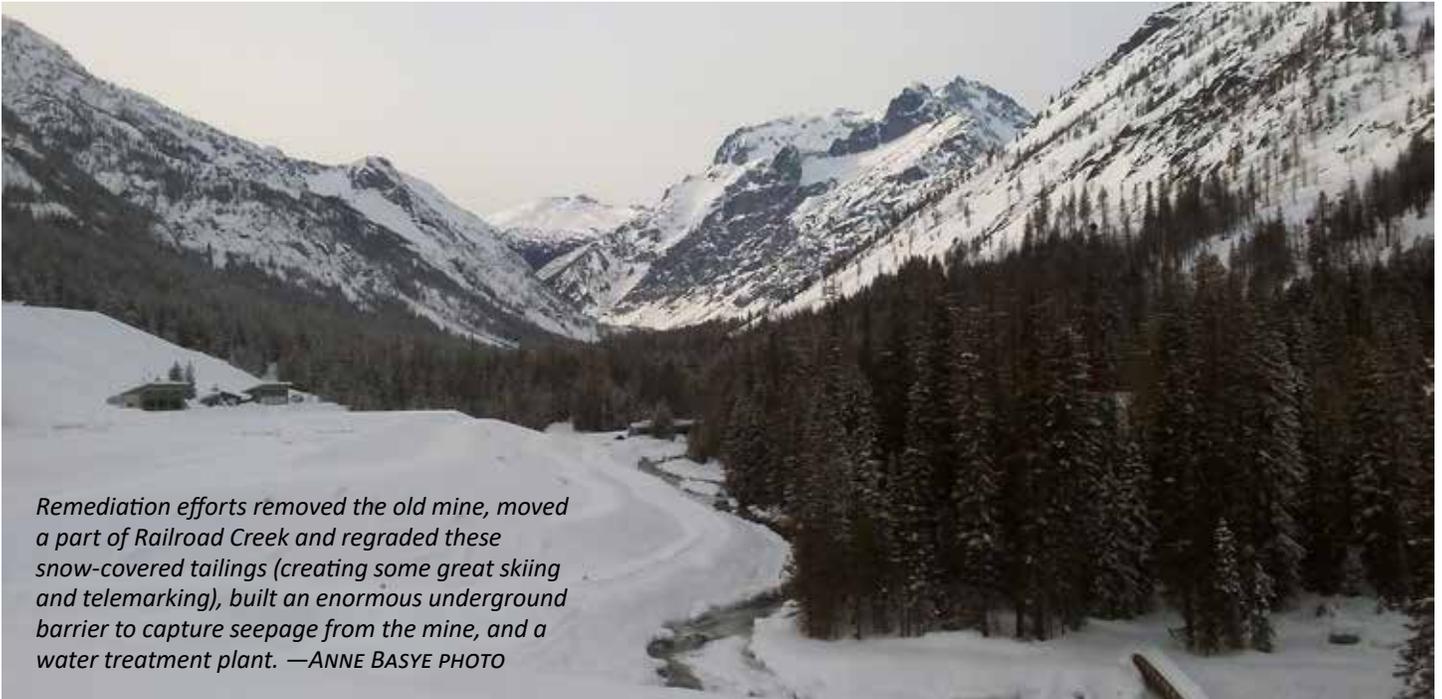
- B.C. premier at premier@gov.bc.ca or 250-387-1715
- B.C. Environment Minister at ENV.minister@gov.bc.ca or 250-387-1187
- B.C. Forests Minister at FLNR.minister@gov.bc.ca or 250-387-6240

Find more details online at <https://www.wildernesscommittee.org/publications/save-skagit>

Map by Wilderness Committee



Forest Service five-year review of Holden Mine remediation site



Remediation efforts removed the old mine, moved a part of Railroad Creek and regraded these snow-covered tailings (creating some great skiing and telemarking), built an enormous underground barrier to capture seepage from the mine, and a water treatment plant. —ANNE BASYE PHOTO

Last fall the U.S. Forest Service released its first five-year review report on the Holden Mine remediation site, to evaluate whether the construction of the past five years is performing as it should. This review studied water quality, soil contamination, and other aspects of protecting human health and the environment. The report looked at Phase 1 of the remediation project, conducted from 2013 to 2018.

Phase 1 included the majority of the remedial tasks: containment, collection, and treatment of impacted groundwater; consolidation and capping of tailings, waste rock, and some impacted soil; *in situ* soil remediation of some areas of impacted soil; surface water and sediment cleanup actions; and institutional controls. Tailings were also regraded to the angle of repose.

Key Review Findings for Phase 1 showed that:

- Construction is occurring in accordance with the requirements of the Record of Decision, the Unilateral Administrative Order and the approved remedial design.
- Water quality standards are being met for the treated water exiting the mine water treatment plant.
- Restoration work is expected to be protective of human health and the

environment when it is fully completed.

Now the U.S.F.S., in partnership with state, tribal, and other federal agencies, is implementing a plan to monitor the Railroad Creek watershed for water quality. Three years of monitoring will demonstrate whether groundwater at the site meets surface-water cleanup standards in specified locations and certain other conditions. *In situ* soil treatability studies will also be evaluated to potentially address risk to plants and wildlife in areas not amenable to conventional remedial actions.

If these conditions are met, then an Agency decision to permit either modification or elimination of Phase 2 may be appropriate. Otherwise, Phase 2 design and construction will follow in 2022-23 and include construction of an additional section of the groundwater barrier wall and correspondent collection system upgradient of the barrier.

Avoiding Phase 2 would be a boon to Holden Village, whose operations were impacted during the five-year long mediation and by the 2015 Wolverine Creek fire. The Village's summer programming is finally back to "normal" and in 2018, the Village hosted PCTers diverted by the Bannock Lakes fire, which closed the PCT between Suiattle Pass and High Bridge.

That water quality has been addressed and is being monitored at all is unusual for many aging mine sites. According to an February 19 Associated Press article in the *Seattle Times* [<https://www.seattletimes.com/business/fouled-waters-revealing-lasting-legacy-of-us-mining-industry/>], more than 50 million gallons of contaminated wastewater streams daily from 43 mining sites under federal oversight—in many cases running untreated into nearby groundwater, rivers and ponds. Of the estimated 500,000 abandoned mine sites nationwide (161,000 in 12 western states), at least 33,000 have degraded the environment, says the Government Accountability Office, and thousands more are discovered every year. Basic risk analyses have yet to be completed on about 80 percent of abandoned mining sites on federal lands.

While recent laws are holding mining companies more accountable—witness the millions that Rio Tinto invested in the Holden Mine remediation—not much has changed since the 1872 Mining Act, and under the Bureau of Land Management, Trump is seeking to consolidate mine cleanups with another program and cut their combined 2019 spending from \$35 million to \$13 million. Not good.

Find the U.S.F.S. report at https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd597777.pdf

Aquatic mining: *It sucks!*

By Dave Fluharty

Many of us have observed aquatic mining by amateur miners standing around in mountain streams with stinky generators running on the shore to power suction dredges that pull sand and gravel off the streambed to be sluice sorted for gold. According to those monitoring this activity, it occurs in areas like the Yakima Basin, Upper Columbia, Lewis River, Spokane River and Puget Sound rivers like the Skykomish, Skagit and Nooksak – even ocean beaches. As lucrative as it might sound even with today's high gold prices, it is highly unlikely that any of these modern Klondikers collects enough gold to pay for the equipment. Unfortunately this recreational pursuit is not an innocent pleasure and imposes high costs on aquatic environments. It really messes with the sand and gravel essential for spawning and rearing of many kinds of fish, disturbs other wildlife and annoys other recreationists seeking quiet and solitude in nature.

As hard as it may be to believe, Washington State (in contrast to Oregon, Idaho and California) has not banned or otherwise regulated this destructive practice. There are no regulations, permits, fees or monitoring of the process by either the Washington Department of Ecology (WDOE) or the Washington Department of Fish and Wildlife (WDFW) although WDFW has issued a Hydraulic Permit Approval for some instream dredging for Illabot Creek in the recent past. WDFW is presently engaged in (long time coming) a rulemaking that could eventually lead to the ability to issue individual permits but that does not specifically address species protected under the Endangered Species Act. WDOE, which is charged to enforce the Clean Water Act that prohibits destructive discharges into state waters, has not taken action despite recent decisions by federal courts that discharges from motorized mining must comply with the Clean Water Act.

N3C has signed on to the letter of support from some 20 environmental and fishery conservation organizations from around the state, joining with a number of Treaty tribes urging the legislature to pass legislation proposed to restrict aquatic mining using motorized suction dredging or gravity siphons in State Waters.

Originally introduced as House Bill 1261 (Senate Bill 5322) and now Substitute HB 1261 the legislature seems serious about protecting water quality and thereby habitat for endangered species of fish like Chinook salmon, steelhead, bull trout and other native fish. The Substitute bill does not call for an outright ban on this practice, but seems to accelerate the implementation of HPA authority at WDFW only in streams and rivers with Critical Habitat designated under the federal Endangered Species Act. Somewhat disconcertingly, the HPA permit is exempt from the provisions of the Washington State environmental policy act. It is unclear that WDFW is provided with additional resources to adequately perform the permitting process, monitor its implementation and enforce its provisions.

Despite N3C concerns about some of the provisions of Substitute HB 1261, if passed, it would represent an improvement over the existing unregulated aquatic mining that degrades our streams and rivers. Please give your support for Substitute HB 1261 by writing to your state senator and representative as well as:

Senator Reuven Carlyle, Chair
Environment, Energy and Technology
Committee
Washington State Senate
John A. Cherberg Building, PO Box 40436
Olympia, WA 98504

Representative Joe Fitzgibbon, Chair
Environment and Energy Committee
Washington State House of Representative
Building
308 John L. O'Brien Building
Olympia, WA 98504

Excerpts of Substitute House Bill 1261

BE IT ENACTED BY THE LEGISLATURE
OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. The legislature finds that under RCW 790.48.260, the department of ecology is directed to implement and comply with the federal

clean water act. The legislature further finds that Washington state, unlike other states and the environmental protection agency, has taken no action to regulate or limit water quality impacts from motorized or gravity siphon aquatic mining. The legislature also finds that federal courts have determined that discharges from this activity require regulation under the clean water act and that Washington's attorney general has supported such regulations in other states as necessary to protect water quality and fish species, even though such protections do not exist in Washington state. The legislature further finds that harmful water quality impacts are occurring in areas designated as critical habitat for threatened or endangered steelhead, salmon, and bull trout, including spawning areas for chinook salmon relied on by southern resident orcas.

NEW SECTION. Sec. 2. A new section is added to chapter 90.483RCW to read as follows:

(1) A discharge to waters of the state from a motorized or gravity siphon aquatic mining operation is subject to the department's authority under this chapter and the federal clean water act.

(2) The following act or acts are prohibited: Motorized or gravity siphon aquatic mining or discharge of effluent from such activity to waters of the state that has been designated under the endangered species act as critical habitat, or would impact critical habitat for salmon, steelhead, or bull trout. This includes all fresh waters with designated uses of: Salmonid spawning, rearing, and migration.

(3) A person commits the offense of unlawful motorized or gravity siphon aquatic mining if the person engages in such an activity in violation of this chapter or the federal clean water act. Such an offense is subject to enforcement under this chapter.

(4) For the purposes of this section, "motorized or gravity siphon aquatic mining" means mining using any form of motorized equipment, including but not limited to a motorized suction dredge, or a gravity siphon suction dredge, for the purpose of extracting gold, silver, or other precious metals, that involves a discharge

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Tide turning against low-power hydro?

By Rick McGuire



Sunset Falls. —THOMAS O'KEEFE PHOTO

In recent years every stream in the Cascades with enough water and drop to spin a turbine looked like it would wind up doing just that. The Cascades were on a slow but inexorable path to having stream after stream forced into pipes, at least if located anywhere with roads nearby.

But the headlong rush to put the streams of the Cascades into pipes may be slowing down. Could it be that free-flowing water will remain a common, and welcome, sight in the Cascades? Will the failure of several recent schemes mark the turning point in efforts to stop the damming and diversion of Cascade creeks?

Two recently abandoned projects offer some hope. One, calling itself Black Canyon Hydro, proposed to divert the North Fork Snoqualmie river, bypassing Ernie's Gorge at the northwestern foot of Mt. Si. That project would have generated a very modest amount of electricity at the

expense of dewatering a river in the Mt. Si Natural Resource Conservation Area (NRCA). NRCAs are the Washington State Department of Natural Resources near-equivalent of Wilderness areas.

Just how Black Canyon thought it could square the circle of dewatering a river in an NRCA, a river also designated as a "protected reach" by the NW Power and Conservation Council (NWPCC—see sidebar p. 16) is not known. Two separate government agencies would have had to bend the rules severely, and in the face of broad public opposition, for the scheme to go ahead.

Black Canyon was always a marginal proposition even under the best of circumstances. Likely the real goal was simply to milk gullible investors. Even so, just the threat of this project was a big cost in time and effort for the conservationists who opposed it, and the government employees

who had to deal with it.

Another, much larger, recently abandoned hydro project seems easier to explain. Sunset Falls was a years-long effort by the Snohomish County Public Utility District (PUD) to dam and divert the South Fork Skykomish river, dewatering Sunset Falls, a little over a mile southeast of Index.

Sunset Falls fully shared the dismal economics of virtually all "small" hydro projects. It would have generated a modest amount of very expensive power, most of it during the time of year when there is plenty of other power to go around. With a poor dam site and terrible geology, it had "loser" written all over it. It too was within an NWPCC-protected reach. Only when looked at from the perspective of the bloated bureaucracy of the Snohomish PUD does it even begin to make any sort of perverse sense.

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ANREA MATZKE PHOTO

The creation of public power entities to distribute and retail electricity was one of the great progressive efforts of the 20th century. The Federal government had built massive dams on the Columbia River that generated huge amounts of low-cost electricity...provided that the extinction of salmon runs was ignored. PUDs were established to “cut out the middlemen” of private electric companies, and deliver ultra low-cost power to homes and industry across the Northwest.

It worked well for a while. But staffing levels grew inexorably. PUDs became less about serving the public and more about serving the ever-growing number of rather handsomely paid employees.

Snohomish PUD has been one of the worst offenders in this regard. A large bureaucracy naturally seeks to keep itself in jobs. Well-placed individuals within it also have an incentive to pave their way toward landing lucrative post-retirement jobs with consultants. The Sunset Falls dam effort went on for more than a decade, and was a huge milch cow for a veritable army of consultants and “outside experts.” A classic case of scratch my back, and I will scratch yours.

If that wasn't bad enough, public power agencies are also sitting ducks for predatory lending. PUD bureaucracies face little to no public oversight. They have huge bases of captive customers who cannot buy electricity anywhere else. This makes them a perfect target for lenders eager to advance money for crazy schemes like Sunset Falls in exchange for fully guaranteed future revenues.

Lenders love PUDs because of the cheap electricity they receive from Federal dams, which for many years meant some of the lowest electric rates in the world. Thus there is plenty of room to jack electric

rates way up to service high-interest loans for ridiculous schemes like the Sunset dam. Projects like Sunset would never pass the laugh test if PUDs were still run for the benefit of their customers. PUD managers know that no one is looking closely at what they do, and that a comfortable retirement awaits them no matter what. No one ever gets fired from a PUD. The better placed among them can also look forward to a well-paid slot with outside interests if they play their cards right.

In what seemed like a miracle, the Snohomish PUD commissioners voted in April 2018 to end the Sunset effort after over a decade. No one will ever know how many millions of dollars went down the drain. Just why they chose to pull the plug can only be guessed at. Perhaps they started to sense that they were going too far. Maybe they were afraid that word of the scandal might get out, even given the sad state of investigative journalism today.

Whatever the reasons, N3C is delighted to see Sunset join Black Canyon on the list of abandoned projects. If by now there is no dam on any particular damsite, there are good reasons why. The good sites are all taken. “Modern” low-power hydro projects have appalling cost/benefit ratios. There is no lack of electricity in the Northwest. No rational, profit-seeking entity would ever attempt to put dams on these leftover sites.

It takes an unaccountable, well-funded bureaucracy to seriously pursue such projects. The Black Canyon project seemed doomed from the start, although the threat still had to be taken seriously. But Sunset Falls was a much closer run thing.

Perhaps Snohomish PUD's finger-burning experience will be a lesson to others. Perhaps Okanogan PUD took note of it when in November 2018 they backed away from going massively into debt to rebuild an old dam to produce a small amount of power at Similkameen Falls. We can hope. Public Utility Districts were a good idea decades ago. The time has come to ask if they still are.

Maybe the public, and the environment, would be better served by private electric utilities. In theory at least, private investor-owned utilities have to answer to those same investors. The need to make profits tends to put a brake on money-losing schemes. Shareholders have a voice, at least in theory, and it is harder for employees to run things strictly for their own benefit. Private electric utilities seem to be behind far fewer low-power hydro schemes.

Let's hope the terrible economics of low-power hydro will continue to discourage future schemes, wherever they may be and whoever might put them forward.

What is NWPCC?

Congress passed the Northwest Power Act in 1980, establishing the Northwest Power Planning Council. The name was subsequently changed to NW Power and Conservation Council (NWPCC).

NWPCC, based in Portland, is closely associated with, although not formally a part of, the Bonneville Power Administration. NWPCC has mostly been a governmental success story. They have taken their mandate to promote conservation seriously. As part of that, they undertook to review streams and rivers across all of Washington and Oregon to determine their suitability for new hydroelectric development. This was completed in 1988, and protected areas were designated and mapped.

Protected Areas are river and stream reaches where NWPCC has determined that “fish and wildlife values are judged to outweigh the value of electricity those areas could generate.” The designation encompasses most of the remaining free-flowing streams and rivers in the Northwest. An interesting map showing them can be found at streamnet.org.

Unfortunately, NWPCC's protected areas do not carry force of law. But they do carry a lot of weight. So far, none of these areas have been subjected to any new hydro development since their designation. But we cannot rest easy. Both Black Canyon and Sunset Falls were proposed within protected areas. Sunset Falls had a huge, lavishly funded bureaucracy pushing it. As ever, constant vigilance is required.

New round of relicensing for the Seattle City Light Skagit River Project

By David Fluharty

Members of the N3C Skagit River Project No. 553 team are gearing up to respond to Seattle City Light's (SCL) invitation to participate in a "Collaborative Study Plan Development Process" in advance of the formal start of the relicensing of its Skagit River Dams (Ross, Diablo and Gorge Dams) by the Federal Energy Regulatory Commission (FERC). FERC requires that major hydroelectric facilities obtain a license in order to operate projects on federal lands and waters. N3C has been a very active participant since the first relicensing efforts in the 1960s and 1970s when SCL included building High Ross Dam in the North Cascades. In the late 1980s and early 1990s N3C was active again in the relicensing process. N3C was successful in gaining funding for purchase of wildlife lands to offset the environmental impacts on elk and bald eagle habitats. Similarly, N3C was instrumental in convincing SCL that the construction and operations of an Environmental Learning Center (now in operation by North Cascades Institute)



Joe and Margaret Miller on Pumpkin Mountain, Big Beaver Valley

would be mitigation for significant impacts on wildland recreation. N3C Board members Margaret and Joe Miller were instrumental in developing plans for revegetation of key areas with native plants and removal of non-native invasive plants throughout the project area. These are just some of the environmental benefits gained

through efforts to mitigate for the ongoing environmental impacts of the Skagit River Project.

In December 2018, SCL issued an invitation to all interested parties to get a jumpstart on the formal FERC regulatory process, scheduled to start between October 2019 and March 2020 and result in a new license to be issued in 2025. One of the first requirements in the FERC process is specifying studies that need to be done to support and inform the evaluation process for the new license.

Four working groups have been set up. They are composed of federal and state agencies with regulatory authority over fisheries, water quality, endangered species; Treaty tribes with Treaty protected rights and co-management responsibilities; and environmental groups with interest in recreation, wildlife protection, etc. The four working groups are 1) Terrestrial Resources (wildlife, plants, invasive species) and Reservoir Erosion; 2) Fish and Aquatic Resources; 3) Recreation and Aesthetics Resources; and 4) Cultural and Historic Resources. Over the next 10-12 months working group members will propose and prioritize studies to be performed in order to obtain critical information for the mitigation of on-going environmental impacts of the Skagit River Project. A Steering Committee for the whole process is also established. It consists of a primary and alternate member from each participating organization who will provide an overview and resolve conflicts raised at the Working Group level. N3C board members will participate in all four working groups and the Steering Committee.

At the outset N3C is looking to achieve a number of its long-standing goals in the North Cascades. First, N3C wants to know that the mitigation measures taken over the last 30 years have resulted in substantial mitigation of the continuing environmental impacts of the Skagit River Project. Second, N3C wants to ensure that these gains are maintained or expanded upon over the term of the next license. Third, N3C is taking a close examination of the

Skagit River Project to determine if there were environmental impacts that were missed in earlier relicensing rounds or where new understanding of the ecosystem reveals previously unknown impacts.

How might rapid melting of North Cascade glaciers affect dam operations and wildlife? What would happen if a fire swept through a significant part of the valley?

Finally, N3C wants to ensure that the new license includes an adaptive management approach so that anticipated and unanticipated impacts brought on by climate and other environmental change can be taken into account. With respect to this last point, consider the rapid melting of North Cascade glaciers and how it might affect dam operations and wildlife. Even scarier, what would happen in the Skagit headwaters if a catastrophic fire swept through a significant part of the whole valley? N3C wants to ensure that major adjustments can be made in the license terms should these scenarios play out. SCL is aware of these threats so a collaborative process whereby all are working toward robust provisions in the FERC license is most likely to produce a successful future for the compromises made to harness the Skagit River flows for electrical energy and flood control and provision of recreation, wildlife habitat and more.



Shanker's Bend of Similkameen. —JIM SCARBOROUGH PHOTO

Another hydro scandal in British Columbia

Not only are the mountains, rivers and landscapes on a grand scale in British Columbia. So too are the scandalous follies around hydroelectric development, and the present and future costs to the province from these.

In 2002, the B.C. government opened up the province to private hydroelectric development and mandated that the provincial electric utility, B.C. Hydro, buy any new power produced, and pay far above market price for such new power. This policy can only be described as environmental and economic madness.

This lunacy is making a small number of people very wealthy. Scores of new hydro projects were built, destroying huge amounts of fish habitat, and many more are planned. The province made it impossible for local governments to do anything to stop any of these projects. The B.C. government was successful in starting a hydropower gold rush.

The bills for this madness are now coming due. B.C. Hydro is forced to pay huge sums for new power for which there is no demand. B.C. Hydro is already exporting power to the U.S. for next to nothing, and commonly shuts down its own generating facilities to avoid overloading the power grid.

The costs for this new hydro power run into the billions and will only grow as projects are built. Electric rates in British Columbia, quite low until recently, have started climbing and will continue climbing to pay for all of this new hydropower for which there is no market.

It's almost laughably tragic that such a state of affairs could come about, all under the banner of "green energy." The rivers and fish and the electric ratepayers of B.C. will be shouldering heavy costs from forced purchase of expensive power that no one wants. Forever. Another case of truth being stranger than fiction.

Enloe dam stopped

In a welcome development, the Enloe dam project at Similkameen Falls on the Similkameen River in Okanogan County has been stopped. The project would have put a new dam on the site of the long-rumbling, defunct Enloe dam. The new dam would have been hugely expensive, generated just a tiny fraction of Okanogan P.U.D.'s power needs, and sent the Okanogan P.U.D. deeply into debt to fund construction—with rate increases for P.U.D. customers.

The Okanogan P.U.D. voted in November 2018 to cut its losses and pull the plug. Perhaps the commissioners, worried about re-election, realized just what a bad deal it would have been. Opposition from conservation groups may also have been a factor. The remnants of the old Enloe dam still block salmon passage at Similkameen Falls. Conservationists hope that the P.U.D. will do the right thing and remove it, allowing salmon to once again spawn in the Similkameen.

Substitute HB 1261 CONTINUED FROM PAGE 14

within the ordinary high water mark of waters of the state.

Sec. 3.

(21) "Small scale prospecting and mining" means the use of only the following methods: Pans; nonmotorized sluice boxes; nonmotorized concentrators; and minirocker boxes for the discovery and recovery of minerals.

(26) "Motorized or gravity siphon aquatic mining" means mining using any form of motorized equipment, including but not limited to a motorized suction dredge, or a gravity siphon suction dredge, for the purpose of extracting gold, silver, or other precious metals, that involves a discharge to waters of the state.



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Heavy snowfall late this winter bodes well for stream flows this coming summer.
—PHIL FENNER PHOTO



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Kindy Creek. —PHIL FENNER PHOTO