

Values of the  
Middle Fork Clearwater and Lochsa River Corridor  
Potentially Affected by Certain Over-Legal Truck Traffic  
US Highway 12

US Forest Service  
Northern Region  
Missoula, Montana

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## BACKGROUND

In recent years several companies have proposed to use US Highway 12 as a route for hauling very large loads. The route is desirable because it has no overpasses and low traffic volume. The sizes of the loads (some loads up to 29 feet wide, 30 feet tall and 255 feet long), the associated potential traffic delays, and potential increased frequency raised concerns that Highway 12 could become a future route of choice for oversize hauling. This proposed traffic also raised questions about potential impacts on National Forest resources and social values for which the agency manages this area.

Highway 12 passes through the Nez Perce Indian Reservation and through ceded territory administered by the Forest Service (see Map 1), bringing Tribal interests including treaty rights, spiritual, cultural and traditional values and uses to this issue. Of particular concern is the Highway 12 section in Idaho that parallels the Middle Fork Clearwater and Lochsa Rivers where wild character, natural and cultural values, and social values identified in part by special designations could be impacted by long-term, frequent hauling of oversize loads. This 100-mile segment of Highway 12 – the area between Kooskia, Idaho and the Idaho/Montana State line at Lolo Pass – is referred to as “the Corridor” in this paper.

In 2009 Imperial Oil (a subsidiary of ExxonMobil) approached the Idaho Transportation Department about using US Highway 12 to transport over 200 oversized loads over a two year period with up to two loads per day. Imperial Oil funded for several improvements such as constructing turn-outs and raising power and phone lines along the route (outside of National Forest Lands) to facilitate the transport. On National Forest Lands (within the Right of Way) hundreds of trees were trimmed and a few graveled turnouts were smoothed. On April 11, 2011 Mammoet (Imperial Oil’s transport company) initiated the transport of a Test Validation Module (TVM) from the port of Lewiston headed east. Despite numerous obstacles and set-backs, the TVM finally reached the Montana border on May 9, 2011.

The TVM was unable to enter Montana beyond the Lolo Hot Springs due to litigation over Imperial Oil-proposed highway improvement construction activities in Montana. That litigation ultimately stopped construction of turn-outs on US Highway 12 in Montana and halted further transports by Imperial Oil. Approximately 30 Imperial Oil loads had been staged at the Port of Lewiston. Those loads were reconfigured into smaller loads and transported via Highway 95 and Interstate 90.

Amid the Imperial Oil transport Idaho Rivers United sued the Forest Service and Federal Highway Administration. In *Idaho Rivers United v. United States Forest Service and United States Federal Highway Administration 11-cv-00095 (D. Idaho)*. Plaintiff claimed that the “Forest Service had a mandatory duty to regulate mega-load transportation through the Clearwater National Forest and along the Wild and Scenic River corridor”. The court found that the Forest Service and Federal Highways had discretionary authority to regulate oversize loads. (“federal defendants in this case had no mandatory duty, and that their duty was merely discretionary”). The Court concluded that “the federal defendants have jurisdiction to review ITD approvals of mega-loads over Highway 12.” The court dismissed plaintiff’s claims that the

mega-loads constituted an unauthorized use under the Highway easement or any federal law because the federal defendants had made no decision on the merits of the mega-loads and there was no “final agency action” to review. The Court entered judgment “*that the Forest Service has authority and jurisdiction to enforce all relevant legal authorities . . . within the right-of-way for U.S. Highway 12 held by ITD.*” IRU v. U.S. Forest Service 11-cv-95 Dkt. No. 64. In response the Forest Service initiated coordination with the ITD regarding review protocols and initiated this corridor study.

In 2012 Omega Morgan (transporter for Resource Conservation Company International (RCCI)) approached ITD and the Forest Service about transporting seven to nine over-sized loads on US Highway 12. Citing the February 2013 court ruling, the Forest Service contacted ITD to initiate review protocols for oversized loads and requested that until such protocols could be agreed upon than no over-legal permits be issued. On August 2, 2013 ITD issued an over-legal permit to Omega Morgan and a load was transported across the state August 5 – 9. On August 7 Idaho Rivers United and the Nez Perce Tribe sued the Forest Service for not stopping the load and requested an injunction stopping additional transports. On September 12, 2013 the judge granted the injunctions and ordered the Forest Service “*to issue a Closure Order to Omega-Morgan pursuant to the Forest Service’s authority under 36 U.S.C. § 261.50. The Closure Order shall close Highway 12 between mileposts 74 and 174 to any Omega-Morgan mega-load, and shall remain in place until the Forest Service has conducted its corridor review and consulted with the Nez Perce Tribe.*” (IRU and NPT v USFS,13-CV-348-BLW, Dkt. No. 44).

## **PURPOSE AND LIMITATIONS**

This paper was prepared to identify and describe the varied values, issues, concerns, opinions and perceptions associated with mega-load traffic in the Corridor, to better understand cultural and spiritual values unique to the Corridor, and to learn what values people perceive could be affected by movement of mega-loads.

This paper is not an environmental impact study – it does not attempt to identify, quantify, or otherwise describe impacts or effects. This report identifies perceptions and concerns stated by a variety of people. No effort was made to validate, verify, or determine the accuracy of these statements. The focus is on characterizing the often difficult-to-describe social values and perceptions of this place. By identifying social and tribal values the Forest Service can better evaluate proposals and identify potential mitigation necessary to protect those values and communicate such through consultation with the Nez Perce Tribe and others. Such mitigations would be communicated to ITD for application to future permit applications. The Forest Service began this assessment and initiated government-to-government consultation with the Nez Perce Tribe in the summer of 2013.

## **HISTORICAL CONTEXT**

Highway 12 follows a deep, narrow river corridor surrounded by rugged mountain forest. Several unique congressional land use designations cover the area, attesting to the national significance of the historic as well as natural resources found within this Corridor.

Prior to white settlement, the narrow, winding river bottom made travel by American Indians very difficult. Trails through the Bitterroot Mountains, from the Columbia Plateau to the Montana plains, primarily followed the ridges to the north of the Lochsa and Clearwater Rivers. However, the river terraces and floodplain were occupied as villages and fishing camps.

The ridgetop Indian trail was the route followed by the Lewis and Clark Expedition in 1805 and 1806. Used by many others, it was improved in the 1860's to connect the gold fields of Orofino, Idaho with Bannack, Montana. It is the same route notably used by 750 Nez Perce warriors, women, and children and twice as many horses fleeing the army during the Nez Perce War of 1877.

The Nez Perce have negotiated several treaties with the United States government. In 1846, a treaty was established as part of the creation of the Oregon and Washington territories. Soon thereafter, in the Treaty of 1855, the Nez Perce Tribe ceded 7.5 million acres of tribal land and reserved fishing, hunting, gathering and pasturing rights in their usual and accustomed places off-reservation. The western Gold Rush and settlement precipitated a third treaty in 1863, which further reduced the size of the reservation and was the partial cause of the Nez Perce war with the United States military in 1877. The Nez Perce flight into Montana territory followed an ancient and well-used pedestrian and equestrian travel route through the Bitterroot Mountains.

By the turn of the 20th Century, settlement was limited to a few areas in the Corridor. The ancient Indian route high above the river was eventually turned into a primitive wagon road by the Civilian Conservation Corps in the 1930's. Travel along the rough and rocky river bottom was confined to segments at the eastern and western ends of the Corridor serving local needs.

## **US HIGHWAY 12 – IDAHO SEGMENT**



Constructed in various stages starting in 1916, the link connecting US Highway 12 from the Washington/Idaho border to the Montana border was dedicated in 1962 and paving was completed in 1964.

Highway 12 is an east-west highway, running from Grays Harbor, Washington to Detroit, Michigan, a distance of nearly 2,500 miles. The principal purposes for completing the Idaho segment were commerce and recreation. For commerce, this segment would provide a more direct transportation corridor between Montana and points east with the port of Lewiston, Idaho (which opened in 1975 and is the furthest inland port for the west coast). The recreation aspect was recognized in part by the 1968 designation of the Middle Fork of the Clearwater, Lochsa, and Selway as original components of the Wild and Scenic River system.

Senators Frank Church of Idaho, and Al Gore Sr. of Tennessee were among the major sponsors of funding for the highway project and the Wild and Scenic River Act. Both spoke at a 1962 dedication ceremony for the completion of the Idaho to Montana segment of Highway 12.

Senator Gore: *“Blasting powder, engineering prowess, political acumen and the determination through many years have at last produced an all-weather road through terrain once determined impassable. They also have fashioned a throbbing artery of commerce; a scenic wonder and a fitting fulfillment of the dreams of four generations of patient but determined men – a Monument and a Gateway to the Sea.”*

Senator Church: *“The new route east plus the accelerated coming of slackwater gave Lewiston one of the greatest potentials of any city in Idaho.”*  
*“I believe the Lewis and Clark [Highway 12] will be an important tourist attraction as well as an important thoroughfare for commerce. It has recreational as well as economic value.”*

As a thoroughfare, Highway 12 remains important for local and regional travel and recreation. The character of the highway segment passing through the National Forest has not changed significantly since the paving was completed in 1964 (in terms of alignment or lane width), but Highway 12 remains an important thoroughfare for local and regional travel. Idaho Transportation Department operates the highway as part of the National Highway System. The National Highway System has been determined to have the greatest national importance to transportation, commerce and defense in the United States (Idaho Transportation Department, August 12, 2009, Technical Report 5, Highway System Classification (Functional Classification)). This system of highways represents 4% to 5% of the total public road mileage in the United States. Highway 12 has a functional classification of “Principal Arterial – Other Rural”.

## **Agency Roles and Responsibilities**

### **Idaho Transportation Department (ITD)**

ITD is responsible for the planning, location, design, construction and perpetuation of a safe and efficient public highway system needed for the benefit of the public in accordance with Title 23, U.S.C. ITD is also charged with ensuring that social, economic and environmental effects are considered in the planning and design of highway construction and projects are in the best overall interest of the public. ITD operates Highway 12 as part of the Federal Aid Highway System. ITD was granted a Highway Easement Deed by the Federal Highway Administration in 1995. The Highway Easement Deed specifies terms and conditions for the use of the right of way. ITD’s jurisdiction over Highway 12 operation and maintenance includes permit responsibility for over-legal sized loads. ITD is responsible for the daily operations of the roadway including debris and snow removal, safety and signage.

### **Federal Highway Administration (FHWA)**

The FHWA administers federal highway funding and conveys United States Department of Transportation (USDOT) highway easements to the states for the interests in Federal lands

(including NFS lands) in accordance with Title 23 U.S.C. The FHWA is the lead agency for implementing the National Environmental Policy Act of 1969 (NEPA), as amended, and the Council of Environmental Quality NEPA regulations of 40 CFR 1500-1508, as they relate to highways.

### **Forest Service**

The USFS is charged with the protection and multiple-use management of NFS lands and resources for the use and benefit of the public. USFS has also been charged with the administration and protection of special Congressionally-designated areas such as Wild and Scenic Rivers and Wilderness areas within NFS lands.

Adjacent to the highway, the Forest Service has developed and managed the non-highway public infrastructure and resources on National Forest System land within the Corridor for fire protection, vegetation management, and recreation.

The Forest Service also holds scenic and conservation easements on most private lands within the Corridor. These easements, authorized by the Wild and Scenic Rivers Act, restrict the amount and types of residential and commercial development, vegetation management, and topographic changes on the properties (but not on the ITD right-of-way for Highway 12). The highway right of way is excluded from most of these easements.

Within the Corridor there are at least 13 Forest Service road intersections which provide access to areas adjacent to and beyond the Corridor. Much of that area accessed is identified as Idaho Roadless Areas or within the Selway-Bitterroot Wilderness, but about a third of the area to the north is multiple use forest land managed for a variety of forest resources including timber production, fish and wild life habitat and recreation. There are over 20 developed campgrounds, trailheads, river access points and picnic areas, and a handful of interpretive sites immediately adjacent to the highway.

### **Over-Legal Sized Load Traffic**

A proposal from Imperial Oil (a subsidiary of ExxonMobil) to transport hundreds of over-legal sized loads over a two- to three year period triggered public and Agency concern over increased frequency of this traffic. In response to the February 2013 ruling, the Forest Service proposed to ITD that any over-legal sized load exceeding 16 feet wide or 150 feet long would require additional review by the Forest Service. Those dimensions match ITD's criteria for requiring a Traffic Control Plan from the transport company. ITD's records since 1999 show that loads exceeding these dimensions are not new for Highway 12 and that 157 such loads have travelled the Corridor in the past 14 years.

The following table summarizes over-legal permits issued by ITD where the vehicle and cargo met or exceeded the 16 feet wide or 150 feet long criteria. See Appendix C for details.

**Count of ITD Permits for Highway 12  
Loads 16' or Wider or 150' or Longer**

1999	4	2007	7
2000	7	2008	19
2001	7	2009	1
2002	6	2010	4
2003	33	2011	27
2004	4	2012	27
2005	0	2013	2
2006	9	<b>Total:</b>	<b>157</b>

## NATIONAL DESIGNATIONS WITHIN THE CORRIDOR

Although the 1964 completion of US Highway 12 opened the area for more use, the Corridor's wild and remote character and related scenic, natural and cultural values still remain. The **Selway-Bitterroot Wilderness** was designated in 1964 and the **Wild and Scenic River (WSR)** was designated in 1968. The historic trail system on the ridge above the river was recognized as the **Lolo Trail National Historic Landmark** in 1966; the Lewis and Clark Expeditions' route was designated by Congress as the **Lewis and Clark National Historic Trail** in 1978; the Nez Perce War route was designated the **Nez Perce (Nee-Mee-Poo) National Historic Trail** in 1986. Later three trails immediately adjacent to the highway were designated as **National Recreation Trails**. The quality of the scenic and historic resources combined with the Wild and Scenic River designation supported the designation of US Highway 12 in Idaho as a State Scenic Byway in 1989 and as a **National Scenic Byway and All American Road** in 2005.

Individually these designations speak to the high quality resources found in the Corridor. Together, they are evidence and the national significance of this place. Each of the designations are described below and their locations are shown on Map 2.

### **Wild and Scenic River: Middle Fork Clearwater, including the Lochsa and Selway Rivers**



*It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected*

*for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dams and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.* (Wild and Scenic Rivers Act, October 2, 1968).

The Middle Fork Clearwater System, including the Lochsa and the Selway Rivers was one of eight rivers designated in the 1968 Wild and Scenic Rivers legislation (P.L. 90-542). When introducing the bill on the Senate floor, Senator Frank Church, principal sponsor of the bill remarked that, *“in areas of mountain-locked grandeur streams where the water still runs pure and free, we should seek to preserve our finest untamed streams by including them within a national rivers system.”* Designation of the Middle Fork System was in direct response to the proposed Penny Cliffs Dam located about 4 miles east of Kooskia, Idaho.

Approximately 87 of the 185 miles of the Middle Fork Clearwater System parallels US Highway 12. This includes the Middle Fork Clearwater River segment from where it enters the town of Kooskia, Idaho (Milepost 75.2) upstream to Lowell, Idaho (Milepost 97) and the Lochsa River from its junction with the Selway River at Lowell, Idaho upstream to the Powell Ranger Station (Milepost 161.8). Both segments are classified as “recreational,” which recognizes that this section of river is readily accessible by road and may have some development along the shoreline.

As the agency responsible for managing this WSR, the Forest Service administers the river “in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeological and scientific features.” Section 10(a) 1968 WSR Act. A Resource Assessment completed for these Rivers (as part of the Snake River Adjudication) in February, 2002 clarified the outstandingly remarkable values as: scenery, recreation, fish, water quality, wildlife, vegetation/botany, prehistory, history and potentially traditional/cultural use. Some of those values that make this river corridor unique are inherently social. Scenery and recreation are discussed below. History is addressed later in the National Historic Landmark section.

## **Scenery**

The initial Wild River Study (1964) completed by the Forest Service prior to designation identified the Lochsa’s *“narrow bottom steep-walled canyon that possesses a beauty difficult to describe with words”* as *“outstanding features.”* The study identified that the number one purpose for recreation visits to the Corridor was *“general enjoyment and sight-seeing.”* From its

mouth upstream approximately twenty miles, the Lochsa flows through a gorge referred to as Black Canyon with towering granite walls and cascading waterfalls that become focal points during the rainy fall and spring periods. Many rock outcroppings and a steep gradient result in numerous rapids in close proximity to each other. The river becomes gradually steeper as the visitor travels east, providing a series of more than sixty major whitewater rapids, many of which are visible from the highway. It is common during spring runoff to see numerous cars parked in turnouts while the occupants observe the huge waves and roiling whitewater as kayakers and rafters attempt to negotiate the rapids.

For nearly the entire length of the Lochsa River, the natural beauty of the river and its environs are uninterrupted. The only developments, aside from US Highway 12, are minor recreation structures associated with campgrounds and trailheads found along the river's edge (outhouses, picnic tables, fire rings and hitching rails). These rustic structures have been designed to be generally unobtrusive. There is an increase in development as one travels down river to Lowell (population 23) where there is the Flemming Highway Maintenance Station, a Gas Station, two Cafés, two Hotels, cabin rentals, and outfitted rafting. Traveling even further west is the small hamlet of Syringa where about 40 residents live and there are rental cabins, a café and outfitted rafting, hiking and biking. The beauty of the river and the hillsides are easily viewed from the road and from roadside pull-offs.

## **Recreation**

The primary recreation activities on and adjacent to US Highway 12 within the Corridor are driving for pleasure, river rafting, kayaking, fishing, hunting, camping, swimming, Wilderness trail access, National Historic Trail auto-touring and historic and natural resource interpretation. Within the 100 mile Corridor there are nine Forest Service Campgrounds, nearly 100 primitive camping sites, four picnic areas, eight developed Trailheads, over a dozen primitive trailheads, and two visitor centers.

Recreational opportunities in the Corridor are considered of national significance. Visitors are willing to travel long distances to use the river resources for recreational purposes, such as sight-seeing, wildlife observation, camping, photography, hiking, fishing, hunting and boating. The Lochsa River is internationally renowned as a premier whitewater river. Floating on the Lochsa River does not require a permit. Five outfitters provide rafting opportunities. The non-outfitted public use, particularly kayaking, has increased substantially over the past ten years. Highway 12 provides the primary access for whitewater adventures. There are six developed put-in/take-out sites and several undeveloped access points located within campgrounds, at trailheads and simply road-side. The river corridor provides ample opportunity for single and multiple day float trips.

Fishing also is very popular on the Lochsa and Clearwater River. Anglers flock to the area to fish for resident Westslope cutthroat and anadromous steelhead and Chinook salmon. Fishermen from both Idaho and out-of-state provide an important component to the local and state economy. A 2003 Idaho Sport Fishing Economic Report shows that in 2003 anglers spent over \$3,000,000 on fishing trips on the Lochsa River.

The highway corridor is often constrained between the river and steep slopes creating a scarcity of flat ground available for recreational use outside the highway easement. This limitation increases the importance of the existing turnouts as a means to access the adjacent river and national forest lands. Many of the turnouts alongside the Rivers provide access for boaters, fishermen, and wildlife or recreation viewing. The turnouts also are important for drivers to get off the road for emergencies or simply to take a break from driving the winding, narrow road. Visitors have the ability to immerse themselves into a natural setting just yards from the highway. That experience is rare.

### **National Historic Landmark: Lolo Trail, and National Historic Trails: Lewis & Clark and Nez Perce**



The Lolo Trail was the ancient route used by Native Americans to travel across the Bitterroot Mountains. It was a system of routes that used the network of ridges high above the river because the river bottoms were too rocky and virtually impassable. This route was the general route followed by the Lewis and Clark

Expedition in 1805-1806. This same route was later surveyed in the 1860's for the construction of an engineered road. Although the route proved to be too expensive and difficult for a road, it continued to be used as a pack trail to travel from Idaho to Montana Territory for nearly 70 years. It was this route that was followed by the Nez Perce during the Nez Perce War of 1877. Because of the multiple historic events that occurred in and around this area, a ten mile wide corridor was designated as the Lolo Trail National Historic Landmark in 1966.

The historic routes of the Lewis and Clark Expedition and the Nez Perce War of 1877 were designated National Historic Trails in 1978 and 1986 respectively.

Although the actual historic trails only cross the highway in four locations, the entire Highway 12 route from Lewiston, Idaho to Lolo, Montana is a designated auto-tour route for both national historic trails. These auto tour routes have been developed with interpretive wayside signing, brochures and audio tapes to aid in the experience and education of travelers who wish to follow in the footsteps of these historic events, yet stay on a well-travelled path.

In addition to these nationally recognized trails, some 119 cultural sites are currently identified in the Corridor. Of this total, 46 contain evidence of American Indian occupation. The time periods or types of uses at these sites are poorly known because most cultural resources have received little, if any, investigation. It is likely that some are archaeologically or historically significant, especially those occupied repeatedly over a long time period. Such sites are potentially eligible for inclusion in the National Register of Historic Places.

For purposes of meeting compliance with the National Historic Preservation Act (NHPA) for various agency projects, approximately six percent, or about 9.7 river miles, of the Corridor from Kooskia to Lolo Pass has been surveyed for cultural resources by archaeologists.

To date, no Traditional Cultural Properties (TCPs) have been designated within the Corridor. As defined by the National Historic Preservation Act, a TCP is a place associated with cultural practices or beliefs of a living community that are rooted in that community's history, and are important in maintaining the continuing cultural identity of the community. The Forest Service acknowledges that the Nez Perce Tribe regards the Lochsa Corridor as a TCP and has requested that the Forest Service proceed with a formal National Register of Historic Places TCP evaluation. As a result, the Forest Service has committed to performing this TCP evaluation with the Nez Perce Tribe in accordance with the National Historic Preservation Act and other applicable federal law, agency policy and guidance. No Sacred Sites, as defined in Executive Order 13007, have been brought to the attention of Forest Service managers by tribal people within the Corridor. Absence of such designations does not imply that the Corridor does not have such traditional values or religious uses.

In addition, two historic properties within the Lochsa River Corridor are listed on the National Register of Historic Places: the Powell Ranger Station and Lochsa Historical Ranger Station. A third property, the Canyon Creek Internment Camp, where Japanese Americans were held for several years after the bombing of Pearl Harbor, is likely eligible for listing in the National Register.

The Forest Service has installed over 25 interpretive signs and kiosks, primarily in turnouts along Highway 12 from Kamiah, Idaho to Lolo, Montana. Two visitor centers, Lolo Pass and the Lochsa Historic Ranger Station, provide exhibits and tours interpreting the historic and cultural resources found within the Lochsa River corridor. There are also several other interpretive signs that have been installed by the Idaho State Historical Society.

Highway 12 in the Corridor was built before cultural resource surveys were a federal legal requirement. The extent of disturbance to cultural resources within the highway bed and easement are not fully known.

## Wilderness: Selway – Bitterroot



The Bitterroot Mountains form a rugged, glacier-carved border between Idaho and Montana. On both sides of this border is the Selway-Bitterroot Wilderness. Designated in 1964, the Selway-Bitterroot Wilderness was one of the first Wilderness areas to be designated in the nation and today with 1.34 million acres it is the third largest Wilderness in the Lower 48.

The values and qualities of Wilderness are preserved for future generations. These qualities include undeveloped, untrammeled, natural, and outstanding opportunities for solitude and primitive recreation, and other features including cultural-historic.

Except for the high crest of the Bitterroot Mountains, the area is dominated by ridges broken with raw granite peaks. Below the ridges are deep canyons covered with thick coniferous forest. Hidden low valleys are rich with old-growth cedar, fir, and spruce, with Ponderosa Pine dominating open grassy slopes along the rivers. Few humans visit the huge trail-less interior portions of this Wilderness, which provides habitat for the Selway elk herd, plus deer, moose, black bears, mountain lions, and wolves.

Within the Corridor the Selway - Bitterroot Wilderness is located immediately adjacent to the Lochsa River between Old Man Creek and the Lochsa Historic Ranger Station, a distance of about 6 miles. East and west of this area the Wilderness boundary is located 2-5 miles off the river and to the south. Along the Corridor there are five rustic bridges that provide access to the Selway –Bitterroot Wilderness. Visitors travel Highway 12 to access these bridges and initiate and conclude their Wilderness journey.

## National Recreation Trails



The National Trail System Act of 1968 (Public Law 90-543) authorized creation of a national trail system comprised of National Recreation Trails, National Scenic Trails and National Historic Trails. Forest Service National Recreation Trails are designated by the Secretary of Agriculture to recognize exemplary trails of local and regional significance. Through designation, these trails are recognized as part of America's national system of trails. There are 1,000 trails designated in the United States.

Within the Corridor there are three designated National Recreation Trails. The **Major Fenn NRT** is about 0.6 miles long, is located at about Milepost 107.5 and travels through the unique coastal disjunct vegetation found here. The **Lochsa River Historic NRT** is 16 miles long and parallels Highway 12 on the north side between Split Creek Trailhead (Milepost 111) and Sherman Creek (Milepost 123). The Lochsa River Trail follows the path that early pioneers and

Forest Service workers took to access the Lochsa Historic Ranger Station and points beyond. The **Colgate Licks NRT** is a 1.25 mile long loop, is located at about Milepost 148 and travels through a stand of old and burned Western Red Cedar and through a warm spring. It is reported that George Colgate, a cook for the William Carlin hunting party (circa 1893), is buried here.

## Scenic Byway and All American Road: Northwest Passage



In 1989 a 90-mile segment of Highway 12 and Idaho Highway 13 was designated one of Idaho's first state scenic byways, the result of a coalition of area chambers of commerce, business owners, and legislators. In 1997, the North Central Idaho Travel Association developed a corridor management plan (CMP) as a basis for transportation safety, signing, and interpretation on the then-named *Clearwater Canyons Scenic Byway*.

In recognition of its nationally significant scenic, historic, cultural, archaeological, natural, and recreational qualities, this byway was subsequently renamed, expanded, and designated the *Northwest Passage Scenic Byway*. The 202-mile motorway now extended from Lewiston to Lolo Pass on Highway 12 and from Kooskia to Grangeville on Idaho Highway 13.

The Clearwater Economic Development Association reestablished the Northwest Passage Scenic Byway advisory team in 2004. Representing state, federal, tribal and local governments, the team revised the CMP and led a successful bid to the Federal Highway Administration (FHWA) for its 2005 designation as an All-American Road.

As of 2011, only 31 of 151 national scenic byways are designated All-American Roads. This status recognizes the national significance of the Northwest Passage Scenic Byway, whose superlative qualities merit it as a destination unto itself. The byway envelops similarly rare federal designations reflecting a rich heritage: the Lewis & Clark National Historic Trail; the Nez Perce (Nee-Me-Poo) National Historic Trail; the Lochsa Wild & Scenic River; the Lolo Trail National Historic Landmark; and sites comprising the Nez Perce National Historical Park.

Additional attributes of All-American Road status are:

- High level of visitor expectations for an integrated visitor information system, quality site amenities, compelling interpretation and outstanding customer service byway-wide.
- Protection of intrinsic qualities: scenery, historic/cultural sites, recreation access and facilities, and archaeological sites.
- Continued partnerships to retain these values between public, private, tribal and nonprofit organizations at the local, regional, state, and federal levels.

The Northwest Passage Scenic Byway is marketed as one of the premier scenic driving destinations under the *Top 10 Scenic Drives in the Northern Rockies*. The website of this interstate and international marketing initiative, [www.drivethetop10.com](http://www.drivethetop10.com), was funded and developed by a consortium of federal, state, and local government agencies, local tourism businesses, and the FHWA's *America's Byways* program. The Northwest Passage Scenic Byway is one of the "TOP TEN" in the Northern Rockies region due to its diversity and intrinsic value.

## **NEZ PERCE TRIBE TREATY RIGHTS**

Long before European settlement and the establishment of the United States, the Nez Perce Tribe occupied and used over 13 million acres in present day Idaho, Washington, Oregon and Montana. In 1855 Tribal leaders negotiated a treaty with the United States (12 stat. 957 (1859)). In Article 2 of the 1855 Treaty the Tribe reserved to itself, and the United States secured, "the right, in common with citizens of the United States, to travel upon all public highways." In Article 3 of the 1855 Treaty the Tribe also reserved the exclusive right to take fish in streams running through or bordering the Reservation, and "the right to fish at all usual and accustomed places in common with citizens of the Territory; and of erecting temporary buildings for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed lands."

As an agency of the United States, the Forest Service works closely with the Nez Perce Tribe to provide for the exercise of reserved tribal treaty rights.

## **VALUES AND PERCEPTIONS**

Two separate social assessments were conducted in August and September of 2013; one involved members and leaders of the Nez Perce Tribe, and the other involved several other communities of interest and communities of place. Both followed an ethnographic approach, first identifying key representatives of the communities, then following a prepared protocol to guide discussions with those representatives. The results are identification of topics and description of values presented directly by these representatives. They identify a range of values and perceptions, characterized by the holders of those values themselves, but make no attempt at validating or weighing relative strength of differing opinions such as occurs in a quantitative survey. See Appendices A and B for details of methods, participants, and literature cited.

## Nez Perce Tribal Values

### The Corridor and the Nez Perce: Historic Context and Background

*“Many cultures don’t seem to recognize how the physical and spiritual go hand in hand. Other cultures see them as being separate... For Indian people those concepts have never been separate”* (Jamie Pinkham, in *Salmon and His People*).

The Nez Perce are intimately tied to the Clearwater River basin. The Nez Perce people describe themselves as being “of” this place. The Nez Perce, who call themselves *Nimiipuu* (The People), pinpoint their place of origin at Heart of the Monster, a site just a few hundred feet from Highway 12 in Kamiah, Idaho.

In 1855 to accommodate westward expansion, the US Government negotiated a treaty with the Nez Perce in which the Tribe ceded some of their territory, yet reserved specific rights to hunt, fish, gather and pasture livestock on “open and unclaimed” lands.

Today, those open and unclaimed lands are public lands managed in part by the Forest Service. While subsequent treaties further reduced the size of the original 1855 reservation, those rights reserved in Article III of the 1855 Treaty were never extinguished.

The Nez Perce Tribe describes a desire “to continue to practice our spiritual ways because those sacred ways are inseparable from the land we love and the water we use and the air we breathe. Unfortunately, to this day the connection that we believe exists between all things, what some call the sacred web of life, is still misunderstood” (*Treaties: Nez Perce Perspectives*).

Nez Perce Elder Otis Halfmoon described the old term, *ha-laal ha-laal tah-mahl-wit*, or “invisible law” that the Creator gave to everyone and everything, including people, animals and elements. This law tells the geese when to fly south, the salmon when to return to the ocean, the wind when to blow. Everything, says Halfmoon, is alive and has power or spirit. The Nez Perce way is to learn the lessons provided by these spirits.

Several Nez Perce, including Mr. Halfmoon, described the importance of historic and modern travel routes to keep traditional practices alive. A journey is rarely just for a single purpose, like fishing or hunting. Instead, a journey would likely include multiple activities like hunting, fishing, root and berry gathering, and would require camping along the way. Past generations would make seasonal rounds traveling the ridge top route now known as the Lolo Trail and drop down to important sites along the river. One man explained that to accommodate modern necessities like jobs and schooling, Nez Perce now travel Highway 12 to access important fishing, hunting and gathering sites. Another woman agreed Highway 12 is the connection to the Plains and Plains People. “It’s our modern Nez Perce Trail.”

It was conveyed how even today, when families travel Highway 12 to Montana to hunt bison, commemorate 1877 War battles or even for business or shopping trips, they stop to collect foods, medicines and to pray. Knowledge about best places to stop or how and where to pray has been passed down through many generations. This traditional knowledge is closely guarded by families. If they were to travel to other areas within their ceded territories, they would not

necessarily know the best spots. That information would be closely guarded by other families familiar with those areas.

We heard that very little of the existing Nez Perce Reservation or Nez Perce ceded territories offers what this corridor does. What may have at one time been similar areas were heavily developed over time. The North Fork Clearwater, for example, was dammed in the early 70s, flooding 53 miles of similar terrain and cultural sites, and extinguishing the once prolific salmon runs that were a critical part of the Nez Perce culture and connection to that drainage. The South Fork Clearwater has been heavily developed for agricultural uses and much is privately owned.

We also heard that ancient Nez Perce travel routes have been replaced by today's modern highway systems, including much of what is now Highway 12. These routes were, and still are, considered important commerce routes by Nez Perce and neighboring tribes. Mr. Halfmoon describes commerce as "our way of existing and growing as a people; we shared food, culture, religion, medicine." He conveyed that commerce is not about profit or accumulation of wealth or belongings. It is more about gaining what you need to survive (food, clothing, shelter), accumulating knowledge, and expanding a network of family and friends.

As described by the Nez Perce Tribal Executive Committee (NPTEC) in a September, 2013 briefing paper, "these activities are not symbolic; it is through these activities that the Tribe's ancestors and progeny have sustained their physical health, strengthened family and Tribal consortiums, and celebrated the Creator."

In an interview for a resource protection video during the Lewis & Clark Bicentennial commemoration, Nez Perce elder Mylie Lawyer (1912-2006) describes the remarkable beauty of the corridor and surrounding terrain, and how it "makes you proud to be a Nez Perce." She says "it's like walking on sacred ground."

### **Unique Values of the Corridor**

Nez Perce Tribe Ethnographer Nakia Williamson describes the Lochsa River as "an area of historic and contemporary importance to the Nez Perce Tribe. This landscape is located entirely within the Tribe's aboriginal territory that the Nez Perce Tribe has used and occupied since time immemorial. The Lochsa River Corridor is important to the perpetuation of Nez Perce culture and identity... Within this corridor there are numerous culturally significant areas such as: occupation sites, aboriginal place names, legend sites, fishing/hunting, sites, plant gathering areas, burial sites and areas used for spiritual activities/ceremonial use." (Williamson, September 2013).

Mr. Williamson also noted that many of the historic properties and sites identified by the US Forest Service are significant Nez Perce ancestral sites. In addition to the river-side sites, he says the Lochsa corridor is "the center of a visual, auditory and sensory landscape that extends from rim to rim."

Interview responses and General Council comments support Mr. Williamson's statements. Some Nez Perce families describe what is now the Highway 12 corridor as THE link to their traditional

ways. They say the sites and associated practices along the route have been passed down to them since time immemorial and exist nowhere else.

Several Tribal members stated that Highway 12 is a vital connection between the Nez Perce and Salish and other Plains tribes. It's the modern Nez Perce "Route to the Buffalo" and Salish "Route to the Salmon." Nez Perce follow this highway to hunt, fish, commemorate those lost in the 1877 War, partake in Sundances and other religious ceremonies, and to commune with neighboring tribes. Because the corridor offers so much in terms of access to critical fishing, hunting and gathering sites, as well as unique beauty and solitude, other routes are rarely taken.

According to Mr. Williamson, the corridor is an important area for exercising treaty rights due to the numerous usual and accustomed fishing and camping sites. He explained that Tribal members routinely hunt, gather roots, berries and culturally significant plants, and access springs and fountains for drinking or traditional purposes.

One man described how even though for the past 27 years he has worked in Lapwai, he chose to live in Kamiah and make the 120-mile round trip commute so he could "live closer to the National Forest and easily access all those special areas." Friends and family downriver stay with him when they want to reach upriver National Forest lands to hunt, gather or seek solitude.

Mr. Williamson concludes that Tribal members value the corridor "because the continuation of specific elements of traditional Nez Perce culture/spirituality/identity depends upon this landscape not being overburdened by undue industrialization. Culturally significant gathering areas where medicinal plants are harvested by families are located here, as well as hunting and fishing sites. These areas are not merely 'places to hunt or fish' that can easily be substituted with other areas that have similar resources, but tribal, family, and even individual identities are connected to this specific landscape, and with loss or alteration of this functioning landscape, subsequent cultural loss is inevitable."

### **Values Affected by "Mega-Load" Shipments**

In their briefing paper, NPTEC summarizes much of what we heard from individuals:

"The Tribe has been deeply concerned about the impact of the transport of these mega-loads along U.S. Highway 12 on the Tribe's treaty-reserved rights and interests, both on and off Reservation. These massive loads on U.S. Highway 12 create rolling road blocks that delay traffic, alter the environment and pose threats to the accessing and exercising of the Tribe's treaty-reserved rights, cultural resources, sacred sites and the health, safety and welfare of tribal members and businesses in the area. Examples of some of the multitude of types of impacts include the following: fishing, hunting, gathering natural resources, and practicing cultural and religious activities in solitude on the Nez Perce-Clearwater National Forest... Currently, the Nez Perce Tribe's fishery is open for the Clearwater, Selway and Lochsa Rivers, and many of these fisheries occur at night; it is gathering season for traditional plants, medicines, huckleberries and Kaus Kaus. The Tribe is extraordinarily concerned about the escalating threat and ultimate cumulative impact of mega-load shipments degrading and impairing the resources, values, and uses that make the corridor unique."

On numerous occasions, various members of NPTEC have expressed grave concerns of the mega-load shipments to Forest Supervisor Brazell. The same analogy was presented each time and was given with the understanding that it might help non-Indians understand the unique and sacred spiritual nature of the Corridor held by the Nez Perce people. Paraphrased, this analogy stated that each time a mega-load went through the Corridor; it was like taking a page from the last Bible on the earth and ripping it out and losing it forever.

## **Treaty Rights**

It was evident in personal discussions as well as statements made during General Council that many Nez Perce perceive large shipments will impact their ability to exercise treaty rights in a traditional way.

Specific perceptions related to Treaty rights included:

- *Treaty Interpretation* -

One gentleman provided a copy of the minutes of the Steven's Treaty discussions, and pointed to the words of Chief Joseph, "These are my children (looking around). I see them all sitting there... It is not us, it is those children who come after us... Think for year after year for a far way ahead..." Nez Perce people today say this wisdom and forethought have protected their people for generations.

One gentleman provided us with the "canons of construction" that guide treaty interpretation. He asserted that the Nez Perce leaders who negotiated the 1855 Treaty understood that unimpeded access to and protection of these resources were critical to the future survival of the Tribe.

- *Roads* - NPTEC referenced the Official Record of treaty proceedings at the 1855 council in Walla Walla, Washington, where Joel Palmer, Superintendent of Indian Affairs and treaty negotiator stated: "Now as we give you the privilege of traveling over roads, we want the privilege of making and traveling roads through your country, but whatever roads we make through your country will not be for your injury." NPTEC asserts proposed large shipments could cause some manner of injury.
- *Hunting* - Several men say they travel Highway 12 at night in order to be at favorite hunting sites at dawn. Likewise, many make the return trip home at dark after a long hunt. They expressed concern over impeded access.
- *Fishing* - Some traditional fishing practices occur at night. The potential for impeded access or disruption of fishing activities are commonly expressed concerns.
- *Gathering* - Access to traditional foods, medicines and forest products for ceremonial purposes were among concerns raised during General Council.
- *Camping* - Exercising treaty rights and passing traditions to future generations typically mean extended stays in the forest. Some modern Forest Service developed- and dispersed- recreation areas were traditional Nez Perce camps long before Lewis and Clark saw this area. Although daytime highway traffic is described by some as annoying, most describe the corridor as quiet after dark. When Nez Perce gather to camp, they often sing (and teach)

traditional songs, share stories and give thanks for all that was provided during the day (roots, berries, fish, game). Those who camp along the corridor express concern that the solitude and peaceful time of reflection, song and prayer would be marred by the noise and lights of these large shipments.

### **Other Affected Values**

- *Culture* - One tribal leader expressed concern that allowing one or two large shipments would merely open the door for more. “First it’s just trimming a few trees and widening some turnouts. What comes next?” He described how over the past 135 years the Nez Perce territory and rights had slowly been chipped away a bit at a time. While one or two loads may seem insignificant to outsiders, in the historic context, these shipments could further add to the incremental loss of the Tribe’s resources and culture.

This concern was echoed by Nez Perce ethnographer, Nakia Williamson. Mr. Williamson described many place names along the corridor linking that unique place with a spiritual significance or a resource it provided. Over time, as their reservation and ceded territories have been commercially developed, the resources, the significance of those sites and the Nez Perce cultural ties to those areas are disappearing. (most commercial development within the Nez Perce Reservation is not by the Tribe; approximately 87% (Nez Perce Tribe, 2013) of land within the Reservation is owned by non-Indians.) One person stated, “I’m *not* okay with outside policy makers deciding how to utilize this area.”

“This is an example,” said one woman, “of something (oversized equipment) without mind, heart, soul, or spirit impacting those things that do.”

- *Wildlife* – Several men described that game animals typically move to water at night, and expressed concern that several loads, over time, could interrupt those natural patterns. One is also worried about non-game species that occupy the corridor, especially eagles. He fears flashing lights and vibrations during the night could eventually drive nesting birds away from the corridor.
- *Fisheries* – One person argued that this highway was never constructed to withstand such heavy loads, and fears the ultimate result will be degradation of the road and stream crossings, erosion and failures that will impact water quality and fish habitat.
- *Safety* – Some believe no attention was paid to the impacts of vibrations to trees and rock formations. Some spoke of an incident two years ago when two young Nez Perce men were killed when a boulder slid from above Highway 12 and struck their vehicle. Because this happened soon after the first test module was shipped up Highway 12, there has been speculation among many in the community about a possible correlation. Some also spoke of an earlier incident in which two local citizens died when their vehicle was struck by a falling tree. Slope stability is a very real concern.

Many people raised concerns about impacts to facilities. While examples given were outside the Lochsa and Middle Fork corridor, the concerns extend to facilities or cultural sites within the corridor. Examples included Heart of the Monster and other Nez Perce National Historical Park sites, the MacBeth House, First Indian Presbyterian Church (oldest continuing operating church in Idaho), and Brian Hall. Possible ground vibrations, some contend, could be detrimental to these facilities and sites.

- *Economics* – The Nez Perce Tribe and its enterprise businesses employ 861 people. The Tribe estimates they have over 77,000 annual visitors and that roughly half of those are from out of the region (NPTEC, May 2013). NPTEC is concerned that transport of “megaloads” through the Highway 12 corridor will impact the economic viability of the Tribe and its enterprises. The Tribe also believes it has been disproportionately impacted by “big corporations looking for the cheapest and most efficient way of moving equipment...”

### **Contents or Purpose of Shipments**

During individual discussions, most people pondered whether what was being hauled mattered, or whether it was merely the presence of the over-sized load in the corridor that was disturbing. On one hand, one person said he believed the recent protests were a “show of respect for our brothers and sisters in Canada.” Most agreed they were opposed to these particular shipments to Tar Sands. But the majority seemed most concerned about possible impacts to the corridor and to their Treaty rights regardless of the load content. During several hours of passionate public discourse on the issue during General Council, not one person mentioned the purpose or destination of the shipment. According to one person, “any load going in (the river) has potential to forever change our landscape.”

### **Summary and Conclusions**

Literature, individual discussions and public discourse observed during Fall General Council support the following general conclusions:

- The Nez Perce describe a deep physical and spiritual attachment to, and reliance upon, the Middle Fork and Lochsa River Corridor, as this area is the birthplace of their people.
- The Nez Perce Tribal Executive Committee is united in opposition to mega-loads traveling through the Corridor. Those tribal members who spoke publicly (not during executive session) at General Council on September 26<sup>th</sup> opposed those shipments.
- The Nez Perce Tribal Executive Committee has taken the position that allowing these shipments to pass through federally-managed lands in the corridor violates their Treaty-reserved rights and the federal trust responsibility.
- Some tribal members describe these shipments as a continuation of the Nez Perce ongoing struggle to preserve their traditional ways. Two people at General Council compared their mega-load opposition efforts to the Nez Perce War of 1877 – a defense of their homeland. They indicated that even if no physical impacts result from mega-loads, the presence of these loads in this corridor could result in negative spiritual impacts for these people who are seeking a traditional experience.
- Although Tribal values are described in a separate section due to their aboriginal history and unique legal rights, the Nez Perce Tribe and many individual tribal members share values in common with many non-Tribal citizens, such as “sense of place,” and love of the Wild and Scenic attributes of the Lochsa River; they also share concerns raised by some non-Tribal citizens about impacts to recreation economies and safety.

## **Social Values (Non-Tribal)**

While conducting the discussions, it soon became evident that there were certain topics that almost all people wanted to raise and talk about. Each of these topics might have a divergence of opinion within it, but discussion items coalesced into “topic areas” or “issues.” These topic areas are presented in no particular order and are identified as: sense of place; consistency of mega-load transportation and affiliated actions (e.g. pruning, road widening) with the Wild and Scenic Designation; economics; safety; transparency in communication; and “terms” of transport.

### **Sense of Place**

There is a strong sense of place held for the Middle Fork Clearwater and Lochsa Corridor. Almost everyone readily commented on how they appreciate what a “beautiful, pristine corridor” it is, regardless of their position regarding the mega-loads. They talked about the beauty, the aesthetics, the wildlife, the solitude, the fall colors, the significance of the history and of the culture and how these all factor in to what makes the Corridor so special. Many mentioned fishing trips, family reunions, picnics, kayaking the whitewater, hunting and how they value these activities in their lives. Some talked about the economic relationship they have with the corridor, of how their income is dependent on the road itself and/or the people travelling. Some talked about “intrinsic” and “remarkable” values, of the spirituality of the corridor. One person said “one of the values of this place is that Americans are held accountable; we have integrity.”

Understanding sense of place can be facilitated by considering a combination of three components (Manning et.al 1997). The first is the biophysical setting. The corridor provides a powerful biophysical setting, given the river, the geology, and the forest. The second component considers psychological influences, which includes such things as memory, choice, perception, and emotion. Almost all discussants mentioned their use of the Corridor and their choosing to live or travel there for the area’s beauty, amenities, family traditions, tranquility and good recreational opportunities. The third component examines social and cultural influences, which includes people’s beliefs and values, desires for such things as commodities and recreation opportunities, their heritage, and what they view as rare and/or sacred. These components all form together to build one’s sense of place. Most discussants brought up many of the components, and specifically mentioned the strong sense of place they held for the Corridor.

Sense of place can also consider whether a person has a “use orientation” or an “attachment orientation” to a place (a person can hold both). Use orientation is based on the activities pursued and experiences experienced at a place. These uses are very significant, but there are occasions when certain uses can be undertaken at other locations. Attachment orientation occurs when the place itself is the reason for an activity or seeking an experience. Both of these orientations were very evident in discussions. Many people stressed the importance of the attachment orientation, citing “there are no other places comparable” to the Corridor, given the combination of its beauty, history, cultural significance, recreational opportunities, lifestyle, and wildlife. These people were very concerned about how the mega-loads would negatively disrupt the sense of place for the Corridor. They talked about how an escalation of the mega-loads would be incompatible with the intrinsic and remarkable values of the Corridor and of the rivers. However, others thought that while the Corridor was beautiful, the highway’s purpose was for

commerce. The mega-loads were simply part of that use. One person said “a truck going through isn’t going to impact the scenic value,” while another conversely said “there are just some places where commercial traffic, beyond the norm, shouldn’t occur.”

Discussants mentioned how people throughout the Nez Perce-Clearwater area visit the Corridor as, as one person put it, a “respite from busy lives,” and tourism-related business people also noted that people do so “from all over the country.” Discussants cited the beauty of the area, the “scenic experience,” and the “fun” of driving through the Corridor as “the basic reasons” to go there. A kayaker stated “The scenery and the recreation values are two separate things, but are actually tied close together. On the Lochsa, it’s very important.” Another person said when he heard about the mega-load plans, he was “concerned because the highway itself has its own allure.” People gather for picnics and family gatherings, often for annual family reunions. They relax, they swim, they fish, they hunt, and they continue to practice family and cultural traditions. Some people are afraid the mega-loads transport “is just plain going to change the character.”

The significance of historic and cultural events which occurred in the corridor also contributes to the sense of place. Discussants told of how people from around the world visit the Corridor to walk in the tracks of Lewis and Clark, of the Nez Perce people. They are drawn to and want to experience the cultural and historic richness of the area. The Corridor has received many designations, based on history, cultural values and scenic values. These lend to the unique nature of the Corridor.

### **Consistency with Wild and Scenic River designation**

Many discussants do not think mega-load transport through the Corridor is consistent with its special designation as a Wild and Scenic River. Many talked about the beauty of the river, of its power. “It’s a Wild and Scenic River, not ‘just’ a river. You can’t put economics on the value of that.” A person mentioned it’s not the physical presence of the mega-loads, or the impacts they could cause: “it is not a physical thing. It’s the aesthetics, the spiritual.” People talked about the special activities they undertook, the significance of certain trips and adventures, and of the simple opportunity to watch the river flow by. Another person said the Corridor is a “place of rejuvenation.” People travel from all over to float the rivers, particularly the Lochsa. A kayaker from Missoula noted that the Lochsa is regarded in “Missoulians’ backyards” and that he, as well as others he paddled with, felt that the Wild and Scenic designation was well deserved and “inconsistent with ambient industrialization.”

Many discussants living along the wild and scenic stretch of river shared that they chose to live there because of the beauty, the peacefulness, the amenities, viewing the wildlife. Some purchased property with Wild and Scenic easements, understanding the restrictions placed upon them in managing their homes and property to uphold the wild and scenic qualities along the corridor. To some people, knowing they would have a role in contributing to the corridor’s integrity and maintain its sense of place, made them feel as though their property was even more valuable. One person, who lives along the corridor but does not live under an easement, said that the easements affect the new purchasers (not those who received the money for the W&S easement), but it’s turned out to be “a good thing; it’s why this is so pretty.” Additionally, some

people wondered whether the easements held landowners to a greater standard than those who made the road improvements (people aren't sure who actually paid for this work, whether it was ITD or permit fees from mega-load transport companies or the transport companies themselves).

Other discussants do not believe the mega-loads would have any impact either on the river or to the Wild and Scenic designation. "It's just another use of the highway" explained one person.

### **Transparency in communication**

There is a very high level of interest regarding the transportation of mega-loads along Hwy 12. This pertains to all discussants. "Everyone has an opinion." Because "little, if any" information is being released to the public, it appeared to the social scientist that speculation abounds and opinions grow. As one person stated: "This is causing unnecessary divisiveness in communities." A number of people mentioned that relationships are being damaged and that some people who used to be friends are no longer, simply based on their position regarding the mega-loads. Some people spoke scornfully of others based on their positions. Some wondered if information was intentionally being withheld from the general public. One person asked: "Is there an under-the-table collusion?" Some people felt that Forest Supervisor Brazell's criteria for what constitutes a mega-load were reasonable, but that "industry and the state didn't even pause" and the mega-load went through. Another said "we are creating a great conflict which should not occur."

It became apparent to the social scientist that there is much controversy, conflict and overall lack of specific knowledge surrounding the mega-load transport. People raised a lot of questions and asked a lot of "what if's?" Much of people's issues are based on speculation; this, combined with a lack of communication, has increased anxiety and contributed to greater conflict. As an illustration, one person summarily dismissed there being any negative impacts from the mega-loads because "it's just a lot of 'ifs.'" Yet other people fear the "worst," that "hundreds" of mega-loads will be permitted to travel through the corridor, as stated by one person "seven days a week, 24 hours per day." This could be contributing to some heightened concern and anxiety, and affecting social cohesion.

People raised many, many questions to the social scientist to which they wanted answers, but felt the questions were falling on "deaf ears." People felt as though no clear, definitive information was being released. This has led to some skepticism and resentment about "decisions" being made: who is the decision-maker? How and when are these decisions being made? People were unclear of who/which Agency they should contact to attempt to get answers to their questions. This is contributing to some people feeling a lack of trust – towards the ITD, the County Commissioners, the Governor, the Federal Highway Administration, the Forest Service, and to the transport companies. Questions also often included: who is determining if the mega-loads will actually cause impacts? What might those impacts be? How will this be communicated with Idahoans? There were many questions asking about who is getting payments? For what? How much? What is the cost of a permit? (Interestingly, a few people stated what the permit fee is, but no one stated the same figure.) Where does permit money go and how is it used? Is any permit money being set aside for road repairs? People wondered if there is any accountability. People also wanted to know what jurisdiction the Forest Service actually has.

Possibly the question most often raised to the social scientist was “how many” mega-loads might be involved? What might potential future development be? Almost all people said that “one, maybe two,” mega-loads per month, would be “not too bad.” But if there are (approximately) 200 mega-loads (such as a few people shared was proposed by Exxon-Mobile), or if there are 81 projects in-the-works at the mega-loads destination in Canada (as one person had researched), that would simply be “intolerable.” Most discussants were asked if there would be opportunities to consider various scenarios of mega-load traffic, and of possible mitigation. Most people said this might be possible. One county commissioner, a proponent of the mega-loads, asked about “balance.” He hoped people “could be reasonable. This seems to be all or nothing. Couldn’t we have some alternatives, some guidelines?”

People wondered if the numbers of mega-loads being moved at one time could be considered (such as was proposed by a company in the past – three at a time, which people believe would mean mega-loads would be moving for at least six days straight). Others wondered if the season of the year could be considered, as it would “make a difference if the mega-loads were to travel during the off-season versus the high-season.” A few people thought winter would be good as to not interfere with tourists and hunters, but others thought winter conditions would make for the most dangerous travel. However, what most people said, regardless of their position, is that they were concerned that once one or two were allowed, that three and four would “slip in,” and the number would quickly start to “creep up” in “drips and drabs.” A “large” number – which was not specified – was viewed by most discussants as incompatible with the Corridor. Some feared there would be no way to keep things to a “reasonable” number. More than one person said they feared that allowing even a “modest number” would be “like the camel’s nose under the tent.”

## **Economics**

People’s impressions of economic impacts involved with transporting the mega-loads came up in every discussion. There is much controversy regarding whether and how much the mega-loads contribute to the local economies. Some people assert that the mega-loads provide an economic boon, while others see there being only minimal, if any, benefits. One person stated that the mega-loads are an economic gift “which fell out of the sky.” A few people mentioned that so many people travelled to the highway area to observe the “amazing curiosity” of the mega-loads that there were economic benefits.

When asked what the economic benefits are, those people in favor of the mega-loads readily mentioned benefits regarding jobs and income. The need for good jobs was mentioned by most discussants. Economic benefits were seen as going particularly to motel and café employees and owners, as the mega-load truckers and support crew would sleep and eat at these businesses. Some people mentioned the possibility of them buying gas, with one person saying if all the Exxon-Mobile mega-loads had actually gone through as planned, it would have meant “millions of dollars” just for gas. Others, however, noted that fuel trucks were surely accompanying the loads and likely not purchasing gas locally. Some business owners did not receive or observe economic benefits. But at least two business owners talked to for this study did receive direct economic benefits (room rentals, transportation assistance, pullout fee). One person observed the local café providing 17 lunches one day. A couple people mentioned that “a few” locals get hired to work jobs such as security and flagging.

On the other hand, close to two thirds of discussants opined there would be no substantial economic benefit associated with the mega-loads. Many people raised concerns about how the transport of mega-loads could negatively impact the tourism industry. Tourism is one of the top industries in Idaho. Discussants often talked about how people come from all over the country, and international travelers, who want to see the various historic and nationally designated trails. “People from all over the world follow these trails. Those places where one can experience such historic significance are becoming scarcer.” Many want the experience of driving the highway, especially on their motorcycles. These people often do stay at the motels, do eat at restaurants and cafes, shop, and sometimes hire local outfitters and guides for a river float, fishing trip, or a hunting trip.

A Chamber of Commerce employee stated that she had received inquiries from travelers about the mega-load schedule with assurances that they would not be travelling the Corridor if the mega-loads were moving or docked at port waiting to be moved. Another business owner worried that an alert that mega-loads could be moving through the Corridor would get posted on the Internet and/or made available on a car’s GPS and vacationers would thus decide to detour from Hwy 12 and their businesses.

Nez Perce County Commissioners stated they “have a lot of people who depend upon the transportation industry.” Those people contacted for this study, including trucking businesses which travel the Corridor every day, said that the mega-load transport which has occurred to date has not caused them problems, perhaps just some small inconveniences.

Some property owners in the Corridor perceive a threat to their property values. At first, some residents had predicted a possible 20% decrease in real estate values if mega-load transport picks up. However, a realtor recently shared with a couple families that this “could more likely be about a 30% decrease.”

## **Safety**

Safety is a major concern to many people. Concerns fell into a few categories. The first is for safety for travelers. Because of the width of the mega-load, it fills both traffic lanes, and ambulances and emergency vehicles could get detained behind the load, particularly in stretches of the highway where there is no shoulder. There is also a concern that an emergency evacuation, such as for a wildfire, could be blocked.

The second issue is the safety of transporting the mega-load itself. People are fearful that the mega-load could wreck, either on the road or into the river. If it wrecked on the road, it could block traffic for an unknown amount of time. If into the river, people wondered if it could dam the river and cause flooding? Some people voiced this concern and were told that in the event of a wreck, it would simply be a matter of getting a crane to the site to remove the mega-load. A couple of people were curious about the feasibility of this and looked into the matter; they found that the closest location for a crane large enough to move the size and weight of a mega-load is Salt Lake City, and, if it was available, it would take a considerable amount of time to transport it. They also found that such a crane would need a 50’ x 50’ space to be erected, and that space requirement wouldn’t be available in many locations.

Another component of the safety of transporting the mega-loads has to do with their weight. “This is a huge deal for people,” said a proponent, “but the weight is displaced.” Another proponent mentioned that former transporter Exxon Mobile had given a presentation showing a model of how the weight is displaced, the poundage per square inch, and said that “mega-loads don’t do any more damage than a fat person in a Volkswagen.” Others people just cannot agree that the weight of the mega-load wouldn’t be harming the road, the shoulders, and the bridges.

A number of people also mentioned concerns about vibrations caused by transporting the mega-load. Some people did report feeling vibrations. Given the geology of the area, people are concerned that vibrations could cause rockslides. Possible adverse impacts to historic and cultural sites (Heart of the Monster, the First Indian Presbyterian Church) were raised.

Discussions were held with a few people involved in Emergency Service (EMT, ambulance service, volunteer firefighter). These people are aware of the concerns raised about the possibility of the road being blocked and/or traffic being delayed, but believe that those concerns can be dealt with. They have met and developed and put contingencies in place. The various mega-load companies met with some, but not all, Emergency Service providers. If mega-loads are to travel in the future, it would be important for the companies to contact all Emergency Services along the route, as they feel they need to be aware and to prepare. As part of the discussions held between the companies and Emergency Services, an ambulance now accompanies the mega-load along the route. It was also noted that emergency helicopter “Life Flights” can be activated if there is a need.

One other safety concern has to do with the mega-load transport event itself. Law enforcement heard threats of “monkey-wrenching,” of tires being slashed, of rocks being tumbled from steep roadsides, and of hints of violence. Additionally, it was feared that protestors along the Corridor could put themselves in harm’s way.

### **Terms of transport.**

A number of people brought up possible violations of ITD overlegal permit safety and convenience conditions of mega-load travel. People who timed the mega-load in August found that it blocked traffic for longer than the allowed 15-minute limit (about an hour longer). One person opined that ITD has said “if you’re moving, you are not delayed – even if you’re moving at 10 to 15 mph.” They also noted that bridge crossings were not conducted as they were supposed to, as the Megaload did not stay right in the middle of the bridge. Some people were particularly concerned about the stability of the Fish Creek Bridge, and noted that the August mega-load had to stop on the bridge for a while. A few people in Kamiah expressed that it seemed to be moving through town faster than they thought it should.

Most people, regardless of their position, felt as though the transporting company should notify residents and businesses in advance. For some, it would be a courtesy, but for others, it puts them on alert. Truckers say they can adjust their schedules in accordance, Emergency Services say then can prepare and be on alert, and businesses can inform their patrons.

Many people also identified there being a need for monitoring any mega-load transportation. This would help answer many questions about possible mega-load impacts. That said, most people stated that the physical type of impacts can likely be mitigated, but many added comments such as “It’s the realm of values, the spiritual and intangible, which cannot,” and “This issue isn’t about the physical impacts. It’s the intrusion into this unique area.”

### **Summary:**

The stated purpose of this study is to “learn about people’s varied values, issues, concerns, and opinions associated with the transportation of mega-loads” in the Hwy 12 Wild and Scenic Corridor.

- While there is variety in terms of people’s opinions of how the Corridor might be managed, virtually every discussant brought up how they value the Corridor, and most everyone mentioned its beauty. Many mentioned its intrinsic values, and many valued the “things” the corridor afforded (e.g. travel, commerce, recreation). Most people felt that the Corridor did have a strong sense of place -- but when the mega-loads came up, there was divergence in terms of its management.
- There was concern expressed by many whether the mega-load transport was consistent with the Wild and Scenic River designation.
- People generally did not feel informed as to specifics – regarding if and when mega-loads would travel, how many might occur, what impacts they may or may not have environmentally, economically and spiritually. This was creating some confusion and speculation. Communication was not strong. Additionally, the specific terms of transport were not communicated well to most people.
- Jobs and income are important issues in the study issue. The possibility of the mega-loads contributing positively to the economy was very important to many people. Many other people simply did not believe that economic benefit would be noticeable.
- Safety issues were raised by many people. There is concern that the mega-loads could wreck, that their weight would damage the road, and that they could create vibrations which could harm adjacent areas. Some people were concerned that because the mega-loads would block the roadway in certain places, that emergency traffic could be impeded.
- Prior to conducting the discussions, the terminus of the mega-loads -- the Tar Sands in Alberta -- seemed to be a significant issue and reason for opposing the mega-loads. This was not raised as an issue. A few proponents for the mega-loads stated they believed the opponents to hold this as an issue, but those who identified themselves as “opponents” did not raise the Tar Sands destination as an issue.
- Almost all discussants acknowledge that Hwy 12 is known as a “commerce highway.” While the transport of mega-loads seemed compatible to some people, others questioned “when does a road go from “commercial” to “industrial.” That is the question so many people had. Most people said they could live with the existing traffic, the existing movement of a sailboat or a wind propeller – the “mega-loads” are just so much bigger.

## **SUMMARY OF VALUES AND CONCLUSIONS**

The Corridor inspires a strong sense of place. People appreciate what a “beautiful, pristine corridor” it is, regardless of their position on the mega-loads. They talked about the beauty, the aesthetics, the wildlife, the solitude, the fall colors, the significance of the history and of the culture and how these all factor in to what makes the Corridor so special. Nez Perce people describe a deep physical and spiritual attachment to, and reliance upon, the Middle Fork and Lochsa River corridor.

The formal designations discussed in this paper are testimony to the special nature of the Corridor. There are many places in the Northern Region and Pacific Northwest where the quality of the resource is recognized by a formal designation such as National Historic Trail, Wilderness, or Wild and Scenic River, but nowhere are there so many within the same area with such quality access as there is here. These designations provide many benefits, including economic, to the public and the local communities nearby.

The cultural and natural attributes along this corridor attract visitors from across the country and contribute to sustaining economic niches tied to the Corridor. Occasional oversized loads have historically used Highway 12 with little controversy. Many perceive that use of the Highway 12 corridor as a frequent route for oversized hauling could affect the unique setting, recreational experiences, cultural meanings, and special designations found here and nowhere else.

### **Contributors**

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**Maps** (available as separate documents)

Map 1 – Nez Perce Reservation Boundaries and Ceded Territory

Map 2 – Recreation, Cultural and Special Designations in the U.S. 12 Corridor

## **Appendix A**

### **Values of the Middle Fork Clearwater and Lochsa Rivers Corridor As Described by Nez Perce People – Assessment Methods**

**PURPOSE:** To better understand cultural and spiritual values unique to the Middle Fork and Lochsa River Corridor and to learn how movement of “mega-loads” could impact those values.

**METHODS:** Literature was reviewed in an effort to capture existing information on Nez Perce values and unique connection to the Corridor. In order to capture current views, discussion topics were developed cooperatively with Nez Perce Tribe Ethnographer, Nakia Williamson.

A list of possible discussants was generated that included some tribal leaders, Nez Perce Tribe professional staff, people recommended by tribal leaders, people living near the corridor, and others not residing near the corridor, but who might feel comfortable discussing these topics with the Forest Service. An effort was made to include men and woman of varying ages. Initial discussions were held in person with some Tribal leaders and staff in Lapwai, Idaho. Other discussants were invited by phone to set a time and place to meet. Some were not able to meet within the allotted time frame. When possible, visits were face-to-face in a private setting. One conversation was over the phone. Both Bradbury and Vanderburg participated in all discussions, utilized the same format, and independently took hand-written notes. Discussions took place August 27, 29, September 18 and 23, 2013, and included seven people.

The Nez Perce Tribe’s General Council (a bi-annual gathering of all enrolled tribal members to discuss and vote on issues of importance) was held September 26-28 in Kamiah, Idaho. While no individual discussions took place during General Council, the Highway 12 and “mega-load” topic occupied much of the agenda on September 26. Bradbury and Vanderburg listened to public discussion and incorporated those views into these findings.

#### **LITERATURE CITED**

- American Indians and Social Policy* (Dr. Priscilla Day, 2005)  
*Draft American Indian Interests Assessment for Forest Plan Revision*, Nez Perce-Clearwater NF (2013)  
*Certified Copy of the Original Minutes of the Official Proceedings* (Bureau of Indian Affairs, 1953)  
*Indian Country Diaries*, (PBS, September 2006)  
*Nez Perce Tribe's Opposition to Attempts to Transform U.S. Highway 12 into an Industrial Corridor* (NPTEC Briefing Paper, 2013)  
*Salmon and His People*, (Landeem and Pinkham, 1999)  
*Treaties: Nez Perce Perspectives* (Nez Perce Tribe, 2003)  
*Walking on Sacred Ground* (USFS, NPS and Nez Perce Tribe, 2002)

## **Appendix B**

### **Values of the Middle Fork Clearwater and Lochsa Rivers Corridor Social Assessment of Non-Tribal Values and Issues**

**Purpose:** To learn about the varied values, issues, concerns, opinions and perceptions held by people associated with the transportation of mega-loads on Idaho Highway (Hwy) 12, particularly “outstanding and remarkable values.”

**Method and Discussion Protocol:** Ethnographic social science was determined to be the most appropriate way to gather data about people’s values, and what issues and concerns they may hold. This approach provides a way to gather qualitative, primary data directly from individuals, which is particularly appropriate for addressing such topics as descriptions of values. It allows the social scientist to consider the social realities of the people as relayed by those people, instead of by way of a quantified numeric response to a predetermined topic, such as occurs with a quantitative survey. (See Maxwell 2005; Adams-Russell 2004.)

The ethnographic approach first identifies the objective of the study; here it was to provide a scientific gathering of people’s values regarding the Corridor and the issues, concerns and opinions affiliated with the transportation of mega-loads. Next it identifies an initial list of names of people to contact. Discussants were initially identified by perusing mail and messages sent to Forest Supervisor Rick Brazell regarding the mega-loads. Names of those people who provided substantive comments were noted. Additionally, to ensure that a representativeness of the population was included in the study, Communities of Interest and Communities of Place were identified (see below) and people representing those communities identified. Contacts were made with people to request and schedule structured discussions. These people often recommended or were asked to recommend names of other people to talk with, particularly people who might be viewed as “opinion leaders” – people who could discuss their own values and issues, but understood and could explain other’s viewpoints. A social networking or “snowballing” ensued, as the names suggested for discussants were raised repeatedly. Using this method, “saturation” is reached when not only the names of discussants continue to arise, as when the same values and issues are raised in each discussion, and virtually no new data are revealed. All people recommended multiple times were contacted, although most people who were recommended even once were contacted. Approximately 46 people participated. The people who were relatively neutral about the mega-loads, meaning they didn’t see the mega-loads as much of an issue and saw both drawbacks and benefits, numbered about a third of the group. About another third of discussants stated they were opposed to the transportation of the mega-loads and about a third stated they were proponents of the mega-loads.

Communities of Interest and Communities of Place were identified. This helps ensure that there is broad representation of values and interests, and that issues perhaps more pertinent to that community can be discussed. Communities of interest are groups of people who share a

common interest, such as kayakers or Lewis and Clark Foundation members. One of the communities of interest identified was emergency responders. This was identified because the issue of safety and concern that emergency response vehicles could get delayed behind the slow-moving mega-load was raised by most people, so it was deemed important to talk first-hand to those people. Communities of place are geographic communities, such as a town or neighborhood or county. In the four-county area, all County Commissions had issued public statements of support for the mega-loads, so it was useful to get more clarity on the issues they raised. Care was taken to talk with at least one person representing each “community,” although it was often the case that one person represented more than one community. These “communities” include\*:

- County Commissioner (at least one) for each of the four counties (Nez Perce, Clearwater, Idaho, Lewis) along the route;
- Business Owners including motels, B&B, resort, tour business, towing, transport support, trucking
- Area Residents and Property Owners, not necessarily adjacent to the route, in Lewiston, Orofino, Grangeville, Kamiah, Kooskia, Stites, Syringa. Corridor frequent users in Boise and Missoula.
- Emergency Services
- Chamber of Commerce
- Representative of various River and Highway Designations, including Lewis and Clark Foundation, Nez Perce National Park, Scenic Byway, Nez Perce Trail, US Forest Service
- Representative of User Groups including motorcycling, floating, bicycling
- Representative of Interest Groups including Idaho Rivers United, Friends of the Clearwater, Clearwater Basin Collaborative.
- \*Nez Perce Tribe members and government were not included in this part of the study; their values and issues are presented in the section of this document captioned “Nez Perce Tribal Values” (see page 13 and Appendix A).

When implementing an ethnographic method, a discussion guide, or protocol, to collect the primary data from the targeted sample of individuals is developed. Because this study has a specific focus, namely to document the values, issues and concerns, and opinions associated with transportation of mega-loads along the Hwy 12 Corridor, one question was initially posed: “Please tell me about your perspectives regarding the transportation of mega-loads along the river(s) corridor, particularly the wild and scenic portion.” Keeping the introductory discussion topic wide open was also intended to keep ethnographer bias to a minimum. Many follow-up questions ensued. If a person made a comment such as “the Corridor has great value to me; it’s a one-of-a-kind,” the social scientist then would ask why they thought that and to explain more about it. If a comment was made about “the mega-loads are helping our economy,” they’d be asked why and maybe for some specifics about what they saw as the contributions. As discussions ensued, certain topics emerged as ones which most people wanted to talk about and focus on. Those topics are presented below.

Discussions usually lasted from one to three hours, most taking about two hours. Discussions held over the phone tended to be shorter, from a half hour to an hour and a half. Discussants were all very willing and eager to talk. It took little-to-no encouragement for people to share. Some discussions were conducted in groups of two, one discussion with three people, while other discussions were with individuals. Discussions were recorded by note-taking.

The qualitative data which resulted from these discussions are intended to address values, issues and concerns, opinions and perceptions towards mega-load transport along the Hwy 12 Wild and Scenic Corridor. They are not quantitative measures of the opinions of the total population. This study is focused on people's values, issues and opinions regarding the transportation of the mega-loads on Hwy 12. It is not intended to provide a comprehensive social assessment, with consideration of customary social and economic topics such as social organization, attitudes and beliefs, lifestyles, land uses, demographics, jobs and income. Such a social and economic assessment was recently completed for the Nez Perce and Clearwater National Forests for the current Forest Plan Revision (April 2012). The social and economic assessment provides a broader context for this "values" assessment. It is hereby incorporated by reference [Draft Socioeconomic Conditions and Trends](#). Much of the April 2012 assessment was based on the contracted social assessment which was completed in April 2004 "Social Assessment: Clearwater National Forest and Nez Perce National Forest" by Adams-Russell Consulting [2004 Social Assessment](#). The results of this assessment were presented to the public in Grangeville and Orofino in 2004. The April 2012 assessment has been a part of the on-going Forest Plan Revision assessment and collaborative process.

All discussants were informed of the purpose of this study and that it was being conducted at the request of Forest Supervisor Rick Brazell and Regional Forester Faye Krueger. They were informed that their comments would be used to inform this study. Each person was ensured that their personal information would be confidential. All County Commissioners stated there being no need to keep personal information confidential, as did a few other respondents. Direct quotes from these discussions are used to illustrate the issues which emerged, although they are not attributed to any individual.

Emails sent to Forest Supervisor Brazell were also perused, as were most of the comments in the 1,100-person signed petition "Stop the Megaload" (as of September 24, 2013). Information from these sources mirror the information provided in the discussions.

### **Literature Cited**

Adams-Russell Consulting. April 2004 "Social Assessment: Clearwater National Forest and Nez Perce National Forest."

Manning, Cynthia with Larry Blocker, Margaret Lincoln, Dave Stack, Tracy Bieler, Kimberly Landl, Daniel R. Williams. Sense of Place Protocol 97-26. December 1997. Developed for Northern Region Planning Peer Group.

Maxwell, Joseph A. 2005. Qualitative Research Design: An Interactive Approach. Applied Social Research Methods Series, Vol 41.

## Appendix C

### IDT Over-legal Permits -- Traffic Control Plan Required -- 1999-2013

Permit ID	Company	Issue Date	Begin Date	End Date	Width (ft, in)	Height (ft, in)	Length (ft)	Weight (lbs)	Begin Place	End Place	Load Description
99057692	Transcontinental Rigging & Loading		09/07/1999		17'		148				
99057920	Perkins Motor Transport Inc		09/10/1999		18'		75				
99060943	Transcontinental Rigging & Loading		09/30/1999		17'		93				
00006812	Transcontinental Rigging & Loading		11/05/1999		17'		148				
00024107	Landstar Inway		02/29/2000		17' 06"		100				
00038927	Transcontinental Rigging & Loading		05/04/2000		17'		90				
00038930	Transcontinental Rigging & Loading		05/04/2000		17'		90				
00044755	Transcontinental Rigging & Loading		06/06/2000		17'		100				
00057879	Selway Corp		08/21/2000		17'		70				
00059784	Selway Corp		08/28/2000		18'		80				
00063236	Transcontinental Rigging & Loading		09/13/2000		17'		93				
01028221	Transcontinental Rigging & Loading		03/26/2001		18'		148				
01037806	Transcontinental Rigging & Loading		05/17/2001		17'		148				
01046331	Mercury Transportation		06/30/2001		16' 05"		98				
01047454	Mesquite Moving Ltd		07/09/2001		17'		95				
01048021	Transcontinental Rigging & Loading		07/10/2001		17'		95				
01059043	Abel Moving & Rigging		09/12/2001		24'		60				
01061738	Intermountain Rigging & Heavyhaul		10/01/2001		15'		240				
02035384	R S T Inc		05/13/2002		16' 06"		74				
02039387	R S T Inc		06/03/2002		16' 06"		74				
02039494	Molnar Heavy Haul Co		06/03/2002		18'		142				
02042166	R S T Inc		06/17/2002		16' 06"		74				
02047669	T Y T Inc		07/19/2002		16'		151				
02049448	Transcontinental Rigging & Loading		07/27/2002		18'		151				
03031840	Custom Carriers		04/22/2003		17'		75				
03031841	Custom Carriers		04/22/2003		17'		75				

Permit ID	Company	Issue Date	Begin Date	End Date	Width (ft, in)	Height (ft, in)	Length (ft)	Weight (lbs)	Begin Place	End Place	Load Description
03032168	Custom Carriers		04/22/2003		17'		75				
03032169	Custom Carriers		04/22/2003		17'		75				
03032845	T A S Specialized Inc		04/28/2003		17' 04"		132				
03032847	T A S Specialized Inc		04/28/2003		17' 04"		117				
03033143	Custom Carriers		04/29/2003		17'		75				
03033757	Custom Carriers		05/01/2003		17'		75				
03033758	Custom Carriers		05/01/2003		17'		75				
03034436	T A S Specialized Inc		05/05/2003		17' 04"		132				
03035499	Mullen Trucking Inc		05/12/2003		18'		70				
03035976	T A S Specialized Inc		05/16/2003		17' 04"		132				
03036230	Custom Carriers		05/18/2003		17'		113				
03035909	Custom Carriers		05/20/2003		17'		113				
03036832	Pan Western Corp		05/21/2003		17' 04"		185				
03038388	T A S Specialized Inc		05/29/2003		17' 04"		132				
03039423	Darlen Transport		06/05/2003		17'		70				
03039488	Mullen Trucking Inc		06/05/2003		18'		70				
03039489	Pacific Central Carriers Ltd		06/05/2003		18'		70				
03039694	Verrault Lowbed Service Ltd		06/05/2003		14' 06"		152				
03039517	Mullen Trucking Inc		06/06/2003		18'		70				
03041938	Westfreight Systems Inc		06/17/2003		15'		155				
03051209	Mesquite Moving Ltd		07/29/2003		16' 04"		105				
03057474	Mullen Trucking Ltd		09/05/2003		17' 03"		70				
03057476	Mullen Trucking Ltd		09/05/2003		17' 03"		70				
03057477	Mullen Trucking Ltd		09/05/2003		17' 03"		70				
03057478	Mullen Trucking Ltd		09/05/2003		16' 02"		70				
03057479	Mullen Trucking Ltd		09/05/2003		16' 02"		70				
03057480	Mullen Trucking Ltd		09/05/2003		16' 02"		70				
03059158	T P C Systems Inc		09/18/2003		17'		82				
04001013	Mullen Trucking Ltd		10/08/2003		18' 02"		70				

Permit ID	Company	Issue Date	Begin Date	End Date	Width (ft, in)	Height (ft, in)	Length (ft)	Weight (lbs)	Begin Place	End Place	Load Description
04001016	Mullen Trucking Ltd		10/08/2003		18' 02"		70				
04001394	Lone Star Transportation Inc		10/10/2003		18' 06"		84				
04033811	Westfreight Systems Inc		04/27/2004		16' 06"		160				
04034267	Westfreight Systems Inc		04/29/2004		15' 04"		160				
04034713	Westfreight Systems Inc		05/04/2004		17'		160				
04061131	Landstar Ligon Inc		09/15/2004		20'		102				
06041995	R S T Inc		05/08/2006		17'		76				
06043003	R S T Inc		05/15/2006		17'		76				
06048358	Star Line Transfer		06/10/2006		22' 09"		121				
06052059	Star Line Transfer		06/24/2006		22' 09"		121				
06064356	Ryder Integrated Logistics		08/12/2006		17' 03"		105				
06069079	Ryder Integrated Logistics		09/11/2006		17' 03"		105				
06069684	Ryder Integrated Logistics		09/11/2006		17' 03"		105				
06071478	Smith & Son Transport		09/23/2006		17'		085				
07008321	Ryder Integrated		11/18/2006		18'		105				
07045603	Tri State Motor Transit		05/21/2007		18'		75				
07057495	White Inc		07/10/2007		17'		75				
07057750	White Inc		07/13/2007		17'		112				
07057883	White Inc		07/13/2007		17'		112				
07059468	White Inc		07/20/2007		17'		75				
07064588	Transport National		08/18/2007		18'		72				
07073347	Triton Transport Ltd		09/27/2007		19'		105				
08052703	Transport National		06/26/2008		18'		70				
08059143	Raypaul Transport Ltd		07/22/2008		18'		170				
08061239	Transport National Llc		07/31/2008		18'		69				
08064957	Imperial Land Services		08/24/2008		16' 06"		94				
08070973	Landstar Inway		09/27/2008		18'		69				
08072340	Starline Heavyhaul Inc		09/30/2008		16' 01"		108				
08072342	Starline Heavyhaul Inc		09/30/2008		24'		119				

Permit ID	Company	Issue Date	Begin Date	End Date	Width (ft, in)	Height (ft, in)	Length (ft)	Weight (lbs)	Begin Place	End Place	Load Description
08072349	Starline Heavyhaul Inc		09/30/2008		25'		088				
08072353	Starline Heavyhaul Inc		09/30/2008		26' 08"		105				
09000692	Mullen Trucking Lp		10/04/2008		17'		102				
09004604	Mullen Trucking Lp		10/30/2008		16' 05"		73				
09004606	Mullen Trucking Lp		10/30/2008		16' 05"		71				
09004608	Mullen Trucking Lp		10/30/2008		16' 06"		71				
09004609	Mullen Trucking Lp		10/30/2008		16' 06"		70				
09004902	Mullen Trucking Lp		10/31/2008		16' 06"		70				
09006339	Mullen Trucking Lp		11/10/2008		16' 05"		71				
09006340	Mullen Trucking Lp		11/10/2008		16' 05"		73				
09006344	Mullen Trucking Lp		11/10/2008		16' 05"		70				
09006345	Mullen Trucking Lp		11/10/2008		16' 05"		70				
09034540	Mammoet Trans. Inc		11/10/2009		20'		190				
10022547	Mammoet Trans. Inc	2/22/2010	2/22/2010	2/26/2010	19'	21' 06"	75	125,750	ID/WA	ID/MT	Steel Vessel
10038490	Imperial Trucking	6/2/2010	6/2/2010	6/6/2010	16' 05"	17' 04"	101	140,400	ID/OR	ID/MT	Pressure Tank
10041492	Daily Express	6/11/2010	6/16/2010	6/20/2010	17'	14'	80	GW legal	ID/WA	ID/MT	Crated Wing Section
10046401	Daily Express	6/30/2010	7/7/2010	7/11/2010	17'	14'	80	GW legal	ID/WA	ID/MT	Crated Wing Section
11019073	Emmert International	1/18/2011	2/1/2011	2/13/2011	29'	28'	231	646,204	Lewis	ID/MT	Coke Drum Section 1
11019074	Emmert International	1/18/2011	2/1/2011	2/5/2011	29'	28'	233	664,096	Lewis	ID/MT	Coke Drum Section 2
11023284	Mammoet USA South	2/14/2011	5/2/2011	5/6/2011	24'	29' 06"	208	440,350	Lewis	ID/MT	Test validation Module
11023939	Emmert International	2/17/2011	2/17/2011	3/8/2011	29'	28'	233	705,250	Lewis	ID/MT	Coke Drum Section 2
11026288	Emmert International	3/4/2011	3/8/2011	3/12/2011	14' 06"	16' 08"	161	225,800	Lewis	ID/MT	Generator
11035723	Emmert International	4/28/2011	5/4/2011	5/13/2011	29'	28'	233	639,250	Lewis	ID/MT	Coke Drum Section A
11035725	Emmert International	4/28/2011	5/4/2011	5/18/2011	29'	28'	233	702,200	Lewis	ID/MT	Coke Drum Section B
11036266	Carlile Transportation Sys	5/2/2011	5/4/2011	5/8/2011	13'	14'	180	180,000	ID/WA	ID/MT	Unladen Trailer
11037605	Carlile Transportation Sys	5/9/2011	5/10/2011	5/14/2011	13'	14'	180	188,000	ID/WA	ID/MT	Unladen Trailer
11038803	Carlile Transportation Sys	5/13/2011	5/17/2011	5/21/2011	13'	14'	180	188,000	ID/WA	ID/MT	Unladen Trailer
11041664	Carlile Transportation Sys	5/26/2011	5/31/2011	6/4/2011	13'	14'	180	188,000	ID/WA	ID/MT	Unladen Trailer
11044557	Carlile Transportation Sys	6/9/2011	6/14/2011	6/18/2011	13'	14'	180	188,000	ID/WA	ID/MT	Unladen Trailer

Permit ID	Company	Issue Date	Begin Date	End Date	Width (ft, in)	Height (ft, in)	Length (ft)	Weight (lbs)	Begin Place	End Place	Load Description
11048867	Carlile Transportation Sys	6/28/2011	7/5/2011	7/9/2011	13'	14'	180	188,000	ID/WA	ID/MT	Unladen Trailer
11050793	Precision Specialized Div	7/8/2011	7/10/2011	7/14/2011	18'	14'	75	126,000	ID/WA	ID/MT	Back Wall to Excavator
11050795	Precision Specialized Div	7/8/2011	7/11/2011	7/15/2011	18'	14'	75	126,000	ID/WA	ID/MT	Back Wall to Excavator
11051290	Carlile Transportation Sys	7/12/2011	7/12/2011	7/16/2011	13'	14'	180	188,000	ID/WA	ID/MT	Unladen Trailer
11059863	Nickel Bros	8/25/2011	8/30/2011	9/8/2010	14' 06"	19'	234	433,282	ID/WA	ID/MT	Surface Condensor #1
11064452	Nickel Bros	9/21/2011	9/21/2011	9/25/2011	24'	29'	185	515,900	ID/WA	ID/MT	7th Effect Evaporator
12000041	Nickel Bros	10/3/2011	10/7/2011	10/11/2011	20'	24'	104	179,650	Lewis	ID/MT	Intermediate Storage Tank
12000238	Nickel Bros	10/3/2011	10/4/2011	10/8/2011	24'	22'	127	218,700	Lewis	ID/MT	Product Liquor Storage Tank
12000611	Nickel Bros	10/5/2011	10/5/2011	10/9/2011	18'	22'	128	403,250	Lewis	ID/MT	3rd Effect Evaporator
12004609	Nickel Bros	10/28/2011	10/30/2011	11/3/2011	24'	22'	129	218,800	Lewis	ID/MT	Intermediate Storage Tank
12005492	Nickel Bros	11/1/2011	11/1/2011	11/5/2011	20'	23'	224	434,240	Lewis	ID/MT	5th Effect Evaporator
12006430	Nickel Bros	11/3/2011	11/3/2011	11/7/2011	23'	24'	218	489,700	Lewis	ID/MT	6th Effect Evaporator
12011956	Nickel Bros	12/1/2011	12/1/2011	12/9/2011	19'	23'	113	295,250	Lewis	ID/MT	4th Effect Evaporator
12012547	Nickel Bros	12/2/2011	12/3/2011	12/11/2011	18'	22' 05"	221	452,600	Lewis	ID/MT	2nd Effect Evaporator
12015059	Selway Corp	12/14/2011	12/16/2011	12/20/2011	22'	17' 10"	95	184,500	ID/MT	ID/WA	Bifacation Tube
12053662	Maczuk Industies Inc	7/6/2012	7/10/2012	7/14/2012	18'	14'	75	GW legal	ID/MT	ID/WA	Mid Blecher Deck
12053668	Landstar Ranger	7/6/2012	7/9/2012	7/13/2012	18'	14'	70	GW legal	ID/MT	ID/WA	Blecher Deck
12053924	Landstar Ranger	7/9/2012	7/9/2012	7/13/2012	18'	14'	70	GW legal	ID/MT	ID/WA	Blecher Deck
13001681	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001683	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001685	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001686	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001687	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001689	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001690	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001691	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13001692	Lone Star Transportion LLC	10/10/2012	10/11/2012	10/15/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13002409	Lone Star Transportion LLC	10/12/2012	10/12/2012	10/16/2012	17'	14'	117	174,000	ID/WA	ID/MT	Generator
13002749	Lone Star Transportion LLC	10/16/2012	10/16/2012	10/20/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade

Permit ID	Company	Issue Date	Begin Date	End Date	Width (ft, in)	Height (ft, in)	Length (ft)	Weight (lbs)	Begin Place	End Place	Load Description
13003105	Lone Star Transportation LLC	10/18/2012	10/19/2012	10/23/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003106	Lone Star Transportation LLC	10/18/2012	10/19/2012	10/23/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003107	Lone Star Transportation LLC	10/18/2012	10/19/2012	10/23/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003475	Lone Star Transportation LLC	10/19/2012	10/22/2012	10/26/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003477	Lone Star Transportation LLC	10/19/2012	10/22/2012	10/26/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003478	Lone Star Transportation LLC	10/19/2012	10/22/2012	10/26/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003480	Lone Star Transportation LLC	10/19/2012	10/23/2012	10/27/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003481	Lone Star Transportation LLC	10/19/2012	10/23/2012	10/27/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003483	Lone Star Transportation LLC	10/19/2012	10/23/2012	10/27/2012	11'	14'	175	GW legal	ID/WA	ID/MT	Wind Tower Blade
13003484	Omega Morgan Rigging & Ind	10/22/2012	10/22/2012	10/26/2012	20'	22' 06"	241	527,700	ID/WA	ID/MT	Water Purification Vessel
13011108	Triton Transport LTD	11/21/2012	11/23/2012	11/27/2012	17'	16' 10"	122	179,000	<b>ID/MT</b>	<b>ID/WA</b>	Compressor Building
13013127	Omega Morgan Rigging & Ind	12/3/2012	12/3/2012	12/7/2012	17'	20'	68	GW legal	Lewis	ID/MT	Water Purification Vessel
13018369	Mullen Trucking LP	1/3/2013	12/9/2012	1/7/2013	15'	16' 04"	163	242,800	ID/WA	ID/MT	Generator Skid
13027797	Mak Transportation Services Inc	3/1/2013	3/4/2013	3/4/2013	17'	17'	85	92,320	ID/WA	ID/MT	Building
13057856	Omega Morgan Rigging & Ind	8/2/2013	8/5/2013	8/9/2013	21'	24' 02"	255	644,002	ID/WA	ID/MT	Water Purification Unit

Year	Count	Year	Count
1999	4	2007	7
2000	7	2008	19
2001	7	2009	1
2002	6	2010	4
2003	33	2011	27
2004	4	2012	27
2005	0	2013	2
2006	9	<b>Total:</b>	<b>157</b>