



Western Watersheds Project MESSENGER

Vol. XXIII, No. 2

Fall 2016

Profanity Peak Wolves
Killed for Livestock

Ag Industry Abandons
Frivolous Trespass
Lawsuit

Boulder-White Clouds
Allotment Retired!

Working to protect and restore western watersheds and wildlife
through education, public policy initiatives and legal advocacy.

www.westernwatersheds.org

♻️ Printed on 100% Post Consumer Waste ♻️

A WOLF IN WESTERN WASHINGTON, © ERIC FROMMER, COURTESY FLICKR CREATIVE COMMONS

Western Watersheds Project Staff

Erik MolvarExecutive Director
Greta AndersonDeputy Director
Melissa CainBighorn Habitat Protection Campaign
Coordinator
Ken ColeIdaho Director
Jeremy GreenbergOperations Director
Josh OsherMontana Director
and Public Policy Consultant
Jonathan RatnerColorado, Wyoming & Utah Director
Kristin RuetherSenior Attorney
Paul RuprechtStaff Attorney
Erik RybergLegal Counsel
Laura WelpEcosystems Specialist

Board of Directors

Dr. Ralph MaughanPresident
George WuerthnerVice President
Kelley WestonSecretary-Treasurer
Karen KlitzDirector
Karen PerryDirector
Mike Halloran Esq.Director
Dr. Bruce HayseDirector

Advisory Board

Dr. John Carter	Jon Marvel
Debra Donahue	Dr. Elizabeth Painter
Martin Flannes	Dr. Tom Pringle
Dr. Steven Herman	Todd Shuman
Dr. Don Johnson	Louise Wagenknecht
Louise Lasley	

Western Watersheds Project State and Regional Offices

Main OfficeP.O. Box 1770 • Hailey, ID 83333
(208) 788-2290 • wwp@westernwatersheds.org
Executive Director • emolvar@westernwatersheds.org

BoiseP.O. Box 2863 • Boise, ID 83701
(208) 429-1679 • boise@westernwatersheds.org

Arizona738 N. 5th Avenue, Suite 200 • Tucson, AZ 85705
(520) 623-1878 • arizona@westernwatersheds.org

CaliforniaP.O. Box 2364 • Reseda, CA 91337
california@westernwatersheds.org

Wyoming, UT & COP.O. Box 1160 • Pinedale, WY 82941
(877) 746-3628 • wyoming@westernwatersheds.org

MontanaP.O. Box 1135 • Hamilton, MT 59840
(406) 830-3099 • montana@westernwatersheds.org

Oregon126 SE Alberta St, Ste 208 • Portland, OR 97211
(208) 421-4637 • oregon@westernwatersheds.org

WWP's Fax Number is (208) 475-4702



Western Watersheds Project MESSENGER

Table of Contents

Welcome Erik Molvar! <i>Travis Bruner & Jon Marvel</i>	4
WWP hires a qualified and passionate Executive Director.	
Ag Industry Abandons Frivolous Trespass Lawsuit <i>Greta Anderson</i>	5
Flimsy suit blows up in ranchers' faces.	
Boulder-White Clouds Allotment Retired! <i>Kristin Ruether</i>	6
60,000 acres in central Idaho are saved!	
Justin Pidot Receives Sagebrush Sentinel	7
Profanity Peak Wolves Killed for Livestock <i>Paul Ruprecht</i>	10
Most of a Washington wolf pack is slaughtered as a result of intentional cattle mismanagement.	
WWP takes on Wildlife Services <i>Kristin Ruether</i>	11
WWP stands up to the government's brutal killing machine.	
National Park Service Abandons its Mission <i>Jonathan Ratner</i>	12
Even our National Parks are not safe from industrialized cattle ranching on public lands.	
Utah BLM Almost Does the Right Thing, But Doesn't <i>Laura Welp</i>	14
Desert tortoise are sacrificed through the guise of cooperation.	
WWP in DC <i>Josh Osher</i>	15

WWP extends special thanks to the following supporters, each of whom contributed \$100 or more to our efforts over the last year. This generous assistance helps to preserve and restore habitat for many species.

Jeff Abel	Eugene DeMine	Harrison Hilbert	Oralie McAfee	Sangham Foundation
Bob and Fraida Aland	Louis and Kathleen Dersch	Melinda Hirsch	James D. McClure	John and Eliza Schmidt
John Alcock	Debra Donahue and Chip Rawlins	Frederic C. Hoffman	Hi and Ann McComish	Ken Schneider
Doug and Ellen Alvord	Charlie Donnes	Daniel and Barbara Hurlbutt	Ryan McDermott	Olivia Scott
Greta Anderson and Steev Hise	Michele and Lloyd Dorsey	James Hurtt	Al and Lee McGlinsky	Clee and Mary Sealing
John Andrick and Bev McBrien	Susan and David Drown	Ernest F Hyde Jr	Joe and Trina McNeal	Ken and Louise Seiler
Martha Arvey	E&H Humbly Bumbly Foundation	Ken and Anne Jackson	Mike McQueen	Beth Sellers
Mina M Austin	Michael and Linda Engle	Kevin Jamison	Mark Mering	Robert D. and Marsha Sellers
Dennis and Lynn Baird	Jonathan Epstein	Marilyn Jasper	Saralaine Millet	The Shapiro Family Charitable Foundation
Ranko Balog	Richard Erman	Dale and Robin Jensen	Rebecca Mirsky	Leon Shaul and Kathleen Jenson
Steve and Salli Bauer	F1 Key Foundation	Andrew Johnson	Glenn Monahan and Nancy Schultz	Torrey Shawe
David Becker	Roxanne and Tom Factor	Arthur Johnson	Dave Moore	T.R. and Emily Shelby
Peter and Carole Beedlow	Lynette Fannon-Limkin	Don and Suzanne Johnson	Christopher Morris	B.J. Smith
Arthur A Benson II	Mary Fay	Jones Family Charitable Foundation	John and Myra Mumma	Don Smith
Leo and Rosemary Benson	Darlene and John Finnell	Kevin Kane	Richard Nase	Somalwar Family Fund
Sharon and Bruce Benson	Randy Fischer	Jay Kaplan	Linda and Stephen Nash	Will and Karen Somers
Robert L. Beschta & Charlaire Beschta Trust	Martin Flannes	Steve and Cynthia Kearns	Chuck Neal	Sperling Foundation
Doug Beus	Conor Flynn	Bruce Keating	Ann and Kent Nelson	Janice Stanger
The Wayne & Betty Bickley Charitable Trust	Jerry Flynt	Janet Kee	Mike Nemacheck	Jeffrey Steinberg and Sherry Warner-Steinberg
Sharla and Ronald Bilchik	Tim Ford	Larry Keeney	Loren L. and Dorothy R Newman	David Stelling
Hope and Wes Bisbing Family Trust	Robbie and Carole Freund	Michael Kenney	Bruce Nicol	C&F Stremmel Family Trust
Tom and Florence Blanchard	Woody and Margery Friedlander	Jerry G. and Viesia M Kirk	Jodi Norris	James G. Stewart
Janice Bowers	Marlene Fritz and John Griffin	Bill Klitz	Bruce Norvell	Nancy Stokley
Sheila Bowers	Kevin and Tina Frostad	Karen Klitz and Ralph Adams	Brian O'Reilly	Helen Stone and Ben Schepps
Greg and Kathy Boylston	Jerome Fulton and Mary Wills Fulton	Knobloch Family Foundation	Nancy Orr	Walter H Sykes
Ross and Julia Bruner	Julie Ann Giacobassi and Zach Hall	Mike and Lynn Koeppen	Thomas Ososki	Meredith and Tory Taylor
Thomas and Betty Budlong	Susan H Gilliland	Richard Kolbrener	Peter and Jean Ossorio	Tim Thomas
Nancy A Bull	Monica Glickman	Daniel Kozarsky	Bruce Ostermann	Terra Nova Foundation
Karen Byington	John C Goetz	Richard and Karen Kroger	Pat and Joan Palmer	Troy Thomas
James M. Byrnes	Taylor and Bill Goforth	Ken and Ginna Lagergren	Vistara Parham	Thomas Thorp
Lorie Cahn	The Good Works Institute	Andy and Gusti Laidlaw	Grace Perez	Michael Todd
Carianne Campbell	Fred Goodsell	Rick Lamplugh	Karen and Hank Perry	Thomas Todrank and Karen McPeak
Timothy Campbell	Terri Goon	Diana Landis	Pesky Family Foundation	Dr. Charles Trost
Andre Casanave	John and Vicky Graham	Inge-Lise and Jack Lane	Scott H. Phillips	Tara Troutner
John and Nancy Cassidy Family Foundation	Carol Green	Mark Langner and Lynn Inouye	Nuri and John Pierce	Dennis and Sue Umshler
Nancy Chase	Ann Greene	Mark Lehmkuhle	Richard Prange	Steve and Amy Unfried
Radcliffe and Cheryl Cheston	Alan Gregory	Jill Lenhardt	Jonathan Proctor	Dyrek and Karen Van Hynning
Ronald E. Chizmar	CJ Gribble	Dr. Charles A Lenkner	Mike Quigley and Bonnie Olin	The Von Der Heyden Family Foundation
Eloise Christensen	Paul Griffin	Steven Leuthold Family Foundation	Debra Randolph	Charles J. Waag
Ted Chu	Andrew Gutman	Carole J Lewis and Ted Walczak	Tom Ribe and Monique Schoustra	Charlie Walter
James & Barbara Cimino Foundation	Ralph and Louise Haberfeld	David Lieb	Kathy and Dave Richmond	Dick Walton and Susan Newell
Jim Coda	William Hagdorn	Greg Lind	BC Rimbeaux	Dean and Susan Warren
Lindy Cogan	Virginia S. and Michael J. Halloran Charitable Fund	Deborah and Peter Lipman	Carlyn Ring	William Waterman
Bill Collins	Susan and Ken Hanawalt	Live Oak Foundation	Richard Ringelstetter	Kelley Weston and Kathleen Diepenbrock
Community Foundation of Jackson Hole	Jon and Vicki Hanna	Richard E. and Barbara J Lounsbury	Richard and Carmen Roberts	Michael Wickes
Charles Conn	Cristina Harmon	Bill and Josephine Lowe	Lisa and Stephen Robertson	Martin A and Carol L Wilke
Cox Family Fund	Ginger Harmon	Elise Lufkin	Bill and Sharon Robins	Jennifer Williams
James S Cox	Ann Harvey	Martin Lukes	Fred and Jeanne Rose	Whitman College
Nick Cox	David L Haynes	Michelle MacKenzie	Wayne and Kristine Rudd	Wood River Foundation
Cross Charitable Foundation	Bruce Hayse	Suzan R. Mackler Fund	Susan Rudnicki	Yellowstone to Unitas Connection
Connie Cunningham	Hecht 2008 Grantor Charitable Lead Annuity Trust	Maki Foundation	Kristin Ruether	Gordon Younger
Richard Curtis	June Heilman	Pam Marcum	Barbara Rupers	Robert and Patience Ziebarth
Karin Davies	Tom Heinrich	Brandon Mark	Jeff and Judy Ruprecht	Tom Zieber
Paul and Marilyn Davis	Patricia Helvey	Ron and Cay Marquart	Debra Salstrom and Richard Easterly	Theresa Zmola
Steve and Mary Deffé	Daniel Herrig	Paul Martin	Sagebrush Habitat Conservation Fund	Ben Zuckerman
		Jonathan H. and Stefanie Marvel	Mark Salvo	
		Ralph and Jackie Maughan	Wayne Salvo	
		Cynthia McAfee		

Welcome Erik Molvar!



By Travis Bruner and Jon Marvel

It is our great pleasure to welcome Erik Molvar, the new Executive Director of Western Watersheds Project. Erik has a long history of activism in the West, especially on protecting sage-grouse habitat, and we've always been impressed with his work. His desire to lead WWP into the future is a great boon for the organization and the imperiled landscapes of America's public lands.

Erik brings over fifteen years of experience working in the conservation nonprofit arena to this leadership role. He's worked most recently for our allies, WildEarth Guardians, and spent eight years as Executive Director of the Biodiversity Conservation Alliance (BCA) in Wyoming. WWP and BCA worked together on several projects and certainly shared a vision and commitment for protecting species and watersheds from industrialization and destruction. WWP also worked closely with Erik at WildEarth Guardians on sage-grouse land management plan amendments and legislative lobbying in D.C. Many of WWP's current staff have experience working with Erik already, and he's a good fit with the organizational culture and spirit.

Erik's educational background in Wildlife Biology (B.S., Univ. Montana) and Wildlife Management (M.S., Univ. Alaska at Fairbanks) and his personal



interests in hiking, flyfishing, hunting, and skiing also mean that he brings extensive scientific evidence and personal perspective to issues facing western wildlife species and their habitat. Additionally, Erik is interested in historic home renovations and painting. He has three children, ages 16, 14, and 9 who live in Laramie, and his partner of four years, Lori Howe, is a published poet and PhD candidate.

Being the ED of WWP is a tough job, and the leadership role of such a hard-hitting group can, at times, feel like one is being used for target practice. But WWP's strong staff, thoughtful Board of Directors, smart and savvy Advisory Board, and our many interested and engaged members makes it so that the ED isn't alone at the top. We think that Erik's energy and intellect will inspire great things.

Welcome, Erik!

Travis Bruner provides strategic and diplomatic leadership on the Four Forests Restoration Initiative as the Arizona Forests Program Manager for the Grand Canyon Trust.

Jon Marvel is enjoying retirement and fighting to conserve public lands on the Board of Directors for the Sagebrush Habitat Conservation Fund.



New WWP Executive Director marches in solidarity with the Standing Rock Lakota against the Dakota Access Pipeline.

Ag Industry Abandons Frivolous Trespass Lawsuit



By Greta Anderson

Good news! We've prevailed in the Wyoming lawsuit brought by anti-WWP attorney Karen Budd-Falen and a small cell of Wyoming ranchers who sought to stop our important grazing monitoring work in the state.

In June 2014, the ranchers brought a frivolous lawsuit that alleged trespass, sullied our reputation in the media, and hoped to force WWP to pay hundreds of thousands of dollars in punitive damages and severely restrict our access to public lands. This was done in retaliation for WWP's Wyoming office having revealed extreme water quality impacts on public watercourses, pollution arising from private grazing operations.

Armed with maps and wild speculation, the ranchers and Budd-Falen



Cattle pollute waterways with toxic bacteria in Wyoming

© JONATHAN RAYNER/WWP

accused WWP of having trespassed to collect the water samples as a way of getting at WWP's financial stability. Attorney Budd-Falen admitted as much in a subscription-only interview with Livestock Weekly in July 2015. She disclosed that she "figured out a way, that in certain circumstances," there is a way to sue "radical environmental groups," and described that she thought it was fun to try to attack our work. She also gloated about having sought WWP's financial data, and suing for monetary punitive damages, with the hope that

such penalties would be "the only thing [WWP] is going to listen to."

When it became clear last spring that the court wasn't going to order any punitive damages because WWP did not, the ranchers quickly moved to settle the case. WWP admitted to minor, incidental, and inadvertent trespass on roads where ownership boundaries were unclear. The ranchers got nothing more than an agreement that WWP won't access public lands through restricted private acreage – the same rules that apply to every other person driving in the West.

Settling this case and getting it off our docket means we can go back to doing the important work of documenting water quality violations, habitat impacts, and trespass grazing abuses caused by cattle and sheep operations on public lands. And, it means we can now turn our focus on overturning the State of Wyoming's data censorship statutes that remain a disturbing threat to scientific work on public lands in Wyoming. WWP is currently appealing the adverse decision issued last spring in that case.

Thanks to all WWP's members and supporters for sticking with us through these troubling and frivolous legal allegations!

Greta Anderson is WWP's Deputy Director. She lives in Tucson, AZ.

BEASTLY THREADS

Beautiful, eco-friendly, ethically-produced textiles that support wildlife and habitat preservation AND make the perfect gift. 20% off all Beastly products purchased by WWP members. And with each Big Horn scarf purchased, WWP receives \$10!

Visit www.beastlythreads.com, use code WWPHOLIDAY at check-out, and support WWP's critical work!

SAVE THE BEASTS



Boulder-White Clouds Allotment Retired!



By Kristin Ruether

For decades, WWP founder Jon Marvel eyed a stunning 432-acre ranch near the mouth of Idaho's East Fork Salmon River, boasting over a mile of East Fork frontage and set against dramatic cliffs across the river. The property held the grazing permits for almost 60,000 acres of federal public lands, much of it in the wild East Fork watershed, where WWP had gotten its start bidding on state land grazing leases. Jon saw the potential to create a grazing-free refuge in this important landscape, and in early 2000 when the ranch went up for sale, he and a WWP supporter hatched the ambitious idea of purchasing the ranch and retiring the associated grazing permits.

This plan encountered more roadblocks, by more opponents, over a longer period of time, than anyone could have imagined. But after sixteen years of relentless tenacity by WWP, its supporters, volunteers, and attorneys, that dream has largely become a reality. In August 2016, the BLM Spud Creek allotment was officially and permanently closed to livestock grazing; and four of the five other allotments are also effectively closed. What follows is a brief history of how it happened.

After the ranch was purchased in 2000 by Valley Sun LLC, the property was christened as the "Greenfire Preserve." WWP hired an energetic ranch manager, Stew Churchwell. Stew and volunteers began restoring the property, including removing miles of barbed wire fencing and creating gaps in the property boundary fence for wildlife passage.

The Greenfire Preserve had the permits for three Forest Service grazing allotments – the Salmon River Breaks, Spud Creek, and Obsidian – and three Bureau of Land



Frog Lake, White Cloud Mountains in the Sawtooth National Recreation Area

Management (BLM) allotments – Spud Creek, Thompson Creek, and Bradshaw Basin (jointly held with other permittees).

Under arcane Forest Service rules, a new grazing permittee must "validate" a grazing permit by turning out 90% of the permitted numbers of livestock on the allotment. Valley Sun and WWP investigated options for validating the permits, such as purchasing cattle from the Nature Conservancy to place on the allotments for one day. Those options did not work out, meaning the Forest Service permits were never officially transferred to Valley Sun.

However, long-term rest creates a certain bureaucratic inertia. With the allotments rested for years, WWP received commitments from the Forest Service to conduct an environmental analysis before reopening any of them to grazing by another permittee. Thus far, the agency hasn't mustered the effort to do so. In fact, in 2012, the small 600-acre Obsidian allotment was permanently closed by the Sawtooth National Forest

Supervisor. WWP held a work party to remove all the internal fencing.

BLM's rules are theoretically more forgiving of grazing rest. They allow a permittee to apply for permission to rest an allotment each year for reasons including conservation, and for the first few years, BLM approved WWP's request to do so. But in 2008, BLM began to deny Greenfire Preserve permission to take conservation non-use, claiming there was no justification to do so. In 2009, BLM formally cited Valley Sun for taking unauthorized non-use, and simultaneously issued a decision allowing a neighboring rancher to graze Spud Creek. Valley Sun and WWP aggressively fought these actions, and quickly achieved success in blocking the decision to allow the neighboring rancher to graze.

At the same time, livestock interests lobbied the U.S. Attorney's office for assistance in harassing Valley Sun and WWP. Astoundingly, they were successful. DOJ began a criminal investigation into whether false statements were made to the federal

© FREDLIFE/SHUTTERSTOCK.COM

government, a charge that threatened prison time of up to five years. The purported falsities were early statements that Valley Sun and WWP made when seeking permission for non-use, implying they were considering acquiring cattle (as noted, completely true). With the assistance of a stellar legal team including famed criminal attorney David Nevins and Laird Lucas, the prosecution's case quickly collapsed.

After that ugly incident, BLM tried to cancel the Greenfire grazing permits outright in 2010 for a variety of reasons including the failure to graze it with livestock. But with the assistance of Advocates for the West, an administrative law judge twice ruled against the agency, halting the cancellation pending a hearing. BLM finally saw the writing on the wall and withdrew its cancellation decisions in February 2011. Soon thereafter, Valley Sun waived back the Thompson Creek permit on BLM's promise to keep it closed, and BLM reissued the Spud Creek and Bradshaw Basin permits to Valley Sun, which continued to take non-use.

Finally, in 2015, Congress passed the Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act, a wilderness bill that included a grazing retirement provision affecting 750,000 acres. (See Spring 2016 Messenger for more info.) In spring 2016, Valley Sun LLC (now owned by the Younger family), with the assistance of the Sagebrush Habitat Conservation Fund, waived the Spud Creek permit back to BLM. BLM officially retired the permit in a short letter on August 23, 2016, just over 16 years after the purchase of the Greenfire Preserve. Our favorite phrase in the letter? "[A]ny and all livestock use of the Spud Creek Allotment . . . will be forever terminated."

WWP is grateful to everyone who made this ambitious dream happen.

Kristin is WWP's Senior Attorney and represented Valley Sun and WWP in challenging BLM's Greenfire permit cancellations while she worked at Advocates for the West.



Justin Pidot receives the 2016 Sagebrush Sentinel Award!

It is with great pleasure and honor that Western Watersheds Project recognizes Justin Pidot as the recipient of the 2016 Sagebrush Sentinel Award!

In particular, Western Watersheds Project is indebted to Justin for his impressive legal representation and expertise defending our work in Wyoming. Western Watersheds Project immeasurably benefitted from Justin's pro bono representation both in challenging the State of Wyoming's Data Censorship Statutes and defending Western Watersheds Project against a frivolous trespass suit in the state. The truth is, without Justin, Western Watersheds Project might be struggling to work in Wyoming, but with his help we are on the offensive!

The Sagebrush Sentinel Award is given annually to an individual who has shown an outstanding commitment to preserving the environment. The award was established in honor of Jon Marvel, the founding director of Western Watersheds Project. Jon's steadfast and tenacious environmentalism changed the West, and has inspired many of us to continue challenging the status quo extractive vision that has been fragmenting and degrading the landscape for centuries.

As the 2016 Sagebrush Sentinel recipient, Justin's name will be added to the plaque developed by local Hailey artist Tom Teitge, and displayed online at www.westernwatersheds.org/sagebrush-sentinel.

Congratulations Justin and Thank You!



Justin sea kayaking in Glacier Bay National Park



© WWP


The north border of the Spud Creek Allotment runs adjacent to the Salmon River.

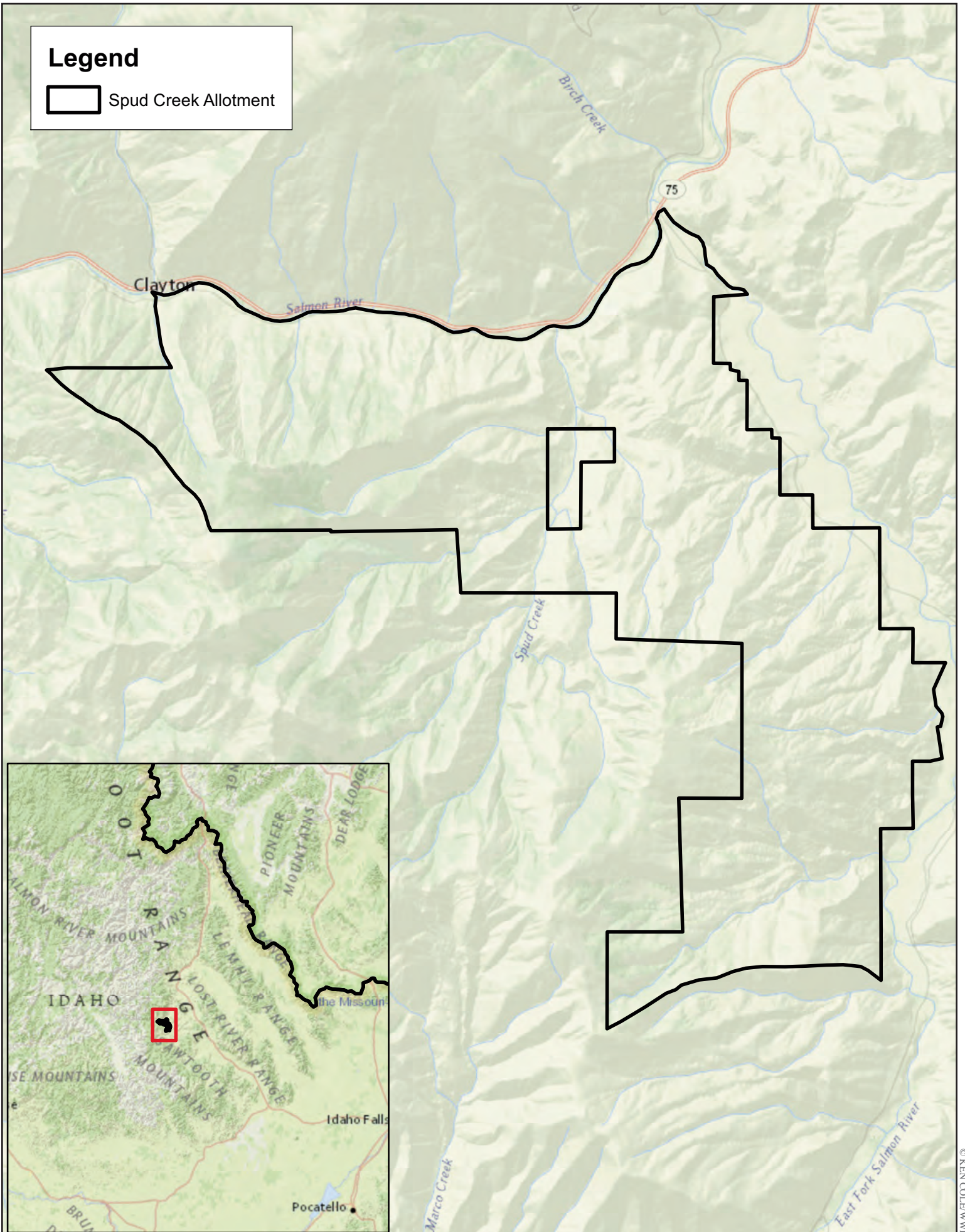


© WWP

Years of rest have allowed Spud Creek to recover from grazing.

Legend

 Spud Creek Allotment



Profanity Peak Wolves Killed for Livestock



By Paul Ruprecht

Each year, government agencies kill thousands of native predators across the West as a subsidy to ranchers who graze livestock on our public lands. As this practice increasingly comes to light, condemnation of it continues to grow. Late this summer, public anger and disgust boiled over when Washington's Department of Fish and Wildlife (WDFW) gunned down members of the Profanity Peak wolf pack after the wolves preyed on cows grazing in the Colville National Forest. While not an isolated incident, this slaughter nonetheless illustrates why killing wildlife to benefit the livestock industry is so misguided.

First, nearly all of the Profanity Peak pack's territory is Forest Service public lands in the rugged and remote Kettle Range. The area is currently proposed as wilderness in the Colville Forest Plan revision. It is a place where wolves should be free to act like wolves. Second, the permittee whose cows were killed unloaded the cattle only four miles from the pack's den. Cows and calves were milling around the den within days. He then placed salt blocks, which attract cows, on the wolf pack's rendezvous site (the area where the pups wait while the adults are hunting). Livestock displace the favored prey of wolves: elk and deer. Small wonder, then, when wolves attack cows instead.

Six cows were confirmed killed or injured by the Profanity Peak wolves in July and early August. In response, WDFW authorized killing the entire pack of 11–12 wolves. Wolves have never been reintroduced to Washington; they have begun to repopulate the state



In September, citizens rallied outside the Department of Natural Resources building in Olympia, demanding a halt to wolf killings.

on their own from Canada and surrounding states. To date, the population has only reached 90 wolves. In other words, WDFW gave the go-ahead to eliminate over 10% of the wolves in the state—for killing a half dozen cows on public land, for which the owner was already compensated. And this was not the first time that the rancher involved has caused wolf killings. In 2012, WDFW killed the nearby Wedge Pack after conflicts with his cattle.

The Forest Service shares the blame for this killing. Nothing requires the Colville National Forest to authorize grazing in areas where livestock are likely to come into conflict with wolves. But authorizing livestock in areas like the Kettle Crest and expecting wolves to avoid them—then trapping and shooting them from helicopters when they do not—is truly senseless.

Adding to the controversy, some groups, including Defenders of Wildlife, the Humane Society of the United States, and Conservation Northwest, supported the killing. The Washington Cattlemen's Association issued a statement expressing their "gratitude and appreciation" to those groups for doing so, and praising

their "courage." And then Washington State University issued a shameful apology for the accurate statements of a respected ecologist at the university's Large Carnivore Conservation Lab about the grazing permittee's sloppy operation.

On September 1, several environmental groups, including WWP, and approximately 100 citizens rallied outside the Department of Natural Resources building in Olympia, demanding a halt to the ongoing wolf killings, and calling for wildlife managers to prioritize wildlife over the private profits of ranchers. The senselessness of livestock grazing in wolf habitat was a message repeated during the day. It is a message that WWP repeats loudly and frequently, and will do so until the balance tips towards allowing wildlife to be wild in wild places.

WDFW suspended the hunt at the end of the grazing season, after having killed 7 of the pack's wolves. Another wolf, a pup, is also presumed to have died, leaving only four wolves in the pack.

Paul Ruprecht is WWP's Staff Attorney. He lives in Portland, OR.

WWP takes on Wildlife Services



By Kristin Ruether

In what has become a sick annual tradition, the U.S. Department of Agriculture's "Wildlife Services" aerially gunned down 20 wolves in central Idaho's

Clearwater National Forest earlier this year. This is in addition to the dozens of wolves the agency kills at the behest of livestock ranchers around Idaho each year—and the hundreds of wolves now killed by private hunters and trappers every year.

WWP and allies are fighting back. On June 1, we filed a federal court case against Wildlife Services for violating federal requirements to analyze its wolf killing actions.

Wildlife Services' killing is conducted under the auspices of a 2011 document that purported to analyze the environmental impacts of the agency's wolf-killing across Idaho. But a close review reveals the plan is flawed and outdated. It was written when wolves were still protected under the Endangered Species

Act—before Congress shamefully ordered wolves delisted via a legislative rider. It assumed that wolves would either remain listed, or that a 2008 Idaho Fish and Game Department (IDFG) plan to maintain 500 or more wolves would remain in effect.

But that assumption was wrong. In fact, after delisting IDFG reverted to an obsolete 2002 plan drafted by the Legislature, calling for a mere 15 wolf packs, or about 150 wolves, in the state.

To implement that goal, IDFG has instituted liberal wolf hunting and trapping seasons that result in the killing of hundreds of wolves every year (256 in 2015). It has also issued new elk management plans that call for aggressive reductions of wolf populations where elk are not meeting IDFG's artificial population objectives—even in Wilderness.

Wildlife Services did not consider any of these serious cumulative impacts on Idaho wolf populations. In addition, a wealth of new science has revealed that killing wolves has unintended consequences. In fact, one study found that killing wolves can actually increase cattle depredation, as intact wolf packs are less likely to prey upon livestock than lone wolves. This calls into question

the basic premise of Wildlife Services' killings for ranchers.

New information has also emerged regarding wolves' importance to trophic cascades, or the effects of large predators that ripple across the ecosystem. For example, the presence of wolves alters elk activity, which in turn protects riparian systems where elk browse. So removing wolves can cause widespread watershed impacts, something the federal agencies should consider.

WWP is pressing Wildlife Services to supplement its analysis of its Idaho wolf-killing program and conduct a full Environmental Impact Statement. Importantly, we are asking the court to order Wildlife Services to stop killing wolves in Idaho until it has done so.

WWP and our allies (Center for Biological Diversity, Friends of the Clearwater, WildEarth Guardians and Predator Defense) are represented by Advocates for the West and WWP attorneys. We're proud to bring some much-needed scrutiny onto Wildlife Services, which has traditionally operated behind the scenes, and are hopeful this action will lead to less persecution of wild Idaho wolves.

Kristin Ruether is WWP's Senior Attorney. She lives in Boise, ID.



A Wildlife Services trapper siccs his dog on a trapped coyote.

© WILDLIFE SERVICES

National Park Service Abandons its Mission



By Jonathan Ratner

The mission of the National Park Service is to “[p]reserve *unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations.*” Well, that is the theory at least.

While most national parks do not allow livestock grazing, thirteen parks still do. For the last 5 years, WWP’s Wyoming Office has been dealing with two of these in Utah: Glen Canyon National Recreation Area, which has the largest grazing program of any Park at 762,361 acres, and the adjacent Capitol Reef National Park.

Through extensive acquisition of records from both Parks and our own data collection, WWP has found that when livestock use and the National Park Service’s conservation mission clash, it is really no contest. The National Park Service abandons its mission and grovels at the hooves of the sacred cow.

Capitol Reef National Park contains significant portions of the habitat of two rare and federally-protected cacti that are harmed by livestock grazing. Cattle are jeopardizing the very existence of these species yet has the Park failed to muster the courage to put its mission ahead of appeasement of the livestock industry.

The Park Service had never bothered to even conduct an environmental analysis on the impacts of its grazing program on Park resources until they were sued by WWP in 2014. After announcing it would undertake a new review, the Park issued new interim grazing permits under a “Categorical Exclusion,” (CE), a type of cursory analyses that also breaks the



On the Soda allotment, a solar water pump has acted as a livestock enclosure for the past ten years. Inside, the Indian ricegrass is healthy and vigorous at two feet tall and root crowns over a foot in diameter.

law. WWP amended its case against NPS for these additional violations.

The agency has recently begun an analysis of its grazing program but, from the outset, it enshrines livestock grazing as a “right” and not a “privilege,” exceeding even the Bureau of Land Management and Forest Service. The new analysis trots out the usual ‘solutions’ to livestock-caused degradation such as the industrialization of wildlands with fences, pipelines and water developments, without recognizing that these are livestock-caused degradation too.

WWP recently collected vegetation data inside and outside of 30-year livestock exclosures at Capitol Reef to help demon-

strate the severe impact livestock grazing is causing to Park resources. Grazed areas had less than 57 percent of the vascular plant diversity of exclosures, and 260 to 1,325% more bare ground than the protected areas! Biological soil crust, another critical component of soil stability, was also decimated in the grazed samples.

Many areas are showing severe soil disturbance and erosion. Yet, nearly a half century after the establishment of the Park, the Park Service has done nothing but watch as our national heritage is destroyed.

The legislation that established Glen Canyon National Recreation Area gives



Complete devastation caused by cattle.



© JONATHAN RATNER/WWP

Outside of the pump enclosure, average root crowns are around two inches and grazed heavily. Many plants have been ripped out by the roots.

the Bureau of Land Management responsibility for only “the administration of grazing leases,” but in the entire history of this Park, the Bureau of Land Management has instead controlled every aspect of grazing on its 762,361 acres, with disastrous results.

One irritated Superintendent in the 1970’s wrote:

“The point I am trying to make is that although BLM is directed to administer any grazing leases which are authorized by the Service, the jurisdiction over the lands involved, and consequently the determination as to the lands to be grazed is vested in the National Park Service. Somewhere in our discussion

with BLM, this important distinction in authority is being disregarded or overlooked, and I believe it must be clearly recognized as a foundation upon which any meaningful cooperation between the two agencies must be based” (emphasis in the original).

Clearly he was not supported by his superiors, and so the impacts of livestock continued to this day. Records reviewed by WWP from the late 1960’s to present show that the Park Service is fully aware of the degradation of Park resources, but is not engaging in any way to improve the situation.

Historical documents even show that the Park Service is fully aware that

archeological resources are being destroyed by livestock use but has not prevented it. Almost ten years ago, the Bureau of Land Management illegally permitted the drilling of a well and the bulldozing of a stock pond on Park lands. No survey work was done prior to approval but some years after the drilling, the Park Service did a survey of the area and concluded:

“The effects of cattle grazing are anathema to the archeological record. Although it may not be politically possible to permanently withdraw the Soda Allotment from grazing, not doing so is a death warrant for scientific study and preservation of its archeological record.”

In a 2003 report on the grazing program, the Park Service found a stunning 65% of the archeological sites it assessed were categorized in the “moderate” and “severe” categories of livestock impacts, which the report defined as:

“A moderate impact is one that will result in irreparable damage to the integrity of the resource and the loss of information if action to correct the impact is not taken within 5 years. Sites identified as having severe impacts receive that rating because the resource has been so badly damaged by grazing activities that the resource will be significantly damaged or irretrievably lost if action is not taken within 2 years.”

Thirteen years later, the report is gathering dust and no actions have been taken. Impacts to foundational biological resources are similarly being ignored.

It’s a painful and unfortunate reality, but even the National Park Service, our most esteemed land management agency, spinelessly supplicates before the mythical holy cow.

Jonathan Ratner is WWP’s Wyoming, Colorado & Utah Director. He lives in Pinedale, WY.



© ERIK MOLVAR

Beautiful vistas in Capitol Reef National Park.

Utah BLM Almost Does the Right Thing, But Doesn't



By Laura Welp

It was difficult for those of us reviewing the Bureau of Land Management's (BLM's) Draft Environmental Impact Statement (EIS) to believe: Plans for two new BLM administered National Conservation Areas (NCAs) appeared to be prioritizing natural resource protection over development in the southern Utah! Emphasis, unfortunately, on "draft".

The Omnibus Public Lands Management Act (OPLMA) of 2009 created two Natural Conservation Areas (NCAs) on the St. George Field Office, and the BLM had to prepare an EIS to describe and analyze new management priorities. One of the most important features of the Draft EIS was to keep intact the Red Cliffs Desert Reserve for the threatened Mohave Desert tortoise, despite pressure from local Washington

County officials to bisect it with a highway.

The reserve has been in place for 20 years. In the early 1990s, St. George was booming and developers were making millions. As the area built up, people noticed that the desert tortoise population was plummeting, and the species was listed as Threatened under the Endangered Species Act. Washington County and the federal government came up with an agreement that would allow development of over 350,000 acres of land outside the proposed reserve and the killing of 1,169 tortoises. In exchange, the Red Cliffs Desert Reserve would be created to protect 61,000 acres of occupied and potential tortoise habitat from development.

Two decades later, the city is complaining about the traffic congestion that came with all that development. They want to build a 6,350-acre utility and transportation corridor smack in the center of the reserve. And they say the BLM promised to allow them to do that in the Omnibus law, which created the Red Cliffs NCA to protect the reserve.

Actually, OPLMA just requires BLM to "identify 1 or more alternatives for

a northern transportation route in the County" when they develop a travel management plan. In the Draft EIS, BLM adhered to that stipulation and included a right-of-way through the reserve in one of their alternatives. However, just because the Omnibus legislation required them to include such an alternative didn't mean the BLM had to choose that alternative. And they didn't. Their analysis showed that a road would undermine the purpose of the tortoise reserve, invalidate the county's 1996 agreement, and run counter to the Omnibus law. It would also go against agency guidance for managing NCAs, which prioritizes resource protection over development.

Not choosing the city's preferred alternative made the bureaucrats and politicians of Utah realize they could not automatically dictate the terms of the EIS this time. In response, they held raucous, contentious, and confrontational public meetings until the BLM gave them their way. The proposed plan now includes a transportation corridor through critical desert tortoise habitat.

The draft EIS also reduced grazing in some parts of the Beaver Dam Wash NCA to restore degraded vegetation and provide more forage and protection for desert tortoises. The success of revegetation projects, already low, is even lower when livestock grazing continues while seedlings and young plants are trying to get established. Even this reasonable precaution was too much for local officials. They apparently labor under the misapprehension that when the BLM says it's going to manage grazing according to its laws, policies, and procedures, that means the agency can't reduce grazing to protect other resources. Likewise, the BLM seems to labor under the misapprehension that they must do what the locals tell them to do, because they actually increased the number of AUMs in the current version of the doc-



©DTRO/USFWS

Mojave Desert Tortoise

ument.

The draft EIS also allowed for the retirement of grazing allotments when they were voluntarily relinquished by ranchers. The current EIS removes that provision, stating that relinquished allotments will not be retired but may be allocated to uses other than grazing. But if the BLM won't defend voluntary relinquishments in this EIS, how likely are they to reallocate allotments to something other than grazing in the future?

Oh, BLM. You came so close to almost doing some of the right things. Just as you were about to clear the low bar of responsible public lands management, local self-serving interests came down hard and you caved to the pressure. Now, not only have you turned away from the best available science to favor development, but you've torn a big hole in any incentive for those concerned about conservation to come to the table. It doesn't work to go back

on a hard-won agreement and then expect the same people to trust you next time. The supertanker of grazing politics has slammed into the frail craft of cooperation, leaving the wreckage of the 2009 OPLMA compromise floating in its wake.

WWP protested the proposed decision on October 3.

Laura Welp is WWP's Ecosystems Specialist. She lives in Phoenix, AZ.

WWP in DC By Josh Osher



WWP's dedication to native wildlife and healthy ecosystems often requires venturing beyond our beloved western landscapes and into the political wildlands of Washington, DC. Several times each year, I travel to DC for meetings with Congressional staff and administration officials to advocate

for policies that strengthen the public's right to weigh in on land management decisions, prioritize science-based decision making, and ensure the integrity of our nation's most important environmental laws. These visits often involve a combination of advocacy for forward thinking policy proposals such as voluntary permit retirement and fighting against an ever increasing array of policy riders that serve to further entrench extractive industries and undermine critical environmental protections.

Most of my work in 2016 has been a reprise of the past several years. Greater sage-grouse conservation is almost always the first item on the agenda. WWP is one of only a few organizations that even mentions that impact of continued livestock grazing on the sagebrush ecosystem, and our efforts to highlight this issue have certainly helped to educate and inform policy makers as they confront the oft told falsehoods promoted by the livestock industry. This year's focus has been on ensuring that federal planning efforts are improved rather than abandoned, while also trying to restore the backstop of Endangered Species listing that Congress eliminated by appropriations riders for the past two years.

Among the dozens of anti-wildlife riders proposed in this year's appropriations bills are several that have a direct impact on WWP's work and mission. Three of the most troubling provisions involve requiring the federal agencies to issue new permits for vacant grazing allotments without public input or adherence to other environmental laws and regulations; allowing sheep ranchers to have veto power over federal land managers when determining if domestic sheep need to be removed to protect native Bighorn Sheep; and preventing the federal government from entering into conservation agreements that involve the transfer of water rights as mitigation for development or the improvement of watershed function.

While educating Congressional staff about these issues is a vital component for preventing destructive riders, it is only one part of the overall strategy. It is equally important for members of Congress to hear directly from you, their constituents, about these issues. Please take the time to call or email your Congressional Representatives, particularly Senators, and tell them to oppose all anti-wildlife riders in the FY2017 appropriations bills. Additionally, please express your support for the Endangered Species Act and the National Environmental Policy Act.

Josh Osher is WWP's Montana Director and Public Policy Coordinator. He lives in Hamilton, Montana.



© MARTIN FALBISONER



WESTERN WATERSHEDS PROJECT

P.O. Box 1770
Hailey, ID 83333

~Address Service Requested~

NON-PROFIT
ORG.
U.S. Postage
PAID
Boise, Idaho
Permit No 220

Thank You for Your Continued Support!

Every day the public lands, streams and wildlife throughout the West benefit because of the work done by Western Watersheds Project. The agency management plans we challenge, the allotments we monitor, and the lawsuits we file all help to protect and restore our western public lands.

- **Any size donation is greatly appreciated and makes a difference!** Everything WWP does to influence the restoration of western public lands is based on a vision that western North America may be one of the only places on earth where enough of the native landscape and wildlife still exists to make possible the restoration of a wild natural world.
- **Make a gift of appreciated stock.** Talk to your accountant or financial planner about the potential tax benefits of making this type of donation.
- **A gift through careful estate planning can make a lasting difference for WWP.** A bequest, an arrangement made in a donor's will, is a simple and uncomplicated approach to planned giving. Other methods to facilitate a planned giving donation include: charitable remainder trust, charitable lead trust and gift annuity. It may be wise to talk to your accountant or financial planner to fully understand the potential tax benefits of different giving options.
- **Help others learn about WWP!** Recently, WWP supporters hosted events in Pocatello, Idaho and Berkeley, California to help us spread the word about our important work. You can host an event too and WWP will help. We'll supply informational materials, send out email/printed invitations combining your guest list with local WWP supporters, and even have a WWP representative attend a "meet & greet" which can be customized to your area of interest or concern.



The Western Watersheds Project Messenger is printed using
vegetable-based inks on carbon neutral, 100% post-consumer waste.

