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# Hammond Permit Reversed: The Fastest Win in the West!



## By Greta Anderson

In perhaps the fastest success Western Watersheds Project has ever achieved, it only took a single day between the filing of our lawsuit over the

decision to give a grazing permit to Hammond Ranches Inc. and the Bureau of Land Management rescinding its decision!

Western Watersheds Project and our allies sued the Bureau on February 25, 2021 for a last-minute Trump Administration decision to award a new grazing permit to Hammond Ranches, Inc., a permittee with a history of abusing its grazing privileges. The allotments are on the ancestral lands of the Burns Paiute Tribe of Oregon and the Northern Paiute and the Western Shoshone peoples, and contain a trove of cultural and biological resources, as well as important habitat for the imperiled sage grouse, redband trout, and numerous other animals. The lands include designated wilderness and other wilderness-quality lands along the flanks of Steens Mountain. Despite these outstanding values, and Hammond Ranches' history of misconduct, the Trump Administration hurried to give a new grazing permit to these bad-actor ranchers before leaving office on January 20, 2021.

Our lawsuit, filed in U.S. District Court for the District of Oregon, demonstrated that the last-minute decision signed by former Interior Secretary David Bernhardt himself—cut short the public process required by law and failed to consider potential harm to imperiled wildlife, including the greater sage grouse, and damage to cultural sites. Bernhardt's decision, issued on the day before the Inauguration, claimed to resolve 160 public protests in just one business day, after the agency had already truncated the protest period and constrained public participation in violation of bedrock environmental laws.

And if these political shenanigans sound familiar, they are. The previous Secretary of the Interior, Ryan Zinke, tried a similar maneuver on his last day in office in 2019. WWP and our allies succeeded in getting that decision overturned as well (though that decision took longer than a day!).

This fight is not over because what the Bureau will do next remains unclear. But it is encouraging to see this unlawful Decision set aside and these special lands be given a break from grazing, at least for now.

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

## WWP Challenges Regressive Grazing Management on Wilson



## **Creek** By Paul Ruprecht

The 1.1-million acre Wilson Creek grazing allotment northeast of Pioche, NV is one of the largest in

Nevada. Named for the Wilson Creek mountain range, the area contains a variety of habitats—from alpine meadows, white fir, and aspen groves on 9300foot Mt. Wilson to ancient ponderosa pines and mahogany groves near Parsnip Peak, to extensive pinyon-juniper forests and sagebrush meadows in lower areas. Two wilderness areas are located within the allotment. Wilson Creek allotment



Mount Wilson, Pioneer Pass, Wilson Creek Range, Nevada

supports 11 sage-grouse leks, and the pinyon-juniper forests provide a home for many bird species, as well as deer and elk.

Despite its ecological value, the Bureau of Land Management's Ely District has not updated grazing management on the allotment for nearly 30 years, allowing extreme degradation of springs and wet meadows and depletion of native grasses in the uplands by cattle and sheep authorized year-round under a dozen separate grazing permits. Livestock grazing has caused the failure of nearly every rangeland health standard on the allotment.

In 2018, the Bureau issued an environmental assessment (EA) and proposed decisions to allow grazing to continue at status quo levels. Instead of reducing livestock, the agency's solution was to build more fencing and water developments; chain vast swaths of pinyonjuniper forest; conduct "maintenance" of non-native seedings by removing sagebrush that had regrown there; and remove horses from the area (while the Nevada Department of Wildlife simultaneously reduced elk numbers). Anything but the cows. Indeed, the Bureau could not have chosen to reduce livestock because it refused to even consider an alternative

in the EA to for lower levels of grazing.

In December 2020, the Bureau issued its final decisions for Wilson Creek. WWP appealed the decisions to Interior's Office of Hearings and Appeals on a number of grounds. We challenged the Bureau's lack of a valid carrying capacity analysis, refusal to consider reduced grazing, and, significantly, its total disregard for provisions in its land use plan that require it to consider and protect sage-grouse habitat. In March 2021, an Administrative Law Judge temporarily "stayed" two of the Wilson Creek grazing decisions in response to WWP's appeal, preventing development of new grazing infrastructure and increased grazing in several use areas until the appeal is decided on the merits.

As we confront dual biodiversity and climate crises, Ely District must abandon its 18th century mentality and manage public lands like the Wilson Creek allotment for their value as wildlife habitat and carbon reserves instead of as clear cuts and cattle pasture for private ranchers.

You can view more photos of the Wilson Creek allotment here and here https://bit.ly/3c4USHk

Paul Ruprecht is WWP's Nevada Director. He lives in Gerlach, NV.



Gray Wolf, Canis lupus

## Delisted Gray Wolves Face Challenges in



## Montana By Jocelyn Leroux

On January 4, 2021, the Trump administration delisted the gray wolf (exclusive of the Mexican gray

wolf) from the Endangered Species Act and removed its federal protections in the remaining lower-48 states under the Endangered Species Act. Wolves were already delisted in Idaho, Montana, and Wyoming and parts of Washington, Oregon and Utah thanks to a Congressional meddling in prior decisions. The new decision to delist gray wolves was contrary to the best available science and relied heavily on the approximately 4,400 wolves in the Great Lakes states to sustain the gray wolf population nationwide. However, this delisting does not account for just how detrimental state-level management will be for the species.

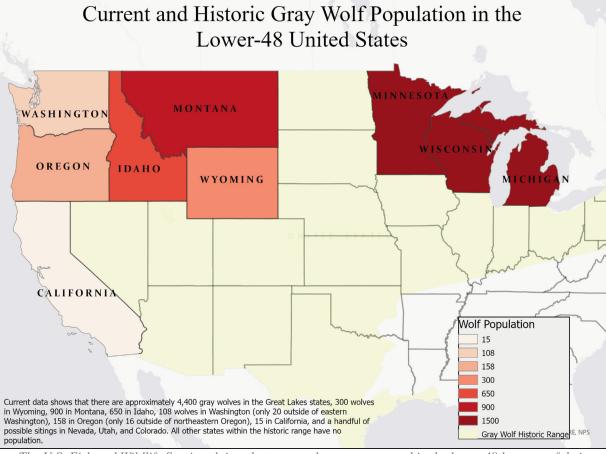
Gray wolves are still functionally extinct across 85% of their range. With state-level management decimating local

> populations, there is essentially no hope that gray wolves will be able to repopulate their former habitat without ESA protections.

The current deliberations of the Montana Legislature provide excellent examples of just how atrisk gray wolves still are. Since the wolves in the state were delisted in 2012, and according to recent data, approximately 35% of Montana's gray wolf population is killed each year by hunters, trappers, and government agencies that are "protecting" property and livestock. This has led to an overall decrease in the wolf population, a trend that will only get worse

with the introduction of a barrage of antiwolf bills that have been introduced by northwest two Montana legislators, State Representative Paul Fielder, a leader of the Montana Trappers Association, and Senator Bob Brown. With Governor Gianforte - who will gladly sign any anti-wildlife bill that comes his way - Rep. Fielder and Sen. Brown's antiwolf bills are unfortunately very likely to pass.

Mr. Fielder's bills would extend the wolf trapping season by nearly a month because, as one trapper who was testifying in



The U.S. Fish and Wildlife Service claims that gray wolves are recovered in the lower 48 because of their numbers in the Great Lakes States. However, gray wolves are still functionally extinct in 85% of their former range and expansion is limited by management in the Rocky Mountain States.

support put it, trapping in the winter is hard; require any trapping seasons to allow for the use of snares which are cheap and lightweight and currently not allowed for use on wolves; and write trapping into Montana's constitution which would ensure that this cruel and indiscriminate way of killing wildlife will continue.

Mr. Brown's first bill is essentially a bounty that would provide state-funded reimbursements for costs associated with hunting and trapping of wolves. The second is a bill specifically targeted at reducing the wolf population to a "sustainable level." In order to achieve the stated "sustainable level" the bill states that the Fish and Wildlife Commission could authorize unlimited harvest with a single wolf hunting or trapping license; the use of bait; and night hunting of wolves. Mr. Brown has also discussed the potential of legislation that would reclassify wolves as "predators," which would allow them to be killed yearround without a permit.

In combination, these bills will ensure the decimation of Montana's wolf populations which in turn will reduce the number of wolves that are dispersing farther west or south. Worse still, states with newly-delisted or recovering wolf populations such as Washington and Colorado are turning to Montana, Idaho, and Wyoming for tips on how to "manage" wolves. Montana's form of wolf management is simply a regression to former management that led to the eradication of wolves in the first place. The gray wolf population in the West does not stand a chance with this type of state management.

On January 14, 2021, WWP along with a coalition of Western wolf advocates

challenged the Trump Administration's decision to prematurely strip wolves of federal protections in the lower 48 states. The livestock industry was the prime force behind driving wolves extinct across the West in the first place, and now they're fighting hard to sabotage wolf recovery at every turn. The Biden Administration has promised to listen to science in its decision-making, but it also need look no further than Montana, Idaho, and Wyoming to see how barbarous state management can be. WWP will keep fighting to ensure gray wolves maintain protections so the population can truly recover and repopulate their former range.

Jocelyn is WWP's Washington & Montana Director. She lives in Missoula, Montana

# Protecting Prairie Dogs to Ensure Black-Footed Ferret Recovery on Thunder Basin National



### **Grassland** By John Persell

Western Watersheds Project and Rocky Mountain Wild recently sent notice to the Forest Service that its

decision to eliminate habitat protections and increase poisoning and shooting of prairie dogs on Wyoming's Thunder Basin National Grassland violates the agency's obligation to conserve and recover black-footed ferrets.

The lands of the Cheyenne, Crow, and Lakota peoples now known as Thunder Basin once provided sprawling prairie dog colonies that supported healthy populations of black-footed ferrets, burrowing owls, swift foxes, and mountain plovers. Black-footed ferrets depend exclusively on prairie dogs for food and habitat. Ignoring their importance to grassland ecosystems, agricultural interests see prairie dogs as pests that compete with cattle for forage. With the assistance or approval of government agencies, ranchers and farmers have eradicated prairie dogs from all but 2% of their former range, leading black-footed ferrets to the brink of extinction.

Black-footed ferrets now survive only in captive breeding facilities and a handful of reintroduced populations. The Fish and Wildlife Service has identified Thunder Basin National Grassland in Wyoming as one of just a few locations across the West that could support a self-sustaining ferret population.

The Forest Service began managing approximately 50,000 acres of the Grassland under a "reintroduction habitat" management designation in 2002, but ranchers and the Wyoming Department of Agriculture immediately began pushing the Forest Service to roll back these habitat protections and allow for greater "control" of prairie dog colonies through poisoning and shooting. The Forest Service caved to this pressure repeatedly, with reductions in protections for ferret habitat and prairie dogs through plan amendments in 2009 and again in 2015.

Unfortunately, these rollbacks culminated in the Forest Service completely eliminating its "reintroduction habitat" management designation in late 2020. The Forest Service now says it will "deemphasize" black-footed ferret reintroduction on the Grassland and cap prairie dog colonies at just 10,000 acres—below the minimum needed for a successful, self-sustaining ferret population. The Forest Service will also allow recreational shooting of prairie dogs (colloquially known as prairie dog "misting") for five and a half months of the year within the formerly protected area, and expand options for poisoning prairie dogs once colonies reach just 7,500 acres. In addition to increased poisoning and shooting, prairie dogs have also faced recurring sylvatic plague outbreaks on the Grassland in recent years. Yet the Forest Service has no plan to prevent extirpation of prairie dogs in the face of these combined threats.

The Forest Service's abandonment of its earlier commitment to contribute to ferret recovery in Wyoming runs directly counter to the spirit, goals, and requirements of the Endangered Species Act. Public lands like Thunder Basin National Grassland offer some of the only possibilities for black-footed ferret recovery in the wild. To ensure that black-footed ferrets can once again thrive in Thunder Basin, we intend to follow through with a lawsuit challenging the agency's decision to eliminate habitat protections and increase prairie dog poisoning and shooting.

John Persell is WWP's Staff Attorney. He lives in Portland, OR.



Black-footed ferret, Mustela nigripes

# The Centennial Range: Challenges and Hope for Native Wildlife



By Adam Bronstein

When considering important places for wildlife across the intermountain West, the 40-mile long Centennial Mountains straddling the crest of

the Continental Divide between Montana and Idaho truly stands out. It is considered to be the most vital linkage between the Greater Yellowstone Ecosystem and central Idaho wilderness within the Yellowstone to Yukon corridor.

Grizzly bears now occupy the Centennial Range after decades of absence despite the rapid decline of whitebark pine, an important historical food source for this omnivore. There are documented instances of grizzly crossing Interstate 15 to the west, a good sign that their range is expanding ever closer towards central Idaho wilderness. Other important species that utilize and occupy the Centennials include wolverine, lynx and bighorn sheep.

Livestock grazing continues to be the greatest threat to wildlife and ecosystem in the Centennials. While some sheep grazing allotments in the area have been retired by the Forest Service, field visits by WWP in summer 2020 found many areas damaged by cows, especially on grazing allotments to the west of Henry's Lake, a popular recreation destination. Wildlife Services continues operating throughout the Centennials in support of livestock grazing by killing "problem" bears and wolves, presenting one of the greatest threats to area carnivores.

And then there's the U.S. Sheep Experiment Station (USSES) flocks that create a risk of disease transmission to



wild bighorn sheep populations and also continuing to damage sage-grouse habitat. In 2019, WWP sued the U.S. Department of Agriculture for the second time concerning their management of operations at the Sheep Experiment Station ("Sheep Station") near Dubois in eastern Idaho along the southern flats of the Centennials. This case is ongoing in federal court. WWP believes the Sheep Station has outlived its purpose and should be closed immediately to allow the region to properly rewild.

Besides the threats of livestock grazing and its associated programs, new threats to the Centennial Range are also emerging and being tracked by WWP. A new gold mine is proposed by a Canadian company up Camas Creek. The exclusive Yellowstone Club was recently denied a heli-skiing special use permit for private access to public lands, which would have presented unreasonable challenges to denning grizzlies, reclusive wolverines, and harmed the wilderness character of nearby wilderness study areas.

Many human-centric challenges persist in the Centennials for native wildlife, but the good news is the vast majority of these lands are in the public domain. With the right pressure applied, we hope that future management can help facilitate recovery efforts and greater habitat quality in this important corridor.

Adam Bronstein is WWP's Idaho Director.

# Grazing Damage in the



Mowed-down feeder creek near Henry's Lake





Cows graze a spring seep in the Ching Creek sheep and goat allotment

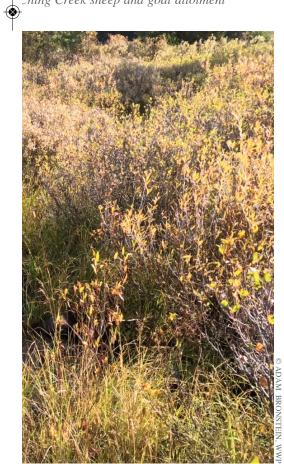


Many areas of the Centennials have closed

# e Centennial Mountains



Ching Creek sheep and goat allotment



losed to grazing and are recovering nicely



Kay Creek in the Cottonwood-East Camas sheep and goat allotment

# Ironwood Forest National Monument and the Sonoran Desert



## Tortoise By Cyndi Tuell

The 129,000-acre Ironwood Forest National Monument located just northwest of Tucson, Arizona

was established on June 9, 2000, to protect its namesake tree and the cactus forest it inhabits. This rich desert community includes mesquite, palo verde, creosote, and saguaros, Nichols Turk's head cactus, cactus ferruginous pygmy owl, and more than 200 cultural sites from the Hohokam period (600 C.E. to 1440 C.E.). Humans have lived in the area for more than 5,000 years, which are the ancestral and current lands of the Tohono O'Odham and Akimel O'Odham.

The Ironwood Forest National Monument also provides extensive habitat for the Sonoran Desert tortoise, and the Bureau of Land Management is supposed to protect this species and the native plants the tortoise relies upon for survival. In 2020, WWP and our partners prevailed



Grazing damage on the Ironwood Forest National Monument

in our lawsuit against the U.S. Fish and Wildlife Service for its 2015 decision to keep the Sonoran desert tortoise off the Endangered Species list. (WWP and WildEarth Guardians were also the original petitioners for listing in 2009). The result of that effort is that the Service agreed to issue a new listing decision by February 2022. One of the biggest threats to the Sonoran desert tortoise is livestock grazing. Cows compete with tortoises for food and crush tortoises in their burrows.

I recently visited the monument with the intention of visiting the cultural site known as Cocoraque Butte, in what



An area free of grazing damage on the Ironwood Forest National Monument

is known as the Cocoraque allotment. I hoped to see native grasses, lush creosote, mesquites, and of course the namesake ironwoods, thriving and providing habitat for native wildlife. Unfortunately, this is not what we found because the Bureau has utterly failed to make sure these important and "protected" lands are indeed protected from the ravages of livestock grazing.

What I did see would be shocking, if I weren't already aware that the Bureau has long ignored the destruction wrought by livestock grazing in this area. Cow pies littered the desert floor, the grasses were grazed into oblivion, the shrubs and trees have remained tiny versions of their potential selves.

WWP has been advocating to get the Bureau of do a better job managing the Monument since 2007. In 2011, WWP brought Bureau leaders on a fieldtrip to show them areas with extreme utilization and shrubs browsed into bonsai shaped miniatures of their former glory, as well as erosion for over a mile from the stock tank. There was still no wildlife ramp, even though we pointed out this missing ramp in 2011.

How can this be? How can land managers turn their backs on their duty to protect these lands? And what is hap-

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pening to the wildlife that should be supported by these lands? A partial answer to that question is that the Bureau has reauthorized livestock grazing on 12 of the 13 allotments located on the Monument without ever taking a look, much less a "hard look" as required by the National Environmental Policy Act, at how livestock grazing is harming these lands. The agency has used the "grazing rider," now codified into law at 43 C.F.R. 402(c)2, to allow grazing to continue for ten year periods of time without even having to visit the allotment to make sure cows aren't killing all the cactus and eating all the plants. In fact, the Bureau also says the lands on the Cocoraque allotment are so badly damaged by livestock that livestock can't really damage them any further, basically resigning itself to a forever damaged National Monument.

To end on a positive note, I did have an amazing encounter on that recent trip to Ironwood. We chanced upon the burrow of a Sonoran desert tortoise in an area that seemed to have few, if any, livestock. The tortoise was tucked away deep in its home on a rocky slope surrounded by ironwoods, saguaros, creosote, and pottery sherds from the O'Odham people who lived here long before this place became public land known as the Ironwood Forest National Monument. There was a tortoise scat just outside the burrow along with the scratchy tracks left as the tortoise made its way in for a rest. Some tortoise bones had previously been collected and placed just outside the entrance of the burrow, allowing us a chance to contemplate the life and death of this ancient species in its natural habitat. It's my goal to improve its habitat on the national monument and ensure that the species continues to exist and thrive well into the future.

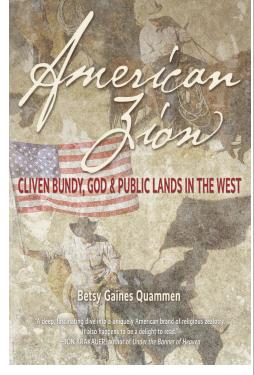
Cyndi Tuell is WWP's Arizona & New Mexico Director. She lives in Tucson, Arizona.

## WWP Book Club

Western Watersheds Project decided to try something new in 2021 by starting an online Book Club. By teaming up with Torrey House Press, we're bringing books about the public lands issues that we work on to a broad virtual community.

Torrey House Press is a non-profit publishing company dedicated to printing "[B]ooks that create conversations about issues that concern the American West, landscape, literature, and the future of our ever-changing planet, inspiring action toward a more just world."

With so many great titles and authors to choose from, it was hard to pick just four for our quarterly meetings.



We kicked off the Book Club on February 23rd with a reading of *American Zion: Cliven Bundy, God, and Public Lands in the West* by Betsy Gaines Quammen. The author generously read especially meaningful selections of text and there was a lively conversation among participants, including some very compelling questions.

We hope to repeat this success during our May 25, 2021 meeting. That month will feature *Behind the Bears Ears* by R.E. Burillo and the author will be joined in the discussion by two distinguished guests, Regina Lopez-Whiteskunk of the Ute Mountain Ute Tribe of Towaoc, and Lyle Balenquah, a member of the Hopi Tribe. All three panelists have been engaged in the designation and protection of Bears Ears National Monument, and we're looking forward to hearing their perspectives.

We've got *Standoff: Standing Rock, the Bundy Movement, and the American Story of Sacred Lands* by Jaqueline Keeler scheduled for our August 25 meeting and the Diné/Ihanktonwan author will share her exploration of the West, conflicting beliefs and the legal system.

Finally, November 16th, we'll be joined by Jonathan P. Thompson for a reading and discussion of his forthcoming book, *Sagebrush Empire: How a Remote Utah County Became the Battlefront of American Public Lands*. His deep dive in the politics of San Juan County, Utah will be informative about the roots of the ongoing American public lands wars.

All of the events are held online and run from 7 to 8 pm MT. Registration information can be obtained by contacting greta@westernwatersheds.org or by keeping a look out for future emails inviting Online Messenger subscribers to the meetings.

In addition to marking your calendars for these online events, we encourage you to support Torrey House Press by purchasing these books online and using the code WESTERNWATERSHEDS at checkout. Torrey House is generously returning 20 percent of their proceeds to WWP.

# Busting the Cowboy

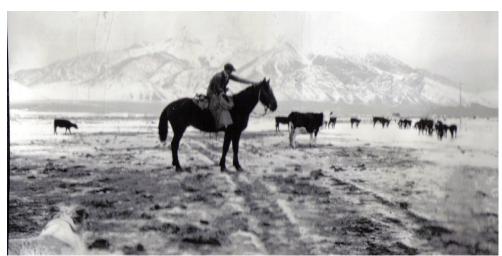


### Myth By Dave Stricklan

Since the recent win by WWP in the BLM Hammond Permit case, I have been thinking a lot about Western

cattle ranching culture and the tandem entitlement culture. It permeates society, is profoundly embellished and is often deeply damaging to public land landscapes. It is a myth that is pervasive and entrenched. I grew up in the culture and find it amusing that some of the people least taken in by the myth are from cowboy families themselves. They know firsthand the Spartan economic, cognitive and social limitations of what can be a very confining lifestyle, and often deeply resent their captive lifestyle. Not everyone feels that way of course, but more people do than you might imagine.

Some of those people, when they become parents and raise children in poorly insulated temporary housing that belongs to other people, come to begrudge the fairy tale of roping and riding and pickup trucks (and poverty and social deprivation as a badge of purity). Older men come to dread calving in February



Dave Stricklan's father Paul on his horse Sinner

with the bitter, biting cold that accompanies pulling calves with wet, ungloved hands when the unclocked hours all blend together. The calendar date and time of day become foggy and meaningless. Only the remaining tally of first-year heifers to be attended to and checked off the list with a healthy calf matters. And after many years, that imperative stops feeling attractive.

It was not unusual for parents (usually mothers, but not always) to call me at the University and plead with me to convince their children to transfer out of Range Science and into a major that didn't involve ranching. I was happy to point them toward a more meaningful and rewarding future. Unfortunately, and I say this carefully, sometimes that just lead towards a sort of brain drain at home.



Paul Stricklan at Willow Creek a tributary of Birch Creek, Idaho in 1929

The pride in the Cowboy Myth is not unlike the Lost Cause myth of the failed Southern Confederacy, and the interminable baloney beginning with the phrase "My family is fifth generation." Of course, the Western cowboy myth does not involve the evil of chattel slavery like the Lost Cause myth, but it does keep publicly-owned land (essentially co-opted by grazing permittees) in a perpetually-damaged state. There are some public land ranchers who genuinely and deeply care that both public and private lands are managed for as well as possible. There are also some that don't. But the inescapable reality is that if non-native, invasive ungulates are spread widely across the landscape in artificially delineated pastures with barbed-wire fences, and then congregate daily on the banks of streams to drink, and do not cycle their bodies back into the ecosystem at death, virtually every other biotic and abiotic resource is diminished, sometimes to the point of non-functionality.

It is unlikely that the obvious restorative remedial remedy (taking cows off public land) can be or will be applied universally to the Western myth, but we are making some progress with willing seller buyouts. For now, that will have to do: busting the myth, one buyout at a time.

Dave Stricklan is WWP's Sagebrush Specialist He lives in Arco, Idaho.

### Suit Wins WWP Protections for 10 Million Acres of Sagebrush Focal Areas



**By Erik Molvar** 

Western Watersheds Project's long-running litigation on behalf of sage grouse yielded a new victory in February, with a ruling that reverses a 2017

Trump administration decision to abandon a mineral withdrawal for 10 million acres designated as Sagebrush Focal Areas to protect sage grouse habitats.

Large swaths of Sagebrush Focal Areas are designated along the northern border of Nevada and into the Owyhee Canyonlands, along the northern fringes of the Snake River Plain and the sagebrush basins of the central Idaho mountains, across Wyoming's northern Red Desert and Sweetwater River basin, and surrounding Fort Peck Reservoir in northcentral Montana. Saving these lands for sage grouse also protects them for wintering elk and mule deer, migrating pronghorns, resident pygmy rabbits and burrowing owls, and over 300 other species of sagebrush-dependent plants and wildlife.

It is interesting to note that Sagebrush Focal Areas are defined as a subset of Priority Habitat areas, and when initially proposed they were recognized as a means of shrinking the land area that got the strongest habitat protections from the original 36 million acres deemed essential and designated as Priority Areas for Conservation by the U.S. Fish and Wildlife Service. And it is telling that the level of protection accorded to Sagebrush Focal Areas is actually substantially less than the habitat protection standards prescribed for all Priority Habitats by the state and federal sage

grouse experts who drafted the National Technical Team recommendations in 2011.

The court's opinion noted that the U.S. Fish and Wildlife Service had found mining to be a major impact on sage grouse, and had declared the Sagebrush Focal Areas "most vital to the species persistence." The Trump administration re-did the analysis of mining impacts on Sagebrush Focal Areas, which had initially found significant impacts on sage grouse, and determined that these impacts were now "insignificant" despite being greater in magnitude than those found under the previous administration. The judge found this conclusion "arbitrary and capricious" and a violation of the federal Administrative procedures Act.

The ruling, secured for Western Watersheds Project, Center for Biological Diversity, WildEarth Guardians, and Prairie Hills Audubon Society by attorneys from Advocates for the West, puts Sagebrush Focal Areas back on track for long-term withdrawal from future hardrock mining claims. It will take further

legal action to also provide science-based protections for these lands from livestock grazing and oil and gas development, but help is on the way.

Even if the Trump-era sage grouse plans are swept aside by the new administration, there is much work to do in bringing the 2015 Obama-era plans up to the minimum habitat protection standards prescribed by science. Loopholes and exemptions for disturbances will need to be removed, Priority Habitats will need to be expanded to encompass additional important areas, lek buffer distances will need to be increased, and limitations on incompatible land uses must be strengthened. Our existing lawsuit covers all of these topics, and the judge's in-depth treatment of sage grouse science in this February's ruling gives us hope that we can keep the victories coming, and at long last give the sage grouse the science-based protections they deserve.

Erik Molvar is WWP's Executive Director. He lives in Laramie, Wyoming.



Grouse squaring off in a sagebrush focal area in Wyoming's Red Desert

# Protecting Wildlife from Mining in Nevada's Montana Mountains



By Kelly Fuller

The Montana Mountains of northwestern Nevada boast some of the most important wildlife habitat in the northern portions of the state.

Wildlife abounds there: greater sagegrouse, Lahontan cutthroat trout, golden eagles, pronghorn, pygmy rabbits, and more. These mountains have been recognized by National Audubon Society as a globally Important Bird Area, and they are so important to sage-grouse that in 2015 the Bureau of Land Management proposed to make them off-limits to new mining claims by designating them a Sagebrush Focal Area.

But an intruder threatens this wildlife



stronghold. In January 2021, the Trump Administration approved the Thacker Pass lithium mine after a fast-tracked

Join us for Western Watersheds Project's 2021 Board Meeting at the at Greenfire Preserve or via videoconference, depending on pandemic conditions

Stay tuned for more details about the September 2021 meeting! For more information on location and how to RSVP, please visit vesternwatersheds.org/boardmeeting.

The East Fork of the Salmon River near the Greenfire Preserve

environmental review process that lasted less than a year. (A normal process would have taken two to four years). This strip mine would gouge an enormous pit into the southern slopes of the Montana Mountains, near the previously proposed Sagebrush Focal Area.

The strip mine has the potential to harm wildlife in many ways. First, by directly killing animals that cannot move fast enough or far enough to get out of the way of the excavation equipment. Second, by destroying habitat that wildlife relies on for survival. Third, through blasting and other loud construction noises that cause wildlife to abandon their habitat, leks, or nests. Fourth, by drying up or contaminating water sources and groundwater that wildlife lives in, need to drink, or that sustain vegetation that wildlife use. Fifth, by building structures and overhead powerlines that increase predation on other wildlife by providing new perches. Sixth, by blocking or severely degrading wildlife movement corridors that connect important habitat.

The Thacker Pass mine's impacts would devastate wildlife on the site, which contains thousands of acres of priority habitat for sage-grouse, creeks that may host Lahontan cutthroat trout during high-water conditions, two movement corridors for pronghorn, and foraging habitat for golden eagles looking for prey to feed their chicks. The mine's noise impacts would also spread upslope further into the Montana Mountains, disturbing golden eagle reproduction and putting eagle nests and sage-grouse leks at risk of abandonment. Local springs that are the world's only known habitat for the Kings River pyrg springsnail are also at risk of losing water flow, threatening the springsnail's with extinction.

For all of these reasons, in February 2021, Western Watersheds Project sued with three other groups to overturn the Bureau of Land Management's approval of the mine. The litigation challenges the mine's shoddy environmental analysis and the Bureau of Land Management's refusal to require federal sage-grouse protections, as well as many other failures to follow environmental laws. Staff attorney Talasi Brooks represents Western Watersheds Project in the lawsuit; our co-plaintiffs are represented by Western Mining Action Project.

It's important to challenge the mine now because mines typically expand after they are built. The mine's parent company has other mining claims in the Montana Mountains, so if this first mine is profitable, future expansion into the heart of the range should be expected. We're concerned about the long-term consequences of letting this mine go forward and creating a template for future destruction.

It's also important to challenge this mine because many green groups have backed away from "renewable" energy and mining projects in their quest to alleviate the climate crisis. However, lithium is not that rare, which means that it would be possible to site lithium mines in locations that are less damaging to wildlife than Thacker Pass and the Montana Mountains. Reforming the 1872 Mining Law would also help ensure earlier and better environmental review of mines. Redesigning batteries so they more efficiently use and reuse lithium, increasing lithium recycling, holding mines to higher environmental and human rights standards, and incentivizing major changes in energy consumption and transportation have been recommended by groups studying the problem. Western Watersheds Project knows that you can't "go green" while causing extinction and we intend to ensure that these important wildlife habitats remain intact.

Kelly Fuller is WWP's Energy and Mining Campaign Director. She lives in Depoe Bay, Oregon.

### Western Watersheds Project 2020 Annual Financial Report

### **INCOME**

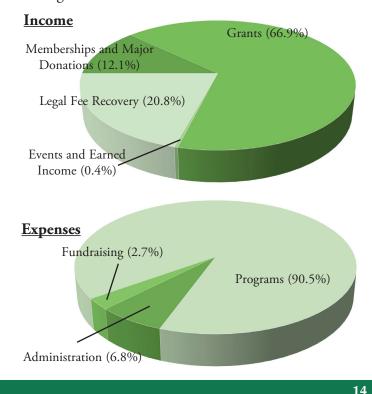
Memberships and Major Donors	
Grants.	
Events and Earned Income	
Legal Fee Recovery	
Total Income	

### **EXPENSES**

Accounting	
Donation Processing	
Contract Services	
Employee Benefits	
Equipment Rental and Maintenance	
Grazing Leases	
Insurance	
Legal	
Occupancy	
Payroll	
Payroll Expenses	56,500
Postage and Shipping	
Printing and Publications	
Supplies	
Telephone	
Travel	
Website	
Total Expenses	
-	

### 2020 Budgeted Expenses.....\$1,073,750 2021 Budgeted Expenses.....\$1,310,000

\*All figures rounded.





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### 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 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.



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