



Watersheds Messenger

Vol. III, No. 2

Fall 1996

Protecting and restoring school endowment watersheds.

Increasing returns for the school children of Idaho.

Will the BLM Improve Owyhee Resource Area Management?

by *Dr. Don Johnson, IWP Board Member and Fisheries Scientist*

Three fat volumes were received in late September from BLM: the Draft Owyhee Resource Management Plan Environmental Impact Statement, a volume of appendices and another of tables, figures and maps. These drafts include consideration of four management program alternatives: a "no action" alternative (A), an agency preferred (C), an Owyhee County Commissioners (livestock industry) alternative (B), and a Desert Group alternative (D). "Public land users" have until January 6, 1997 to review this material and submit comments.

We must see that the BLM includes all of us as "public land users" and that we provide our comments. That is one way we can encourage improved management which could protect and restore resource values for the future. Alternative A is about the past, B is where "welfare" members of the livestock community wish management to go (it requires an additional \$3,682,898 infusion of public funds for the deserving few — 82 permittees), C is the BLM supported compromise (unfortunately ecological systems, including fish and wildlife, respond poorly to our political compromises), and D which provides the best options for management within the Taylor Grazing Act requirement to stabilize that portion of the livestock industry dependent on public range.

BLM has presented its determination of the environmental impacts of each alternative on management objectives based on law and regulations that direct public land management. Section 313 of the Clean Water Act requires Federal agency compliance with State Water Quality Standards. The Public Rangelands Improvement Act of 1978 commits management to maintain and improve the condition of public lands. This act and the Federal Land Policy and Management Act of 1976 direct BLM to develop and keep current an inventory of range condition and trend. The Federal Land Policy and Management Act of 1976 also provides for development of land use plans for public lands and determination of which will remain available for livestock grazing. Water and soil resources, vegetation, riparian habitat, wildlife and fish populations (including special status species),

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Idaho Watersheds Projects Wins Supreme Court Decision and Lake Creek Auction

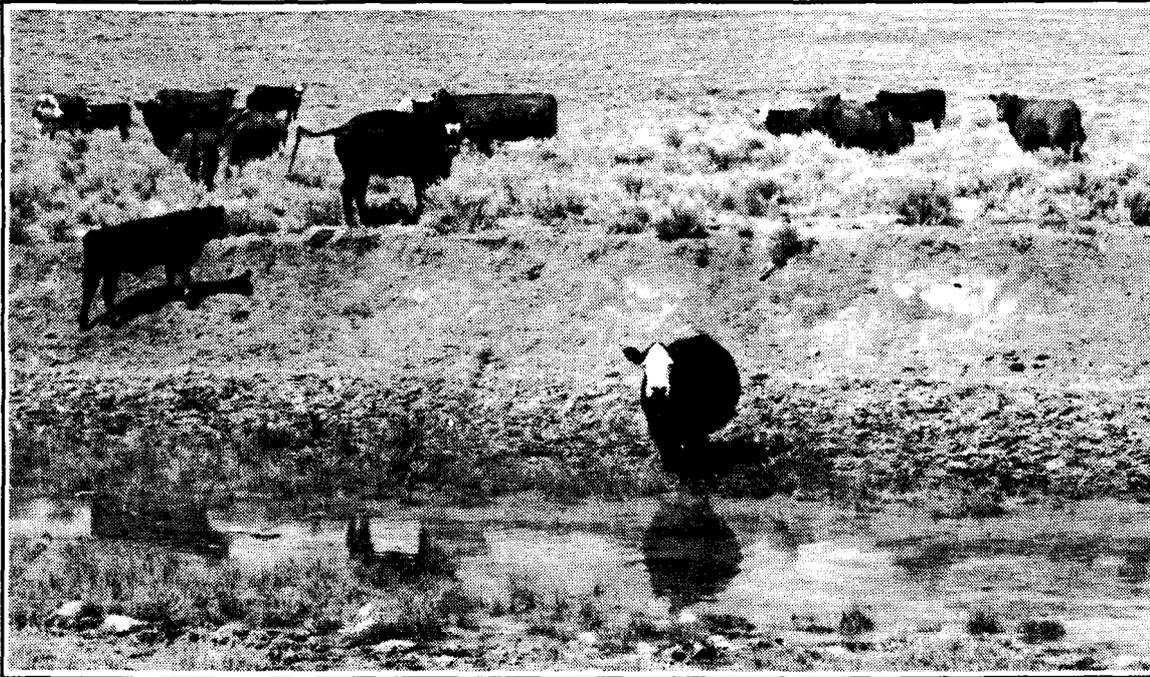
by *Jon Marvel, IWP Board President*

On Tuesday October 22, 1996 Idaho Watersheds Project was the successful bidder for the 640 acre Lake Creek lease in Custer County which had been the subject of our successful Idaho Supreme Court case. This section of school endowment lands, which includes one mile of Lake Creek, a salmon spawning stream, was the site of the very first lease application made by IWP in September 1993. After IWP won the original auction for the lease in January 1994, the Idaho Land Board overturned the auction results and awarded the lease to the former leaseholder William Ingram. With IWP's Supreme Court victory in June, 1996, a new auction was ordered by the courts.

At the auction, Gary Ingram, acting as proxy for his father Will, opened the bidding for \$10.00. IWP responded with a bid of \$2,000.00 which proved to be the winning bid. At this writing, it is IWP's understanding that Ingrams plan to appeal the auction to the Land Board in the hope of having the auction reversed. If that should occur, IWP will firmly and persistently pursue legal action to protect our interests and the interests of the school children of Idaho who benefit from the money raised at auction for the lease.

The Idaho Supreme Court had ruled on June 20, 1996 to overturn both 5th District Court Judge James May and the Idaho Land Board in a unanimous (5-0) vote in which the Justices stated that the Land Board did not have the discretion to award a lease to someone who did not bid. In the initial auction for the Lake Creek lease IWP bid \$30.00 to open the bidding and Will Ingram, the rancher, did not bid. The remand of this case to the District Court resulted in an order for a new auction between Ingram and IWP. Thanks go to IWP's attorney in this case, Debra Kronenberg, for her excellent legal work. Thank you Debra!





**Cows at Work in a Devastated Riparian Zone, Blue Creek, 1996.
Northwest Allotment, Owyhee County, Idaho**

4% respectively). Alternatives A and B provide a season of use from 16 March to 11 November, C from 16 March to 30 September and D from 15 March to 15 July. It is impossible to believe that degradation of this allotment with its fragile soil can be reversed by increasing livestock use. Alternative D alone meets all soil management objectives on most of the resource area.

**W A T E R
RESOURCES**

The primary water resource issues are decreased water

recreation and areas of critical environmental concern have been considered.

Planning criteria and the resulting management plan were to reflect the principles of multiple use and sustained yield. All management practices were to be designed to maintain or improve the integrity of riparian areas and wetlands so that their functions in benefiting water quality and storage together with fish and wildlife values will be protected, restored and improved. Vegetation is to be managed to achieve watershed protection with water quality **given** priority in all management decisions.

SOIL RESOURCES

High erosion hazards on Resource Area soils is increased by poor ecological vegetative conditions and **unsatisfactory** riparian conditions. Soil losses enter the streams and further degrade water quality. Livestock trampling, especially in spring and early summer (before 15 July) destroy soil stabilizing crusts and mosses while increasing compaction. Compaction decreases infiltration into the water table, increases surface runoffs carrying unstable surface soils into the streams (sheet erosion), while reducing range vegetative vigor and productivity.

What has been proposed to improve these conditions? Review of the plans for the largest allotment (Garat) provides a good opportunity to compare the approaches of the different alternatives. The Garat allotment contains 210,986 acres of public Land (16% of the total resource area) with 27.5 miles of riparian habitat; a 22,750 AUM active preference (17% of resource area grazing); 91% of those acres have a high erosion ranking, water quality conditions do not meet "required" State standards, ecological vegetation condition and riparian habitat are unsatisfactory. Given these conditions Alternatives A, B, and C all propose increases in cattle use (41%, 108% and

quality and threatened redband trout populations. Alterations of water resources of greatest concern are increased temperature, sedimentation, fecal coliform bacteria, changes in channel conformation, as well as degradation of streambank vegetation and destabilization of streambanks. The primary cause of water quality degradation in the resource area is intensive livestock grazing. To provide watershed protection and improve water quality, management of livestock grazing must be changed - numbers reduced and presence in damaged stream and riparian habitats eliminated. Alternative C reduces resource area AUMs by 35% and ends grazing after 15 July on riparian areas in unsatisfactory condition. Alternative D reduces grazing pressure by 62%, eliminates grazing after 15 July on all pastures with riparian habitat, and eliminates grazing entirely from any area with unstable streambanks. The abbreviated use period (off by 15 July) is proposed to avoid hot season congregation of cattle on this damaged (87% unsatisfactory condition) habitat. July 15 may be too late for that purpose and the early grazing of riparian areas will still, expose the streambanks and wet meadows to trampling damage that would block recovery.

VEGETATIVE RESOURCES

Vegetation condition inventories (1977-81) found 58% of the allotments south of the Owyhee River in poor condition, with 8% good and less than 1% excellent. These surveys have not been updated, although the laws require that inventories of range condition and trend be kept current. The alternative D 62% reduction in grazing pressure and elimination of grazing on allotments with 75% or more vegetation in the early seral stage would produce the most beneficial effects. An upward vegetative trend would in time (more than 20 years) meet management objectives for vegetative resources.

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RIPARIAN HABITAT

Inventories have been completed on 42% of riparian habitats within the resource area; 87% of those riparian areas were found to be in unsatisfactory condition. The major impact on these resources is livestock grazing, which has depleted streamside vegetation, compacted meadow soils through trampling, and resulted in sloughed streambanks. Vegetative regrowth to improve streambank stability, vegetative ecological condition and water quality can be a slow process that may be impossible under continuing pressure from cattle seeking water and shade. Improvement has been prevented elsewhere by as little as 12 days of cattle grazing between 1 July and 15 September. When accessible even in cooler weather, cattle congregate in riparian areas for forage. An Oregon study found that 81% of cattle-grazed forage was from 2% of the allotment that was riparian habitat.

Riparian habitat is disproportionately important in providing fisheries, wildlife and recreational values, although only a minor portion of the resource area (0.42%); this magnifies the importance of its protection and restoration. Degraded riparian habitat is reflected by depressed wildlife production in adjacent uplands, as well as degraded fisheries. Redband trout, a species of special concern, have been eliminated from many of the resource area streams damaged by livestock management practices. BLM has concluded that alternatives C and D would have equal beneficial effects with objectives being met on 90% of the riparian area. Alternative D would, however, be expected to reverse+ degradation and obtain improvement much sooner with a 62% reduction in grazing pressure and elimination of grazing in areas with unstable streambanks.

FISHERIES HABITAT

Stream habitat was found in unsatisfactory condition on 91% of the miles inventoried; livestock overgrazing was the primary cause. Intermittent streams with clean gravel

bottoms, unclogged by sediment from damaged soils and sloughed banks, are critical to successful reproduction in redband trout populations. Adequate redband survival is also dependent on water storage to maintain pool habitat during the hot summer low-water period. Protection of existing healthy riparian habitat and restoration of areas in unsatisfactory condition (87%) is essential to retain and restore the redband trout fishery in the Owyhee Resource Area. Alternative D is preferable in reversing stream degradation since it would eliminate all grazing from riparian areas with destabilized streambanks. Alternative C would protect 74% while Alternative D would protect 100% (223 miles) of stream segments designated as eligible for the National Wild and Scenic River System. Alternative D exceeds C by closing 15 more segments with 60 miles of fisheries habitat to activities with potentially adverse effects. In addition a segment (N5) of Reynolds Creek should be protected. It includes stretches ranked in good condition with a redband trout fishery described as close to outstanding. Given the scarcity of good fisheries habitat (91% of resource area ranked unsatisfactory) and the status of redband as a game fish species of special concern, it has been petitioned for listing as Threatened or Endangered; this segment of Reynolds Creek warrants maximum protection from adverse impact.

SUMMARY

Alternatives A and B clearly cannot meet legislative requirements for State water quality standards and commitment to management to improve the condition of public lands. In addition the Taylor Grazing Act calls for an end to degradation by preventing overgrazing and soil erosion, as well as stabilization of the livestock industry dependent on public range. Stabilization and improvement clearly cannot occur in this resource area without a reduction in grazing pressure. Alternatives C and D better meet the above requirements. The BLM evaluation determined that utilizing Alternative D rather than Alternative C would better meet management goals on 10 of their 38 resource area objectives. (IWP will be sending alerts within the next six weeks to members on both the Owyhee and Challis draft RMPs, so sharpen your pencils.)

News Briefs

Westslope Cutthroat Petition

Idaho Watersheds Project has joined with American Wildlands, the Pacific Rivers Council, and the Montana Environmental Information Center to propose a petition to the United States Fish and Wildlife Service to list as threatened or endangered the westslope cutthroat trout which is native to the Salmon River watershed in central Idaho and to numerous watersheds in northern Idaho as well as most of western Montana and portions of Oregon such as the John Day River.

In Idaho westslope cutthroat trout historic habitat supports strong populations not threatened by hybridization on only 4% of the total area. And viable populations (in Idaho) exist in only 11% of the historic range of this fish. The situation is worse in western Montana where 2.5% of **the** historic range of the species supports populations which are genetically unaltered.

IWP's joining in this petition to list the westslope cutthroat continues our efforts to protect and restore habitat

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Watersheds Messenger

Editor: Jon Marvel

Watersheds Messenger is published periodically for members, friends, and supporters of Idaho Watersheds Project. Changes of address, renewals, new subscriptions, undelivered copies, and ideas for articles should be sent to IWP, P.O. Box 1602, Hailey, Idaho 83333, or call (208) 788-2290. Fax (208) 788-2298.

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Barbara Dargatz - Secretary. Katie Fite · Don Johnson

Mission Statement

Idaho Watersheds Project, Inc. was founded in September 1993 to acquire, protect, and restore Idaho public school endowment lands which have been degraded by livestock abuse, to improve returns to the school endowment fund, to work for positive change in the management of all federal lands on Idaho watersheds, and to raise public consciousness regarding the importance of our shared public lands and waters as well as the animals and plants which depend on them.

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for all native plants and animals on Idaho watersheds. Because many of the streams providing habitat in Idaho for westslope cutthroat trout are severely degraded by livestock mismanagement, this petition serves IWP as a complementary tool to our other work to help bring necessary changes to the management of public lands in the west.

If any readers would like a copy of the petition to list the westslope cutthroat trout please contact IWP

New Mexico Groups Acquire Grazing Lease

The Southwest Environmental Center in Las Cruces and Forest Guardians in Santa Fe have been successful in acquiring in a sealed bid auction the rights to a state school land grazing lease on 550 acres along the Rio Puerco in Sandoval County near Cuba, New Mexico. The two groups outbid two ranchers by \$10.00! Their bid amount of \$770 per year was nearly twice as much as the previous lease holder had been paying.

Idaho Watersheds Project congratulates both of these groups as together we continue our work to bring down the rancher hegemony in the west. Clearly it is only a matter of time before the public lands ranching mythology collapses in the face of IWP and our sister groups' persistence in our **efforts** across the west!

IWP Files Applications for' 33,000 Acres of Idaho School Land Grazing Leases by June Deadline

IWP filed 27 separate lease applications for over 33,000 acres of Idaho schoolland grazing leases on June 28th, 1996. These leases are located in 11 counties across southern Idaho and include seven leases on critical habitat for Chinook salmon and Bull trout in Lemhi County as well as 5 miles of the watershed of the South Fork of Lime Creek in Elmore County which has been badly degraded by welfare cows.

All of these lease applications were made for all lands included in each lease, whether upland or riparian lands. This

action undermines and should eliminate complaints made by the Idaho Land Board last year that IWP sought only to acquire critical stream portions of leases in order to block livestock access to water for far larger areas. By applying for often very large leaseholds (in two cases over 5000 acres in each lease) IWP will set the stage for similar actions on federal lands when change from current regulations makes that possible.

At the time of this writing (mid-October) IWP is waiting for qualification hearings before the Idaho Land Board on these 27 applications for leases expiring in 1996. In the meantime, the Idaho Department of Lands appears to be attempting to prevent a fair hearing for IWP on these applications by beginning a process to promulgate rules without public notice which would enable the Department to reject our applications without Land Board action. IWP anticipates new legal action will be necessary on these lease applications, which is no surprise to those of you who have been following our efforts.

IWP Involved in Humboldt National Forest Grazing Allotments

IWP has been active this summer and early fall in cooperation with Merlin McCole of the Elko County Conservation Association and the Committee for Idaho's High Desert in monitoring grazing abuses on Idaho watersheds on the Humboldt National Forest in northern Nevada. IWP was

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Beat Out Section of Dorsey Creek, 1996, Buck Creek Allotment, Jarbidge R.D., Humboldt National Forest

Forest Service Failure on the Payette

by Erik Ryberg (ryberg@cyberhighway.net)

The Payette National Forest has known for a long time that it has problems with its range program. Fish biologists have complained for years of damage caused by livestock in the Weiser, Payette, and Salmon river drainages. There was little anyone could do about it, however, given the political nature of the grazing program.

But in 1988 the Payette NF administrators surprised everybody with a comprehensive and thorough plan to repair the streams and adjust their grazing practices on all 58 allotments in the Payette National Forest. They included a monitoring scheme which would require extensive mapping of all riparian areas on the Forest and annual visits to assure that conditions were improving in the areas which had been degraded by livestock.

The grazing plan may not have been as quick as many of us wanted it to be — the Payette NF gave itself two years to complete the individual allotment plans and another five years to enact them — but it was realistic and it was workable and anyone could see it would eventually lead to some real improvement on the ground.

The individual allotment plans were to be completed by 1990 and enacted by 1995. But now, in the 1996 grazing season, just one allotment management plan has been completed, and it has not been implemented yet. There remain fifty-seven to go of the original fifty-eight.

Payette Forest Watch, a local forest conservation group based in McCall, feels that this is not a simple case of tardiness, or of failure exactly to meet objectives. Rather, we suspect the Payette National Forest administrators have deliberately ignored the promise they made to people who use and care about the water and land of the Payette National Forest. For their part, the PNF administrators say they haven't been able to afford to do the work. They have been able to afford to lose millions of dollars on a timber program which has logged record volumes of timber in the past several years,

and they have been able to move many resource specialists out of their original disciplines (fish biology and recreation for example) and into timber to meet the demands of the timber program. But there remain just two Range Conservationists on the whole Forest.

Payette Forest Watch has concluded that fixing range problems is not a very big priority on the Payette National Forest. With the help of Idaho Watersheds Project, we hope to change that.

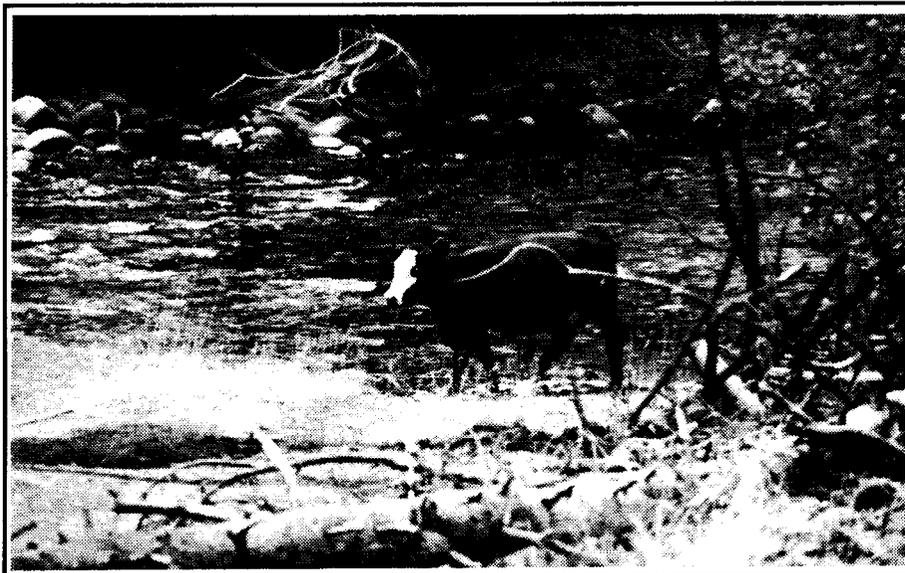
Idaho Watersheds Project has provided us the funding to complete an analysis of where the Payette grazing program has been and where it is going in the Weiser River watershed. We are trying to discover just what work has been accomplished and what is known so far about the damage caused by cows and sheep to this area. The Weiser River was once the most productive timberland and fish habitat on the whole forest, but now has been logged and grazed so heavily it has lost most of its native fish and its forests are a fragmented patchwork of their former beauty.

Payette Forest Watch has been walking the tributaries to the Weiser River and investigating the condition of their streambanks and riparian vegetation. We have found very few streams which do not show the effects of years of livestock grazing. Some are truly horror stories: Dry Beaver Creek, for example, has little ground cover on its banks thanks to grazing and has channelized itself to bedrock. Despite its name, it contains water in the places where there is still some riparian vegetation, but where the vegetation is gone the creek is in fact dry.

A solitary contrast to the numerous creeks with little riparian vegetation and collapsing streambanks is the short portion of Lost Creek which has been exclosed to cattle for many years. Here deep grass holds the streambanks together, keeping the creek from widening and becoming shallower and warmer, and preserving the meanders and natural movement of the stream.

I'm sorry to report that so far our simple endeavor to learn about the range program has largely been stalled by the usual tricks employed by any bureaucracy which feels threatened by an inquisitive public. For example, we arranged an appointment and traveled to Weiser to view a number of documents but, when we arrived, were told they could not be shown to us because they contained "sensitive information." Instead we were given a pile of irrelevant upland survey sheets.

Fortunately, I am accustomed to this behavior and while it is annoying and time consuming, I appreciate knowing exactly where things stand. We will use the Freedom of Information Act appeals process to get the things we need to see. It will cost us quite a bit of time and it will cost the



Guilt Stricken Bovine Leaving Lost Creek, Summer 1996
Weiser Ranger District, Payette National Forest

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Show and Tell on the Salmon/Challis

by Stew Churchwell

Even professional range managers agree that no grazing system can be effective unless livestock use and distribution are controlled. In *Managing Grazing of Riparian Areas in the Intermountain Region*, Clary and Webster state that "Riparian area managers must have a commitment to do whatever is necessary to control livestock use and distribution." Fifteen years of grazing allotment work on the Salmon/Challis National Forest has made it clear to me that either the necessary commitment is absent or control is not possible. Oh, the mitigation measures are down on paper all right. They include all the standard controls: fencing, three-pasture rest rotation, utilization limits, riparian restrictions and so on. But often these measures are not applied on the ground. Frequently, livestock graze in areas that are scheduled for rest or non-use. Utilization limits are exceeded, fences are constructed improperly or need repair. Reporting these infractions to the agency gets little results.

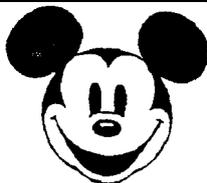
The public — unfamiliar with schedules and restrictions established for individual allotments — is unaware of these problems. Therefore, Idaho Watersheds Project and Friends of the West have joined forces to document violations and inform the public of the Salmon/Challis National Forest's mismanagement and its costs.

Having been hard at work since early July, already we have collected a considerable amount of documentation. Following the grazing season, a full report will be written, you bet. Mismanagement isn't hard to find when there is no commitment.



The cowboys and Mickey Mouse **are the two** greatest American heroes.

— Dr. William H. Goetzman, TV documentary *The West of the Imagination*



*The Future of Public Lands Ranching?
Sawmill Creek, Morgan Creek Allotment, Challis National Forest*

Visit to Cliffs Allotment

by Gene E. Bray (gebray@primenet.com)

On September 12, I had the privilege of representing Idaho Watersheds Project in a meeting between the BLM (six representatives), six ranchers, and a County Extension Agent. Two of the ranchers were permittees on the Cliffs allotment (the third permittee was absent) and four were from other allotments.

The Cliffs allotment (1932 active AUM's and 523 extended) is about 25 miles, as the crow flies, SSE of Jordan Valley on the Idaho side of the line. It involves drainages on the south flank of South Mountain (7,850 feet) including Juniper, Cabin, Corral, Noon and Big Springs Creeks.

These same areas are largely part of a Wilderness Study Area that has been the focus of the Committee for Idaho's High Desert. The Committee recently won a Court case that caused the removal of a **metal** post fence that had been installed under Bureau direction to help control cattle movement.

The purpose of the trip was to acquaint the permittees with a fodder evaluation tool being proposed by BLM, that proceduralizes the measurement of stubble height in riparian areas:

This procedure involves pacing off two paths of about 300 feet in length (50 samples each) on opposite sides of the creek in the green, riparian area and sampling the stubble height every other pace (about six feet) at the toe of the sampler's boot (the same foot each time). The plant to be measured is the one nearest and in front of the boot toe within a two foot radius semicircle (6.27 square feet). If there is no grass, rush or sedge in that area it is permitted to pace another six feet two more times to find **fifty** measurable plants in up to a 300 yard transect. The measurement is to the nearest 0.5 inch, but whether the plant is measured in situ or propped-up is not defined. (On this trip the instructor lifted up the plant to full extension to take a measurement.) Once 100 measurements are in hand on both sides of the creek for 300 yards have been surveyed, the median height is determined. (Now for those like me who need a refresher, the median is the length where half the measurements in the set are greater and half less. Median is different than the average and also from the mode, which is the most common length.) The figure derived is used in one of six categories in a weighting table consisting of: two riparian cover (canopy) categories, and one each for "stream bank stability," "stream channel stability," "sedimentation," and finally in "stream cover," e.g. freedom from cutbanks and channel exposure. Needless to say, most of these evaluation points and scoring are very subjective and are dependent on selection of truly representative reaches of stream relative to the riparian grazing load in the entire lease.

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Visit to Cliffs Allotment

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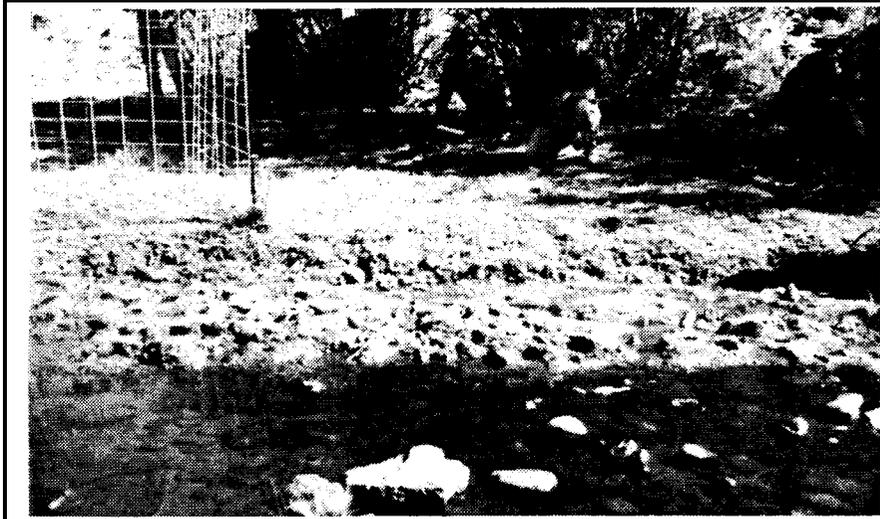
Now back to the field trip. The first stop was on Juniper Creek and this was where the first demo stubble height measurement was conducted. There were **16** adults performing and watching (all keeping a straight face) in a reach of creek that cattle evidently love. The lower banks were trampled down to a width approaching 50% of the stream width, which is guaranteed to wash that soil downstream at the next high water. This is the bane of riparian protection in that such wider and therefore shallower reaches can't support the woody shrubs needed to canopy and protect the creek from erosion and further degradation. Well, as I recall the median (propped-up) stubble height was about three inches which is a fair rating (if you are into "butch haircuts").

Next we walked upstream 250 yards or so to an enclosure built nearly ten years ago that protects about 100 yards of stream and its riparian area that was representative of the grazed condition at the time. What a difference! The canopy touched in the middle in many places and the water ran cold and deep between overhanging banks that were crowding in with the roots of grasses and shrubs successfully anchoring in place the precious soil. I felt guilty walking back to the vehicles when I had to traverse a denuded bank and my footsteps sent more soil tumbling into the water.

This reach of stream also exhibited an approach to erosion control that I hadn't seen before. Perhaps seven years ago there was an attempt to stabilize three to four foot high cutbanks in some areas by cutting live western junipers and anchoring them tips-down in the stream with heavy gauge wire or cables to metal stakes driven several feet back from the bank edge. It didn't appear that this approach significantly helped the restoration of riparian woody vegetation even though it may have deterred the cattle from entering the stream bed at that point. The disadvantage to both cattle and people is that the stakes and wires are trip hazards. Streams with dead (now) juniper riprap aren't a pretty sight.

That brings me to the next point. With fire suppression practices, the vegetation on the south flank of South Mountain is almost a monoculture of mature western juniper. There is no understory vegetation because of the rapacious water consumption of the extensive juniper root systems. Quaking Aspen, mountain mahogany, sage and other browse has almost ceased to exist, so the forage away from the stream corridors is scarce indeed.

This scenario (without juniper riprap) was roughly the same at Cabin and Corral Creeks. The latter was a narrower more rocky canyon and apparently less accessible (desirable?) to cattle. There was better canopy and the median stubble height was 3.5 inches, but with more bare or rocky ground in my opinion. The water temperature was **17** Celsius (62.5 F.) where the water exited the steeper canyon above the road crossing. After flowing about 200 yards in a more accessible,



Ranchers Puzzle Over Riparian Standards on Juniper Creek, Cliffs Allotment, September 1996

denuded reach with shallower, broader stream bed, the temperature climbed to 19 Celsius (66.2 F.) Having absorbed that much of the sun's energy, I wonder how many yards of canopied stream must be traversed to bring the temperature back down again? In Corral Creek there were red-band trout up to eight or nine inches in the deeper, shaded pools. The fisheries biologist with us said they can only survive up to about 70° F, while rainbows disappear at temperatures above 60° F.

It appears to me that the BLM is nibbling at the edges of an insoluble management problem. Expecting to manage cattle in high desert riparian areas without fencing and with ranchers having no alternate pasture is an exercise in futility. Applying stubble height criteria twice a year with a very limited sample is like trying to tell a hungry gorilla how many teaspoons of banana he is allowed out of a full bunch. Having opened marginal grazing lands to exploitation and with many now considering this traditional usage, the political fallout from curtailing or eliminating this use is enormous. A parallel line of argument from oil polluters might be that having dumped oil there before, the land isn't good for anything else.

Another factor is the sheer inability of the BLM to comprehensively manage the lands entrusted to their care. The District in question has three professionals to survey, monitor and enforce regulations on 1,200 miles of perennial and intermittent streams. The last really comprehensive inventories were taken in the late 1970s. Management and surveillance today is restricted to very critical or salient problem areas, often brought to light by environmentally oriented persons and organizations.

After this trip, I am more convinced than ever that the only solution is to withdraw such sensitive, arid AUM's from the preference (active) category. The income from these AUM's is not worth the management effort to make the forage level sustainable. The diminished habitat values for creatures other than cattle will lead to a more impoverished environment for all of our progeny. And this is in the futile attempt to preserve a way of life for a select few for a commodity we have in excess.

News Briefs (continued)

successful in 1995 in getting permit action resulting in a 25% percent reduction in season of use for two allotments permitted to J.R. Simplot in the Jarbidge Ranger District (Pole Creek and Buck Creek). This year we have expanded our area of interest to include the Mountain City Ranger District, and we are requesting permit action against Simplot and others on seven separate allotments on both of these Ranger Districts where mismanaged cows have been actively destroying our public lands by failing to meet the Humboldt National Forest forage utilization standards. The Humboldt Forest is unusual because it actually has standards in place as part of its Forest Plan as well as an enforcement stipulation called the Uniform Action Guide which requires specific management actions if use standards are not met on grazing allotments. Therefore, IWP can and has requested compliance with these administrative rules.

IWP Hires First Employee

On August 7, 1996 IWP hired its first employee. Rita Fran Gustafson of Hailey is working halftime thanks to the generosity of a grant from The Bullitt Foundation, Rita has a BS in business-economics from State University College at Oneonta, New York and has lived in the Wood River Valley since 1981. Rita is serving as our office manager and already has made a major difference in our ability to cope with the reams of paper arriving daily from the land management agencies and in getting out responses to members and supporters. Welcome Rita!

Legal Action Still Pending in 1995 Lease Applications

IWP's legal action to have the Idaho Land Board's decision of April 1996 overturned has entered final briefing before Fourth District Court Judge Duff McKee in Boise. As readers will recall, the Land Board rejected 14 of IWP's 16 grazing lease applications for 14,000 acres of school endowment land in April 1996. Since then we have been in somewhat complicated court proceedings dealing with whether declaratory judgment on the constitutionality of Idaho Code Section 58-310(B) is appropriate or whether a Full briefing on that issue must occur simultaneously with an appeal under the Idaho Administrative Procedure Act

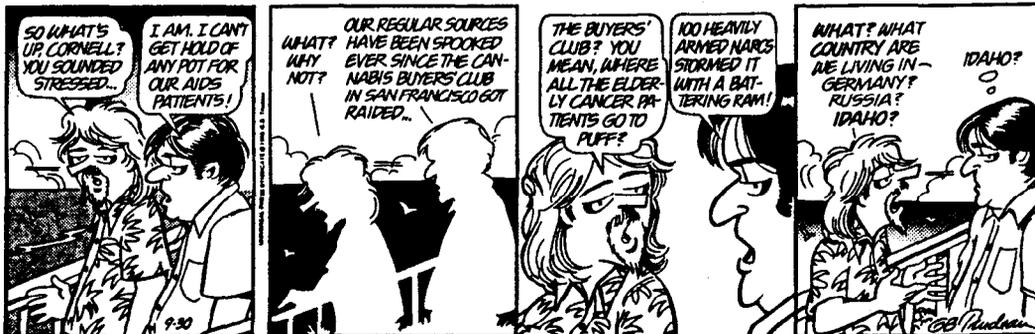
(IDAPA). On October 30th, 1996 Judge McKee ordered IWP and the State of Idaho to enter into a written briefing schedule under the IDAPA and denied a declaratory judgment solely on the constitutionality of Idaho Code 58-310(B) (which, you will recall, is the statute which gives preference to public land ranchers in the re-issuance of 10 year grazing leases). IWP believes that we will prevail in this case and that the courts will find this law as well as the Land Board decision disqualifying IWP in 14 lease applications illegal.

Landmark Federal Court Decision in Oregon

On September 26, 1996 Oregon Federal District Court Judge Ancer Haggerty ruled that the issuance of grazing permits by all National Forests in Oregon is subject to the Clean Water Act. He issued an injunction on all National Forests in Oregon preventing issuance of grazing permits until the applicant for the permit provides the Forest Service with Oregon State certification of compliance with section 401 of the Clean Water Act. By ruling that livestock grazing and the non-point pollution created by livestock is subject to the Clean Water Act, Judge Haggerty has provided an opportunity for a radical change in the way public lands ranching is administered. Idaho Watersheds Project has already written to all the National Forest Supervisors in southern Idaho and Northern Nevada requesting their compliance with this ruling which IWP believes applies in Idaho and Nevada as well as Oregon. We have also written to the State Directors of the BLM in Idaho and Nevada requesting their compliance as well, but as of this writing no replies have been received.

To help keep the pressure on the agencies, IWP has protested seven proposed grazing permit re-issuances on the Shoshone Resource Area of the BLM and one proposed permit transfer on the Challis National Forest (Morgan Creek Allotment) until the agency receives compliance certification from the State of Idaho that grazing use will meet Idaho water quality standards under the Clean Water Act. The seven BLM permits include several streams which are tributaries to Clover Creek (in Gooding, Camas or Elmore counties) or Clover Creek itself which is currently listed as water quality limited under section 303d of the Clean Water Act. It is the intention of IWP to consider pursuing legal action against the BLM and the Forest Service on the issuance of grazing

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Why We Livk In Idaho!

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News Briefs (continued)

permits on water quality limited streams where it is clear that livestock use is degrading water quality,

Squaw and Shattuck Creek Lease Auction

On May 15, 1996 Idaho Watersheds Project was the losing bidder in an auction for the 6,000 acre Squaw and Shattuck Creek school land grazing lease in Clearwater County just northwest of the small town of Elk River, Idaho. Three bidders participated, rancher Duane Beale; IWP; and Marla Schwartz, a businesswoman from Elk River. The auction was won by Marla Schwartz for \$1,510.00 which was \$10.00 more than IWP's final bid. Marla and her husband, In who are the largest employers in Elk River, wish to hold this lease to prevent livestock from injuring their conifer tree farm and possibly polluting the spring source of their water bottling business (Idaho Ice) in Elk River downstream from this lease. IWP was pleased to have the Schwartzes win this auction and wishes them success in their two businesses.

Grazing Web Sites

In addition to Dr. Tom Pringle's Mad Cow Disease web site mentioned in the last Watersheds Messenger which IWP still strongly advises a virtual visit to: http://www.cbvercyne.com/~tom/mad_cow_disease.html, Idaho Watersheds Project recommends these additional web sites:

Arizona Grazing Activists Site (but with much general information too): <http://trojan.neta.com/~jburgess/index.html>

Forest Grazing (a joint effort of Friends of the Earth and a California group, Range Watch): <http://www.foe.org/rangewatch/rwindex.html>

Lime Creek Alert (produced by Friends of Lime Creek in Boise): <http://netnow.micron.net/~limecrk/alert.htm>

Membership Continues to Grow

IWP's membership has now reached 700 members. As our size increases we will be more able to afford the costs of sustaining our efforts to bring needed change to public lands ranching management, so, please consider extending your membership or inviting a friend to join. Memberships start at \$7.00 per year.

E-Mail and Fax Numbers Requested

Members who would appreciate electronic notification of issues and alerts are requested to send IWP your e-mail and fax number to IWP, PO. Box 1602, Hailey, Idaho 83333 or e-mail to: jonathan_marvel@cs.pvt.kl2.id.us

Foundation Support Grows

IWP has been quite successful in obtaining grant money for general operating costs as well as specific projects. In June of 1996 grants were received from The Bullitt Foundation of Seattle and from The Ruth Mott Fund of Flint, Michigan. These grants have allowed IWP to hire our first employee (see story elsewhere in this newsletter) and to buy a computer, modem, and printer. However, many foundations prefer to fund only specific one

year projects. This year IWP started monitoring projects on grazing allotments in four National Forests in cooperation with several other small conservation organizations. IWP has requested funding in 1997 to continue these projects from the Hugh and Jane Ferguson Foundation of Seattle, the Ben and Jerry Foundation of Burlington, Vermont, and the Foundation for Deep Ecology of San Francisco. These are relatively small foundations which expect at least 1/4 of the funding to come from the organization.

For 1997 IWP has proposed hiring Erik Ryberg of Fruitvale, Idaho and Friends of the Payette Forest to monitor allotments on the Weiser River watershed of the Payette National Forest; Stew Churchwell of Challis, Idaho and Friends of the West to monitor allotments on the Salmon and Challis National Forests; and Janet O'Crowley of Murphy Hot Springs, Idaho and former Chair of The Committee for Idaho's High Desert to monitor the Jarbidge and Mountain City Districts of the Humboldt National Forest in northern Nevada. In each of these projects, IWP needs to provide \$2,500 as our share of the funding. Here is an opportunity for members to contribute to one of these specific projects to help insure their funding. Just note on your tax-deductible check if you are choosing to support one of these important monitoring projects.

A Special Thanks To:

The following members and supporters who have made very generous contributions to Idaho Watersheds Project since the Spring 1996 Messenger: Rosmarie Bogner of Ketchum, Jan Edelstein of Hailey, Dr. and Mrs. Frank Elliott of Philadelphia, Stan and Jill Jasper of Boise, Craig Johnson of Hailey, Trina McNeal of Hailey, Gary Richardson of Boise, Don Shouse of Hansen, Erik Storlie of Minneapolis, and Keith and Patty Wright of Poteau, Oklahoma.

And to: Bob Stix of The Ruth Mott Fund and Lois Brown of The Bullitt Foundation for their help in working for our funding from those two important conservation organizations; to Jim Owens of The Brainerd Foundation for his continuing advice and support; to Dick Kolbrenner, Don Johnson, and Jan Edelstein for their help in getting the 1996 lease applications done in a timely way; to Laird Lucas, Ted Zukoski, and Brian Hanson of the Land and Water Fund of the Rockies for all their legal and strategic advice; to Barbara Dargatz for her grant writing skills and to Barbara and her husband Bob for driving all the way to Challis to witness the October 22 auction; to former Board member Lynne Stone and Stew Churchwell for joining tours of the upper Pahsimeroi and Morgan Creek with Bob Hamner of the Region 4 Forest Service office; Gene Bray for joining the tours at Salmon Falls and the Cliffs Allotment; and to our newest member in Heybum, Idaho: Bill Jackson; in Coeur d'Alene, Idaho: Art and Margaret Manley; and in Mendon, Utah: Dr. John Carter.

IWP Receives Award

Idaho Watersheds Project and its President, Jon Marvel were awarded a 1996 Conservation Award by the Alliance for

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News Briefs (continued)

the Wild Rockies for "Innovative Approaches to Watershed Protection and Restoration at the Alliance's annual Rendezvous in Corvallis, Montana in September 1996. Thanks go to Mike **Bader**, **Betsy** Gaines and all 5,000 members of the Alliance for the award and the hospitality shown in Montana.

Governor Batt Proposes Vegetation Management Policy for School Lands in Idaho

Governor Phil Batt has proposed the adoption of a vegetation management policy for endowment lands in Idaho. Idaho Watersheds Project, The Committee for Idaho's High Desert, and the Idaho Conservation League have proposed strengthening language in the draft policy which may be adopted by the Land Board as soon as November 13, 1996. While this is an excellent idea which could eliminate much of the contentiousness regarding the lack of management on school lands in Idaho, the initial wording of the policy was very weak and nonspecific as to actual standards of use and time-frame for implementation.

Cattle growers feel bashed these days, but the truth is that we have indulged them beyond belief. *In what other business could a few people hold much of the continent hostage to a destructive industry with a trivial output? If any other tenants did to our property what cattle growers have done, they'd be hooted out in a flash.*

All the same, *our nostalgia for the Old West makes us long for a happy medium. Isn't there a way to permit grazing at some nondestructive level?*

A century of grim experience *argues* that there isn't. The only sound approach to grazing would be a rest and rotation system that would allow such low numbers of cattle that it would be hard to tell it from an *outright* ban.

. . . Arguing about how many cattle should be allowed on our public lands is like arguing about how many termites we should permit in our houses. Ranchers should be given enough time to conquer their addiction to using *our public lands. After that, the cattle should go.*

— Donald M. Peters, Phoenix, Arizona, Guest Column, 5-30-90 The Arizona Republic (Peters 1990)

Idaho Watersheds Project Announces Our New Lapel Button

The button, shown slightly larger than full size, is neon lime green with black letters and expresses an appropriate thought for these times:

For a contribution of \$3.00 IWP will send you a button.

Suitable for all agency get-togethers!

Forest Service Failure on the Payette

continued from Page 5

taxpayers considerably more money than it would if the Forest Service would just let us see documents that in fact belong to us, but we will get the documents.

I think it is a real shame that the Forest Service does not open its doors to public interest groups of all sorts who have a genuine interest in its policies and procedures. If it is true that the Forest Service has the desire, but not the funding, to enact its grazing plan then pressure from groups like Idaho Watersheds Project and Payette Forest Watch should help it to get that funding. But when it resists our efforts I begin to think that the Forest Service does not, in fact, desire to fix its range problems, as it says. I begin to think that the Forest Service instead desires to cover the problems up and hide them from view and continue plodding along its current path.

The truth is the Forest Service has plenty of things to be ashamed of and its lousy record with grazing is one of them. The Forest Service has not taken care of the Weiser River watershed, and does not appear to be interested in taking care of it now. We hope that we can change their minds on that point.

Time was solutions to many of our problems were a bit simpler. A Winchester, a hard fist, or hard work went a long way when it came to protecting your own [public lands ranching operation]. Today, things aren't that simple.

— from Idaho Cattle Association promotion literature

If the public wants to assert ownership of its land, it will have to take it away from ranchers. That won't be easy. Nobody wants to take on John Wayne. . . but that's the way the game is played. That's how the West must be won - again.

— David Brown, author, wildlife biologist, former Chief of Game, Arizona Game & Fish Department

End Welfare
As We Know It
REPEAL
The Taylor
Grazing Act!

Book Reviews

State **Trust Lands, History, Management, & Sustainable Use**

Jon A. Souder and Sally K. Fairfax, University Press of Kansas 1996.

This volume is for those truly interested in the status of state school endowment lands throughout the country and for diehard IWP supporters who will want to turn to page 275 for a brief overview of IWP's efforts in Idaho! Certainly there is no other source book as comprehensive and thorough as this one in clarifying the sometimes conflicting mandates of state constitutions, individual state enabling acts, court directives concerning school trust lands and political influences. IWP encourages interested and dedicated readers (and perhaps those afflicted with insomnia) to look into this volume. Knowledge is power!

Lost Landscapes and Failed Economies, The Search for a Value of Place

Thomas Michael Power, Island Press 1996.

This excellent study of the economies of place in the western United States is written by the Chairman of the Department of Economics at the University of Montana in Missoula. Tom Power succinctly and directly challenges the

traditional ideas of the limited nature of economies of the west especially the perceived dependence on resource extraction activities like mining, grazing, and logging. He also underlines the economic importance of environmental health to the successfully growing regions of the west as compared to those regions or towns which hang on desperately to single industry traditions. He does not shirk from describing the merits and drawbacks of tourism based economies, and truly provides a balanced and meaningful vision of the changing nature and probable future of the economies of western states.

Idaho Watersheds Project has made good use of the work of Tom Power in the past at many public forums, and the publishing of this book brings together in one place much of his thoughtful and insightful understanding of what drives the economy of the west and how archaic belief systems cloud our ability to understand that we should not be arguing about jobs versus the environment but rather jobs within a healthy environment.

This is an excellent book highly recommended to all readers by Idaho Watersheds Project.

Public Land Grazing Tables From Tom Power's Book

TABLE 8-2.

Employment and Income from Federal Grazing												
Employment	Arizona	California	Colorado	Idaho	Montana	New Mexico	Nevada	Oregon	Utah	Washington	Wyoming	Aggregate Eleven States
Agricultural jobs as a % of total	1.07	1.63	1.90	6.18	7.01	2.54	0.65	3.83	1.89	2.74	4.55	2.06
Cattle and sheep jobs as a % of total	0.10	0.09	1.18	2.11	3.53	1.40	0.38	0.91	0.81	0.51	3.47	0.53
Federal grazing jobs as a % of total	0.11	0.00	0.07	0.30	0.25	0.28	0.16	0.10	0.19	0.01	0.56	0.06
Days of normal job growth to replace all federal grazing jobs	14	1	14	72	93	53	18	23	30	2	—	11
Federal grazing jobs	2,132	603	1,456	1,636	1,085	2,129	1,228	1,630	1,805	291	1,503	17,989

TABLE 8-2. CONTINUED

Employment and Income from Federal Grazing												
Income	Arizona	California	Colorado	Idaho	Montana	New Mexico	Nevada	Oregon	Utah	Washington	Wyoming	Aggregate Eleven States
Agricultural income as a % of total	1.01	1.02	1.04	4.86	3.87	1.60	0.37	1.71	0.78	1.48	2.08	1.19
Cattle and sheep income as a % of total	0.10	0.06	0.65	1.66	1.95	0.88	0.21	0.41	0.34	0.28	1.59	0.31
Federal grazing income as a % of total	0.11	0.00	0.04	0.23	0.14	0.18	0.09	0.04	0.08	0.01	0.25	0.04
Days of normal income growth to replace all federal grazing jobs	18	0	6	57	30	25	8	10	9	1	—	6

Source: Power, 1994.

Board Member Profile - Barbara Dargatz

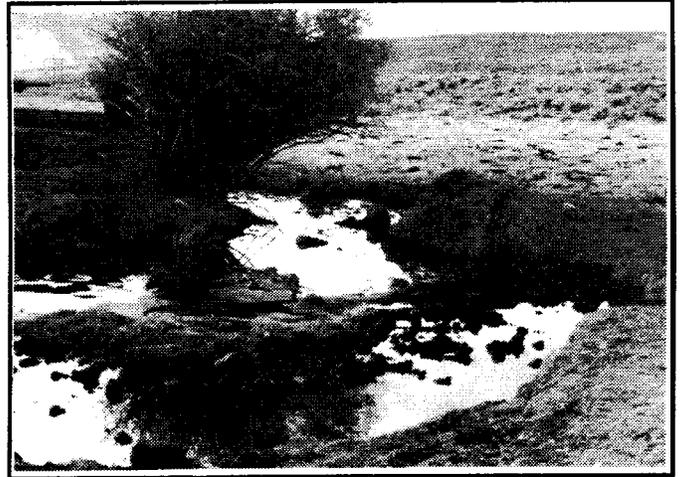
Board member Barbara Dargatz is a retired teacher and school principal living in Hailey, Idaho. Barbara has a BS in Business from Oregon State University, and a M.Ed. from Albertson's College of Idaho. Barbara spent **16** years as a business and cooperative education teacher at Boise, Idaho area high schools. She taught business and cooperative education 3 years at Wood River High School in Hailey where she also served 3 years as a guidance counselor. Finally she served as principal of Wood River Junior High for 3 years. In 1970 she was recognized as Boise Teacher of the Year and in 1973 she was Idaho Teacher of the Year. At present, Barbara serves as Chairman of the Board of the Blaine County Senior Center and Supervisor of student teachers for Boise State University for student teachers doing their practicum in Blaine County. Barbara uses most of her student teaching honorarium to maintain a scholarship at Boise State for non-traditional single mothers to help pay for their day-care and living expenses while they are student teaching. Barbara serves as Secretary of the Board for Idaho Watersheds Project and has provided IWP with her inestimably valuable grant writing skills from her position on our Board. 🌲

Giving Opportunities for IWP Expanded with Ida-GO!

Federal employees can now support IWP in the Combined Federal Campaign payroll deduction pledgebook. Please designate Community Share&la-GO! as your charity of choice and IWP will benefit. Ida-GO! is a new nonprofit fund raising entity which supports Idaho Watersheds Project and fourteen other Idaho nonprofits. State employees must ask specifically for Community Shares/Ida-GO! to designate under the State Campaign system. Call Jon for more information (208) 788-2290, and Don't Hesitate to Designate!

Livestock grazing abuse has and is scaring most of the public lands in the west that I have seen. Livestock grazing should be eliminated from all public lands in the United States.

— Edwin G. Dimick, 28 year veteran of FS, SCS, and BLM, Livestock Pillage of Our Western Public Lands (Dimick 1990)



Cattle Caused Destruction on Sheep Creek, Custer County, Idaho, 1996, San Felipe Allotment permitted to William Hewlett and the David Packard Estate.

Join Us

YES, I'd like to protect and restore Idaho's School Endowment Lands and improve all public lands management.

I'd like to join Idaho Watersheds Project. Enclosed is my tax deductible annual membership:

Living Lightly: \$7.00 Individual: \$15.00 Family: \$25.00 Lifetime: \$500.00 Other \$ _____

Name _____ Address _____

Phone _____ Mail to: Idaho Watersheds Project, Box 1602, Hailey, ID 83333



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