



M Watersheds MESSENGER

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photo ©USFWS

More Than Just A Beautiful Bird

by Jon Marvel

Sage grouse are one of the largest and most dramatically beautiful of all native North American birds, and as the keystone species of the sage-steppe landscape of eleven western states they are the symbol of myriad other sage-steppe obligate species ranging from pygmy rabbits to sage thrashers that are dependent on this little-respected ecosystem.

Western Watersheds Project has worked hard to protect and restore the habitat and populations of sage grouse across the western landscape. That work continues for us every day because the destructive impacts of human activities on the arid western landscapes of the sage-steppe deserts are accelerating everywhere.

Among those impacts are increases in wildfire brought about by climate change and the proliferation of non-native and highly flammable weedy species like cheat grass, expanding oil and gas development, power lines, fences, roads and off road vehicles, urban and exurban sprawl, agricultural development, dewatering of streams and springs for hydroelectricity projects and agriculture and west Nile virus, but the human activity that affects more sage grouse habitat than any other is livestock grazing.

Both cattle and sheep have destructive impacts on sage grouse habitat including the annual removal of hiding cover by grazing, the destruction of sage brush through battering effects of livestock, the trampling and compaction of riparian areas necessary for late summer brood rearing habitat and the enormous impacts of livestock management installations ranging from fences that directly kill sage grouse through in flight collisions to the dewatering of springs, seeps and wet meadows in order to pipe water long distances for livestock.

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Western Watersheds Project: Working to protect and restore western watersheds and wildlife through education public policy initiatives and litigation.

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photo ©USFWS

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Much research has been carried out that shows that sage grouse are totally dependent on large continuous expanses of sage brush and the associated perennial bunch grasses that provide nesting habitat throughout their long lives. The birds also need healthy wetland riparian areas during the driest part of the summer. Without these habitat being in a healthy condition sage grouse are at high risk of death from habitat fragmentation and predation, and long-term population counts of the birds show that compared to historic numbers they are greatly reduced and continue to decline in most areas of the west.

Western Watersheds Project has chosen to influence the management of sage grouse habitats by various means, but one of the most important is to bring the force of law to bear against the mismanagement of critical landscapes on which sage grouse depend. At this time WWP is awaiting the release of a federal court decision in litigation we filed in 2006 contesting the U.S. Fish and Wildlife Services denial of a petition co-filed by WWP to list sage grouse under the protections of the Endangered Species Act (ESA). The litigation has been fully briefed and argued since early summer 2007, and WWP expects a decision at any time.

Should WWP prevail in court, the Fish and Wildlife Service will be obliged to reconsider its decision not to list sage grouse, and more than likely will carry out a new status review of the condition of sage grouse

populations and habitat across the west. That review will need to assess all the growing threats to the species and could well result in the full protection of the species under the ESA.

The importance of this litigation and long-term effort by WWP and our partner groups cannot be underestimated. As the symbol of the sage-steppe ecosystems of the arid west sage grouse, if protected, will be the single most important force for change in ending the destructive activities that have so clearly degraded our western landscapes and brought myriad species including sage grouse to the brink of extinction.

Changing human beliefs about dominion over the earth that brought us to this point of high risk to many native species may not be fully possible, but sage grouse alone may lead the way in altering the destructive ways we have chosen in our relationship with our earth's web of life.

Sage grouse are truly much more than just a beautiful bird of the western steppes of North America.

***Jon Marvel is executive director of WWP.
He lives in Hailey, Idaho.***



***Sage Grouse need healthy habitat to reproduce
photo ©USGS***

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A Foul Wind Blowing

by Jonathan Ratner

Just a short time ago, I was walking on the Camel's Hump Glacier around 12,000 feet in the southern end of the Wind River Range, and I caught a now familiar odor. At first, I didn't recognize it because it was so out of place but it didn't take long before I realized it was "the smell of money". The smell of money is what the oil and gas industry calls the toxic witches' brew of compounds the industry spews into the atmosphere in the quest for methane or what is commonly known as natural gas. This smell of money is a mix of VOC's (Volatile Organic Compounds) and HAP's (Hazardous Air Pollutants) including benzene, toluene, formaldehyde and a few dozen other toxic goodies. Living in Wyoming, I have become familiar with the sickly sweet petrochemical odor of these substances over the last few years as the state has plunged into its final petro boom.

Sublette County once had the cleanest air in the lower 48 and now we have ozone exceedances similar to Denver or Salt Lake City. Though the boom started 7 years ago, no one has bothered to start monitoring levels of VOC's and HAP's. So we have no idea what those levels are. Only recently has research started to come in on the impacts of this 'development' on a few wildlife species, and of course, the picture is not pretty. One such study by University of Montana Professor David Naugle showed an 86% decline in sage grouse populations in the Powder River coal-bed methane fields between 2001 and 2005. In similar areas that have not yet been drilled, Dr. Naugle found "only" at 12% decline. There is some preliminary information on a pygmy rabbit research project in the Pinedale Anticline field that also looks bad.

Looking through this month's "Hot Sheet", the Wyoming BLM State Office's list of current projects, one sees many of the Field Offices currently undertaking Resource Management Plan (RMP) revisions which are listed as "Bureau Time Sensitive Plans." The latter is bureau-speak for those plans that cover areas of large amounts of hydrocarbons where the plans must be completed prior to January 20th, 2009 so that the decisions to rape, pillage and plunder will be in place for at least 15-20 years.

The "Hot Sheet" lists NEPA analyses taking place right now for nearly 20,000 new wells. A recent study by University of Wyoming predicted from current projects and trends that around 35% of BLM lands in the state of Wyoming will be in full field development within 15 years.

When you combine this acute explosion of oil and gas drilling with the chronic habitat degradation caused by private livestock grazing on over 99% of our public lands, you have a recipe for disaster on a massive scale.

Recently, we have joined Biodiversity Conservation Alliance in a case filed in D.C. to protect public lands in the Atlantic Rim area from further fragmentation by 2,000 new wells, hundreds of miles of new roads and all the other construction to deliver us "clean burning natural gas". As we move forward, we will be taking more action to protect sage-dependent species and the habitat on which they depend from the leviathan that is the oil and gas industry. Unfortunately, while Wyoming is ground zero for this petro boom, Montana, Colorado, New Mexico and parts of Utah are also facing an onslaught by the industry and their friends running the government. I just hope some wild lands survive after we have sucked every last molecule of hydrocarbons to feed our addiction.

***Jonathan Ratner is Wyoming director of WWP.
He lives in Fremont County, Wyoming.***



*Gas development near Green River, Wyoming
photo ©Skytruth www.skytruth.org
Inset: Attempt at "restoration" in the same area.
photo ©Skytruth*



News From the Golden State; The California Report

by Dr. Michael J. Connor

This list may have something of a Halloween flavor to it, but working to protect imperiled frogs, toads, beetles, ground squirrels, desert tortoises, bighorn sheep, cacti and other sensitive plants and their habitats made for a busy summer in WWP's California Office.

The California Office consists of Mike Connor and Todd Shuman with tremendous support from Greta Anderson and Erik Ryberg in WWP's Arizona Office. Working together and in partnership with other conservation groups we've reviewed and contested a number of grazing proposals promoted by the US Forest Service and the BLM. Some of these reviews are now beginning to bear fruit.

One of our first successes has been to get the BLM to withdraw its decision to authorize grazing on their portion of the Hunter Mountain allotment that straddles the Death Valley National Park's western boundary.

This 59,580-acre allotment has an interesting history. It originally stretched from the boundary of Death Valley National Monument west to Santa Rosa Flat. In 1994, the California Desert Protection Act created Death Valley National Park by expanding the Monument and transferring jurisdiction to the National Park Service. Most of original allotment was now inside the Park with about 30% remaining under BLM control. Because all of the allotment's water sources were on lands in the National Park, all the AUMs were transferred to the National Park allotment. Hunter Mountain Allotment is the only active grazing allotment in Death Valley National Park. The Park Service is working to buy out the permittee to permanently retire the allotment.

The waterless BLM portion has not been grazed since 1994. However, this spring the BLM's Ridgecrest Field Office issued plans and ultimately a decision to

WWP Blog Now Online

For a look at a more irreverent and personal take on public lands watershed and wildlife issues by a few dedicated WWP authors, WWP invites readers to check out the new WWP Blog: <http://wwpblog.com>. Comments are always welcome or join in as an authorized author by contacting WWP: wwp@westernwatersheds.org.



*Desert Tortoise
photo ©
Mike Connor*

authorize cattle grazing there. Careful review by WWP's California office revealed major flaws in the NEPA documentation. After we pointed these out to BLM officials, the Ridgecrest Field Office issued a new decision vacating the cattle grazing authorization on the grounds that they "had uncovered certain potential inconsistencies in the EA." These potential inconsistencies included a 20 square mile expansion of the allotment into the Milpais Mesa Wilderness that was designated in 1994 and use of an invalid EA to justify the waterhaul sites that would be needed. We will continue to work closely with the BLM to ensure that any future decisions on this high desert allotment are based on sound environmental documents and fully protect the area's sensitive resources.

We have commented on and protested BLM efforts to continue or expand livestock grazing on lands administered within the California Desert District. These include the Olancho, Hunter Mountain, Whitewater Canyon, Shadow Mountain, Stoddard Mountain, Pahump, Ord Mountain, Valley Well, Rattlesnake Canyon and Round Mountain allotments. Between them, these amount to over 520,000 acres of California Desert.

We also continue to participate in collective efforts to transform BLM's livestock grazing management on California's "Serengeti" - the Carrizo Plain National Monument.

We are prodding the Forest Service to conduct full environmental analyses for allotments in a number of different National Forests covering some 190,000 acres. This includes allotments in the Sequoia National Forest Service, San Bernardino National Forest, Stanislaus National Forest and Giant Sequoia National monument. We are now working with lawyers Laurie Rule of Advocates for the West and Klaus Hamm to contest the use of categorical exclusions on national forest lands in California.

***Dr. Connor is WWP's California Science Director.
He lives in Reseda, California.***

The Environment Loses a Valuable Friend and Ally

Western Watersheds would like to celebrate the life of long time WWP supporter and environmental champion, Brad Crowder. Brad passed away recently after a short battle with cancer.

Brad loved wild places, backpacking and campfires with friends, the Canyon Country of southern Utah, missed his dog who passed before Brad, loved his parrots and was so sad and disgusted at the place the current Administration has taken us. He was full of humor and caring for our wild friends and worked exhaustively under adverse conditions to protect them. Those of us who knew Brad will miss him deeply as will those he worked to protect.

Brad worked in the NEPA division of EPA, providing insightful and valuable comments on many projects on Forest Service and BLM lands which were pointed out to him by WWP staff and others as especially egregious. Brad was reprimanded for providing these comments which pointed out the flaws in these projects. He filed a grievance, was denied arbitration and subsequently felt compelled to transfer out of the NEPA division. He knew the frustration and futility of having a job the purpose of which is to protect the environment and yet was prevented from doing so. Friends and colleagues of



Brad knew that he was instrumental in letting journalists and environmentalists know about Republican attempts to bypass Congress in the attempt to gut the Endangered Species Act. During the past two years, Brad talked about retiring and leaving EPA and the politics that were driving bad decisions, yet he hung in there, unwilling to give up.

Brad was that most rare being - an ethical person who was willing to stand up for science and the environment against political pressure and threats to his job. Our society would be so much better off if we had leaders who had a mere speck of Brad's courage and integrity.

To be able glance inside a valued individual is sometimes a way in which our understanding and appreciation of the person can be brought to bear. Debbie Crowder offers this quote from George Bernard Shaw as capturing the way in which Brad approached life.

*"This is the true joy in life:
The being used for a
purpose recognized by
yourself as a mighty one.
The being a force of nature,
instead of a feverish, selfish
little clod of ailments and
grievances complaining
that the world will not
devote itself to making you
happy. I am of the opinion
that my life belongs to the
whole community, and as
long as I live, it is my
privilege to do for it
whatever I can."*

~George Bernard Shaw

*We miss you Brad and we
thank you for all that you did.*





WWP expands into Arizona
by Greta Anderson

Southern Arizona is no place for cows. The saguaro forests, dry washes, sporadic rainfall, and high temperatures make the environment inhospitable for livestock, but heaven knows it hasn't stopped any livestock operators from trying. We're here to change that.

Western Watersheds expanded into Arizona in the spring of 2007 by hiring Erik Ryberg, attorney, to start tackling public lands grazing. In September, Greta Anderson, a botanist, came on board to assist. Together, this team in Tucson is planning to ensure that unsustainable grazing in the hot deserts, and on the desert National Monuments, ceases to threaten species, ruin soils, and denude the landscape.

Arizona is not dissimilar from other western states that have been propping up a dying industry with funding. On just one forest, the Tonto NF, the ranchers have received \$3.5 million dollars (including \$20,000 a year just for signing on) to build water developments and better distribute cows. The backstory, though, is more ominous- cows were pulled off the Tonto in 2002 after drought and the lands haven't healed enough to restock without this massive infrastructure. We are finding ways to challenge the appropriateness of this landscape manipulation, including a legal challenge of



photo ©Erik Ryberg

the administrative process that is being used.

The drought, while problematic for the landscape, is beneficial for the buy-out. We're teaming up with the National Public Lands Grazing Campaign to pursue voluntary relinquishment opportunities on the Ironwood Forest National Monument, an area so marginal for grazing that many operations consist of paper cows only. The resource management planning process is underway for this and other National Monuments in Arizona, and we fully intend to engage in agency planning, in addition to waving the carrot of incentive-based retirement.

Because the lands of Arizona are just too fragile to sustain grazing, and because many of the imperiled species in the Sonoran Desert are directly and indirectly harmed by livestock grazing, we have high hopes that a little bit of pressure will bring a lot of change.

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

Old Bill's



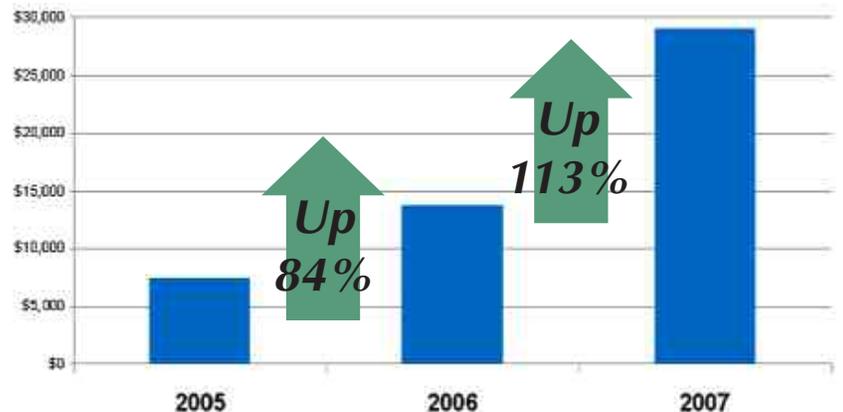
Old Bill's Fun Run a Great Success

We beat all expectations again in this year's Old Bill's Fun Run in Jackson Hole, Wyoming! The philanthropic momentum that Old Bill's Fun Run generates combined with the increased challenge grant from the **Earth Friends Wildlife Foundation** has allowed us to greatly expand our efforts in the Teton County area. This year we also broadened our support from members of the community. The success of Old Bill's Fun Run does more than just support and expand our efforts in Teton County, it also allows more funding for our activities elsewhere in the state. With more funding

for our Teton County activities, then we can shift regular funding to other locations such as the southern half of the Bridger-Teton National Forest, the Bighorn and Shoshone National Forests and problem BLM areas such as the Lander, Kemmerer, Rock Springs, Pinedale and Worland Field Offices.

Thanks again to all those who made Old Bill's Fun Run 2007 such a great success.

Increased WWP funding from "Old Bill's"





**Sage Observations;
Ecological Conscience and
Public Lands Ranching**
by Dr. Erin Anchustegui

Sage-grouse often add to the peacefulness of my walks in the foothills around Boise. I walk along eyes closed taking in the sage brush aroma and listening to all of the sounds. Of course, I hear crickets, and sometimes birds are rustling in the bushes. Other times I hear and then spot a rabbit racing under some brush. The sage grouse captivate me with its blooming noises, drumming like sounds and odd turkey-like appearance. Whenever I see one I feel lucky because it doesn't happen very often and I am hopeful that its presence is a sign that the area in which it lives is healthy.

Once plentiful in the west, they were described by Lewis and Clark in their 1804 expedition. They are large birds that can grow up to 30 in. in length and two feet tall. Sage-grouse cannot live without sage brush and in the wintertime, their diet is 99% of sage brush leaves and buds. So many different wild species rely on sage brush for their existence: larks, burrowing owls, sage sparrows, sage thrashers, loggerhead shrikes and pygmy rabbits.

Though my walks through the sage brush aren't near the Murphy Complex area, I couldn't help but wonder about the devastation that had taken place after the considerable fires swept through that region. I followed all the hubbub of who was to blame—ranchers vs. environmentalists—but what really mattered were those species that had been affected by the fire. So, I looked at the Murphy Complex post-fire pictures at the WWP website. As I expected, parts of it reminded me of the Viking Lander images of Mars: desolate, empty and barren of any life. There were large ashen regions with no wildlife, no sage-brush, dry creek beds, and much to my surprise; many of the pictures had cows in them. This meant to me that whatever plant and animal life was left in the area would be further distressed by grazing cows. I couldn't help but ask: doesn't anyone there have an *ecological conscience*?



My chagrin, I'm sure, is not due to an overflowing ecological conscience to the other extreme.

Aldo Leopold, my favorite conservationist, believed that conservation must spring from a conviction of what is ethically and esthetically right. He said: "A thing is right only when it tends to preserve the integrity, stability and beauty of the community and the community includes soil, waters, fauna, and flora, as well as people." The economic uses of land without the balancing of conservation strategies is exactly what Leopold would count as evidence of neither a land ethic nor ecological conscience.

Invasive non-native grasses precipitated conditions for the fire: cheat grass, drought-like conditions and heat. The spread of cheat grass was aided by the presence of cattle and range "improvements" supporting cattle grazing where there is virtually no water. So, this use of the land that was not balanced by wise conservation strategies produced even a greater economic burden for taxpayers in order to pay for the man-power and materials to extinguish the series of fires in the region.

Sage-grouse won't be thriving in the Murphy Complex area for a long time. I doubt anyone will be taking walks to enjoy the esthetic and ethical balance of the land there for quite a long time.

*Erin Anchustegui teaches philosophy
at Boise State University
She has a Ph. D in philosophy and does research in
environmental ethics.*



How Public Lands



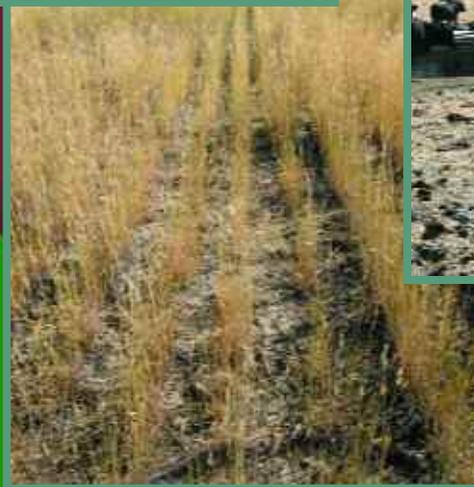
Natural sage habitat has evolved to be fire
This space also provide habitat for sage gro
has evolved so that wildfires actually h

1. Preparation for Grazing: Chaining - String
dragging it through existing flora - destroys
and juniper stands vanish, as does the w
wheatgrass is planted for forage. Crested w
and creates a denser fuel

2. Introduction of Cattle: In the arid we
artificially through vast systems of pumps
As water tables drop, ground is pulverized
muddy, cow-created quagmires.
cattle, addi

1

3. Fire and Aftermath: The Cre
and fast, destroying what lit
sterilizes the ground, leaving a
take much longer to



Photos ©WWP unless
otherwise noted.

Sets the S

Ranching

resistant, with space between each plant. House and other fauna. Furthermore, sage help it germinate, speeding recovery.

ing heavy chain between bulldozers and the natural habitat utterly. Sage, pinion wildlife associated with them. Crested wheatgrass provides little value to cattle fuel source for wildfire.

st, cattle must be supplied with water and pipes. This further disrupts habitat. and fragile water courses disappear into Cheatgrass is introduced and spread by ing to the fuel load.

sted wheatgrass and cheatgrass burns hot little wildlife remains. The intense heat a barren, mars-like wasteland which will recover, if it recovers at all.



3

2



Photo ©USDA

Stage for Wildfires



Global Warming, Western Ranching, and the Bovine Curtain

By George Wuerthner

Just like the old Iron Curtain that squelched any critical discussion of Communism's failures, we in the West live behind a "Bovine Curtain." The Bovine Curtain is-like the Iron Curtain-operated by the state, using taxpayer dollars to continuously broadcast propaganda about the virtues of ranching in the West and suppressing any negative or critical information. The mantra "cows are good" is repeated so often that it has attained cult status, even among many conservation groups-who should know better.

Eating meat (domestic livestock), particularly beef, has one of the biggest environmental impacts on the planet. In many ways making a change from a livestock based diet to plants is one of the easiest things that most of us can modify in our personal behavior to lessen our collective burden upon the planet. Producing one calorie of animal protein requires more than 10 times as much fossil fuel input-releasing more than 10 times as much carbon dioxide-than does a calorie of plant protein.

In the summer 2007 report, Livestock's Long Shadow, UN researchers concluded that livestock production is one of the ... most significant contributors to the most serious environmental problems, at every scale from local to global." According to the UN, livestock contributes to "problems of land degradation, climate change and air pollution, water shortage and water pollution, and loss of biodiversity." But few environmental groups mention this report or its findings, particularly if they are located in the cowboy West behind the Bovine Curtain. They would have to admit that the findings conclusions apply equally as well to the western U.S.

In particular the report singled out livestock production as a major contributor to global warming emissions, yet even Al Gore ignored livestock's role in global warming during his Live Earth Concert. I don't want to denigrate Gore's efforts for he has brought much needed attention to global climate change. Nevertheless, while it's well and good to ask people to screw in fluorescent light bulbs to reduce energy demands, the single biggest change that anyone could do to immediately reduce their contribution to greenhouse gases is to eat less meat.

Eating less meat has a surprisingly big bang for effort. Ranch and farm raised livestock produce millions of tons of carbon dioxide and methane annually. These two gases account for 90 percent of US greenhouse emissions. For instance, all the trucks, SUVs, cars, airplanes, trains and other transportation combined accounts for 13 percent of global warming emissions, while livestock production is responsible for an astounding 18 percent of all global greenhouse gases.

Not only are there the carbon dioxide emissions from livestock production, but livestock, particularly cattle, are responsible for the majority of emissions of several other greenhouse gases. According to the U.N., animal agriculture is responsible for an whopping 65 percent of worldwide nitrous oxide emissions. Bear in mind that nitrous oxide is about 300 times more effective as a global warming gas than carbon dioxide.

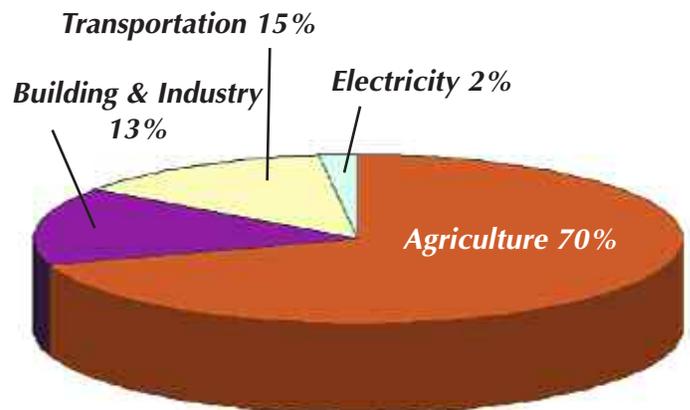
Methane is another gas produced by livestock. Methane traps 20 times more heat than carbon dioxide. The EPA reports that livestock production is the single greatest source of methane emissions in the US.

But when you live behind the Bovine Curtain most people are afraid to speak the truth or have internalized group think so completely that it does not even occur to people to ponder livestock's central role in a host of environmental and health problems. Given their role as obsequious hand maidens to the livestock industry, it's not surprising that federal and state governments hide the connection between meat production and global

Greenhouse Nitrous Oxide Primary Source: Agriculture

The natural sources and cycles of nitrous oxides are not as well understood as those of carbon dioxide and methane, but its primary natural source appears to be bacterial breakdown of chemicals in soil. Human activities that increase nitrous oxide levels in the atmosphere, and as a result the risk of climate change, include use of nitrogen-based fertilizers in producing feed for livestock.

Source: Massachusetts Technology Collaborative



warming. But it's totally unacceptable for environmental organizations to ignore this inconvenient truth.

For instance I recently checked the Sierra Club's global climate change web site. They list ten things one can do to reduce global warming, from driving a more energy efficient auto to supporting renewable energy sources-but eating less meat is not one of them. It's hard to believe that the Sierra Club is not aware of the UN report or other recent research linking livestock production with global warming, but one must assume that saying anything about livestock production is off limits when you live behind the Bovine Curtain. Worse yet, some Sierra Club chapters even promote ranching, despite the obvious impacts on global climate. A recent article the Sierra Club's California/Nevada desert newsletter extolled the virtues of livestock grazing in the Great Basin-a region that is likely to suffer greatly from global climate change.

Similarly I reviewed National Parks and Conservation Association's new report, "Unnatural Disaster," which describes the multiple ways that global warming will impact our national parks. The report suggests a host of solutions that range from more efficient energy use to adoption of renewable energy, but I could not locate any mention of eating less meat in the 48 page report. And the Wilderness Society, while advising members to support carbon sequestration, mileage efficiency for vehicles, and other common remedies, did not mention of the role of livestock production and a meat diet in contributing to global warming.

Given that these national groups do not appear to see or more likely wish to avoid talking about a connection between diet and environmental issues, it's not surprising that many regional or local environmental groups seldom mention livestock production as a global warming issue. They may express great concern about the decline of whitebark pine or large wildfires due to higher global

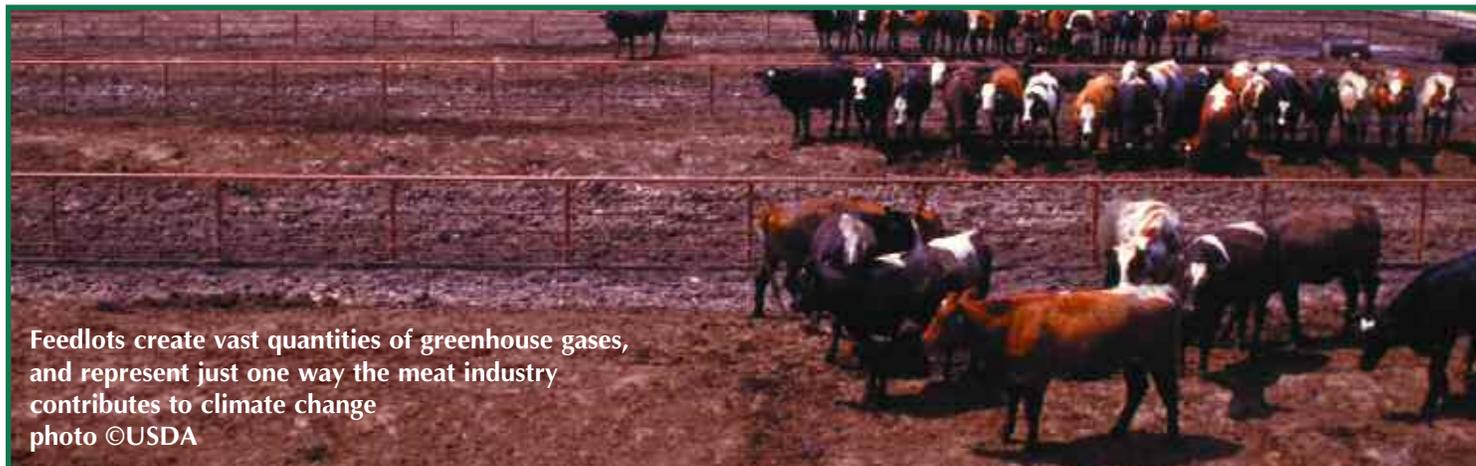
temperatures, but they don't go the next step to tie these issues to ranching and livestock production. Try to raise any linkage to ranching and livestock and the Bovine Curtain slams down. In the West, we don't talk about cows except to laud the ranchers for being "good stewards of the land" or some other fawning palaver.

Global warming is only one reason to end livestock production, particularly western ranching. Production of livestock is the single greatest source of non-point pollution in the West. Livestock are among the prime reasons for the spread of invasive plants like cheatgrass. Producing hay and other irrigated forage for livestock is the reason our rivers are dewatered each summer. Livestock are the reason bison and wolves are killed outside of national parks. Livestock spread disease to wildlife. Livestock are the reason native wildlife like prairie dogs are being slaughtered. The list goes on, but few groups are willing to even list these impacts, much less tackle the source of the problem-cows.

The obvious omission of diet preferences among the proposed solutions to global warming is particularly noteworthy, especially when it involves no new technologies, no major policy changes in government, and no significant investment in new infrastructure. Eating less meat won't cure global warming, but it's the easiest and more cost effective mechanism available to ordinary citizens to start us on a new pathway towards global sustainability.

If you can't afford a Prius, you can afford to eat less meat. Even if you can't switch to solar energy, you can switch to a reduced meat diet. While most of us can't design a wind mill, we can design a better diet. Eating less meat is not only good for the planet's health, it's good for your health. It's time for all of us to begin to view eating and our choice of diet as more than a culinary decision, but as an environmental act.

***George Wuerthner is a WWP
advisory board member who lives
in Richmond, Vermont.***



Feedlots create vast quantities of greenhouse gases, and represent just one way the meat industry contributes to climate change photo ©USDA



Proving that BLM does not follow Science in its Grazing Management

By: Laird Lucas

Federal agencies are supposed to manage our public lands to protect their ecological health. That legal imperative means the agencies are supposed to follow science in their management decisions.

Yet as WWP's supporters know all too well, federal agencies typically ignore science – and the law – in their management decisions, capitulating instead to resource industry demands.

Nowhere is this more true than the 160 million acres of western public lands on which BLM authorizes domestic livestock grazing. Very little of this landscape escapes grazing impacts, even today. The constant grazing has resulted in widespread loss of sagebrush, native grasses and other historic habitats; destruction of streams, springs, and wet meadows; and a downward spiral of many species like sage grouse, redband trout, pygmy rabbit, and a host of others.

These effects are widely documented in the scientific literature – yet are ignored by BLM in its management decisions. The result is unlawful agency action, as several of our recent lawsuits have established.

Keeping The "Public" In Our Public Lands

In one of our biggest wins to date, Judge B. Lynn Winmill of the Idaho federal court ruled in June that BLM violated several federal laws when it adopted new grazing regulations in July 2006; and he permanently

enjoined BLM from ever using the new regulations.

The Bush Administration adopted the new regulations as a favor to western ranchers and their political allies, mainly to gut existing requirements that BLM is supposed to protect watershed health and other ecological values on public lands from grazing damage. The regulations also would have excluded the public from most grazing management decisions – including BLM's issuance of grazing permits – and would have given livestock operators new ownership and control over public lands water rights and range projects.

In a scathing decision, Judge Winmill reversed the new regulations, finding that BLM ignored scientific literature – and even the advice of its own experts – when it claimed the regulation changes would have no adverse ecological effects. To the contrary, Judge Winmill noted, the new regulations would cause long-term harm to many sensitive resources including uplands and streams, as well as fish and wildlife populations, which BLM wrongly failed to disclose to the public.

In addition to ignoring science, the court also held that BLM violated the law in its effort to exclude the public from grazing management decisions across the West. Judge Winmill emphasized that public input cannot "be jettisoned simply to reduce the agency's workload," and he found that BLM was arbitrary and capricious in failing to acknowledge the important role that public input plays in improving BLM's grazing management decisions.

This case has national significance – not only in protecting 160 million acres of public lands in the West, but in affirming that the health of our public lands depends on scientific management and strong public involvement.



Pygmy Rabbit in the Wild
Photo ©Len Zeoli, Graduate Student
Washington State University

“Conclusive Proof” That BLM Ignores Science At Nickel Creek Trial.

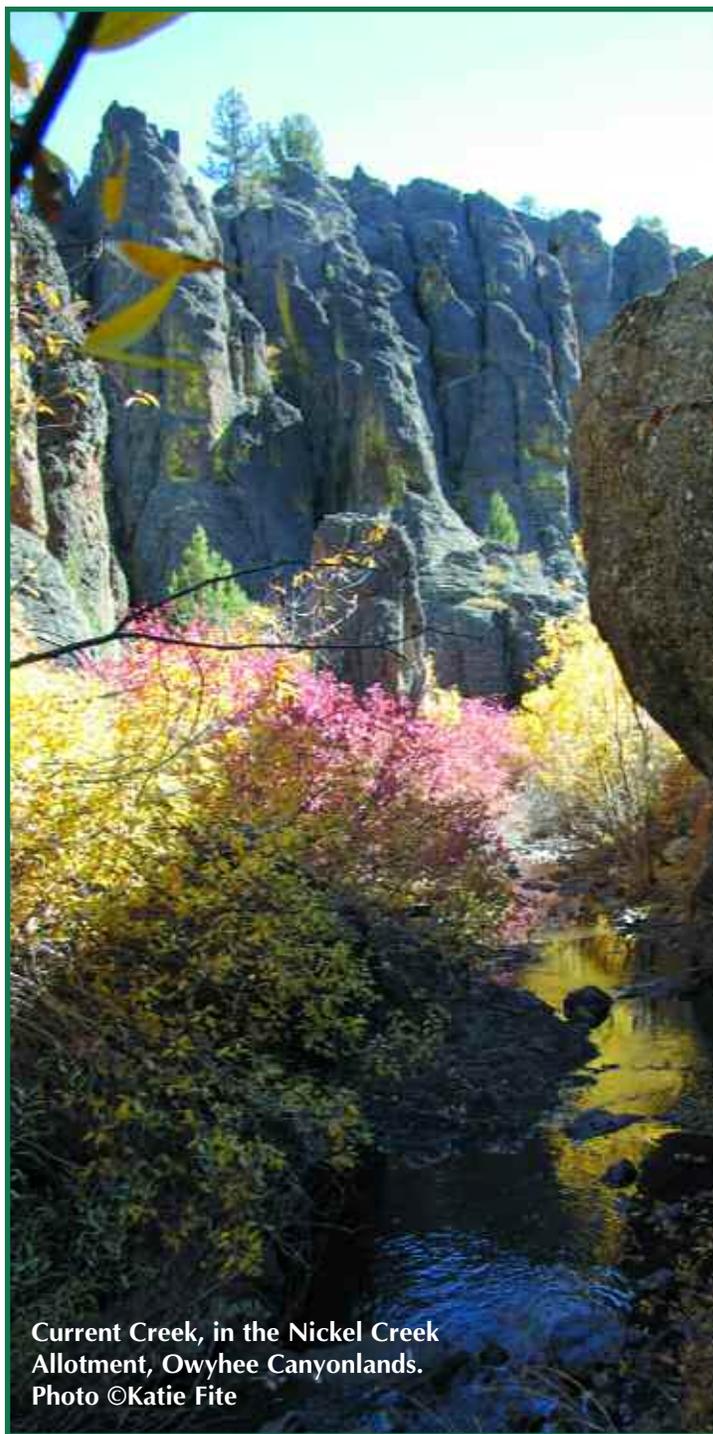
We also won another recent victory underscoring the fact that BLM does not manage livestock grazing on public lands according to scientific principles – thus allowing unacceptable resource damage to continue, in violation of law.

This win involves the 75,000 acre Nickel Creek allotment, which is part of BLM’s Owyhee Resource Area in southwestern Idaho. Nickel Creek features stunning canyons, large upland habitats, and a host of important species including bighorn sheep, sage grouse, and redband trout.

Unlike most of our cases, which are brought in federal court, the Nickel Creek case involved a 15-day trial before an Administrative Law Judge in the Department of Interior. We used WWP experts Dr. John Carter and Katie Fite to present detailed scientific information about the harms that grazing has caused to the public lands and natural resources of the Nickel Creek allotment. We also explained the modern scientific principles relating to grazing management, which BLM claims it follows – but in fact does not.

In a 125-page decision issued in September, the Administrative Law Judge held that WWP’s evidence was “overwhelming” and “conclusively proved” that BLM violated modern range science in its management of the Nickel Creek allotment. Among his specific findings, the judge ruled that:

- The “overwhelming consensus of scientific evidence” establishes that setting the correct stocking rate is the most important step in proper grazing management. The judge ruled that BLM thus wrongly attempted to rely on a complex rest-rotation grazing system, instead of cutting livestock numbers to improve conditions on the allotment.
- BLM “relied on inadequate utilization and forage production data” in setting its stocking rates, while “WWP offered convincing evidence” that BLM has allowed excessive livestock utilization of native vegetation, causing damage to plant vigor and habitat conditions.
- The “preponderance of the evidence” also showed that BLM’s grazing scheme would not make even “limited improvement” to achieve the ecological standards for rangeland health on the allotment.
- BLM violated NEPA by failing to give serious consideration to either a “light grazing” or “no grazing” alternative, either of which offers much better ecological improvement. The judge ordered BLM to implement one of these alternatives in 2008, if it has not adopted a new and lawful grazing decision before then.

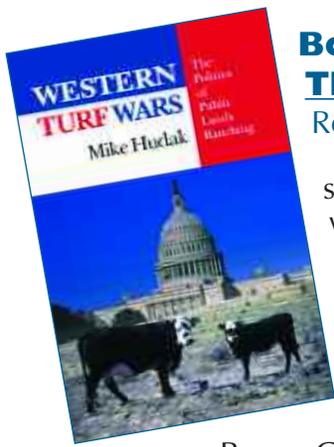


**Current Creek, in the Nickel Creek Allotment, Owyhee Canyonlands.
Photo ©Katie Fite**

We believe this case is unprecedented in putting BLM’s basic grazing management on trial – and in establishing conclusively that BLM is violating the basic “range management” principles that are taught at schools around the West.

We will now be presenting similar challenges to equally inadequate BLM grazing decisions elsewhere in Idaho and other western states.

***Laird Lucas is Executive Director of Advocates for the West.
He lives in Boise, Idaho.***



Book Review: Western Turf Wars: The Politics of Public Lands Ranching (2007) by Mike Hudak

Reviewed by Todd Shuman, WWP Advisory Board member

This book, which is based upon video-taped interviews of retired agency scientists, land managers, non-government scientists, and conservationists, presents a wealth of valuable historical information through the stories of 27 people who have been resisting abusive livestock grazing management practices on public lands. Four of the people interviewed in the book are currently associated with WWP (Ralph Maughan, Julian Hatch, Larry Walker, and Todd Shuman).

The range of issues, regions, concerns, and historical periods addressed in the book is immense. From Martha Hahn, we hear about the battles to transform BLM grazing management in Idaho in the 1990s. From Douglas Barber, Leon Fager, and

Renee Galeano-Popp, we receive blow-by-blow accounts of reform and counter-reform within the Apache-Sitgreaves and Lincoln National Forests while Mike Sauber lays out the campaign to stop the construction of massive stock tanks in the Aldo Leopold Wilderness of the Gila National Forest. Julian Hatch and Patrick Diehl lay out the political economy of livestock grazing in the Grand Staircase-Escalante National Monument while also reminding us of the chilling consequences rural grazing reform activists face when challenging the status quo. Ralph Maughan then presents us with a most concise, informative overview of issues and facts concerning bison and wolf "control" in the Northern Rockies.

When we get a hankering for some hard-core science, we can turn to Clait Braun for the lowdown on the history and science behind efforts to protect the Gunnison sage grouse, as well as for a detailed critique of a western states conservation assessment of "Greater Sage-grouse and Sagebrush Habitats" that needed "holes . . . to be shot in it." Different interviews address livestock-related issues concerning Hart Mountain NAR, the grasslands of the Black Hills, Malheur NWR, pygmy rabbit habitat in Washington, the Golden Trout Wilderness, among many others.

Hudak gently "prodded" his subjects to recount the events, conflicts, and perceptions that prompted them to address livestock-on-public-land issues in the first place. Buy it and start "mining" it for the unusual history and accumulated wisdom that it contains.

Western Turf Wars can be purchased over the Internet at <http://westernturf wars.com> or by contacting Mike Hudak directly at Biome Books, 38 Oliver Street, Binghamton, NY 13904-1516. You can also call 607.330.0351.

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^ Habitat loss is driving the sage grouse relentlessly towards extinction. Recent legal efforts by Western Watersheds Project could help reverse this. (Story, Page 1) photo ©USFWS