



Western Watersheds Project MESSENGER

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Spring 2020

Blocking the Trump Administration's Sage Grouse Amendments

Hard Work Pays Off for Idaho's Wolves!

WWP Wins a Victory to Prevent Grazing by Arsonist Ranchers



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

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Dear Readers,

As we write this, we're in the earliest stages of North America's COVID-19 crisis. It's March 21, 2020 and the pandemic is still concentrated in densely-populated urban areas, but it's starting to appear in rural places as well.

WWP's staff are all working from home and practicing social distancing. For some of us, that's not unusual, and we're all adept at teleconferences, cloud sharing, and finding ways to work together across great distances. None of us know what this will mean for upcoming field seasons. So far, the agencies continue business-as-usual, rapidly approving destructive public lands' projects, which means WWP continues to work at fighting back.

Our mission remains critical; the climate and extinction crises mean that humans are going to have to reimagine our relationship with the planet if we're going to continue to live here. We'll survive this virus, but how will we rebuild the systems that are failing so totally under the strain? WWP will be here to advocate for the non-human community's place in that future, promoting ecological resilience and biodiversity.

By the time you read this, it's not at all certain what life will be like. We can only hope that when this newsletter arrives in your mailbox, the worst is behind us and we are all still here, healthy, and enjoying the inevitable springtime.

Erik and Greta

Welcome Jocelyn, WWP's New Montana/Eastern Washington Director!

We're excited to announce that we created a new position at WWP this year: a Montana/Eastern Washington Director. Josh Osher is expanding his focus on national policy and continuing his good work on legislative efforts, and so we've hired a new person to cover Montana allotments and to start working in eastern Washington state. Jocelyn Leroux started with us on March 1, 2020 and she's jumped right into being a part of the team.



Jocelyn (left) and her mother backpacking in the Olympic National Forest

Jocelyn grew up exploring the mountains and high desert of Southwest Colorado where her love and appreciation for open spaces and public lands began to develop at a young age. Jocelyn earned a degree in Environmental Biology and Ecology with an emphasis on watershed science at Western State University in Gunnison, Colorado and then went on to earn her master's degree in Environmental Policy from Western Washington University in Bellingham, Washington. Prior to earning her bachelor's degree Jocelyn spent a season doing trail work in central Colorado and a summer tour guiding in Alaska. She then spent four seasons introducing teens and young adults to the mountains of Colorado while working for the Colorado Outward Bound School.

Jocelyn's numerous field research projects in Gunnison, CO introduced her to the various ecological issues facing the forests and sagebrush ecosystems of the Western U.S. Her graduate studies then focused on the legal and policy challenges facing natural resource management.

While earning her master's degree, Jocelyn dug into public lands advocacy issues for The Mountain Pact, by working with local elected officials from mountain communities in the West to fight for public lands protection, wildlife conservation, and recreation access. She is excited to apply her background in ecology with her policy and advocacy experience to protecting and restoring the native woodlands and sagebrush sea of eastern Washington and Montana.

In her free-time Jocelyn frequents public lands with her dog while trail running, backpacking, hiking, mountain biking, rock climbing, and backcountry skiing.

Blocking the Trump Administration's Sage Grouse Amendments



By Greta Anderson

Since January 2017, the Trump administration has consistently sought to deregulate the livestock industry, the fossil fuels industry, and the mining industry on western public lands. Policy declarations like “energy dominance” have meant America’s public lands have been tossed wide open to oil and gas extraction, mining, and grazing abuses. Federal laws and regulations designed to protect lands and wildlife and to give the general public a voice in the management of America’s public lands are constantly being threatened by handing over ownership or control to state and local governments. (See Osher article, this issue)

As our members know, greater sage grouse conservation has been one of the most far-reaching public lands issues over the past decade, so it was no surprise when the new administration initiated a process to gut the 2015 federal sage grouse plan amendments with its own industry-friendly policies. WWP and our allies (and attorneys at Advocates for the West) had sued over the 2015 plans because they didn’t go far enough to protect the species; the Trump Administration’s 2019 revisions scaled back even these weak measures. We immediately sued over these new BLM plans at the end of March last year, sought an injunction against them last summer, and by October, we stopped the Trump sage grouse amendments for in their tracks!

This victory spans 51 million acres of greater sage-grouse habitat on Bureau of Land Management land in seven western states: Idaho, Wyoming, Utah,

What the Victory Means

- Restores 7” grass height objective limiting livestock grazing in NV, WY, ID, and CO Priority Habitats
- Restores requirement to prioritize leasing and drilling outside all designated habitats
- In ID, expands lek buffers from as little as 0.25 mile to 2 - 3.1 miles on 4.9 million acres of designated habitats.
- Closes 124,000 acres in CO habitats to oil and gas leasing
- Restores 1 million acres of deleted sage grouse habitats in NV
- Restores 450,000 acres of deleted sage grouse habitats in UT
- Requires that all approved projects result in a net conservation gain for grouse
- Reinstates 22,000 acres of livestock-free Research Natural Areas in OR

Colorado, Nevada, California, and Oregon.

In his order granting a preliminary injunction (online at <https://bit.ly/33OkJ0t>), U.S. District Court Judge B. Lynn Winmill ruled that the administration failed to analyze how sage grouse would be harmed under the March 2019 land-use plans:

“The stated purpose of the 2019 Plan Amendments was to enhance cooperation between the BLM and the States by modifying the BLM’s protections for sage grouse to better align with plans developed by the States. While this is a purpose well within the agency’s discretion, the effect on the ground was to substantially reduce protections for sage grouse without any

Join us for Western Watersheds Project’s 2020 Board Meeting at the at Greenfire Preserve or via videoconference, depending on pandemic conditions



Save the date for Saturday, June 6th. Please visit westernwatersheds.org/boardmeeting for more information on location and how to RSVP.

The East Fork of the Salmon River near the Greenfire Preserve

©ERIK MOLVAR, WWP

explanation that the reductions were justified by, say, changes in habitat, improvement in population numbers, or revisions to the best science contained in the [expert scientist team] reports.”

The court wasn't fooled by the agency's shenanigans, and the ruling immediately threw a wrench into the Trump administration's efforts to sweep aside protections for the greater sage-grouse and expand the uses of public lands for extractive industries like oil and gas and livestock grazing. Specifically, the ruling reinstates habitat objectives in most states requiring livestock grazing to leave behind grass at least 7 inches tall, requirements that all approved projects must result in a net conservation gain for sage grouse, and a requirement that oil and gas leasing and drilling be prioritized outside designated sage grouse habitats. It also restores important habitat designations in Nevada, Oregon, Utah, and Idaho that were stripped away by the Trump plan amendments. This win helps hundreds of other types of plants and wildlife that depend on the sagebrush sea, from elk to pygmy rabbits to golden eagles.

Because the injunction was based on the likelihood of our success on the merits of the broader litigation, the BLM saw the writing on the wall — it was going to lose the entire case. However, rather than withdraw the now-blocked decisions, the agency has put out Draft Supplemental Environmental Impact Statements (DSEIS) trying to paper over its mistakes. WWP and others will submit comments on these by the deadline, but it's plain that the DSEISs are just an attempt by this administration to make excuses for its original bad plans, rather than fix their deficiencies. For now, we're delighted with restoring some protections to sage grouse across the West.

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



Sage Grouse

© ERIK MOLVAR

Huge Legal Win against Oil and Gas Leasing

By Kelly Fuller



America's wildlife and public lands got a boost in February when an Idaho federal court canceled oil and gas leases on nearly one million acres of greater sage-grouse habitat in Nevada, Utah and Wyoming!

The leases were ruled invalid because the Bureau of Land Management (BLM) had unlawfully restricted public participation in the auction process. Indeed, the court noted that there was significant evidence that BLM was intentionally shutting the public out of these types of decisions when it reduced protest periods from the mandatory 30-day window to a mere 10 days as a way of expediting Trump's "energy dominance agenda."

The February court decision blocks a Trump administration policy cutting lease protest periods in half, and restores the mandatory 30-day protest period. This gives the public adequate time to advocate for the protection of watersheds and wildlife in sage grouse habitat. WWP and our allies are currently petitioning the judge to extend this protection to all public lands—not just sage grouse habitats—and asking that other oil and gas leases also be canceled if they were permitted under the unlawful time frames. It's another precedent-setting win against the "energy dominance" agenda, on behalf of those of us who value our public lands for more than resource extraction.

We would like to thank our long-time legal partner Advocates for the West and our co-plaintiff Center for Biological Diversity for their outstanding work on this lawsuit.

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

WWP Wins a Victory to Prevent Grazing by Arsonist Ranchers



By Talasi Brooks

As readers of the Messenger know, WWP worked hard in 2019 to prevent convicted arsonists Dwight and Steven Hammond of Hammond Ranches from grazing their cows on BLM lands in Oregon. (See “Zinke’s Unfortunate Swan Song” in Spring 2019 and “WWP Wins an Interim Victory to Prevent Grazing by Arsonist Ranchers” in Fall 2019 issue.) The BLM itself denied the ranchers a permit renewal in 2014 because they didn’t qualify due their record of arsons and other permit violations under their expiring permit. The agency had been defending its decision in the Interior Board of Land Appeals for nearly five years when former Secretary of the Interior Ryan Zinke stepped in – on his very last day in office and during the government shutdown – to override the local offices and order the agency to renew Hammond Ranches’ grazing permit.

WWP and our allies achieved a significant interim victory when grazing on two of the four Burns District BLM allotments was partially enjoined last summer. A U.S. District Court judge issued a Temporary Restraining Order and then a Preliminary Injunction strictly limiting grazing on the Mud Creek and Hardie Summer allotments, which provide important habitat for sage-grouse and redband trout. The court also ordered BLM to monitor the effects of grazing on the allotments subject to its injunction and report back to the court.

WWP’s team of experts went out to the allotment and did their own inten-

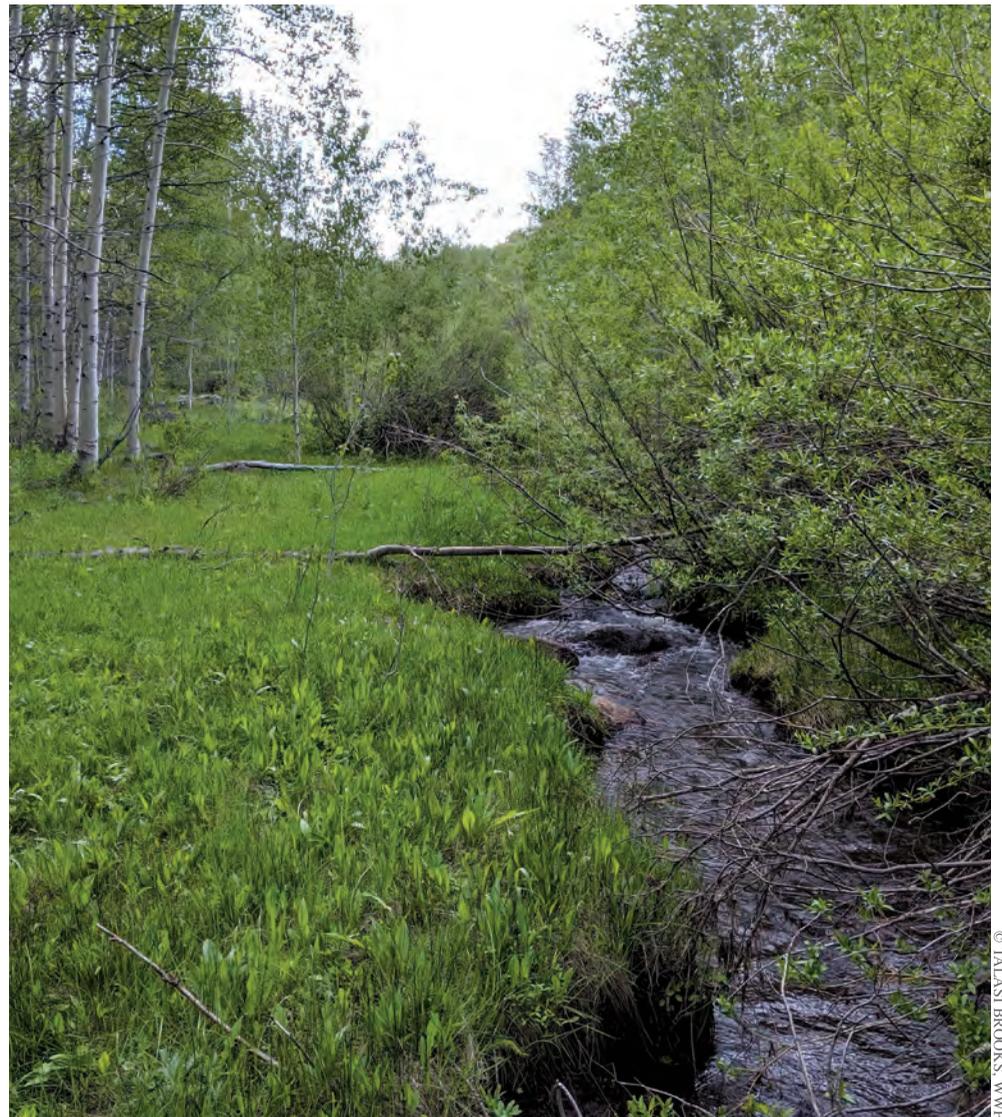
sive monitoring. We found riparian utilization as high as 87%, despite the Court’s order requiring the agency to limit utilization to only 30% on the Hardie Summer allotment. BLM did not even measure riparian utilization for its court-ordered reporting. In addition, BLM’s reports revealed that Hammond Ranches grazed the Mud Creek allotment—through which it was only allowed to trail cows for a total of 14 days—for an extra day.

In December 2019, the court formally resolved our case, holding that Secretary Zinke acted unlawfully in directing BLM to renew Hammond Ranches’ grazing permit despite their lack of a satisfactory record of performance. The court held that even the Secretary of the Interior

is not above the law and “may not disregard governing statutes and agency regulations in making discretionary determinations.” It vacated the Secretary’s unlawful decision and revoked the renewed grazing permit, sending the agency back to the drawing board.

BLM may appeal the lower court’s decision or attempt to issue a new grazing permit to Hammond Ranches under some other provision—but one thing is clear: Even the agency’s highest levels cannot disregard the requirements of law in authorizing grazing. We will be watching.

Talasi Brooks is WWP’s Staff Attorney. She lives in Boise, ID.



Riparian areas on the Hardie Summer Allotment that are now protected.

© TALASI BROOKS, WWP

WWP Stops Livestock Infrastructure on Agua Fria National Monument



By Cyndi Tuell

The Agua Fria National Monument north of Phoenix, Arizona is renowned for its rich archeological history and the extraordinary biodiversity it contains. The Monument is located on the traditional lands of the Yavapai Apache and Hohokam people. Native fish species, including longfin dace, the Gila mountain sucker, the Gila chub, and the speckled dace occur in the rare and important riparian habitats that the monument designation protects.

Unfortunately, the Bureau of Land Management sees these unique ecological features as simply more water for livestock and issued a grazing permit renewal decision last June that would have also added nearly twenty miles of pipeline, and new wells, tanks and troughs on the Horseshoe allotment to support cattle use. These projects would have drained up to 200,000 gallons of water from nearby



*A greater roadrunner, *Geococcyx californianus*, in the Agua Fria National Monument.*

riparian habitats for the rare fishes. The BLM itself admitted the proposed range projects would drain the watershed and draw livestock to areas that hadn't been grazed in years, resulting in extensive trampling of vegetation wildlife rely on for survival, but then ignored those impacts in its decision. The project would also have authorized the use of six different herbicides and allowed the use of livestock as "biological control agents," all within the habitat for the imperiled Gila chub, yellow billed-cuckoo, and the northern Mexican garter snake.

Notably, the Horseshoe Ranch is owned by the Arizona Game and Fish Department. One might think protecting wildlife habitats would be more of a priority for the agency! The allotment is leased to a company that promotes its grass-fed beef in Phoenix-area farmers markets.

Fortunately, Western Watersheds Project was able to get the decision overturned. We appealed the final decision and won a "stay" of the project in late November. The administrative law judge recognized the immediate and irreparable harm this project would have on the wildlife, the native plants, and the seventeen miles of riparian areas found on the allotment. The stay of decision meant that the project couldn't go forward until the appeal was resolved.

Instead of proceeding with defending its bad decision, the BLM decided WWP was right and voluntarily withdrew its approved plan, putting the harmful projects on the backburner for now. We'll be making sure they stay there.

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



The beautiful Agua Fria National Monument



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Showing Drain



Sage-Grouse in The West

- 1 Yakima Training Center, Washington.
© Tatiana Gettelman
- 2 Malheur National Wildlife Refuge, Oregon.
© Andy Reago and Chrissy McClarren
- 3 California-Nevada state line. © Erik Molvar
- 4 Bodie State Historic Park, California.
© Aaron Maizlish
- 5 Owyhee, Idaho © Idaho Fish and Game
- 6 Ruby Valley, Nevada © Erik Molvar
- 7 Monitor Valley, Nevada © Erik Molvar
- 8 Charles M. Russell National Wildlife
Refuge, Montana © US Fish and Wildlife
Service
- 9 Red Desert, Wyoming © Erik Molvar
- 10 Atlantic Rim, Wyoming © Erik Molvar
- 11 Gunnison Basin, Colorado © Noppadol
Paothong
- 12 Butte County, South Dakota, © US Fish
and Wildlife Service

Map © John Wesley Powell, USGS

REGION
OF THE
STATES
Management Districts.

In Memoriam: Fred Field Goodsell II

WWP was saddened to learn of the recent death of longtime member and supporter Fred Goodsell. Fred was a firm believer in WWP's mission



and supported our work as a standing declarant in our current Capitol Reef National Park case. He was also close with a few of WWP's staff. Fred was always enthusiastic about WWP's efforts and gave generously through the years to the organization. He most recently lived in Ajo, Arizona, but he was also well known in Jackson, Wyoming, for his square-dance calling and community card games.

Fred's career with the National Park Service included positions at Glacier National Park, Fossil Butte National Monument, Grand Teton National Park, Organ Pipe Cactus National Monument, and Capitol Reef National Park. He hiked thousands of miles in Capitol Reef and took detailed and copious notes in preparation for a book which he decided not to publish. Fred's observations and intimate knowledge of Capitol Reef made him a passionate advocate for this park, as his standing declaration from August 2019 attests:

"Capitol Reef National Park is important to me for its opportunities for solitude during backcountry visits, its wilderness characteristics, its geological formations, and its variety of native plants, wildlife, and archaeological resources. One of my favorite parts of the Park is the southern end, south of the Post, which has many interesting rock forms and hidden canyons.

Cattle change the backcountry experience for visitors. To even the most casual observer, wherever cattle access the Park, they change the shape and size of shrubs and alter the species mix and appearance of grasses. In places where backcountry explorers might like to take a break, such as in the shade of cottonwoods along washes or creeks, cattle chop up the ground with their hooves, urinate, and leave feces, making such spots unusable for cross-country hikers.

During my visits to Capitol Reef National Park, my interests in seeing a natural landscape undamaged by cattle have been injured. As part of the original National Park Service team hired to protect the Park's resources, I feel particularly harmed when I witness on-going resource damage despite the original intent of Congress to phase out livestock use in the Park."

Fred asked to be remembered as a hiker, but he will be remembered as so much more by those who knew him.

A complete obituary for Fred can be found online, here <https://bit.ly/2QGJVJA>.



WWP regrets that we are unable to honor all of our members and contributors through "In Memoriam" pieces. Our apologies if we missed recognizing your loved ones in The Messenger, but please know that we truly value the lives of all of our many supporters.

Hard Work Pays Off for Idaho's Wolves!



By Talasi Brooks

In March 2020, we reached an important new legal agreement with USDA's Wildlife Services resulting in immediate on-the-ground protections for wolves in Idaho!

Our agreement stems from a 2016 lawsuit challenging USDA's Idaho Wildlife Services' use of an outdated environmental analysis for managing wolves in the state. Our case asserted the old analysis was inadequate because it failed to consider recreational hunting and trapping in addition to federal management, and failed to address significant advances in scientific understanding of wolves and their importance to ecosystem function since the EA was written in 2010.

Wildlife Services does most of its wolf killing on behalf of the livestock industry, despite the fact that public lands ranchers are not required to take any proactive measures to prevent livestock conflicts in wolf habitat, and despite the fact that wolf killing does not reduce—and may exacerbate—future livestock losses. The U.S. District Court for the District of Idaho originally found we lacked standing to bring this case because it determined that even if Wildlife Services stopped killing wolves, the Idaho Department of Fish and Game would still find ways to kill the same number of wolves. WWP appealed the ruling to the Ninth Circuit, and the appellate panel overturned the district court's decision. After the Ninth Circuit remanded the matter to the lower court, we began settlement negotiations with Wildlife Services.

Two key provisions in the resulting agreement are worth noting: First, until Wildlife Services completes an

Environmental Impact Statement for its wolf-killing and other activities in Idaho, it will not use M-44 ‘cyanide bombs’ anywhere in the state. This means we won’t see a tragic repeat of the 2016 incident in Pocatello, where a boy and his dog were poisoned by M-44s, resulting in the dog’s painful death and ongoing trauma to the child.

Second, the agreement stops Wildlife Services from killing wolves in the Sawtooth Valley, Sawtooth National Recreation Area, and Wood River corridors while it assesses the impacts of its activities. While wolves are important everywhere they roam, the value of this agreement on WWP’s home turf is especially exciting—in 2010, the Phantom Hill Pack, which inhabited the Wood River Valley, was wiped out by Wildlife Services when it wandered into the Sawtooth Valley. Our agreement means such killings of wolves won’t happen

again any time soon.

The settlement also sets strict limitations on the use of snares and traps, banning Wildlife Services from using snares targeting wolves on public lands, and requiring the agency to use trap features that cannot be triggered by smaller animals throughout Idaho. It blocks Wildlife Services from engaging in lethal activities targeting wolves in wilderness areas throughout Idaho, including the Boulder-White Cloud Complex, Big Jacks Creek, Little Jacks Creek, Bruneau-Jarbidge Rivers, Craters of the Moon, Frank Church-River of No Return, Gospel-Hump, Hells Canyon, North Fork Owyhee, Owyhee River, Pole Creek, Sawtooth, and Selway-Bitterroot Wildernesses. These places are near and dear to many of our hearts, and we couldn’t be more pleased to provide some additional protections for the native predators there.

The agreement stands until the agency completes a new environmental analysis, but we’ll be actively participating in the new planning process and ensuring that wolves get science-based protections. We’ll fight any proposal to reauthorize cyanide bombs and wolf killing for the livestock industry.

This great success was achieved by WWP’s past and present staff attorneys and outside counsel at Advocates for the West. Our coplaintiffs in the litigation included Center for Biological Diversity, WildEarth Guardians, Friends of the Clearwater, and Predator Defense. A copy of the agreement is on our website at <https://bit.ly/2U9PxoS>. If you have any questions, contact tbrooks@westernwatersheds.org.

*Talasi Brooks is WWP’s Staff Attorney.
She lives in Boise, ID.*



A wolf from the Phantom Hill Wolf Pack

©RANDY FLOOD

VGPR = National Grazing Permit Retirement Legislation!

By Josh Osher



Buying out voluntarily-relinquished grazing permits and ending livestock grazing on allotments is one of the most secure and effective ways to restore

our public lands and to improve habitat for wildlife. WWP has been advocating for this remedy and our allies at the Sagebrush Habitat Conservation Fund have successfully closed HOW MANY acres of public lands to authorized livestock use.

However, the only permanent way to retire a public lands grazing permit is through an authorizing act of Congress, such as been passed in places such as Death Valley National Park, Capitol Reef National Park, Arches National Park, Cascade-Siskiyou National Monument, Oregon Caves National Monument and Preserve, and Wilderness Areas in the Owyhee Canyonlands and Boulder-White Clouds. Some places have also allowed administrative retirements, a less-secure kind of closure that



From left to right: WWP's Laura Cunningham, with Janet Maxwell and Todd Schuman of the Sierra Club Grazing Committee.

is written into a forest or land use plan.

Now, there's a potential for permanent retirement to expand throughout the west, with Rep. Adam Smith's (D-WA) Voluntary Grazing Permit Retirement Act ("VGPR"), H.R. 5737, introduced in the United States House of Representatives on January 30, 2020.

This revitalized legislation will authorize west-wide public lands grazing permit retirements, and will also protect those that have already been bought out but are still threatened with being re-opened to livestock grazing. For example, right now, grazing allotments previously bought out and administratively closed

in the Bridger-Teton National Forest south of Yellowstone and in the Escalante Canyons of Grand Staircase-Escalante National Monument are under threat of being reopened by the Trump administration. The new VGPR would protect these and other significant conservation gains and by closing those lands to livestock in perpetuity.

Western Watersheds Project has played a key role in getting this legislation introduced, and we're continuing to work to build a broad base of support in the House of Representatives in anticipation of hearings and an eventual vote in the Natural Resources Committee. WWP staff will (hopefully!) visit Washington, D.C. several times this year and continue to communicate remotely with congressional offices to help secure additional sponsors and educate officials about the need for this common-sense solution to grazing conflict.

Contacting your own Representative and Senators in support of the VGPR is also vitally important to our future success. More information about this can be found by contacting josh@westernwatersheds.org

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



Rose Chilcoat and Josh Osher lobbying in Washington, D.C.

Returning Wolves to Colorado

By Erik Molvar



The snowcapped peaks of the Colorado Rockies preside over a vast domain of public land – vast wildernesses, extensive forests and basins – and more than 700,000 elk and mule deer. It’s a natural paradise that draws millions of visitors every year to hike the trails, ski the powder, and escape from the cities and the suburbs for a while. Unfortunately, thanks to the relentless efforts of the livestock industry, Colorado’s mountains are devoid of two large predators that once haunted these valleys: grizzly bears and wolves.

Mike Phillips is trying to change all that. Phillips is a former National Park Service biologist who played a central role in the ecological restoration that resulted from releasing wolves in Yellowstone, a successful experiment that led to a rebound of streamside willows, new growth of aspen and cottonwood saplings, and a resurgence of biodiversity from songbirds to beavers to wolverines.

Today, Phillips is a Montana state senator, and the mastermind behind the Rocky Mountain Wolf Project, a broad coalition of conservationists laying the groundwork for the return of wolves to western Colorado. Western Watersheds Project is a part of the coalition and plays a supporting role by bringing the science on the ecological importance of wolves from academia into the public policy debate. Other groups did the critical work gathering signatures to get wolf reintroduction onto the 2020 ballot. After a year of collectively educating Coloradans to the realities of wolf ecology – wolves pose no danger to

humans, they rarely depress elk populations, and if left alone tend to choose natural prey rather than venturing on to private lands to take livestock – Phillips’ effort has paid off and the Rocky Mountain Wolf Action Fund gathered more than 212,000 signatures from supporters to bring wolf recovery to a statewide vote later this year.

The effort, of course, has sparked vitriolic opposition from the livestock industry and ecologically-backward elements of the hunting lobby. These groups are trotting out the stock anti-wolf propaganda, attempting to sow fear through dishonest claims that wolves would mean economic collapse, drive elk populations extinct, and pose a deadly threat to hikers and skiers venturing into the wilds. They even stooped (in the midst of the coronavirus pandemic) to an innuendo that wolves would spread disease to humans. Of course, one need only look to Yellowstone for some perspective. There, in the nation’s most heavily-visited national park, 4 million visitors a year mingle (safely, when they keep a prudent distance) with native wildlife, including wolves. No one has been attacked, and visitors covet the chance to see these

elusive creatures. The local economy is hardly suffering: Jackson Hole hosts the greatest per-capita income of any single county in the United States.

Additionally, the ecological balance now gracing Yellowstone is sorely absent in Rocky Mountain National Park, where overpopulated elk are damaging their own range, and where there are too few native carnivores to keep the elk numbers in check and keep the herds moving. As a result, willows have disappeared from streambanks, degrading habitats required by the rare greenback cutthroat trout, and frustrating the recovery of the beavers whose ecological engineering is the linchpin of Colorado stream health. When wolves return to Colorado’s western slope, they will almost certainly help this national park find its balance again.

The livestock industry has been claiming for years that nobody in the West wants to see the return of nature’s top carnivores. Conservationists have just called their bluff, and now, the voters will decide.

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



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New Lawsuit on the Badger Den Allotment

By Cyndi Tuell



The Badger Den allotment near Willcox, Arizona is unique among the many allotments in the Safford Field Office of the BLM because it has not had authorized livestock grazing for nearly 30 years. It is within the San Simon watershed, identified in 2011 by BLM as one of the ten most degraded watersheds in the country. Soil erosion has been a significant concern since at least the 1930s throughout the San Simon Valley, and a large portion of the allotment looks like a moonscape.

Nonetheless, the 47,000-acre allotment provides potential habitat for a variety of native wildlife species such as

the Sonoran green toad, the Western burrowing owl, javelina, desert ornate box turtle, banner-tailed kangaroo rat, and native plants including bush muhly, black grama, and wolfberry, among many others. Its 47,000 acres represent a rare and unique opportunity for restoring Arizona's grasslands to their former ecological health.

Some of that restoration work got underway in 2010 in the "Sands Draw Livestock Exclusion Project," an aquatic habitat restoration effort within the allotment which had ultimately planned for the reintroduction of native fish, including the Gila topminnow roundtail chub, and desert pupfish, to surface waters within the livestock-free area. Though the fish reintroduction never occurred, the closure to trespass livestock grazing and the replanting of native vegetation makes the Sands Draw Exclusion stand out from the rest of the allotment.

The permit on the Badger Den allotment was canceled in 1991, after the

permittee was caught repeatedly breaking the agreements he had with BLM about where his cows were allowed to graze. He refused to remove his cattle from the allotment and continued to graze illegally on the allotment until 2004, when he finally relented after a stint in jail for contempt of the court orders to remove the cattle.

Then, on June 18, 2018, nearly 30 years after the original permit was canceled, the BLM used some magical thinking and back-door processes to "transfer" the preference of the non-existent permit to a new livestock operator (who also happens to be the son of the original permittee). The agency rubber stamped the permit without notifying the public and despite the concerns raised by more than one BLM staffer that cows didn't belong on these fragile lands.

Thus, on December 4, 2019, after months of trying to understand how the agency went about reauthorizing a long-canceled permit, WWP filed a



The Restoration Project Area on the Badger Den Allotment

© CYNDI TUELL, WWP

Western Watersheds Project 2019 Annual Financial Report



Badger Den Allotment subject to grazing

lawsuit challenging the illegal new permit.

Caught breaking environmental laws and trying to sneak cows onto degraded public lands, on March 9, 2020, just two days before the BLM's answer to WWP's complaint was due in court, the BLM decided to issue a new decision to cancel the illegal permit and admitting the grazing permit for the Badger Den allotment was issued in violation of the law.

As of this writing, there are no authorized livestock on the Badger Den allotment and WWP plans to keep a close eye on what the BLM does next. The federal court lawsuit is still pending until we're sure the BLM's recent decision to cancel the 2018 permit will be upheld. In the meantime, we will keep working to protect the restoration area and the land surrounding it so that this place can continue to heal from over a century of livestock abuse.

If you live in southern Arizona, it is worth the drive and short walk to visit the allotment to see what livestock grazing does to arid landscapes, and visit the restoration area to see what this place could be without cows. Get in touch with Cyndi Tuell at cyndi@westernwatersheds.org for more information if you plan to head out to the Badger Den allotment.

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

INCOME

Memberships and Major Donors.....	202,800
Grants.....	757,700
Events and Earned Income.....	3,700
Legal Fee Recovery.....	46,000
Total Income.....	\$1,010,200

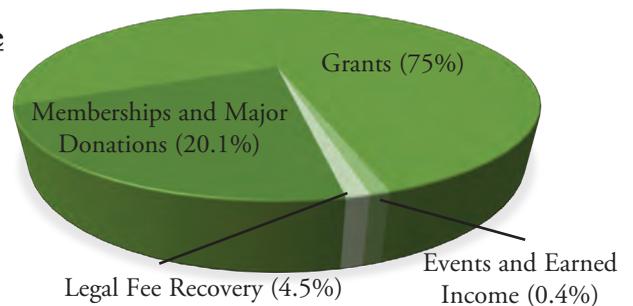
EXPENSES

Accounting.....	4,500
Donation Processing.....	2,100
Conferences and Meetings.....	1,100
Contract Services.....	40,700
Employee Benefits.....	64,700
Equipment Rental and Maintenance.....	3,400
Grazing Leases.....	300
Insurance.....	30,700
Legal.....	26,400
Occupancy.....	15,800
Payroll.....	634,000
Payroll Expenses.....	49,400
Postage and Shipping.....	4,200
Printing and Publications.....	14,000
Revolving Litigation Fund Repayment.....	22,400
Supplies.....	9,200
Special Events.....	1,800
Telephone.....	8,100
Travel.....	43,200
Website.....	700
Total Expenses.....	\$976,700

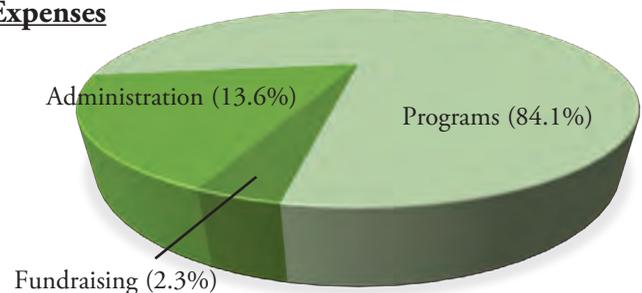
2019 Budgeted Expenses.....	\$979,350
2020 Budgeted Expenses.....	\$1,073,100

*All figures rounded.

Income



Expenses





WESTERN WATERSHEDS PROJECT

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Thank You for Your Continued Support!

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

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



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

