ADVOCATES for the WEST

2022 Spring/Summer Case Notes

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Winning for the West Requires Vision and Devotion

***Laird J. Lucas**, Executive Director*

As *Advocates for the West* approaches celebrating our 20th anniversary next year, I am reminded of the steadfast commitment it takes to enforce environmental laws and achieve lasting protections for the West.

During the Trump administration, *Advocates for the West* fiercely opposed federal agencies moving to allow fossil fuel development, mining, grazing, and other destructive practices throughout our western public lands. Over the last six years, we've won significant victories upholding our bedrock environmental laws and reversing Trump-era decisions.

Yet, as we continue the years-long process of undoing the damage, we haven't lost sight of the need to continue pressuring the Biden administration to work toward restoring biodiversity and protecting species and their habitats in the face of a changing climate. This imperative is especially pressing with mid-term elections looming and high oil prices leading to calls for increased extraction.

It takes patience and long-term strategy to overcome the bureaucratic delay and opposition by industry and agencies. *Advocates for the West* has shown devotion to fighting such attempts to deflect, as evident in our 85% rate of success through hundreds of cases over the last two decades. Simply put, we win for the West!

This is why we are still fighting hard to defend the West against the threats to special and sacred places, public lands, fish, and wildlife posed by industrial development and special interests, including on the following fronts:

- We're in court battling mining threats to sensitive landscapes that provide key habitat for fish and wildlife. For example, we just filed our latest suit challenging the proposed Kilgore gold exploration project in the "High Divide"— the vital wildlife corridor from Yellowstone to the northern Rockies, which is crucial habitat for grizzly bear, Yellowstone cutthroat trout, and other imperiled species. At the same time, we're continuing to represent the Nez Perce Tribe in a Clean Water Act (CWA) citizen suit filed in August 2019 for ongoing illegal discharges of arsenic, cyanide, mercury, and other pollutants at the proposed Stibnite mine site on Idaho's East Fork South Fork Salmon River without a CWA permit.
- We're working to save salmon and steelhead in the Pacific Northwest, including our ongoing success in forcing the Corps of Engineers to manage a dozen dams and reservoirs to better protect the imperiled fish in the Willamette River basin of Oregon; challenging huge destructive logging projects in fish habitat in Idaho's Clearwater and Salmon River basins; and challenging Bonneville Power Administration's cutting of spending on fish and wildlife harmed by the lower Snake River dams.
- We've won a long string of victories to protect sage-grouse and the Sagebrush Sea from oil and gas development, voiding thousands of leases and protecting 10 million acres of highest priority sage-grouse habitats from new mining claims. These wins and our continued defense of sage-grouse habitats are more important than ever, with the Biden administration restarting oil and gas leasing on federal land after a federal judge overturned that moratorium last year.

As always, our legal efforts are only possible by working closely with our clients and partners, as well as expert scientists. I take heart in how focused and committed our staff are to this joint enterprise to protect and restore special places and sensitive species in a just and equitable manner. These wins don't always come quickly, but the tenacity of our staff gives me hope for the future.

Thank you for your help in our ongoing work to protect public lands, waters, fish, and wildlife in the West!

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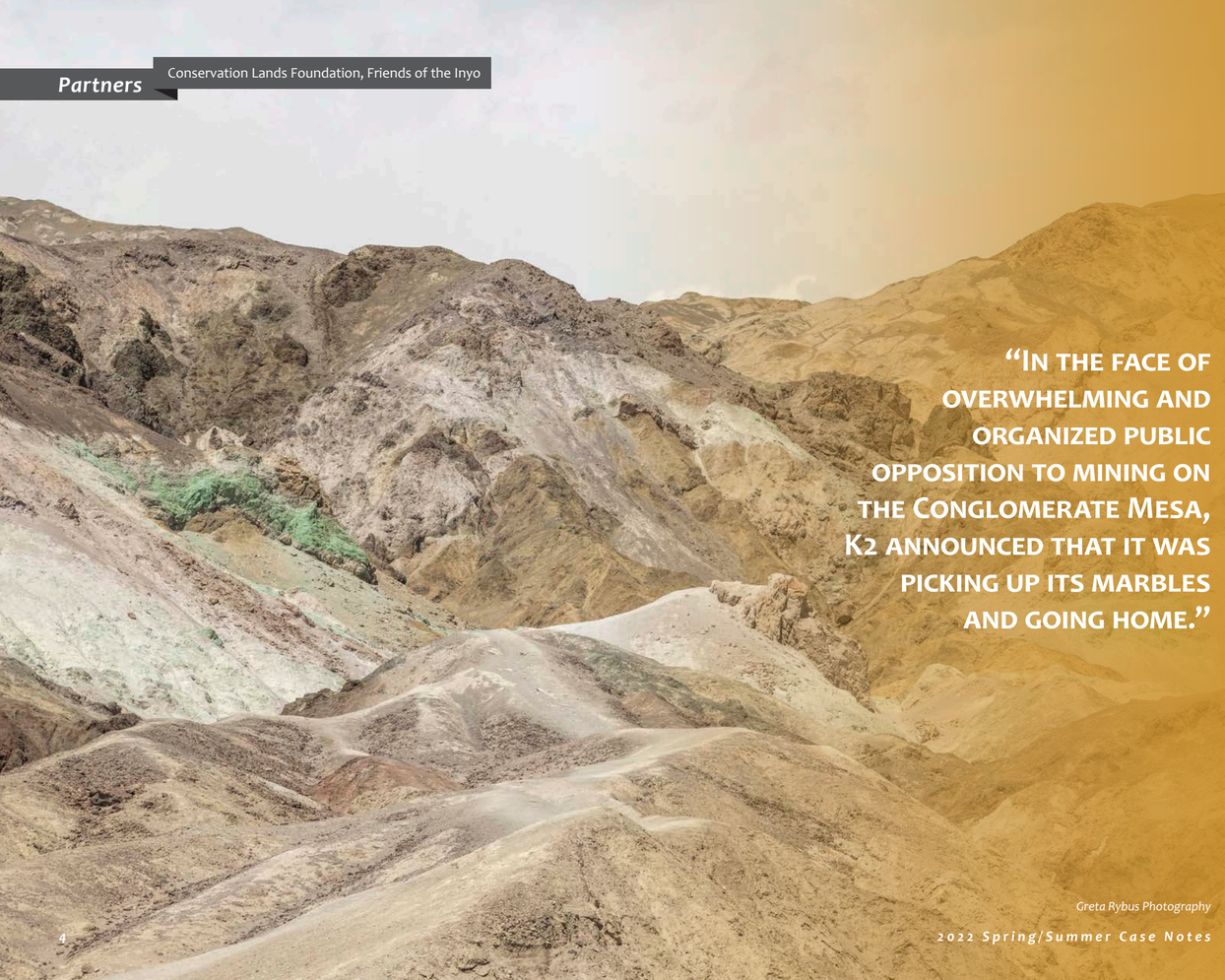

"In the face of overwhelming and organized public opposition to mining on the Conglomerate Mesa, K2 announced that it was picking up its marbles and going home."

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CONGLOMERATE MESA: A PITCH-PERFECT CAMPAIGN TO PROTECT A TREASURED LANDSCAPE

***Todd Tucci**, Senior Attorney*

In mid-March 2022, *Advocates for the West* received unexpectedly welcome news that K2 Gold Corporation was abandoning its multi-year effort to explore for gold on public lands in and around Conglomerate Mesa, a pristine 22,500-acre landscape of National Conservation Lands and Areas of Critical Environmental Concern on the western shoulder of Death Valley National Park.

Conglomerate Mesa is home to native and threatened plant species including the iconic Joshua tree and Inyo rock daisy. Congress has recognized that these California Desert lands and resources are "extremely fragile, easily scarred, and slowly healed." In the face of overwhelming and organized public opposition to mining on the Conglomerate Mesa, K2 announced that it was picking up its marbles and going home.

In early 2018, *Advocates for the West* became involved in the fight to protect Conglomerate Mesa through our work with Conservation Lands Foundation and Friends of the Inyo. At that time, the Trump administration was poised to permit helicopter-based exploration of Conglomerate Mesa, including drill sites. After the Bureau of Land Management approved this exploration in May 2018, *Advocates for the West* worked with our allies to seek administrative review of the decision for violating our bedrock environmental laws. As expected, the Trump administration refused to reconsider the gold exploration plan, allowing a limited amount of activity to proceed.

In response, Friends of the Inyo, Conservation Lands Foundation, and others focused on the long-term objectives of stopping more expansive exploration and, ultimately, an open-pit gold mine on Conglomerate Mesa. And they went to work.

Friends of the Inyo led the public opposition and protests against K2's plans for Conglomerate Mesa, which attracted regional and national press coverage, including several articles in the Los Angeles Times and NBC News. Friends of the Inyo also led site tours of Conglomerate Mesa, including for the Congressional representative whose district includes Conglomerate Mesa. Tribal leaders from the Paiute, Shoshone, and Timbisha Shoshone Tribes played a central role, too, including by testifying before Congress in support of protecting Conglomerate Mesa and opposing any further mining exploration.

At the same time, the California Native Plant Society (CNPS) undertook efforts to locate and document occurrences of the imperiled Inyo rock daisy across Conglomerate Mesa. CNPS and the Center for Biological Diversity petitioned to protect this species under the Endangered Species Act, based in part on the threats of gold mine exploration to this endemic plant. In addition, our allies documented occurrences in Conglomerate Mesa of another native plant species—the Inyo threadplant—a species completely new to scientific study.

Conservation Lands Foundation, *Advocates for the West*, and our allies also engaged state-wide and national leaders within the Bureau of Land Management to ensure they were aware of the threats gold mining and exploration presented to the wildlife and wildlands of Conglomerate Mesa.

All of these efforts paid off when, in 2021, K2 submitted a new proposal for more expansive exploration efforts on Conglomerate Mesa. The opposition was swift and overwhelming, which led directly to K2's announcement on March 17, 2022 that it is indefinitely suspending all activities within Conglomerate Mesa, and moving all of its operations out of Inyo County.

In short, the Conglomerate Mesa story underscores what it takes to defeat damaging proposals to develop our federal public lands. Strong local and national voices of opposition, coupled with science and strategic use of legal tools, are vital in these kinds of campaigns.

PROTECTING THE WEST COAST'S ONLY NATIONAL SEASHORE FROM COMMERCIAL RANCHING

***Lizzy Potter**, Senior Attorney*

Point Reyes National Seashore in Marin County, California is a national treasure that supports exceptional natural resources and recreational opportunities for millions of people each year. It contains stunning and diverse ecosystems such as coastal cliffs and headlands, sandy and rocky beaches, rolling grasslands, forested ridges, estuarial bays, and meandering streams, and includes the only marine Wilderness on the West Coast south of Alaska.

For decades, the Park Service quietly authorized commercial beef and dairy ranches on a large swath of public land at the National Seashore without ever studying their environmental impacts or soliciting public input on their operations. That is, until *Advocates for the West* sued in 2016.

The public process and environmental impact analysis that resulted from our original lawsuit revealed what our partners and many others had long known: ranching causes substantial environmental damage and impedes the public from enjoying a significant part of the Seashore. Once these facts came to light, public opinion about the ranches changed considerably, with the overwhelming majority of people opposed to the Park Service's new management plan to continue and expand ranching there in perpetuity.

That plan was crafted under the Trump administration yet adopted by the Biden administration with little change. It allows the Park Service to shoot majestic, native Tule elk to increase ranches' profitability, and provides for ranchers to add livestock types, mobile slaughterhouses, and more. The plan is riddled with flaws, relies on inadequate mitigation measures, and was based on a cursory analysis of the environmental impacts.

But the key problem with the new plan is that it is incompatible with Congress's vision for Point Reyes as a place of public benefit, recreation, and inspiration. Congress required the Park Service to provide the "maximum protection" for natural resources, which must be elevated over all other uses.

Instead of doing so, the Park Service prioritized the commercial needs of private ranchers above all else based on the specious claim that doing so is necessary to protect "historic resources"—which purportedly include ranch pastureland. In so doing, it brushed aside the longstanding history and cultural resources of the Coast Miwok, the original inhabitants of this coastal area.

To prevent the Park Service from implementing this disastrous management plan, we launched a second round of litigation in San Francisco federal court this winter. Our lawsuit argues that the Park Service has violated bedrock environmental laws, ignored public input and evidence, and acted inconsistently with Congress's commands for managing this special place. Our lawsuit seeks to prevent ranches from impairing sensitive and scarce water resources, harming wildlife and other natural resources, and preventing the public from freely recreating on these public lands.

Since the plan was issued and our lawsuit was filed, more shocking news about ranching at Point Reyes has come to light. Our partners and their allies—not the Park Service—have caught ranchers bulldozing native vegetation and a salmon stream, maintaining a hazardous waste dump in plain sight, and allowing raw human sewage to flow from worker housing onto fields near water sources and places where the public can hike. A multi-year drought in Marin County has dried up key water sources for Tule elk and ranchers, yet the Park Service prioritizes water availability for commercial uses instead of ensuring that wildlife and the public have the water they need.

This spring, the Park Service's failure to adopt a comprehensive new water quality and climate action strategy for ranches roused the ire of the California Coastal Commission. After hours of passionate public testimony, the Commission unanimously rejected the Park Service's cursory strategy as wholly inadequate to address the serious water quality problems that have been documented at the Seashore.

Our long-term vision is to protect the entire Point Reyes National Seashore for the natural ecological and recreational values for which it was designated, and ensure the end of harmful commercial ranching operations on these pristine public lands.

"Our lawsuit argues that the Park Service has violated bedrock environmental laws, ignored public input and evidence, and acted inconsistently with Congress's commands for managing this special place."

Greta Rybus Photography

Center for Biological Diversity, Resource Renewal Institute, Western Watersheds Project

Partners

Sonoran Desert – LBHLLC/Shutterstock

"Advocates for the West remains persistent in our fight for the result that the Proclamation designating the Monument intended—protection of biological and cultural resources, not perpetuation of harmful grazing in this fragile desert ecosystem."

Greta Rybus Photography

SONORAN DESERT NATIONAL MONUMENT IS NO PLACE FOR CATTLE GRAZING

Laurie Rule, *Senior Attorney*

Advocates for the West is once again taking on the Bureau of Land Management over its continued failure to protect the Sonoran Desert National Monument in central Arizona from livestock grazing damage. This is the third time we have gone to federal court to protect the Monument from livestock threats.

The Sonoran Desert is one of the driest areas in the lower 48 states but provides habitat for a wide variety of vegetation and wildlife. It also contains Wilderness areas, historical trails, and numerous cultural resources from ancestral peoples that inhabited the area. President Clinton's 2001 Proclamation designating the Monument underscored the importance of protecting the many plant and animal species found there, such as Sonoran desert tortoise, desert bighorn sheep, and saguaro cactus, as well as important cultural and historic sites found on the Monument. It directed that the Bureau could only authorize livestock grazing on the Monument where compatible with protecting these important resources.

Data collected shortly after the Monument was designated, when livestock were still actively grazing the entire area, showed cattle had degraded the soils and vegetation across the majority of lower elevation terrain on the Monument. Native plants important for wildlife were scarce and being replaced by exotic species. Saguaro cactus were aging and not being replenished with young plants. Soils were bare and compacted. Trampling by cattle was degrading several trails with historical or cultural significance.

We first sued in 2008 to force the Bureau to complete a management plan for the Monument, which it had long delayed. In 2012, the Bureau released a plan to allow livestock grazing to continue across much of the Monument, arguing that it would not harm biological or cultural resources. The Bureau had initially determined that the entire Monument should be off-limits to grazing, but the agency back-tracked and closed only a portion of the Monument in its first management plan.

We went back to court in 2014 to challenge that plan and won a resounding victory, which held that the Bureau's analysis was flawed in multiple ways and forced the agency to re-do its analysis. Yet, instead of conducting a better analysis that addressed the Court's concerns, the Bureau's new analysis—issued during the Trump administration—was even more unreasonable.

Indeed, livestock have not grazed much of the area for five to ten years because permits had expired and were not renewed due to the litigation over the plan. However, the Bureau insisted on collecting new data on ecological conditions and relying solely on that data for its new analysis. Thus, instead of considering data collected when the area was actually being grazed, the Bureau only considered data collected after a prolonged period with no livestock use.

Unsurprisingly, the agency found fewer problems and determined that the entire Monument was available for grazing.

Many of the assumptions and conclusions in the Bureau's new analysis are unsupported and contradicted by other data, and we are now back in court for a third time challenging the new arbitrary analysis and the decision to open up the entire Monument north of Interstate 8 to livestock grazing. *Advocates for the West* remains persistent in our fight for the result that the Proclamation designating the Monument intended—protection of biological and cultural resources, not perpetuation of harmful grazing in this fragile desert ecosystem.

SAFEGUARDING A SACRED CULTURAL LANDSCAPE

Sarah Stellberg, *Staff Attorney*

Tucked away in a remote corner of southeastern Utah is a region informally dubbed the "Lands Between," because it lies between three National Monuments that are federally-protected in this rich archeological landscape (the Bears Ears, Canyons of the Ancients, and Hovenweep National Monuments).

While not formally protected as a National Monument, these roughly 300,000 acres of the Lands Between contain tens of thousands of important Native American cultural and archeological resources, ranging from well-preserved cliff dwellings to rock art panels. According to the Bureau of Land Management (which manages the Lands Between), this region features some "of the highest archaeological site densities in North America."

The Lands Between are the traditional and ancestral lands of Hopi, Zuni, Ute, and dozens of other Tribes and Pueblos. This sacred landscape has supported Indigenous people of the Southwest from time immemorial and continues to hold spiritual and cultural significance to Tribes today.

As early as 1904, historic preservation advocates identified this area as warranting "urgent" protection. Nevertheless, the Lands Between remain one of the last archaeological landscapes on our federal public lands lacking any significant protection. Modern study of the area's cultural significance is also in its infancy, prompting a retired Bureau archaeologist to dub it "the last great frontier for American archaeology."

THE OIL AND GAS THREAT

As is true of so many much of the West, the Lands Between also sit atop an oil and gas formation: the Paradox Basin. Spanning across southeastern Utah and southwestern Colorado, the Paradox Basin has been explored periodically since the 1960s with mixed success.

For years, Tribes, archaeologists, and conservation groups have expressed deep concern about fossil fuel development in the Lands Between. Among other threats, well pads and supporting infrastructure construction can disturb buried archaeological materials; increase dust particulates that degrade rock imagery panels; increase vandalism and looting due to improved site access and visibility; and degrade a landscape's historic setting and feeling.

When energy companies nominated parcels in the Lands Between for leasing in 2015, the Obama administration deferred their requests to better study and address the potential impacts of oil and gas leasing on cultural resources. However, as part of its all-out push for "energy dominance," the Trump administration killed these planning efforts and proceeded with four lease auctions in the Lands Between in 2018 and 2019, selling off dozens of speculative leases.

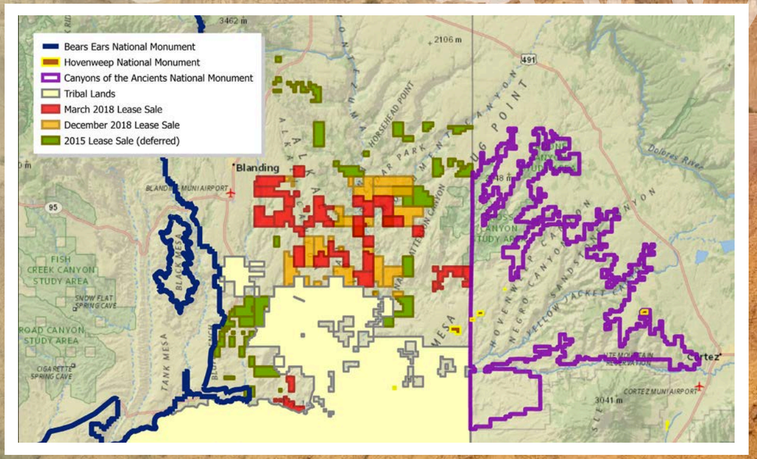
ADVOCATES FOR THE WEST LAWSUITS

We have been fighting these leases in court on behalf of Friends of Cedar Mesa, a non-profit conservation group based out of Bluff, Utah. Our efforts delivered an initial victory in 2019, when the Bureau suspended the leases to conduct additional environmental analysis. Yet the agency lifted the lease suspensions months later, during the last year of the Trump administration, forcing us to file suit again.

Our current lawsuit in Washington, D.C. federal court highlights the Bureau's violations of the National Historic Preservation Act (NHPA) and National Environmental Policy Act (NEPA), two laws that outline responsibilities for federal agencies to study and avoid the impacts of their actions on historic properties. The NHPA also requires federal agencies to engage in meaningful, government-to-government consultation with Tribes that ascribe significance to those sites.

Ignoring these laws, the Bureau conducted no surveys to identify historic properties in the lease parcels; refused repeated requests by Tribes for meaningful consultation or ethnographic study of the area; and irrationally claimed that oil and gas development would have no adverse impacts on the dense fabric of cultural sites.

As with so many of our other cases brought in recent years to challenge damaging Trump administration decisions on public lands, we hope our legal action will prompt the Biden administration to cancel these leases and halt new development in the Lands Between until the agency has meaningfully consulted with Tribes, local communities, and conservation groups about durable protections for this remarkable landscape. But if not, we will continue fighting in court to have the leases thrown out.



Map: Friends of Cedar Mesa

"For years, Tribes, archaeologists, and conservation groups have expressed deep concern about fossil fuel development in the Lands Between."

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Partners Idaho Conservation League, Greater Yellowstone Coalition

"LIKE OUR OTHER SUCCESSFUL MINING CAMPAIGNS IN IDAHO AND BEYOND, THIS CASE SHOWS THAT WE AND OUR PARTNERS WILL NOT LET OUR PUBLIC LANDS AND THE ECOSYSTEMS THEY SUPPORT BE TRASHED."

FIGHTING TO KEEP GOLD MINING OUT OF THE "HIGH DIVIDE"

***Bryan Hurlbutt,** Staff Attorney*

As the transition from fossil fuels to renewables gains momentum and feels more imminent than ever, this positive news has been met with warnings about the potential environmental costs. This includes a rush of mining—some already underway—to provide needed materials.

For example, the *Atlantic* published an article in January titled, "Idaho Is Sitting On One Of The Most Important Elements On Earth," referring to cobalt, a key ingredient in electric vehicle batteries. The article explores the delicate tradeoffs, high stakes, and environmental risks of mining our way to a more sustainable future.

At *Advocates for the West*, we are bracing for this mining boom in Idaho's cobalt belt and throughout the West. While we support transitioning to renewables, we stand ready, committed to working with our partners to oppose the wrong mines in the wrong places and to ensure that all mining complies with environmental laws.

But as Western public lands face growing pressure to provide the minerals of the future, old threats remain. In March, we launched a second round of litigation to stop the Kilgore Gold Exploration Project in the Centennial Mountains of eastern Idaho.

The Centennials are a critical corridor for wildlife along the "High Divide," linking Yellowstone with the other important ecosystems of the northern Rockies. The Centennial range, which follows the Idaho-Montana border, is home to moose, elk, deer, wolverines, badgers, mountain goat, lynx, wolves, black bears, grizzly bears, and a wide variety of birds.

On the Idaho side of the Centennials, tributaries to Camas Creek and Beaver Creek flow from the mountainous Kilgore Project site and support some of the few remaining native Yellowstone cutthroat trout populations in the area. Below the site, these streams support agriculture, sustain life at the Camas National Wildlife Refuge, and feed the Eastern Snake Plain Aquifer.

The Centennials are where a mining company, Canada-based Excellon Resources, hopes to pave the way toward building an open-pit, cyanide heap leach gold mine.

Wrong mine. Wrong place.

Excellon and its predecessors have conducted limited drilling at the site since 2010. In 2018, the Forest Service approved Excellon's proposal to significantly expand its mine exploration over the next five years to construct miles of roads to move heavy equipment into the landscape and 140 drill sites in the Caribou-Targhee National Forest.

We filed suit in federal court, representing the Idaho Conservation League and the Greater Yellowstone Coalition, and partnering with the Western Mining Action Project. Our court victories in 2019 and 2020 stopped the Kilgore Project in its tracks. The court ruled that the Forest Service failed to consider threats Excellon's drilling poses to water quality and cutthroat trout.

But Excellon is back. The Forest Service reapproved the Kilgore Project in late 2021. And the Kilgore Project once again threatens water quality, fish, and wildlife in the Centennials.

This time, the Forest Service applied Trump-era environmental rollbacks to cut corners during the environmental review process. Excellon and the Forest Service declined to consider alternative exploration techniques that could minimize the harm to wildlife. And they did the bare minimum in an unsuccessful attempt to address the deficiencies identified by the Court.

In this second round of litigation, we seek a court order halting the Kilgore Project and directing the Forest Service and Excellon, should they decide to proceed, to study and protect against the true risks the exploration poses to the Centennials.

Like our other successful mining campaigns in Idaho and beyond, this case shows that we and our partners will not let our public lands and the ecosystems they support be trashed. Not for gold. Not for other materials under the guise of sustainability.

Greta Rybus Photography

DEFENDING SALMON AND STEELHEAD FROM BPA DISREGARD

Andrew Missel, *Staff Attorney*

The scientific evidence is overwhelming that Idaho salmon and steelhead simply cannot coexist with the lower Snake River dams. Breaching the dams, located in eastern Washington, is something that only Congress can do, and there is growing political support for such a measure. But even if Congress decided to breach the dams tomorrow, it may take years before it actually happens.

Given their precarious state, Idaho salmon and steelhead need a lifeline while the political gears slowly turn. Mitigation efforts to offset the adverse effects of the lower Snake and mainstem Columbia River dams include restoring spawning habitat, preventing harm to fish by installing and maintaining fish screens, and conducting research and monitoring. Such mitigation efforts, already so vital to preventing extinction, will continue to be necessary as momentum builds to breach the lower Snake River dams.

Under the Northwest Power Act of 1980, mitigation efforts to offset the adverse effects of the Columbia and Snake River dams are carried out by a variety of federal, state, and tribal actors, using funding provided by the Bonneville Power Administration (BPA). Unlike most federal agencies, BPA does not rely on appropriations from Congress; rather, it funds itself through selling power and transmission services. Its revenues are then used to pay its costs, including the cost of mitigation efforts such as habitat restoration and research and monitoring.

The Northwest Power Act instructs BPA to put its obligations to fish and wildlife on par with its other obligations. But BPA has long neglected this responsibility. In recent years, to save money BPA has actually flatlined funding for fish mitigation efforts—BPA uses the euphemism "bending the cost curve"—even as salmon and steelhead populations have continued to decline. In short, BPA has put fish a distant second.

Predictably, flatlined funding has impaired the implementation of important mitigation projects, and the problem has only become worse in recent months with spiking inflation. For instance, in February this year, the Fish Passage Center told BPA that its flatlining of funding in combination with inflation "has made it impossible" for a vital research and monitoring effort, called the Comparative Survival Study, to continue. The Comparative Survival Study has informed the operation of the hydropower system for more than 20 years. If it is discontinued or seriously impaired by BPA's flat funding policy, it will seriously disrupt efforts to keep salmon and steelhead populations alive.

This is where *Advocates for the West* comes in. For nearly two years, we have pushed BPA to take its obligation to fund mitigation measures seriously. Representing Idaho Conservation League, Great Old Broads for Wilderness, and Idaho Rivers United, in early 2021 we intervened in BPA's "rate case"—an administrative proceeding in which BPA sets power and transmission rates for the next two years. We pointed out to the agency the negative effects of its flat funding policy and urged it to revisit the policy, especially in light of a projected boon in surplus revenue during the rate period. (Along the way, we also won a precedent-setting victory under the Freedom of Information Act, ordering BPA to quickly produce records vital to public participation in decision-making processes involving the federal hydropower system.)

Unsurprisingly, BPA refused to reassess its decision, and recommitted to holding fish mitigation spending flat even in the face of the huge surplus revenue forecast. Last September, we asked the Federal Energy Regulatory Commission (FERC) to disapprove BPA's decision and are currently awaiting a ruling on our request for rehearing.

BPA's decision to starve mitigation projects of much-needed funds cannot be squared with its required duties to fish and wildlife under the Northwest Power Act. Whether BPA likes it or not, it must provide sufficient funding for those projects in a way that puts fish on par with its business interests and other considerations. Going forward, *Advocates for the West* and our partners will do everything in our power to hold BPA accountable for its unlawful decisions.

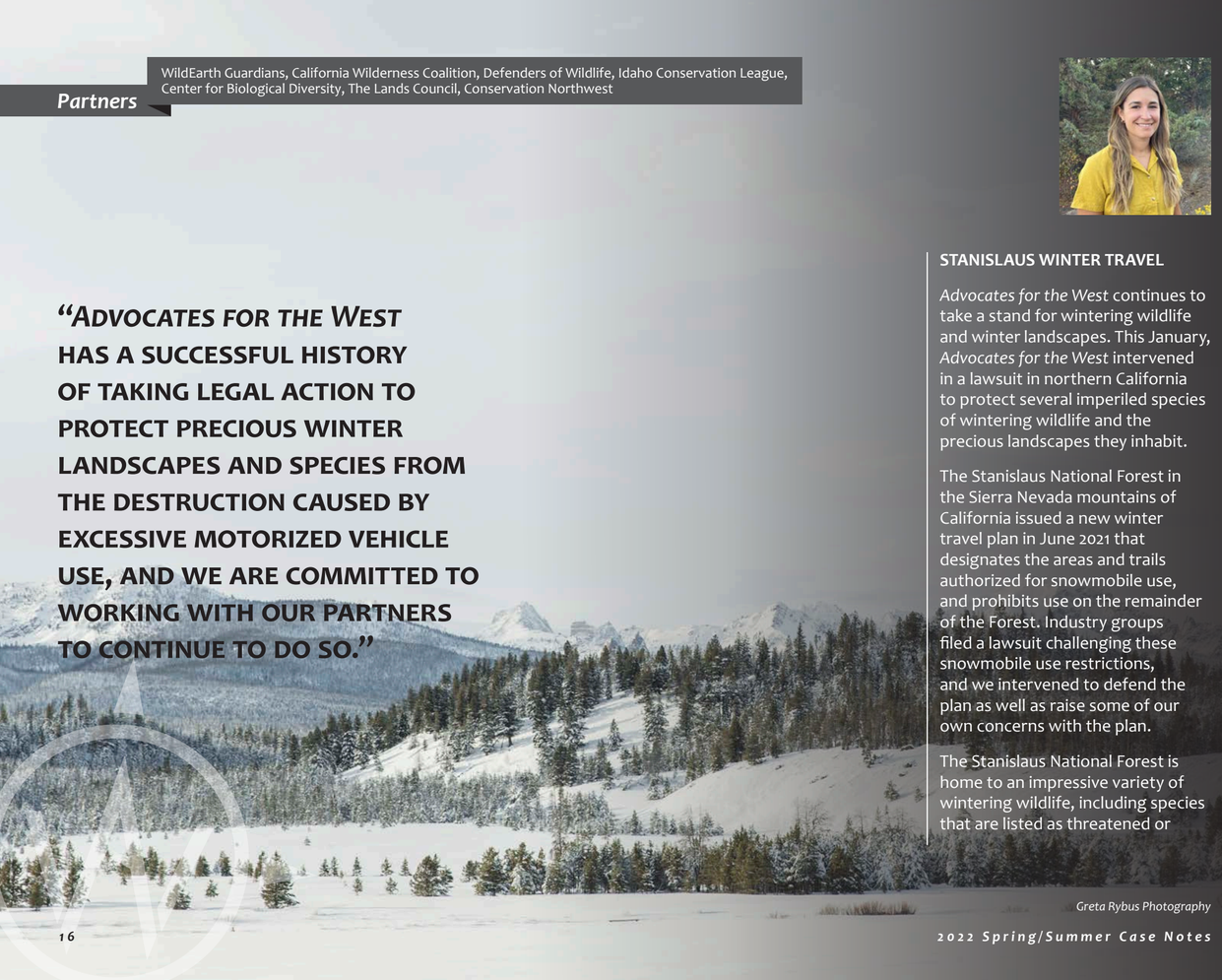
"BPA's decision to starve mitigation projects of much-needed funds cannot be squared with its required duties to fish and wildlife under the Northwest Power Act."

Greta Rybus Photography

Partners

WildEarth Guardians, California Wilderness Coalition, Defenders of Wildlife, Idaho Conservation League, Center for Biological Diversity, The Lands Council, Conservation Northwest

"*Advocates for the West* has a successful history of taking legal action to protect precious winter landscapes and species from the destruction caused by excessive motorized vehicle use, and we are committed to working with our partners to continue to do so."



Greta Rybus Photography

PROTECTING WINTER HABITATS FOR WILDLIFE AND PEOPLE

Hannah Clements, *Staff Attorney*

STANISLAUS WINTER TRAVEL

Advocates for the West continues to take a stand for wintering wildlife and winter landscapes. This January, *Advocates for the West* intervened in a lawsuit in northern California to protect several imperiled species of wintering wildlife and the precious landscapes they inhabit.

The Stanislaus National Forest in the Sierra Nevada mountains of California issued a new winter travel plan in June 2021 that designates the areas and trails authorized for snowmobile use, and prohibits use on the remainder of the Forest. Industry groups filed a lawsuit challenging these snowmobile use restrictions, and we intervened to defend the plan as well as raise some of our own concerns with the plan.

The Stanislaus National Forest is home to an impressive variety of wintering wildlife, including species that are listed as threatened or endangered under the Endangered Species Act—Sierra Nevada red fox, Yosemite toad, and Sierra Nevada yellow-legged frog. In addition, it's home to other unique and sensitive species, like the Pacific marten. The Forest also draws many visitors every winter to backcountry ski, snowshoe, and enjoy quiet winter landscapes.

Although the Forest Service's plan is a step in the right direction, some of the areas designated for snowmobile use do not adequately protect the imperiled species wintering there, and also interfere with people that seek quiet, pollution-free recreation opportunities. For instance, the Forest Service's new plan allows snowmobile use in "Near Natural" areas that were previously off-limits to motorized use, and creates a snow-play area near Sonora Pass, a key habitat area for the critically endangered Sierra Nevada red fox and other imperiled species adversely impacted by snowmobiles. That is why *Advocates for the West* is advocating for more thorough protection of these important species and natural landscapes in the winter travel plan while defending the sound snowmobile restrictions in the plan.

Advocates for the West has a successful history of taking legal action to protect precious winter landscapes and species from the destruction caused by excessive motorized vehicle use, and we are committed to working with our partners to continue to do so.

SELKIRK MOUNTAIN CARIBOU

Also this winter, *Advocates for the West* secured a victory for the endangered southern mountain caribou in the Selkirk Mountains of northern Idaho. The Court's ruling upheld a ban that our Senior Attorney Laurie Rule won more than a decade ago, prohibiting use of snowmobiles in certain high-elevation areas of the Idaho Panhandle National Forest that provide important habitat for the endangered caribou.

Mountain caribou are important to the culture and history of many Indigenous peoples, including the Kootenai Tribe of Idaho and the Kalispel Tribe, and there are major ongoing collaborative efforts to recover the species in this region. Yet, there are many obstacles in the way of the caribou's survival and recovery, including snowmobile use that displaces the species from their winter refugia.

Even though the Idaho Panhandle has failed to undertake a comprehensive travel plan defining where snowmobiles may operate without harming caribou, as required by the court order we won years ago, the Idaho State Snowmobile Association asked the Court to reopen high-quality caribou habitat to snowmobiling before any environmental analysis has occurred on the impacts of those activities to the endangered caribou. We defended the closure to snowmobiling because the area remains important for the caribou's survival and recovery, even as populations have declined. Notably, the Forest Service also opposed reopening the closure area to snowmobiling given its ongoing collaborative efforts to complete a winter travel plan that satisfies its legal obligations, including consideration of the listed grizzly bear and Canada lynx that also inhabit the area.

We are pleased that the Court denied the Snowmobilers' motion, keeping in place the existing habitat protections for the Selkirk mountain caribou until the Forest Service completes the necessary environmental analysis. *Advocates for the West* is hopeful that this ruling will give the caribou a fighting chance at recovery.

SUPPORTER SPOTLIGHT

"Dan and I grew up in the Pacific Northwest, running wild and exploring public lands that seemed infinite. Our fundamental feelings of belonging TO our environment gave us motivation to be protectors of it. As we grew up the stark reality of how much we took for granted, and how much was to be lost, seemed overwhelming.

Now as parents, we do our best to be aware of the full circle of every decision.

As founder and president of HC Company general contractor, Dan has a mission to be on the "bleeding edge" of progress in energy efficiency. He built our home, the first LEED platinum home in Idaho. It was challenging 14 years ago, as there weren't many options for building supplies or contractors working with safe, local, and sustainable products. But by coalescing like-minded (or just brave) artists, builders, woodworkers, and experimenters, we were able to take part in welcoming the transitions to sustainable home building in the common marketplace in southwest Idaho. We also own and operate Whiskey Bottom Farm, a small subscription farm based on permaculture and biodynamics practices. We are always learning how best to support the living systems we are fortunate enough to be part of.

We were introduced to *Advocates for the West* by Aimee Moran. We knew that if she was involved it must be an organization at the pinnacle of service to the greater good. In this team we've found the most effective and powerful voice for the environment. The destruction underway in the West, as well as the rest of the world, is staggering. It was defeating, during the Trump administration, to watch decades of progress towards environmental protections fall. The most powerful weapon against those threats is the law. The intelligent, compassionate, and motivated folks here move forward the work of stewardship over exploitation.

As living beings on this earth, we feel it is our primary duty to be conscientious stewards of our environment. As members of *Advocates for the West's* Sage Society monthly giving program, we know that our gifts are a solid investment in a team protecting the West we love."

DONIEL HAYES
EAGLE, IDAHO

JOIN OUR SAGE SOCIETY!

By joining the Sage Society, our monthly giving club, you provide critical and reliable support for our public lands, waters, fish, and wildlife. Your monthly gifts will ensure we have the resources we need to fight – and win – for the West!

Find out more and sign up today by scanning the QR code or by visiting: AdvocatesWest.org/Sage-Society

Greta Rybus Photography

Greta Rybus Photography

BOARD NEWS

FAREWELL TO OUTGOING BOARD MEMBERS

It is with tremendous appreciation that we bid adieu to Amy Haak, Justin Hayes, and John Lamson for their combined service of approximately 25 years on our Board of Directors. Amy, Justin, and John brought a wealth of expertise and passion for conservation to our organization and will be greatly missed. Thank you!

Welcome Deborah Clothier

Deborah grew up outside of Chicago, Illinois, but fell in love with the West as a child, accompanying her parents on numerous family trips to Colorado ranches and ski mountains. Deborah received a BA from the University of California at Berkeley, and a law degree from the University of San Francisco.

She practiced commercial litigation at firms in California, Illinois and Washington State, before retiring in 2006. In 2008, after completing a program in Museum Administration at the University of Washington, she was hired by the new Northwest African American Museum in Seattle, to work in its Education and Development Departments. She worked at the museum until 2011, when she retired and subsequently joined its Board of Directors. She joined the *Advocates for the West* board in January 2022. Other board service has included 826 Seattle, the Friends of Jimi Hendrix Park, and Molokai Child Abuse Prevention Pathways.

Deborah and her husband live in Seattle, WA and are enthusiastic hikers, both in the Cascades and around the world. They also enjoy kayaking in the ocean off the coast of Molokai, and spending time with their four children and their families.

Welcome Joel Moffett

Joel is a citizen of the Nez Perce Tribe and was raised on his Tribe's reservation in Idaho and in Minneapolis, MN. He currently serves as the Director of Environmental and Special Projects at Native Americans in Philanthropy. Joel joined the *Advocates for the West* board in March 2022.

As a Tribal professional, he has dedicated over 15 years to successfully developing, advocating for, adopting, and implementing natural resource protection and management policies with Tribes in the Pacific Northwest and throughout the United States. He has a deep knowledge of tribal sovereignty and treaty rights gained from extensive experience in Tribal government as an elected official and in Tribal relations as staff at inter-tribal organizations. He is a proven coalition builder with a broad network of authentic relationships with both Tribal leaders and public sector leaders.

As a former Tribal leader, Joel served eight years on the Nez Perce Tribal Executive Committee which included the positions of Vice Chairman and Treasurer. Most recently, Joel was the Natural Resources Policy Coordinator for the Affiliated Tribes of Northwest Indians (ATNI). Joel lives in Suquamish, WA with his two children.

STAFF NEWS

Welcome Kya-Xe' Dudney
Development Associate

Kya-Xe' (Kya) is from rural New Mexico but has lived in Idaho for the past 15 years. She joined the Boise office of *Advocates for the West* in April 2022. Kya graduated from the University of Idaho in May 2019 and holds two Bachelor's degrees in International Studies and Spanish, in addition to an Academic Certificate of Global Climate Change. Throughout college, Kya focused her studies and research on environmental justice, and global topics focused around cultural inequality.

She has been involved with the non-profit sector for over eight years, and currently serves as an Ambassador and President of The Path 501(c)(3), whose mission is to preserve and protect sacred heirloom seeds for the future generations. Recently, her presidential role awarded her with the opportunity to speak at The Flourishing Diversity Summit in London, where she amplified the Indigenous youth's perspective on the current Climate Crisis.

When Kya is not on the frontlines of *Advocates for the West's* fundraising efforts, she can be found hiking in the foothills and binging audiobooks, with the occasional HBO series. She loves yoga and kickboxing, but when she's not getting active, you can find her creating digital art for her small business.

Welcome Will Shoemaker
Communications & Engagement Director

Will joined *Advocates for the West* in November 2021 following a career in community journalism and corporate communications within the ski and snowboard industry. As editor of the Gunnison Country Times newspaper, Will led the publication to receiving the highest honor for overall quality within a distribution class from the Colorado Press Association for four of five consecutive years.

Originally from Indiana, Will attended Western Colorado University and continues to live in Gunnison, Colorado, where he enjoys exploring the area's public lands on skis or while trail running, hunting, or fishing. He serves on the Board of Directors for Gunnison Wildlife Association and is a past board member for Crested Butte Snowsports Foundation.

Outside of work, Will can be found frolicking through the snow or sage with his wife, Leora, and two rescue dogs – a Husky named Dorothy and a Labrador Retriever-German Shorthaired Pointer mix named Summit. He also enjoys volunteering on wildlife habitat restoration and improvement projects.

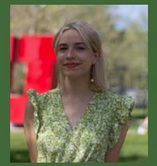
Greta Rybus Photography

LAW CLERKS, EXTERNS, & INTERNS

April Francis
Summer Law Clerk

April is entering her third year at Boston University School of Law. After her first year, she worked as a legal intern in the civil rights division of the United States Attorney's Office, District of Massachusetts.

Prior to law school, she served for two years with Teach for America in the Mississippi River Delta. April completed two Bachelor's degrees at Montana State University, majoring in History, Political Theory, and German Language and Literature, where her studies focused on race, class, and gender in the American West. During her undergraduate studies, she worked for a non-partisan political non-profit aimed at increasing education and engagement among voters younger than thirty and increasing personal investment in local communities. Originally from Boise, Idaho, April enjoys reading, baking, knitting, hiking, and speed running the New York Times crossword.



Kasey Lindstrom
Summer Law Clerk

Kasey is entering her second year at S.J. Quinney College of Law at the University of Utah. She also competed her undergraduate education at the University of Utah in Environmental and Sustainability Studies, emphasizing in Land Management and Conservation, with minors in Spanish and Geography. She wrote and published an Honors Thesis on the Trump administration's federal public lands policy with an emphasis on the Bears Ears National Monument dilemma. In her upcoming second year, Kasey will be the Development Director for the Women's Law Caucus and the 2L Representative for the Lawyering for Reproductive Justice chapters at S.J. Quinney. Kasey is originally from the Chicago area and is looking forward to living in Boise. She enjoys bouldering and all things to do with outdoor recreation, cheering on the Chicago Cubs, reading, and being a podcaster, writer, and "not-so-silent" partner for MAUDE Magazine (a local magazine on Utah's music scene)!

Nicola Myers
Summer Intern

Nicola is entering her first year at Whitman College, where she plans to study politics, economics, and environmental studies. As a student at Boise High School, Nicola was the president of the school's Humanitarian Club and a tutor for the Writing Assistance Center. Last summer, Nicola worked as a volunteer in a biology lab at Boise State University where she assisted graduate students with their research projects and entered data for the Snake River Plains Herbarium. She has also served as a youth representative on the St. Luke's Children's Advisory Board. In her free time, Nicola enjoys hiking, swimming, paddle boarding, and creative writing.

Carolyn Clark
Spring Law Extern

Carolyn is a third-year law student and a master's candidate in environmental law and policy at Vermont Law School, spending her last semester working for *Advocates for the West* as her semester in practice. She grew up in northern Michigan and attended undergraduate at Alma College. Her focus is environmental law, specifically water law and wildlife protection. At Vermont Law, she served as the Co-Chair of the Environmental Law Society from 2020-2021. She is a member of the Vermont Journal of Environmental Law and wrote a note about the protection of marine life, specifically the vaquita population. She is the Symposium Editor for the Vermont Journal of Environmental Law in which she planned the 2021 symposium about the world of waste. She is graduating in May 2022 with her J.D. and Master of Environmental Law and Policy. In her free time, she enjoys hiking, horseback riding, trivia, and all things National Parks related.

Emma Yip
Spring Law Clerk

Emma is a second-year law student at UC Davis, studying environmental law. She grew up in Napa, California, went to community college in Seattle, and eventually transferred to the College of Natural Resources at UC Berkeley. After graduation, she launched a sci-fi-inspired non-profit with a friend called Delta Collaborative that was established in the year 2113 and had traveled back to the present to inspire America to re-envision its future. Their work was based out of a time-traveling school bus and was shown to thousands of people all over the Midwest and South. Emma has walked all of the Camino de Santiago, dabbled in labor organizing, participated in the Standing Rock protests, and loves to spend whatever time she can reading books by Anthoney Doerr, Ursula Le Guin, and Octavia Butler. Last summer she worked on oil and gas issues with Earthjustice in San Francisco and will be working with the Center for Biological Diversity this coming summer.

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FEATURED ARTIST: GRETA RYBUS

Greta Rybus is a photojournalist from Idaho and Montana, currently living in Maine. She specializes in stories about human connections to the natural world for publications like the New York Times, The Guardian, The Wall Street Journal, and others. Greta's work can be found at: www.gretarybus.com