



Wilderness Watch

The Quarterly Newsletter of Wilderness Watch

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Cattle Controversy: Why Livestock Doesn't Belong in Wilderness

By Clare Mack

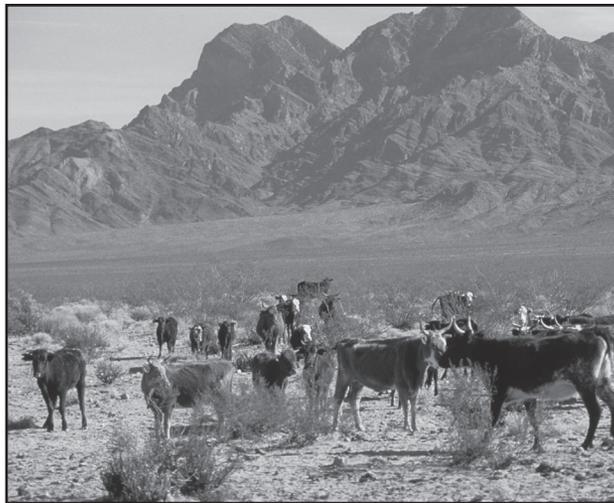
"Up through the woods the hoofed locusts streamed beneath a cloud of brown dust."

— John Muir, *My First Summer in the Sierra*

It's evening in the High Uintas Wilderness in northeastern Utah. Alpenglow dances, rose and purple, over granite peaks as shadows extend across the valley. Glacially carved lakes feed into high alpine rivers that form the headwaters of Utah's major rivers. Thick forests of spruce, fir, and lodgepole pine blanket the hillsides; above treeline, tundra plant communities cling to high alpine ridges. You crest a slope, expecting to encounter elk, mule deer, moose, or any of Utah's multitude of other native species, only to encounter a herd of domestic sheep. In this wild refuge, the appearance of private livestock is jarring, and it diminishes your "wild" wilderness experience. Those visitors who haven't encountered a cow or domestic sheep in wilderness may not be aware that livestock are authorized to graze almost a quarter of the 52 million acres of protected wilderness in the lower

in otherwise-undomesticated wilderness areas for over half a century.

The Wilderness Act of 1964 mandates the preservation of certain tracts of undeveloped federal land at the most protective level of public land administration—that is, "protected and managed so as to preserve [their] natural conditions."



Grazing in the Mojave Wilderness, California. George Wuerthner

Yet at the passage of the Act, Congress allowed certain preexisting, non-conforming activities to continue under some circumstances. Grazing constitutes one of the more troublesome of these activities due to its damaging effect on wilderness lands and wilderness character.

The history of grazing in wilderness is a story of compromise. Livestock grazing was a primary use of federal public lands from 1930 to 1960, but public use and public opinion began to change in the mid-1960s, leading to the passage of numerous environmental statutes, including the Wilderness Act, and the application of a conservation ethos to the management of public lands. The first draft of the wilderness bill, introduced to Congress in 1956, explicitly forbade grazing in wilderness, but grazing language was added in subsequent drafts of the bill to placate the politically powerful livestock industry in the American West.

48 states. Due to grazing language in the Wilderness Act and its 1980s-era corollary, the Congressional Grazing Guidelines, grazing has been occurring

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Message from the President



Keeping an eye on legislation that weakens wilderness protections

I had the remarkable opportunity to accompany Wilderness Watch staff members—George Nickas, Dana Johnson, Clare Mack, and Kevin Proescholdt, along with my co-worker Katie Bilodeau of Friends of the Clearwater—on a trip to discuss wilderness issues this February in Washington, DC. The new Congress, at least in the House, provides an opportunity to make progress on oversight of the National Wilderness Preservation System. As this newsletter documents, we discussed threats to Wilderness from nonconforming uses, such as grazing, and asked that Congress do due diligence in examining the agencies' administration of the Wilderness System. There are many things a fresh Congress could do to rein in agencies when their wilderness administration deviates from the Wilderness Act, as it too frequently does. A new Congress should also look at the role it plays in threatening the National Wilderness Preservation System.

Case in point: George Nickas and Kevin Proescholdt wrote in an excellent whitepaper on the nonconforming uses that threaten Wilderness, "One of the greatest emerging challenges to protecting the wild character of these lands [Wilderness] is the preponderance of special provisions or non-conforming uses being included in Wilderness bills. These provisions not only allow activities within Wilderness that are inappropriate and degrade individual areas, but more importantly the cumulative impact of these provisions threatens to diminish the core values that distinguish Wilderness from other public lands." While some exceptions were written into the Wilderness Act's section 4(d), others have been added to wilderness legislation increasingly in recent years. As such, Wilderness Watch will soon be updating this whitepaper to incorporate these new and troubling exceptions. Keep an eye out on our website for this revision in the not too distant future. Read the current version: bit.ly/2NMJ3aW.

The compromise in the Wilderness Act that required congressional action to designate new Wilderness eventually allowed the very basis of the Wilderness Act to be challenged in subsequent legislation. Generally, in a pre-1980 Congress, there was no problem as new legislation merely stated the area would be administered under the Wilderness Act. However, since 1980, an increasing number of wilderness bills have added exception upon exception for the areas designated in that particular bill. Indeed, the cumulative impact of new legislation that includes exceptions is becoming a major threat to the integrity of the National Wilderness Preservation System. In essence, the Wilderness Act is weakened by every bill where nonconforming exceptions are included.

As such, Wilderness Watch has had to devote considerable time in the recent past to educating Congress and other conservationists about the problems of seemingly ever-expanding exceptions in wilderness legislation. These problems don't come merely from members of Congress who are generally unfavorable to Wilderness and public lands. Even those in Congress with reputations for being advocates for Wilderness and public lands, and even many conservation groups, don't oppose these wilderness-weakening provisions.

The recently passed Omnibus Public Lands Bill is an example of the problem. It was widely lauded as a great conservation gain. However, the legislation contained several bad provisions that are detailed elsewhere in this newsletter and on the Wilderness Watch blog at bit.ly/2TE6uZa, titled The Not so Good Public Lands Omnibus Bill.

That gets us back to Congress and what you can do. The new Congress needs to hear from wilderness advocates that wilderness legislation must be free of special exceptions in order to keep Wilderness wild. Wilderness Watch members have an outsize influence because of our passion and knowledge. Let's all do our part and let Congress know that wilderness legislation needs to be just that and not some imposter appropriating the name of Wilderness. ♪

—Gary Macfarlane



WILDERNESS WATCH
Keeping Wilderness Wild

The *Wilderness Watcher* is the quarterly newsletter of Wilderness Watch, America's leading conservation organization dedicated solely to protecting the lands and waters in the National Wilderness Preservation System.

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Congress stipulated that, subject to reasonable regulation, livestock grazing “shall be allowed to continue” in those wilderness areas where grazing was established at the time of wilderness designation. This provision is an exception to the general premise of the Act, which directs agencies to manage wilderness areas to preserve their wilderness character and natural conditions.

Grazing in wilderness was effectively expanded by the 1980 Congressional Grazing Guidelines, which explicitly prohibit curtailing grazing solely because an area is designated wilderness. They also permit the perpetuation of existing facilities (including fences, line cabins, stock tanks, stock pond dams, and more), and in some cases the construction of new facilities, as well as the use of motorized equipment to facilitate grazing operations “where practical alternatives do not exist.” Since their adoption, the Grazing Guidelines have been loosely interpreted by land management agencies, leading to a growing trend of allowing vehicle use for tending cattle and sheep, fixing fences, distributing salt, and “riding the range.” The incompatible activities allowed in wilderness by the Grazing Guidelines—vehicles, motorized equipment, development—are only a few of many chisels that persistently chip away at wilderness values in the name of grazing.

Grazing will always be incompatible with wilderness, and with the purpose of the Wilderness Act. Livestock displace and imperil wildlife, crush sensitive riparian zones, defecate in streams, damage soils, and wreak havoc on fragile ecosystems. They can turn once-rich topsoil to dust, flatten archeological sites, and spread disease to native species. For instance, back in the High Uintas, as that domestic sheep herd grazes on the forage native species need to survive, it also spreads disease and parasites to bighorn sheep. The infected bighorn sheep are then killed by land managers eager to protect remaining uninfected bighorns.

Livestock actively graze about 10 million acres of the 52.4 million acres of wilderness in the lower 48 states. Livestock grazing occurs in over 330 wilderness areas and in all of the 11 western states. Most of the grazing in wilderness takes place in arid or semiarid climates, areas particularly unsuited to grazing. In fact, although grazing diminishes a huge number of wildernesses in the West, wilderness grazing only contributes one-tenth of a percent of all forage fed to livestock in the United States, largely because wilderness lands tend to be the least

suited for livestock grazing due to their ruggedness or inaccessibility. And yet, livestock grazing exponentially diminishes an area’s “untrammled” wilderness character and the opportunity to experience the unique benefits that authentic wilderness provides.

Wilderness Watch is committed to fighting the threats that livestock grazing pose to wilderness, and in our recent trip to Washington, D.C., we urged Congressional staff and members to take steps to end grazing in wilderness. There are many possible avenues Congress could take to end grazing in wilderness, but the most effective and equitable approach would be to automatically permanently

retire a wilderness grazing permit that is waived back to a land management agency by a permittee. We also asked Congress to close the nearly 3 million acres of unassigned grazing permits that currently exist in wilderness. Those acres—called grazing “allotments”—are vacant now, but they could be reopened to grazing in

the future, unless Congress or the agencies permanently close them.

Regarding the Congressional Grazing Guidelines, Wilderness Watch advocates that Congress amend the Guidelines to clarify that exceptions in the name of grazing should be made sparingly, and always with the spirit of the Wilderness Act in mind. Grazing is inherently contrary to the concept of wilderness. Removing livestock grazing from wilderness is essential to protecting areas “where the earth and its community of life are untrammled by man” and ensuring that the “primeval character” of these special spaces is safeguarded.

Now imagine hiking underneath those same peaks in the High Uintas in five years, and you stumble upon a herd of wild bighorn, with no sign of livestock grazing anywhere. How much wilder is your experience in the wilderness? And how much more is wildlife thriving there? Set your pack down and settle in, friend. This untamed vista is yours. The protection of ruggedness, of wild sheep and wilder landscapes, is why Wilderness Watch fights everyday to protect our wilderness areas.

To read WW’s detailed policy paper on grazing in wilderness, visit our website or contact the office for a copy.



Clare Mack is the policy director/associate attorney for Wilderness Watch.

On the Watch

Arctic National Wildlife Refuge in Grave Peril



U.S. Fish and Wildlife Service

Wilderness Watch is working to stop oil drilling in the Arctic National Wildlife Refuge in Alaska, our last great wilderness. The 2017 Tax Cut bill opens the Coastal Plain of the Refuge to oil drilling and accompanying development, with at least two oil lease sales required over the next 10 years.

The nearly 20 million-acre Arctic Refuge is unparalleled in its wild grandeur, ecological wholeness, and vast scale. Nearly the entire Refuge is designated Wilderness or recommended for wilderness designation.

Before lease sales can proceed, the Bureau of Land Management must finalize an Environmental Impact Statement (EIS). **Read our comments:** bit.ly/2HjbJHU 🌿

Wilderness and Mining Don't Mix



U.S. Forest Service

In one of the most baffling proposals we've seen, the Bureau of Land Management (BLM) plans to degrade the Inyo Mountains Wilderness in California in order to perpetuate the scars of past mining. And it claims to be doing it to preserve the area's wilderness character.

The “problem” as BLM sees it, is that nature threatens to erase the relics of a long-abandoned, dilapidated aerial tramway in the Wilderness the next time a natural fire burns through the area. So it plans to clear trees and shrubs within a 50 to 100 foot radius of 11 tram structures to supposedly buy time to respond to approaching fires “and avert total catastrophe.”

The real threat here isn't the impact to vegetation—wrong as it is—but the agency's attempts to reshape what the Wilderness Act sought to achieve: places where “the Earth and its community of life are un-

trammled by man... managed so as to preserve its natural conditions.” Far from being a “contributing element to the wilderness character of the Inyo Mountains Wilderness,” the mining tram system is a lingering reminder of industrial expansion, growing mechanization, development, exploitation, and economic pursuit at the expense of nature. **Read our comments:** bit.ly/2C62lmU 🌿

Boundary Waters Mining Threats Advance



Kevin Proescholdt

America's most visited Wilderness—the storied Boundary Waters Canoe Area Wilderness—continues to be threatened by the Polymet and Twin Metals mines. In November 2018, the Minnesota Department of Natural Resources granted the open-pit copper-nickel Polymet Mine several key permits, despite the mine's threat to the Boundary Waters and Lake Superior. Meanwhile, the Bureau of Land Management (BLM) is proposing to renew two expired mining leases needed by the Twin Metals mine, which would be adjacent to the Boundary Waters. In 2016 the Forest Service (FS) and BLM declined to renew these leases, however, the Trump Administration's Department of Interior issued a new (and flawed) legal memorandum in late 2017 which reversed previous departmental policy and bypassed the BLM and FS's earlier decisions. **Read a comment letter WW signed:** bit.ly/2TA3ZHj 🌿

On the Watch (continued)

Stop the Deadly Isle Royale Wolf Experiment



Courtney Celley/U.S. Fish and Wildlife Service

the island via natural migration. Ice bridges connecting the island to the mainland have formed four out of the last six winters, but rather than populating the island, wolves have chosen to avoid the island or return to the mainland. In addition to manipulating the wolf population and endangering individual wolves, the Park Service's actions degrade Isle Royale's very wilderness character. This is a clear violation of the Wilderness Act, and another reason why the project should be stopped. 🐾

Wilderness Watch continues to press the National Park Service (NPS) to end its ill-advised program to seize wolves from the mainland to exile them on Isle Royale National Park in Michigan, 99 percent of which is designated Wilderness. Two of the five original translocated wolves have died, for a 40 percent kill rate. In February, a third wolf escaped from Isle Royale to freedom across an ice bridge. In early March, four more wolves were captured and sent to Isle Royale.

In addition to being collared and under constant surveillance, the wolves will most likely suffer the same inbreeding fate that has decimated wolves throughout their short-lived history on Isle Royale.

The NPS's project fails both wolves and Wilderness. The best course of action is to let wolves to decide whether they will come or go from

Alpine Lakes Wilderness Threatened by Thirsty Chelan County



Karl Forsgaard

The popular Alpine Lakes Wilderness in Washington is being targeted by Chelan County for dam construction and water diversion projects for development, irrigation, and a fish hatchery. Dam construction and maintenance would harm the area's wilderness character and set a bad precedent for our entire National Wilderness Preservation System.

In January, the Chelan County Natural Resources Department and the state Department of Ecology released a final programmatic environmental impact statement (PEIS) for dam construction and water diversion projects in the Icicle Creek Watershed. The PEIS unfortunately includes rebuilding the dam on Eightmile Lake (and enlarging the lake) in the Alpine Lakes Wilderness, an intrusion WW and others have been opposing. **Learn more and read our joint comment letters:** bit.ly/2TsiKg2 🐾

Gila and Blue Range Wildernesses Threatened by Destructive Livestock Grazing

Wilderness Watch is pressing the Forest Service to drop its misguided proposal for commercial livestock grazing in the Gila and Blue Range Wildernesses plus two wilderness study areas in New Mexico. **Read our comments:** bit.ly/2VGOieM 🐾

Mountain Bikes Have no Place in the Blue Joint and Sapphire WSAs

Wilderness Watch is urging the Forest Service to uphold the law and prohibit bikes in the Blue Joint and Sapphire Wilderness Study Areas in Montana. These are some of the last remaining wild places in the lower 48—home to wildlife which need large, undisturbed landscapes. **Read our comments:** bit.ly/2H7Hrb7 🐾

Wilderness in Congress

Public Lands Omnibus Bill Contains Many Harmful Provisions:

The highly touted public lands omnibus bill that recently passed Congress contains many positive provisions, but it also includes numerous provisions that will significantly harm public lands. Some of these bad provisions have never even been heard in committee hearings, but have snuck in without the proper Congressional oversight.

This massive 698-page bill included reauthorization of the Land and Water Conservation Fund, withdrawal of areas near Yellowstone and North Cascades National

Parks from mining, designations of new wildernesses, and scores of local park provisions. But in the course of slapping together such a massive bill, a number of very problematic provisions were slipped in as well. Neither the House Democratic leadership, nor many of the DC-based environmental groups, seemed aware of or concerned about these harmful provisions. They include:

- A massive giveaway of up to 500,000 acres of public lands in Alaska—the biggest public lands privatization scheme in 50 years—to private individuals, some 2,800 Alaska Native Viet Nam veterans or their heirs. This despite a former land allotment claim program whose deadline was extended multiple times to accommodate Viet Nam veterans. Little has been written about this huge public lands privatization measure. Shouldn't we rather keep public lands in public hands?
- A provision opening our National Parks to hunting by volunteer hunters, to shoot wolves, grizzlies, elk, or whatever other species *du jour* that the Secretary of Interior pressures the National Park Service into reducing. Remember former Secretary Zinke and his attempts to open up National Preserves in Alaska to the slaughter of wolves and grizzlies? This provision now opens all National Parks to this kind of gunning.



WW in D.C. lobbying for stronger wilderness protection. Kevin Proescholdt

- Provisions that legalize paragliding and permanent fixed climbing anchors in Wilderness as “in accordance with the Wilderness Act.” Neither activity is in accordance with the Wilderness Act, and these provisions set dangerous precedents for the entire National Wilderness Preservation System. The Access Fund is already boasting how it will use this precedent to degrade our entire Wilderness System.
- A bill authorizing additional private developments at the Smith Gulch lodge on the wild Salmon

River in the heart of the Frank Church-River of No Return Wilderness in Idaho. This is the largest Wilderness in the Lower 48. The federal courts had earlier declared this resort illegally built and ordered its removal. Should we really be adding more development there?

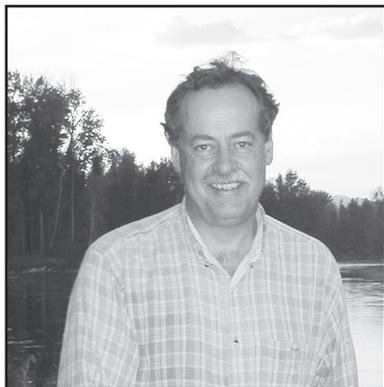
- Broad provisions that could lead to the construction of permanent volcano monitoring stations inside designated Wildernesses, in violation of the 1964 Wilderness Act.

- Provisions that would allow for an LNG pipeline to run through Denali National Park in Alaska, one of our most prized, flagship National Parks.
- A bill that elevates hunting, recreational shooting, and angling above all other considerations on public lands. While those activities may have their legitimate place on certain lands, prioritizing them above all other uses or considerations on all public lands will unfairly disadvantage all other public land uses and considerations.

And this is not a complete list of all the problems. Unfortunately, the Democratic leadership of the House of Representatives merely rubber-stamped the bill that came over from the Senate. And many environmental groups, in their excitement over reauthorizing the Land and Water Conservation Fund or new wilderness designations in Utah, chose not to look for the many problems that the bill contained. These massive omnibus bills are a rotten way of legislating and result in many, many problems. 🌿

We're Still Raising a Ruckus

By Jeff Smith



We're grateful for your year-end donations, and for our generous member in Alaska who matched all first-time donations for the second year in a row in 2018 and has pledged to do so again this year.

All this is helping Wilderness Watch's membership grow quickly. People are alarmed at what's happening, and they are donating to stop the unraveling of our Wilderness system. Our members are changing, too. We're younger.

We like social media and email. We want to protect Wilderness, and we're moving at the speed of light.

Wilderness Watch is celebrating our 30th birthday this past March. (Cake is always welcomed.) We were born way before iPhones, before the Internet became popular, back when snail-mail, fax machines, and paper newsletters kept people informed.

The formula is the same. Wilderness Watch is looking to raise a ruckus about Wilderness and its protection. Your voice joins with ours, and, together, it gets loud enough that policy-makers and wilderness managers stop degrading our wildest country.

The formula adapts to new technology. We now have an alert network of over 200,000 people. Thousands of people respond every time we email an alert. Congressional offices, ranger districts, and those writers of bogus environmental impact statements immediately know that a lot of American citizens notice they're screwing up.

Stay with us. Keep in touch. If you don't want to receive paper newsletters and you want to GO DIGITAL, let us know. We'll do our best to no longer tape paper to the backs of snails. We promise. 🐌

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On the Watch (continued)

WW Challenges Increased Grazing in Little Jacks Creek Wilderness



Bob Wick/BLM

Wilderness Watch and Western Watersheds Project have joined forces in challenging grazing permit renewal decisions that allow a significant increase in livestock grazing, along with new fencing, troughs, and water pipelines, in the Owyhee Canyonlands and Little Jacks Creek Wilderness in Idaho. The decisions also authorize varying levels of motorized access within the Wilderness to facilitate these “range improvement” projects and other grazing-related activities. This latest challenge is part of our ongoing effort to keep development and motorized use out of the Owyhee Canyonlands Wildernesses and to confront the harm that livestock grazing inflicts on this unique landscape. **Read our appeal:** bit.ly/2W2SVA1 🐾

Permits Required

The Forest Service will be instituting a new summer permit system in 2020 for many trailheads in the Mount Jefferson, Three Sisters, and Mount Washington Wildernesses in Oregon, to address too much use. Wilderness Watch supports agency action to address overuse, but opposes user fees. Any fees for this new system must be low and cover only the agency’s actual cost of the reservation system. 🐾