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## **Conservation groups sue U.S. Fish and Wildlife Service to protect Red Rock Lakes Wilderness**

***Lawsuit challenges unlawful decision to construct and operate a permanent water-diversion pipeline and permanently alter natural conditions within the Red Rock Lakes Wilderness in southwestern Montana***

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MISSOULA, MONTANA—Wilderness Watch, Alliance for the Wild Rockies, Gallatin Wildlife Association, and Yellowstone to Uintas Connection have [filed a lawsuit](#) against the U.S. Fish and Wildlife Service, challenging the agency’s unlawful decision to construct and operate a permanent water-diversion pipeline within the Red Rock Lakes Wilderness in southwestern Montana.

The Fish and Wildlife Service’s (FWS) pipeline project would involve digging a six-foot deep, mile-long trench and installing a 14-inch pipeline to connect Upper Red Rock Lake to a man-made pond just outside the Wilderness boundary. Then, the agency would artificially add oxygenated water to the lake during the wintertime to supposedly manufacture better Arctic grayling habitat.

The project is a blatant violation of the Wilderness Act, which prohibits the agency from intentionally modifying Wilderness habitat and prohibits structures and installations and the heavy equipment the agency plans to use in carrying out the project.

FWS has framed its project as needed to bolster the abundance of adfluvial Arctic grayling—a species of freshwater fish in the salmon family—in Upper Red Rock Lake, but the agency’s misguided plans are directed at intensively manipulating natural habitat and disrupting natural processes, rather than directed at more aggressively mitigating human sources of harm to the fish, like livestock grazing, human development, and fishing activity.

“Wilderness Watch supports the preservation of adfluvial Arctic grayling in the Centennial Valley, but we don’t believe that the Red Rock Lakes Wilderness should be violated to test the theory that oxygen levels in the lake are to blame for grayling decline,” said George Nickas, Wilderness Watch’s executive director. “This unique protected wilderness and natural wetland complex in the Greater Yellowstone Ecosystem is not the appropriate place for managers to be cycling through a series of manipulative experiments and installing permanent infrastructure and constantly altering the environment in pursuit of arbitrarily chosen conditions for one species.”

Red Rock Lakes National Wildlife Refuge has been protected since the 1930s when it was

recognized for its importance as waterfowl and wildlife habitat. Trumpeter swans, which nearly faced extinction in the early 20th century, rely on Red Rock Lakes as a nesting ground.

Arctic grayling are a northern fish in extensive abundance in Alaska, Canada, and Russia. The only native populations of grayling in the Lower 48 occurred in the Upper Missouri River Basin in southwestern Montana and Wyoming and in a few waterways feeding the Great Lakes. The Great Lakes population was extirpated in the early twentieth century, but remnants of the Upper Missouri River Basin population remain. "Fluvial" arctic grayling, which reside in streams, have seen the greatest decline across their former Upper Missouri River Basin habitat. FWS has denied petitions from environmental groups to provide Endangered Species Act protections to the fluvial population around the Big Hole River, and those groups are currently suing the agency over its denial.

FWS has pointed to the presence and persistence of the grayling in Upper Red Rock Lake to justify its refusal of more aggressive regulatory action to protect habitat elsewhere in the region. But the abundance of these grayling is also threatened by human impacts to habitat connectivity, by livestock grazing and fishing, and by one entirely natural barrier that the grayling in Red Rock Lakes face: winter. A harsh winter with extensive ice and snow cover on a shallow lake like Upper Red Rock Lake can lead to oxygen depletion that affects grayling survival and abundance. The species has seen past population swings that correlate with such harsh winter habitat conditions.

As the complaint filed today explains, "although winter in the Red Rock Lakes Wilderness is a natural phenomenon, the agency set its sights on modifying the winter habitat to better pursue its grayling population goals." This approach, the plaintiff groups contend, improperly damages the wilderness in pursuit of arbitrary conditions desired by managers, doubling down on human impact rather than going after the true anthropogenic sources of harm to the fish.

"We don't understand why the Fish and Wildlife Service is racing to illegally put mechanical equipment and bury a pipe in the Red Rock Lakes Wilderness area within the Red Rock Lakes National Wildlife Refuge when there is no evidence that this project will help adfluvial Arctic grayling, which are not at risk for extinction. Adfluvial Arctic grayling are common in lakes across the western half of Montana," said Mike Garrity, Executive Director of the Alliance for the Wild Rockies. "Red Rock Lakes is not Disneyland. It is a Congressionally designated wilderness area. The best way to stop overfishing of grayling is to restrict fishing until the population rebounds, not illegally put machines in a wilderness area."

"It is simply hard to imagine how our national wildlife management agency could overlook one of this nation's bedrock environmental constructs. The Wilderness Act is there for a purpose, not to be ignored. While the protection of the arctic grayling is important, it is hard to imagine how we must violate one bedrock construct to utilize the purpose of another. It should never come to this, and we strongly believe the U.S. Fish and Wildlife Service chose the worst possible action," said Clint Nagel, with the Gallatin Wildlife Association.

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