# No. 29, Fall 2017 The Word FROM WILDEARTH GUARDIANS

# **Protect** the Law

## That Protects Us

# The Endangered Species Act



#### **MISSION STATEMENT**

WILDEARTH GUARDIANS protects and restores the wildlife, wild places, wild rivers, and health of the American West.

#### BOARD OF DIRECTORS

Mimsi Milton, President David Will, Vice President Cathy Bailey, Secretary Glen Colton, Treasurer Ann Butterfield Nat Cobb Kristina Martinez Peter Schoenburg Bill Syme

#### STAFF

Madeleine Carey, GREATER GILA GUARDIAN Bethany Cotton, JD, WILDLIFE PROGRAM DIRECTOR Greg Dyson, JD, WILD PLACES PROGRAM DIRECTOR Becca Fischer, JD, CLIMATE GUARDIAN Marla Fox, JD, Rewilding Attorney Laurele Fulkerson, JD, GRANT MANAGER Kevin Gaither-Banchoff, DEVELOPMENT DIRECTOR Annaliza Herrera, DIGITAL CONTENT COORDINATOR John Horning, Executive Director Shannon Hughes, JD/LLM, CLIMATE GUARDIAN Taylor Jones, MS, ENDANGERED SPECIES ADVOCATE Neil Kagan, JD, MSc, LEGAL DIRECTOR Chris Krupp, JD, Public Lands Guardian Dave Levine, Communications Director Michelle Lute, PhD, WILDLIFE COEXISTENCE CAMPAIGNER Jim Matison, Restoration Projects Director Sarah McMillan, JD, CONSERVATION DIRECTOR Caitlin Muret, MEMBERSHIP MANAGER Jeremy Nichols, Climate & Energy Program DIRECTOR Kelly Nokes, JD, MELP, TRANSPARENCY ATTORNEY Carol Norton, Associate Director Jen Pelz, JD, Wild Rivers Program Director

Samantha Ruscavage-Barz, JD, PhD, SENIOR STAFF Attorney

Sara Samovalov, Content Writer and Specialist Rebecca Sobel, Senior Climate & Energy Campaigner Chris Smith, MA, Southern Rockies Wildlife Advocate Jodie Wheeler, Senior Accountant and Benefits Administrator

Marlies Wierenga, MS, Pacific Northwest Conservation Manager Stuart Wilcox, JD, Staff Attorney

WILDEARTH GUARDIANS is a 501(c)(3) nonprofit organization.

SANTA FE OFFICE: 516 Alto Street, Santa Fe, NM 87501 Tel 505.988.9126

OFFICES ALSO IN: Boulder, Denver, Missoula, Portland, Seattle, Tucson

MANAGING EDITOR: Ramona Gault GRAPHIC DESIGN: Janice St. Marie Cover Photos, clockwise: pixabay.com; bigstockphoto.com; Ray Rafiti; and Niki Robertson, flickr creative commons

Like us: facebook.com/wildearthguardians

🍪 100 percent recycled, 50 percent PCW

### A BOLD VISION

### What keeps us fighting



### I<sup>9</sup>m not certain what inspired President Nixon and members of Congress to pass the Endangered Species Act in 1973, but I've told myself over the years that beauty must have played a central role.

By beauty I don't mean simply that certain species inspired awe by their physical majesty. Rather what I mean is that the Act's architects and its signatories understood the beauty in the diversity and complexity of life forms and the intrinsic value of all species—and that our natural heritage is both fragile and irreplaceable.

Sadly, some in positions of power have lost that reverence for the natural world. Today the Republican Party in particular is trying to eviscerate the law that protects our most vulnerable species, whether beetles, birds, or bats. Already more than two dozen bills have been introduced in this session of Congress that would weaken the Endangered Species Act in a variety of profound ways.

In years past I might have felt compelled to name one bill and even one or two members of Congress whose antipathy toward the natural world made their bill the greatest threat to the survival of endangered species. But today the threat is more widespread and sinister, with Congress and the White House controlled by a Republican Party hell-bent on destroying all laws and regulations that are obstacles to the fossil fuel industry and to corporate power, more generally.

That makes our mission as GUARDIANS even more critical in the months and years ahead. I'm asking each of you to be vigilant and responsive to our calls to action, both to target those who want to weaken the Act and to support those in Congress who are its guardians. We need you. Wolves, prairie chickens, and spotted owls need you.

What's at stake is nothing less than beauty—of individual species and the natural world. What will sustain us through this struggle is beauty.

For the Wild,

for c. foring

### **GUARDIAN GIVERS**

Rebecca Henderson and Dan Kowalski, Pinewood Springs, Colo.



Rebecca and Dan first came to WILDEARTH GUARDIANS after reading about and being inspired by GUARDIANS' work to shut down coal mines, prevent fracking, and end the destruction and privatization of our public lands in Colorado and across the West, often for the benefit of the fossil fuel industry. "We live next to a national forest, so are fortunate to be able to walk in beauty

every day. But even when we were city dwellers, we realized how vitally important and yet gravely imperiled our wild places and public lands are. WILDEARTH GUARDIANS is at the forefront of cutting-edge litigation, education, and mobilization. We are proud Wild Bunch members. Join us!"

### John Horning

### GET ON THE BUS

### Vermont teen reaches out to support GUARDIANS



Aidan Hall

My name is Aidan Hall. I am thirteen years old and live in Burlington, Vermont. When my mom and I were talking about who I may want to donate to for my birthday, I told her that I wanted to donate to an organization that would help the earth somehow.

> I chose WILDEARTH GUARDIANS because I understand that our incredible earth is sick, and I wanted to donate to a charity that would support saving the earth.

I chose WILDEARTH GUARDIANS because I understand that our incredible earth is sick, and I wanted to donate to a charity that would support saving the earth. I care especially about the earth's biomes. Forests are being deforested, waters are becoming more polluted and acidic, and creatures are becoming endangered if not extinct.

Vermont has a landscape with rolling hills and temperate forests. I find the forests here to be quite unique. Because of where Vermont is, you get a mix of conifers and deciduous trees, which bring a diverse spectrum of animals ranging all the way from several species of songbirds, to large mammals such as black bears and occasionally moose. Most of the forests here are only about 50 to 100 years old, because Vermont was once clear-cut for dairy farms.



A drawing of a hawk by Aidan Hall, who has long been interested in raptors.

I've been drawing since I was two years old.... I became very interested in raptors at a young age. I attended summer camps and supported an organization called Outreach for Earth Stewardship. They rehabilitate and release injured raptors. Those too injured to return to the wild become wildlife ambassadors and spend their lives providing education to communities. They were the organization I chose to give my birthday money to when I turned six.

Currently, I am working on a thesis, where I talk about some theories I have about what could be causing the mindset in people to do the things that are ruining the earth. A few of my theories are lack of appreciation, lack of affection, and living against the earth rather than living with it. I work on this regularly, whenever I have new thoughts to contribute.

I think the earth is very grateful to have an organization like WILDEARTH GUARDIANS. Thank you so much for what you do!!!

*Visit wildearthguardians.org: Support Us / Donate and join* 



We invite you to join the Wild Bunch, our amazing monthly donors. Whether your contribution is \$5, \$20 or \$250 a month, monthly givers form the backbone of our organization, and provide the sustainability and flexibility that enables us to work on urgent and critical issues. Your pledge deepens our capacity to respond quickly and decisively.

### SIGN UP TODAY!

### WHY ARE YOU A GUARDIANS MONTHLY DONOR?

### GUARDIANS PUSHES BACK

### Lawsuits defend our climate, wildlife

### Jeremy Nichols



"I support WILDEARTH GUARDIANS because of their inexhaustible work in protecting what is most important to me. Through lobbying for our national monuments; lawsuits against further expansion of coal mines; petitions in support of endangered wildlife; and bringing the disgusting practices of Wildlife Services into the daylight, WILDEARTH GUARDIANS speaks for me where it counts. With so much at risk these days, they will have my support as long as I am able to give it."

—Deborah Crowley, Colorado Springs, Colo. Wild Bunch Member since 2011

Interested in becoming a GUARDIANS Monthly Donor? Visit our website for more details: wildearthguardians.org: Support Us / Monthly Giving. WILDEARTH GUARDIANS



Pawnee Buttes on the Pawnee National Grassland of eastern Colorado.

66 Have to have a habi-tat!"—thus goes the famous protest chant of imperiled species. GUARDIANS' defense of wildlife is inseparable from our multipronged push-back against the Trump administration's assaults on our land, air, and water. To help you keep track, our Climate & Energy team has posted a slew of interactive maps that reveal in alarming detail how the administration is offering up our public lands to the extractive industries, to the detriment of wildlife and climate (https:// climatewest.org/wildearth-guardians-climateand-energy-program-interactive-maps/).

- As of July 14, the Bureau of Land Management has put up for sale or proposed to offer for sale more than 1.1 million acres of public lands for fracking in the American West.
- All told, 10 percent of U.S. greenhouse gas emissions can be traced back to oil and gas produced from public lands and waters managed by the Interior Department.

In July, GUARDIANS moved in two big ways to defend the climate: First, we asked a federal judge to block any more auctioning of public lands for fracking. It's the first-ever federal court case to request a halt to the leasing of public lands for oil and gas drilling, and it couldn't come at a more critical moment.

The brief is part of a lawsuit filed last August by GUARDIANS and Physicians for Social Responsibility, with the help of the Western Environmental Law Center. The suit challenges decisions by the Interior Department in 2015 and 2016 to auction off nearly 400,000 acres of public lands for fracking in Colorado, Utah, and Wyoming, targeting the agency's failure to account for and limit the climate impacts of authorizing more fossil fuel production.

The lands involved include parts of the Pawnee National Grassland in Colorado, the Red Desert of southern Wyoming, and the Fishlake National Forest in Utah.

The second big development is a lawsuit against the Bureau of Land Management over their failure to safeguard clean air in the Denver Metro area from fracking. At issue is the agency's sale of more than 36,000 acres of public lands to the oil and gas industry, a move that threatens to worsen the region's dangerous smog pollution.

Our lawsuit, the first of its kind, seeks to block the BLM's plans and prevent more smog-forming pollution from being unleashed. Once again, WILDEARTH GUARDIANS is at the forefront of trying to create good precedent that will result in keeping oil and gas in the ground.

The Pawnee National Grassland in Colorado is affected in both legal actions. This High Plains landscape north of Denver is renowned for its birding, its value for imperiled plains wildlife, its opportunities for outdoor recreation, and for containing some of the last remaining tracts of undeveloped public lands in the North American Great Plains.

Visit wildearthguardians.org: Programs / Climate & Energy

### POSTCARDS FROM THE FIELD

### Jim Matison

### Ongoing Restoration in Valles Caldera National Preserve, N.M.

In May 2011, GUARDIANS partnered with the preserve to plant native riparian trees and shrubs along Rito de los Indios. Immediately after we planted this stretch, the 156,000-acre Los Conchas wildfire hit the watershed hard (shown in this July 2011 photo). Post-fire flooding took out most of the plants we had just put in.





We dealt with this setback by doubling our planting in spring 2013. And it paid off! This August 2017 photo of the Rio de los Indios lower exclosure documents the recovery of the riparian ecosystem. Greg Dyson (far left distance) and John Horning survey the result.

This summer, our Youth Conservation Corps program partnered with the preserve to improve watershed health, wildlife habitat, and water quality. Crew members planted vegetation along streams and trees on decommissioned roads, removed fencing to improve wildlife migration corridors, removed invasive weeds, planted native grasses, and participated in wildlife and fishery surveys.



2017 YCC members, from left, Ranier Koruh, Christian Sando, Alano Sakeva, Makayla Madalena, Ivan Atencio, Colten Nez, Troy Tafoya, Immanuel Hamilton, Antonia Lucero. (Not pictured: Dalton Romero, Neariah Toledo.)

Visit wildearthguardians.org: Programs / Wild Places

### Why Are YOU a Guardians Member?



"Peace, for me, exists in nature. That's where I go for healing and inspiration. Nature grounds us, and reminds us that we are part of something bigger than ourselves. I became a GUARDIANS member some years ago, and I am proud of the good work they do to protect this precious land and all the creatures that call it home. Now we need to fight even harder to protect Mother Earth. Like the beautiful wolves that I love, we need nature, to live with it, learn from it, to let it be the sanctuary that Great Spirit created it to be, for all of us."

—Georgia Watrous, Lenox, Mass.

Interested in becoming a GUARDIANS Event Partner? Email Carol Norton at cnorton@ wildearthguardians.org

### SAFEGUARDING THE SAFETY NET

Protecting the ESA from New Attacks

### **Bethany Cotton**



A grizzly bear gnaws on a bison head, Lamar Valley, Yellowstone National Park

O n a blustery day in April, GUARDIANS' staffers Sarah McMillan, Kelly Nokes, Michelle Lute, and I watched a large grizzly bear wrestle with a bison head in the famed Lamar Valley of Yellowstone National Park. The rest of the carcass was long gone, likely eaten by wolves of the Lamar Canyon pack. The grizz rolled around with the head, nearly as big as the bear itself, seeking the last morsel. This scene—bear dining on bison likely felled by wolves—is made possible by the Endangered Species Act and our country's

Below: ESA protections brought wolves back from the brink.



greatest idea: our network of protected public lands.

Wolves and grizzly bears were among the first species provided protections by this foundational conservation law, and our national parks, monuments, and forests provide the refuges essential for the nascent recovery of these iconic animals. Without these safeguards, it is unlikely any of us would be able to see grizzlies, bison, or wolves in the wild, much less witness them beginning to thrive again.

In 1973, Congress passed the Endangered Species Act nearly unanimously, and it was signed by a Republican president. Upon applying his signature, President Nixon issued this statement, which has proven entirely true:

"Nothing is more priceless and more worthy of preservation than the rich array of animal life with which our country has been blessed. It is a many-faceted treasure, of value to scholars, scientists, and nature lovers alike, and it forms a vital part of the heritage we all share as Americans. I congratulate the 93d Congress for taking this important step toward protecting a heritage which we hold in trust to countless future generations of our fellow citizens. Their lives will be richer, and America will be more beautiful in the years ahead, thanks to the measure that I have the pleasure of signing into law today."

Unfortunately, conservation has since become partisan. No longer do the occupant of the White House and most members of Congress recognize, let alone prioritize, the importance of conserving our public lands and our country's most imperiled species.

Attacks on the Endangered Species Act are at an all-time high, waged by members of Congress beholden to unsustainable resource extractive industries, the industries themselves, and Trump administration officials ensconced in positions of power within the very agencies



The yellow-billed cuckoo is on the road to recovery thanks to ESA protections.

entrusted with implementing and enforcing the law.

These attacks come in the form of numerous bills and riders designed to overrule the law as applied to certain species including wolves and sage grouse; those that would prevent enforcement of the law by prohibiting allocation of funds necessary to conserve species; and those that would directly dismantle the law itself. Each is nefarious and a very real threat to the future of our rarest wildlife: wolverine and whales, Canada lynx and Jemez Mountains salamander, Dakota skipper butterfly and Sonoran desert tortoise alike.

Even more insidious, the attacks often include provisions preventing judicial review of anti-conservation measures. Waiving judicial review is a huge threat not just to imperiled species, but to our very system of democracy: the checks and balances the judicial branch exercises over the executive and legislative branches of government. Such waivers risk much more than environmental protections; they could impact health care, immigration, women's and LGTBQ rights, and more.

### *Preservation of our environment is not a liberal or conservative challenge, it's common sense.*

—PRESIDENT RONALD REAGAN (STATE OF THE UNION; JAN. 25, 1984)

The Endangered Species Act works not by just protecting individual plants and animals, but also the habitat they need to survive and thrive. The law is why our national bird, the bald eagle, flies our skies and fishes our rivers across most of the country once again. The law is why I got to watch a nesting pair of peregrine falcons feed their brood on a Blackfoot River cliffside this summer. The law is why American alligators still swim the waters of the Southeast and why folks can again pass a day watching gray whales in the Eastern North Pacific.

Each of these species received the protections of the Endangered Species Act and each recovered. The law is extremely effective: scientists estimate



### Recovery efforts are ongoing for the black-footed ferret.

A WILD SUCCESS: ESA BY THE NUMBERS

The Endangered Species Act is our nation's strongest bulwark against extinction. According to the U.S. Fish and Wildlife Service, only ten of about 1,600 domestic species added to the threatened and endangered species list have been declared extinct. Seven were mostly likely extinct before they received the Act's protection. Thus, the Act's success rate in preventing extinction is a mind-blowing more than 99 percent.



Misleadingly portrayed by opponents as a rigid and draconian law that prevents land use and development, the Endangered Species Act is actually one of the nation's most flexible laws. It offers a variety of tools and incentives for private landowners to participate in species conservation. A survey conducted between 1979 and 1999 found that less than one percent of federally funded or permitted activities-two out of 11,000 projects reviewed annually-were prevented from moving forward due to protections for endangered species. Of all the projects reviewed under ESA requirements between 2008 and 2015, none were halted.

Currently 2,328 animals and plants are protected under the Act. Since enacted, the law provided the protections fifty listed species needed to recover enough to be removed from the list, including the gray whale, Aleutian Canada goose, brown pelican, bald eagle, and Steller sea lion.

— TAYLOR JONES

### CLIMATE CHANGE RESILIENCE AND THE ESA



The Endangered Species Act is a vital tool in protecting and restoring resilient habitats. Intact ecosystems with their full complement of native species are better able to adapt to climate change impacts, as shown by recent studies in Yellowstone National Park. Wolves, returned to the park with

the help of the Endangered Species Act, help buffer the effects of climate change. For example, they provide food during lean times: scavengers depend on wolves to hunt elk and share carcasses during warm winters that elk would otherwise survive.

The Endangered Species Act also increases climate change resilience by protecting indicator species and the habitat critical to their survival and recovery. Indicator species are our proverbial canaries in the coalmine, giving us an early warning that something is wrong in their ecosystems. For example, the meltwater lednian stonefly depends entirely on glacial runoff that will disappear in the next few decades if climate change is not halted or reversed. The Joshua tree is predicted to lose up to 90 percent of its habitat in the next century due to climate change. Both species—which GUARDIANS petitioned—are under review for protection, and if they are listed under the Act may push government agencies to address damaging climate change impacts to their fragile habitats.

Habitat protected by the ESA can also be crucial for climate resilience. Protections for wildlife corridors keep national parks and other protected areas connected, allowing animals to move between populations. Connectivity is especially important for wide-ranging animals like grizzly bears and wolverines. Without ESA protections for critical habitat, including dispersal corridors, these animals are facing a future trapped in isolated islands of habitat, some of which may become unsuitable as the climate changes. Providing imperiled animals the freedom to roam helps ensure their survival in a changing world.

- TAYLOR JONES

that without the ESA, 227 species would have gone extinct by 2006. A decade later, that number is likely a significant underestimate.

Historically, as many as 50,000 grizzlies roamed the contiguous U.S. By the time the grizzly gained ESA protections, as few as 136 remained. Though on the road to recovery, fewer than 1,800 grizzlies now roam the Lower 48 in isolated populations. The two most stable populations live in the islands of security provided by Yellowstone and Glacier National Parks. We need to secure corridors connecting these populations to ensure their long-term survival, free from trophy hunting and other threats. We need the Endangered Species Act and the refuge our public lands offer to rare species to ensure their future and a future where our children may witness a grizzly bear dining on a bison.

In the current political climate, when the vulnerable—people, species, our public lands, our climate—are under sustained attack by our own government, GUARDIANS is working to protect the laws that protect our shared environment.

In the coming days, it will be essential that we the people speak up for our most imperiled species and the law that protects them. We call on you, all GUARDIANS, to join us in protecting the laws that protect the vulnerable. Write to your elected officials. Call them too. Put their numbers in your phone and make it a daily practice.

Attend in-district meetings and ask pointed questions. Contact your representatives on social media. Hold them accountable. Ensure they know that extinction is not the legacy we want to leave our children or grandchildren. Ensure they know that judicial review is a keystone of our democracy and we expect them to safeguard it always. This is not a time to stay silent. Our public lands, our most jeopardized plants and animals, and our democracy depend on you using your voice.

Visit wildearthguardians.org: Take Action / Current Actions



Grizzly bears need habitat with connected wildlife corridors to survive climate change.

### IN THE HALLS OF JUSTICE

Kelly Nokes, Marla Fox, Samantha Ruscavage-Barz



### **GUARDIANS SUES TO RESTORE PROTECTIONS TO YELLOWSTONE GRIZZLIES**

AM PARKS



WILDEARTH GUARDIANS sued the U.S. Fish and Wildlife Service in August over its decision to strip grizzly bears in the Greater Yellowstone Ecosystem of Endangered Species Act protections. The Service's premature removal of crucial federal safeguards undermines the recovery of the species as a whole, while subjecting grizzlies that leave national parks to state-sanctioned trophy hunting. The lawsuit faults the Service for illegally designating grizzlies in Greater Yellowstone as a "distinct population segment" and removing protections without first considering the impact that removal will have on

imperiled grizzly populations elsewhere in the Lower 48. Only roughly 1,800 currently survive in the Lower 48. Grizzlies in the Yellowstone region are threatened by dwindling food sources, habitat loss and fragmentation, and illegal killing.

Visit wildearthguardians.org: Newsroom / Press releases / Battle Begins to Restore Protections for Greater Yellowstone Grizzly Bears

### CHALLENGE TO OFF-HIGHWAY VEHICLES ON OCHOCO NATIONAL FOREST

GUARDIANS and our partners sued the U.S. Forest Service in June over its decision to green-light an extensive motorized trail system that would add 137 miles of new off-highway vehicle (OHV) trails to the existing network of 674 miles within the Ochoco National Forest in central Oregon. The Ochoco Summit Trail project would blaze new motorized trails through old-growth ponderosa pine forest and extremely fragile scabland ecosystems. OHVs will disrupt wildlife in the secluded Ochoco Mountains, including Rocky Mountain elk, mule deer, redband trout, and gray



Visit wildearthguardians.org: Newsroom / Press releases / Groups Challenge Plan Increasing OHV Use in Old-Growth Areas of Ochoco

### **GUARDIANS GOES AFTER NM GREENHOUSE GASES**





"I'm participating in this petition because I recognize that something is broken with how we treat the land, and in New Mexico, if something is broken, we fix it." -Petitioner Ruby Lopez, 18, Santa Fe. In June, GUARDIANS and 28 New Mexico youths, partnered with Our Children's Trust, went before the New Mexico Environmental Improvement Board (EIB) to propose a regulatory program for reducing the state's greenhouse gas emissions. In August, GUARDIANS Senior Staff Attorney Samantha Ruscavage-Barz, along with 11 petitioners ages 5 to 18, asked the EIB to set a hearing and start the rule-making process for their proposed program. The EIB denied GUARDIANS' request because of technical flaws in the proposal but encouraged us to revise the rules and repetition the EIB. GUARDIANS and Our Children's Trust continue to work together on a greenhouse gas reduction program for New Mexico.

Visit wildearthguardians.org: Programs / Climate & Energy

### WHY ARE YOU A GUARDIANS MONTHLY DONOR?



"I've been a member of GUARDIANS for years now. GUARDIANS partners effectively with other agencies and gets so much done on the ground in habitat restoration. This is something I'm passionate about! GUARDIANS is also a terrific advocate on conservation issues from the local to the federal government level. Go GUARDIANS!"

BIGSTOCK

---DR. LESLIE KUHN, HASLETT, MICH., AND JEMEZ PUEBLO, N.M., Wild Bunch Member since 2012

### Interested in

becoming a GUARDIANS Monthly Donor? Visit our website for more details: wildearthguardians.org: Support Us / Monthly Giving.

### CAMPAIGN UPDATES





"I have been a walker of the woods and lover of the wilds since a young boy. I appreciate the focus and determination of WILDEARTH GUARDIANS and its commitment to preserving and protecting 'the wild'. I look forward to being able to enjoy that wild and support WILDEARTH GUARDIANS for years to come."

> —JIM FISHER, Santa Fe, N.M.

Interested in becoming a business partner? Email Carol Norton at cnorton@ wildearthguardians.org

### Jen Pelz, Chris Krupp, Bethany Cotton



GUARDIANS continues to challenge the status quo in our effort to protect and restore flows in the Rio Grande. Earlier this year we put forth a bold vision of conserving water by storing it in reservoirs at higher rather than lower elevations. This practice would reduce evaporation losses, and the water saved could be used to bolster river flows and support fish, wildlife, and plants. Despite this effort, the U.S. Bureau of Reclamation is poised to approve more storage in Elephant Butte Reservoir-which evaporates twice the water of any reservoir upstream-for the City of Albuquerque. We are scrutinizing these plans and will challenge any effort to waste more of the Rio's precious water.

Visit wildearthguardians.org: Newsroom / Feds Poised to Bless More Storage in Elephant Butte Reservoir and Feds Decline Additional Storage in Elephant Butte Reservoir

### GUARDIANS FIGHTING BACK FOR NATIONAL MONUMENTS



Showing an utter lack of regard for overwhelming public support for our national monuments, Interior Secretary Zinke has reportedly recommended shrinking four national monuments. He turned his review of 21 Western national monuments over to President Trump last month but hasn't released it, despite intense public interest in the fate of the monuments.

In a memo leaked to the press, Zinke identified four monuments to be reduced in size: Grand Staircase-Escalante and Bears Ears in Utah, Cascade-Siskiyou in Oregon and California, and Gold Butte in Nevada. Organ Mountains-Desert Peaks and Rio Grande del Norte in New Mexico aren't on that list, but Zinke recommended unspecified changes in the way they're managed to prioritize traditional uses such as livestock grazing. An attack on one monument is an attack on all monuments. GUARDIANS will be working to protect monuments by challenging proclamations from Trump to shrink them or change their management and by challenging any fossil fuel giveaways in surrounding areas. Visit wildearthguardians.org: Programs / Wild Places

WILDLIFE

★WILD RIVERS ★WILD PLACES UT

co

NM

### TRUMP ENERGY PLANS ROLL OVER SAGE GROUSE



In yet another assault on conservation of Western wildlife, Interior Secretary Ryan Zinke is recommending scaling back key protections for sage grouse included in 2015 landscape-level management plans spanning 10 Western states. The U.S. Fish and Wildlife Service decided in 2015 not to protect sage grouse under the Endangered Species Act, using the plans to justify withholding safeguards. The plans were riddled with loopholes. GUARDIANS' legal challenge to the plans' inadequacies is ongoing. Zinke's report recommends prioritizing extractive energy development in sage grouse areas, letting states set population targets, and identifying new, overly restrictive habitat boundaries. Details on the changes to the 2015 plans are due this fall. Stay tuned for our next move in protecting the beautiful Sagebrush Sea ecosystem and the unique species that call it home.

> / Visit wildearthguardians.org: / Top Priorities / Saving the Sagebrush Sea



### GOOD NEWS FROM THE GUARDIANS

Marla Fox, Bethany Cotton

### NS WildDlife WildPlaces

### WIN FOR WILDLIFE & QUIET USE ON SANTA FE NATIONAL FOREST

In July, the 10th Circuit Court of Appeals dismissed the third appeal by an off-road vehicle advocacy organization that challenged the U.S. Forest Service's 2012 Travel Management Plan decision to rein in motor vehicle travel on the Santa Fe National Forest. Before 2012, motorized vehicles could travel uninhibited across the 1.5 million acres of public land, without regard for disruption of quiet landscapes or harassment of imperiled wildlife like Mexican spotted owls, Jemez Mountains salamanders, and New Mexico meadow jumping



mice. The 2012 plan ends unbridled cross-country motorized use, rewilds more than 5,000 miles of motorized routes, and balances uses by continuing motorized travel on more than 2,400 miles of routes. WILDEARTH GUARDIANS and our partners intervened in the first lawsuit to defend the Forest Service's decision.

Visit wildearthguardians.org: Newsroom / Press releases / Win for Wildlife and Quiet Use on Santa Fe National Forest

### COURT TOSSES OUT DEEPLY FLAWED MCKITTRICK POLICY





As a result of a challenge brought by WILDEARTH GUARDIANS and the New Mexico Wilderness Alliance, the Department of Justice may no longer rely on its unlawful McKittrick policy when deciding whether to prosecute those who illegally kill wildlife protected by the Endangered Species Act. A federal judge in June threw out the "McKittrick policy" under which the government prosecuted killers of animals protected by the ESA only when it could prove the killer knew the exact biological identity of the species they were harming. "This ruling is important because it ensures careless hunters can no longer hide behind the 'shoot first, ask questions later' mindset that led to the tragic deaths of many endangered Mexican

wolves and other imperiled animals," said John Horning, GUARDIANS' executive director. Visit wildearthguardians.org: Newsroom / Press releases / Court throws out feds' misguided policy limiting prosecution of killers of endangered wildlife

### PROTECTIONS FOR CANADA LYNX TO REMAIN IN MONTANA

The 9th Circuit Court of Appeals recently dismissed the Montana Trappers Association's appeal of a settlement agreement GUARDIANS and other groups reached with the state of Montana in 2015 that protects lynx from being caught in traps set for other animals. The agreement established "lynx protection zones" in occupied lynx habitat in northwest Montana and the Greater Yellowstone ecoregion. In the zones, trapping regulations restrict the size and placement of traps and snares that have caught and sometimes killed Canada lynx, which are protected under the Endangered Species Act. The agreement also keeps the trapping season for imperiled wolverine closed. Since the agreement was signed, only one lynx was caught in a trap in Montana, outside the protection zones. GUARDIANS and our allies are working to expand the area where the protections are in place.

Visit wildearthguardians.org: / Newsroom / Press releases / Court upholds agreement protecting imperiled lynx from trapping





### DONATE WITH CONFIDENCE!

Good news is made possible by your generous donations. As evidenced by our consistent 4-star rating from Charity Navigator, WILDEARTH GUARDIANS gets the job done with your dollars. Help keep the good news flowing by making a gift to WILDEARTH GUARDIANS today.

505.988.9126 x3 or donate at wildearthguardians.org.

### JOIN OUR DIVERSITY OF LIFE SOCIETY!

Make your legacy a force for nature by including WILDEARTH GUARDIANS in your estate planning. Contact Kevin Gaither-Banchoff at kevin@ wildearthguardians. org or 520.869.4673 for more information.



516 Alto Street Santa Fe, NM 87501 Non-Profit Org. U.S. Postage PAID Albuquerque, NM Permit #476

### SPOTLIGHT ON STAFF



**ANNALIZA HERRERA** is GUARDIANS' new digital content coordinator. She started her career in the nonprofit sector in 2014. A native of northern New Mexico, Annaliza has a great love for the culture and beauty that she grew up with in the Española Valley. She earned her B.A. in Theater from the University of New Mexico after returning home from Los Angeles, where she did conservatory training at The American Academy of Dramatic Arts -West. Before joining WILDEARTH GUARDIANS, she was the administrative services associate for the Santa Fe Community Foundation. Prior to that, she spent a brief stint as a pastry chef after earning a patissier certificate from Santa Fe Community College. Annaliza serves on the board of directors for Theater Grottesco, a Santa Fe-based theater company focused on creating new and daring performances. She enjoys creative writing, spending time with her cat, and traveling.





**CHRIS SMITH, M.A.**, is GUARDIANS' new Southern Rockies wildlife advocate. Chris grew up in the Sangre de Cristo Mountains, where he developed an early but rudimentary appreciation for natural beauty and ecological function. He earned a B.A. from Lewis & Clark College in Portland, Ore., where he then began working as an organizer and environmental activist. After earning an M.A. in Religious Studies from the University of Chicago, Chris returned to Oregon to advocate for coastal forests and the human and wildlife communities that rely on them. Chris is thrilled to return to the high desert landscapes of his upbringing and to help protect the resilient wildlife of the area.

**NEIL KAGAN, J.D., M.Sc.,** is GUARDIANS' new legal director. Neil came to appreciate nature as a boy while ranging free through forests and parks in Pennsylvania. He has a B.Sc. in Biology from Pennsylvania State University, an M.Sc. in Entomology from Michigan State University, and a J.D. from the University of Oregon School of Law, with a certificate in environmental and natural resources law. After law school, he practiced environmental and land-use law in Oregon. Afterward, he represented the National Wildlife Federation as senior counsel, working to protect water quality nationally and in the Great Lakes basin. He has served as the sole or lead attorney in many public interest environmental cases, seeking the protection and restoration of forests, wetlands, rivers, lakes, and other natural resources. For thrills outside the courtroom, Neil goes whitewater rafting, hiking, and wildlife watching.