



ADVOCATES for the **West** 2015 Spring/Summer Case Notes



Saving the Best of the West

Wendy Wilson
Executive Director

Imagine my shock when – standing on the bridge at “the Narrows” in Malheur National Wildlife Refuge in the middle of spring – I couldn’t hear a peep. There wasn’t a single avocet, black-necked stilt or sandpiper to be seen. Just four sad cows standing in a baking mud puddle.

It is a drought year, so I wasn’t expecting huge flocks of ducks, but when even the shorebirds don’t show up – that’s just unsettling!

Luckily, conditions in the sagebrush hills of the refuge were much better. There, mature sagebrush, sweet-smelling bitterbrush and vibrant wildflowers support an oasis of life and an amazing collection of resident birds. I was thrilled to find bluebirds, sparrows, thrashers and even curlews.



This natural show of abundance is why **Advocates for the West** fights for what we are calling the *Best of the West*. We are focusing on improving the future for 76 million acres of prime sage-grouse habitat across 9 states. These special areas are what the US Fish and Wildlife Service calls Priority Areas of Conservation or “PACs”.

Saving the *Best of the West* means reducing the impacts of new oil and gas drilling and enforcing buffer zones around sage-grouse breeding areas. It means restoring riparian areas and reducing wild fires. And we can see progress.

Just this month, the federal government released new conservation plans for sage-grouse habitat across the West. These plans were written in large part because of our hard-hitting legal work over many years. This is a big step in the right direction!

But saving the *Best of the West* is far from certain. We are still evaluating the new plans to see if they will be effective. Conditions on the ground will only get worse if they rely too much on voluntary actions or are just ignored.

Advocates for the West will work to enforce these important new conservation requirements across the West and more. The bar has to be set high to ensure appropriate and lasting protections for sage-grouse.

Eventually, I know the rain will return to Malheur, and abundance will return. But the future for greater sage-grouse continues to hang on a thread. The jury is still out regarding what actions will actually be taken to keep them from extinction. 🐦



Female long-billed curlew–Steven Blandin



Advocates for the West is representing former Idaho Governors Cecil Andrus and Philip Batt in opposing Department of Energy (DOE) plans to ship commercial spent nuclear fuel to Idaho – and so far, we are winning!

This story goes back to the early 1990's, when Gov. Andrus got fed up with broken promises by DOE to clean up nuclear wastes at the Idaho National Lab (as it is now called). Andrus had the Idaho State Police

legacy of nuclear contamination at the INL site above the Snake Plain Aquifer.

In response to litigation by DOE and the nuclear power industry, federal courts quickly ruled that Andrus lacked the authority to physically block highways to stop DOE nuclear waste shipments. But Andrus turned the tables by getting subsequent court injunctions prohibiting further shipments until the federal government systematically analyzed

Snake River Alliance, joining the State of Idaho and Andrus in challenging the DOE's completed Environmental Impact Statement (EIS) for not addressing all the risks associated with further nuclear waste shipments and storage at INL.

That case was resolved in 1995, after Gov. Batt took office, under an elaborate settlement



– known as the Batt Agreement – that imposed hard deadlines for DOE to clean up various kinds of nuclear and hazardous wastes at INL. Still in effect, the Batt Agreement limits defense nuclear wastes (such as from naval nuclear reactors) that may be transported to INL. And it flatly prohibits commercial spent nuclear fuel shipments to Idaho.

Commercial spent nuclear fuel is generated by utilities, and long-term storage options for this large and growing amount of nuclear waste are still unresolved. Andrus and Batt were rightly concerned that Idaho not become the nation's *de facto* dumping ground for commercial spent nuclear fuel; the Batt Agreement is unique in the nation in

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Commercial Spent Nuclear Fuel Shipments Blocked – For Now

Laird Lucas
Director of Litigation

The Batt Agreement is unique in the nation in establishing that commercial spent nuclear fuels cannot be shipped to Idaho.



Laird Lucas with Philip Batt and Cecil Andrus– Anna Demetriades

physically block DOE from bringing additional nuclear wastes into Idaho – a standoff that captured national headlines and substantial support from Idahoans concerned about the

waste clean-up and storage options at INL.

I came to Idaho in 1993 and one of my first cases was representing

Laird Lucas, continued

establishing that commercial spent nuclear fuels cannot be shipped to Idaho.

But the Agreement includes a clause which allows the State of Idaho to “waive” this ban. Citing this clause, DOE last year requested that current Idaho Governor C.L. “Butch” Otter and Attorney General Lawrence Wasden agree to allow two initial shipments of commercial spent nuclear fuel into Idaho for testing and storage at INL. The first shipment was slated for June 2015, and the second for January 2016.

In January 2015, Otter and Wasden gave initial approval of this request – without any public notice or input, and without consulting the former governors. When Andrus and Batt learned of this, they were furious – and went public with their concerns. They also asked **Advocates for the West** to represent them in potential federal court litigation.

Our research uncovered the fact that DOE apparently plans additional commercial spent fuel shipments to continue over a ten-year period of time, at a projected cost of \$200 million – none of which has been publicly disclosed. And no analysis has been done of environmental impacts and alternatives, as required by the

National Environmental Policy Act (NEPA).

In early March 2015, we sent a notice letter to DOE as well as Otter and Wasden, advising that former Governors Andrus and Batt would initiate federal court litigation to block the planned shipments unless and until DOE complies with its NEPA obligations.

In response, DOE has now announced that it will conduct an initial analysis of whether its existing NEPA documents are adequate to cover the planned commercial spent nuclear fuel shipments, which will be available for public review and comment. It is unclear at this point when that analysis will be done; and it will likely trigger further challenges on our part, as it is doubtful that DOE’s older NEPA documents are sufficient to cover the current plans.

Meanwhile, the attention and pressure brought by Andrus and Batt encouraged Wasden to back off from his preliminary approval of the shipments. He is now citing concerns about DOE’s failure to clean up 900,000 gallons of highly radioactive wastes stored at the INL site above the Snake River Plain Aquifer – the same wastes that impelled Andrus to act more than 20 years ago. Despite having spent

nearly \$1 billion, DOE’s treatment plans for these liquid wastes remain unproven and ineffective. DOE is now three years late in complying with the Batt Agreement, with no hope of beginning full-scale treatment for at least another year.

Wasden now says that he will not agree to allow the DOE commercial spent nuclear fuel shipments to begin at least until DOE demonstrates the capability to begin cleaning up the 900,000 gallons of highly radioactive liquid wastes at INL – a correct step, in our view. But heavy political pressures weigh on this issue from interests that will benefit economically from the DOE proposal.

Further delays in cleaning up the 900,000 gallons of liquid waste are almost inevitable, and DOE may have to throw out its existing cleanup plans and come up with a new approach, which could postpone any cleanup for many more years. Meanwhile, commercial spent nuclear fuel is piling up at utilities across the nation, with no plans for their disposal. Whether Idaho and INL will once again become a candidate for long-term storage of these wastes remains to be seen.

So the last chapter in this long saga is far from written. Stay tuned! 🦄

Challenging a New Threat to Lake Pend Oreille

Bryan Hurlbutt
Staff Attorney (Boise Office)

While we await a court decision in our challenge to the Bonneville Power Administration's misguided plan to fluctuate winter water levels on Lake Pend Oreille, we are turning to a new threat to Idaho's largest lake and the lakeside city of



Sandpoint – increased oil and coal train traffic.

In August 2014, BNSF Railway announced

its intention to build a second rail bridge across Lake Pend Oreille. The bridge would accommodate additional rail traffic carrying crude oil from the Bakken and coal from the Powder River Basin to refineries and ports in the Pacific Northwest.

The nearly mile-long new bridge would be located east of US 95's Long Bridge and next to BNSF's existing rail bridge. It would rest on more than 100 piles driven 150 feet into the lakebed. BNSF has stated that it hopes to complete the bridge by 2018.

There has been no shortage of alarming headlines in recent years as record levels of oil have spilled from trains in major railroad accidents across North America – contaminating groundwater, destroying buildings, sparking fireballs and explosions, causing

evacuations, and even killing people.

In “Accidents Surge as Oil Industry Take the Train” (Jan. 25, 2014), the *New York Times* reported that more than 10% of US oil production is now being shipped by rail and that the gallons spilled in the US in 2013 far outpaced the total amount spilled by railroads from 1975 to 2012. A year later, in “Oil Train Spills Hit Record Level in 2014” (Jan. 26, 2014), NBC News reported that while less volume of crude spilled than in 2013, 2014 set a new high for frequency of spills – with 141 unintentional releases.

Oil train accidents are not going away. In February 2015, the US Department of Transportation issued a report predicting an average of 10 oil train derailments a year and \$4.5 billion in damage over the next two decades. And while the agency recently issued long overdue rail safety regulations, they come up far short.

Under the new regulations, railroads are given 10 years to transition to safer tank cars, and numerous exceptions allow dangerous materials – including Bakken crude oil and tar sands bitumen – to continue being carried in tank cars. The increased risk of catastrophic oil train derailments in North Idaho is just one of many problems with BNSF's new bridge proposal.

Coal trains present their own

problems. Passing coal trains have been documented to emit coal dust – which contains arsenic, mercury, and other contaminants – and little is known about the impacts of coal dust pollution on our communities. Uncovered coal trains spill coal as they cross or pass next to waterways, and it is not known how much coal is already spilling into Lake Pend Oreille.

Regardless of what's being transported, increased rail traffic itself would be a major burden to Sandpoint and nearby communities. On average, more than 60 trains cross the existing bridge and pass through Sandpoint daily, causing congestion that slows down commutes and regularly delays emergency response times around the city by 5 to 10 minutes. With the new bridge, train traffic could double, adding to congestion and delays. The City of Sandpoint analyzed the impacts of increased rail traffic and, using conservative forecasts of increased rail traffic, found that residents can expect six hours of traffic delays every day and annual economic losses of \$575,000 by 2020.

These risks and burdens come with no benefit to communities in North Idaho, which is why **Advocates for the West** is teaming up with Idaho Conservation League to oppose BNSF's proposal. Watch for updates on our work to prevent rampant rail traffic through Sandpoint and Lake Pend Oreille in our fight against North American coal and oil development. 🐾

Powder River Basin Coal Train–Tom Grundy



Defending Selway River Wild and Scenic Values

Marc Shumaker
Legal Fellow (Boise Office)

Legal issues frequently boil down to the interpretation of a single word or phrase. Last fall on the lower Selway River, the Forest Service ignored its own regulatory definitions and procedures when it designated an old, unimproved, and largely forgotten spur road as a “public road.” That decision effectively exempted a destructive



Idaho Department of Lands timber sale from any environmental impact review, which places the Selway River in immediate danger from unnecessary road building, massive clear-cuts, excessive erosion, and potential landslides.

Because the Idaho Department of Lands needs a special use permit to use a Forest road for access, the Forest Service must consider the environmental impacts of the State’s timber sale and seek public input. Nevertheless, the Forest Service shirked these important responsibilities by illegally designating that Forest road as a “public road.”

This shocking Forest Service decision is merely the latest event in the Agency’s long history of neglecting their duty to protect

wild and scenic river values under federal law. In May, we filed a federal court complaint challenging this decision because the Forest Service must be held accountable for ignoring its own procedures and failing to protect the outstandingly remarkable wild and scenic qualities of the Selway River.

As my first case here at **Advocates for the West**, I am thrilled to use my background in forestry in my new legal career. I love forestry

long-term health of the landscape. The timber sale that the Idaho Department of Lands is proposing for the Selway River corridor is neither pretty nor well planned. In fact, the timber sale and its logging plan were carelessly thrown together as a knee-jerk reaction to a wildfire. The Selway River and the citizens of Idaho deserve more.

I am proud that our complaint against the Forest Service has already induced the Idaho



Cupboard Creek on the Selway–Jackson Frishman

and personally advocate for sustainable forest management as an environmentally friendly source of renewable and local resources. Sustainable forest management is not always pretty, but it is always carefully planned to ensure the

Department of Lands to postpone their timber sale auction indefinitely. And I am confident that if they do proceed with the sale in the future, it will be substantially redesigned to eliminate the most serious threats to the Selway River. 🦋



2015 has been an exciting year so far at the Oregon Office. In addition to some positive decisions on a few of Laurie's cases across the West, we've also developed some exciting new additions to our Oregon docket.

Protection for Shortnose Sucker Fish

In mid-May, on behalf of clients Oregon Wild, Friends of Living Oregon Waters, and Western Watersheds Project, we sent a 60-day notice letter to the Fremont-Winema National Forest regarding management of livestock grazing in critical habitat for the endangered shortnose sucker fish.

In south-central Oregon's heavily-managed Klamath Basin, livestock grazing, impoundment of natural watercourses and diversions reduce water flows, contribute to poor water quality, and degrade stream conditions in sucker habitat, including on the Fremont-Winema. The Forest Service has continually authorized livestock grazing in critical sucker spawning habitat without taking into account the impacts, or the ongoing extreme drought. What's more, the agency has documented years of chronic livestock trespass and violations of grazing standards in



Safeguarding Oregon's Fish

Liv Brumfield
Staff Attorney (Portland Office)

allotments with ESA-listed suckers!

Our notice letter describes how the Forest Service is violating the Endangered Species Act and other environmental laws by continually authorizing grazing and turning a blind eye to its adverse contribution to this important habitat.

Relief for Bull Trout

We also recently challenged the Fremont-Winema's management of livestock grazing in another part of the Forest that provides critical habitat for a different fish – threatened bull trout. In the headwaters of the Wild and Scenic North Fork Sprague and Sycan rivers,



Bull Trout–Dave Bickford

only a handful of isolated populations of bull trout remain, trapped by downstream degradation and high water temperatures.

For years, the Forest Service has allowed livestock to trample banks, widen streams, and mow down willows along these rivers and their tributaries. Our lawsuit seeks better management of these special rivers for bull trout and humans alike. 🐟

Spotlight on Wildlife Services

Talasi B. Brooks
Associate Attorney (Boise Office)

Idahoans – contact your elected officials and let them know that we do not support animal damage control.



On December 2, 2014, **Advocates for the West** filed a complaint in Idaho's federal district court on behalf of



Western Watersheds Project, Center for Biological Diversity, Friends of the Clearwater, WildEarth

Guardians, and Project Coyote – challenging USDA's APHIS-Wildlife Services for its failure to disclose the nature and extent of its Idaho operations to the public.

Each year, Wildlife Services uses poisons, traps and gunning – on foot and from aircraft – to kill thousands of animals in Idaho, including wolves, coyotes, foxes, beavers, cougars, and birds.

The government answered our complaint on May 1, 2015. In addition to admitting that it killed over 32,000 coyotes in Idaho in just six years, Wildlife Services admitted to killing 78 wolves in Idaho in 2013. It also admitted that the sodium cyanide ejector devices it uses to target coyotes (M-44s) have killed “some” domestic dogs and other “non-target species.”

While this litigation is pending, we

have been learning more about how Wildlife Services operates in Idaho. We are investigating other litigation opportunities to take this secretive agency to task for killing Idaho's wildlife, and have learned that Wildlife Services relies on agreements with state and federal entities, executed behind closed doors and without public input, to kill Idaho's wildlife.

For instance, did you know that Idaho has a state animal damage control board and five animal damage control districts? Every year Wildlife Services receives funding for its employees and operations from these entities. In 2014, Wildlife Services received over \$100,000 each from animal damage control districts 2, 3 and 5 to support its wildlife killing work. That's up almost \$40,000 from funding levels in 2013 from animal damage control district 3! It also received over \$50,000 from the state animal damage control board to kill wolves, supposedly so hunters can shoot more elk.

It appears that as public scrutiny of Wildlife Services' activities has intensified in the past couple of years, funding for its activities has actually *increased!* **Idahoans – contact your elected officials**

and let them know that we do not support animal damage control.

The Bureau of Land Management and the Forest Service also have agreements with Wildlife Services. In many cases, these agreements allow Wildlife Services to place traps within as little as ¼ mile of developed recreation sites like boat ramps, parking areas and

Timber Wolves –Derek R Audette



campgrounds. Some allow use of road-killed carcasses as “draw stations” to attract predators for slaughter; these can be within as little as ½ mile of “restricted use” areas like recreation sites. Keep an eye on your dogs!

Wildlife Services helps out Big Ag, too – by deploying its employees and poisons to kill hundreds of

starlings at feedlots and dairies. The starlings consume a poison called DRC-1339, usually applied to French fries or grain, then fly off and die, potentially harming carrion scavengers. Some of the agreements contain a clause stating that the “cooperator is responsible for cleanup” – but given how far the birds may fly after ingesting the poison, this rarely if ever happens.

And it looks like this nasty chemical is manufactured right here in Idaho, at a government facility called the Pocatello Supply Depot.

If you’re interested in our Wildlife Services work, sign up for our email our updates online. We’ll keep you posted as our current litigation progresses and we continue to explore new opportunities to take Wildlife Services to task in Idaho. 🐾



What is our wildlife worth?

Advocates for the West is fighting Wildlife Services in Idaho for its inexcusable mistreatment of our wildlife – and we need your help.

The perceived value of our wildlife depends a lot on whom you ask. As a fellow wildlife lover, we think your answer would be the same as ours –

Priceless.

But if you ask some – certain ranchers and Wildlife Services employees – you will get a very different response. To them, the value of wildlife is an *expense*. Wolves, coyotes, beavers, ravens, and many others — the animals we hold sacred are seen as a nuisance affecting their bottom line or a target to be eliminated at the expense of taxpayers.

Advocates for the West is fed up with this secretive agency’s reckless killing of our treasured wildlife – largely at the behest of big ranchers and agriculture. This fight will not be easy, but with your help – we can WIN.

In 2015 alone, our case against Wildlife Services in Idaho will cost at least \$50,000.

Make a gift today and help *Advocates for the West* give Wildlife Services its long overdue day in court!



Anna Demetriades
Director of
Development &
Communications

Good News Times Three

Laurie Rule
Senior Attorney (Portland Office)

They say all things come in threes, and I had a trio of good decisions issued in my cases this past winter.

Travel Management Rule

First, as a result of my 2011 lawsuit on behalf of Winter Wildlands



Alliance challenging the Forest Service's travel management regulations for

exempting snowmobiles, the Forest Service issued a new Travel Management Rule on January 28th, which requires the agency to regulate snowmobile use on National Forest lands. The Forest Service had previously argued that it had discretion to exclude snowmobiles from its travel management planning, but the Idaho District Court disagreed.

New regulations require the Forest Service to specifically designate the areas and trails open to snowmobile use, and all other National Forest lands are closed to such use. This will help protect wildlife as well as reduce conflicts with non-motorized winter recreationists such as backcountry skiers and snowshoers.

I will continue to help Winter Wildlands Alliance and other groups review the new winter travel plans as they are completed to ensure they comply with regulations and do indeed minimize impacts to resources and other recreation users.

Sonoran Desert National Monument

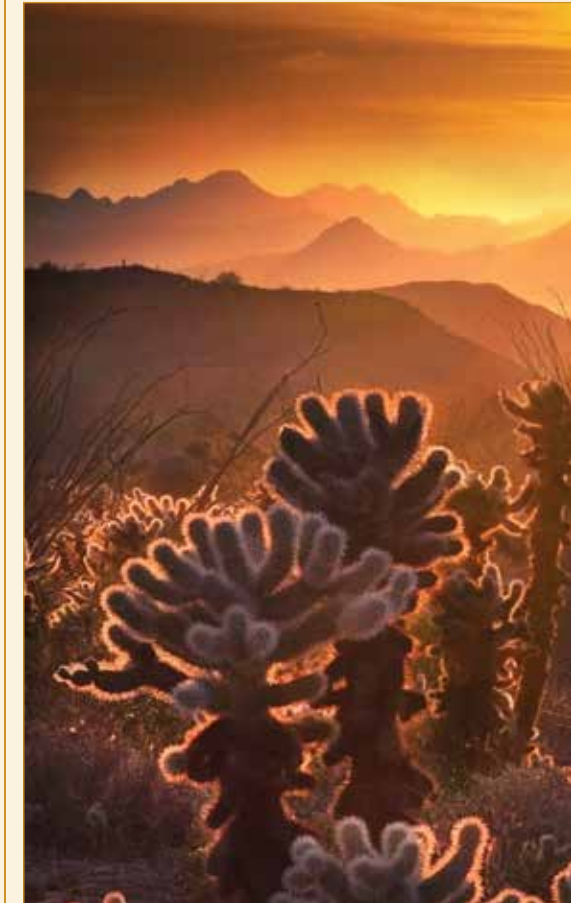
The second good decision came on February 26th in my case over the Sonoran Desert National Monument. I represented Western Watersheds Project and the Grand Canyon Chapter of the Sierra Club in a case against the Bureau of Land Management challenging the agency's management of livestock grazing on the monument.

BLM had determined that livestock grazing was compatible with protecting plant communities and wildlife on much of the monument, but we challenged that scientifically unsupported determination.

The Arizona District Court found that BLM had not explained many of its conclusions nor supported them with reliable data. Instead, BLM excluded relevant data and lowered desired plant objectives without explaining why. Given the heavy scientific nature of this case, we

were glad the court looked closely at BLM's reasoning and did not simply defer to the agency.

Unfortunately, the court gave BLM another chance to explain and support its decision in a supplemental report. We will look closely at this report when it is issued and continue our challenge if, as we suspect, it still does not fully explain and support BLM's determination that grazing



across much of the monument is compatible with protecting the plants and wildlife found there.

Critical Habitat for Caribou

Lastly, on March 23rd the US District Court of Idaho reversed the critical habitat rule for woodland caribou, which I challenged on behalf of six groups: Center for Biological Diversity, Defenders of Wildlife,

Sonoran Desert—Marc Adamus

Idaho Conservation League, Conservation Northwest, The Lands Council, and Selkirk Conservation Alliance.

Woodland caribou is the most endangered mammal in the lower 48 states, and a species **Advocates for the West** has been working to protect since 2005. US Fish and Wildlife Service had proposed protecting 375,000 acres as critical habitat that was necessary to

recover this species, but then slashed this figure in its final critical habitat rule, designating just 30,000 acres. We challenged this final rule, arguing that the agency did not explain how such a drastically reduced designation was sufficient to recover the species, and that the final rule was so different from the proposed rule the agency should have solicited additional public comments.

The court found that the final rule was too different from the proposed rule, and relied on information that was not found anywhere in the proposed rule. Thus, the court remanded the final rule to the Fish and Wildlife Service to put it out for public comment. We will watch to see what happens next and continue to push for the larger designation of critical habitat.



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Sage-Grouse Battle Has Begun

Todd Tucci
Senior Attorney (DC office)



Sage-grouse—Tom Reichner

Sage-grouse populations are in trouble, and it appears that the Obama Administration is happy to oversee their slide toward oblivion. Several developments in recent



months suggest that our work to protect sage-grouse is just beginning.

First, in early winter, the US

Fish and Wildlife Service refused to protect the Gunnison sage-grouse as an endangered species, even though only about 5,000 of this distinct species survive. In a move cheered by oil and gas companies, ranchers and developers, the Service pulled its draft rule listing Gunnison sage-grouse as endangered, and found that existing conservation efforts adequately protect the species, thus permitting a more flexible “threatened” status.

The problem, of course, is that none of these so-called conservation measures are enforceable. Dr. Clait Braun – the renowned sage-grouse expert who discovered the Gunnison species – called the Service’s plan a “sham.” Shortly after, we sued the Service on behalf of Dr. Braun and WildEarth Guardians to restore protections to Gunnison sage-grouse.

Similarly, in late April 2015, the Service withdrew a rule proposing to protect the Bi-State population of Greater sage-grouse as “threatened” under the ESA; instead, it issued a separate decision refusing to protect the Bi-State sage-grouse at all. Like the Gunnison, Bi-state populations are crashing, and its habitat is increasingly fragmented by grazing, weeds, wildfires, roads and other infrastructure.

Although populations of Bi-state sage-grouse now number as few as 2,500 birds, the Service concluded that a voluntary and speculative conservation plan called the Bi-State Action Plan provides efficient and effective protections, reversing its early decision that this plan was ineffective in providing even reasonable measures of protection for Bi-state sage-grouse.

Advocates for the West is working with our client groups to ensure that Bi-state sage-grouse populations receive the protections necessary to survive and recover in the wild, and we expect to launch litigation in the coming weeks and months.

These two decisions likely foretell the Service’s strategy on Greater sage-grouse, too: deny science, disparage data on population declines, elevate speculative and

unproven conservation measures, and “cross my fingers and hope to die.”

Fortunately, a series of recent efforts make the Service’s scheme



Sage-grouse—Gary Grimm

unlikely to prevail. In March 2015, a group of leading scientists sent a letter to Secretary Jewell identifying the minimum conservation efforts needed to protect and enhance Greater sage-grouse. These 11 scientists expressed “concern that federal agencies appear to be abandoning science-based

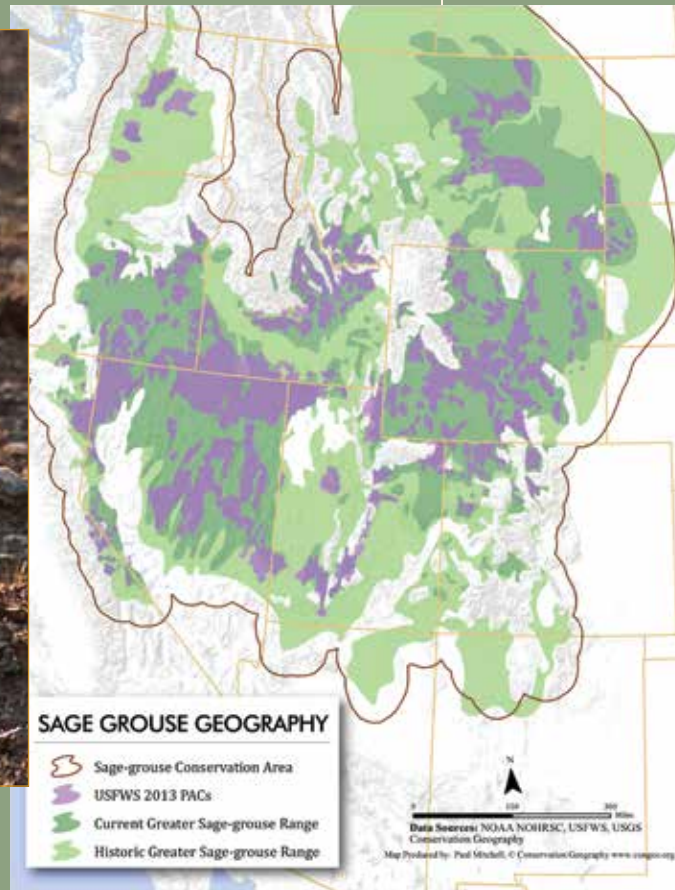
conservation measures reflected in the published scientific literature ... in favor of more elastic, subjective measures.” These scientists warned

Secretary Jewell that a course correction was needed if there is any reasonable hope to protect Greater sage-grouse outside an ESA listing.

Moreover, a new population

analysis confirms these scientists’ concerns, showing that populations continue to collapse across the range, with a 56% decline in Greater

sage-grouse populations over the last six years alone. The researchers noted that this analysis should “ring alarm bells,” and this research indicates that the absence of significant protections will cause irreparable harm to Greater sage-



Planning for Extinction: The Shrinking Realm of the Greater Sage-grouse. Developed by the USFWS, a Conservation Objective Team (COT) was assembled of state experts and Service representatives to identify conservation priorities for the Greater sage-grouse. Among these was the delineation of Priority Areas for Conservation (PACs) that embraced the “various concepts of key habitat” that exists across the western states. The PACs are depicted in this map alongside the current and historic distribution of Greater sage-grouse. – Map and information from Paul Mitchell, Conservation Geography

These scientists warned Secretary Jewell that a course correction was needed if there is any reasonable hope to protect Greater sage-grouse outside an ESA listing.

grouse and the entire sagebrush steppe region.

Based on our assessment, we are not optimistic that the federal agencies will have the courage to follow these scientists’ recommendations, and adopt significant, new conservation measures protecting Greater sage-grouse. Indeed, in light of these Gunnison and Bi-state decisions – as well as public statements of Service officials – the Service’s position on Greater sage-grouse appears to be hardening against protecting this species under the ESA.

So, **Advocates for the West** will fall back on what we do best – using science and law to protect and enhance Greater sage-grouse populations and habitat. It should be fun. 🐦

Staff News

Farewell from Staff Attorney Liv Brumfield

“Beginning in June, I will move to a new job as the field representative on environmental, natural resources, and agriculture issues for US Congressman Earl Blumenauer. In this new position, I will continue to fight for the values we care about, using all that I have learned here at **Advocates for the West**.



It has been an absolute honor and a privilege to work with Laurie throughout my tenure at **Advocates for the West**. With her expert guidance, I’ve developed my skills in legal analysis, factual development, strategic thinking, and legal writing. And hopefully, I’ve helped protect imperiled species like the shortnose sucker, bull trout, and Oregon spotted frog along the way!

I am so grateful for the opportunity to learn from Laurie and the rest of the stellar **Advocates for the West** team. Indeed, this organization makes positive, meaningful, lasting impacts on multiple beneficiaries: on our public lands and imperiled

species, on our air and water, and on young attorneys like me – impassioned and empowered to fight for our natural world.

Thank you to the **Advocates for the West** staff, board, and supporters for your contributions to this cause; I am privileged to have been among your ranks.”

Welcome to the Team!

Talasi B. Brooks graduated from the University of Montana School of Law and the University of Montana’s Environmental Studies Graduate program in 2013. She joined **Advocates for the West** as Associate Attorney in December 2014 after a year clerking for Justice Michael E. Wheat at the Montana Supreme Court.



Within two months of her arrival in Boise from Missoula, Montana, Talasi was counsel of record, along with our senior attorneys, in two major cases: challenging Wildlife Services’ wanton killing of Idaho’s wildlife, and challenging the US Fish & Wildlife Service’s decision to list the critically-imperiled Gunnison sage-grouse as threatened rather than endangered.

Since Talasi has been here, she has been digging for information

that will shine light upon Wildlife Services’ Idaho activities, as well as pursuing all opportunities (including through some very early-morning field trips) to learn about sage-grouse.

Talasi is thrilled to join the team and looks forward to exploring Boise’s trails, backpacking in the Owhyees and Sawtooths, and taking advantage of all the outdoor opportunities Idaho has to offer.

Marc Shumaker is pleased to join **Advocates for the West** as a Legal Fellow to help protect Idaho’s wild and scenic rivers. Marc graduated in 2014 from



Stetson University College of Law, during which time he worked as a legal intern for the New York Attorney General’s Environmental Protection Bureau, the Department of the Interior’s Office of the Solicitor, and the National Oceanic and Atmospheric Administration.

Before law school, Marc worked for over 11 years as a forester for the Bureau of Land Management in Coeur d’Alene. Marc is using his forestry background to help **Advocates for the West** fight serious threats to the Middle Fork Clearwater, Lochsa, and Selway Wild and Scenic River Corridor.

Lizzy Zultoski joins **Advocates for the West**’s

Portland office after nearly four years as an associate attorney at Smith and Lowney, a public interest law firm based in Seattle. There, she focused on clean water, wildlife, and fossil fuel issues while representing organizations and individuals in varying capacities.



Lizzy earned her J.D. from Lewis and Clark Law School and was inducted into the Cornelius Honor Society in 2010. She also earned a Master of Laws (LL.M.) in Environmental Law, cum laude, from Lewis and Clark in 2011. Lizzy also holds a B.A. in Environmental Studies with a concentration in Biology from Denison University.

Lizzy says of her new position: “I am looking forward to joining **Advocates for the West** and its excellent team in July. Through hiking, backpacking, canoeing, and skiing, I developed a strong connection to Oregon’s high desert and a deep concern about lax regulation on our public lands. I am excited to work with our incredible clients to protect public lands, wildlife, and waterways from development and disruptive activities that threaten important

landscapes throughout the West.”

Laura Hampikian says that the best part about working at **Advocates for the West** as our new Operations Manager is by far the people: “What stands out about this organization is not just that the lawyers deeply care about what they’re doing, but that they get stuff done! From going after Wildlife Services to enforcing regulations that no one else has the ability to do, **Advocates for the West** is the organization that people turn to when something needs to be done to change the status quo. I’m honored to be welcomed to this team, and can’t wait to see what we do next.”



Meet Our Summer Interns

Tyler Lobdell is a student at Lewis and Clark Law School in Portland, where his wife works for the Tryon Creek Watershed Council. Before entering law school, Tyler spent 9 years working for conservation and environmental education nonprofits throughout



the United States. He is very excited to be interning with **Advocates for the West** because of its focus on fighting for the preservation of Idaho’s unparalleled natural treasures. He will be working with the Boise office until August.

Ethan Bodegom is interning with **Advocates for the West’s** Portland office because it is an exciting opportunity to spend the summer working to protect the natural wilderness of the West that he loves so much. As a native of Portland, he has a great appreciation for the natural beauty of the West and a strong desire to preserve and protect it for future generations. In particular, he’s excited to be working with Laurie Rule to protect the endangered and threatened fish of the Lemhi River Valley in Idaho from the dangers presented by grazing and water diversions.



In Memory of Scott W. Reed – Idaho’s Environmental Law Pioneer

Scott and Mary Lou Reed moved to Coeur d’Alene, Idaho in 1956, looking for the good life. They found it, and together made it an even better life for those that came later.



Scott believed that “a law is a tool designed by civilized men” and challenged us to behave in a civilized manner toward the earth. As he always said, “no one does this work alone.” But he was responsible – in large part – for stopping the Swan Falls–Guffey Dam on the Snake, and a proposed fish farm on Silver Creek. He argued 60 cases before the Idaho Supreme Court, and his work laid the foundation for

Idaho’s public trust doctrine and helped lead to the adjudication of state water rights.

Scott was also an organizer. With the support of others, he banned dredge mining on much of the St. Joe, the Salmon, and all of the Middle Fork Salmon and its tributaries, and was part of the effort to designate the St. Joe as a federal Wild and Scenic River. He was on the Idaho Water Resource Board for 12 years and was largely responsible for negotiating the terms of our state’s stream channel alteration protections and minimum stream flow program.

Scott Reed died this year at the age of 87, his wife Mary Lou and family at his side. He was a mentor and inspiration to all environmental attorneys across the West. At **Advocates for the West**, we still strive to implement his vision.

Scott W. Reed Memorial





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