

**WESTERN WATERSHEDS PROJECT
NEWS RELEASE**

**“Grazing-As-Usual” To End On Over 600,000 Acres Of Public Land in
Southern Idaho**

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An Idaho federal court has ordered that “grazing-as-usual” must end in southern Idaho to protect wildlife following the massive 2007 Murphy Complex Fire.

In a ruling issued late Thursday February 26, 2009, Chief U.S. District Judge B. Lynn Winmill granted an injunction to Western Watersheds Project over BLM grazing management on 36 allotments covering more than 625,000 acres of public lands in the Jarbidge Resource Area of southern Idaho.

Western Watersheds sought the injunction after the 2007 Murphy Fire burned more than 600,000 acres in Idaho and Nevada. As the district court held, the fire was “catastrophic” in its impacts on wildlife habitat – including by burning 70% of remaining sage grouse habitat in the Jarbidge area. As a result of these losses, Idaho Fish and Game surveys found sharply reduced numbers of sage grouse during 2008.

Despite these losses, BLM continued to authorize livestock grazing on the last remaining unburned sagebrush habitats in the Jarbidge area – asserting that it had no legal authority to change grazing. WWP went to court after BLM refused to alter grazing to protect remaining sage grouse and other wildlife in the unburned areas after the fire.

After holding a two-week trial during which WWP called leading sage grouse and other experts, the federal court issued a detailed 81-page ruling rejecting BLM’s legal position as “**plainly erroneous.**” (Decision, ¶ 65).

Citing the “large scale habitat losses” that have occurred in the Jarbidge area, the court ruled, “**Grazing-as-usual cannot continue in the unburned areas.**” (Decision, ¶ 72). The court ordered BLM to “maintain or enhance” habitat for sensitive wildlife species, including sage grouse; and that BLM must “ensure” that wildlife goals and watershed needs “will be satisfied” before allowing any increases in grazing. (Decision, ¶ 76).

“This ruling confirms basic common sense,” said WWP’s Executive Director, Jon Marvel. “Wildlife suffer from loss of habitat, and after a catastrophic event like the Murphy

Fire, we have to protect remaining habitats or we are going to lose imperiled wildlife populations entirely. We are pleased that Judge Winmill recognized that BLM's grazing-as-usual is harmful to wildlife, and that he ordered BLM to protect sage grouse and other wildlife in the Jarbidge area."

"This is an important legal ruling," added WWP's lead attorney Laird Lucas, "because fires, weeds, grazing, and other forces are causing widespread losses of sagebrush habitat around the West. Climate change will only make the situation worse. It is vital that we move past the old ways of managing our public lands which harm wildlife and water resources. The court's ruling forces BLM to acknowledge this reality."

The next step is for BLM to develop new management plans that will protect sage grouse and other sensitive wildlife species. That process is expected to occur quickly in coming weeks; and WWP plans to be deeply involved in helping BLM in that process.

"Unlike the Bush Administration, which had a long record of suppressing science, we expect the Obama Administration to allow its biologists and other experts to determine what wildlife need in order to survive and recover following catastrophic events like the Murphy Fire," said Marvel. "We look forward to working with the BLM and our own scientists to come up with new plans that restore habitat and protect remaining sage grouse and other wildlife populations."