

ADVOCATES
for the WEST

2021

ANNUAL REPORT

*Winning for the West's
natural treasures and wildlife.*

Dear Friends,

We're living in a time of unprecedented change. Native species and their habitats face threats from a changing climate. We're losing biodiversity at an alarming rate. All the while, the pandemic has redefined how we live, work, and interact.



Yet, in the face of change comes opportunity to adapt and improve. Thanks to your support, *Advocates for the West* remains ready to fight—and win—for the sensitive species and special places that need it most. As you will see within the pages of this Annual Report, we won several landmark victories in the last year, reversing damaging Trump-era decisions that threatened our extraordinary landscapes and iconic wildlife. And we have many more challenges pending in federal courts across seven western states and Washington, D.C.

We're stronger than ever as an organization. During 2021, our Diversity, Equity, and Inclusion task force helped us develop a deeper understanding of the people and communities impacted by our work, and we attracted our largest cadre yet of young law clerks and externs to help us mount winning legal battles. We ended 2021 on solid financial footing even as we continued to expand our staff, and brought on new clients and partners in our joint efforts to protect the West.

Most importantly, we have a strong and growing family of supporters—people like you—committed to defending the West. You inspire us. You give our work meaning and direction. Thanks to your generosity and enthusiasm, *Advocates for the West* can and will continue to work hard to confront the biggest environmental legal challenges of our time. There is still much work to be done.

In the next year, we must continue to ensure the Biden administration lives up to its promises and confronts existential threats. We will continue our legal challenges to sweep away Trump-era policies and decisions that still threaten to degrade and destroy the West's most iconic places, imperil fish and wildlife, and diminish public participation. We will foster and embrace a conservation community that prioritizes diversity, inclusion, equity, and justice. And we must remain vigilant in spotting new threats as they emerge.

In the pages that follow, you will find examples of the important work we're doing to safeguard special places, protect iconic wildlife, bring back healthy and wild rivers, challenge industrial development of our public lands, and defend biodiversity. As we head into 2022, we're excited and inspired to continue bearing that torch by providing dedicated and strategic legal counsel, free of charge, to defend the West's iconic landscapes, native species, and communities.

We're there to meet the challenge. And we couldn't do it without you.

With immense gratitude,

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PROTECTING FISH AND RIVERS IN THE PACIFIC NORTHWEST

Upper Willamette Salmon and Steelhead (OR):

In a strongly-worded order enforcing the Endangered Species Act (ESA), the Oregon federal court directed the Army Corps of Engineers to take multiple actions to protect threatened salmon and steelhead in the Upper Willamette Basin by modifying its management of eight dams and reservoirs to provide for fish passage and flows needed by these deeply-imperiled fish species.

Hells Canyon Complex Water Quality (ID, OR):

Representing the Nez Perce Tribe, we hammered out a settlement requiring the Oregon Department of Environmental Quality to address poor water quality stemming from Idaho Power's Hells Canyon dams on the Snake River, and to begin salmon reintroduction efforts in Oregon's Wallowa Lake. Located within the Tribe's aboriginal homeland, the Hells Canyon dams block salmon migration and increase mercury and other pollutants that threaten fish and humans alike.

Sawtooth Diversion Dams (ID):

We successfully defended our 2019 Idaho district court victory ordering the U.S. Forest Service to conduct ESA consultation over two dozen diversions in Idaho's Sawtooth Valley that threaten imperiled salmon, steelhead, and bull trout. The Ninth Circuit Court of Appeals rejected an irrigator group's appeal, which argued their antiquated diversions need not be modernized to provide for fish passage and stream flows vital to the fish.

Sage Hen Logging (ID):

We filed suit against the Forest Service for failing to comply with environmental laws in its rush to approve extensive road construction, logging, thinning, and prescribed fire as part of the 20-year, 68,000-acre Sage Hen Integrated Forest Restoration Project, located on the Boise National Forest. The suit also names the U.S. Fish and Wildlife Service for failing to protect the highly imperiled bull trout in the project area.

Bonneville Power Administration (ID, OR, WA):

We won a victory ordering the Bonneville Power Administration (BPA) to quickly produce records vital to public participation in decision-making processes involving the Federal Columbia River Power System. In this precedent-setting victory, the court found BPA violated the Freedom of Information Act (FOIA) in failing to produce documents about its fish and wildlife costs and power contract negotiations with long-term wholesale customers.

Suction Dredge Mining on the Clearwater River (ID):

We won a resounding victory holding that California miner Shannon Poe—a leader of the anti-federal American Mining Rights Association—violated the Clean Water Act (CWA) in refusing to get a permit for suction dredge mining on the South Fork Clearwater River in Idaho over multiple years between 2014 and 2018. Suction dredge mining degrades water quality and destroys habitat for ESA-listed salmon, steelhead, and bull trout. This action has forced Poe and other suction dredge miners to comply with the CWA by getting valid permits that limit their dredging activities. Now we're moving for penalties and remedies over Poe's violations.

Crooked River (OR):

We sued the Bureau of Reclamation (BOR) for failing to disclose documents under FOIA over its renegotiation of water storage contracts for reservoirs on Oregon's Crooked River, in the Deschutes River basin, where Congress has required that water be allocated to protect instream flows and fisheries. We then reached a settlement agreement requiring BOR to provide the documents, and are now monitoring to ensure that new BOR contracts respect the Congressional instream flow and fisheries directives.

Stibnite Mine (ID):

Advocates for the West is representing the Nez Perce Tribe in a major Clean Water Act case against Perpetua Resources (formerly Midas Gold) over unpermitted pollutant discharges at the Stibnite Mine site, where Perpetua has proposed to develop a new massive mine, which would entail decades of mining in the headwaters of the South Fork Salmon River and leave a permanent legacy of tailings ponds and toxic mining wastes on the edge of the Frank Church-River of No Return Wilderness. Our CWA litigation was in court-ordered mediation during 2021, while we also assisted the Tribe and conservation groups in monitoring the Forest Service's environmental review of the proposed mine.



PROTECTING ICONIC WILDLIFE

Endangered Southern Mountain Caribou (ID):

We successfully upheld a ban on the use of snowmobiles in certain high-elevation areas of the Idaho Panhandle National Forest that provide important habitat for the endangered southern mountain caribou. The court denied a motion to dissolve a decade-old order to protect the critically endangered caribou from habitat loss and disturbance caused by snowmobiles.

Wintering Wildlife (ID):

We are fighting to protect winter habitat for mountain goats, wolverines, and lynx by continuing to defend a travel plan for the Fairfield Ranger District on the Sawtooth National Forest challenged by snowmobile interests. The plan we are defending would close a portion of the area to snowmobile use to protect the habitat of these sensitive species.

Sheep Experiment Station, Centennial Mountains (ID):

We won a victory holding that the U.S. Department of Agriculture's Sheep Experiment Station violated the National Environmental Policy Act (NEPA) in failing to address risks of domestic sheep grazing to grizzly bears and bighorn sheep in the Centennial Mountains, the "High Divide" linking the Greater Yellowstone ecosystem to the Bitterroots and other parts of the northern Rockies. As a result of that ruling, the Sheep Station indefinitely closed sheep grazing on its allotments in the Centennials outside of Yellowstone.

Okanogan-Wenatchee Bighorn Sheep (WA):

We are continuing to fight for protection of bighorn sheep from domestic sheep grazing on the Okanogan-Wenatchee National Forest. Despite recognizing that a new NEPA analysis is needed, the agency thus far has failed to do so and continues to authorize grazing on the allotments.

Killing of Native Predators (ID):

We continue to challenge rogue federal agency USDA Wildlife Services' killing of native predators in Idaho, including wolves, coyotes, mountain lions, and black bears. We previously reached a settlement prohibiting Wildlife Services from conducting wolf killing in Idaho wilderness areas and the Sawtooth National Recreation Area, and banning use of M-44 cyanide bombs in Idaho while it conducts a full environmental review. Our current action challenges the agency's reliance on unscientific and badly-outdated prior reviews to justify ongoing killings of coyotes and other native wildlife.

Colville Wolves (WA):

We remain steadfast in challenging the Forest Service's failure to protect gray wolves in the Colville National Forest. In failing to follow its own regulations requiring an analysis of conflicts between livestock ranching and wildlife, the agency has allowed for the total elimination of five separate wolf packs over the last decade.



CHALLENGING INDUSTRIAL DEVELOPMENT ON PUBLIC LANDS

Sage-Grouse Habitat Oil & Gas Leasing (WY, MT, UT, NV):

Our latest win in this major case challenging the Trump administration's issuance of thousands of oil and gas leases in priority sage-grouse habitats found that the Bureau of Land Management violated environmental disclosure and review requirements in approving 605 leases in Wyoming and Montana in 2017. That win followed a prior ruling holding another 660 leases invalid based on Trump administration violations of environmental laws. We are now challenging a third set of Trump oil and gas leases in priority sage-grouse habitats, even as we defend the prior rulings on appeals from states and industry.

Sage-Grouse Plan Rollbacks, Mining (NV, ID):

We won a strong victory for sage-grouse when the court ruled the Trump Bureau of Land Management acted unlawfully in cancelling an Obama administration proposal to withdraw 10 million acres of highest priority sage-grouse habitats from new mining claims, mostly in Nevada and Idaho. In response to the ruling, the Biden administration is now moving forward with the 10-million-acre mineral withdrawal proposal.

Western Slope, Uncompahgre Field Office (CO):

We sued in Colorado federal court to challenge the Bureau of Land Management's land use plan for the Uncompahgre Field Office, where the Trump administration blocked grassroots efforts to protect local communities and numerous special places and instead allowed oil and gas development throughout virtually the entire planning area on the western slope of Colorado.

The "Lands Between" Oil & Gas Leases (UT):

We filed suit challenging the Bureau of Land Management for two Trump-era oil and gas lease sales in an unprotected archaeological expanse between Bears Ears and Canyons of the Ancients National Monuments, dubbed the "Lands Between." The agency failed to adequately consult with Tribes or ensure protection of cultural resources.

Salmon-Clearwater Divide (ID):

We filed suit to stop two massive logging projects in the Salmon-Clearwater Divide in an area that provides habitat for fisher, salmon, steelhead, and grizzly bears, among other at-risk species. The Forest Service approved the two projects, "End of the World" and "Hungry Ridge," based on the misguided notion that to save the forest and its wildlife, you have to log it.

Caldwell Canyon Phosphate Mine (ID):

We filed suit challenging a decision by the Trump administration to greenlight the Caldwell Canyon open-pit phosphate mine expansion in southeast Idaho. The mine expansion would destroy 1,559 acres of ecologically important land for native species such as the imperiled greater sage-grouse, including breeding and nesting grounds for the small and declining East Idaho Uplands sage-grouse population.

 **DEFENDING SPECIAL PLACES**

Point Reyes National Seashore (CA):

We are challenging the National Park Service’s new management plan that will perpetuate and expand commercial livestock and dairy operations at Point Reyes National Seashore at the expense of native tule elk and other wildlife. Our prior victory requires the Park Service to issue a plan that protects the natural and wildlife values of the National Seashore, which the new management plan fails to do.

Red Cliffs National Conservation Area (UT):

We are fighting a Trump-era decision approving plans to punch a four-lane highway through the Red Cliffs National Conservation Area in southwest Utah that would pave over a protected, sensitive, scenic desert paradise, violating bedrock environmental and cultural resource protection laws. In addition, the region contains critical habitat for the threatened Mojave desert tortoise.

Bears Ears & Grand Staircase-Escalante National Monuments (UT):

While we take heart in President Biden restoring the boundaries of Bears Ears and Grand Staircase-Escalante National Monuments after President Trump unlawfully slashed these boundaries in 2017, we continue to assist Conservation Lands Foundation in the pending D.C. federal court litigation challenging Trump’s proclamations. This includes helping develop challenges to management plans for the areas, which would further open them to mining, roads, livestock grazing, and other threats.

San Pedro Riparian National Conservation Area (AZ):

In Arizona federal court, we are fighting a Trump-era plan to open the San Pedro Riparian National Conservation Area to extensive livestock grazing, threatening critical habitat for imperiled species including ocelot, jaguar, southwestern willow flycatcher, desert pupfish, Gila topminnow, western yellow-billed cuckoo, and the

northern Mexican gartersnake. In 2020, we filed suit over the new management plan for the area, which Congress designated to protect the high-value riparian habitats along the San Pedro River in Arizona.

Sonoran Desert National Monument (AZ):

We also filed suit against the Bureau of Land Management in Arizona for failing to protect the native plants, wildlife, and cultural resources within the Sonoran Desert National Monument from the impacts of livestock grazing, which are particularly devastating in this arid landscape. This suit challenges the agency’s 2020 land management decision, rushed through under the Trump administration, which opens up the entire monument north of Interstate 8 to livestock grazing, despite extensive scientific evidence that grazing damages the very resources the monument status is intended to protect.

Bar X, Mogollon Rim (AZ):

We continue to challenge the Forest Service in our second case against the agency for allowing heavy cattle grazing on previously over-grazed lands in a pristine corner of the Tonto National Forest in Arizona that contains important habitat for wildlife. In 1979, the Tonto National Forest closed much of the Bar X allotment due to severe overgrazing, but now the agency is approving new grazing without showing that the habitat has fully recovered.

Kilgore Mine in Centennial Mountains (ID):

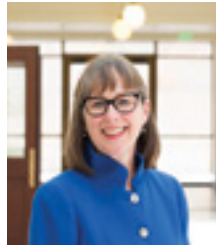
We continue to challenge the Kilgore Mine gold exploration project in the Centennial Mountains. The Caribou-Targhee National Forest failed to evaluate potential impacts to ground water and surface water from the Kilgore Project, which proposes to construct new roads and drill dozens of bore holes in the “High Divide” linking Yellowstone National Park to wilderness and roadless areas vital to migrating grizzly bears and other sensitive species.

Duck Creek (UT):

We are challenging the Interior Board of Land Appeals’ (IBLA) decision to allow ecologically destructive livestock grazing on the Duck Creek allotment in Utah. Historically, this area provided vital habitat for many iconic wildlife species, including greater sage-grouse, but has suffered years of damage due to over-grazing. The case is currently before the Tenth Circuit Court of Appeals.



For more information on these and other important cases, please visit: AdvocatesWest.org/Cases



Much like 2020, 2021 was a year of unprecedented crisis that impacted us all. It is with deep gratitude that I thank all of the amazing supporters, partners, and friends of *Advocates for the West*, and our board and staff. The resiliency of *Advocates for the West* and the nonprofit community at large through these

historic and turbulent times has been an inspiration to me, and I hope to you too. I feel a new-found sense of gratitude for our connections and relationships, and a strong desire to rekindle those bonds, and reach out to begin developing new ones. We all need one another.

Despite the global pandemic and all the challenges that have come with it, *Advocates for the West* has done far

more than endure. Remarkably, we have adapted and emerged even stronger than before and, thanks to your support, we are thriving. We continue to excel at our mission of winning for the West and protecting the special places and wildlife that we cherish now and for the future. Take pride in these important victories over the past year that you made possible. And let's savor with gratitude our connections.

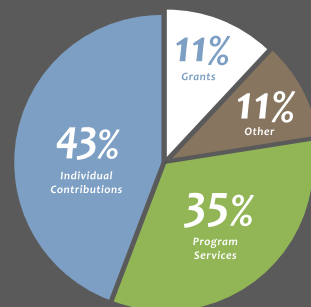
Deborah Ferguson, Board Chair

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FINANCIALS

January 2021 - December 2021

Income

Individual Contributions	\$ 904,438.08
Grants	\$ 235,000.00
Program Services	\$ 719,448.65
Other	\$ 223,990.85

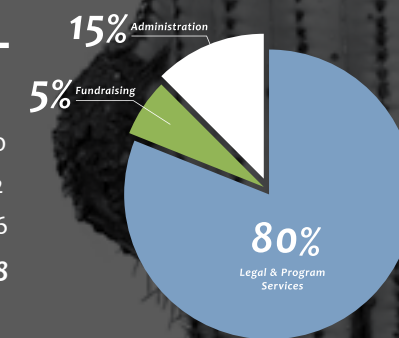
***Total Income \$2,082,877.58**

Expense

Legal & Program Services	\$ 1,453,731.50
Fundraising	\$ 90,858.22
Administration	\$ 272,574.66

***Total Expense \$1,817,164.38**

*Unaudited financial results; subject to revision. Does not include increase in asset values.



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The following is a complete list of donors, foundations, businesses, and clients who made financial and in-kind contributions to *Advocates for the West* in 2021. We value each of our supporters equally, and therefore list all our donors in alphabetical order rather than in order of gift amount. Thank you for your generosity! We could not accomplish our work without you at our side.

*Names marked with an asterisk are members of the Sage Society – our monthly giving club. Find out more at: AdvocatesWest.org/Sage-Society

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In Memoriam

The following members of our
conservation community passed on
in 2021 and will be deeply missed.
This list is complete to the best of our
knowledge; we sincerely apologize
for any oversights.

Barbara Haak
Marjorie Traub

Volunteers & Experts

The following supporters gave
generously of their time and
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Advocates for the West thanks our 2021
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We wish them success in their pursuits!

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Special thanks to our guest artist, Mark Lisk, whose photography is featured within the pages of this annual report. Mark lives in Boise, ID and has long roamed the deserts, mountains, and river canyons of the American West by foot. He is a graduate of Brooks Institute of Photographic Arts, and his photographs stand-alone within five books, *Idaho Impressions* (1997); *Salmon River Country* (2005); *Desert Water* (2005); *Idaho-Portrait of a State* (2007); *Owyhee Canyon Lands* (2008); and *Void* (2013). Mark's searchable stock photographs also can be found at www.markliskphotography.com.