# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>pg. 3</td>
</tr>
<tr>
<td>Agency Oversight</td>
<td>pg. 5</td>
</tr>
<tr>
<td>Advocacy and Education</td>
<td>pg. 17</td>
</tr>
<tr>
<td>ATVs/OHVs/OSVs/Mountain Bikes</td>
<td>pg. 19</td>
</tr>
<tr>
<td>Fisheries</td>
<td>pg. 21</td>
</tr>
<tr>
<td>Livestock Grazing</td>
<td>pg. 25</td>
</tr>
<tr>
<td>Mining</td>
<td>pg. 35</td>
</tr>
<tr>
<td>Oil and Gas</td>
<td>pg. 42</td>
</tr>
<tr>
<td>Logging/Vegetation Treatments</td>
<td>pg. 44</td>
</tr>
<tr>
<td>Watersheds</td>
<td>pg. 56</td>
</tr>
<tr>
<td>Wildlife</td>
<td>pg. 59</td>
</tr>
<tr>
<td>Other</td>
<td>pg. 70</td>
</tr>
</tbody>
</table>
INTRODUCTION

Yellowstone to Uintas Connection (Y2U) continues to participate in the National Environmental Policy Act (NEPA) by submitting science-based comments on many Forest Service (FS) and Bureau of Land Management (BLM) project scoping and decisions. Y2U also provides feedback on agency monitoring protocol and works towards creative solutions to help these underfunded agencies accomplish their stated conservation and restoration goals.

During 2021, Y2U submitted comments on twenty-seven (27) Environmental Impact Statements, Environmental Assessments and Categorical Exclusions for proposed projects occurring in the Ashley, Beaverhead-Deerlodge, Bridger-Teton, Boise, Bitterroot, Caribou-Targhee, Dixie, Fishlake, Flathead, Manti-La Sal, Nez Perce-Clearwater and Uinta-Wasatch-Cache National Forests. The proposed projects included ATV/OHV trails, grazing and grazing improvements, logging, mountain bike trails, mining, stream rehabilitation and vegetation treatments.

During 2021, Y2U filed three (3) Objections/Protests to FS and BLM public land management decisions in the Caribou-Targhee and Beaverhead-Deerlodge National Forests including, one regarding a federal land exchange for a phosphate mine in Southeast Idaho, one regarding a gold mine, and one regarding a “vegetation treatment” project.

Y2U also filed four (4) Notices of Intent (NOI) to litigate public land management decisions by the US Forest Service and the US Fish & Wildlife Service during 2021. One regarding the authorization of the killing of 72 Grizzly bears in the Wind River Range of the Bridger-Teton National Forest, one regarding a proposed natural gas pipeline that is routed through Idaho Roadless Areas and Wilderness Study Areas and critical/potential Canada Lynx habitat in the Caribou-Targhee National Forest, one regarding a Forest Service decision log and burn 67,800 acres of critical and linkage habitat for Canada Lynx and Grizzly Bear, and one regarding another Forest Service decision log and burn 49,000 acres of critical and linkage habitat for Canada Lynx and Grizzly Bear.

On March 31st, 2020, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and Western Watersheds Project, filed a lawsuit against the Secretary of the Interior David Bernhardt, the U.S. Fish and Wildlife Service, and the U.S. Forest Service for the 2019 decision to allow 72 federally-protected grizzly bears to be killed for the sake of public lands livestock grazing operations in the Upper Green River area of the Bridger-Teton National Forest. To view the comments, the Notice of Intent, or the Complaint, please visit our web page at the following link: https://www.yellowstoneuintas.org/issues/science/item/124-crow-creek-pipeline-project

On November 29th, 2021, we filed our opening merits brief and declarations. See more detail regarding this litigation in the Grazing section of this report.

On April 20th, 2020, Yellowstone to Uintas Connection and the Alliance for the Wild Rockies filed a lawsuit against the Secretary of the Interior David Bernhardt and the U.S. Forest Service to stop the Forest Service's decision to allow construction of the Crow Creek pipeline through six National Forest Inventoried Roadless Areas in southeast Idaho. To view the comments, the Notice of Intent or the Complaint please visit our web page here. On March 8th, 2021, a federal court in Idaho ruled that a legal challenge to a natural gas pipeline can proceed. On June 15th, 2021, Y2U and Alliance for the Wild Rockies filed a motion to supplement the administrative record. On July 27th, 2021, the plaintiffs filed a brief for the Crow Creek Pipeline case. See more detail regarding this litigation in the Oil and Gas section of this report.
On December 8th, 2020, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies and Native Ecosystems Council filed a lawsuit against the Secretary of the Interior David Bernhardt and the U.S. Forest Service to stop the Forest Service’s decision to authorize the Middle Fork Henry’s Aspen Enhancement Project. On December 11th, 2020, Y2U and the Alliance for the Wild Rockies filed a 60-Day Notice of Intent to Sue under the Endangered Species Act. On February 22nd, 2021, the project was halted by the Forest Service as a result of litigation filed by Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and Native Ecosystem Council. To view the comments, the Notice of Intent or the Complaint please visit our web page at the following link: https://www.yellowstoneuintas.org/issues/science/item/133-middle-henry-s-fork-aspen-enhancement-project See more detail regarding this litigation in the Logging/Vegetation Treatments section of this report.

On January 19th, 2021, Yellowstone to Uintas Connection, the Center For Biological Diversity, WildEarth Guardians, Western Watersheds Project, and Rocky Mountain Wild filed a lawsuit for declaratory and injunctive relief to challenge Federal Defendants’ unlawful approval of nine Resource Management Plans (“RMP”) and related projects including Dairy Syncline (Mining section of this report) and Gemini Solar Project (Other section of this report), which govern the management of more than 6.5 million acres of public lands and minerals, because Defendant William Perry Pendley’s exercise of the duties of Acting Director of the U.S. Bureau of Land Management (“BLM”) was unlawful under the Appointments Clause, U.S. Const. art. 2, § 2, cl. 2; the Federal Vacancies Reform Act of 1998, 5 U.S.C. §§ 3345 et seq. (“FVRA” or “Act”); and the Administrative Procedure Act, 5 U.S.C. §§ 701 et seq. (“APA”). This includes the Dairy Syncline phosphate mining project and the Gemini Solar project. To view the complaint, see our web page at the following link: https://www.yellowstoneuintas.org/issues/science/item/123-simplot-company-s-proposed-dairy-syncline-mine

On September 9th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council and Wildlands Defense filed a 60-Day Notice of Intent to Sue under the Endangered Species Act. On November 1st, 2021, we filed a lawsuit against the Boise National Forest Supervisor, the Chief of the United States Forest Service and the US Forest Service for the Sage Hen Project (See in Logging/Vegetation Treatments Section). On November 15th, 2021, we filed an amended complaint to include the ESA issues.

Y2U also currently has a legal review in process for the Dell Creek Feedground Project (Wildlife section of this report) and the Pintler Face Project (Logging/Vegetation Treatments section of this report). We intend to litigate both of these projects and their impact on the overall function and health of the Yellowstone to Uintas Wildlife Corridor.

During 2021, Y2U also sent twenty-six (26) letters and comments to the President of the United States, the Council on Environmental Quality, the US Dept. of Agriculture, the US Dept. of Interior, the US Senate, and the US House of Representatives, regarding proposed and past administration changes in the Endangered Species Act, National Environmental Policy Act and other environmental laws, regulations agency directives, protocol and policy, following the 2021 change in administration.

Y2U will continue to be the voice for wildlife and habitat connectivity throughout the Corridor. We will continue to advocate for the use of sound science in land management decisions and when necessary, we will support litigation efforts to oppose projects that are projected to have a negative impact on wildlife and habitat.
Jan 27, 2021, Executive Order on Tackling the Climate Crisis and Development of Guidelines for Protected Areas

**Status**
On April 14th, 2021, Yellowstone to Uintas Connection as well as an additional 30 conservation organizations and individuals throughout the country submitted comments regarding the Protection of 30 percent of our lands and waters by 2030 in accordance with the January 27, 2021, Executive Order. These comments are science-based and provide on the ground examples of current Forest Service management that is causing loss of carbon sequestration and destruction of soils, streams, wildlife habitats, wildlife corridors, and biodiversity. These outcomes are in opposition to the desired outcomes of the Executive Order and require major changes in current Forest Service and other public lands management if the stated goals are to be achieved.

Other public lands such as National Parks, Wildlife Refuges, National Monuments, and Bureau of Land Management managed lands also do not meet sufficient criteria to be deemed "protected" as they are subject to many of the same damaging practices delineated in our comments about the National Forests. These practices include, but are not limited to logging, thinning, prescribed fire, sagebrush and juniper removal, excessive road density and off-road vehicle use, livestock grazing and other extractive uses. These are causing loss in carbon storage, increasing carbon emissions and exacerbating climate change. We note that Federal managed public lands account for about 30% of the land base and are uniquely suited for the changes needed to achieve the climate, biodiversity, and other goals of the Executive Order.

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**Caribou-Targhee National Forest Current and Recent Projects**

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<thead>
<tr>
<th>Developing Proposal</th>
<th>Purpose</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Fleming Canyon Trail (#4079) Reroute</td>
<td>The proposed action would utilize an old sheep herder trail that is already on a fairly sustainable grade and would take minimal work to bring it up to Forest Service standard for a trail class 3 single track motorized trail.</td>
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<tr>
<td>Lake Canyon Trail (FS#206) Project</td>
<td>Reroute approx. 3/10 of a mile at head of canyon putting it on a grade of 5 to 10%. Close and rehab old segment to eliminate eroding section of trail. Reroute 2/10 of a mile at mid trail to eliminate rock hazards.</td>
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</tbody>
</table>
We understand that on behalf of the Climate Task Force, the Department of Interior is tasked with producing guidelines for determining the lands and waters to be deemed as "conserved" or "protected" for the purpose of achieving the goals of 30% protection by 2030. To view the full set of comments please visit our website at this link: https://www.yellowstoneuintas.org/news/item/158-comment-on-january-27-2021-executive-order-on-tackling-the-climate-crisis-and-development-of-guidelines-for-protected-areas

Alaska Roadless Rule FEIS Comment Letter

Status
Yellowstone to Uintas Connection, along with a group of environmental organizations throughout the country and on behalf of their millions of members and supporters to voice our strong opposition to the Forest Service’s selection of the “full exemption” alternative contained in the Final Environmental Impact Statement (FEIS) for the proposed Alaska state-specific roadless rule. We instead urged the Forest Service to select the “no action” alternative that would leave intact existing protections for the over 9 million acres of the Tongass National Forest currently protected by the National Roadless Area Conservation Rule, or Roadless Rule.

On November 23, 2021, the U.S. Department of Agriculture (USDA) announced it is taking steps to repeal the 2020 Alaska Roadless Rule and restore protections to more than nine million acres of inventoried roadless areas on the Tongass National Forest. The Alaska Roadless Rule, approved on Oct. 29, 2020, exempted the Tongass from the 2001 Roadless Rule, which prohibited road construction, reconstruction, and timber harvest in inventoried roadless areas – with limited exceptions. USDA determined that the underlying goals and purposes of the 2001 Roadless Rule continue to be a critical part of conserving the resources of the Tongass, especially when it comes to the values that roadless areas represent for local communities, Alaska Natives, and the economy of Southeast Alaska. The decision to repeal the 2020 Alaska Roadless Rule is based on the multiple ecologic, social, cultural, and economic values supported by roadless areas on the Tongass. More than 95% of commenters opposed exempting the Tongass from the 2001 Roadless Rule during the public comment periods leading up to the 2020 Alaska Roadless Rule.

Expected Outcome
A 60-day comment period begins Nov. 23, 2021, with the publication of a proposal to repeal the 2020 Alaska Roadless Rule.

Ashley NF Wilderness Evaluation

Status
On November 8, 2019, Yellowstone to Uintas Connection, The Grand Canyon Trust, Defenders of Wildlife, The Wilderness Society, Sierra Club, Western Resource Advocates, and the Utah Native Plant Society submitted comments on the Ashley National Forest’s Proposal to Revise the Land Management Plan and Evaluation of Potential Wilderness Inventory Areas. Our comments concentrated on the Forest Service’s evaluation of potential wilderness areas, highlighting deficiencies in the FS’s application of the wilderness evaluation criteria described in Chapter 70 of the Forest Service Land Management Planning Handbook (FSH 1909.12), including overly strict interpretations of naturalness, a reliance on irrelevant factors when assessing outstanding opportunities for solitude and/or primitive and unconfined recreation, and the FS’s failure to make actual determinations as to each unit’s suitability for inclusion into the National Wilderness Preservation System.
We also made several site-specific comments on many of the units included in the wilderness evaluation, providing further resource information about specific units, how their boundaries should be delineated according to current agency policy outlined in Chapter 70, and suggestions for boundary adjustments of existing units that would allow for more accurate and objective review of the truly qualifying areas for wilderness suitability evaluation. We also proposed additional units for evaluation that were not included in the initial review.

On January 21st, 2021, we submitted supplemental comments to the site-specific comments mentioned above. Over the last year we have conducted further review—both GIS-based and on-the-ground—that directed us to refine our original proposals and provide additional information, including new maps and narratives that supplement and update our previous recommendations. These comments also included several areas that we believe meet the criteria for consideration as recommended wilderness, but which were not included in the FS’s original evaluations.

Our inventory and analysis identified 21 units totaling 435,018 acres that meet the criteria detailed in the FS’s Chapter 70 wilderness evaluation process. This is significant new information and should be analyzed and considered as such in the upcoming Forest Plan Draft EIS.

Our comments were reviewed by the Ute Tribes (Uinta and Ouray) and submitted following their review.

**Expected Outcome**
The FEIS was published on the 22nd of November 2021. We will be submitting comments within the 90-day comment period.

**Request for the Bureau of Land Management (BLM) to Establish a Non-Motorized Recreation and Visitation Working Group to Review Current Recreation Policies, Identify Current Issues and Management Challenges, and Develop Effective Management Recommendations**

**Status**
On September 21st, 2021, Southern Utah Wilderness, Yellowstone to Uintas Connection and several other conservation organizations submitted a letter to the BLM’s Utah State Director requesting that the BLM establish a Non-Motorized Recreation and Visitation Working Group to review current recreation policies, identify current issues and management challenges, and develop effective management Recommendations. The past decade has seen a rapid expansion of non-motorized recreation on Utah’s public lands, and the COVID-19 pandemic has resulted in record numbers of visitors to these unique landscapes. This increased use has resulted in a correlated increase in adverse impacts to wilderness values, visitor experiences, natural and cultural resources, and wildlife.

**Expected Outcome**
Unknown
CEQ NEPA rule comments

Status
On January 10, 2020, a group of ten conservation organizations including Yellowstone to Uintas Connection pointed out in a letter to the Council on Environmental Quality that the draft NEPA rule change had serious problems, especially with regard to requirements for disclosing cumulative impacts and those related to climate change.

On March 6th, 2020, Y2U, along with several other conservation organizations, submitted comments on the proposed revision of CEQ’s rule implementing the National Environmental Policy Act (NEPA), 40 CFR 1500 et seq., as described at 85 Fed Reg 1684 et seq., January 10, 2020. All of the organizations that signed onto this comment letter have significant experience with NEPA, in that we regularly review and comment on projects, plans, and policies proposed by federal agencies, primarily the USDA Forest Service and USDI Bureau of Land Management. We believe that strong NEPA is essential to ensure conservation of the nation’s natural resources and for ensuring public involvement in decisions affecting these resources.

NEPA is our bedrock environmental charter. Some even go so far as to say it is our environmental Magna Carta, i.e., the beginning of seriously considering and reducing the effects of actions and projects on the environment. In general, NEPA provides agencies with opportunities to involve the public, explain why a proposed project is desired, find ways to minimize impacts, and work with all interested parties to make projects as acceptable as possible to the largest portion of the public. It allows interested members of the public to hold agencies accountable for minimizing impacts. NEPA has certainly forced federal agencies to focus on the impacts their activities and programs may cause, and on ways to reduce such impacts.

It does not prevent even the most damaging of actions from being approved and implemented, but it does require careful consideration of all potential impacts, and of ways to reduce those impacts. Though its precise impact would be extremely difficult to measure, it is highly likely that application of NEPA has helped to maintain and improve the physical environment in the United States for its residents and visitors, e.g., by slowing the rate of extinction of native plants and animals, protecting all biological diversity, and leading to cleaner air and water. The full set of comments can be found here: https://www.yellowstoneuintas.org/news/item/137-y2u-opposes-weakening-nepa

On July 27th, 2021, the same group of conservation organizations pointed out in a follow up letter that the final rule (85 Fed Reg 43304, July 16, 2020) did not address these, and other issues expressed by many commenters. Thus, we asked for the CEQ’s commitment to closely examine, and revise significantly, the existing NEPA rule.

On November 19, 2021, we sent an additional letter responding to the CEQ’s rulemaking notice and draft rule concerning the NEPA regulations, published at 86 Fed Reg 55757 et seq., October 7, 2021. The endorsers of this comment letter are all representatives of organizations or individuals who use NEPA daily to encourage agencies, primarily the USDA Forest Service and USDI Bureau of Land Management, to consider carefully and fully the impacts of the projects and activities they and third parties propose, and to find ways to minimize and mitigate these impacts. Full disclosure of potential impacts prior to decisions, public involvement, and science-based decision-making, all fostered by a robust NEPA process, were very important when the CEQ’s NEPA Rule was first published in 1978.
These procedures are even more important now, given, among other issues, our greatly increased population, increased demands on our public lands, increased recognition of the need for environmental justice, and the specter of climate change hanging over our nation and the world.

**Outcome**

We were glad to see CEQ propose to restore language in three important sections of the 1978 NEPA Rule. The 1978 rule, while not perfect, had been in effect for a long time before it was changed in 2020; professional and public reviewers, as well as the agencies, are accustomed to applying this rule and are generally comfortable with it. Thus, updating the 1978 Rule, rather than eviscerating it as the 2020 Rule did, does serve agencies and the public well.

**Concerning Provisions of the 21st Century Conservation Corps that are Inconsistent with a True Civilian Climate Corps**

**Status**

On **July 29th, 2021**, a large group of environmental, scientific and faith-based organizations, individuals including Yellowstone to Uintas Connection sent a letter to Senator Wyden, Representative Neguse, and other members to express our concerns and opposition to specific provisions of HR 1162/S 487, the ‘21st Century Conservation Corps Act’, introduced by Rep. Neguse (D-CO) and Sen. Wyden (D-OR) which would critically damage our National Forests and Public Lands and accelerate climate change. While there are several sections of this bill that are worthy of support, including the grant program for planting trees in urban areas and support for outdoor recreation, the legislation also supports programs that would increase destructive logging on public and private lands. Touted as “wildfire resiliency”, the troubling provisions of this bill would pump an additional $6 billion into accelerating the continued removal of native vegetation and trees from our forests, activities that most often increase wildfire intensity/severity, while also increasing carbon emissions and eliminating the very trees and vegetation that we need to lower the amount of carbon in our atmosphere, maintain biodiversity and help us cool the planet. Such provisions have no place in a Conservation or Civilian Climate Corps, and we encouraged the members to strip those provisions from any Reconciliation package which moves to implement the American 2 Jobs Plan.

**Expected Outcome**

Unknown

**Forest Service’s proposed directive FSH 1109.12 Chapter 30 – Providing Notice and Opportunity Comment on Directives**

**Status**

On **March 16th, 2020**, Defenders of Wildlife, Center for Biological Diversity, Yellowstone to Uintas Connection and several other conservation organizations submitted comments on the Forest Service’s proposed directive FSH 1109.12 Chapter 30 – Providing Notice and Opportunity Comment on Directives. Our organizations regularly engage with the agency on the development and implementation of directives, and therefore welcome the opportunity to engage in this process.
On February 2, 2021, a follow up letter was sent stating that the Forest Service must not give away federal timber to the states. It must not allow the use of K-V money to build dams. It should not allow the use of K-V funds for projects that would cause considerable adverse impacts, including, but not limited to, the use of grazing for fuels and fire risk reduction.

**Expected Outcome**
We asked to be informed when final directives for the manual and handbook sections discussed in this letter are issued.

**FWS/NOAA Comments on Definition of Habitat –Proposed Revisions to Endangered Species Act (ESA) Habitat Rules**

**Status**
On October 8th, 2020, Yellowstone to Uintas Connection and a large group of conservation organizations submitted comments to the US Department of the Interior urging them to withdraw the two recent proposed rules related to habitat designation under the Endangered Species Act. Protection of habitat is central to the conservation of imperiled species. The ESA’s purpose is to conserve, “the ecosystems upon which endangered species and threatened species depend,” as well as protect and recover endangered species and threatened species themselves. Designation of critical habitat is a key tool authorized by the ESA to ensure habitat, including unoccupied habitat needed for recovery, is conserved. Weakening agencies’ authority to protect such habitat would be a severe blow to the efficacy of the Act and its ability to spare species from extinction. Properly implemented, critical habitat designations advance the ESA’s recovery goals by striking a science-driven balance between conservation and economic activity. Furthermore, this is a moment when—more than ever—we need strong and effective conservation laws. One million species are at risk of extinction, many within decades, due to human activity, according to a devastating May 2019 report by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. The report warns that the health of ecosystems upon which humans and all other species depend is deteriorating globally at unprecedented rates, with grave implications for our economies, livelihoods, food security, health, and quality of life worldwide. Protecting our natural heritage—including threatened and endangered species—is a core American value. We urged the Department of the Interior to help save our most imperiled plants and animals from extinction by strongly and fully implementing the ESA and by withdrawing these two proposed rules.

Essentially, the Trump administration defined "habitat" as what currently supports a species--easy to see the issues with that given habitat loss is one of the explicit ESA factors that could lead to listing a species and the new definition narrows and arbitrarily limits steps that the Services could take to recover a species. The definition went into effect late last year, and the Biden Administration has now proposed to rescind this.

On December 10th, 2021, the group drafted a short comment in support of this proposal and incorporated our 2020 comments—the reasons we offered opposing the definition of "habitat" also work for supporting the rescission of this rule. Our reasons also overlap with some of the Service's rationale for rescission.

**Expected Outcome**
Unknown
Proposed Energy and Outdoor Infrastructure Act (Forestry Provisions)

Status
On July 23rd, 2021, the Center for Biological Diversity, Yellowstone to Uintas Connection and several other conservation organizations sent a letter to the Senate Energy and Natural Resources Committee raising concerns with the forestry provisions in the draft Energy Infrastructure Act. Specifically, we are concerned with language in Sections 8001, 8003 and 8004 that would provide a massive increase in funds for logging and road building but provides inadequate safeguards to ensure ecological integrity as a result of increased management. The provisions presume that increased logging will address climate-induced wildfires driven by extreme temperatures, excessive droughts, and high winds. Additionally, the bill provides significant subsidies to the timber industry, whose interests lie in commercial timber production, most often at odds with science-based ecosystem restoration. Providing such a significant increase in funds to the Forest Service and Bureau of Land Management, as well as the private timber industry without appropriate safeguards, will result in far more harm than good.

Outcome
Unfortunately, this bill passed including billions of dollars for increased logging on public lands.

Impacts of Forest Service NEPA Rulemaking on Climate Change and Federally Listed Species

Status
On November 19, 2020, the U.S. Forest Service finalized a rulemaking under the National Environmental Policy Act, 85 Fed. Reg. 73,620 (Nov. 19, 2020) which amends the agency’s NEPA regulations to establish new and revised Categorical Exclusions (CEs). Those CEs will allow the Forest Service to undertake, without further NEPA analysis in an Environmental Assessment or Environmental Impact Statement, site-specific actions across the entire 193 million-acre National Forest System that are likely to affect listed species and their critical habitats. Among other things, these actions cover up to 2,800 acres of commercial timber harvest with up to three miles of logging road construction, up to 2 miles of permanent road construction for any reason, and “special uses” (such as utility rights-of-way or quarries) affecting up to 20 acres of National Forest lands.

On July 15th, 2021, a group of conservation organizations including Yellowstone to Uintas Connection and put together by the Southern Environmental Law Center wrote to express our concern that this Rule will harm vulnerable species and habitats protected under the Endangered Species Act and National Forest Management Act and worsen the magnitude and impact of climate change. National Forests store a significant amount of carbon, particularly in older forests, and have enormous potential to store additional carbon when left to age. This existing and potential carbon storage is lost during timber harvest, with only a fraction stored (and only temporarily) in wood products. Nationally, carbon losses from timber harvests are five times higher than those from all other disturbances combined, including wildfire. Similarly, on southern national forests, timber harvests are the primary disturbance influencing carbon stocks. More importantly, carbon stocks are determined by the cumulative effect of many site-specific, project-level decisions. Thinning to reduce the risk of uncharacteristic severe wildfire, for example, may draw down carbon reserves less than regeneration of productive, mesic forests that are not at any particular risk of wildfire. The Forest Service makes these kinds of choices again and again at the project level, and it is only because of the NEPA process that the agency is required to consider alternative types of treatment or locations for harvest.
The Rule takes away that backstop. It allows up to 2,800 acres of timber harvest without any requirement to consider alternatives or analyze impacts (including cumulative impacts to carbon stocks). 36 C.F.R. § 220.6(e)(25). In the wetter climates of eastern Forests, which have an outsized importance for carbon storage in the National Forest System, this loophole is large enough for entire Forests’ timber sale programs to pass through without analysis. Other authorities in the Rule are also likely to adversely affect net federal emissions, such as allowing non-minor special uses, which may involve the use of fossil-fuel-powered heavy equipment on site for years, or pipeline rights-of-way that will lock in dependence on fossil fuels for decades. See 36 C.F.R. § 220.6(e)(3). Without NEPA analysis—including public input and consideration of alternatives—the Forest Service will lose the only procedural safeguard by which site-specific decisions’ contributions to climate change can be considered. This is not to say that the Forest Service always does a good job of considering project-level effects on carbon stocks, but the cumulative effect of site-specific choices must be considered somewhere. In reconsidering the Rule, the Forest Service should analyze its likely effects on carbon stocks and emissions at the programmatic level, in comparison to narrower authorities that would focus restoration activities in places where they will not unnecessarily deplete carbon stocks or on other non-silvicultural activities like prescribed burning.

If this administration is to live up to its commitment to address climate change, it cannot allow an unrestricted and entirely unanalyzed liquidation of carbon stocks from the nation’s forests. Action under the Rule should be suspended until its effect on the climate change threat is addressed.

Expected Outcome
Unknown

Improvements to the Recovering America’s Wildlife Act

Status
In February 2021, a group of conservation organizations including Yellowstone to Uintas Connection from across the nation urged the US Senate and House of Representatives and the U.S. House Committee on Natural Resources to consider important improvements to the Recovering America’s Wildlife Act (RAWA) before reintroducing this legislation during the 117th Congress.

While the goal of RAWA is commendable, the details of the legislation remain seriously problematic and could undercut the conservation of thousands of imperiled wildlife and plant species across the country. It is vital that the legislation be improved to create a more equitable balance between fulfilling the nation’s commitment to endangered species recovery and achieving the bill’s other purposes. The world is on the brink of an unprecedented extinction crisis, with one million animal and plant species at risk of extinction within the coming decades. In North America alone, almost two-thirds of bird species have declined, some precipitously, in recent decades. Scientists are warning of an insect apocalypse as populations of once abundant pollinators and other insects plummet around the world. However, as currently written, RAWA fails to respond to this pressing need for funding for species at imminent risk of extinction.

RAWA would provide nearly $1.4 billion annually in dedicated federal funding to support states and tribes in conserving species they identify as species of greatest conservation need. Yet only 15% of this funding would be directed to the conservation of species actually listed as threatened or endangered under federal or state law. Based on the listed species recovery plans that Congress itself has required the U.S. Fish and Wildlife Service to complete, endangered species recovery spending should be at least $1.6-$2.3 billion per year.
To address our most urgent wildlife conservation challenge, we strongly believe the proportion of funding allocated in the bill for management and recovery of listed threatened and endangered species must be very substantially increased.

**Expected Outcome**
Unknown

**Legacy Roads and Trails Funding Program**

**Status**
On **May 25th, 2021**, a large group of conservation organizations including Yellowstone to Uintas Connection wrote a letter to the U.S. Senate and U.S. House of Representative Appropriations Committee requesting that the Committee support the conservation and restoration of our lands and waters by funding the U.S. Forest Service’s Legacy Roads and Trails Remediation (LRT) Program. For a decade, the LRT Program supported vital infrastructure projects that created high-paying jobs in rural communities until the Program was essentially eliminated in 2018. Americans no longer benefit from LRT projects that improved stream water quality, reconnected waterways for fish migration, and enhanced road and trail resiliency to enable greater access to our national forests. We asked that the LRT Program be reinstated in the FY 2022 Interior-Environment appropriations bill and funded at $100 million as a separate line item within the Forest Service’s Capital Improvement and Maintenance account.

**Expected Outcome**
The Forest Service Legacy Roads and Trails Remediation Program was included in the Bipartisan Infrastructure Investment and Jobs Act, passed both the House and Senate, and permanently authorizes the Forest Service Legacy Roads and Trails Remediation Program and provides $250 million in funding for five years.

**Proposed Rangeland Directives**

**Status**
On **February 19th, 2021**, a group of conservation organizations including Yellowstone to Uintas Connection submitted comments on the proposed rangeland management directives noticed in the Federal Register of December 18, 2020, 85 Fed Reg 82432.

It must always be remembered that grazing any kind of livestock on national forest lands will involve concentrated use of non-native species. These species, most typically cattle and sheep, did not evolve with the land and thus must be managed carefully to minimize impacts. Cattle, e.g., tend to congregate in riparian areas and can cause great damage to these areas which are very important for many uses. Damage to streams and riparian communities is extensive. In spite of this, the Forest Service sees a need to increase grazing on its system lands. This represents a strong bias within the agency toward approving livestock grazing, possibly at the expense of the many other uses of national forest land. It is hard to imagine that such grazing improves vegetation conditions, as livestock grazing causes immense damage to native vegetation, soils, and water quality, and frequently helps spread noxious weeds. Grazing also degrades and fragments wildlife habitat and is a major contributor to global warming, as livestock, especially cattle, emit much methane, a greenhouse gas. Non-native plant species such as Kentucky bluegrass and orchard grass have been sown in many areas of Colorado’s rangelands to provide forage specifically for livestock. This is further introduction of non-native species, which displaces native vegetation and cannot be considered beneficial. Livestock grazing operations will hurt much more than help habitat for native wildlife species. Fences, needed to keep animals from wandering off, are especially
harmful to many wildlife species. Livestock will also eat forage needed by wild animals such as elk. Livestock help spread noxious weeds, displacing native vegetation which would otherwise be forage for wild animals. While retaining land in an open condition for livestock grazing may provide vistas, these vistas would also include the livestock and structures needed to support them. This is not desirable for recreationists, who would much rather see land in a predominantly natural condition. And certainly, recreational users do not like to walk amongst domestic animals and their remains. Generally, livestock grazing is not beneficial to other resources on national forests and grasslands, and often is quite harmful overall.

The Forest Service’s directives must contain clear direction that will help ensure that rangelands are managed in harmony with other resources, as required by the Multiple Use Sustained Yield Act. Livestock grazing should only be permitted where it will cause minimal impacts to important resources such as soil productivity, watershed integrity, and wildlife habitat. The capability of the land to handle grazing and the possible impacts to other potential uses must be the key determinants of how many domestic animals can be allowed to graze any area of land.

These directives must not contain any direction that favors livestock grazing over other possible uses, and they must reduce the authority given to grazing associations to administer grazing permits issued by the Forest Service. If allotments remain vacant for more than a few years, they should be considered for closure.

**Expected Outcome**
Unknown

**USDA Emergency Drought Response Letter**

**Status**
On July 16, 2021, Western Watersheds Project, Yellowstone to Uintas Connection and several other conservation organizations submitted a letter to Tom Vilsack, Secretary of Agriculture, requesting that the U.S. Department of Agriculture issue an emergency directive requiring all national forests and grasslands that are experiencing multi-year drought to substantially reduce stocking of livestock to relieve pressure on native biodiversity and natural resources. We also requested that the USDA initiate a formal rulemaking process as soon as possible to develop comprehensive regulations for the USFS grazing program that combats the climate crisis and conserves and protects national forest lands, biodiversity, and natural resources. Regulations, subsequent policy, and management directives must include mandatory provisions to address grazing during periods of extended drought. The Forest Service does not have livestock drought management strategies that include conservation and protection of the national forests’ lands, biodiversity, imperiled species, and other natural resources. In many cases, forest plans are decades old with outdated utilization standards. The 10-year permit renewal system was not designed to respond to the rapid-onset, increasingly frequent severe drought conditions being experienced today. Without sufficient drought response mechanisms, the national forests continue to allow heavy consumption of drought-depleted vegetation by authorizing livestock numbers that are incorporated in permits, most of which were developed without consideration of increasing drought or heat. Range management decisions are often made in isolation from other resource specialists and do not address the impacts to other national forest resources including native plants and wildlife.
On June 21, 2021, Yellowstone to Uintas Connection sent a letter to the Regional Forester, the Regional Rangeland Management Staff Officer, and a dozen District Rangers regarding the 20-year mega-drought is gripping much of the western United States. The letter addressed the lack of current Annual Operating Instructions for grazing permittees in addressing the current emergency situation of drought. We have seen no reduction in grazing days or animal unit numbers on any district. We requested that the Regional Office must act now to correct the dangerous path it is on if it is to protect the native plant communities and their dependent wildlife species during this ongoing drought.

**Outcome**
I received a response from only two Ranger Districts stating that their scientists had not seen drought conditions requiring action on their districts. No changes were made to grazing numbers or days.

**USDA Climate Strategy**

**Status**
On April 29th, 2021, a group of conservation organizations including Friends of the Clearwater and Yellowstone to Uintas Connection submitted comments to the Office of Chief Economist at the USDA regarding the USDA Climate Strategy. We noted that protecting the National Forests is just as important as cutting carbon emissions, and that our national forests preserve the natural processes that currently mitigate the remaining emissions, sequestering carbon out of the atmosphere. Protecting national forests can significantly contribute to tackling the climate crisis. The comments further stated that any USDA policy that involves our national forests—the public land owned by our citizens and managed by the US Forest Service—should substantially increase protections of standing forests and eliminate most logging. Science suggests that ecosystems and the atmosphere are far better off leaving trees in the forest than having taxpayers subsidize logging—the current situation. Protect forests, reject any US contribution that supports burning wood to generate electricity, and help citizens living next to national forests coexist with fire by educating them on how to make their properties fire-wise and having evacuation plans.

**Expected Outcome**
Unknown

**USDA Request to Immediately Elevate Forest Service Decisions that May Conflict with New Administration Policy**

**Status**
On January 8th, 2021, Y2U and a group of conservation organizations including Yellowstone to Uintas Connection and the Center for Biological Diversity submitted a request for the USDA to immediately elevate Forest Service Decisions that may conflict with new administration policy. We requested that the Department of Agriculture immediately implement a targeted, 60-day elevation of Forest Service’s decisions for the purposes of reviewing the questions of fact, law, and policy in light of the new administration’s priorities and policies relevant to the responsible stewardship of the National Forest System’s lands, waters, and resources for current and future generations. Such an elevation, requiring that significant decisions be reviewed by the Secretary of Agriculture or the Under Secretary for Natural Resources and the Environment, would mirror that adopted by the Department of the Interior through Interior Secretarial Order 3395. It would also complement President Biden’s Executive Order 13990, which directed all departments and agencies to review agencies actions taken during the Trump administration to ensure that they “protect our environment … ensure access to clean air and water … reduce greenhouse gas emissions … [and] bolster resilience to the impacts of climate change.” We seek such an elevation because of the potential for Forest Service officials at the ranger district, forest, and regional forester levels to finalize decisions based in part on the prior administration’s emphasis on
increased timber harvest and unrestrained fossil fuel development, on circumventing National Environmental Policy Act (NEPA) public involvement opportunities and attempts to undermine protection of inventoried roadless areas (IRAs).

All these prior administration efforts are at odds with the new administration’s agenda, including the goal of conserving 30 percent of United States lands and waters by 2030. We specifically requested that the Forest Service elevate decisions to the Secretary of Agriculture or to the Under Secretary for Natural Resources and the Environment that may be inconsistent with the new administration’s priorities. We also specifically requested that projects currently in the administrative objection process be reviewed again through the lens of these priorities and commitments.

On February 19th, 2021, a similar coalition of conservation organizations including Y2U submitted a letter identifying specific decisions of the United States Forest Service (USFS) that should be reviewed and either modified or withdrawn pursuant to Executive Order 13990. This letter identified final decisions that are inconsistent with the Biden administration’s important objectives. Many of the Forest Service’s policy, plan, and project-level decisions finalized in the last four years served the goals of timber production, fossil fuel development, and mineral extraction at the expense of the objectives now prioritized by the Biden administration.

Expected Outcome
Unknown.

USFS Timber Directives

Status
On February 2, 2021, Yellowstone to Uintas Connection and a coalition of conservation organizations submitted comments on the proposed directives on Forest Products Modernization - Batch 2 #ORMS-2747, as accessed at: https://cara.ecosystem-management.org/Public/CommentInput?project=ORMS-2747. The Forest Service must not give away federal timber to the states. It must not allow the use of K-V money to build dams. It should not allow the use of K-V funds for projects that would cause considerable adverse impacts, including, but not limited to, the use of grazing for fuels and fire risk reduction.

Expected Outcome
Unknown
Environmental Advocacy

Status
An important part of our work involves publicly advocating for the restoration of degraded watersheds, intact ecosystems, and wildlife habitat connectivity. We are helping empower citizens to get involved with these efforts. In 2017 we conducted our first Successful Activism Training featuring presentations from PhD Psychologist Dr. David Christian and non-profit lobbying expert Stacey Frisk. The training helped introduce forty people to methods for interacting and working with decision makers. Whether you are lobbying politicians, communicating with public lands managers, or partnering with private landowners, it is important to have the tools to foster working relationships with individuals and groups from differing backgrounds. In January of 2018, Y2U hosted the second annual Successful Activism Training at Squatters Brewery in Salt Lake City. The sold-out event was a huge success thanks to the hard work of our staff and speakers at the event. We are proud to have welcomed back Dr. David Christian who spoke for the second time with us on a communication technique known as Motivational Interviewing. We have been using this training in our work since 2016 to create working relationships with agency staff and various other stakeholders. During the 2017, 2018 and 2019 Utah State Legislative Sessions, Y2U lobbied against Bear River Development and for SB 151 which would reduce the State’s property tax subsidization of water use. Utah uses more water than any other state in the nation due to the perceived low cost. Utah needs to move to a higher tier rate system that encourages conservation.
In September 2019, Y2U sponsored and tabled at the Peoples Energy Summit in Salt Lake City. Also, in September of this year Y2U participated in the Patagonia Enviro Fair in Salt Lake City.

In March of 2020, Dr. Carter and his colleagues at Wild Utah Project published the Spatial Analysis of Livestock Grazing and Forest Service Management in the High Uintas Wilderness, Utah which can be found here: https://www.yellowstoneuintas.org/images/pdfs-doc/UintaSheep_SpatialAnalysis_JGIS_03_20_2020.pdf

During 2021, Jason tabled at several events promoting the work that we do at Yellowstone to Uintas Connection. Tabling and events are still very limited due to the Covid Pandemic.

During the fall of 2021, Dr. Carter has been working to educate the local public and prevent a large development in Bondurant Wyoming located in the midst of critical migration routes for several species of wildlife. An article about this development and Dr. Carter’s involvement can be found here: https://www.sweetwaternow.com/billionaire-seeks-zoning-change-to-construct-resort-in-bondurant/

Work Plan
- Y2U will continue to host the Successful Activism workshops.
- Dr. Carter is producing articles about the Corridor and, in particular, the phosphate mining industry for publication in national and regional media outlets. See the latest example here.
- Y2U continues to submit Op Eds and subject material to media outlets with regard to the Yellowstone to Uintas Connection corridor. See Dr. Carter’s recent article about the sheep industry abandoning their Pyrenees herd dogs here.

Expected Outcome
Continue our lobbying efforts, activism trainings, and awareness campaigns to raise public involvement in conservation and expand public awareness of environmental issues. Y2U will continue to archive monitoring reports, literature reviews, research papers, and presentations on our web page for other activists and conservation professionals to use: https://www.yellowstoneuintas.org/resources
Scratchgravel Hills RAMP

Status
On September 17th, 2020, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Montana Ecosystem Defense Council, and Native Ecosystem Council submitted scoping comments on the Scratchgravel Hills Recreation Area Management Plan where the BLM is considering the development of 40 miles of new trails that would be open to biking, hiking, trail running, disc golf and equestrian use on top of the 40 miles of trails that are already in the 5500-acre Scratch-gravel area. We believe that the BLM must complete a full environmental impact statement (EIS) for this project because the scope of the project will likely have a significant individual and cumulative impact on the environment. We also believe that what the BLM is proposing violated the Resource Management Plan. The size, scale, and scope of the proposed plan warrant far greater analysis that must be done in an EIS rather than what is presented in this EA. The proposed new trails expand the existing trail system in the Scratchgravel Hills by 100%, creating new trails that interconnect the existing trails into a complex web. The EA fails to adequately analyze the full range of impacts associated with this massive increase in trails such as the impact on public safety. The EA also fails to adequately account for the cumulative impact this project will have on all animal species in the Hills. It also fails to adequately analyze the expected increase in use in the area and user conflicts that will inevitably arise.
As of **December 8th, 2021**, the BLM has not published a decision memo in regard to this project.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the legality of the authorization for this project.

**Expected Outcome**
Unknown
Diamond Creek Reconnect Project

Status
Diamond Creek is home to Yellowstone cutthroat trout, a sensitive species as well as non-native brook trout. Brook trout seem to dominate the headwaters and cutthroat dominate the lower reaches where fluvial and ad fluvial cutthroat may still spawn. The project is called the reconnect project since prior to 1947 based off aerial photos a ditch was started off the creek or a beaver pond that diverted the stream along the higher easterly side of the valley drying up the original channel along the lower westerly side of the valley. The stream has since been naturalizing in place. The diverted channel has a very narrow riparian corridor with no real floodplain with an incised channel and many raw vertical banks. A past project 20 plus years ago placed large logs along the bank edges presumably to discourage livestock crossings and to allow the channel to heal. Healing within the existing channel is unlikely to occur until the stream erodes a floodplain as part of this diverted channel. The Forest Service’s stated purpose of this project is to direct the stream back into its historic channel where it will naturally be connected back to its floodplain and erosion halted in the diverted channel. The agency claims that fisheries and wildlife habitat will also be improved as habitat will be more stable and diverse as the system can dissipate stream energy over a floodplain, but we have some concerns. Primarily the lack of proposed elimination of livestock grazing in the project area or the use of exclosures to eliminate livestock access to the stream is missing from the proposal. Both would increase the likelihood of the project’s success regarding stream and riparian habitat health and ecological function. We see no justification for this project until and unless livestock grazing is excluded from the project area.
Continued Forest Service authorization of livestock access to the stream will continue to damage willows and stream cover, damage stream banks, and add sedimentation and E. coli contamination to the stream. Our work on Paris Creek and other streams clearly demonstrates that when livestock, particularly cattle, have access to the stream, the problems outlined in the Purpose and Need section of the scoping letter for this project will continue. Idaho’s own Agricultural Pollution Abatement Plan notes that livestock exclusion is the method that will relieve E. coli pollution. The best available science shows the livestock exclusion is the only way to restore and maintain a healthy stream ecosystem. The project has been proposed by the Forest Service under Categorical Exclusion (CE) of the NEPA process. Yellowstone to Uintas Connection, along with the Alliance for the Wild Rockies and the Native Ecosystem Council submitted comments on the project on February 8th, 2020. The full set of comments can be found here: https://www.yellowstoneuintas.org/issues/science/item/134-diamond-creek-reconnect-project

Work Plan
- As the project was proposed as a CE, Y2U likely will not be involved any further in this project.

Outcome
In 2021, the Forest Service placed this project on hold likely due to our comments.

North Fork Tincup Creek Process Based Stream Restoration

Status
The Forest Service, Trout Unlimited, and other partners from 2017-2020 restored 5 stream miles of Tincup Creek from Highway 34 to the North Fork Bridge. The Soda Springs Ranger District of the Caribou-Targhee National Forest proposes this new project located one mile upstream of the North Fork Bridge within the Idaho Inventoried Roadless Area where road construction or reconstruction is allowed. The agency claims that fisheries and wildlife habitat will also be improved as habitat will be more stable and diverse as the system can dissipate stream energy over a floodplain, but we have some concerns. Primarily the lack of proposed elimination of livestock grazing in the project area or the use of exclosures to eliminate livestock access to the stream is missing from the proposal which would increase the likelihood of the project’s success regarding stream and riparian habitat health and ecological function. We see no justification for this project until and unless livestock grazing is excluded from the project area. Continued Forest Service authorization of livestock access to the stream will continue to damage willows and stream cover, damage stream banks, and add sedimentation and E. coli contamination to the stream.

Our work on Paris Creek and other streams clearly demonstrates that when livestock, particularly cattle, have access to the stream, the problems outlined in the Purpose and Need section of the scoping letter for this project will continue. Idaho’s own Agricultural Pollution Abatement Plan notes that livestock exclusion is the method that will relieve E. coli pollution. The best available science shows the livestock exclusion is the only way to restore and maintain a healthy stream ecosystem. The project has been proposed by the Forest Service under Categorical Exclusion (CE) of the NEPA process. Yellowstone to Uintas Connection, along with the Alliance for the Wild Rockies and the Native Ecosystem Council submitted comments on the project on February 18th, 2020. The full set of comments can be found here: https://www.yellowstoneuintas.org/issues/science/item/135-north-fork-tincup-creek-process-based-restoration-project
Work Plan

- As the project was proposed as a CE, Y2U likely will not be involved any further in this project.

Outcome

In 2021, this project disappeared from the Forest Service web page. No decision memo has been published by the Forest Service regarding this project. This is likely a result of our comments.

**North Fork Blackfoot River Native Fish Restoration Project**

**Status**

On March 12th, 2021, Wilderness Watch, Yellowstone to Uintas Connection and a group of conservation organizations submitted comments on the North Fork Blackfoot River Native Fish Restoration Project, which would authorize intensive ecological manipulation in the Scapegoat Wilderness located in the Lolo National Forest. The project would authorize the chemical eradication of trout in 67 miles of stream and 3 lakes above a natural fish migration barrier (the North Fork falls) in the Scapegoat Wilderness, breaching of beaver dams throughout the project area, and a 5 year “restocking” of hatchery-reared west slope cutthroat trout in areas that were historically (and in some cases currently) fishless. Various levels of motorized use, including up to 93 helicopter flights and the use of motorboats, pumps, and gas-powered generators, will be authorized.

We wrote in our comments that we were dismayed that the Forest Service was contemplating categorically excluding from National Environmental Policy Act (NEPA) review a project of this size, scope, and controversial effect in designated Wilderness, particularly where the proposal includes the use of piscicides to kill fish, fish “stocking” in areas that were historically fishless, and the use of motorboats, generators, helicopters, structures, and installations to accomplish it all. All these things are either explicitly prohibited under Section 4(c) of the Wilderness Act or in serious conflict with the Act’s “untrammeled” mandate. The MRDG itself notes that “supplements [to the MRDG were] written to address ecological intervention proposals that commonly entail complex legal, scientific, and ethical questions that may be beyond the realm of a typical MRDG and better address the justification for this action” (emphasis added). MRDG at 2. It also notes that “an action of this magnitude is sure to involve a short-term measurable impact to the area’s natural quality.” Id. at 17. Yet, incredibly, the Forest Service is likely authorizing this project through a categorical exclusion!

The Forest Service may only approve a motor-assisted poisoning and stocking project in the Wilderness if the Forest Service rationally demonstrates that the project is consistent with the purpose of the Wilderness Act, that the action is necessary to meet minimum requirements for administration of the area as Wilderness, and there is no alternative to otherwise-prohibited methods that would achieve that purpose. See 16 U.S.C. § 1133(c). The justifications for the project advanced in the scoping notice and associated documents fall far short of these stringent standards.

**Work Plan**

- As the project was proposed as a CE, Y2U likely will not be involved any further in this project.

**Outcome**

On June 2nd, 2021, the Forest Service signed a decision to authorize the project. On August 5th, 2021, the Forest Service withdrew that decision and put the project on hold likely as a result of our comments.
Paris Creek Restoration

Status
The project goal is to restore habitat for Bonneville cutthroat trout in the 3-mile reach of Paris Creek affected by an irrigation diversion on the adjacent Caribou National Forest. Our goal is to increase stream flows in this mostly dewatered reach of Paris Creek. Dr. John Carter, Y2U staff ecologist, has been working on this project for nearly two decades, engaging the Forest Service and Idaho Fish and Game to conduct fish surveys. These were completed in 2001 and 2012, showing that Bonneville cutthroat trout are missing from the dewatered reach. The Forest Service brought equipment and expertise in 2016 to actively restore stream channels, create pools and riffles and plant willows along the streambank in the portion of Paris Creek on the Forest. Dr. Carter and the Forest Service fisheries biologist looked at the effectiveness of the restoration efforts along the portion of the creek in the Forest and reported great progress. Idaho Department of Environmental Quality surveyed fish, invertebrates, and wildlife along the Kiesha’s Preserve reach this summer. We are now engaged with these agencies, private landowners, irrigation district and PacifiCorp to return enough flow to sustain cutthroat trout. During 2020, PacifiCorp announced that they intend to decommission the power plant, thereby not needing to divert the water out of the upper stretch of Paris Creek. PacifiCorp is currently suggesting that a minimum of 16 CFS be released into the creek during the irrigation season. Ultimately, increased flow will restore the ability of Bonneville cutthroat trout to inhabit this entire 3-mile stretch of Paris Creek that is currently dewatered. During the summer of 2020 we continued to monitor flows and water quality in relation to Bonneville cutthroat trout habitat specifications.

Kiesha’s Preserve asserted its water rights on Paris Creek and during the summer of 2020 reconstructed the ditch and diversion point for their water rights which will return to the stream on Kiesha’s Preserve and give us an additional wedge to force more water to remain in the creek at the diversion structure.

During the summer of 2021, Jason has been actively involved with the Paris Creek decommission working with all affected parties to be sure that the return of the water into Paris Creek meets the needs of the fish and wildlife dependent on the creek. This has included being involved with building new diversion points with Trout Unlimited and ensuring that any stream realignment is appropriate and ecologically sound.

Work Plan
- We continue to jointly monitor project success of the habitat reconstruction on the upper reach of Paris Creek that occurs on the National Forest. There are already deep pools and riffles on the site as a result of the restoration. All willow plantings have survived.

Expected Outcome
Rocky Mountain Power has agreed to decommission the power plant in 2022. The entire flow of Paris Creek will be returned to the upper 3 mile reach that previously has been dewatered for power generation.
LIVESTOCK GRAZING

Ashley Forest Wide Range Improvement Project

Status
The Forest Service claims that the purpose of the project is to improve livestock management and distribution, minimize areas of livestock concentration, protect springs, streams, and meadows. Pipelines are to be buried for improving visuals in the areas affected. Adaptive management as described in the allotment management plans will be used in continuing allotment management to achieve desired conditions. According to the scoping document, the need for the project "arose as grazing management issues were identified by monitoring condition and trend, conducting range improvement inspections, and through consultation with grazing permittees" and “the proposed developments would improve livestock distribution, assist in managing pasture rotations, allow for recovery of vegetation after grazing, and protect sensitive areas.” Yet, the scoping document admits to grazing management issues with condition and trend, range improvements, livestock concentrations, the need to protect springs, streams, and meadows. It appears from this, that the adaptive management/grazing management has been ineffective and now the Forest Service, in collaboration with permittees wishes to install a wish list of infrastructure.

The project is designated to occur in the Vernal and Roosevelt/Duchesne Range Districts. It will consist of 79 individual range improvement projects consisting of construction of 8.7 miles of drift/boundary fences, 51 water systems (ponds, pipelines, troughs or burying existing pipelines), four exclosures, four corrals, four guzzlers, and four cattleguards.
On **October 6th, 2021**, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council and Western Watersheds Project submitted comments and requested an Environmental Assessment. The Forest Service must answer the question as to why the present management has failed by a detailed and quantitative assessment of all Forest data over time, including:

- Condition and trend  
- Utilization in upland and riparian areas plus stubble height in riparian  
- Characterization of stream habitat including width/depth ratios, pool/riffle, woody debris, bank alteration, streambank stability, spawning habitat sediment fines percentages, overhead canopy percentage, streambank overhanging vegetation percentage, undercut banks.  
- Current desirable forage production in capable areas  
- Status of native bunchgrasses in uplands relative to their potential. This should be done in an Ecological Site Inventory that compares the potential plant community to that present today.  
- Analysis of the 1171 long term study plots established in aspen stands and impacts from the various activities monitored. This was presented in the EA for the Ashley NF Aspen Restoration Project.  
- The effects of various management activities on aspen including livestock grazing, prescribed fire, salvage, logging, thinning, and livestock grazing in combination with these  
- Location of all existing water developments and analysis of the proximity of water developments to aspen clones and status of aspen recruitment, age classes and understory herbaceous  
- Analysis of the location/proximity of existing water developments to riparian areas (streams, springs, wetlands) and the condition of each of these aquatic ecosystems, the levels of livestock use (utilization, bank alteration, stubble height, ground cover, stream bank stability).  
- Analysis of each AMP, the adaptive management strategies and BMPs employed in the Adaptive Management Protocol as to why those have failed and why the Forest Service has not reduced stocking rates to account for the ecosystem degradation and drought that has become a normal feature.  
- In the sections below we raise issues about lynx and wolverine habitat, ESA and Sensitive Species habitat, grazing management, stocking rates, water development impacts, cumulative effects, the need for a Cumulative Effects Area for analysis.

**Expected Outcome**  
Unknown
Drought Letter

Status
In June of 2021, Yellowstone to Uintas Connection sent a letter to the Regional Forester, the Regional Rangeland Management Staff Officer, and to a dozen District Rangers in the Yellowstone to Uintas Corridor presenting science supporting the idea that we are in a major ongoing drought in the Western US. Our letter also requested information regarding any reduction in Animal Unit Months (AUMs) and the number of days permitted for grazing on any and all grazing allotments occurring in the Intermountain Region of the National Forest system.

We only received a reply from three of the Forest District Rangers. Those replies claimed that their scientists did not see drought conditions occurring on their respective districts. The other District Rangers and the regional officers did not respond to our request. No reduction in the AUMs or the number of days permitted for grazing occurred in any of the Annual Operating Instructions for any allotment in the Intermountain Region of the National Forest system.

Expected Outcome
Exactly what happened.

Duck Creek BLM Allotment

Status
Data collected on the BLM’s Duck Creek Allotment for the past 18 years by Dr. John Carter, Yellowstone to Uintas Connection’s Staff Ecologist, has demonstrated that the BLM methods do not provide an objective and accurate depiction of rangeland health conditions or livestock forage consumption. During 2017 and 2018 Y2U attempted to address this concern by becoming involved in a cooperative effort to monitor utilization and analyze stocking rates on the Duck Creek allotment. The participants included BLM, Utah Grazing Improvement Program, Utah State University Ag Extension, Rich County Commissioners, Rich County Resource Management Group, Duck Creek permittees, Wild Utah Project, Western Watersheds Project and Y2U. Due to Y2U and the other environmental groups strong commitment to science and objective decision making, BLM and the other parties withdrew from the effort citing a “lack of trust” stemming from past litigation between the involved parties, this group has dissolved. Y2U had asked the BLM to participate in an evaluation of their monitoring methods regardless of the outcome of the collaboration. BLM has thus far declined to work with Y2U in regard to cooperative monitoring of rangeland health on the Duck Creek Allotment, refusing repeated invitations to visit our monitoring locations and see for themselves the degradation of upland and riparian areas by livestock. The BLM’s Office of Scientific Integrity requested that Dr. Carter peer review their national rangeland assessment. This was done and submitted with numerous recommendations for more specificity. Dr. John Carter, our Staff Ecologist, along with Allison Jones, Jonathan Ratner, Dr. Jim Catlin submitted a research paper which was published in Rangelands Journal refuting standard BLM and livestock industry grazing practices. Dr. Carter is an expert witness in litigation initiated in January 2019 on this allotment. Since Y2U was not a party to the original case filed in 2008, he is continuing this effort in support of the Western Watersheds Project lawsuit challenging the Department of Interior appeals process.

During the fall of 2020, Y2U staff members collected line-point intercept and cover data on 10 locations with 400 points each to compare to previous years data.
During the **summer of 2021**, Y2U staff members put up 6 trail cameras to observe any tampering of utilization cages as well as document cattle and sheep numbers and the times that they are present along with documenting what wildlife still exists in the area.

On **November 29th, 2021**, Advocates for the West began arguing our appeal of the BLMs decision and subsequent court upholding.

**Work Plan**
- Y2U continues to monitor utilization and forage production on the Duck Creek allotment and continues to put pressure on BLM to accurately measure utilization and use accurate data and range science to affect management decisions including stocking rates.

**Expected Outcome**
Unknown

**Elk Ridge Complex Rangeland Supplementation Project**

**Status**
The Elk Ridge Complex is comprised of four allotments: Lime Creek, Rock Creek, Tosi Creek and Elk Ridge. Located approximately 32 miles northwest of Pinedale, these allotments encompass 30,577 acres of National Forest System lands in Pinedale Ranger District of the Bridger-Teton National Forest. The Elk Ridge Complex is bordered on two sides by allotments that were analyzed in the Upper Green River Area Rangeland Analysis. **See Y2Us involvement with the Upper Green Rangeland project below.**

The Elk Ridge Complex is situated within the Green River Basin between the Gros Ventre Range and the Wind River Range.

In 1978, the Forest Supervisor issued a decision implementing an allotment management plan for the Elk Ridge Complex that provided grazing for 3,631 sheep or 725 cow/calf pairs on the allotments. At that time, livestock operators chose to utilize the allotments for sheep grazing. In 2016, the permittee chose to vacate the allotments **as a result of a buyout negotiated between the permittee and conservation groups.** Subsequently, the associated term grazing permits were returned to the USFS as waived without preference. These allotments have remained vacant ever since. Baseline vegetation inventories were conducted in 2019 and 2020 by the USFS and Sublette County Conservation District to determine current conditions for an EA.

On **May 24th, 2021**, the Forest Service scoping letter proposed to open the bought out and closed Elk Ridge Complex allotments to cattle grazing and sent out a scoping letter stating their intention. The Proposed Action is that the Pinedale Ranger District would like to authorize cattle grazing on the Elk Ridge Complex in rotation with the adjacent Upper Green River Area allotments. This is a single purpose with no other alternative. It has not expressed the intent of evaluating the allotments for permanent retirement from livestock grazing to restore habitats from past damage, or provide wildlife and watershed benefits, meet the increasing demand for primitive recreation, hunting and fishing in the area. Instead, this proposal is being made to satisfy the "desires" of the livestock industry.

The entire project is highly suspect because of the full collaboration with livestock permittees and the Ag Industry while the BTNF refuses to cooperate with the public on these very allotments. On **May 17th, 2021**, Yellowstone to Uintas Connection along with Western Watersheds Project requested that the Forest and our groups do joint monitoring of the Upper Green River and Elk Ridge Complex allotments.
The BTNF has denied our multiple requests for the necessary cooperative monitoring needed to validate the current key species as representative of upland utilization on the allotments and whether greenline stubble height monitoring is representative of actual riparian zone utilization and habitat condition.

On May 26th, 2021, Y2U submitted a Freedom of Information Act (FOIA) requesting the NEPA documents including the EA and Specialists Reports be made publicly available with an opportunity to review and comment on those prior to issuing a decision. The fact that the Forest Service received over 3,000 comments on this project shows the high level of public interest. We are requested the following data and information for the Elk Ridge Complex which includes the Lime Creek, Rock Creek, Tosi Creek and Elk Ridge allotments:
1. Provide the data, documentation, and analysis (capability, suitability, available forage, livestock consumption rates) used for establishing the original cattle and subsequently, the domestic sheep stocking rates for these allotments.
2. Provide the trend data, maps and reports for all sites and all years. Include their location coordinates.
3. Provide wildlife reports and analyses to the extent they exist. This is important so we can have knowledge of wildlife populations, their habitat needs and habitat conditions. Also provide reports of conflicts with grizzly bears and wolves.

On June 22nd, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council and Western Watersheds Project submitted scoping comments requesting that the project be withdrawn for the following reasons:

• If pursued, an EIS is needed for this project due to the presence of threatened species such as grizzly bear and Canada lynx; wolverine, which are proposed for listing; and numerous special status species. Wilderness values will also be degraded if the Project goes forward.
• Alternatives should be analyzed including permanent retirement of livestock grazing from the subject allotments to protect native species and their habitats, water quality and to maximize carbon sequestration for climate benefits.
• A Project and Cumulative Effects Area (CEA) should be delineated for the analysis.
• Analyze all Forest attributes, wildlife core, security areas and connections across the Forest and then at the Project and CEA levels, disclosing their current structural and functional attributes compared to the needs of the special status species and to potential.
• The analysis must adhere to the guidelines provided in the 2010 Forest Service National Roadmap for Responding to Climate Change and the intent of the January 27, 2021, Executive Order on Tackling the Climate Crisis at Home and Abroad to promote carbon sequestration, biodiversity and connectivity of wildlife populations.
• Update livestock stocking rates to reflect current cattle weights and forage consumption rates, Forest Service Regional criteria for capability, the most recent soil survey, and current forage production based on actual measurements in each plant community intended to be used by livestock.
• Update current allowable use standards which allow up to 65% utilization by livestock to the science-based 20 - 30% level to sustain native species of plants.
• Implement required rest rather than deferment in order that plants may recover their full vigor following years in which they are grazed by livestock. Destock allotments during below normal precipitation years.
• Validate key species and compare current methods and data for monitoring upland species to quantitative assessments of overall grass and forb utilization by clipping caged and uncaged plots and comparing those results to the current “wheel” method.
• Validate the riparian greenline stubble height method to determine whether utilization on sedges is representative of livestock use in the riparian zone. The riparian zone is the area between the greenline and adjacent uplands. This comparison should be made to grazed and caged plots in the riparian zone.
• Cooperate with the public to establish key sites, key species and methods for monitoring.
• Analyze and report on the results of the prescribed monitoring contained in the Forest Plan for the
BTNФ and for the Project and CEA.
• Demonstrate through monitoring of populations, the current status of special status species compared to their potential and overall trends. Determine their viability across the entire BTNФ.
• Provide monitoring data validating the outcomes of BMPs applied to protect ecosystem attributes.
• Address the issues identified in these comments in relation to the requirements of NEPA, NFMA, and the ESA, including consultation.

On November 23, 2021, the BTNФ published the Environmental Assessment (EA) for the project and opened up the 30-day comment period. Comments are due on December 27th, 2021. This follows the usual Forest Service procedure of opening comment periods during the holidays to limit public input. Y2U staff members are currently writing and will submit comments on the EA on or before December 23rd, 2021.

Expected Outcome
Unknown

Uintas Wilderness Cattle Monitoring

Status
In 2013, Yellowstone to Uintas Connection reported to the Uinta Wasatch Cache National Forest and the Ashley National Forest that cattle were trespassing, long-term, in the Burro Peaks, Thompson Peak and West Beaver allotments, which were closed to grazing in the 2003 Forest Plan Decision. Y2U documented these trespass cattle in fall of 2015 and reported this trespass to both Forest Supervisors. Y2U has continued monitoring year after year, reporting results to the Forest Service. The Forest Service has been using deferment tactics with Y2U since we began reporting this issue in 2013 continually putting the onus on our staff to identify whose cattle the offenders belong to. During the 2018 summer monitoring of the three closed allotments, only Burro Peaks had trespass and unauthorized cattle use. Thompson Peak and West Beaver allotments remained livestock free. In the summer of 2018, Y2U placed twelve (12) game cameras throughout these allotments to capture irrefutable data; photographs that are labeled with date, time, and coordinates. We have provided the Ashley and Uinta-Wasatch-Cache National Forests with our final report and the evidence of trespass and unauthorized use including dates, coordinates, ear tag color, brand, and photos of the occurrences. During the spring of 2019, Y2U staff met with one of the permittees, the Lonetree Ranch, that run cattle in the Burnt Fork and Beaver Creek allotments that surround the closed allotments. Lonetree Ranch, with Y2Us support, was able to convince the Forest Service to try combining the Burnt Fork (West Side) and Beaver Creek allotments for three years. Grazing rotation started on one end of the allotments moving to the West throughout the season. Next year the rotation will start on the opposite end and move East. The third year of the trial will have no grazing and rest both allotments. Y2U will monitor the impact of combining the allotments closely to ensure that the adaptive management results in a healthier forest. The most beneficial part of combining the allotments was that it allowed Lonetree Ranch to justify the cost of having a range rider on the combined allotments ensuring that the Lonetree Ranch cattle were where they were supposed to be.

During the summer of 2019, Y2U placed eight (8) game cameras throughout the Burro Peaks allotment to capture irrefutable data; photographs that are labeled with date, time and coordinates. In large part due to having the range rider present all season, Y2U only documented two days of unauthorized use of the Burro Peaks allotment and no unauthorized use of the Thompson Peak and West Beaver allotments by Lonetree Ranch cattle. The two days of unauthorized use were determined to have occurred during the Labor Day weekend at which time the range rider had been pulled down to Hoop Lake to manage human/cattle conflict at the camp areas. Y2U documented five days of unauthorized use of the Burro Peaks allotment by cattle coming from the Ashley National Forest, Hickerson Park allotment.
We have provided the Ashley and Uinta-Wasatch-Cache National Forests with our final report and the evidence of trespass and unauthorized use including dates, coordinates, ear tag color, brands, and photos of the occurrences. The full report can be found here: https://www.yellowstoneuintas.org/issues/science/item/82-uinta-cattle-grazing-allotment-monitoring

Unfortunately, COVID-19 derailed this project in 2020 and 2021. We were not able to meet with the Forest Service or the permittees and no field work was done on this project in 2021.

Also unfortunately in 2021, the Lonetree Ranch lost the Burnt Fork allotment permit due to a previously agreed upon buy back option to another ranching operation. In our experience, we have not found many ranchers willing to consider the environmental impact of their operation on public lands. The owners of the Lonetree Ranch were unique and we enjoyed our time working with them and were excited to document the outcome of the new grazing system over the next decade.

Work Plan
- We will be meeting with both Forests as soon as possible to discuss this ongoing issue and demand that something is done to eliminate the trespass and unauthorized use of the Burro Peaks allotment.
- Y2U is seeking legal representation to provide additional pressure on the agencies to eliminate this perennial issue.
- Y2U will continue monitoring the Burro Peaks, Thompson Peak, and West Beaver Allotments that were closed to grazing in the 2003 Forest Plan Decision for trespassing cattle.
- Y2U will report trespass and unauthorized cattle to the Forest Service and permittees as well as continue pressuring the agency to maintain the standards set forth in Annual Operating Instructions (AOIs).

Expected Outcome
Significantly reduce or eliminate trespass and unauthorized use of the closed allotments in the High Uinta Wilderness which will provide a much-needed reprieve for wildlife and other wilderness users from livestock grazing.

Note: Y2U was recently asked by Wilderness Watch to participate in a campaign to permanently close all wilderness areas to livestock grazing. We will provide information and data from the many years of monitoring livestock grazing impacts in the High Uinta Wilderness in support of that effort.

Uintas Wilderness Domestic Sheep

Status
The Uinta Wilderness covers 453,860 acres with 272,768 acres currently being grazed by domestic sheep and cattle (the rest is inaccessible for livestock grazing). There is a total of 30 active grazing allotments and 11 that have been closed to livestock grazing. Current authorized numbers include over 10,000 cattle and 45,000 domestic sheep. These allotments are grazed during the summer months annually. In 2018, Yellowstone to Uintas Connection organized a coalition of environmental groups and interested individuals to address 11 domestic sheep grazing allotments that are being analyzed by the FS for permit renewal in the High Uinta Wilderness. All the allotments conflict with native bighorn sheep. Y2U has met with the Regional Forester, the Forest Supervisors, and other FS staff members on more than one occasion to delineate our concerns and recommendations. The currently grazed 272,768-acre area is habitat for Canada lynx, wolverine, bighorn sheep, black bears, cougars, and many other species. It also provides a significant water source for much of Utah and Southeast Idaho.
In September 2018, Dr. John Carter, Y2U staff ecologist, presented to the Intermountain Regional Forester, Uinta-Wasatch-Cache Forest Supervisor, several district rangers and staff the Forage Capacity & Stocking Rate Determination For High Uintas Wilderness Domestic Sheep, an analysis completed by Y2U and Wild Utah Project, which shows a capacity for stocking at 10 percent of the current rate on these High Uinta Wilderness domestic sheep allotments. The FEIS for these permit renewals will be released around March of 2020. In March of 2020, Dr. Carter and his colleagues at Wild Utah Project published the Spatial Analysis of Livestock Grazing and Forest Service Management in the High Uintas Wilderness, Utah which can be found here: https://www.yellowstoneuintas.org/images/pdfs-doc/UintaSheep_SpatialAnalysis_JGIS_03_20_2020.pdf.

Upon release (the FEIS was expected in July of 2021 but did not surface) Y2U will address whether the Draft Environmental Impact Statement (DEIS) adequately analyzed the potential environmental impacts of the project and addressed potential alternatives. Y2U will file an Objection if the Final EIS does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives. Y2U will be seeking legal representation to litigate the continuation of domestic sheep grazing in the High Uinta Wilderness. We will also prepare articles for media to expose the issues with domestic sheep grazing in the High Uinta Wilderness. Our work is intended to show the impact of current stocking rates, which are far too high, and designed to put pressure on the FS and permittees to support voluntary permit retirements thru buyouts. The full set of comments can be found here: https://www.yellowstoneuintas.org/issues/science/item/81-high-uinta-wilderness-domestic-sheep

Work Plan
- Upon release, Y2U will address whether the Final Environmental Impact Statement (FEIS) adequately analyzed the potential environmental impacts of the project and addressed potential alternatives.
- Y2U will file an Objection if the FEIS does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
- Y2U will be seeking legal representation to litigate the continuation of domestic sheep grazing in the High Uinta Wilderness.
- Prepare articles for media to expose the issues with domestic sheep grazing in the High Uinta Wilderness.

Expected Outcome
Optimistically, the Bighorn Sheep risk analysis will result in Forest Service recommendation to close some allotments. Our work is intended to show the impact of current stocking rates, which are far too high, and designed to put pressure on the Forest Service and permittees to support voluntary permit retirements thru buyouts.

Note: Y2U was recently asked by Wilderness Watch to participate in a campaign to permanently close all wilderness areas to livestock grazing. We will provide information and data from the many years of monitoring livestock grazing impacts in the High Uinta Wilderness in support of that effort.

Upper Green River Area Rangeland Project

Status
In November 2016, Yellowstone to Uintas Connection, along with Alliance for the Wild Rockies and Wildlands Defense submitted comments on the Draft Environmental Impact Statement (DEIS) for the Upper Green River Area Rangeland Project stating the reasons why we believe the Upper Green River Area Rangeland Project is not in compliance with laws such as the National Environmental Policy Act (NEPA) and the National Forest Management Act (NFMA), regulations, and policy.
Grizzly bears are suffering mortality while cattle continue to graze, depriving the bears of a basic food source, herbaceous vegetation, upon which they rely. The DEIS notes that 52% of Grizzly bear deaths in Western Wyoming between 2010 – 2014 occurred in the project area, with 18 relocations and all were due to cattle depredation. Conservation measures put in place per the BA and BO are discretionary and ineffective as livestock and hunter conflicts remain a major cause of Grizzly deaths. In January of 2018, Y2U along with Alliance for the Wild Rockies filed an Objection. In August of 2018 Y2U received a letter from the Forest Service stating that an objection resolution meeting would take place but that the Forest Service was not willing to discuss any of our objection points.

On January 21st, 2020, Y2U along with the Alliance for the Wild Rockies and Western Watersheds Project filed a Notice of Intent to litigate the Forest Service authorization of killing up to 72 Grizzly bears over the next ten years.

On March 31st, 2020, Y2U, along with the Alliance for the Wild Rockies and Western Watersheds Project filed a lawsuit against the Secretary of the Interior David Bernhardt, the U.S. Fish and Wildlife Service, and the U.S. Forest Service for the 2019 decision to allow 72 federally protected Grizzly bears to be killed for the sake of public lands livestock grazing operations in the Upper Green River area of the Bridger-Teton National Forest. To view the comments, the Notice of Intent or the Complaint please see our web page: https://www.yellowstoneuintas.org/issues/science/item/86-upper-green-river-area-rangeland-3049

On February 22nd, 2021, Y2U and the other plaintiffs filed a Motion to Complete and Supplement the Administrative Record. On June 2nd, 2021, the magistrate judge issued an order restricting citations to the record based on our claims. This means that when we brief our ESA claims, we can only cite to the "ESA records" lodged in August of 2020, and when we brief our NFMA claims, we can only cite to the "NFMA record" lodged on May 3, 2021. In the same order, the magistrate judge termed our pending record motions and directed that we re-file any record motions about either the August 2020 records or May 2021 record by July 2, 2021. On July 2nd, 2021, Y2U and the other plaintiffs filed a motion to amend and supplement our petition for review of agency action to bring in the 2021 Annual Operating Instructions (AOIs) and term grazing permits in effect for all six allotments, as well as challenge USFS management of two allotments as inconsistent with relevant Allotment Management Plans (AMPs). On August 6th, 2021, the judge granted our motion regarding the AOIs and AMPs, but denied it regarding the term grazing permits, including permits for four allotments just issued earlier this year that we did not know about until May. She seems to have bought into the ranchers' opposition arguments that there would be on-going questions about the adequacy of the petition and sufficiency of the record if we challenged the new term grazing permits, presumably because at some point USFS will issue new permits for the other two allotments. She also warned that any further motions to amend/supplement the petition will be "strongly disfavored if not summarily denied."

On August 20th, 2021, we filed a motion to complete and supplement the record in the Upper Green case. On September 15th, 2021, Dr. Carter documented with the Forest Service the trespass of 110 trespass cattle in the Lime Creek drainage in the Elk Ridge Complex, part of the Upper Green that is currently closed to grazing. See above on page 27 regarding the Elk Ridge Complex. On September 27th, 2021, reply brief regarding our record motion. On October 4th, 2021, we filed a motion today requesting a status conference in the Upper Green case. On October 6th, 2021, the magistrate judge just denied our motion for a status conference to discuss new permits and AMPs. On October 14th, 2021, the magistrate judge issued an order completely denying our record motion. On November 18th, 2021, Jason updated his declaration.
On November 29th, 2021, we filed our opening merits brief and declarations.

Work Plan
- Y2U, along with the Alliance for the Wild Rockies and Western Watersheds Project are in the middle of litigation with the Forest Service and the US Fish and Wildlife Service to halt the killing of federally protected Grizzly bears.

Expected Outcome
Unknown
Caribou Basin Small-Scale Placer Mining Project

Status
The June 4th, 2020, scoping letter describes the project proposal to analyze the effects of increasing the number of in-stream permits and continued authorization of high banking (outside of the active stream channel) for small-scale placer gold mining operations within Caribou Basin. The project area is located approximately 39 air miles northeast of Soda Springs, Idaho and approximately 14 air miles west of Alpine, Wyoming in Caribou Basin. This project should be analyzed with an Environmental Impact Statement (EIS) not an Environmental Assessment (EA) to assess the cumulative impacts of the proposal along with all other existing and reasonably foreseeable future project impacts in the region, specifically in the Corridor.

On May 27th, 2021, the Forest Service published the EA for the project. The EA did not adequately analyze the potential environmental impacts of the project and addressed potential alternatives. On July 2nd, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, and Native Ecosystems Council submitted scoping comments on the project. We find no reason to continue this practice for the benefit of few while the rest of the public land’s users, wildlife and fish will suffer due to the continued authorization of small-scale placer mining on public lands. On October 5th, 2021, the Forest Service published a Record of Decision and Finding of No Significant Impact authorizing the project. Due to time constraints Y2U did not file an objection to this project.
Work Plan
- Y2U is seeking legal representation to litigate violations of the intent of NEPA, NFMA/FLPMA and the CWA.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

Expected Outcome
Unknown

Dairy Syncline Mine

Status
The Dairy Syncline Mine Draft Environmental Impact Statement (DEIS) was released in mid-December 2018. This is another open pit phosphate mine on Forest Service and BLM public land near Soda Springs, Idaho. This mine is also proposed in an area already deemed to be a Superfund Site subject to Natural Resource Damages from past mining pollution. The proposed project will further fragment the Corridor, destroy wetlands, wildlife populations, and plant communities while polluting streams in the region with heavy metals. The mine will also cause noise and safety concerns that not only affect wildlife, but also humans. Y2U and Kieshas Preserve submitted comments on the DEIS on February 21st, 2019. It is important to point out that reviewing, analyzing, and commenting on these DEIS that are over 1000 pages in length takes hundreds of hours of staff time for each one. We urge you to take a look at the Dairy Syncline comments as an example of the depth of analysis. On December 8th, 2019 Yellowstone to Uintas Connection and Kieshas Preserve submitted a protest of BLM’s decision to amend the Pocatello Resource Management Plan to conduct a land sale accommodating the Dairy Syncline Mine project in the Pocatello Field Office area. The BLM has proposed a direct land sale and acceptance of a donation parcel to accommodate the tailings pond which is part of the Dairy Syncline project. According to the Draft Record of Decision (DROD), BLM has reduced the proposed land sale from 1,142.1 acres of BLM land to 500 acres and JR Simplot Co will donate a parcel containing 440 acres. In addition, to accommodate the proposed tailings pond, the Forest Service has reduced the sale of Forest Service managed land from 631.6 acres to 160 acres with a donation of 640 acres of private land by Simplot as part of the bargain. Y2U filed a protest of BLM’s decision to amend the Pocatello Resource Management Plan to conduct a land sale accommodating the Dairy Syncline Mine project in the Pocatello Field Office area on December 9th, 2019. The November 9, 2019 Notice of Availability for the FEIS provided a 45-day comment period for responding to the proposed modifications to the Huckleberry Basin and Sage Creek Idaho Roadless Areas (IRA). On December 19th, 2019, Y2U submitted additional comments on this proposed modification of the Huckleberry Basin and Sage Creek IRAs. On January 2nd, 2020 Y2U filed an Objection to the Forest Service ROD.

On January 19th, 2021, Yellowstone to Uintas Connection, the Center For Biological Diversity, WildEarth Guardians, Western Watersheds Project, and Rocky Mountain Wild filed a lawsuit for declaratory and injunctive relief to challenge Federal Defendants’ unlawful approval of nine Resource Management Plans (“RMP”) and related projects (this included the Dairy Syncline project), which govern the management of more than 6.5 million acres of public lands and minerals, because Defendant William Perry Pendley’s exercise of the duties of Acting Director of the U.S. Bureau of Land Management (“BLM”) was unlawful under the Appointments Clause, U.S. Const. art. 2, § 2, cl. 2; the Federal Vacancies Reform Act of 1998, 5 U.S.C. §§ 3345 et seq. (“FVRA” or “Act”); and the Administrative Procedure Act, 5 U.S.C. §§ 701 et seq. (“APA”). This includes the Dairy Syncline phosphate mining project.
On June 22nd, 2021, a meeting to discuss potential avenues for resolution of *Center for Biological Diversity et. Al. v. U.S. BLM, et. Al.* took place. Following that meeting we conferred with the plaintiffs to generate a set of preferred outcomes for the eight RMP-related decisions challenged in our complaint.

On November 10th, 2021, The BLM sent a settlement proposal stating that while the BLM is not willing to withdraw any of the challenged decisions, the agency believes it can offer substantial measures to address concerns plaintiffs have identified, with the goal of improving the projects covered by the subject RMPs going forward. The BLM stated that they have limited ability to provide Plaintiffs our requested relief because we have challenged an RMP decision that supports a now-completed land exchange. Thus, the BLM does not agree to undertake additional RMP level environmental analysis. However, the BLM, did state that they are amenable to discussing additional voluntary mitigation measures with the project proponent. The BLM also stated that it would welcome our input on specific voluntary mitigation measures they would like to see implemented in the project area.

**Work Plan**
- Y2U is considering filing a Protest on the BLM ROD.
- Y2U has secured legal representation who is looking at pursuing additional litigation of the violations of the intent of NEPA, NFMA/FLPMA and the CWA.
- The plaintiffs are reviewing the BLMs proposals and will identify a strategy going forward.

**Expected Outcome**
Unknown

**East Smoky Panel Mine Project**

**Status**
The East Smoky Panel Mine Project at Smoky Canyon Mine Draft Environmental Impact Statement (DEIS) was released in late September 2018. This is another open pit phosphate mine on Forest Service managed land near Afton, Wyoming. The expansion of this mine will further fragment the Corridor, destroy wetlands, wildlife populations, and plant communities while polluting streams in the region with heavy metals. It is already listed as a Superfund site due to selenium pollution of Pole Canyon Creek which resulted from burying Pole Canyon Creek with contaminated overburden. The mine will also cause noise and safety concerns that not only affect wildlife, but also humans.

Our review of the East Smoky Panel Mine and Restoration Project reveals violations of the intent of NEPA, NFMA and the CWA. NEPA considerations include failures to take a Hard Look, evaluate Cumulative Effects or provide Reasonable Alternatives. NFMA failures include inadequate evaluation of population trends for threatened and endangered species, special status species, migratory birds and preserving the productivity of the land with sustainability. CWA violations of surface and groundwater standards are brushed off with the excuse that the Smoky Canyon Mine is a Superfund Site and these exceedances will be addressed under CERCLA. Yet, not all CWA issues are CERCLA related, such as sedimentation of streams, destruction of streams, springs, riparian and wetland habitats, and stream dewatering by livestock grazing and diversions.

Yellowstone to Uintas Connection and Kiesha’s Preserve submitted comments on the DEIS on December 26th, 2018. The Draft Record of Decision (DROD) was released in February of 2020. On April 15th, 2020, Y2U filed an Objection to the Forest Service’s decision to authorize the project because they did not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
Executive Order 13990, issued on January 20th, 2021, the first day of the Biden administration, directed all federal agencies to immediately review and, as appropriate and consistent with applicable law, take action to address the promulgation of Federal regulations and other actions during the last 4 years that conflict with [the Biden administration’s] important national objectives. . .86 Fed. Reg. 7037, Sec. 1. Those “important national objectives” include the use of the best scientific information, processes that ensure the integrity of federal decision-making, environmental justice, reducing carbon emissions and bolstering resilience to climate change, and restoring protections for our national treasures on public lands.

On February 5th, 2021, Y2U sent a formal request to the Acting Secretary of Agriculture identifying the East Smoky Panel Mine as a decision of the United States Forest Service (USFS) that should be immediately reviewed and either modified or withdrawn pursuant to EO 13990. Several organizations including Y2U, the Center for Biological Diversity and WildEarth Guardians had recently requested that the US Dept. of Agriculture (USDA) elevate review of imminent decisions, an urgently needed process which, as we noted, is complementary to the separate duty under EO 13990 to review final decisions made during the last four years. This letter identifies a final decision that is inconsistent with the Biden administration’s important objectives.

Work Plan

- Y2U is seeking legal representation to litigate violations of the intent of NEPA, NFMA/FLPMA and the CWA.

Expected Outcome

Y2U will be consulting with other environmental organizations that submitted comments on the DEIS regarding litigation options. The outcome is unknown.

Husky 1 North Dry Ridge Mine

Status

The Husky 1 North Dry Ridge Mine Project Canyon Mine Scoping process for the Draft Environmental Impact Statement (DEIS) was initiated in late December 2020. This is another open pit phosphate mine on Forest Service managed land between Soda Springs, Idaho and Afton, Wyoming. This mine, if approved, will further fragment the Corridor, destroy wetlands, wildlife populations, and plant communities while polluting streams in the region with heavy metals. The mine will also cause noise and safety concerns that not only affect wildlife, but also humans.

Yellowstone to Uintas Connection, the Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments for the development of the DEIS on January 19th, 2021. We urge you to look at the Husky 1 North Dry Ridge comments as an example of the depth of analysis. The full set of comments can be found here: https://www.yellowstoneuintas.org/issues/science/item/152-husky-1-north-dry-ridge-mine

On October 14th, 2021, the Forest Service published the DEIS for this project. Y2U determined that the DEIS did not adequately analyzed the potential environmental impacts of the project and addressed potential alternatives.
The BLM and USFS must comply with the National Environmental Policy Act (NEPA) by analyzing the environmental impacts of mining and reclamation operations along with reasonable alternatives as well as the projects compliance with other environmental laws such as the Endangered Species Act (ESA), the Clean Water Act (CWA), the Federal Land Policy and Management Act (FLPMA), the National Forest Management Act (NFMA), the Approved Resource Management Plan (ARMP), and the Caribou National Forest Revised Forest Plan (CNF RFP).

On December 1st, 2021, Y2U, the Alliance for the Wild Rockies, Native Ecosystems Council, Wildlands Defense, and the Snake River Waterkeepers submitted comments on the DEIS. It is especially troubling that these mines are being approved in an area deemed a Superfund Site subject to Natural Resource Damages from past and/or ongoing mining pollution. In past comments we have questioned whether the economic benefit outweighs the environmental costs of mining phosphate in this region. According to the recent Smoky Canyon East EIS, this region produces 15% of the phosphate rock in the US while Florida and North Carolina produce 85%. There is no evaluation of the value of the Public Lands to present and future generations for its inherent benefits of water supply, fish, wildlife, and recreation. The American People are left with a permanent burden of water pollution, degraded water supplies, lost fish and wildlife habitat, reduced productivity and reduced or eliminated species. These costs are externalized and only a model (HEA) of supposed values (DSAYS) lost from the directly disturbed areas is mentioned. These costs are partially offset by claimed benefits of the reclamation which will not restore what is lost.

**Work Plan**
- Y2U will file an Objection if the FEIS and ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
- Y2U will seek legal representation to litigate violations of the intent of NEPA, NFMA/FLPMA and the CWA.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

**Expected Outcome**
Unknown

**Kilgore Gold Mine Project**

**Status**
On February 14th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments for the development of the DEIS for the Kilgore Gold Mine Project. Not doing so would mean the Forest Service is in violating the procedural requirements of NEPA by failing to prepare an EIS on the effects of mining activity on the Caribou-Targhee National Forest. Additionally, the project will violate ESA by failing to analyze the consequences of all stages of mining activity on the forests. The Forest Service must complete a full environmental impact statement (EIS) for this Project because the scope of the Project will likely have a significant individual and cumulative impact on the environment. The Alliance for the Wild Rockies has reviewed the statutory and regulatory requirements governing National Forest Management projects, as well as the relevant case law, and compiled a checklist of issues that must be included in the EIS for the project in order for the Forest Service’s analysis to comply with the law. Following the list of necessary elements, we also included a general narrative discussion on possible impacts of the project, with accompanying citations to the relevant scientific literature. These references should be disclosed and discussed in the EIS for the project.
On June 28th, 2021, the Forest Service published the DEIS for this project. Y2U determined that the DEIS did not adequately analyzed the potential environmental impacts of the project and addressed potential alternatives. On July 22nd, 2021, Y2U, Alliance for the Wild Rockies and Native Ecosystems Council filed an objection to the project. On November 12th, 2021, the Forest Service published a Record of Decision and Finding of No Significant Impact authorizing the project.

Work Plan

- Y2U will seek legal representation to litigate violations of the intent of NEPA, NFMA/FLPMA and the CWA.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

North Maybe Mine East Mill Dump

Status

In June of 2021, the Forest Service, proposed a plan for the cleanup of the North Maybe Mine East Mill Dump in Caribou County, Idaho. The Site is a former phosphate mine located in the Caribou-Targhee National Forest. Operation of the mine resulted in the contamination of soils, surface water, vegetation, sediments/soils, and groundwater with metalloids (for example, arsenic and selenium), metals, and uranium daughter products (for example, radium and radon). The Proposed Plan provides background information on the site and the cleanup process, describes the cleanup alternatives that were evaluated, identifies the Forest Service’s preferred cleanup alternative, and explains the reasons for their preference. The proposed plan is a document that the Forest Service is required to issue under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund, and the regulations that implement CERCLA, known as the National Contingency Plan (NCP).

Y2U reviewed the Proposed Plan and found it inadequate at the most basic level. It provides no information or mapping of the nature and extent of the pollution to groundwater, surface water, soils, vegetation, and wildlife. Instead, it refers the reader to the Remedial Investigation and Focused Feasibility Study (RI/FFS) which are available for viewing at the Soda Springs Ranger District. There is no link on the Forest Service website to project documents such as this where one can access and view the information without a trip to Soda Springs. A FOIA request for the documents could not be addressed within the time frame allowed for commenting. It is unclear how the Caribou Targhee Forest Plan, BLM Resource Management Plan, NEPA, NFMA, APA and other laws and regulations apply here. This is a decision to be issued by the Forest Service based on analysis by the mining company consultants. While CERCLA is cited, there must be other mandates to be met. The public needs to fully understand the legal environment applicable here and it is the duty of the agency to provide that context and additional opportunities for input. Since this is a Forest Service current action, all the rules of NEPA, NFMA, FLPMA, CWA, ESA apply. The public must be given a comprehensive analysis under these laws in addition to that provided under CERCLA. To this date there is no mention of the project or any documents related to the project on the Forest Service website.
On **July 30th, 2021**, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council, Wildlands Defense and Snake River Waterkeepers submitted comments on the Proposed Plan North Maybe Mine East Mill Dump. Comments for the North Maybe Mine East Mill Dump project are intertwined with and are relevant to the Husky 1 North Dry Ridge project and were submitted as comments on **December 1st, 2021**, for that project as well.

**Work Plan**
- Y2U is currently trying to find out what the Forest Service is doing with this project as there is no information available to the public on the Forest Service website.
- Y2U will be seeking legal representation to litigate violations of the intent of NEPA, NFMA/FLPMA and the CWA.

**Expected Outcome**
Y2U expects the usual Forest Service and Record of Decision that fails to address the seminal environmental issues will be produced by the agency. Y2U will be consulting with other environmental organizations that submitted comments on the DEIS regarding litigation options. The outcome is unknown currently.
Crow Creek Pipeline Project

Status
The Crow Creek Pipeline project is proposed by the Forest Service to provide natural gas to the Afton/Star Valley, Wyoming area by pipeline instead of the current use of highway transportation. Y2U’s primary concern is that a large portion of the 20-mile-long pipeline route runs through Idaho Roadless Areas (IRA) and further fragments the Corridor. We are specifically concerned about the unintended road that will be created along the pipeline route and the potential for OHV/ATV use in this area. We also want the Forest Service to address concerns such as potential effects of soil disturbance, methane leaks, and the indirect and cumulative ecological impacts which must be analyzed and disclosed in the Environmental Impact Statement. These are particularly of concern where the pipeline route leaves authorized roads and trails that are already in place and enters IRAs.

In February 2018 Yellowstone to Uintas Connection submitted scoping comments on the project. In November of 2018, Y2U and Western Watersheds Project (WWP) submitted comments on the project Draft Environmental Impact Statement (DEIS). The Final Environmental Impact Statement (FEIS) was released in April of 2019 with a Finding of No Significant Impact and the Record of Decision approving the Crow Creek Pipeline was released in November 2019. Upon release, Y2U concluded that the FEIS did not adequately analyze the potential environmental impacts of the project and address potential alternatives. On June 25th, 2019, Y2U filed an Objection on the Crow Creek Pipeline Project.
On January 2nd, 2020, Yellowstone to Uintas Connection along with the Alliance for Wild Rockies filed a Notice of Intent to file a citizen suit pursuant to the citizen suit provision of the Endangered Species Act (ESA). On April 20th Y2U and Alliance for Wild Rockies filed our complaint and filed an amended complaint on September 11th, 2020. You can see the full objection and complaints at https://www.yellowstoneuintas.org/issues/science/item/124-crow-creek-pipeline-project

On March 8th, 2021, a federal court in Idaho ruled that a legal challenge to a natural gas pipeline can proceed. The federal agencies had moved to dismiss the case, but the court rejected that challenge. The court held that the motion to dismiss was “meritless” and that challenges to “local distribution” pipelines like the Crow Creek pipeline must proceed in federal district court. The court pointedly held: "Defendants seem to think because the Crow Creek Pipeline will cross the state line of Idaho and Wyoming, the [Natural Gas Act] ipso facto continues to apply despite a local distribution service area determination. But the Natural Gas Act itself, the caselaw cited, and the record in this case conclusively and swiftly put an end to such a meritless legal position." On May 26th, 2021, a grizzly bear was spotted in Lincoln County, Wyoming, close to the Utah and Idaho borders. An email to the Forest Service asking them to reinitiate ESA consultation for the Crow Creek Pipeline based on this information. On June 15th, 2021, Y2U and Alliance for the Wild Rockies filed a motion to supplement the administrative record. On July 27th, 2021, the plaintiffs filed a brief for the Crow Creek Pipeline case.

Expected Outcome
Unknown
LOGGING/VEGETATION TREATMENTS

Ashley NF Aspen Restoration Project

Status
In October 2019, the Ashley National Forest released the Scoping Letter for the Ashley NF Aspen Restoration Project. This project will occur on 177,077 acres outside of designated wilderness but can also occur in Inventoried Roadless Areas. Under the Categorical Exclusion, the project is intended to move forward without any input, appeal, or objection opportunities from the public, which frees the Forest Service to cut, burn, masticate, sell, girdle, cut roots, and potentially destroy ecosystem function without any public oversight or input. In December 2019, Yellowstone to Uintas Connection along with Alliance for the Wild Rockies and Native Ecosystems Council, submitted comments to the Ashley National Forest regarding the Aspen Restoration Project.

Following is a summary of our concerns:
1. The use of a CE and lack of programmatic or site-specific project NEPA without addressing the circumstances prevailing in this project area.
2. The lack of site-specific analysis and comparison to ecological criteria, best available science, or Forest Plan intent.
3. The lack of opportunities for public input, objection and appeal.
4. There was no designation of a cumulative effects area and no analysis of cumulative effects.
5. Reliance is placed on Best Management Practices (BMPs) instead of science-based criteria under which to manage the project and overlapping uses such as livestock grazing and recreation.
6. Climate change was not addressed.
7. There was no analysis of the Regionally Significant Wildlife Corridor, ESA, special status species such as goshawk, Canada lynx or wolverine, or for that matter native plants.
8. There was no analysis of NFMA viability requirements for special status species.
9. Old growth was not addressed.
10. Aspen, livestock, active management, beetles all interactions and outcomes not addressed.
11. The costs for proposed fencing and other project elements or activities are not defined. Are contractors to be used? Will this occur in the form of timber sales?

Furthermore, we can find no information that vegetation treatments reduce wildfire risk and the evidence we have seen indicates they have many negative effects.

In January of 2021, the project was halted in its tracks by the Forest Service after Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and Native Ecosystems Council submitted detailed comments opposing the project and due to our successful litigation of the Middle Henry’s Aspen Enhancement Project. On June 7th, 2021, the Forest Service published an EA and Finding of No Significant Impact after changing the NEPA analysis from a CE for the reason mentioned above. Y2U determined that the EA did not adequately analyze the potential environmental impacts of the project and addressed potential alternatives. On July 2nd, 2021, Yellowstone to Uinta Connection, Alliance for the Wild Rockies, Native Ecosystems Council and Western Watersheds Project submitted comments on the EA.

Work Plan
- Upon release, Y2U will address whether the Final EA and ROD adequately analyze the potential environmental impacts of the project and addressed potential alternatives.
- Y2U will file an Objection if the ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
- Y2U will be seeking legal representation to investigate potential NEPA, NFMA and FLPMA violations.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

Expected Outcome
Unknown

Bug Creek Integrated Resource Management Project

Status
On January 26th, 2021, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and the Native Ecosystems Council submitted comments regarding the Environmental Assessment (EA) for the Bug Creek Integrated Resource Management project. The project proposes to exceed the maximum opening size exceptions in the Revised Forest Plan (RFP) for the Flathead National Forest.

The proposal includes a variety of vegetation treatments including regeneration harvest, commercial thin, precommercial thinning, understory fuel treatment, and prescribed burning on approximately 5016 acres. To facilitate the vegetation treatments, approximately 17.1 miles of system road could be constructed or reconstructed then closed and placed in stored status for future use. Approximately 5.4 miles of temporary roads would be constructed and then reclaimed following use. The proposal includes the development of up to 15 miles of new trails (for motorized or non-motorized use), as well as re-opening a quarry.
On March 15th, 2021, the Forest Service updated the EA to address our comments. On March 16th, 2021, the Forest Service issued a draft Record of Decision (ROD). At some point during the summer of 2021, the project was put on hold, likely due to fear of litigation.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is considering seeking legal representation to challenge the NEPA process for this project.

**Expected Outcome**
Unknown

**Caribou Prescribed Fire Restoration Project**

**Status**
On November 24th, 2020, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council are submitted scoping comments for the Caribou Prescribed Fire Restoration Project. The Forest Service proposed to use prescribed fire on approximately 719,000 acres in the Caribou zone of the Caribou-Targhee National Forest. The Scoping Proposed Action proposes that this project and its unknown number of site-specific projects will be “categorically excluded from documentation in an environmental assessment or environmental impact statement”. This precludes the public from seeing and commenting on a site-specific analysis and gives no opportunity to comment, object or appeal. It also implies that there will be no Cumulative Effects Analysis (CEA) or “Hard Look” at the direct or indirect effects, or for that matter, no informing the public about existing conditions and the cause and effect related to those conditions in their National Forest. Implementation of a CE does not free the Forest Service from the requirements of the National Environmental Policy Act (NEPA). The basis for a determination that this project will improve the health and resiliency of vegetation communities and habitats in the project area to reduce the risk of uncharacteristic wildfire to key ecosystem components by modifying and reducing natural fuel accumulation, increase resiliency of existing vegetation groups to future stressors like wildfire and drought by improving plant vigor, stand structure, and species composition, improve the proper ecological function of vegetative communities was never provided. The only mention of the impact of the proposed project on wildlife occurring within the project area is found within the project design element section and minimally outlines procedure following implementation of the project. We believe that NEPA requires the agency to adequately demonstrate the impact that this project will have on all wildlife species and needs to be included in the public involvement process, which in this case is scoping. There is no documentation of the current status of special status species potentially occurring or occurring in the project area. Species such as Bald eagle, Grizzly bear, Northern goshawk, Canada lynx, and wolverine are potentially affected by this project.

In January of 2021, this project was halted by the Forest Service after Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and Native Ecosystems Council submitted detailed comments opposing the project and due to our successful litigation of the Middle Henry’s Aspen Enhancement Project.
On September 1st, 2021, the forest service published an EA for this project. On September 29th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted comments for the Caribou Prescribed Fire Restoration Project – Environmental Assessment and Finding of No Significant Impact.

**Work Plan**
- Upon release, Y2U will address whether the Final EA and ROD adequately analyze the potential environmental impacts of the project and addressed potential alternatives.
- Y2U will file an Objection if the ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
- Y2U is seeking legal representation to challenge the NEPA process for this project.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

**Expected Outcome**
Unknown

### Clear Creek Forest Health Project

**Status**
On March 17th, 2021, the Mountain Home Ranger District in the Boise National Forest proposed the Clear Creek Forest Health project. The project area is in Boise County and is located approximately 14 miles northeast of Boise. The project area is an estimated **21,398 acres**. On March 29th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council and Wildlands Defense submitted comments on the Clear Creek Forest Health Project on the Boise National Forest. Under the Categorical Exclusion, the project is intended to move forward without any input, appeal, or objection opportunities from the public, which frees the Forest Service to cut, burn, masticate, sell, girdle, cut roots, and potentially destroy ecosystem function without any public oversight or input.

This project should be analyzed with an Environmental Impact Statement (EIS) not an Environmental Assessment (EA) to assess the cumulative impacts of the proposal along with all other existing and reasonably foreseeable future project impacts in the region.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

**Expected Outcome**
Unknown

### Dayton Project

**Status**
On June 11th, 2021, the Flathead National Forest, Swan Lake Ranger District proposed vegetation management activities on approximately **1,200 acres** of National Forest System (NFS) land generally located west of the town of Lakeside, north of Lake Mary Ronan, and south of Blacktail Mountain ski area. The project was proposed as a Categorical Exclusion to the NEPA process.
Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments on July 7th, 2021. On November 18th, 2021, a Record of Decision and Finding of No Significant Impact was published by the Forest Service.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

**Expected Outcome**
Unknown

**Dixie National Forest Prescribed Fire Landscape Resiliency Project**

**Status**
On October 21st, 2021, the Dixie National Forest proposed a forest-wide prescribed fire project to reduce the risk of uncharacteristic wildfires and improve the health, diversity, and resilience of native vegetation communities and wildlife habitats. The proposed action would authorize the use of prescribed fire and associated treatments across approximately 1.8 million acres of national forest lands within the approximately 2 million-acre DNF. This proposal does not include the use of prescribed fire within any congressionally designated wilderness areas and research natural areas. The specific locations for individual prescribed fires have not been identified at this time. The Forest would identify specific areas for treatment based on prioritized need, suitable conditions for prescribed burning, and available resources to safely implement prescribed burns. The annual prescribed burning program would apply fire on approximately 52,000 acres, though some years may see more or less acres treated depending on conditions and resources.

On November 15th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments on the project.

**Work Plan**
- Upon release, Y2U will address whether the Final EA adequately analyzes the potential environmental impacts of the project and addressed potential alternatives.
- Y2U will file an Objection if the EA and ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

**Expected Outcome**
Unknown

**East Palisades Hazardous Fuel Reduction Project**

**Status**
On December 8th, 2020, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted comments on the East Palisades Hazardous Fuels Reduction Project in the Caribou-Targhee NF. We believe because of the size of the project (2,765 acres) and the cumulative effects of past current and future logging by the Forest Service and private logging and mining in the area the Forest Service must complete a full environmental analysis (EA) for this project. The scope of the project will likely have a significant individual and cumulative impact on the environment.
The comments summarized the statutory and regulatory requirements governing National Forest Management projects, as well as the relevant case law, and compiled a checklist of issues that must be included in the EA for the project in order for the Forest Service’s analysis to comply with the law. On **October 12th, 2021**, the Forest Service announced that this project is utilizing the Categorical Exclusion provisions for hazardous fuels reduction projects described in the new Healthy Forests Restoration Act (HFRA) Title I, Section 102(a).

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

**Expected Outcome**
Unknown

**Eastside Forest and Habitat Improvement Project**

**Status**
On **May 11th, 2021**, the Bitterroot National Forest in conjunction with the Confederated Salish & Kootenai Tribes (CSKT) is proposing a mix of vegetation treatments including prescribed fire and non-commercial thinning which will cover the majority of the “east side” of the Bitterroot National Forest, involving most of the Forest that is east of highway 93 as well as the entire Sula Ranger District, extending from the northern boundary of the Forest on the Stevensville Ranger District near 8 mile creek in Florence down to Conner, following the Darby/Sula Ranger District boundary to the south. The Scoping Proposed Action proposes that this project and its unknown number of site-specific projects will be “categorically excluded from documentation in an environmental assessment or environmental impact statement”. This precludes the public from seeing and commenting on a site-specific analysis and gives no opportunity to comment, object or appeal. It also implies that there will be no Cumulative Effects Analysis (CEA) or “Hard Look” at the direct or indirect effects, or for that matter, no informing the public about existing conditions and the cause and effect related to those conditions in their National Forest. There is also **no indication of the number of acres** that this project will impact.

On **May 21st, 2021**, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, Friends of the Bitterroot, and Native Ecosystems Council submitted scoping comments on the project. The Forest Service must complete a full environmental assessment (EA) for this Project because the scope of the Project will likely have a significant individual and cumulative impact on the environment.

**Work Plan**
- Y2U is seeking legal representation to challenge the Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

**Expected Outcome**
Unknown
Fishlake Forest Wide Prescribed Fire Restoration Project

Status
On April 13th, 2021, The Fishlake National Forest proposed to authorize prescribed fire Forest-wide to reduce the risk of uncharacteristic wildfires, increase the health and resilience of vegetation, and improve wildlife habitat. The implementation of Forest-wide prescribed burning would occur over many years as conditions and available resources allow. The proposed action would be implemented across up to approximately 1 million acres of the Fishlake National Forest. Within this area, the specific locations for individual prescribed fires have not been identified at this time. The project was originally proposed as a Categorical Exclusion to the NEPA process. On October 18th, 2021, the project NEPA was changed to an Environmental Assessment (EA) with a new comment period. On November 15th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted comments on the project.

Work Plan
• Upon release, Y2U will address whether the EA adequately analyzes the potential environmental impacts of the project and addressed potential alternatives.
• Y2U will file an Objection if the EA and ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
• Y2U will continue to monitor the impact of this project on wildlife and habitat.

Expected Outcome
Unknown

Hungry Creek Vegetation Improvement Project

Status
On October 19th, 2021, the Dixie National Forest proposed the Hungry Creek Vegetation Improvement Project. The proposed project is located within Garfield County, Utah on the Escalante Ranger District of the Dixie National Forest. The project consists of approximately 103,351 acres, an analysis area which covers both the Pine Creek and North Creek 6 HUC watersheds. Within this boundary, approximately 50,134 acres would receive a mechanical vegetation treatment such as thinning, timber stand improvement or mastication. Prescribed fire could be applied following vegetation treatments as well to other units in the project boundary for a total of 71,052 acres of burnable acres.

On November 17th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments on this project.

Work Plan
• Upon release, Y2U will address whether the EA adequately analyzes the potential environmental impacts of the project and addressed potential alternatives.
• Y2U will file an Objection if the EA and ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
• Y2U will continue to monitor the impact of this project on wildlife and habitat.

Expected Outcome
Unknown
Manti-LaSal NF Restoration and Fuels Reduction Prescribed Fire Project

Status
On July 7th, 2021, the Manti-LaSal National Forest proposed to authorize multiple prescribed burns on National Forest System (NFS) lands, Forest-wide on 1.1 million acres, up to 48,000 acres per year. On November 17th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments on this project.

Work Plan
- Upon release, Y2U will address whether the EA adequately analyzes the potential environmental impacts of the project and addressed potential alternatives.
- Y2U will file an Objection if the EA and ROD does not adequately analyze the potential environmental impacts of the proposed project and potential alternatives.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

Expected Outcome
Unknown

Middle Fork Henry’s Aspen Enhancement

Status
On January 14th, 2020, Y2U submitted scoping comments on the Middle Fork Henry’s Aspen Enhancement Project was proposed by the Ashton/Island Park Ranger District of the Caribou-Targhee National Forest to increase aspen regeneration across the Middle Henry’s Fork watershed by decreasing their competition with conifer trees. The Middle Henry’s Fork watershed is the largest watershed on the Caribou-Targhee National Forest covering 120,000 acres. It is located within the Henry’s Fork caldera and includes the Big Bend Ridge to the south, Last Chance and Box Canyon to the north, Thurman Ridge and Bishop Mountain to the west, and Hatchery Butte and Elk Butte to the east. This watershed was chosen for treatment due to the abundance of aspen mixed with conifers scattered throughout. This project proposes to treat approximately 49,000 acres with a combination vegetation management activity throughout the project area to improve the condition of the forest ecosystem. This project is proposed as a Categorical Exclusion (CE) and should be analyzed with an Environmental Impact Statement (EIS) not an Environmental Assessment (EA) to assess the cumulative impacts of the proposal along with all other existing and reasonably foreseeable future project impacts in the region, specifically in the Corridor.

This project should be analyzed with an Environmental Impact Statement (EIS) to assess the cumulative impacts of the proposal along with all other existing and reasonably foreseeable future project impacts in the region, specifically in the Corridor. Reasons why an EIS is needed for this project:

- The use of CE lack of programmatic or site-specific project NEPA without addressing the circumstances prevailing in this project area.
- The lack of site-specific analysis and comparison to ecological criteria, best available science or Forest Plan intent.
- There was no designation of a cumulative effects area (CEA) and no analysis of cumulative effects.
- Reliance is placed on Best Management Practices (BMPs) instead of science-based criteria under which to manage the project and overlapping uses such as livestock grazing and recreation.
- Climate change was not addressed.
• There was no analysis included in the Scoping Document of the Regionally Significant Wildlife Corridor, ESA, special status species such as Grizzly bear, goshawk, Canada lynx or wolverine, or for that matter native plants. No data is presented to show current state of each special status species nor of the impact the project will have on these species in the project area.
• The Scoping Document does not include the results of a formal consultation with the US Fish and Wildlife Service (USFWS) regarding the impact of the project on lynx, grizzly bears and wolverines.
• There was no analysis of NFMA viability requirements for special status species.
• Old growth and the impact that removal of old growth forest has on wildlife was not addressed.
• The Scoping Document lacks data to support the projected outcome of the project – shifting species composition from conifer to aspen where aspen is present and reducing conifer where aspen is absent.
• The Scoping Document lacks analysis of the impact that domestic livestock grazing has on aspen regeneration and the lack of seedling and sapling age class.
• The Scoping Document lacks detail as to how temporary roads, landings and skid trails will be effectively closed and rehabilitated.
• The Scoping Document lacks defined monitoring protocol and timing for tree regeneration, tree condition, survival and mortality, herbivory by ungulates, motorized violations on closed routes within the project area, noxious weed invasion of the project area and domestic livestock movement and utilization impacts on the project area.

On December 8th, 2020, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies and Native Ecosystems Council filed a lawsuit against the Secretary of the Interior David Bernhardt and the U.S. Forest Service to stop the Forest Service’s decision. On December 11th, 2020, Y2U and the Alliance for the Wild Rockies filed a 60-Day Notice of Intent to Sue under the Endangered Species Act. To view the comments, the Notice of Intent or the Complaint please see our web page at the following link: https://www.yellowstoneuintas.org/issues/science/item/133-middle-henry-s-fork-aspen-enhancement-project

Y2U and the Alliance for the Wild Rockies secured legal representation and will filed litigation to challenge the Categorical Exclusion of the NEPA process on this project in December 2020.

On February 22nd, 2021, the project was halted by the Forest Service as a result of litigation filed by Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and Native Ecosystem Council.

Mud Creek Vegetation Management Project

Status
On September 6th, 2019, The West Fork Ranger District of the Bitterroot National Forest is proposing the Mud Creek project to address forest health, hazardous fuels, and road network concerns in the entire Mud Creek watershed and portions of the Nelson Lake, Little West Fork, Lloyd Creek, Lower Blue Joint and Painted Rocks watersheds areas of the Bitterroot Mountains. The project area is approximately 48,523 acres, however, most vegetation treatments will focus on the WildlandUrban Interface (WUI). On April 19th, 2021, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, Friends of the Bitterroot, and Native Ecosystems Council submitted comments on the draft EA for the project. The Forest Service must complete a full environmental impact statement (EIS) for this Project because the scope of the Project will likely have a significant individual and cumulative impact on the environment.
On **July 6th, 2021**, the Forest Service published the Final EA for the project and ROD – Finding of No Significant Impact.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

**Expected Outcome**
Unknown

**Pintler Face Project**

**Status**
On **September 9th, 2021**, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, and Native Ecosystems Council filed an objection to the Pintler Face Final EA and ROD – Finding of No Significant Impact. The project was proposed and approved by the Beaverhead-Deerlodge National Forest.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U has secured legal representation to challenge the NEPA process for Threatened and Endangered Species on this project.

**Expected Outcome**
Unknown

**Upper Willow Creek Project**

**Status**
On **April 23rd, 2021**, The Pintler Ranger District in the Beaverhead-Deerlodge National Forest proposed to remove dead, dying, structurally weakened, infested and/or infected, and at-risk adjacent live trees on up to **250 acres** on 12 units through the use of mechanical harvest and ground-based skidding on units adjacent to County Road 88 and private land along Upper Willow Creek.

On **May 11th, 2021**, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems submitted comments on the Categorical Exclusion for this project. On September 9th, 2021, the Forest Service signed a Decision Memo authorizing the project.

**Work Plan**
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

**Expected Outcome**
Unknown
Sage Hen Integrated Restoration Project

Status
On April 13th, 2020, published the scoping letter for the Sage Hen Integrated Restoration project in the Boise National Forest to implement vegetation treatments and reintroduce fire into the landscape. The project is located along the northwestern boundary of the Boise National Forest and is about 50 miles north of Boise, Idaho. The project boundary is consistent with the ridgeline of the Upper Squaw Creek watershed—an ecological boundary that allows for a more complete approach to restoration—and totals nearly 67,800 acres. The west side of the project area incorporates private lands, with Bureau of Land Management, state and private lands also adjacent to the project area boundary. The east side of the project area encompasses a portion of the Snowbank Inventoried Roadless Area. On November 12th, 2020 the Forest Service published a Final EA and ROD – Finding of No Significant Impact for the project.

On December 8th, 2020, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council and Wildlands Defense filed an objection to the project. On September 9th, 2021, Y2U and the other groups filed a 60-Day Notice of Intent to Sue under the Endangered Species Act. On November 1st, 2021, we filed a lawsuit against the Boise National Forest Supervisor, the Chief of the United States Forest Service and the US Forest Service. On November 15th, 2021, we filed an amended complaint to include the ESA issues.

Work Plan
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U has secured legal representation to challenge the NEPA process for Threatened and Endangered Species on this project.

Expected Outcome
Unknown

South Valley Fuels Reduction Project

Status
On March 30th, 2021, Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, Native Ecosystems Council and Wildlands Defense submitted scoping comments on the South Valley Fuels Reduction Project in the Teton Basin ranger district of the Caribou-Targhee National Forest.

The project area is located approximately 2.5 miles south and 4.5 miles west of Victor, Idaho in the Teton Basin Ranger District. The District intends to implement the project through authorities of the Healthy Forests Restoration Act (HFRA) of2003 which limit the acres treated to 3,000 total acres. This scoping document indicates that resource specialists will be analyzing impacts to areas identified for potential treatments on approximately 3,819 acres proposed for treatment. This project should be analyzed with an Environmental Impact Statement (EIS) to assess the cumulative impacts of the proposal along with all other existing and reasonably foreseeable future project impacts in the region, specifically in the Corridor. The comments summarized the statutory and regulatory requirements governing National Forest Management projects, as well as the relevant case law, and compiled a checklist of issues that must be included in the EA or EIS for the project in order for the Forest Service’s analysis to comply with the law.
On June 11th, 2021, the Forest Service published the Final EA for the project and ROD – Finding of No Significant Impact.

Work Plan
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is considering seeking legal representation to challenge the NEPA process for Threatened and Endangered Species on this project.

Expected Outcome
Unknown

Targhee Prescribed Fire Restoration Project

Status
On November 24th, 2020, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments for the Targhee Prescribed Fire Restoration Project. The Forest Service proposed to use prescribed fire on approximately one million acres in the Targhee zone of the Caribou-Targhee National Forest. The Scoping Proposed Action proposes that this project and its unknown number of site-specific projects will be "categorically excluded from documentation in an environmental assessment or environmental impact statement". This precludes the public from seeing and commenting on a site-specific analysis and gives no opportunity to comment, object or appeal. It also implies that there will be no Cumulative Effects Analysis (CEA) or “Hard Look” at the direct or indirect effects, or for that matter, no informing the public about existing conditions and the cause and effect related to those conditions in their National Forest.

Implementation of a CE does not free the Forest Service from the requirements of the National Environmental Policy Act (NEPA). The basis for a determination that this project will improve the health and resiliency of vegetation communities and habitats in the project area to reduce the risk of uncharacteristic wildfire to key ecosystem components by modifying and reducing natural fuel accumulation, increase resiliency of existing vegetation groups to future stressors like wildfire and drought by improving plant vigor, stand structure, and species composition, improve the proper ecological function of vegetative communities was never provided. The only mention of the impact of the proposed project on wildlife occurring within the project area is found within the project design element section and minimally outlines procedure following implementation of the project.

We believe that NEPA requires the agency to adequately demonstrate the impact that this project will have on all wildlife species and needs to be included in the public involvement process, which in this case is scoping. There is no documentation of the current status of special status species potentially occurring or occurring in the project area. Species such as Bald eagle, Grizzly bear, Northern goshawk, Canada lynx, and wolverine are potentially affected by this project.

In February of 2021, the project was canceled by the Forest Service after Yellowstone to Uintas Connection, the Alliance for the Wild Rockies, and Native Ecosystems Council submitted detailed comments opposing the project and due to our successful litigation of the Middle Henry’s Aspen Enhancement Project, which occurs in the Targhee portion of the Caribou-Targhee National Forest.
Road Closures

Status
On October 2017, Yellowstone to Uintas Connection began working with the Montpelier Ranger District to close illegal OHV/ATV roads. In 2017 Y2U assisted with the permanent closure of five (5) miles of unauthorized user-created routes. In 2018, using heavy equipment donated by Kiesha’s Preserve, the wildlife preserve that Y2U manages, we were able to offer the Uinta-Wasatch-Cache and Caribou-Targhee National Forests the resources and labor needed to close unauthorized user created routes according to each Forest’s Travel Plans. In 2018, Y2U assisted the Forest Service in the permanent closure of over seven (7) miles of roads and fifteen (15) illegal campsites in the Caribou-Targhee National Forest and one and a half (1.5) miles of roads and fifty (50) illegal campsites in the Uinta-Wasatch-Cache National Forests. In August 2018, Y2U director Jason Christensen toured the project worksites with the Uinta-Wasatch-Cache Forest Supervisor, Dave Whittekiend and Logan District Ranger Jennefer Parker and Montpelier District Ranger Mike Duncan to assess work progress and plan for future road closure work. Y2U submitted a RAC grant proposal in March 2019 to assist with funding route closures in the Caribou National Forest. The RAC proposal was not funded. Y2U had still intended to assist the Montpelier Ranger District of the Caribou National Forest with additional unauthorized user-created routes but for reasons unknown at this time, we were not asked to assist as planned during the summer of 2019. Y2U did however assist the Logan Ranger District with the closure of an additional three (3) miles of unauthorized user-created routes and the closure of multiple illegal campsites, some of which occurred within the Wilderness boundary, in the Uinta-Wasatch-Cache National Forest during the summer of 2019.
During the summer of 2020 Y2U assisted the Logan Ranger District with the permanent closure of five and a half (5.5) miles of unauthorized user-created routes and multiple illegal campsites in the Uinta-Wasatch-Cache National Forest. Y2U has assisted with the permanent closure of 22 miles of illegal routes in the National Forest over the past 4 years!

This project was halted in 2021 due to the Covid 19 Pandemic and not being able to meet with the Forest Service to outline potential road closures and strategy. We will look at continuing this project in 2022.

**Work Plan**
- Meet with Uinta-Wasatch-Cache and Caribou-Targhee National Forests over the upcoming months to discuss closing additional user-created routes and illegal campsites in 2022.

**Expected Outcome**
Our goal is to close an additional 10 miles of user-created routes and 50 illegal campsites in 2022.
Bridger-Teton NF Bighorn Sheep Forest Plan Amendment

Status
On April 21st, 2021, the Bridger-Teton National Forest proposed to amend a bighorn sheep standard in the 1990 Bridger-Teton National Forest Land and Resource Management Plan (Forest Plan). The current standard focuses entirely on one herd that is reintroduced. Bighorn sheep are currently considered a Sensitive Species and are a potential Species of Conservation Concern in future forest planning. The Forest Plan currently contains one “standard” specific to bighorn sheep, which focuses entirely on the Darby Herd; however, this standard does not provide landscape scale protections for the Forest’s bighorn sheep population. The Western Association of Fish and Wildlife Agencies considers disease outbreaks a threat to bighorn sheep herds and considers separation of bighorn sheep from domestic sheep and goats as an important management tool. The Forest is considering altering the current Forest Plan to promote separation for core, native herds and to ensure the viability of bighorn sheep on the Forest in a way that is aligned with landscape-scale management of the species. (This is code for allowing more domestic sheep grazing and reducing the amount of habitat dedicated to native bighorn sheep.) In Wyoming, the interaction between domestic and wild sheep has led to considerable conflict.
The Wyoming Game and Fish Department (WGFD) has delineated bighorn sheep management areas, which are subject to the Terms of Agreement outlined in the Final Report and Recommendations from the Wyoming Statewide Bighorn/Domestic Sheep Interaction Working Group (https://wgfd.wyo.gov/WGFD/media/content/PDF/Wildlife/BHS-Domestic/Map-BHS_Mgmt_Areas.jpg; some areas contain native and persistent bighorn sheep herds that are of high biological importance and priority, while other herds are de-emphasized.

On May 17th, 2021, Yellowstone to Uintas Connection and Western Watersheds Project sent a letter to the Pinedale District Ranger and to the BTNF Forest Supervisor requesting joint monitoring on the BTNF. That request was denied. On May 26th, 2021, Pursuant to the federal Freedom of Information Act (FOIA) (5 U.S.C. 552 et. seq.), Yellowstone to Uintas Connection requested the following information:

- Geospatial data for range monitoring locations for the BTNF, including but not limited to range trend, upland and riparian utilization, greenline, and multiple indicator monitoring.
- Geospatial data for range improvement locations for the BTNF, including but not limited to spring developments, water troughs, constructed ponds, and pipelines.
- Geospatial data for spring locations on the BTNF.
- It is my understanding that it is easier and cheaper for you to provide

On June 6th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council and WildEarth Guardians submitted scoping comments for the Proposed Amendment to the Bridger-Teton NF LRMP for Bighorn Sheep. On June 7th, 2021, our associates at Western Watersheds Project submitted very detailed comments outlining more concerns regarding the proposed Forest Plan amendment. On November 19th, 2021, the BTNF Forest Supervisor sent out a letter stating that feedback from the public and many organizations indicated an overwhelming lack of support for the proposal to amend the Forest Plan. The Forest believes that an Environmental Impact Statement (EIS) would need to be completed to support this plan amendment. The simple timeline of completing an EIS would put this into the same timeframe of when the BTNF would be entering Forest Plan revision. Thus, the Forest believes it would be best to look at this issue in a holistic manner that considers allotment status and grazing across the entire BTNF as part of the revision process. For this reason and due to other priority range workloads, the Forest Service is pausing work on both the Forest Plan amendment and further NEPA analysis for the 7 sheep allotments on Grey’s River District until the Forest Plan is revised or other circumstances allow additional range NEPA planning capacity (these allotments are currently closed to grazing due to permit buyouts). **This is the same situation as the Elk Ridge Complex allotments that were closed through permittee buyouts and closed to cattle grazing. Now the Forest Service is proposing opening the allotments again to domestic sheep grazing. For now, these allotments will remain vacant.** Work that has been completed for the amendment will be incorporated into Forest Plan revision. The Forest Service will continue the NEPA process on the Elk Ridge complex vacant allotments (See Elk Ridge Complex section under Livestock Grazing above.)

**Work Plan**

- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U has secured legal representation to challenge the NEPA process for Threatened and Endangered Species on this project.

**Expected Outcome**

Unknown
Dell Creek Elk Feed Ground Special Use Permit

Status
On October 13th, 2021, the Bridger-Teton National Forest published a scoping notice stating that Wyoming Game and Fish Commission (WGFC) has requested to use the facilities at Dell Creek feedground on the Big Piney Ranger District to conduct their winter elk management activities. The purpose the proposal is for a one year special use permit authorization for WGFC to operate and manage the Dell Creek feedground. The Dell Creek feedground has been maintained and operated by the WGFC for supplemental winter feeding of elk since 1975. This feedground is one of 22 State operated feedgrounds located in Wyoming. On September 21, 2021, the authorization for WGFC’s use of the Dell Creek feedground was determined by a United States District Judge to have expired. Under 36 CFR 251.50, an authorization is required for this use of National Forest System lands. On October 5, 2021, the Big Piney District received an application from WGFC to continue to use the facilities at Dell Creek feedground to conduct their winter elk management activities. Therefore, there is a need for the Forest Service to respond to the WGFD’s application request. The one-year special use permit authorization allows for the continued management of the elk feedground on a temporary basis while the Forest Service conducts an environmental analysis for longer term use. The Forest Service intends to prepare an environmental impact statement to analyze the environmental effects of long term use pursuant to the National Environmental Policy Act. The Forest Service also stated that there are no extraordinary circumstances related to the proposed action that may result in a significant individual or cumulative environmental effects and that they expected that this project would be authorized by the use of a Categorical Exclusion.

On October 22nd, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments stating that in our experience with the Forest Service, we expect years of back and forth in a NEPA process involving an EIS, so this special use permit will likely be back for multiple renewals. It would seem a good time to allow the Dell Creek FG operation to be terminated while the fate of the remaining FGs is determined. This would be beneficial to reducing the incidence of brucellosis in elk, reducing the time spent on private lands and the FG area, and more time spent in the BTNF following natural migration patterns. Seasonal, parturition and crucial ranges would be used longer for the beneficial nutrition these habitats may provide. Closing Dell Creek would also reduce the risk of Chronic Wasting Disease that can increase when animals are in close quarters such as FGs. The Dell Creek FG serves only a small fraction of the elk in the BTNF area. It is timely to close this FG in combination with other actions. Since not all elk feed at these FGs and elk using FGs have higher rates of disease than those that do not use FGs, it is highly questionable that FGs are reducing, not enhancing disease transmission to each other and to livestock. Contact between elk and livestock is guaranteed by the locations of these FGs in and adjacent to active grazing allotments. Livestock consume huge quantities of the forage needed by elk and other wildlife. For example, one cow and calf pair consume 50 lbs air dry forage per day10 while an elk consumes 14 lb/day11. Cattle displace elk from preferred habitats until forage is depleted and then they may comingle. Predators and scavengers can have a positive influence by removing diseased animals as well as the disease contaminated offal from birth or abortion by diseased animals. To reduce the dependence of elk on FGs, providing more forage on public (and private) lands in their important crucial, parturition and winter ranges and limiting conflicts with cattle on the BTNF is needed.
On November 8th, 2021, the Forest Service published an authorization, under Categorical Exclusion of the NEPA process, for WGFC to maintain and operate the Dell Feedground. On November 23rd, 2021, Y2U, along with the Western Watersheds Project, Wyoming Wildlife Advocates, and the Gallitin Wildlife Association have secured legal representation to challenge the NEPA process and authorization of this project.

**Work Plan**
- Litigate the authorization of the Dell Creek Feedground Special Use Permit.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.

**Expected Outcome**
Unknown

**Elk Feed Grounds: A Challenge We Can Take On**

**Status**
On September 29th, 2021, Yellowstone to Uintas Connection, along with the Western Watersheds Project, Wyoming Wildlife Advocates, and the Gallitin Wildlife Association, agreed to participate in Phase II of the Wyoming Game and Fish Department’s *Elk Feedgrounds: A Challenge We Can Take On* public collaborative process.

**Work Plan**
- Y2U takes part in weekly stakeholder meetings in regard to elk feedgrounds in Wyoming.
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U has secured legal representation to challenge the NEPA process and authorization of these feedgrounds. (See Dell Creek Elk Feed Ground Special Use Permit above.)

**Expected Outcome**
Unknown

**Gray Wolves - A Petition to list the Western North American population of Gray Wolves (Canis Lupus) as a distinct population segment.**

**Status**
On July 29th, 2021, a large group of petitioners led by Western Watersheds Project and including Yellowstone to Uintas Connection submitted to the U.S. Fish and Wildlife Service a petition to promulgate a rule (16 U.S.C. §1533(b)(7)) for the Western Distinct Population Segment of gray wolves (*Canis lupus*), listing wolves as endangered under the Endangered Species Act, based on an abundance of scientific and commercial information. 16 U.S.C. § 1531(b). Collectively, we represented millions of Americans who are seeking to see gray wolves fully recovered and protected across the western United States, and who believe that current management of the species is insufficient to prevent a second wild extinction. The petition and its findings are in accord with calls by Indigenous peoples to protect the gray wolf nationwide under the Endangered Species Act,1 and the recommendations of 400 prominent scientists who have called on this administration to provide emergency protections for wolves in the Northern Rockies. Specifically, we are seeking ESA “endangered” protection for gray wolves in Idaho, Montana, Wyoming, Utah, Oregon, Washington, Colorado, California, Nevada, and northern Arizona. The re-listing of these wolves as a Distinct Population Segment should be a priority for prompt action because new laws in Idaho and Montana, and longstanding wolf management in Wyoming, are intended to reduce gray wolf populations in the core wolf recovery zone by 85 to 90 percent by incentivizing wolf
killing and authorizing use of new methods to kill wolves. This decimation could happen in a very short span of time, several years or less. This poses a significant near-term risk to the core of the Distinct Population Segment, particularly when coupled with the likelihood of stochastic events like disease outbreaks. The wolf management plans of these three states constitute inadequate regulatory mechanisms, an important failure under the Service’s Policy for Effective Conservation Efforts that weighs in favor of listing. In the absence of minimum viable population sizes in California, Nevada, Utah, Colorado, and northern Arizona, as well as in suitable wolf habitats in Washington and Oregon west of the Cascade Range, extinction of wolves in these areas is a very strong likelihood in the immediate future.

Expected Outcome
Unknown

Grizzly Bear Letter

Status
On May 20th, 2021, a group of conservation organizations including Yellowstone to Uintas Connection sent a letter to the United States Secretary of Agriculture, the chairman of the US House Resources Committee, and the chairman of the US Senate Energy and Natural Resources Committee a letter outlining our concerns about the future of the grizzly bear, currently listed as threatened under the Endangered Species Act. We urged that the Secretary and respective chairmans direct the Forest Service to amend select Land Management Plans that we outlined in detail in the letter in order to better protect grizzly bears and facilitate their recovery since the majority of grizzly habitat in the lower 48 states is found on national forests. One crucial action is to initiate a process to amend all land management plans with suitable grizzly bear habitat4 with several key components. Critical to such a multi-plan amendment is identifying key large habitat linkage areas for protection as grizzly bear habitat. Three essential components in the multi-pan amendment that should be applied to suitable grizzly bear habitat as well as linkage areas are:

• Standards that establish limits on motorized and mechanized route density and set secure habitat thresholds within linkage areas.5

• Standards that include food security co-existence measures, specifically ones that address both front country and backcountry camping and restrict black bear baiting, which can be lethal to grizzlies.

• Standards that include livestock-grizzly co-existence measures, specifically one that allows for voluntary permit retirement that would apply Animal Unit Months (AUMs) associated with permits lost, relinquished, or canceled to watershed protection and wildlife (grizzly bear) habitat.

While the multi-plan amendment is being completed, USDA should consider implementing interim measures to reduce road density and improve grizzly bear co-existence until finalization of the multi-plan amendment.

Expected Outcome
Unknown
**Lynx Analysis in the CTNF (and Western US)**

**Status**
The current state of Lynx historical and critical habitat as well as linkage areas occurring in the CTNF must be analyzed and reflect all human disturbances to habitat integrity and quality. This would include mines, roads, ATVs/OHVs and snowmobile activity, rail lines, pipelines, timber harvests, forest and vegetation treatments, livestock grazing and their effects on habitat continuity or fragmentation, understory plant communities and their condition as compared to potential. These all affect the ability of lynx and other species to inhabit the area or migrate through. It is insufficient to claim they will just move around a project area by using other habitat without specificity of the habitat features needed by each species as compared to that available. The quality of the habitat in that periphery is never analyzed in any project NEPA relative to the habitat needs for lynx or the habitat fragmentation that may be precluding lynx from otherwise suitable habitat. There have been no reports of lynx presence in SE Idaho for over a decade. We do not see any analysis as to why this is so since the CTNF borders lynx Critical Habitat and lynx historically occurred here. To address this issue a letter dated **August 13th, 2021**, was sent to Mel Bolling, Forest Supervisor of the CTNF. The following discussion includes points from that letter.

In our letter, we requested that the Caribou Targhee NF conduct an objective analysis of the habitat and historical occurrence of Canada lynx in Idaho and respond with a plan as to how it will proceed with the analysis. The analysis should document the Forest types and elevations where lynx have historically been observed or tracked in Colorado, Idaho, Montana, Wyoming, and Utah as these states have many similar forest and habitat types where lynx have historically occurred or now live and migrate after reintroduction, such as the Colorado reintroductions. The analysis should also document migration corridors and habitat connections. A broad look such as this would likely capture the full range of habitats and connections historically used by lynx and allow an evaluation of their current capability and suitability for Canada lynx in the CTNF. Once determined, these habitat types within the CTNF should be mapped and delineated as lynx habitat. That habitat should then be further analyzed to document the nature and extent of human alteration or fragmentation by roads, mines, pipelines, transmission lines, ATVs/OHVs and snowmobile activity, timber projects, fires (both natural and prescribed burns), livestock grazing, and other alterations. This analysis should be supplemented using recent published information on lynx habitat use. The closest thing to an analysis we have seen is the 2018 Targhee National Forest Lynx Analysis Units FEIS (LAU FEIS). We find that the LAU FEIS is flawed in its analysis. For example, the model painted black and white lines such as 70% subalpine fir as the demarcation between primary and secondary habitat. Also, the modeling seemed to be saying lynx habitat here in the Caribou Targhee NF had to be the same as in Alaska and Canada where much of the research used in the LCAS occurred. It's as if a lynx, which is moving through the forest, encounters a change in subalpine fir cover from 70% to 69% and then turns around. Or, a lynx, walking over the snow, encounters lodgepole pine or rhyolitic soils in Island Park, and turns around.

The Northern Rockies Lynx Management Direction Record of Decision (NRLMD ROD) and its standards and guidelines provided no standard for levels of mature forest habitat within LAUs and provided nothing for habitat not designated in LAUs. While it states that habitat connectivity will be maintained, there is no definition of what constitutes connected habitat, even though this can be defined by current science. The NRLMD does not ensure persistence of lynx, since there are no restrictions on the amount of an LAU that can be converted to habitats that are avoided by lynx, and to habitats that reduce habitat connectivity via mature forests.
Mr. Bolling provided a response to our letter (September 13, 2021) that described the studies determining the current status of lynx in the CTNF, essentially relying on the LCAS revision from 2013, the Northern Rockies Lynx Management Direction (2007), and the National Lynx Survey that basically restated the status of lynx in the Caribou NF as unoccupied and not subject to the NRLMD. Therefore, no LAU's or lynx habitat were mapped on the Caribou NF. The letter noted that, "Since no non-transient Canada lynx have been detected on the Caribou, mapping of habitat is not required. If Canada lynx are detected in the future, lynx habitat would be mapped consistent with the procedures in the 2013 LCAS and the best available science concerning lynx would be considered in proposed projects." Now, lynx using the linkage are considered "transient" thus not qualifying for habitat analysis or establishment of LAUs.

A summary of Canada lynx status attached to Mr. Bolling's letter pointed out that new information on lynx habitat has been generated since listing of Canada lynx 20 years ago. The Caribou RFP is almost 20 years old as well. It is time to revisit mapping and characterization of lynx habitat in the Caribou NF using the research we have summarized above. While the summary provided by Mr. Bolling attempts to further define downward the amount of lynx habitat by using too narrow criteria, even in this context, the primary source recommended is a 2021 paper which is a new species distribution model for lynx. We have added the summary of that report and the map in that report that projects high and moderate probability of lynx habitat occurring in the areas we have delineated in our scoping comments for one project after the other in the CTNF.

Work Plan
- Y2U has secured legal representation to challenge the Northern Rockies Lynx Management Direction Record of Decision and subsequent amendments.

Expected Outcome
Unknown

Mount Logan Rocky Mountain Goat Introduction

Status
On September 8th, 2021, the State of Utah Division of Wildlife Resources delayed its plans to introduce non-native mountain goats in the Bear River Range near Logan. A coalition of concerned citizens groups formed to oppose this introduction. These included the Bridgerland Audubon Society, Citizens Climate Lobby, Grand Canyon Trust, USU Student Organization for Society and Natural Resources, Utah Native Plant Society, Western Wildlife Conservancy, Yellowstone to Uintas Connection, and retired Forest Service and USU scientists. This introduction if carried out, would threaten 13 rare and endemic plant species that occur only here in the Logan Canyon area and Bear River Range. They occur in steep slopes and rock outcrops and are in habitats that the goats would prefer, thus placing these rare plants at high risk. On August 3rd, 2020, a group letter the coalition sent to the agencies involved identified the concerns and issues that needed to be addressed. This delay in the introduction likely reflected the input of these members of the public and a heightened concern by the agencies over the impacts that may result.

A recent introduction in the LaSal mountains in southern Utah has resulted in development of wallows in sensitive alpine areas, destruction of soils and grazing of sensitive plants that occur there. A report by Grand Canyon Trust clearly illustrates the damage. Grand Teton and Olympic National Parks have been struggling to remove mountain goats over several years because of damage to the environment. Once introduced, mountain goats are extremely difficult and expensive to remove.
According to Utah Division of Wildlife Resources, there are mountain goats already in these mountains near Logan, having strayed from the areas in which they were originally introduced.

For these reasons, Yellowstone to Uintas Connection also sent a letter to the Forest Service on September 14th, 2020 requesting that no further introductions be made, that existing goats be removed at the State’s expense to prevent spread of what is an ecological disaster for rare plants and our watersheds. The Forest Service has the ultimate authority to manage wildlife on the Forest and has the authority to prohibit goat introductions.

The Utah Division of Wildlife Resources has delayed the introduction for a 2-year study period due to the pressure put on them by our coalition. Y2U will continue to oppose the introduction of Rocky Mountain goats in the Bear River Range.

Mink Creek (Pocatello Idaho Watershed) Beaver Restoration Project

Status
The Caribou Targhee NF (CTNF) issued a proposal on August 2, 2021, to install Beaver Dam Analogs (BDAs) and Post-assisted Log Structures (PALS) to facilitate beaver re-colonization and to mimic their activities which would restore or improve riparian conditions. The proposal stated that the need for the project is due to declining beaver populations and loss of stability of beaver dams in the project area. Existing conditions in the affected stream systems include exceedance of water quality criteria, including not supporting cold water aquatic life, excessive sediment, nitrogen, and phosphorus. Streams are not meeting Proper Functioning Conditions. There was no mention of the history of bacterial and E. coli pollution nor of the livestock grazing that occurs in these watersheds. There was no mention of addressing this overriding influence on watershed, riparian, and habitat conditions leading to the loss of beaver dams and populations and the benefits they provide. This project is intended to be conducted under a Categorical Exclusion "if no extraordinary circumstances are identified during the environmental analysis". On August 30th, 2021, Yellowstone to Uintas Connection, Alliance for the Wild Rockies, Native Ecosystems Council, Snake River Waterkeeper, Western Watersheds Project, and Wildlands Defense submitted comments on the proposal.

Background: The CTNF first announced its effort to reauthorize grazing on the Pocatello, Midnight and Michaud grazing allotments in 2010. The purpose and need were that NEPA analysis for the three allotments was outdated and the reauthorization decisions were signed prior to the completion of the 2003 Revised Forest Plan (RFP). An EA was to be issued to determine if grazing remained suitable for the area and to outline mitigation for impacts. The project was placed on hold for collection of additional data. Y2U suggested a tour of the allotments to the Forest Service with the result that a group of interested organizations and individuals, permittees and Forest Service staff spent the day touring the allotments and viewing conditions. In 2013, we conducted an E. coli study on Mink Creek, East Fork Mink Creek, South Fork Mink Creek, West Fork Mink Creek and Gibson Jack Creek. Water samples were collected on three occasions in August and September 2013. Exceedances of primary and secondary recreation contact criteria occurred in all tributaries and main Mink Creek during one or more sample periods. The lone exception was Gibson Jack Creek where no livestock were documented. Exceedances were related to the presence of cattle and even occurred in the West Fork Mink Creek, which was closed to grazing, but trespass cattle were documented in that watershed during sampling. Once the cattle left the allotments, E. coli levels declined to below criteria. A scoping letter to reauthorize livestock grazing on these three allotments was issued on December 24, 2013. The action would develop new allotment management plans to meet objectives, including riparian management, fences, and water developments. These were intended to reduce impacts to riparian areas and dispersed recreation and define adaptive
management to meet objectives. The need for change was driven by failure to meet desired conditions including riparian, water resource, water quality, and recreation. We submitted scoping comments dated January 28, 2014. Those comments addressed NFMA regulations regarding the duty of the Forest Service to provide restrictions in municipal watersheds when requested. We requested the watershed be closed to beaver trapping due to the benefits of beavers to riparian habitats, water storage and economics. We identified issues including the exceedance of water quality criteria, low stream flows, effects of livestock grazing, Yellowstone cutthroat trout populations, cattle being present in tributaries where livestock are not permitted, sage and sharp-tail grouse, economics, and the insignificant role of livestock grazing to local and regional economies. Then the comments focused on livestock and range science to include updating capability and suitability analysis for the allotments based on current forage availability and livestock forage consumption rates; a science-based utilization rate of 25% as opposed to double or nearly double that currently allowed; reducing stocking rates; addressing the effects of the numerous water developments spread across the allotments; grazing systems; fences and habitat fragmentation by range developments. Recommendations for change were provided in the conclusions of those comments. Additional scoping comments were submitted dated January 30, 2014. The comments requested that an EIS be prepared, that the suitability and capability of the allotments be determined, that existing and proposed AMPs be evaluated, a determination of current carrying capacity be carried out, that the project is consistent with all applicable land use plans, a desired future condition be determined with a defined ecological status on a site-specific basis, monitoring and use of quantitative data should be employed rather than vague or subjective assessments, that adaptive management be systematic and not "ad hoc", that the range of alternatives was inadequate, and the proposed action must disclose the grazing management system. In August 2014 the Forest Service released its DEIS for the Pocatello, Midnight, Michaud Allotment Management Plan Revisions (Pocatello DEIS). The Pocatello DEIS proposed to reauthorize livestock grazing and manage to "meet or move resources toward the Revised Forest Plan, RFP, desired conditions." Allotment Management Plans were dated from 1992, and the grazing allotments were not "meeting or moving toward desired conditions in an acceptable timeframe." There was a need for changes to grazing management. We submitted comments on this DEIS dated November 10, 2014 (DEIS Comments). These comments addressed specific points in the DEIS and provided analysis and science as their basis. Then, we received a letter from the Forest Service dated March 15, 2016. This letter stated that, "We have decided to forgo completion of the Environmental Impact Statement analysis in favor of utilizing other tools and authorities to improve allotment administration and resource condition on these three allotments." These "tools and authorities" included special use or grazing permit modifications, fencing the municipal watershed and Nordic ski area and Pine Plantation camping area. Best management practices would be applied to maintain or improve water quality that do not require NEPA and an agency decision. Improved monitoring with grazing standards and guidelines which were included in the 2003 RFP were to improve resource conditions. We submitted a response to the Forest Service regarding their withdrawal of the Pocatello DEIS in April 2016. Our response described the history of this effort, the evident problems on these allotments, and the failure of BMPs and Adaptive Management to correct these problems. It stressed their past management which had failed and how this decision would now deny the public the analysis it deserved. We again pointed out the failure of the Forest Service to monitor to enforce RFP standards, that there were insufficient pastures to comply with the rotations, there were no changes to stocking rates, and some pastures had few capable acres. We reiterated the science showing that cattle were responsible for the E. coli pollution and that trapping of beavers remained a problem. We also pointed out that streams from these allotments added pollution to the Portneuf River which Pocatello planned to use for its water supply and that pollution would raise treatment costs to the City. These were among the many points made.

Our August 30th, 2021, comments summarized the problems with this proposal. After a decade of the Forest Service claiming the need to address water quality and other issues, we are left with reduced requirements for livestock in riparian areas, no compliance with the IDAPA BMPs for stream buffers and livestock exclusion. We have shown that the allotments have massive numbers of water developments
and that riparian areas are heavily grazed, thus there is no buffering capacity. When we conducted our monitoring in 2013, the AOIs contained standards for riparian areas. Water quality criteria were exceeded despite these facilities and "standards". Yet, the 2021 AOIs reduced these standards. Livestock exclusion is the only remaining effective option. It is imperative that the Caribou Targhee National Forest immediately abandon this current proposal and reinstitute the EIS process to address aspen and beaver decline and water quality problems in these watersheds along with producing updated AMPs. This process should also address and complete a current and site-specific capacity and stocking rate determination for livestock for these three allotments. We outlined this process in our January 13, 2014, Scoping Comments for the Pocatello DEIS. The capability process should follow the Regional guidelines. There should be a No Grazing alternative included in this proposal.

Work Plan
- Y2U will continue to monitor the impact of this project on wildlife and habitat.
- Y2U is seeking legal representation to challenge the Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

Expected Outcome
Unknown

Nez Perce-Clearwater Revised Forest Plan Supplemental Comments

Status
On December 18th, 2020, a group of 15 organizations including Yellowstone to Uintas Connection, Friends of the Clearwater, the Alliance for the Wild Rockies, the Center for Biological Diversity, Wilderness Watch and WildEarth Guardians submitted supplemental comments for the Nez Perce-Clearwater Revised Forest Plan. We submitted these supplemental comments because of information that arose after the Forest Service’s comment deadline for its draft environmental impact statement on the forest-plan revision. Specifically, after the comment deadline, certain public records were released, and the public learned the extent of this past year’s incredibly significant unscientific slaughter of wolves by the Idaho Department of Fish and Game (IDFG) and Wildlife Services, at least some of which has happened on National Forest System lands. We also discovered a sign on National Forest System Lands (notably the Nez Perce National Forest) by organizations established for the singular-appearing purpose to kill wolves. And at least one new study on the genetic impacts of wolf killing has emerged after the DEIS comment period. The various actions to kill wolves on National Forest System Land impacts wolves, other rare forest carnivores, the ecosystem, and, finally, impacts public-land users who aren’t out to kill wolves. The Forest Service has the authority and duty to protect wolves, and the revised forest plan should reflect as much.

Killing wolves impacts wolves. Killing wolves breaks up wolf packs, which break up their social structure, impacts mating, and reduces genetic diversity between packs. Variation in group composition and environment influence pup-guarding. There is also scientific evidence that suggests that allowing the activity of killing wolves decreases human tolerance of wolves and can contribute to an uptick in poaching. And the State of Idaho is fomenting this intolerance by actions like funding a “wolf bounty” program.

Activities, particularly trapping, that kill wolves on the Nez Perce-Clearwater National Forests impacts other forest animals, including carnivores, and including rare animals. In our original DEIS comments, we provided a spreadsheet from the IDFG that reports the animals that are caught and sometimes die in wolf traps. These include the following: bobcats, mule and whitetail deer, dogs, ducks, feral cats, house cats, elk, magpies, moose, otters, rabbits, raccoons, ravens, red foxes, snowshoe hares, squirrels, stellar jays,
porcupines, an eagle, and somehow, curiously, fish. These numbers also include forest carnivores like mountain lions, pine martens, and even include rare forest carnivores like fishers, lynx, and wolverines. Currently, IDFG allows baiting in relation to trapping wolves.

On an individual and humane level, trapped animals suffer. Trapping is a human activity that exposes animals to excruciating pain, injury, dehydration, and psychological trauma. Trappers are allowed 72 hours in between checking their traps, and we do not know how extensively IDFG attempts to ascertain the trappers’ level of compliance with this time period. The Forest Service should prohibit trapping entirely because of the environmental impacts and impacts to humans visiting these areas, but the suffering inflicted upon the animals caught in these traps is a solely sufficient reason to end trapping on National Forest System lands. At a minimum, the Forest Service should require traps to be checked every 24 hours on National Forest System lands.

At a minimum, given the science on killing wolves that is now available that wasn’t in 1987, the Forest Service should be reviewing the environmental impacts of the State of Idaho’s and Wildlife Services’ wolf-killing activities on the National Forest System in Idaho and specifically on the Nez Perce and Clearwater National Forest.

On March 11th, 2021, the groups submitted supplemental comments because of information that arose after the Forest Service’s comment deadline for its draft environmental impact statement on the forest-plan revision. Specifically, after the comment deadline, certain public records were released, and the public learned the extent of this past year’s incredibly significant unscientific slaughter of wolves by the Idaho Department of Fish and Game (IDFG) and Wildlife Services, at least some of which has happened on National Forest System lands. We also have discovered a sign on National Forest System Lands (notably the Nez Perce National Forest) by organizations established for the singular-appearing purpose to kill wolves. At least one new study on the genetic impacts of wolf killing has emerged after the DEIS comment period. The Forest Service has the authority and duty to protect wolves, and the revised forest plan should reflect as much.

**Expected Outcome**

Unknown
Centennial Mountains Helicopter

Status
On December 30th, 2020, Yellowstone to Uintas Connection, Alliance for the Wild Rockies and Native Ecosystems Council submitted scoping comments on a proposed helicopter skiing operation in the Centennial Mountains in the Ashton/Island Park District of the Caribou-Targhee National Forest.

The Forest Service must complete a full environmental impact statement (EIS) for this Project because the scope of the Project will likely have a significant individual and cumulative impact on the environment. The groups reviewed the statutory and regulatory requirements governing National Forest Management projects, as well as the relevant case law, and compiled a check-list of issues that must be included in the EIS for the Project in order for the Forest Service’s analysis to comply with the law.

Outcome
Due to our comments, on Friday, March 21st, 2021, the Ashton/Island Park District Ranger Liz Davy withdrew the possibility of a permit to allow helicopter skiing in a portion of the Centennial Mountains on the Idaho side of the range for the following reasons:
• Research indicates use of helicopters has significant negative impacts to denning grizzly bears, a threatened species. Wildlife biologists have documented occupied grizzly bear dens in the vicinity of the proposed use. Based on a preliminary review of this project, US Fish and Wildlife agreed with Caribou-Targhee determination of an adverse effect to denning grizzly bears as well as an adverse effect to grizzly bears emerging from their dens. Helicopter use would likely cause injury to denning females and possible mortality of cubs of the year.
• Some of the areas proposed for skiing and landing a helicopter are located within known avalanche prone areas creating a risk to public health and safety.
• This use as demonstrated by the applicant can be accommodated on lands other than National Forest System lands.

Gemini Solar Project

Status
On January 19th, 2021, Yellowstone to Uintas Connection, the Center For Biological Diversity, WildEarth Guardians, Western Watersheds Project, and Rocky Mountain Wild filed a lawsuit for declaratory and injunctive relief to challenge Federal Defendants’ unlawful approval of nine Resource Management Plans (“RMP”) and related projects (this included the Gemini Solar Project), which govern the management of more than 6.5 million acres of public lands and minerals, because Defendant William Perry Pendley’s exercise of the duties of Acting Director of the U.S. Bureau of Land Management (“BLM”) was unlawful under the Appointments Clause, U.S. Const. art. 2, § 2, cl. 2; the Federal Vacancies Reform Act of 1998, 5 U.S.C. §§ 3345 et seq. (“FVRA” or “Act”); and the Administrative Procedure Act, 5 U.S.C. §§ 701 et seq. (“APA”). This includes the Dairy Syncline phosphate mining project.

On June 22nd, 2021, a meeting to discuss potential avenues for resolution of Center for Biological Diversity et. Al. v. U.S. BLM, et. Al. took place. Following that meeting we conferred with the plaintiffs to generate a set of preferred outcomes for the eight RMP-related decisions challenged in our complaint.

On November 10th, 2021, The BLM sent a settlement proposal stating that while the BLM is not willing to withdraw any of the challenged decisions, the agency believes it can offer substantial measures to address concerns plaintiffs have identified, with the goal of improving the projects covered by the subject RMPs going forward. The BLM stated that they have limited ability to provide Plaintiffs our requested relief because we have challenged an RMP decision that supports a now-completed land exchange. Thus, the BLM does not agree to undertake additional RMP level environmental analysis. However, the BLM, did state that they are amenable to discussing voluntary mitigation measures with the project proponent. The BLM also stated that it would welcome our input on specific voluntary mitigation measures they would like to see implemented in the project area. For the Gemini Solar Project, the BLM stated that while the BLM does not agree to undertake additional RMP level environmental analysis, the BLM can agree to consider Plaintiffs’ ACEC nominations in the next scheduled land use planning process that includes the planning area. The BLM also understands that there are ongoing negotiations between the Plaintiffs and the project proponent, which may moot the need for the inclusion of this project in any negotiated resolution of this case.

Outcome
On December 10th, 2021, Y2U signed a settlement agreement in which the Developer has committed, in addition to the settlement funds provided for by this Agreement—as part of the existing project approval—to provide funding for monitoring and mitigation projects, of which the largest part was allocated to the
National Fish and Wildlife Foundation for monitoring, rather than off-site compensatory mitigation, based on BLM policy in effect at that time; and in order to resolve this matter without further litigation, the Developer agrees to enter into this Agreement for purposes of providing additional off-site compensatory mitigation for the Project, which provision is consistent with historic and reinstated BLM policy. The Developer will make a total of four payments to the Sagebrush Habitat Conservation Fund, each in the amount of $500,000 for a total of $2 million. The Sagebrush Habitat Conservation Fund is a 509(a) Idaho corporation dedicated to protecting habitats for wildlife through voluntary conservation, which specializes in livestock grazing permit buy-out, but which also has experience purchasing land for conservation purposes.

Public Lands Restoration and Wildlife Recovery Stimulus Letter

Status
On January 12th, 2021, 150 conservation organizations including Yellowstone to Uintas Connection, from across the nation, urged then President-Elect Joe Biden to address the current public health crisis and develop an economic recovery plan, arguing that he has an opportunity to create a large number of green, long-term jobs performing vital conservation and restoration work. Similar to the establishment of the Civilian Conservation Corps during the recovery from the Great Depression, his administration can jump-start the United States economy by investing $25 billion in new and existing conservation programs that will create hundreds of thousands of direct jobs and provide benefits to people, communities, and the environment. On the ground conservation and restoration work has myriad benefits. Most importantly, this work is needed in virtually every corner of the United States, creates quality jobs impossible to outsource, and can provide employment opportunities for low-wealth communities, Black, Brown, Indigenous and other people of color, and younger people, all of whom are suffering disproportionately from this current economic downturn. Conservation work can—and should—be conducted in an equitable manner, guaranteeing fair wages and utilizing project labor agreements, community benefit agreements, local hire, and other provisions and practices that ensure the rights of workers and promote environmental justice.

The United States can overcome this economic hardship while protecting and restoring our unique natural resources which includes a diverse array of fish and wildlife and our national wildlife refuges, forests, parks, monuments and other public lands. Restoring wildlife, wild lands and waterways contributes to significant public health benefits for all people. As the Biden Administration begins to plan for the post-pandemic recovery, we urged him to direct funding to federal agencies and existing federal grant programs to support the work of state and local governments and agencies, Tribes, public universities, and small businesses to immediately implement the following conservation and restoration projects for the benefit of all.

Expected Outcome
Unknown

Preventing Future Pandemics Act

Status
In March 2021, a group of conservation organizations including Yellowstone to Uintas Connection wrote President Joe Biden requesting that he include the Preventing Future Pandemics Act of 2021 (H.R. 151/S. 37) in any forthcoming COVID-19 funding or other legislative proposals that you put forth to the U.S. Congress, including the National Defense Authorization Act. Zoonotic disease prevention must be a core component of any COVID-19 relief package. This is vital to ensure both that our government is doing everything in its power to prevent the next outbreak, and that it has the planning and financial resources in
place to more effectively and efficiently respond to variant mutations or future pandemics. The Preventing Future Pandemics Act is comprehensive bipartisan, bicameral legislation that does just that. It will place our nation in a strong position to lead the global fight against pandemics resulting from dangerous human-wildlife interaction. The bill is necessary to set the standard here at home that will empower the U.S. to pursue strategies in the global community that will create a safer future for all. Pathogen spillover from wildlife hosts to people is increasing as they come into contact with wildlife through habitat encroachment and destruction, and the capture, trade, and breeding of live wildlife for human consumption. Markets trading and slaughtering live wildlife for meat have been the source of previous coronavirus pandemics, such as Severe Acute Respiratory Syndrome (SARS), and one such market is again understood to be the likely source of human exposure to the coronavirus that causes COVID-19. These markets and the associated commercial trade of wildlife create the perfect environment for zoonotic diseases to mutate, propagate, and spread to humans due to the large number of species confined in close proximity to each other. Animals in trade and at these markets experience extreme stress, vastly increasing potential to shed and transmit viruses over extended periods, a danger that is exacerbated by on-site slaughter or onward sales and distribution of the live animals.

We believe that among the most effective, practical, and cost-efficient ways to significantly reduce the risk of future zoonotic pandemics caused by viral spillover from wildlife to humans is to stop all commercial trade in terrestrial wildlife for human consumption. Rigorous enforcement of existing laws, regulations, and international treaties that deal with wildlife trade and markets is critical, but this is simply not enough. The conditions for viruses to emerge and be transmitted to humans exist in legal and sustainable trade and markets with common wildlife species as well as in markets where illegal and/or unsustainable trade occurs. A new global paradigm is needed that addresses both the illegal and legal trade in live wildlife if we are to avoid another pandemic such as the one we are experiencing today.

The Preventing Future Pandemics Act of 2021 takes the important step of prohibiting the import to, export from, or sale within the United States of certain live wildlife for the primary purpose of human consumption. It calls upon the State Department to work bilaterally, multilaterally, and through relevant international bodies to secure similar market closures by other countries, with special consideration for Indigenous Peoples and local communities that are dependent on wildlife consumption for food security. Critically, the legislation authorizes funding for the U.S. Agency for International Development (USAID) to provide technical and financial assistance to enable those communities that rely on consumption of wildlife for food security to develop and transition to alternative sources of protein and directs USAID to increase its activities in global health, biodiversity, and combating wildlife trafficking. The bill would also substantially increase resources for the U.S. Fish and Wildlife Service to hire, train, and deploy new law enforcement officers to provide technical support and professional expertise in countries of highest concern for the flourishing illegal trade in at-risk species.

By working internationally and closing the trade in certain live wildlife for human consumption in the United States, we believe that the Preventing Future Pandemics Act of 2021 will reduce the risk for widespread outbreaks and mutations of zoonotic diseases. We strongly urge you to include this important language in any forthcoming proposed legislation.

**Expected Outcome**

Unknown
Secretary of the Department of the Interior

Status
On March 10th, 2021, a large group of conservation organizations including Yellowstone to Uintas Connection February 16, 2021 wrote Majority Leader Schumer, Minority Leader McConnell, Chairman Manchin, and Ranking Member Barrasso requesting that they enthusiastically support the historic nomination of Congresswoman Deb Haaland (D-NM-1), a 35th generation New Mexican and enrolled member of the Pueblo of Laguna, for/as the Secretary for the Department of the Interior (DOI). If confirmed, Rep. Haaland would be the first Native American to lead the Department and the first Native American Cabinet Secretary in our nation’s history. As Vice Chair of the House Natural Resources Committee and Chair of the National Parks, Forests, and Public Lands subcommittee, Rep. Haaland is a proven leader and the right person to lead the charge against the existential threats of our time – tackling the climate, biodiversity, extinction and COVID-19 crises, and racial justice inequities on our Federal public lands and waters.

Outcome
On March 15th, 2021, the Senate voted 51-40 to confirm Deb Haaland as the Secretary of the Department of the Interior.

Wild Horses/BLM

Status
On April 9, 2021, a coalition of more than seventy equine protection, animal welfare, and environmental groups including Yellowstone to Uintas Connection, as well as numerous wild-horse and ecotourism businesses called on newly confirmed U.S. Secretary of the Interior, Deb Haaland, to halt livestock grazing and revoke grazing permits on the Bureau of Land Management’s (BLM) Herd Management Area (HMA) lands in an open letter to the Secretary.

In 2018, Haaland was elected as one of the two first female Native Americans in Congress, and recently served as the Vice-Chair of the U.S. House Committee on Natural Resources, and Chair of the House Subcommittee on National Parks, Forests, and Public Lands where she frequently sided with wild horse protection advocates over Big Ag, Big Oil, and Big Animal groups who’ve sought to round-up and eradicate wild horse and burro populations on federal lands with a maniacal scheme known as the “Path Forward.” Haaland’s confirmation to lead the Interior Department was considered a tremendous victory for wild horse, animal protection, wildlife, and environmental advocates, and Indigenous leaders who campaigned to elevate one of their own to the powerful federal seat that oversees natural resources, public lands, Indian affairs, and the BLM.

The letter went further to advocate for:

• Management of horses on all BLM HMAs to retain horse population sizes that will maintain TNEB [(Thriving Natural Ecological Balance) (where TNEB already exists)] or promote rapid progress toward TNEB (where TNEB does not currently exist). Management should prioritize keeping horses on designated HMA lands, within ecological parameters that maintain or promote continued progress toward TNEB.
• Immediate commencement of a NEPA-conforming BLM Resource Management Plan (RMP) Amendment processes for all BLM Districts that have contained (both historically and currently) legally demarcated horse-related BLM HMAs (pursuant to the 1971 Wild and Free-Roaming Horses and Burros Act) to bring about the TNEB-associated outcomes articulated above.
• Preparation of a robust, broad-based scientific assessment of the baseline ecological conditions that have been adversely impacted by livestock grazing (and associated infrastructure) to serve as the basis for determination of sustainable wild horse numbers and use, and for determining HMA restoration/recovery/sustainability actions.