



Yellowstone to Uintas Connection 2020 Final Report

Agency Oversight –

Status: 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) 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 2020, Y2U submitted comments on twelve (12) Environmental Impact Statements, Environmental Assessments and Categorical Exclusions for proposed projects occurring in the Ashley, Bridger-Teton, Caribou-Targhee, Manti-La Sal and Uinta-Wasatch-Cache National Forests. The proposed projects included ATV/OHV trails, logging, mountain bike trails, mining, stream rehabilitation and vegetation treatments. During 2020 we submitted comments on a Forest Plan Revision for the Ashley National Forest. We also submitted comments on eighteen (18) proposed federal policy and rule changes and four (4) sets of comments on proposed wildlife action including introducing non-native mountain goats into the Mt. Naomi wilderness area in the Logan Ranger District of the Wasatch NF.

During 2020, Y2U filed eight (8) Objections/Protests to FS and BLM public land management decisions in the Bridger-Teton, Caribou-Targhee, and Manti La Sal National Forests including, one regarding a federal land exchange for a phosphate mine in Southeast Idaho, one regarding proposed range improvements, three on proposed logging and vegetation management projects and one regarding the use of heavy equipment to rebuild a dam in the wilderness.

Y2U also filed three (3) Notices of Intent (NOI) to litigate public land management decisions by the US Forest Service and the US Fish & Wildlife Service during FY20. 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 in the Caribou-Targhee National Forest and one regarding a vegetation treatment and logging project in the Middle Fork of Henry's Fork of the Snake River in the Caribou-Targhee National Forest.

On March 31st, 2020, Yellowstone to Uintas Connection, the [Alliance for the Wild Rockies](#), and our allies, 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 at the following link: <https://www.yellowstoneuintas.org/issues/science/item/86-upper-green-river-area-rangeland-3049>

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 see our web page at the following link: <https://www.yellowstoneuintas.org/issues/science/item/124-crow-creek-pipeline-project>

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 log and burn approximately 49,000 acres in the Caribou zone of the Caribou-Targhee National Forest. 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>

Y2U also currently has a legal review in process for the Dairy Syncline phosphate mine owned by the J.R. Simplot Company. We intend to litigate the lack of cumulative impact analysis and the lack of analysis of the phosphate mining industry's impact on the overall function and health of the Yellowstone to Uintas Wildlife Corridor.

Work Plan:

- Continue to submit comments on Environmental Assessments (EA), Environmental Impact Statements (EIS), Categorical Exclusions (CE) and other stages of the land management decision-making process.
- Continue to file Objections on Final Decisions issued by these agencies when the issues identified for each proposed project are not satisfactorily addressed.
- Continue to pursue and support litigation when objection resolution is not reached for these proposed projects.
- Continue to submit letters to legislators and other policy and rule makers within the federal and state agencies.
- Continue to submit comments to wildlife management agencies regarding management decisions including introduction of non-native species.
- Continue following up with agency staff as projects develop, and when possible, attend site visits where both agency staff and Y2U staff can discuss project purposes and objectives.

Expected Outcome: 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.

Alaska Roadless Rule FEIS Comment Letter –

Status: Y2U, along with a coalition of environmental groups 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.

Expected Outcome: Unknown

Ashley NF Aspen Restoration Project –

Status: In October 2019, the Ashley National Forest released the Scoping Letter for the Ashley NF Aspen Restoration Project which 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 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, Y2U 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.

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 Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

Expected Outcome: Unknown at this time.

Ashley NF Wilderness Evaluation –

Status: On November 8, 2019, Y2U, 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 a number of 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.

Over the last year we have conducted further review—both GIS-based and on-the-ground—that directs 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 include 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 comments are currently being reviewed by the Ute Tribes (Uinta and Ouray) and will be

submitted following their review.

Expected Outcome: Unknown at this time.

Bear River Development –

Status: Y2U continues to attend all public meetings regarding the development of the Bear River. We are resisting plans for developing dams on Bonneville cutthroat trout streams in the Bear River Range and on the Bear River itself. In the spring of 2017, PacifiCorp (the largest dam operator on the Bear River) proposed raising Cutler Dam in Cache County by 3 feet to provide more hydroelectricity generation and water storage capacity. In August of 2018 Y2U secured the funding needed for a GIS analysis on the area potentially impacted by the proposal. We have hired a leading expert in GIS Analysis and expect to have the analysis finished by the end of 2019. There are concerns that the project will inundate productive farmland and crucial wetland habitat in Cache County. Additionally, questions have arisen as to how this will accelerate the drying up of the Great Salt Lake Ecosystem and what adverse effects the project may have on Cache County road infrastructure and Logan City's sewage treatment facility. Y2U is working with Cache County, Logan City and a local farmer group to continue monitoring this project.

Y2U also continues to monitor the activities of the newly formed Cache Water District. Y2U staff members attended the Northern Utah Water Conference in the spring of 2019. Recent announcements by the Utah Division of Water Resources calls for up to six (6) additional dams to be built on the Bear River to provide water for growth along the Wasatch Front. Two of these proposed dams are in Cache County including Temple Fork and Cub River. Y2U will oppose any new dams on the Bear River or its tributaries.

Work Plan:

- Y2U continues to monitor PacifiCorp's FERC relicensing process. We are in direct contact with PacifiCorp's Cutler Dam project lead, Eve Davies.
- Y2U will monitor the Utah Division of Water Resources regarding building additional dams on the Bear River and its tributaries. We will advocate against any new dams.

Expected Outcome: Unknown

Biomass Legacy Rider Opposition Letter –

Status: On December 2nd, a coalition of several national and local environmental organizations submitted comments to House and Senate leaders that strongly oppose the inclusion of any anti-environment riders in the FY 2021 Interior, Environment and Related Agencies Appropriations Act, including damaging legislative provisions in a must-pass funding bill that would harm our public health and environment and undermines the democratic process. As we transition to a new President, we have the chance to look at the various 'legacy' riders inappropriately included in previous years' funding bills and are still included in the base text.

Specifically, we have concerns with language contained within Sec. 434 of the bill, "POLICIES RELATING TO BIOMASS ENERGY" to legislate the science of biomass energy and its impacts on climate change. This provision has wrongly been interpreted by EPA to declare that, as a matter of law, all biomass energy generated using biomass taken from managed forests is categorically "carbon neutral." Any effort to broadly characterize forest bioenergy as "carbon neutral" is scientifically indefensible and incorporating this characterization into government policy will have large, damaging impacts on the climate and our native forest ecosystems. It risks increasing emissions, rewarding poor forest management and undermining current and future emissions permits and regulations.

Expected Outcome: Unknown

BLM Rule Change - Forest Management Decision Protest Process and Timber Sale Administration; Proposed Rule (85 Fed. Reg. 34,689) (June 8, 2020); RIN 1004-AE61 –

Status: We note that the BLM press release accompanying the Proposed Rule did not contain a single conservation organization or voice and is replete with timber industry back-slapping. This is a political rather than an ecological, legal, or scientific rulemaking effort. By overtly aligning with a specific interest group to achieve a political outcome designed to increase timber production at the expense of thoughtful administrative review, the BLM further drives a wedge between those who seek to restore public lands and those who seek to exploit them.

For the purposes of this rulemaking effort, and in response to the question in the Proposed Rule preamble regarding ideas for how the BLM could reduce fire hazard, our coalition of organizations including Western Environmental Law Center and Y2U proposed that the BLM: (1) Ensure that the opportunity to influence management of resources during the early stages of public comment periods is realized by requiring that BLM timber planners develop and consider action alternatives that are submitted by the public during project scoping that avoid silvicultural practices (such as regeneration harvesting) that increase fire hazard in treated stands; (2) Require substantive collaboration in which stakeholders and the public have an opportunity to help define the project purpose and need and desired outcomes; and (3) Adopt a pre-decisional objection process modelled on the Forest Service 218 Process that encourages land managers to attempt to resolve conflicts regarding agency actions prior to issuing a timber sale decision.

Expected Outcome: Unknown

BLM National Environmental Policy Act Implementing Procedures for the Bureau of Land Management (516 DM 11) (85 Fed. Reg. 33,697, June 2, 2020) –

Status: On July 2nd, 2020, Y2U and 76 other conservation organizations and individuals, provided the Bureau of Land Management (BLM) with comments on the agency's proposed categorical exclusion for salvage logging. It is widely acknowledged in the scientific community that the impacts of salvage logging and the associated timber yarding and road construction (temporary and permanent) are pervasive and cumulatively negative. Research regarding salvage logging in other types of recently disturbed forest, such as through insects, disease, windthrow, or drought, comes to similar conclusions. Given the scientific consensus that post-disturbance logging has significant adversely environmental consequences, we concluded that because the BLM's proposal does not comport with the best available science and urged the BLM to abandon this ill-advised and unsupported rulemaking. The proposed Categorical Exclusion (CE) appears to be in service of the present administration's deregulatory agenda that serves to elevate the interests of extractive industries above the interests of the public. This CE must be considered along with other proposed changes to the CEQ and Forest Service NEPA rules that will also negatively affect the ecosystem and imperiled species. This agenda is particularly inappropriate on the public lands managed by the BLM, which are owned in common by all Americans, not just a privileged few.

Expected Outcome: Because the BLM has failed to prepare a sufficient administrative record to support its proposed CE, we anticipate that the CE – should it be finalized – will be subject to judicial review. The agency should abandon this rulemaking effort and focus on immediate needs such as science-based restoration, monitoring, and partnership efforts.

BLM Protest Process Elimination Rulemaking (85 Fed. Reg. 34,689) (June 8, 2020); RIN 1004-AE61 –

Status: On August 6th, 2020, a coalition of 35 conservation organizations including Y2U provided the Bureau of Land Management (BLM) with the comments on the agency's proposed rule regarding the BLM's Forest Management Decision Protest Process and Timber Sale Administration (Proposed Rule).

The opportunity for administrative review of BLM timber sale decisions should serve the democratic purposes of accountability and increased legitimacy of public land management decisions. By eliminating the timber sale protest process and precluding a stay of project implementation while the Interior Board of Land Appeals (IBLA) considers the merit of timber sale appeals, the BLM creates a perverse incentive for controversies regarding individual timber sale decisions to be resolved through litigation in which federal judges will be placed in the position of ruling on emergency motions for injunctive relief. Timber purchasers will face greater uncertainty as a result, which is inconsistent with the purpose of the proposed rulemaking.

Expected Outcome: Unknown

Bridge Creek Forest Restoration Project –

Status: On January 14th, 2020, Y2U, along with the Alliance for the Wild Rockies and the Native Ecosystem Council submitted scoping comments on the Bridge Creek Forest Management Project was proposed by the Soda Springs Ranger District of the Caribou-Targhee National Forest to improve the condition of the forest ecosystem. The project area is located approximately 29 air miles northeast of Soda Springs, ID, and approximately 20 miles west of Freedom, ID. It is in the Bridge Creek and Tin Cup drainages on the Soda Springs Ranger District in Caribou and Bonneville Counties. This project proposes to treat approximately 11,000 acres with a combination vegetation management activity throughout the project area to improve the condition of the forest ecosystem. 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. The full set of comments can be found here: <https://www.yellowstoneuintas.org/issues/science>

On July 19th, 2020 Y2U, the Alliance for the Wild Rockies, and the Native Ecosystems Council filed an Objection to the Forest Service’s decision to authorize the project.

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 “vegetation treatment” or “Aspen restoration” project.

Expected Outcome: Unknown at this time.

Burnt Beaver Restoration Project –

Status: In March 2019, the Burnt Beaver Project was proposed by the Evanston-Mountain View Ranger District of the Uinta-Wasatch-Cache National Forest to improve big game habitat, reduce conifer encroachment in aspen stands, and manage the risk of hazardous fuel accumulations on National Forest System land. The project area is located in portions of the 111,276-acre High Uintas Inventoried Road Area (IRA) and 7,997-acre Widdop Mountain IRA. The purpose of this project is to improve forest health, wildlife habitat diversity, and resilience and resistance to catastrophic wildfire at a landscape scale (70,772 acres) by reducing hazardous fuel loads and regenerating aspen in conifer-encroached stands that resulted from previous natural disturbances and insufficient past vegetation management. In April of 2019 Y2U staff met with the District Ranger to discuss our concerns which were categorically dismissed by the Forest Service with a promise of “no mechanical treatment” in the Burnt Fork drainage. In November of 2019 Y2U staff visited the Burnt Fork drainage and discovered a map of the treatment area, which included a 150-foot-wide swath of “treatment” or cutting of all trees not occurring in a 14 ft. spacing prescription 2 miles up the drainage only stopping at the Wilderness boundary. In November 2019, Y2U submitted comments regarding the Forest Service’s Burnt Beaver Restoration Project. In general, we can find no information that vegetation treatments reduce wildfire risk and the evidence we have seen indicates they have many negative effects. We are concerned that the young aspen, which are regenerating in so many areas along this trail will be cut or burned, setting back the already occurring recruitment by a decade or more. We are opposed to any cutting or burning of aspen or removal of the downed or dead trees in these aspen stands as the project area is

already good wildlife habitat. The apparent result of the treatment would be the decimation of aspen in the already healthy stands. We are concerned that the mechanical “piling” of freshly cut trees (slash) and/or deadfall will compact the soil, cause soil loss through erosion, add excessive amounts of sediment to the stream, remove critical wildlife cover and habitat, and open up the drainage for illegal ATV/OHV use. The burning and mechanical movement of downed wood will damage soils. We are unsure what means will actually be used and to what extent. The full set of comments can be found here:

<https://www.yellowstoneuintas.org/issues/science/item/128-burnt-beaver-restoration-project>

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 Categorical Exclusion of the NEPA process for this and several other “vegetation treatment” or “fuels treatment” projects.

Expected Outcome: Unknown at this time.

Caldwell Canyon Mine Project –

Status: The Caldwell Canyon Mine Draft Environmental Impact Statement (DEIS) was released in early December 2018. This is another open pit phosphate mine on private land with BLM mineral leasing of the subsurface near Soda Springs, Idaho. This mine is 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 submitted comments on the DEIS on January 14th, 2019. The BLM released the Record of Decision on August 15th approving the Caldwell Canyon Mine. Upon release, Y2U concluded that the Final Environmental Impact Statement (FEIS) did not adequately analyze the potential environmental impacts of the project and address potential alternatives.

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 violations of the intent of NEPA, NFMA/FLPMA and the CWA.

Expected Outcome: Y2U expects the usual Forest Service and BLM FEIS 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.

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 July 2nd Y2U, 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.

Work Plan:

- Upon release, Y2U will address whether the Draft Environmental Assessment (FEA) adequately analyzed the potential environmental impacts of the project and addressed potential alternatives.
- Y2U will submit comments on the FEA.
- Y2U will file an Objection if the FEA 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 at this time.

Caribou Prescribed Fire Restoration Project –

Status: On November 24th, 2020, Y2U, 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.

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 at this time.

Cottonwood Allotment –

Status: The Dugout Ranch, acquired some 20 years ago by The Nature Conservancy is the last commercial operation before one enters the incredible spires, arches, and slot canyons of The Needles District of Canyonlands National Park. Tiny streams trickle through deep canyon bottoms where cottonwoods provide cooling shade in this water-scarce area of Utah's red rock desert and every drop of water is precious, especially in our warming climate. Unfortunately, The Nature Conservancy plans to construct additional spring developments, stock ponds and fences in this sparse and fragile landscape that will consume scarce natural water sources for continued cattle grazing.

Those plans have drawn formal objections – and a potential future court challenge – from the Alliance for the Wild Rockies and Yellowstone to Uintas Connection, two conservation groups that say The Nature Conservancy’s plans don’t live up to its name and will degrade, not conserve, Nature. The Alliance for the Wild Rockies and Yellowstone to Uintas Connection filed their formal Objection and a call for a full Environmental Impact Statement with the Manti La Sal National Forest on March 30th objecting to the Cottonwood Range Improvements Project, for the grazing allotment managed by The Nature Conservancy’s Dugout Ranch. The Objection can be found here: <https://www.yellowstoneuintas.org/issues/science>

Work Plan:

- Y2U is considering seeking legal representation to challenge the NEPA process for this “range improvement” project.

Expected Outcome: Unknown at this time.

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 Y2U 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, Y2U 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>

Expected Outcome: Unknown at this time.

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.

Work Plan:

- Y2U is considering filing a Protest on the BLM ROD.
- Y2U has secured legal representation who is looking at pursuing litigation of the project.

Expected Outcome: Unknown at this time.

Diamond Creek Reconnect Project –

Diamond Creek is home to Yellowstone cutthroat trout a sensitive species and also contains 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. Y2U, 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: Unknown

Duck Creek BLM Allotment –

Status: Data collected on the BLM’s Duck Creek Allotment for the past 18 years by Dr. John Carter, Y2U 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.

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 at this time.

E-Bike comments on the Forest Service’s effort to clarify guidance for electric bicycles (“e-bikes”) in FSM 7700 and 7710 –

Status: On October 26th, 2020, a coalition of conservation organizations submitted comments on the Forest Service’s effort to clarify guidance for electric bicycles (“e-bikes”) in FSM 7700 and 7710, as noticed in the Federal Register of September 24, 2020, 85 Fed Reg 60129. It is good that, unlike the Department of Interior, the Forest Service would recognize e-bikes as a separate class of motor vehicle (proposed definitions at FSM 7705). However, an addition is needed to the definition of “motor vehicle” in FSM 7705. Currently, the definition reads, in part: “[a]ny vehicle which is self-propelled”. Class 1 and 3 e-bikes are partially human powered, in that they “provide assistance only when the rider is pedaling”. In this regard, these e-bikes could be considered to not be fully self-propelled because the operator must also help propel them. Therefore, amend the definition to state that a motor vehicle is one that is “self-propelled or provides a power assist to human propelling”. It is extremely important to emphasize that all classes and types of e-bikes are motor vehicles. Any agency guidance must clearly state this. E-bikes can greatly increase impacts to wildlife. Bikes with an electric assist can move almost as fast as motorcycles in some terrain, but e-bikes are much more quiet than other motor vehicles. The approach of e-bikes can thus startle wildlife, causing them to feel much stress and flee. Recent studies have found that regular bikes have a considerable effect in displacing elk, and likely other animals. One study found that elk avoided bikes by up to 500 meters, but avoidance was only 200 meters from hikers and horse riders. This essentially fragments habitat. And if non-motor bikes have the reported effects on wildlife, it is likely that e-bikes would have an even greater effect due to their greater speed while making little noise and the ability for riders to travel further each day than on a regular bike.

E-bikes must be tightly regulated on national forests and grasslands. This means that e-bikes should only be allowed on routes open to motor vehicles, though they need not be allowed and probably should not be allowed, on all such routes. They must not be allowed off designated routes or on routes open only to non-motorized travel.

Expected Outcome: Unknown

East Palisades Hazardous Fuel Reduction Project –

Status: On December 8th, 2020, Y2U, 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 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) or an Environmental Impact Statement (EIS) 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 or EIS for the project in order for the Forest Service's analysis to comply with the law.

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 at this time.

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. Y2U and Kieshas 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.

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 at this time.

Emergency Wildfire and Public Safety Act of 2020 –

Status: On October 5th, 2020, a coalition of conservation organizations including Y2U submitted letters to the United States Senate urging opposition to S.4431 the “Emergency Wildfire and Public Safety Act of 2020” introduced by Senators Steve Daines (R-MT) and Dianne Feinstein (D-CA). With devastating fires burning in the West, we certainly recognize the extraordinary pressure to legislate solutions.

However, S. 4431 is a misguided step in the wrong direction that will not adequately protect communities from wildfire. Rather than advancing best scientific practices to safeguard communities, the bill promotes logging of national forests many miles from communities while undermining bedrock environmental laws and an independent judiciary. Some provisions in the bill could exacerbate the wildfire crisis and divert limited resources from where they are most needed. Rather than supporting S.4431 in the name of fire safety, we urged support by the Senate for legislation which focuses on science-based methods to mitigate wildfire risk. The most effective way to protect communities from wildland fires through cost-share grants to create defensible space and fire-safe retrofits, rather than logging miles away from communities. Empirical evidence, including the Forest Service's former top fire science researcher, has demonstrated that the most effective means of protecting structures is to create defensible space immediately around the building and install fire safe retrofits—not logging miles away from communities. Most important to this issue is the reality that human caused climate change has increased droughts; in turn, this has increased fire risk and prevalence in the West. In addition to mitigation efforts, we urged the Senate to address the root causes of climate change.

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

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](#).
- Due to the Bayer Co. recent purchase of Monsanto and our involvement in their Caldwell Canyon Mine, a German business magazine also spent a day with Dr. Carter at the mine site and Kieshas Preserve to write an article which was published in Germany.
- Y2U continues to submit Op Eds and subject material to media outlets with regard to the Yellowstone to Uintas Connection corridor. See Dr. Carters 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>

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, Environmental Protection Information Center, Friends of the Bitterroot, Friends of the Inyo, Grand Canyon Trust, High Country Conservation Advocates, Idaho Conservation League, Klamath Forest Alliance, Ohio Environmental Council, Rocky Mountain Wild, San Luis Valley Ecosystem Council, The Wilderness Society, Western Environmental Law Center, WildEarth Guardians, Yellowstone to Uintas Connection 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.

Expected Outcome: Unknown

Forest Service’s Oil & Gas Rulemaking Comments –

Status: On October 29th, 2020, Y2U and a coalition of conservation organizations submitted comments on the proposed regulations governing Federal oil and gas resources on National Forest System lands, 36 CFR 228.100 et seq., as described in the Federal Register notice of September 2, 2020 (85 Fed Reg 54321 et seq.) and the environmental assessment (EA) prepared for this rulemaking. Overall, we believe the proposed new rule would reduce, if not minimize, opportunities for meaningful public involvement, and lead to more adverse impacts to the environment in areas where oil and gas leasing (and subsequent development) occurs. The rule would encourage the agency to avoid applying the National Environmental Policy Act (NEPA), in violation of that Act and its implementing regulations. The proposed rule also is overly favorable to the energy industry, at the expense of other users of, and the ecologically valuable resources on, national forest lands and national grasslands. We urged the Forest Service to abandon these rule changes.

Expected Outcome: Unknown

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

Status: On October 8th, 2020, Y2U and a large coalition 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.

Expected Outcome: Unknown

Home Depot/Lowes Glyphosate –

Status: On August 26th, 2020, 66 organizations including Y2U wrote letters to the CEOs of Home Depot and Lowe’s urging the home and garden chain stores to signal its continued dedication to protecting the health of people, pollinators, and the planet by removing all products containing glyphosate from store shelves and online sales and by increasing offerings of organic and other safer alternatives. One of Home Depot’s competitors, Costco, has already taken these steps by discontinuing products containing glyphosate from all store locations worldwide. Glyphosate, the active ingredient in the herbicide Roundup®, was determined to be a probable human carcinogen by the World Health Organization International Agency for Research on Cancer and the California Office of Health Hazard Assessment. In addition to cancer, exposure to glyphosate and the herbicide formulations it’s found in has been associated with endocrine disruption, DNA damage, shortened pregnancy, reproductive harm, disruption of the gut microbiome, kidney toxicity, and fatty liver disease. In the environment, glyphosate is a primary driver of the decimation of Monarch butterfly populations and has also been linked to bee declines. The use of glyphosate is devastating Monarch butterfly populations by destroying the milkweed plants their young depend on. Monarch populations have declined by 90 percent in the past two decades. Recent research has also shown that glyphosate can disrupt honeybee gut microbiomes, affect larval development, increase colony vulnerability to pathogen infestation, reduce productivity, and impair honeybee navigation, linking the herbicide to declines in bee populations. In addition, overuse of glyphosate has led to resistant “superweeds” on more than 60 million acres of U.S. farmland, with a resulting increase in toxic herbicides 2,4-D and dicamba. Home and garden stores can make a significant difference in reducing the use of this toxic product. Research shows that homeowners use up to 10 times more chemical pesticides per acre on their lawns than farmers use on crops.

Expected Outcome: Unknown

Illegal Grazing Fees Rule Change –

Status: On December 1st, 2020, Y2U and a coalition of conservation organizations submitted comments on the proposed modification of the rule for assessing fees for excess and unauthorized grazing (36 CFR 222.50), as described in the Federal Register of November 2, 2020, 85 Fed Reg 69303 et seq. In discussing livestock grazing on federal lands, it is especially important to remember that livestock of any kind, especially domestic cattle, and sheep, are non-native species that did not evolve with the land. They are not adapted to the climate, plant species, topography, and other features of our National Forests. As such, these animals, if not effectively managed, can do a great deal of damage to soils, water quality, watershed integrity, habitat for native wildlife, fish, and plant species; recreational opportunity; scenery; and other resources. Careful and diligent regulation of livestock grazing on our National Forests is extremely important for protecting other multiple uses. Livestock grazing occurs on all western National Forests and generally on significant parts of each unit. With forage available and private lands adjacent to national forests and grasslands, there is ample opportunity for trespass grazing and other unauthorized grazing. Unauthorized and illegal livestock grazing must not be tolerated, let alone encouraged, in areas where it is prohibited, whether such prohibitions are temporary or permanent. But despite this and the obvious need to carefully regulate livestock grazing, the Forest Service, unconscionably, does not consider excess or unauthorized grazing to be important. Given that unauthorized grazing represents theft of government property, it should be an extremely high priority for the agency to investigate every incident for which there is credible information indicating excess use or other unauthorized grazing may have occurred, or is about to occur, and to keep full, accurate, and up-to-date records on all such incidents.

The proposed rule modification is not acceptable. It would encourage new and continued excess and unauthorized forage use by allowing livestock permittees and non-permittees to escape penalties in at least some poorly defined circumstances. Violators would not have to even pay for the excess or unauthorized forage their animals used. Such unpenalized use would thus be rewarded and constitute theft of public resources.

Instead, the rule at 36 CFR 222.50 needs to be strengthened to require national forest units to: take excess and unauthorized grazing allegations and incidents seriously; investigate, record, and respond to all such incidents; and at a minimum, require all violators to pay for all the forage they used at the going rate.

Expected Outcome: Unknown

John Wood Forest Management Project –

Status: In 2017, Y2U along with Wildlands Defense and Alliance for the Wild Rockies submitted scoping comments in response to the Forest Service's John Wood Forest Management Project in the Caribou-Targhee National Forest. In January of 2018, Y2U joined the Caribou Forest Initiative (CFI) and had been working the past year and a half as part of this collaborative group that includes Idaho state Legislators, County Commissioners, local industry including sawmills, mining and grazing, local concerned citizens as well as Idaho Conservation League and Greater Yellowstone Coalition to assure that sensitive areas are avoided and that funding is generated from this timber project to accomplish benefit for fish and wildlife through habitat improvement, stream rehabilitation, and corridor protection. This collaborative group analyzed and submitted recommendations to the Forest Service regarding the John Wood Forest Management Project. Unfortunately, the comments submitted were mostly written by ICL and Y2U and none of the other members of the collaborative signed on to the group comments. Due to a lack of meaningful involvement by other members of the collaborative and pressure for Y2U to “water down” our comments on future projects, Y2U will no longer take part in the CFI. Y2U submitted additional and separate comments on the DEIS for this project on February 1st, 2019. The Final Environmental Impact Statement (FEIS) was released mid-summer, 2019 with a Finding of No Significant Impact. On October 2nd, 2019, Kiehvas Preserve, Alliance for Wild Rockies and Wildlands Defense submitted a Notice of Intent (NOI) to sue the forest service on this project in regard to Canada Lynx and Lynx linkage. On November 25th, 2019, the District Ranger in charge of the project issued an order for his staff to revisit the Biological Assessment relative to Canada Lynx and initiate informal consultation with the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service will respond to the determination in the revised Biological Assessment within 60 days. No bids were received for the timber contract and this will be sent out for bids again in the future. Y2U did not sign on to the NOI due to our participation in the CFI during this project planning process. Y2U no longer participates in the CFI. An Objection to the Forest Service's authorization of the project was filed on June 17th by the Alliance for the Wild Rockies, Native Ecosystems Council and Wildlands Defense.

Work Plan:

- Y2U will monitor the project to ensure that the agreed upon project protocol and benefit to fish and wildlife is accomplished.

Expected Outcome: Unknown at this time.

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 (see map). 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.

The full set of comments can be found here: <https://www.yellowstoneuintas.org/issues/science/item/133-middle-henry-s-fork-aspen-enhancement-project>

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

Work Plan:

- Y2U will continue to monitor the impact of this project on wildlife and habitat.

Expected Outcome: Unknown at this time.

Mill Park Forest Restoration Project –

Status: On April 9th, 2020, Y2U, along with Grand Canyon Trust, The Wilderness Society, and Western Resource Advocates submitted comments on the Mill Park Forest Restoration Project proposed by the Roosevelt-Duchesne Ranger District of the Ashley National Forest. The Project will involve approximately 3,225 acres of vegetative treatments and stream and meadow restoration activities at the head of Hells Canyon on the Ashley National Forest.

The vegetation treatments would consist of commercial timber treatments on 2,646 acres (methods are sanitation-salvage, overstory removal, clear-cut, and shelterwood harvest, along with the construction of up to 8 miles of temporary roads), post-harvest planting on 1,170 acres and pre-commercial thinning on 379 acres. We oppose the Mill Park project due to the potential to significantly impair the wilderness characteristics of lands that are currently under consideration for a wilderness designation. The project also violates the Roadless Rule based on the facts and information provided in the Draft Environmental Assessment (EA). This project is untimely because it is being proposed during an ongoing land management plan revision for the Ashley National Forest while at the same time proposing an amendment to the current forest plan that is soon to be replaced. The new management plan directly implicates the project, making it unwise and premature to proceed until the new Forest Plan is finished. On July 9th, 2020 filed an Objection to the Forest Service's decision to authorize this project and that the Forest Service failed to adequately analyze the potential environmental impacts of 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 legality of the authorization for this project.

Expected Outcome: Unknown at this time.

Mount Logan Rocky Mountain Goat Introduction –

Status: The State of Utah Division of Wildlife Resources has 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. 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 very 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 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.

Mountain Bikes in Wilderness –

Status: On November 16th, 2020, 150 conservation organizations from across the nation urged the US Senate and House of Representatives to reject an unprecedented call to weaken the Wilderness Act to allow for the use of mountain bikes in designated Wilderness.

Senator Mike Lee (R-UT) recently introduced S. 2877, a bill to weaken the Wilderness Act to allow mountain bikes in Wilderness. The bill was introduced at the behest of a recently formed mountain biking organization, the Sustainable Trails Coalition. The letter strongly urged the Senate to oppose this effort to undermine the Wilderness Act. A House bill, H.R. 1349, would also open the entire National Wilderness Preservation System to mountain bikes and other wheeled machines. The organizations also strongly opposed both bills. S. 2877 supporters erroneously claim that mountain bikes were allowed in Wilderness until 1984, but then banned administratively by the U.S. Forest Service. This claim is simply not true. The 1964 Wilderness Act (36 U.S.C. 1131-1136) banned all types of mechanized transport, including bicycles, in designated Wilderness. Section 4(c) of that act states, “[T]here shall be...no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.” Furthermore, the Congress stated the purpose of the Wilderness Act was, in part, to protect these areas from “expanding settlement and growing mechanization...” (Wilderness Act, Section 2[a].) For over a half century, the Wilderness Act has protected wilderness areas from mechanization and mechanical transport, even if no motors were involved with such activities. This has meant, as Congress intended, that Wildernesses have been kept free from bicycles and other types of mechanization and mechanical transport. The undersigned believe that this protection has served our Nation well, and that the “benefits of an enduring resource of wilderness” would be forever lost by allowing mechanized transport in these areas.

Expected Outcome: Unknown

NEPA Rule Revision –

Status: 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>

Outcome: Unknown

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. Y2U, 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: Unknown

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.

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: Y2U is currently attending meetings and negotiating to have more or all of the stream returned to the upper reach of Paris Creek which occurs above the power plant and the point of diversion for the irrigation company.

Paris Hills ITAFOS (formerly Agricom) –

Status: Paris Hills ITAFOS is a proposed underground phosphate mine in Bloomington Canyon near Kiesha's Preserve, the wildlife preserve that Y2U manages, and Paris, Idaho. Due to underground pumping and reinjection issues, the mine permitting process was delayed by two years. Y2U has been negotiating for off-site mitigation for this phosphate mine, submitted sage grouse monitoring and mitigation plans to the mining company as well as State and Federal Agencies, and discussed the lack of air quality monitoring with DEQ. Some of our efforts to date have resulted in an expanded groundwater monitoring program and exploration of the use of more efficient diesel trucks to limit air pollution. There was an additional delay in the permitting process due to the buyout of Agricom by ITAFOS.

Work Plan:

- Track permitting and submit comments to the involved agencies.
- Continue negotiations for off-site monitoring and mitigation and cooperate in joint monitoring of Paris Creek and Bloomington Creek flows and water quality.
- Engage with local grazing associations and encourage improved cattle management around sage grouse habitat.
- Utilize local media to educate the public and urge the County to press for full transparency on environmental issues (air, water and noise pollution) related to the mine and surrounding land.
- Request public hearing on air quality issues.

Expected Outcome: Additional concessions from the mining company and cooperation on mitigating wildlife and OHV impacts in the adjacent areas of the Bear River Range.

Road Closures –

Status: In October 2017, Y2U 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!

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 2021.

Expected Outcome: Our goal is to close an additional 10 miles of user-created routes and 50 illegal campsites in 2021.

Scratchgravel Hills RAMP-

Status: On September 17th, 2020, Y2U, the 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.

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 at this time.

Silver Lake Dam Project –

Status: On August 25th, 2020, Pursuant to 36 CFR 218 regulations, an Objection to the draft Decision Notice (DN), finding of no significant impact (FONSI), and Environmental Assessment (EA) **Silver Lake Dam Geotechnical Survey** was submitted on behalf of Wilderness Watch, Wyoming Wilderness Association, Sierra Club Wyoming Chapter, Yellowstone to Uintas Connection, and Western Watersheds Project. None of the groups signing this objection were aware of this project proposal and had not received any direct notification from the Forest Service (FS) until the announcement of the objection period came out in a newspaper. If the FS rejected our formal objection, we asked that they read it as a letter since it addresses inadequate public notification, Wilderness Act deficiencies, and National Environmental Policy Act deficiencies. We formally requested that FS withdraw the draft Record of Decision and address these profoundly serious deficiencies. At a bare minimum, we requested that the FS reopen the public comment period on this proposal for a 30-day comment period. As noted in our Objection, U.S. Forest Service guidance during the pandemic states that since “meaningful public engagement will be challenging or unachievable under the current circumstances, responsible officials should carefully consider the timing of beginning new public comment periods.” Whether or not the FS formally accepts our objection, we requested a written response to the substance of our Objection/letter, especially the request for another comment period.

Expected Outcome: Unknown

Strawberry Forest Management Project –

Status: On December 18th, 2019, the Montpelier Ranger District of the Caribou-Targhee National Forest proposed the Strawberry Forest Management Project. The project is proposing to treat 2,658 acres with a combination of vegetation management activities throughout the project area to improve the condition of the forest ecosystems. The project area is located approximately 15 miles west of Montpelier within Franklin County, Idaho. The project will be analyzed through an Environmental Assessment. On January 10th, 2020, Y2U, along with the Alliance for the Wild Rockies and the Native Ecosystem Council submitted scoping comments on the Strawberry Forest Management Project. This project proposes to treat approximately 11,000 acres through a combination of vegetation management activity throughout the project area to improve the condition of the forest ecosystem. 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. The full set of comments can be found here: <https://www.yellowstoneuintas.org/issues/science> On July 24th, 2020, an Objection to the Forest Service approval of the project was filed.

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 “vegetation treatment” or “Aspen restoration” project.

Expected Outcome: Unknown at this time.

Targhee Prescribed Fire Restoration Project –

Status: On November 24th, 2020, Y2U, Alliance for the Wild Rockies and Native Ecosystems Council are 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.

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 at this time.

The Nature Conservancy-

Status: On June 25th, 2020, 52 organizations, including Y2U, that work to protect forests in the U.S. and Europe as a critical climate justice solution, wrote a letter requesting a meeting with Jennifer Morris, Chief Executive Officer, to discuss increasing concerns with The Nature Conservancy’s (TNC) work that advances forest industry narratives and policy agendas not supported by the best available science related to the global-scale climate and biodiversity crises. This work is undermining progress toward urgent solutions. Our concerns, outlined in more detail in the letter, parallel those expressed in a letter sent to Ms. Morris’ predecessor, Sally Jewel, in January signed by twenty prominent US scientists working in the field of forest ecology and climate change, and more recently in an open letter to Congress signed by 200 climate scientists across the country. The Intergovernmental Panel on Climate Change warns that we have little more than a decade to drastically cut emissions while simultaneously removing carbon from the atmosphere by storing it in natural ecosystems, especially forests. As noted in the new report from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the accelerating rate of biodiversity loss also poses an urgent threat to all life on Earth. Rapid and far-reaching transformation of society and across all industrial sectors, including the forestry sector, is essential to solving these interconnected global crises. It is no longer enough to stop deforestation – the conversion of forests to other land uses. We must broaden our efforts to reduce the climate impacts of forest degradation that occur within managed forests. To accomplish this, we must reduce rather than increase the production and consumption of wood products. In addition, forest biomass energy has repeatedly been shown to incur huge carbon debts for long periods of time, as well as emit harmful pollutants in local communities. With little more than a decade to act to avert terrible climate impacts, there is no time for the industry narrative that forest biomass energy is ‘carbon neutral’ or that it should be counted as a clean renewable energy. As the largest exporter of wood pellets, logging for harmful biomass energy is degrading our forests in North America and making climate change worse. Achieving a rapid transition out of logging National Forests is not only possible, but an essential step society must take to avoid climate catastrophe and the collapse of biodiversity. What is truly unrealistic is the idea that we can log our way out of climate change under the guise of “restoration” or “renewable biomass energy” or “keeping forests as forests” as promoted by TNC, or that we can increase consumption of wood products without further compromising human health, forests, biodiversity and the climate. The forest industry is a major contributor to climate change, responsible for degrading not only carbon storage on the land but vital, life supporting ecosystem functions across large landscapes necessary to protect our communities from intensifying storms, droughts, and heatwaves. Enabling this industry’s “business as usual” and destructive practices must stop if we are to have any hope in solving the twin ecological crises of our time.

Expected Outcome: Unknown

Utah Constitution Amendment E –

Status: Utah voters ballots this year included six constitutional amendments. Wildlife advocates and conservation organizations expressed concerns about Amendment E. This proposed amendment would guarantee the right of Utah citizens to hunt and fish and would enshrine hunting and fishing as the “preferred means of managing and controlling wildlife.” Y2U took the position that hunting has its place but is hardly the best or the only tool in the wildlife management toolbox. The appropriate wildlife management tool should not be dictated in ignorance of science and the facts. Ecosystems are complex and often fragile. It makes no sense to make hunting and fishing the primary means of managing them. Wildlife managers must be free to exercise expert judgment and use the best available science when making wildlife management decisions.

Outcome: Unfortunately Amendment E passed 76% to 24%.

Trillion Trees Act –

Status: On February 20th, 2020, Y2U, along with several other conservation organizations submitted comments to express our opposition to H.R. 5859, the Trillion Trees Act introduced by Congressman Bruce Westerman (R-Ark.). While we support ecologically sound tree-planting as a means to increase carbon sequestration and climate adaptation, this legislation presents a false solution for addressing the climate crisis by misallocating resources to focus on industrial logging rather than on urgently needed steep reductions of fossil fuel emissions. The bill would significantly increase logging across America's federal forests, convert millions of acres into industrial tree plantations, increase carbon emissions, increase wildfire risk, and harm wildlife and watersheds. We strongly support U.S. leadership to halt deforestation internationally and to reforest severely degraded and converted forests. However, the international section of the bill has no binding requirements and relies instead on voluntary private donations, calling into question the efficacy of that provision. The full set of comments can be found here: <https://www.yellowstoneuintas.org/news/item/136-y2u-to-oppose-the-trillion-trees-act>. A similar letter was sent to the US Senate.

Uintas Wilderness Cattle Monitoring –

Status: In 2013, Y2U 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. This summer 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, brand 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. We were not able to meet with the Forest Service or the permittees.

Work Plan:

- We will be meeting with both Forests as soon as possible with the pandemic still happening 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, Y2U 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 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, Y2U, 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 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>

Work Plan:

- Y2U, along with the Alliance for the Wild Rockies and Western Watersheds Project will litigate the Forest Service and the US Fish and Wildlife Service to halt the killing of federally protected Grizzly bears.

Expected Outcome: Unknown at this time.

Utah Cougar Hunting Permit Comments –

Status: On August 20th, on behalf of the Y2U, Humane Society of the United States, The Cougar Fund, the Humane Society of Utah, Western Wildlife Conservancy, submitted comments regarding the Utah Division of Wildlife Resources (DWR) recommended permit allocations for the 2019-2020 cougar-hunting season. The proposed increase in permits and quotas to 678, not including those in the state's four unlimited hunting units, is not sustainable for Utah's rare and iconic cougar populations, as decades of research conducted in Utah shows. It is axiomatic that administrative agencies may only create rules and regulations that conform to their authorizing statute. Here, the Utah Code directs the DWR to "determine the facts relevant to the wildlife resources of this state" and, on the basis of those facts, mandates the Wildlife Board to "establish the policies best designed to accomplish the purposes" of "the preservation, protection, conservation, perpetuation, introduction, and management of wildlife." Utah Code § 24-14-3(2)(a). In carrying out this dictate, the legislature further directed the Board to "seek to maintain wildlife on a sustainable basis." Id. § 24-14-3(2)(b). And, like all Utah agencies, the DWR may not establish rules that are "not supported by substantial evidence." Id. § 63G-3-602(4)(a)(ii). Taken together, the statutory scheme authorizing this rulemaking requires fact-driven, scientific management that seeks to sustainably maintain wildlife populations. However, the extreme offtake amount proposed by the State is antithetical to Utah's wildlife statutes; therefore, the Wildlife Board must reject their extreme and dangerous proposals.

Wasatch Front (UT) Wilderness De-designation –

Status: On November 15th, 2020, Y2U submitted a letter to the US Senate regarding the "Bonneville Shoreline Trail Advancement Act" (S. 4215), sponsored by Senator Mike Lee (R-UT). This bill aimed to DE-designate 326 acres of Wilderness along the Wasatch Front in Northern Utah to allow a large trail construction project to be constructed in what is currently designated and protected as Wilderness. 326 acres from an old Boy Scout camp would be designated as Wilderness in exchange. This is no way to treat the supposedly permanent designation of Wilderness just because the metropolitan area has grown nearer to wilderness boundaries.

Expected Outcome: Unknown at this time.

Western Biomass Logging Bill –

Status: In November 2020, a group of environmental activists and organizations wrote the US Senate urging them to oppose S. 4603, "The Forest Health and Biomass Energy Act of 2020" sponsored by Senator McSally (R-AZ). This bill, based upon a list of findings that are disconnected from the scientific record, would utilize taxpayer dollars to exacerbate the climate crisis, harm biodiversity, and pollute communities while not only failing to stop weather-driven wildfires but often making them burn more intensely. At its core, S. 4603 is simply a logging bill that attempts to further subsidize the cutting of trees from National Forest lands for the purpose of incinerating those trees, or parts of trees, to produce energy. S. 4603 would prop up a destructive industry and further commodify our National Forests at the expense of any other use or ecosystem benefit while intensifying wildfires that increasingly intersect with communities and worsen the climate crisis. If you are seeking legislation to support which would help communities be prepared for wildfires, we urge you to support S. 2882 The Wildfire Defense Act, introduced by Vice-President Elect, Senator Kamala Harris. This bill is focused on what we can control - how to protect homes from burning down - rather than pretending we can reduce extreme weather events by removing trees from our forest ecosystems.

Expected Outcome: Unknown

Whiskey Mountain Bighorn Sheep –

Status: On July 23rd, 2020, Y2U, Wilderness Watch and the Wyoming Wilderness Association submitted comments regarding the Forest Service's scoping letter to allow the Wyoming Department of Game and Fish (WDGF) to use helicopters to capture, radio collar, place vaginal implant transmitters, and monitor bighorn sheep in the Bridger Wilderness.

While WDFW has the responsibility to manage wildlife across Wyoming, wilderness designation places restrictions on that management authority and requires the Forest Service to ensure that any state wildlife management activities in wilderness, including research, are conducted in a manner that preserves wilderness character. Both helicopter intrusions and the placement of installations in the Wilderness are prohibited under the Wilderness Act “except as necessary to meet minimum requirements for the administration of the area” as wilderness. The comment period for the proposal was only 14 days. The scoping letter does not reveal what kind of NEPA document would be prepared. It does not reveal the number of flights and landings in Wilderness that would or could be approved, including flights to recover collars with mortality signals, presumably during the winter. The proposed action is likely to cause significant direct, indirect, and cumulative impacts and is likely part of a larger radio-collaring and monitoring project if WDFW wishes to achieve statistically valid sampling. The Forest Service must take a “hard look” at this project through an Environmental Impact Statement and rigorously explore reasonable alternatives that would not offend the Wilderness Act. It appears the Forest Service intends to do neither an EA nor an EIS for a project that flagrantly violates the Wilderness Act. The short comment period, the lack of information, and the fact that the purpose and need section in the scoping letter does not mention Wilderness at all indicate this proposal has been conceived, created, and nearly authorized by those who have no understanding of Wilderness or their legal obligation in its perpetuation.

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 project.

Expected Outcome: Unknown at this time.

Wyoming Wolf Delisting –

Status: In 2018, the Wyoming wolf population in the trophy zone declined below the 15-breeding pair “buffer” at which protective measures are invoked in Idaho and Montana and the number of wolves was close to the 150-wolf number requiring corrective action in other states. In response, Wyoming reined in wolf quotas in 2019 to try to increase the wolf population in the trophy zone by 8 wolves. However, the wolf population in the Trophy Zone is hovering close to minimums and the Yellowstone National Park wolf population declined to 80 in 2019 (although it has bounced back to 94 in 2020). As of 2019, if all the Yellowstone wolves were in Wyoming, Wyoming would have had a total of 20 breeding pairs—not a great margin above the 15-breeding pair minimum. There were no breeding pairs on the Wind River Indian Reservation, which is intended to provide an additional population buffer above the 10/100 minimum. Dispersing wolves from Wyoming have been confirmed in Colorado and Utah. It is not clear whether the recent wolf pack confirmed in Colorado came from Wyoming, although it was first seen close to the Wyoming border.

Any challenges to the 2017 Wyoming wolf delisting decision will likely face threshold jurisdictional issues. Of those, the one that likely presents the biggest obstacle is the Statute of Limitations. Nevertheless, it may be possible to overcome the Statute of Limitations issues by framing the challenge as a challenge to the 2017 delisting, especially if the Notice letter covers different legal issues than the Notice Letter by other environmental groups that was sent in 2012. Res judicata and administrative exhaustion should not bar the case. To further evaluate potential litigation, it would be helpful to have a better understanding of the Wyoming wolf population in the Trophy Zone in 2019 and 2020, to evaluate whether it may have dipped below the 150-wolf/15 breeding pair threshold warranting action in other states. It is also worth considering that since a previous challenge to the Wyoming wolf delisting in 2012 was voluntarily dismissed without prejudice after it was transferred from Colorado to Wyoming, it seems likely that an action filed in another venue might get transferred to Wyoming.

Work Plan:

- Y2U is seeking legal representation to challenge the 2017 delisting of wolves.

Expected Outcome: Unknown at this time.