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# Guardians of the Range

*Dedicated to the Multiple Use of Public Lands & the American Way of Life*

**Newsletter No. 83**

**March 2011**



**BLM Wild Lands Inventory  
Wilderness by another name!**

Why should this THING concern you?

**Part One**  
*(Where did it come from and what is its purpose?)*

OK, where to begin to explain a complex topic that some would have you think is nothing more than an 'inventory' of lands with wilderness characteristics, aka LWCs.

*Please see **Inventory** on page 2*

**Guardians at Work**

Your Executive Director  
Representing your interests

February 2  
Government Affairs Committee

February 4  
Overview of BLM's Wild Land Inventory

February 14  
Wildlife Services & Predator Management

February 20  
Individual BNF Permittee Meeting

February 23  
Art & Open Spaces (aka Wilderness push)  
Park County Disaster Mitigation Draft Plan  
Overview

February 24  
Powder River District - BNF

**USFS**

**Guardians to D.C. in March**

We are pleased to report the National Forest Foundation has made travel dollars available to the Guardians to attend the national forum on the draft Planning Rule Revision, affecting all 155 national forests and grasslands. The Guardians were able to participate in three national roundtables in 2010.

There are some very troubling things in the draft. We encourage you to review it and send comments by: May 16.

The proposed planning rule was released in the *Federal Register* on February 14, 2011, kicking off a 90-day public comment period. The proposed rule is now available online at: <http://www.fs.usda.gov/planningrule>.

I encourage you to take a look, and let the agency know how it can be made better. Information on how to submit comments is available at: <http://www.fs.usda.gov/goto/planningrule/HowToComment>.

**"When you come to the end of your rope, tie a knot and hang on."**

**~Franklin D. Roosevelt (1882 - 1945)**

## Shoshone NF Forest Plan revision underway again!

By the time you receive this newsletter, the revision of the 1986 Shoshone NF Plan will once again be underway! This poor thing has had several legal logs through across the public process track for the past several years. The first public scoping was conducted on Monday, February 28, in Cody. I am not sure how successful this latest attempt is going to be but we will certainly be there and participating on our members behalf.

The Shoshone is going to use the 1982 Planning Rule to conduct this revision. We all hope that this effort will not be abruptly stopped if and when the new DRAFT Planning Rule is finalized. That draft, as you can read elsewhere in this newsletter, has just been published, and is out for public comment. Hopefully, the Shoshone NF will be allowed to complete this LONG over due revision under the 1982 rule. Forest plans are supposed to have a shelf life of only 10 to 15 years before they are revised. The Shoshone plan was completed in 1986.....so much for shelf life.

I encourage our members to contact me if you have issues you'd like brought forth in the scoping process. Please e-mail, or telephone me. See contact information on front page of newsletter. Let's think positive!



**This newsletter is a handy tool to convey information to Guardian members on a monthly basis.**

**However, there are times we need to get info to you more quickly, for example, to alert you to proposed legislation, legal actions, comment periods and deadlines.**

**The Guardians have created a page on Facebook to instantly reach members and other interested folks. Facebook is FREE, quick and easy to set up, and a timely way to stay connected in our rapidly changing world.**

**Check out and 'like' the Guardians of the Range page on Facebook today!**

## Brucellosis

**Dollars available to help with some costs associated with testing and handling IF enough ranchers express an interest.**

**Contact: Rory Karhu, District Conservationist  
Natural Resources Conservation Service  
phone: 307.754.9301, ext 116  
e-mail: rory.karhu@wy.usda.gov**

**Don't delay if interested, timeliness is important!**

### *Inventory continued from page 1*

We only have so much space in this newsletter to lay out what is a huge issue tied to the Resource Management Plan Revision (Cody & Worland) which is, unfortunately, about to hit the street in draft form.

I want the material presented in a cogent fashion to clear away the smoke, mirrors, and 'moving targets' and help the general public and some agency folks to fully realize the ramifications of this 'simple inventory' in the day-to-day lives of their fellow Americans.

FIRST: Who directed the BLM offices around the nation to conduct an inventory vis-a-vis Directive 3310? ANSWER: Secretary of Interior, Ken Salazar (His authority to do so is set forth in Sections 2 & 4 of the directive. We acknowledge the Secretary's legal authority to call for the inventory. However, the Secretary's choice of doing so on December 23, knowing full well that American citizens were understandably trying to relax and enjoy the well deserved distractions of the holiday season smacks of a deliberate ambush in the context of public input.

SECOND: For what purpose? ANSWER: Quoting directly from the document:

"Sec. 1 Purpose. This Secretarial Order (Order) affirms that the protection of the wilderness characteristics of public lands is a high priority for the (BLM), and is an integral component of its multiple use mission. The Order provides direction to the BLM regarding its obligation to maintain wilderness resource inventories on a regular and continuing basis for public lands under its jurisdiction. It further directs the BLM to protect wilderness characteristics through land use planning and project-level decisions unless the BLM determines, in accordance with this Order, that impairment of wilderness characteristics is appropriate and consistent with other applicable requirements of law and other resource management considerations."

SO.....any reasonable person would quickly understand that Wild Lands are wilderness type lands, just being referred to by a slightly different name. The reason for the different name is to avoid having to use the Wilderness Act, which calls for Congress to nominate an area for Wilderness designation and to have it formally approved. It's much easier to call things 'Wild Lands', and then manage them as though they are wilderness without all the red tape and national level public scrutiny. Just call it Wild Lands, manage it so restrictively that it loses its intrinsic beneficial multiple use potential, but pretend it's just an inventory.

NEXT TIME: Weaknesses in the quality of the inventory and why that matters. ★



by Kathleen Jachowski

## Direct from the Director: Major Event

The Guardians will host our first annual major event fundraiser in Sheridan on Friday, May 13th.

This effort, which could use your help, is one of the mechanisms the Board of Directors has undertaken to strengthen our financial situation.

It will be at the Historic Sheridan Inn. There will be a speaker(s), a cash bar, an auction and a social get together prior to a wonderful dinner. We hope you will plan to attend this evening event. There will be more details in our next newsletter.

Short of attending, we invite and encourage you to consider sponsoring a table at the event, or donating an auction item. You will be, or may already have been, contacted by committee folks working on sponsorships and auction items.

There are a great many details in putting an event like this together. Your help would be most welcome. If you would like to volunteer or assist in some special way, please contact either Bill Greer at 307.272.2352 or Dana Kerns at 307.655.9463.

Let's grow this unique organization by working together to make a huge success of this wonderful event.

*Kathleen*

Kathleen Jachowski, Executive Director  
307.587.3723 [guardians@hughes.net](mailto:guardians@hughes.net)

**Wayne Barnett**  
3223 - Road 33  
Greybull, WY 82426  
Cell: 272.9662 or 765.2926

Wayne is very much under the weather right now. If you'd like to call or send a card of good cheer we've provided his contact information.

### CRAIG THOMAS GUARDIANS OF THE RANGE ENDOWMENT

Supporting this endowment is a wonderful tax exempt way to show your support for the Guardians' effort, or to honor a family member or friend. We want to have a sustainable financial resource base to achieve our goals and objectives.

For more details, please contact a board member or Kathleen Jachowski (307)587-3723 or [guardians@hughes.net](mailto:guardians@hughes.net).

## Lummis Applauds Inclusion of EAJA Amendment in Continuing Resolution

**Washington, DC** ~ U.S. Representative Cynthia Lummis (R-Wyo.) applauded the inclusion of the Lummis amendment into HR1, the Continuing Resolution. The amendment places a temporary moratorium on appropriations the federal government disburses under the Equal Access to Justice Act (EAJA). The amendment will allow Congress time to scrutinize the program, and to prevent abuse by large environmental groups and others who frequently challenge the federal government in court and in return receive millions of dollars of unaccounted taxpayer money.

Today, Representative Lummis spoke on the House floor calling for the support of her colleagues:

"In 1980 a law passed called EAJA allowing Americans who are being challenged by the federal government to recover their legal fees if they successfully sue the federal government when the federal government has wronged them. It is a very fair law. The problem is, in 1995, the federal government quit keeping records on who is receiving payouts, and how much, under EAJA.

"Consequently, this law has been hijacked by certain groups who use it to sue and recover judgments. For example, there are 14 environmental groups that have recovered \$37 million by filing 1,200 lawsuits for which they've recovered judgments and even legal fees under settlements with the federal government, thereby fueling the fire of suing the federal government over sometimes procedural issues.

"We need to have a six month moratorium on expenditures and payouts under EAJA, so we can get information about who is receiving this money, what the lawyers are paying per hour, and who it is going to.

"How many environmental groups are actually paying for their organization by routinely suing the federal government to stop certain activities on federal land? This is taxpayer money that's being used for this purpose, and in light of my colleagues on the Democratic side of the aisle's enthusiasm for sunshine, for full disclosure, for knowing where taxpayer dollars are going, I strongly encourage you to support my amendment." ★

### Join Guardians of the Range

**LIVESTOCK OPERATORS:**

- \$100 for up to 50 head of cattle
- \$2.00 a head from 51 to 1,500 cattle
- 40 cents a head for sheep

**BUSINESSES, INDIVIDUALS & ASSOCIATIONS**

without federal grazing permits:

- \$25 up to \$100 WRANGLER
- \$250 RANGE RIDER
- \$500 TOP HAND
- \$1,000 GUARDIAN of the RANGE

Please make checks payable to:  
Guardians of the Range, P.O. Box 472, Worland, WY 82401

**DUES AND DONATIONS ARE TAX DEDUCTIBLE**

You can now join on line  
[www.GuardiansoftheRange.org](http://www.GuardiansoftheRange.org)

## Guardians of the Range

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### State Lands Info:

<http://slf-web.state.wy.us>  
**Office of State Lands & Investments**  
**307.777.7331**  
**122 W 25<sup>th</sup> Street**  
**Herschler Bldg. 3<sup>rd</sup> Floor West**  
**Cheyenne, Wyoming 82001**  
**e-mail: [slfmail@wy.gov](mailto:slfmail@wy.gov)**

Folks with lease and sub-lease interests may find it useful to review the rules and make certain your understanding and paperwork are in order.

You can go online to the above website and scroll down on the homepage to the 'Rules' section to find a good deal of information.

W.S. 36-5-105 is very pertinent to grazing and agriculture.

Please contact the Office of State Lands & Investment if you have questions, or need clarification.

### Partners in Conservation Mining & Ranching

American Colloid Company is sponsoring a multi-year UW Sage Grouse research project beginning March 2011. For this upcoming study season, we're looking for a 2-3 bedroom house/apartment (including appliances) for techs March - August in the Greybull, Shell, or Basin area....the eastern side of the Basin. Ideally, the place(s) would be pet friendly. Contact Aaron Pratt @ 361.960.0946 or 701.866.0978 or [aaroncpratt@yahoo.com](mailto:aaroncpratt@yahoo.com).

American Colloid is working to get the Cheat grass and other reclamation problems turned around in the Big Horn Basin. They too recognize that habitat is critical to Sage Grouse conservation.

The Guardians are pleased to assist American Colloid in securing rental housing for the above project. Mining interests have served on the Big Horn Basin Sage-grouse Local Working Group for the last six years via the efforts of Matt Call of Wyo Ben. This notice is also posted on our website: [www.guardiansoftherange.org](http://www.guardiansoftherange.org) As a fellow multiple use industry on our public lands, the Guardians support American Colloid's demonstrated interest in problem solving. Let's help them 'get 'er done'! ★