

Wyoming Outdoor Council

Summer 2019

FRONTLINE



Working to protect Wyoming's environment and quality of life since 1967

INSIDE:

**THE SCIENCE IS CLEAR:
DON'T POISON BOYSEN**

Holding the line in
southwest Wyoming

AND MORE!

A Message from the Director



LISA MCGEE
Executive Director

Experience has shown us time and again that if conservation success is to be durable in Wyoming, it must have strong citizen support. Short-term wins without grassroots support are vulnerable, whether in the courts or with changing White House policies. That is why the Wyoming Outdoor Council is committed to working not only with federal land managers, but also in local communities and in Cheyenne to propose solutions and help craft collaborative, long-lasting conservation policies.

As you'll read, our staff has been busy doing just that for the last few months. And we're incredibly encouraged by the number of citizens who are speaking up for Wyoming. Whether it's demanding that the state do a better job of protecting a Class 1 river that people rely on for drinking water and their livelihoods, or working together to find the best way to protect our wildlife, Wyomingites are rolling up their sleeves right alongside our policy experts and making a real impact. I want to say thank you. To everyone who's helping us work for lasting solutions for this place we all love: it's making a difference.

In a canoe with kids, paddling for camp!

Having a picnic and swimming with my daughters in Jackson Lake.



Wyoming Outdoor Council

Founded in 1967, we are a statewide citizen advocacy group, working to protect public lands, wildlife, and clean air and water in Wyoming. We believe conservation is not a partisan issue, and that informed and engaged citizens matter.

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WHAT'S YOUR FAVORITE WAY TO ENJOY WYOMING'S WATERS?

Summer sailing on Yellowstone Lake!

GOOD POLICY TAKES TEAMWORK



KRISTEN GUNTHER
Conservation Advocate

The people of Wyoming have a long history of shaping conservation policy. Sometimes that happens when citizens contact decision makers directly. Often, though, groups of Wyomingites from a range of backgrounds

come together with a specific task: to create a forward-looking proposal that tackles a specific problem.

In recent years, Wyoming Outdoor Council staff have represented our members on county-level committees, statewide task forces run by the governor's office, and federal advisory councils. This year I'm pleased to be involved in two such groups related to wildlife.

Gov. Gordon's Big Game Migration Corridor Advisory Group

Protecting Wyoming's big game migrations has been a major focus of our work during

the past year. Robust big game herds, a point of pride and passion for most Wyomingites, depend on the habitat migration corridors provide. We're grateful that Gov. Gordon has recognized the importance of migration corridors by convening a citizens' group to develop recommendations to guide state migration policies. While we don't serve on the advisory group, we have presented information and other resources — including policy guidance — and attended meetings around the state to take part in the discussions. We'll keep you posted about what recommendations emerge from this committee, and how you can help.

Wyoming Game and Fish Chronic Wasting Disease Working Group

Wyoming's mule deer herds face a barrage of challenges, all of which have contributed to statewide declines for the species. One major emerging threat to our deer — and also to elk, whitetail deer, and moose — is

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Image: Tayler LaSharr

AT WHAT COST?

Wyoming Doesn't Have to Risk Clean Water for Energy Development



DUSTIN BLEIZEFFER
Communications
Director

This past spring, snowmelt unleashed just as heavy rains fell for several weeks, swelling the reservoir at Boysen State Park to capacity. The Bureau of Reclamation increased flows to 7,000 cubic feet per second below the dam, pushing

water high along the banks of the Wind and Bighorn rivers, creating a challenge for drifters.

But the fishing was still hot.

“Yesterday we had two boats out, and each of our boats hooked up to about 40 fish — all in that 18- to 20-inch range,” fishing guide John Schwalbe said back in June.

Schwalbe, owner of Wyoming Adventures in Thermopolis, has guided on the Bighorn for 25 years, owing his livelihood to the Blue Ribbon trout fishery that produces big rainbows, browns, and cutthroat. “I wouldn’t live in Thermopolis, Wyoming, if it were not for the Bighorn River that runs through it. It’s my livelihood, it’s the reason why I stuck around this area,” Schwalbe said.

A lot of his regular clients are locals who work in the oil and gas industry, and in addition to navigating the high water and figuring out what flies trout were hitting, the big topic of discussion this spring was the future of this fishery.

Upstream in the watershed is the Moneta Divide oil and gas field, where Texas-based Aethon Energy proposes to drill 4,100 new wells over the next 15 years — an economic boost for many communities in a part of the state that desperately needs jobs and revenue.

But the company’s plan includes dumping up to 8.27 million gallons per day of “produced” oilfield wastewater — groundwater mixed in the oil- and gas-bearing formations — into tributaries of Boysen Reservoir.

The Wyoming Department of Environmental Quality relied on modeling from a consultant hired by Aethon to determine that decreases in water quality in the Class 1 Wind River were insignificant. The DEQ’s analysis also found that impacts to Alkali and Badwater creeks would meet regulatory requirements. As it turned out, neither conclusion was correct.

Although some residents want to see the drilling project move forward for the jobs and revenue, many worry that Aethon and the state didn’t do a thorough job of analyzing the plan and didn’t provide safeguards to ensure the viability of livelihoods that are tied to Boysen and to the Wind and Bighorn rivers.

“There’s a responsibility that we have here to manage our state well, but also put people to work. I’m all for that,” Schwalbe said. “But not at the cost of our watersheds and natural resources. Not at all.”

Clean water is too important to risk

With the help of partners and members, the Wyoming Outdoor Council hired hydrologists, aquatic biologists, and other scientists to conduct a detailed, expert analysis of the proposal by Aethon and the DEQ. The results were troubling. The analysis revealed significant flaws in the plan that would severely threaten aquatic life and municipal drinking water sources, as well as the economic and cultural values that tie

Schwalbe and so many others to these iconic Wyoming waters.

“This proposal violates the Clean Water Act, the Wyoming Environmental Quality Act, and the DEQ’s own rules about implementing these important laws,” attorney and Outdoor Council Senior Conservation Advocate Dan Heilig said. “Fundamentally, though, the proposal unnecessarily risks the health and livelihoods of Wyomingites. It doesn’t have to be this way. There are other solutions.”



I wouldn’t live in Thermopolis, Wyoming, if it were not for the Bighorn River ... It’s my livelihood, it’s the reason why I stuck around.”

— JOHN SCHWALBE, RIVER GUIDE

The Outdoor Council is not the only voice pointing out that good jobs and economic development should not be at odds with clean water and healthy fisheries. In many cases, they’re one and the same. Dusty Lewis is among a growing number of locals in Hot Springs County who hope to boost tourism in the area. Lewis owns Rent Adventure in Thermopolis, renting out drift boats, rafts, kayaks, and paddle boards.

“We spend a lot of time in the water, and we do a lot of fishing,” he said.

While Aethon and the DEQ assured the public that there’s no risk associated with the plan to use Boysen Reservoir as an oilfield wastewater mixing zone, Lewis and others were not fully convinced. There’s too much at stake, said Lewis.

“If the fishery were damaged, that would probably be the worst thing.”

He noted that everyone in Thermopolis recognizes the outsized role the Bighorn plays in the community, and suggested that economics is only part of the equation. The river and the outdoor way of life it supports is

a huge part of the community’s identity. That’s why this proposal is so troubling.

“I’ve got a five- and seven-year-old — Fischer and Fletcher — and they are outdoor junkies,” Lewis said. “They would be some little angry rugrats if something happened. They would be like, ‘Dad, why didn’t you act more responsibly and help the river get saved?’ So I think about it for them. The next generation coming up has a lot to overcome.”

Lewis also serves on the town council

in Thermopolis. The town draws from the Bighorn for its municipal water. A change in water quality could add to operational costs at the town’s water treatment plant. Alternate sources for municipal water come with their own costs. Locals worry that tapping aquifers nearby could affect the town’s world-famous hot springs, and tapping aquifers elsewhere would come at a significant expense.

“There’s a lot of variables when you talk about changing water sources,” said Lewis.

Sustaining clean water is a win-win

Based on the scientific and legal analysis, the Outdoor Council submitted comments to the DEQ in July asking that the agency go back to the drawing board. “A careful look revealed so many significant flaws in this plan that we’re confident it won’t stand without a fundamental revision to ensure that water quality standards are met, and that downstream users and livelihoods are protected,” Heilig said.

This story went to press before we could learn of the DEQ’s response to the Outdoor Council’s comments or its proposed next

steps. We were encouraged, however, by the number of public comments urging the DEQ to deny the permit — including a powerful letter from the U.S. Environmental Protection Agency that identified numerous significant flaws in the draft permit.

If the DEQ forwards its plan for Aethon Energy’s wastewater surface discharge permit without meaningful revision, the state may still face challenges to hold it accountable for safeguarding clean water resources. The Outdoor Council is committed to insisting that Wyoming’s clean water is protected.

As oil and gas leasing picks up around Wyoming, and as the Moneta Divide project expands, making sure

that energy development doesn’t come at the expense of Wyoming’s clean air and water and healthy wildlife populations will continue to be a challenge.

It’s one worth meeting head on.

“Wyoming residents were given a false choice — that we must accept lower water quality and unknown risks in return for economic development,” Heilig said. “We know better. We hope that the DEQ takes into account the thousands of residents who rely on these iconic waters today and for generations to come.” ■



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— DAN HEILIG,
WYOMING OUTDOOR COUNCIL

GOOD POLICY

chronic wasting disease, an insidious disorder affecting the central nervous system that has increased in prevalence in Wyoming’s herds over the last several decades.

CWD belongs to a rare class of diseases called “transmissible spongiform encephalopathies,” which are disorders caused by prions — basically, a misfolded protein. Mad cow disease is the most commonly known prion disease. CWD is transmitted through bodily fluids (saliva, urine, feces) or through the environment — prions shed by affected animals can persist in the environment for more than a decade.

Most CWD-positive animals don’t appear to be ill. To know whether a harvested animal has the disease, hunters must have it tested. There’s no cure for CWD — once an elk or deer has the disease, it will eventually die

from it. It’s a difficult disease to plan for: there’s no silver bullet for wildlife managers, and strategies may differ for herds where the disease is well established compared to those CWD has not yet reached.

The Wyoming Game and Fish Department recognizes the need for a complex, well-vetted management plan to address this emerging issue — especially as CWD-positive animals are identified in new areas — and has convened a task force of citizens representing a range of interests to revise the current CWD plan. While we don’t frequently focus on wildlife disease issues, CWD management has broad implications for wildlife management and the future of our big game herds. I’m eager to work with this diverse group, and am honored to co-chair the committee alongside Josh Coursey of the Muley Fanatic Foundation. ■



A CLOSER LOOK

In July, we submitted expert analysis of the DEQ's proposed wastewater discharge permit, modeling, and analysis. Here's what we found:

- » The daily discharge of millions of gallons of contaminated oilfield wastewater will **violate water quality standards** for Alkali Creek and Badwater Creek — a 40-mile riparian stream lined with cottonwoods and willows. These important streams are already impaired by existing oilfield wastewater discharges.
- » Polluted wastewater entering Boysen Reservoir's Badwater Bay, a proposed mixing zone, will **most likely harm an important nursery** area for sauger, a species of fish related to the walleye.
- » The **blue ribbon Wind River will be degraded**, despite a strict anti-degradation standard for the Class 1 river.
- » Chemicals used in hydraulic fracturing may enter Boysen Reservoir and **contaminate drinking water supplies** used by the Town of Thermopolis.
- » The DEQ's model finding that the project would not violate water quality standards in the Wind River is so **fundamentally deficient** that it cannot be used for regulatory compliance or agency decision making.

SOLUTIONS WE PROPOSE

- » The DEQ should **analyze other options**. If surface discharge is necessary, the produced water should be purified and piped to Boysen Reservoir, as originally proposed by Encana, the previous operator, not dumped into Alkali and Badwater creeks where environmental impacts will be devastating.
- » The DEQ should **end the unlawful practice of "grandfathering" pollution concentration limits** based on industrial discharges in the Moneta field that predate the adoption of DEQ's point source discharge regulations. The various owners of this field have had decades to bring the discharge into compliance with modern standards. Developers have access to modern water cleanup technologies and methods to meet standards required to safeguard Wyoming's clean water resources.
- » The DEQ should **require Aethon to publicly disclose the names and amounts of chemicals** that will be used in fracking operations, and require assurances that those chemicals will be completely removed from the flowback water before being discharged in surface waters.

SOUTHWEST WYOMING:

A working landscape worth protecting



DUSTIN BLEIZEFFER
Communications
Director

Southwest Wyoming and the northern Red Desert are known for iconic geologic features and breathtaking landscapes that look much the same today as they did millennia ago: Adobe Town, the Killpecker Sand Dunes, Boars Tusk, White

Mountain. The Golden Triangle at the base of the Wind River Mountains is one of the most important Greater sage-grouse habitats on earth, and the ancient Red Desert-to-Hoback mule deer migration — the longest in the world — is anchored here.

Wyoming residents have worked together for decades to find ways to protect these special places while enjoying a landscape that, at 3.6 million acres, is big enough to also support motorized use, grazing, and energy development. But now the U.S. Interior’s Bureau of Land Management is poised to strip the hard-fought protections that allow for multiple use in favor just one: oil and gas development.

“This is a landscape that can accommodate many uses,” Wyoming Outdoor Council Conservation Advocate John Rader said. “We have vast open spaces where families can recreate, where we can celebrate our outdoor heritage. There are also places where development is permitted right now. So we’re striking a balance. We have a working landscape that really applies the multiple use approach. We don’t want to sell that out for a single use.”

Local voices lost

Every twenty years or so, the BLM revises its “resource management plans,” which guide how the agency prioritizes uses and protections for particular places. The current plan, in effect since 1997, protects unique places like Steamboat Mountain, the South Pass Historic Landscape, and National Historic Trails, while allowing development in other areas. A revision has been underway for nearly 10 years, and the last time the public was allowed to weigh in was 2011.



**If you hunt those herds,
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— JOHN RADER, WYOMING OUTDOOR COUNCIL

Unfortunately, amid continuous delays and changing administrations, the voices and values of Wyoming residents have been lost in the revision effort. Now, under a directive straight from Washington, D.C., the BLM has indicated it will throw out most of the existing multiple-use protections — which were developed in cooperation with Wyomingites over decades — to prioritize energy development alone. That means hunting, recreation, conserving vital wildlife habitats, and preserving cultural and historic sites will



Image: Ken Driese

all take a back seat to energy development.

“If you hunt those herds, if you hike out in those badlands, if you fish those streams, it’s going to affect you personally,” Rader said. “Here we are almost a decade later, and we’ve got an administration that wants to strip all the protections for the whole area. The people of Wyoming have agreed that there are some places, some values, that are more important. We recognize the importance of energy development here, absolutely. But there are other values at stake. There’s our way of life.”

Tell local officials: top-down doesn’t work for Wyoming

Despite the slow, muddled revision process, the Outdoor Council continues to work with conservation partners, counties, and others to urge the BLM to honor our shared values in Wyoming. Your voice is crucial, too.

Right now, as the BLM prepares a final draft of the far-reaching plan that will guide how 3.6 million acres of Wyoming’s most special places are managed for the next 20 years, local governments and elected officials in southwest Wyoming have a seat at the

table.

And they need to hear from you.

If you live in southwest Wyoming, please contact your city officials, your county commissioners, and your conservation districts. Tell them that Wyomingites care deeply about the special places in this corner of the state, and that our livelihoods and our way of life here will be undermined by a major overhaul in favor of a single use. Ask them to let southwest Wyoming continue to be a working landscape that balances a full spectrum of uses. And if you live anywhere in Wyoming, consider sending Gov. Mark Gordon the same message.

“We like it the way it is,” Rader said. “We like being able to go out into the Red Desert and explore and hunt, we like being able to hike in the Big Sandy Foothills. And we don’t want a top-down approach from D.C. to come in and take those things away from us.” ■

To find out how to contact your local officials who can urge the BLM to maintain your outdoor heritage in southwest Wyoming, visit the “Public Lands” page on our website, wyomingoutdoorcouncil.org.

MEMBER PROFILE



KATHY JENKINS

“The energy at WOC these days is palpable.”

She has also become one of the Council’s staunchest supporters. “The energy at WOC these days is palpable,” Kathy said. “Lisa McGee has pulled together a highly skilled, energetic, and committed staff and it’s exciting to watch them do their work at the legislature and in other public arenas around the state.”

Born and raised in Casper, Kathy’s passion for conservation stems from a lifelong connection to Wyoming first forged by her parents, who moved here in 1948 so her father could pursue a master’s degree in geology. Despite their different backgrounds — Kathy’s mother grew up in a comfortable home in Oakland, Calif., and her father on a small farm in the Appalachian Mountains with no indoor plumbing or electricity — they both embraced Wyoming’s wild places.

It was a shared love they passed down to their daughter. “Thanks to my father, I grew up learning about the unrivaled geology in Wyoming. And thanks to both my parents, I grew up camping, hiking, and fishing all over the state.”

Those firsthand experiences with Wyoming’s rugged backyard nurtured



STEFANI FARRIS
Associate Director

One of the first things Kathy Jenkins did after retiring from her position as a staff attorney for a Wyoming Supreme Court justice was reach out to a Wyoming Outdoor Council board member to ask about volunteer opportunities.

After a career in which she’d felt limited in her ability to get involved in advocacy and nonprofit work, Kathy was ready to roll up her sleeves to protect a place she loved.

That was back in 2016. Now Kathy serves on the executive committee of the Outdoor Council’s board of directors and has hosted two successful outreach events in her Cheyenne home with her husband, Mike Shonsey.

Kathy as a child, and they continue to nurture her today. An avid hiker, backpacker, and cross-country skier, Kathy understands the importance of preserving Wyoming's special public lands, wildlife, and clean air and water — not only for her own enjoyment, but for the benefit of generations to come.

She also understands just how much is at stake right now.

New policies out of Washington, D.C., that prioritize fossil fuel extraction over other uses of public lands have put millions of acres of wild lands and sensitive habitat — the heart of our state's outdoor heritage — in the crosshairs. The same policies also threaten Wyoming's clean air and water, and exacerbate conditions that cause climate change.

"These are perilous times for our environment," Kathy said. "It's urgent that we do all we can to protect what makes Wyoming unique."

“

Every dollar you give will be thoughtfully, strategically, and carefully spent to protect the things you love most about Wyoming.”

— KATHY JENKINS,
BOARD MEMBER

For Kathy, doing all she can to protect Wyoming means donating not only her time, energy, and experience to the Outdoor Council, but giving her financial support as well.

She understands the importance of ensuring that Wyoming's homegrown statewide conservation group has the necessary resources — year after year — to advocate effectively for the issues she cares so deeply about. And she urges others who share her concern for Wyoming's wild places to join her in making a meaningful gift to the Council.

"Do it," she said. "Give as much as you can. Every dollar you give will be thoughtfully, strategically, and carefully spent to protect the things you love most about Wyoming. WOC is doing incredible work right now," she added. "It's great to be a part of that." ■

INCREASE THE IMPACT OF YOUR GIVING

The Tom Bell Legacy Society

To ensure the future of conservation in Wyoming, consider a **planned gift** or a charitable bequest in your will. It's an easy way to leave a lasting legacy.

Become a Monthly Donor

A **recurring monthly gift** — at any level — lets you increase your support for conservation advocacy and helps ensure we have the resources we need all year round.

To learn more, email kristenb@wyomingoutdoorcouncil.org.

Clean water **or** prosperity?
Wyoming deserves **both**.

Protect what **matters**.
Join or donate today.



Wyoming Outdoor Council

wyomingoutdoorcouncil.org/join

Image: Tim Hudson