

# Judge sides with forest managers over grazing

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CHEYENNE -- A federal judge has sided with managers of northern Wyoming's Bighorn National Forest and ruled against an environmental group that challenged livestock grazing in the forest.

Hailey, Idaho-based Western Watersheds Project filed suit in 2007 over a 2005 revision to the forest management plan. The group said the revision process should have considered various alternatives for grazing in the forest, including reduced amounts of grazing.

U.S. District Judge Clarence Brimmer in Cheyenne ruled Monday that forest managers did as the law required -- took a "hard look" at the environmental consequences of the forest plan.

"Simply because the WWP may not like the ultimate outcome does not mean that the Forest Service was in violation of the law," Brimmer wrote.

Three Wyoming counties straddled by the forest -- Big Horn, Sheridan and Johnson -- intervened on the side of the U.S. Forest Service. The Wyoming Farm Bureau Federation, Wyoming Stock Growers Association and the Muddy Creek Grazing Association also intervened on the agency's side.

"The interveners were not confident that the Forest Service would protect their interests, so they intervened to protect themselves," an attorney for the interveners, Dan Frank, explained in a release.

Brimmer's ruling preserves livestock grazing in the forest, Frank said, even as it has faced resistance from environmentalists and the Forest Service itself. The amount of grazing the Forest Service has permitted in Bighorn National Forest has declined in recent decades.

"That's been troubling to us, because we think that the producers up there have done a good job of protecting the resources," said Ken Hamilton, executive vice president of the Wyoming Farm Bureau.

Hamilton praised the ruling. An attorney for the Western Watersheds Project, Natalie Havlina, couldn't immediately be reached for comment Wednesday.

The lawsuit claimed that laws, including the National Environmental Policy Act, required forest managers to take a closer look at grazing and its potential environmental harm in revising the forest plan.

Forest managers did that last time they revised the plan for the 1.1-million-acre forest in 1985. They should have taken the same approach when they started revising the plan again in 1999, Havlina argued before Brimmer in July.

But forest managers rejected that approach as impractical after they adopted the 1985 plan, Brimmer pointed out in his ruling. They instead chose to examine the effects of grazing each time they issued grazing permits for specific portions of the forest.

Brimmer ruled that the specific-area review has been adequate under the law.

"Sufficient information existed in the administrative record regarding the detrimental and advantageous effects of livestock grazing for the Forest Service to make an informed decision," he wrote.