



Western Watersheds Project: Welfare Environmentalists

Founder with True Contempt for Cattle

Western Watersheds Project (WWP) began as Idaho Watersheds Project (IWP) in 1993. Its founder, Jon Marvel, who was raised in the East, began visiting Idaho as a child. He started developing contempt for ranchers early on, when cows from neighboring ranches would get onto the Marvel property, graze, and leave the occasional unsightly cow-pie. In Idaho and other open range western states, it is a property owner's obligation to fence their property adequately to keep animals out; it is not the livestock owner's obligation to keep their animals out of someone's property when the fences aren't sufficient.

In the 1960s, Marvel relocated permanently from back east to the Sun Valley, Idaho area, where he worked as an architect from 1977 to 2008. Following various encounters with livestock and their droppings, Marvel's youthful grudge eventually grew into a full-on vendetta against ranchers who owned grazing allotments and water rights on public lands.

It is important to note for those unaware, grazing allotments and water rights are taxable, transferable assets.

Unreasonable Animosity Toward Ranchers

After seeing purported damage to a riparian area (defined as the interface between the land and a river or stream) in Idaho's Salmon River area, Marvel joined with two other local environmentalists in soliciting donations to outbid ranchers for state land leases. Thus, in 1993, Idaho Watersheds Project (IWP) was born.

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This was the beginning of a no-holds barred war on commercial public land uses that has lasted over a quarter-century and continues to this day.

As IWP expanded their scope beyond Idaho, the name changed to Western Watersheds Project in 2001. From the very beginning, Marvel was brash about IWP/WWP's mission. Their goal is to end all public land grazing, but it goes far beyond that to an unreasonable animosity toward the ranchers themselves, regardless of the condition of their range or riparian areas.

Immature Name Calling and Theatrics are Marvel's Stock In Trade

Marvel is often thought to have coined the term "welfare rancher". He has been repeatedly quoted calling public land ranchers, "welfare ranchers," "welfare queens," "champion whiners," and "criminals," and saying things like, "In most cases, it doesn't take a smart lawyer to figure out how stupid ranchers are."

He is known for what one journalist referred to as "angry and theatrical performances," and to yell at not only ranchers but at government officials during meetings. A favorite ploy of his is to take a pacifier to meetings and when ranchers start what Marvel calls "whining," set it on the table.

He once likened his efforts to drive public land ranchers into financial ruin to "smallpox contaminated blankets." His odious tactics did win him certain following and donations, but also caused some environmental activists to distance themselves from him and WWP.

Abuse of the Equal Access to Justice Act

The original intent of the EAJA has been bastardized and abused extensively by environmental extremist NGOs like WWP, Center for Biological Diversity (CBD), and WildEarth Guardians (WEG). To note, these three groups have recently joined in a lawsuit against the Federal Government for reinstating the grazing permits of the Hammond Family in Harney County, Oregon.

The Equal Access to Justice Act (EAJA) was originally put in place in 1980 to help individuals and small organizations who were injured, were in imminent threat of injury, or were likely to suffer irreparable harm. Later legislation in 1995 removed such limitations and left wide loopholes for the Act to be exploited. Strata, a public policy organization with the mission to, "Help people make informed decisions about issues that impact the freedom to live their lives", provides information about the Equal Access to Justice Act (EAJA). Their website states: "the EAJA was designed to allow those with limited resources to engage in the legal process when government agencies violate their own rules."

"In other words, EAJA reimburses various groups for litigation costs when those groups lack the resources to take on the government. If the government is found to have violated its own policy, the government will pay the litigation costs to the plaintiffs."

American Taxpayers Left to Foot the Bill

In a 2012 Fox News article, Sen. John Barrasso R-Wyo. said about the EAJA, "It was intended for helping our nation's veterans, seniors and small business owners, but environmental groups have hijacked the so-called Equal Access to Justice Act and abused it to fund their own agenda...Then you have small businesses and the American taxpayers left to foot the bill."



Since Congress removed the reporting requirements for EAJA payments, it is difficult to find out exactly how much money which groups have been awarded, and for which cases. Nevertheless, you don't need all the pieces of the puzzle to get the big picture.

The Fox News article further stated: "The exact taxpayer cost of the Equal Access to Justice Act remains unclear. The General Accounting Office, or GAO, tracked 525 legal fee reimbursements that totaled \$44.4 million from 2001 through 2010, but found that only 10 of 75 agencies within the U.S. Department of Agriculture and Department of Interior could provide data on cases and attorney fee reimbursements."

Welfare Ranchers or Welfare Environmentalists?

Marvel's "welfare rancher" term refers mainly to the fee paid by ranchers to graze public lands, which is intentionally calculated to be less than the cost of grazing livestock on leased private land. The fee is determined annually by a formula put in place with the Public Rangelands Improvement Act of 1978 (PRIA) and continued by a 1986 executive order by President Reagan. According to a Congressional Research Service report, "The fee is based on grazing of a specified number of animals for one month, known as an animal unit month (AUM). The fee is set annually under a formula that uses a base value per AUM. The base value is adjusted by three factors—the lease rates for grazing on private lands, beef cattle prices, and the cost of livestock production."

The truth of the matter is that ranchers are some of the only public land users that actually pay for use. In addition to the fees paid by ranchers to utilize their grazing rights, ranchers invest a great deal of time and money in installing and maintaining fences, gates, access roads, and water resources that greatly benefit wildlife. For example, ranchers often install troughs or tanks at naturally occurring springs so the water can be collected and efficiently utilized by both livestock and wildlife. Access roads not only benefit sportsmen but are also vital in fire suppression efforts. Another huge benefit of public land ranching is the reduction of fuel loads, which greatly lessens the intensity and duration of wildland fires.

According to the Department of the Interior, public lands grazing contributes \$1.5 billion to the U.S. economy annually, and actually saves the taxpayers money-- \$750 million per year, to be exact—since ranchers' contributions to grazed land reduces the workload for government agencies.

Hypocrisy At Its Finest – Environmental Non-Governmental Organizations Make An Obscene Amount of Money Off of The American Taxpayer

For Marvel to call public land ranchers "welfare ranchers" is incredibly hypocritical since WWP relies on taxpayers' money to fund their incessant litigation. While WWP is relatively small and new compared to groups like the Sierra Club, the WWP's aggressive and unforgiving style has set them apart in the community of environmentalist non-governmental organizations (NGOs). Their website brags that "No other conservation group has such an ambitious public lands grazing litigation program."

It's easy for WWP to be "ambitious" when the great majority of their legal fees are paid for by the American taxpayer via the Equal Access to Justice Act (EAJA). Essentially, most of the income that keeps WWP going comes directly from suing the government.

Marvel's hypocrisy spills over to his for-profit business as well. He apparently sees no issue with his chosen profession's role in destroying the wide-open West he claims to love and defend, as mansions of his design litter the greater Wood River Valley area.

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Slight Procedural Oversight Equals Incalculable Funneling of Taxpayer Money to NGOs

Standard practice for WWP is to cite slight procedural violations of the Endangered Species Act, the Clean Water Act, and the National Environmental Policy Act in their massive number of lawsuits against the Federal Government. An October 2014 report by Strata.org about Western Watershed Project (WWP) stated: “The issue is WWP could not fund their legal program without EAJA, and as such they have filed a very disproportionate number of lawsuits. These lawsuits are regularly over frivolous and procedural issues... Bearing in mind their financial limitations, the numerical data we have about WWP’s reception of EAJA reimbursements make clear that fee-shifting statutes like EAJA are what have kept WWP up and suing.” WWP was awarded \$1,150,528 in lawyer fees from 2000-2009.

A report by Karen Budd-Falen found that the average EAJA reimbursement in Endangered Species Act cases was \$490.73 per hour and as much as \$775 per hour.

Interestingly, review of WWP’s available 990 tax forms online show that from 2011 to 2017, the group received income in the category of “gifts, grants, contributions, and membership fees” totaling \$5,615,458, but that the majority of their claimed legal fees were still paid by the American taxpayer. A Notre Dame Journal of Legislation article stated that the EAJA law once had a noble purpose, but has produced instead an “incalculable waste of taxpayer money.”

Marvel Uses Bribe Money to Buy and Retire Grazing Permits

While Marvel no longer leads the WWP, he continues to serve on the advisory board. WWP’s up-front public relations may have softened some without Marvel and his vitriol at the helm. However, the deep-seated hatred for commercial public land use remains, targeting not only the ranching industry, but the gas, oil, and mining industries as well.

Marvel has his fingers in additional environmental ventures. He is vice-president of Sagebrush Habitat Conservation Fund (SHCF). The Fund was founded in 2010 through a settlement with Ruby Pipeline LLC, a subsidiary of El Paso Corporation. The company needed to put in a 680-mile natural gas pipeline from Opal, Wyoming to Malin, Oregon. Not wanting to deal with litigation from WWP, El Paso Corp. agreed to pay SHCF \$15 million over a 10-year period for the purposes of buying and retiring federal grazing permits. So far, the group has “retired” 600,000 acres so far, and are in the process of eliminating production on 2,000,000 more.

EarthFirst! Founder Sits on WWP Board of Directors

Today’s WWP is a broadly scattered cadre of state directors and specialists in ecology and litigation. Members’ backgrounds include organizations typical of environmental and animal rights activists, such as Lewis & Clark College, the Sierra Club, WildEarth Guardians, and the Wolf Recovery Foundation.

Of particular interest is one Dr. Bruce Hayse, who is on the WWP Board of Directors. Hayse is somewhat of an anomaly. He runs a family medical practice in Wyoming, but counter to the “do no harm” creed of medical professionals, Hayse was a founder of the ecoterrorist group EarthFirst! WWP’s website states that Hayse advocated “extreme measures in fighting for conservation.” Indeed, EarthFirst! became notorious for heinous acts of vandalism against logging operations, such as spiking trees marked to be felled, creating a terrible hazard for loggers that put their lives in danger.

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Hayse's extreme activism did not stop at dangerous acts of vandalism against loggers. In the 1990s he infamously hired mercenaries to kill poachers in sub-Saharan Africa for the sake of defending biodiversity. He was quoted as saying, "...if we were going to save this place, people would have to be killed." Michael Hutchings, former conservation director of the American Zoo and Aquarium Association, stated: "If conservationists support killing poachers, they will be viewed as preferring animals over people."

While WWP does not openly advocate violence, it speaks volumes that Hayse is part of the group at all and the WWP includes a statement about his "extreme measures" on their website.

WWP's Focus Broadens

WWP's original focus on supposedly damaged riparian areas has broadened over the years to encompass any manner of advocacy and litigation that could harm public land ranchers' operations. One example is advocacy for the introduction and expansion of wolf populations in various areas of the west; several staff and board members of WWP are wolf advocates.

The Sage Grouse Used As a Pawn

A favorite pawn of WWP is the sage grouse-- WWP was the first to file a petition to have sage grouse listed under the Endangered Species Act. Environmental extremists had long hoped that the sage grouse would destroy public land grazing the way the spotted owl destroyed the timber industry in the Pacific Northwest. Well-known activist Andy Kerr was instrumental in the puppetry of using the spotted owl to destroy logging, and thought the sage grouse would bring "death to public land grazing." In fact, Time Magazine once referred to Kerr as a "white collar terrorist."

However, after years of extensive and expensive research, in 2015 the United States Fish & Wildlife Service declared that the sage grouse no longer required extra protection, and was withdrawn as a candidate for the Endangered Species List. Nevertheless, and even while the bird is plentiful enough to be legally hunted, WWP commonly affects great concern for the species' survival in their frivolous, subsidized lawsuits against commercial public land use. Why? Because it pays.

In Jon Marvel's own words, as quoted in a 2013 High Country News Article: "People who hate the government, but depend on it, are mentally ill."

Public Lands Ranching Feeds Millions of People

A common tactic of environmental extremist NGOs is to downplay the importance of public land ranching, and to diminutively state that it only produces 3% of the nation's beef. This tactic is intentionally misleading to push an agenda. According to the North American Meat Institute, in 2017, there were 26.3 billion pounds of beef produced. Thus, 3% would amount to 789,000,000 million pounds of beef. Considering that per capita beef consumption in 2017 was estimated to be 57 pounds, by the numbers, public land ranching fed 13,842,105 people—more than the entire metropolitan area of Los Angeles.

To put this into perspective, the world's population is expected to grow to 9 billion by the year 2050, thus expanding mankind's need for food by 100%. This means that all manner of sustainable food production will be increasingly important. Public lands ranching is unique, using livestock to utilize a renewable resource that would otherwise be unavailable for human use. The fact that public land ranching has been in place for decades proves that it is compatible with wildlife conservation and sustainable as part of the multiple use



mandate for public lands.

Especially when the big picture is considered, the narrow-minded, selfish ideology of environmentalist NGOs becomes painfully clear. Groups like WWP, WEG, and CBD file frivolous lawsuits and suck the government dry, all the while hurting the actual health and function of rangelands, rural economies, and every single hard-working American taxpayer that is forced to foot the bill for their fanaticism.

As it is extremely important for the public to learn about extremist NGOs, Protect The Harvest is also currently working to bring you more information about WEG and CBD.

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