

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

WESTERN WATERSHEDS PROJECT,)	No. 11-CV-00354-J
a non-profit organization,)	
)	
Petitioner,)	STIPULATION AND
)	JOINT MOTION TO
vs.)	STAY
)	
JACQUELINE A. BUCHANAN, in her official)	
capacity as acting Forest Supervisor for the)	
Bridger-Teton National Forest; HARV)	
FORSGREN, in his official capacity as Regional)	
Forester, U.S. Forest Service, Region 4;)	
UNITED STATES FOREST SERVICE, an agency))	
of the United States Department of Agriculture,)	
)	
Respondents.)	
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Whereas, on November 14, 2011, Petitioner, Western Watersheds Project (WWP), filed a petition for review challenging Respondents', the U.S. Forest Service's, decision to authorize the building and operation of livestock corrals and a 3-acre holding pasture near the confluence of Slate Creek and the Gros Ventre River, in the Bridger-Teton National Forest.

Whereas, WWP's petition challenged two separate but related Forest

Service decisions: (1) a September 4, 2007, decision authorizing the construction and “temporary” use of livestock corrals near Slate Creek (hereinafter “the Slate Creek corrals”); and (2) a June 9, 2010, decision authorizing the continued use of the Slate Creek corrals and the construction and use of an adjacent 3-acre holding pasture. To date, only the Slate Creek corrals have been built.

Whereas, on February 9, 2012, the Forest Service withdrew both the September 4, 2007, authorization of the Slate Creek corrals and the June 9, 2010, authorization of the 3-acre holding pasture. *See* Dkt. No. 9 (Exhibit A). In so doing, the Forest Service said any new proposal for the Slate Creek corral system (corrals and pasture) will be included in the analysis supporting an environmental impact statement (EIS) for grazing management for allotments in the Gros Ventre watershed. This analysis is scheduled for completion by 2014.

Whereas, because the Forest Service withdrew its authorization of the Slate Creek corrals and 3-acre holding pasture, no use of the existing Slate Creek corrals will be allowed and the 3-acre holding pasture will not be built in the absence of a new agency decision(s) issued in compliance with NEPA.

Whereas, the Forest Service will remove the existing Slate Creek corrals (fencing and posts) when resource conditions permit.

WHEREFORE, in recognition of the above actions, the Parties now stipulate to stay this matter until the Forest Service removes the Slate Creek corrals (all fencing and posts) as soon as “resource conditions permit.” When “resource conditions permit” means within 60 days of when conditions for both the road and the area surrounding the corral are dry enough to allow heavy equipment to operate without resource damage as determined by the District Ranger. Once removed, the Parties will jointly move to dismiss this matter with prejudice pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(ii).

Respectfully submitted this ___ day of April, 2012.

/s/ Matthew Bishop

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