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Izembek National Wildlife Refuge and Wilderness by Kristine Sowl/USFWS

***Groups sue Interior for illegal land swap that threatens Izembek National Wildlife Refuge
Wilderness and the value of doing nothing***

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Road through the Izembek Wilderness would essentially cut the Wilderness in two
Wilderness Watch Nov 13, 2025

Friends of Alaska National Wildlife Refuges, Wilderness Watch, and allied groups [sued](#) the Interior Department and King Cove Corporation today in U.S. District Court for signing a land exchange agreement aimed at making way for a road on a narrow isthmus in Izembek National Wildlife Refuge.

The proposed road would endanger food sources and cultural hunting practices of western Alaska communities as well as the health of a vast and thriving ecosystem vital to animals and migratory birds like Brant and Emperor geese. The land swap further threatens federally protected lands across Alaska by allowing an agency appointee to single handedly trade land in national parks, refuges or other conservation areas to benefit private interests.

“Our Friends group supports the purposes of all 16 of Alaska’s national wildlife refuges, which for Izembek is the conservation of not only waterfowl and shorebirds but also salmon, brown bears, and the caribou herd that migrates across the isthmus,” said Marilyn Sigman, president of Friends of Alaska National Wildlife Refuges. “Trading the ownership of refuge lands that Congress designated for conservation is a terrible precedent for the privatization of public lands. Building a road will have tremendous impacts on fish and wildlife habitat and could also greatly increase both disturbance and sport hunting pressure on vulnerable species.”

The land exchange announced in October swapped lands owned by King Cove Corporation for Izembek Refuge and Wilderness Area lands managed by U.S. Fish and Wildlife Service. [Today’s lawsuit](#) challenges the agency with violating the Alaska National Interest Lands Conservation Act, Administrative Procedure Act and National Environmental Policy Act.

“Alaskans worried about jobs, food, and airport safety keep facing closed doors during a government shutdown while the administration finds the time and funds to hand over irreplaceable public lands to private interests in order to plow a road through the heart of Izembek National Wildlife Refuge,” said Siobhan McIntyre, a staff attorney with Trustees for Alaska. “In its haste to force this land transfer through, the Interior Department tried to carve its illegal actions in stone by immediately issuing a land patent to the King Cove Corporation. It does not matter how many documents the Interior secretary signs, or how quickly, this land exchange is illegal, and we look forward to hauling this administration into court to protect Izembek Refuge.”

The Native Village of Hooper Bay has long opposed a road through Izembek, and dozens of other tribes and tribal entities in the Yukon-Kuskokwim Delta have passed resolutions opposing a land swap and road, noting the importance of Izembek to critical food resources and traditions. Another lawsuit brought by the Native villages of Hooper Bay, Paimiut, and Chevak was also [filed today](#).

A road over the narrow Izembek isthmus from King Cove to Cold Bay has been considered many times, and the Interior Department has repeatedly found that a road would cause long-term and irreparable damage to Izembek's unique and ecologically important habitat. A federally funded hovercraft was provided to the King Cove community as a viable alternative to a road, and it successfully completed all requested medical evacuations during its operation. Despite performing how it was intended, the hovercraft operation was suspended in 2010 and sold.

Friends of Alaska National Wildlife Refuges and allied groups sued over several similar land exchanges from the prior Trump term. Former Secretary Haaland withdrew a 2019 deal negotiated by Secretary Bernhardt. Haaland identified legal problems in the 2019 land exchange and initiated an environmental review process in 2023. Interior released a draft environmental impact statement in 2024 that proposed a land swap. That process was never completed.

"The sole purpose of this land exchange is to facilitate the construction of a 13-mile road through the protected tundra and wetlands of the world-renowned Izembek Wilderness and National Wildlife Refuge in Alaska," said George Nickas, executive director of Wilderness Watch. "If built, the road through the Izembek Wilderness would be catastrophic for the critters that live there and would essentially cut the 307,982-acre Izembek Wilderness in two."

"Izembek is one of the most ecologically important wetlands on Earth, home to some of the largest eelgrass beds in the world and vital habitat for species like Pacific black brant, Emperor geese, brown bears and caribou," said Maddie Halloran, state director at Alaska Wilderness League. "Trading away Congressionally designated wilderness to build a road through the heart of a national wildlife refuge undermines ANILCA, sets a dangerous precedent for all protected lands in Alaska, and hands over public land for private and commercial interests."

"The Trump administration is taking their own bad deal and making it even worse," said Athan Manuel, director of Sierra Club's Lands Protection program. "The exchange for a road and land swap in the Izembek National Wildlife Refuge has been studied, reviewed, amended, and rejected for the better part of a decade. It would set a terrible precedent and would severely damage this important wilderness. By entering this exchange, the Trump administration is tearing up a plan they themselves designed and advancing a version that will be even more destructive to fragile landscapes and wildlife populations. There are viable, reliable alternatives that meet the needs of King Cove residents without threatening the integrity of the Izembek Refuge, but this plan is not it."

Law firm Trustees for Alaska represents five clients in the case: Friends of Alaska Wildlife Refuges, the National Wildlife Refuge Association, Alaska Wilderness League, Wilderness Watch, Sierra Club. [Click here for a copy of the complaint.](#)



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Ed note: I now have my old mail system back (yay)!. This means there should be no more interruptions in service. If you have missed any Journals and want them resent, I will be glad to do so. This incident also demonstrated that some of your servers have a capacity limit and I must delete a photo or poster to get it to you or send it in two sections. No problem, but let me know. sdc

[USFWS Federal judge overturns Forest Service plan to poison Buffalo Creek in the Absaroka-Beartooth Wilderness](#)

[Court rules in favor of Wilderness Watch, strikes down Forest Service poisoning plan in Buffalo Creek watershed near Yellowstone](#)

[Wilderness and the value of doing nothing](#)

[By Dana Johnson, Wilderness Watch](#)

[Senator Lee's Border Bill guts Wilderness Act, potentially impacting all Wilderness areas in the U.S.](#)

[Bill would open entire Wilderness System to road construction, motor vehicles, aircraft landings, and deployment of tactical infrastructure, including...](#)

How private interests benefit from tribal water settlements

When power players like mining and agriculture are involved, tribal nations, usually the senior-most water-rights holders, often must fight obstruction. [Anna V. Smith](#) July 6, 2023

First, the Santa Cruz River stopped flowing into the San Xavier District of the Tohono O'odham Nation. Then wells began to dry up across the reservation, and farming became nearly impossible for tribal members. Fissures and sinkholes opened up across the landscape where the ground had sunk as much as 15 feet.

The collapsing, cracking earth was the result of decades of agriculture and mining companies and cities overusing groundwater — a finite resource — in a desert. Those responsible included the Anamax Mining Company, Cyprus-Pima Mining Company and Duval Corporation (now all part of the global mining company Freeport-McMoRan), as well as the copper-mining giant Asarco and the agribusiness Farmers Investment Company. All were operating near the San Xavier District, pumping water from underneath land the Tohono O'odham had farmed for thousands of years.

This story is the fourth story in our [Water for Water](#) series about the Colorado River. Get this and other great reporting from High Country News by [signing up for our newsletter](#).

Alarmed, the nation sued to protect its water rights in 1975. Although water rights are tied to reservations as part of the treaty-based relationship between tribes and the federal government, state courts have the power to oversee and enforce them. Given the history and impacts of forced removal and rapid colonial expansion in the Southwest, tribal water rights have taken decades to resolve. Companies, cities and farms moved in, becoming large water-users near reservations. As

a result, they become part of the settlement process and, in some cases, “have to give something or restrict something on their part,” said Sharon Megdal, director of the University of Arizona Water Resources Research Center. By the time the Tohono O’odham settled in 1982, they had negotiated with all five business entities, plus the city of Tucson and the state of Arizona.

At the outset of settlement discussions, tribal leaders felt animosity toward the idea of being forced to negotiate with the companies and the city at all, said San Xavier District Chairman Austin Nunez, who joined the water discussions when he was elected in 1987. As the first people of the region, they felt their claims should be accepted. It was their homeland, after all, that was bearing the brunt of extraction and expansion. “This is the only land that we will ever have,” said Nunez. “We cannot relocate to anywhere else in the United States.”

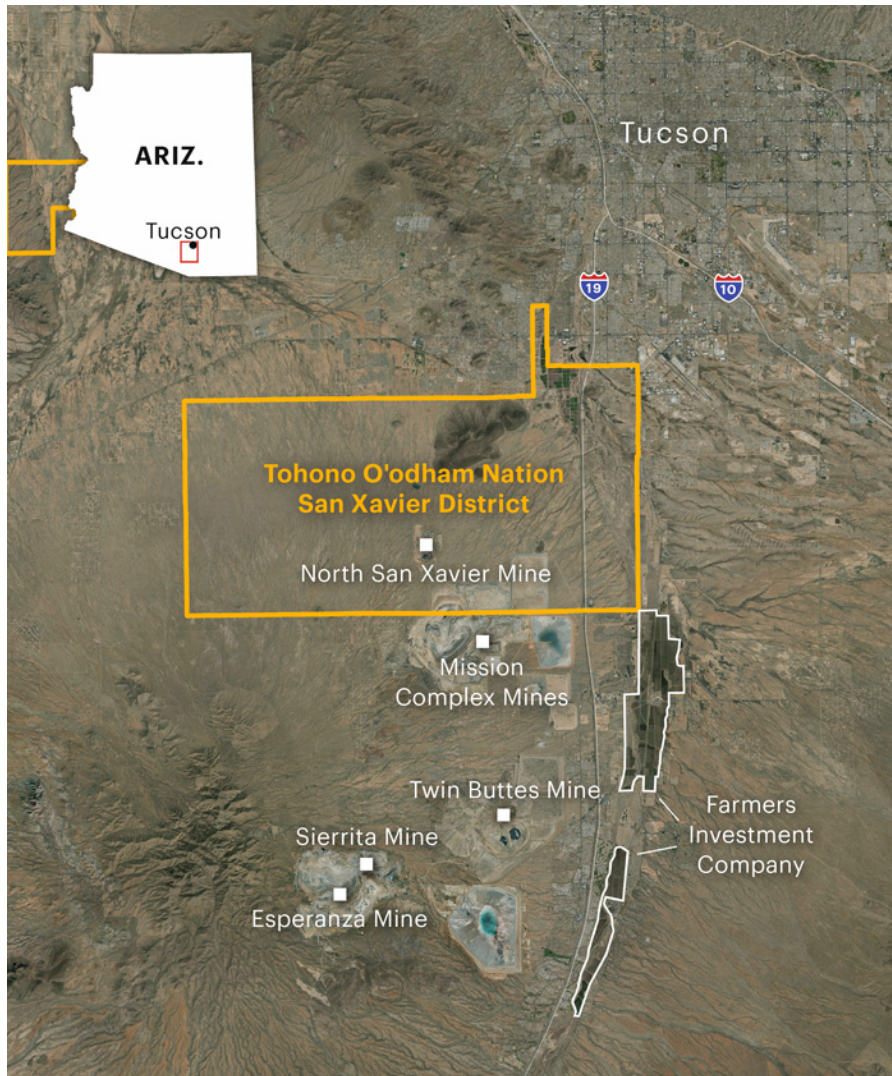


The San Xavier del Bac Mission in the San Xavier District of the Tohono O’odham Reservation, with mines in the distance. [Russel Albert Daniels/High Country News and ProPublica](#)

In Arizona, tribes face a state system that often aligns with business interests over Indigenous water rights. Arizona has regularly assisted in the pursuit of water for agriculture, farms and utilities in the state, building dams and the Central Arizona Project. But it has taken the opposite approach when tribes seek water. “Any time water is involved and any time a tribe is trying to lay claim to some water, the historical approach has been to immediately obstruct that effort,” said Dylan Hedden-Nicely (Cherokee), professor of law at the University of Idaho.

“Any time water is involved and any time a tribe is trying to lay claim to some water, the historical approach has been to immediately obstruct that effort.”

Given the complexity of water settlements — which can include multiple amendments, litigation and side deals — the full scope of corporate involvement is difficult to track. But a review of decades of settlements by *High Country News* and *ProPublica* found that mining companies benefited from at least six out of 14 tribes’ water settlements in Arizona. Other settlements forced tribes to contend with corporations, utilities and other nongovernmental entities to acquire the water they’re legally entitled to, creating protracted negotiations that delayed their ability to secure their share. They also had to make concessions — including dropping objections against mining companies and giving up the right to future litigation.



Lucas Waldron/ProPublica

THAT RELATIONSHIP between the state of Arizona and business interests was recently on display in *Arizona v. Navajo Nation*, which went in front of the Supreme Court in March. The case focused on the Navajo Nation's claims that the federal government has a treaty-based responsibility to protect its future water interests, since the nation still does not have settled water rights in Arizona. The state opposed the Navajo Nation, arguing that water from the Lower Colorado River is "already fully allocated."

Courts can be a risky venue for tribal water claims, and they force people to choose sides. In the Navajo Nation's case, business interests have sided with the state of Arizona, creating a united front of 27 trade groups, mining associations, farm groups and irrigation districts from Colorado River Basin states and across the West. These businesses and organizations have filed a brief in support of Arizona's position, arguing that a ruling favoring the Navajo Nation "would have severe negative consequences for Arizona, its residents, its businesses, and its agricultural and industrial sectors." The court sided with the state, saying the federal government did not have to secure water rights for the tribe.

“A big piece of all of this is just how unethical it is to make tribes give up something in order to fulfill a basic human right like water access, and how water has been over-appropriated in the basin at the expense of tribes,” said Heather Tanana (Diné), assistant professor at the University of Utah’s law school. While tribal nations have rights to about 25% of the Colorado River Basin’s annual water supply, it’s taken years of negotiations to secure those rights; many tribal citizens still don’t have access to actual water. Historically, when it comes to shaping water policy in the basin, Tanana said that “(tribes) haven’t been involved, and the federal government has done a poor job of protecting those interests.”

And, if the companies and corporations do give up water, they want something in return: A review of every water settlement in the Colorado River Basin showed that settlement terms often guarantee water contracts for the companies, as well as some protection from future litigation. In the Hualapai Tribe’s settlement of 2022, Freeport-McMoRan negotiated the ability to sever its water rights from one parcel of land and transfer them to another in order to supply its Bagdad Mine — an open-pit copper and molybdenum mining complex — a concession that the U.S. Department of Interior had previously objected to. In the San Carlos Apache Tribe’s settlement, mining company Phelps Dodge received right-of-way permit extensions through 2090.

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By the end of the Tohono O’odham’s settlement, which became law in 1982, the San Xavier and Schuk Toak Districts were awarded 66,000 acre-feet of water per year via the Central Arizona Project. That system, built to distribute Colorado River water, didn’t deliver water for 18 years, after the cost and a lack of demand by agricultural users in the region delayed construction.

In an update to the settlement in 2004, Asarco and Farmers Investment Company agreed to reduce their groundwater use. Up to a quarter of a million dollars was made available for Asarco to conduct a land exchange study. In addition, Tucson agreed to pay for sinkhole repairs on the reservation.

But the nation was denied a buffer zone around its land, where it wanted pumping curtailed, and the San Xavier District was allowed to pump just 10,000 acre-feet for its own use. (One acre-foot per year can support up to three single-family households in the West.) In order to get Asarco to use Colorado River water instead of cheaper groundwater, the nation had to drop all groundwater litigation against the company.

“We certainly did not get everything we set out for in those negotiations,” Nunez said. But, “we believe we got the best we could.”

Water settlements also play a part in the extraction of coal from tribal lands to fuel non-Native economic and population growth. In Arizona, the Salt River Project — a public utility that manages water and power for most of Phoenix — has had a central role in that dynamic. In a settlement between the Pueblo of Zuni, the Salt River Project and others that was passed by Congress in 2003, Zuni was able to guarantee 10,000 acre-feet for wetland restoration on their

reservation lands in Arizona. The Salt River Project, meanwhile, emerged from the settlement with rights to up to 21,000 acre-feet of groundwater to fuel its coal-powered generating station.

The Asarco Mission Complex copper mines at the southern border of the San Xavier District of the Tohono O'odham Nation. [Russel Albert Daniels/High Country News and ProPublica](#)

WHEN TRIBES AND COMPANIES reach an impasse, it can stall or sink negotiations, as happened with a Navajo-Hopi settlement in 2012, ultimately delaying access to water. That settlement tied reservation drinking-water access to renewing land and operational leases for a Peabody Western Coal Company mine and the Salt River Project's power plant. The settlement failed, in part because it included the demands made by the corporation and utility, and the two tribal nations are still working to quantify their water rights. But as more time passes, less water becomes available: The amount of water in the Colorado River is shrinking due to drought and aridification linked to climate change.

"Every second that passes, it's harder and harder for tribes to get water that's already over-allocated and in shorter and shorter supply," said Andrew Curley (Diné), assistant professor of geography at the University of Arizona.

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Tribes have gained at least some concessions from the corporations in return. In the San Xavier Reservation case, Asarco — which opened its first smelter in Arizona in 1912, the same year as statehood — agreed to buy some water from the tribe as part of the settlement. The five companies involved in the settlement also contributed a combined \$1 million to a fund for the nation. For decades, Asarco and other companies used water that belonged to the Tohono O'odham Nation without compensating the tribe — a demonstration of the financial and political power nongovernmental entities have long held over access to water in the region. (Grupo México, Asarco's parent company, did not respond to requests for comment. Neither did Freeport-McMoRan.)

When the Tohono O'odham first asserted their water rights in the San Xavier District in the 1970s, businesses pushed back. Agribusinesses said that a settlement favorable to the senior-most water-rights holder in the region — one protected by treaties and federal law — would cost them water and money. "This is a raid on a portion of water for agriculture," a representative of the Arizona Farm Bureau told the *Arizona Republic* at the time. Today, the Farm Bureau is one of the organizations opposing the Navajo Nation in the Supreme Court case. The Tohono O'odham, meanwhile, argued that maintaining the status quo would cost them their homeland.

Nearly five decades later, agriculture is the largest water user in the Colorado River; in Arizona, it uses about 74% of the water supply. Meanwhile, the rest of the Tohono O'odham Nation still does not have settled water rights. Instead, it remains tied up in a nearly 50-year-long water adjudication with over 30,000 other parties, including the Salt River Project, Freeport and Asarco.

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History Bits

1918 Nov 16 TCID formed by water users around Fallon took over much of the Newlands reclamation project.

1969 Nov 19 - 20 Reclamation of Alcatraz Island. Native Americans , including Nevada's Adam Fortunate Eagle, reclaimed Alcatraz Island (abandoned by the federal government) under an old treaty allowing return of surplus lands to tribes.

1982 Nov 17 US District Judge Corcoran ordered the Regan administration to court of Congress to receive 17,000 claims of Native Americans illegally stripped of land, money, or fishing rights.

1865 Nov 18 Officers and men of Company R of the First National Territory Volunteer Cavalry were mustered out of service at Fort Churchill, NV.

1933 Nov 21 In a letter made public this day, Rep. James Scrugham said he would urge the federal government to establish national parks at Cathedral Gorge, the Lehman Caves, the Pyramid Lake area and Whipple Cave.

1968 Nov 23 PL Tribal chair **William Abraham** told the Nevada Indian Commission that the tribe was losing its land and water rights and that the reservation was constantly plundered of gem stones and petrified wood.

1971 Nov 19 Chippewa **Leon Cook** (MN), who resigned from the BIA charging "the intent of the federal government is to destroy the Indian", elected president of NCAI at the Reno convention.

1990 Nov 16 President Bush the Elder signed the Truckee River water settlement legislation.

1993 Nov 23 With the approval of United States Public Law 193-15, the US government apologized to Hawaiians for the coup wherein their nation was captured.

2007 Nov 17 NARF hosts first Annual Boulder Visions for the Future Art Show.

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**Our Generation BlackHills- He Sapa Wicouncage Okolakiciye**

"Grandma how do you deal with pain?"

"With your hands, dear. When you do it with your mind, the pain hardens even more."

"With your hands, grandma?"

"Yes, yes. Our hands are the antennas of our Soul. When you move them by sewing, cooking, painting, touching the earth or sinking them into the earth, they send signals of caring to the deepest part of you and your Soul calms down. This way she doesn't have to send pain anymore to show it.

"Are hands really that important?"

"Yes my girl. Think of babies: they get to know the world thanks to their touch.

When you look at the hands of older people, they tell more about their lives than any other part of the body.

Everything that is made by hand, so it is said, is made with the heart because it really is like this: hands and heart are connected.

Think of lovers: When their hands touch, they love each other in the most sublime way."

"My hands grandma... how long since I used them like that!"

"Move them my love, start creating with them and everything in you will move.

The pain will not pass away. But it will be the best masterpiece. And it won't hurt as much anymore, because you managed to embroider your Essence."



Here is a video capturing one of the many presentations that happened this fall in Denver.

<https://m.youtube.com/watch?v=zMZCSko6KPs>

3 days at three different locations in Denver.

Donald Whyte

~~~~~  
Wolf is smart, video of wolf pulling tribal crab trap in BC *(thanks to css)*

<https://youtu.be/m83QSW1dZKI?si=0SUPCxtTF-wpiZSR>

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• Two Northern California tribes announced this week that they signed a treaty committing to jointly restore the **Eel River** and its fish populations. [Read more](#)

Move over açai - the Amazon has more 'superfoods' to offer

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[Dillon Ancheta](#) — in [Tulalip, WA](#).



[Listen. Feel the mana.](#) [Native Hawaiians from 37 different states converged in Tulalip, Washington for the 2025 Native Hawaiian Convention. It is the first time the convention is being held on indigenous-owned land outside of Hawai'i. #Hawaii #NativeHawaiianConvention #Aloha](#)

[Researchers unearth 777,000-year-old discovery on remote Arctic island: 'I was not expecting that at all'](#)

www.yahoo.com/news/articles/researchers-unearth-777-000-old-090000234.html