

# Western Legacy Alliance

Post Office Box 162  
Moreland, ID 83256  
208/681-6004

## **El Paso Corp./Ruby Pipeline Unwittingly Funds Demise of United States Ranchers Through Extortion Masterminded by Western Watersheds Project, Jon Marvel and Oregon Natural Desert Association.**

**By: Western Legacy Alliance**

Extortion is defined as “[o]btaining property from another induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.” BLACKS LAW DICTIONARY 5<sup>th</sup> Ed. at p. 525.

Willing seller/market value is defined as “[t]he most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.” Rules and Regulations, 55 Fed. Reg. 34696.

Let’s keep this very basic because, indeed it is. Western Watersheds Project (“WWP”), Oregon Natural Desert Association (“ONDA”) and Jon Marvel i.e., “The Greenfather” approaches El Paso Corporation with a deal. Ruby Pipeline owned by El Paso is a multi million dollar natural gas pipeline being constructed from southwestern Wyoming through Utah and Nevada to Oregon. Ruby Pipeline has to get a permit from the Federal Energy Regulatory Commission (“FERC”) to build the pipeline. WWP files an appeal to stop the permit which would stop construction of the pipeline, putting hundreds of jobs and million of dollars in jeopardy. WWP goes to El Paso and cuts a deal: in short, WWP agrees to drop its litigation against FERC and let the pipeline go through, only if El Paso will pay WWP and ONDA \$22 million dollars to eliminate the federal lands livestock industry. Remind anyone of the street side grocer in New York when approached by the Mafia to buy “protection?” El Paso agrees to WWP’s “protection” as they need their pipeline to serve an energy starved California.

So what did this plot of legalized extortion accomplish and how was it possible?

According to the El Paso/WWP agreement, the \$22 million can be used to lobby Congress to change federal law to allow for the permanent elimination of BLM grazing permits and allotments. Currently, the Supreme Court has agreed that BLM lands are to be used for livestock grazing and that the permanent elimination of livestock is prohibited by federal statutes. The Ruby Pipeline agreement allows radical environmental groups to lobby Congress to change those statutes.

Once a change in statutes takes place, radical environmental groups will be allowed to “buy” grazing permits from “willing sellers.” Grazing permittees are not a real “willing seller” though. WWP, ONDA and the like have already appealed the renewal of thousands of term grazing permits across the West; these groups have also challenged the current grazing fee in federal court; these groups have also petitioned the Obama administration to eliminate the grazing program because of their “concern” over the deficit. Faced with these huge and real

challenges, grazing permittees will have no choice but to be “willing sellers” at far below market prices all toward the elimination of the ranching industry and the local economies dependent on sustainable ranching and private property ownership. It is simply more extortion to force ranchers to be “willing sellers.” Without its economic base of grazing permittees, local governments and communities will lose. Without their environmental stewardship of the land and water, wildlife and the range itself will lose. The El Paso-funded demise of the western federal lands ranchers and will certainly hasten the death of multiple use of public lands.

Other companies are now faced with the precedent that either they pay extortion money to radical groups or they will be faced with permitting and construction delays. Just like radical environmental groups extort taxpayer money from the federal government disguised as “reimbursement for attorneys fees,” so too will these groups extort money from other companies who need to use the multiple use lands.

Is anyone foolish enough to think that El Paso and their subsidiaries will not pass this “little settlement” along to their end consumers? Big companies do not absorb cost of doing business expenses, they pass them along to their customers.

Jon Marvel, WWP, ONDA and their ilk have never been about “saving the environment or the resources.” They are 100 percent about destroying public lands ranchers, property rights and other multiple users, period. In this agreement, the \$22 million in the first five years has to be used to “purchase” permits and allotments on lands connected to the pipeline corridor; in the second 5 years, the money can be used to purchase any lands within the “sagebrush steppe” habitat. How can buying grazing permits in New Mexico or Arizona be used as environmental mitigation for a pipeline in Wyoming, Utah, northern Nevada and Oregon? Even though the WWP’s FERC appeal was based on an alleged harm to the environment, Ruby Pipeline’s settlement with WWP did not change a single thing in terms of on-the-ground mitigation and none of the \$22 million will be spent on improvements or on-the-ground mitigation for the ground disturbance from the pipeline. Not only did ONDA and WWP extort \$22 million from Ruby Pipeline, WWP’s claim of concern for the environment does not result in a single on-the-ground improvement completed by a single environmental group.

WWP’s press releases call this an historic deal, supporting the elimination of “disastrous” (in the words of the WWP, ONDA and the like) public lands grazing. During this deal, not one rancher or representatives such as the Western Legacy Alliance was asked to give an opinion or was invited to the table. Ranchers are simply on the receiving end and it is time to stand up and fight. This is just like the mafia’s “protection program;” is this the kind of protection public lands users want or need?

-END-