

Federal Environmental, Wildlife and Indian Policies Jeopardizing U.S. National Food Security

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- I. The Post-Modern Sustainable Development Paradigm and Its Impact on Environment, Health & Safety (“EHS”) Regulations, International Trade and Private Property
 1. [Local Sustainability Movement Rides Wave of Evolving Federalism to ‘Axe’ Private Property Rights](#) (Kentucky J. of Equine, Agriculture & Nat’l Res. Law, Summer 2015)
 2. [The European Strategy to Become the New Global Standards-Setter](#), (Presentation at U.S. Agricultural Export Development Council’s Fiscal Year 2011 Annual Workshop, Baltimore, MD, Nov. 2010)
- II. EPA Clean Water Act Sec. 404 Wetlands Policies
 1. Private Farmlands Designated as Public “Waters of the United States -Related Wetlands Without Compensation
 - a. [United States v. Brace](#)
 - i. Case Dockets
 - [No. 1:90-cv-00229-SPB](#)
 - [No. 1:17-cv-00006-BR](#)
 - ii. Media Reports
 - [Erie County Farmer Continues Fight Over Wetlands Issue - United States Goes to Court, Again, Against Robert Brace](#), (Erie Times, January 12, 2017)
 - [Erie County Farmer’s Case Headed for Mediation – A Waterford Area Farmer’s Legal Battle with the U.S. Government Continues](#), (Erie Times, March 2, 2017)
 - I Know How Robert Brace Feels; What’s Your Opinion? What Can You Do?, Editorial, (Farmshine, [p. 4](#) and [p. 7](#), March 24, 2017)
 - [Erie Farmer Fights EPA Over Water Ruling](#), (Lancaster Farming (April 14, 2017)
 - [Mediation Fails to End Fed Case Against Waterford Farmer](#), (Erie Times, March 22, 2017)
 - [US Food Security and Farmers’ Livelihoods at Stake in “Waters of the US” Rule Rewrite](#), (The WLF Legal Pulse, April 20, 2017)
 - [EPA Disregard for "WOTUS" Prior Converted Cropland Exclusion Kills Ag Jobs and Contributes to National Security Risk](#), (Canada Free Press, April 29, 2017)
 - [US v. Brace, the 30 Year Battle](#) (Farm and Dairy, May 4, 2017)
 - b. [Duarte Nursery, Inc. v. U.S. Army Corps of Engineers](#), Case 2:13-cv-02095-KJM-AC (E.D. Ca 2017)
 - i. [Case Filed by Duarte Against Army Corps](#)
 - ii. Media Reports
 - [A Land-Use Case That’s Enough to Furrow a Farmer’s Brow](#) (LA Times, Jan. 15, 2016)
 - [Duarte Nursery: Farm Families ‘Should be Scared’ About Lawsuit](#) (AgWeb, Sept. 27, 2016)
 - [Farmer Faces \\$2.8 Million Fine After Plowing Field](#), (Record Searchlight, May 22, 2017)

- [California Farmer Fined \\$2.8M for Plowing His Own Field](#), (Breitbart, May 23, 2017)
- [He Plowed His Field; Now He Faces a \\$2.8 Million Fine](#), (USA Today, May 24, 2017)
- [Feds Fine Farmer \\$2.8 Million For ‘Deep Ripping’ Of Farmland](#), (Daily Caller, May 24, 2017)
- [Trump’s Regulatory Rollback No Help for Farmer Facing \\$2.8M Fine for Plowing Own Land](#), (Fox News U.S., May 31, 2017)

III. DOI Fish & Wildlife Service Endangered Species Act-Driven Fish Biological Opinions & Policies Calling for Water Reallocation &/or Dam Removal

1. Upper Klamath Lake/Klamath River BiOps – Cohoe Salmon & Sucker Fish (Oregon-California)
 - a. [Hoopa Valley Tribe Files ESA Lawsuit to Protect Salmon](#), (Daily Kos, July 2016)
 - b. [Yurok Tribe Finds Deadly Disease in Klamath River Salmon](#), (North Coast, Aug. 2016)
 - c. [Calif. Tribes Win Battle Over Water Project's Salmon Impact](#), (Law360, Feb. 2017)
 - d. [Klamath River Dam Releases for Fish Health Begin Shortly After Court Order](#), (Times Standard, Feb. 2017)
 - e. [Federal Judge Orders Agencies to Create New Flow Plan to Protect Klamath River Fish](#), (Times Standard News, Feb. 2017)
 - f. [Reclamation Answers County On Flow Increase Decision](#), (Siskiyou Daily News, April 2017)
 - g. [Tribes, Enviro To Drop Salmon Suit Claims After Consultation](#), (Law360, April 2017)
2. Columbia River BiOps – Chinook & Cohoe Salmon, Steelhead (Washington-Oregon)
 - a. [Judge Rejects Feds' Latest Plan To Help Salmon Survive Columbia River Dams](#), (OPBFM.com, May 2016)
 - b. [Federal Court Again Rejects Columbia Basin Salmon/Steelhead Recovery Plan; Orders New BiOp by 2018](#), (The Columbia Basin Fish & Wildlife News Bulletin, May 2016)
 - c. [NOAA: NO Mitchell Act Funds to Hatcheries Till Opinion is Finished](#), (Wahkiakum County Eagle, Sept. 2016)
 - d. [Groups Urge Trump Administration To Protect Lower Snake River Dams In Washington State](#), (PR Newswire, Dec. 2016)
 - e. [Future of Snake River Dams Under Microscope](#), (K5TV.com, Dec. 2016)
 - f. [Dam Breaching Undermines Washington State Measures To Reduce Climate Change Impacts - Columbia-Snake River Irrigators Association Again Call For ESA 'God Squad' To Be Convened To Assess Salmon Recovery Measures](#), (PR Newswire, Jan. 2017)
 - g. [Legal Actions on Killed Columbia-Snake River Salmon in 2015 and the Impaired Future Fish Returns](#), (Fish Information & Services, March 2017)

- h. [Fish Kill the New Story in Dam Breach Saga](#), (Sun Tribune, April 2017)
- i. [McMorris Rodgers Sends Letters to Administration Officials on Snake River Ruling](#), (Cathy McMorris Rodgers, Press Release, May 2017)
- j. [Fish Kill the New Story in Dam Breach Saga](#), (Sun Tribune, April 2017)
- k. [McMorris Rodgers Sends Letters to Administration Officials on Snake River Ruling](#), (Cathy McMorris Rodgers, Press Release, May 2017)

3. Flathead River, Flathead Indian Reservation – Multiple (Northwest Montana)

[U.S. DOI-Fish & Wildlife Service Threatened, Endangered and Candidate Species](#) (March 2017)

IV. DOI Bureau of Indian Affairs and Bureau of Reclamation Water Reallocation Policies Facilitating Indian Aboriginal-Based Water Right Claims; DOI/USDA-National Forest Service Tribal Forest Management Policies Facilitating Aboriginal Water Right Claims

1. Montana – Flathead Indian Reservation; Confederated & Salish Kootenai Tribes (“CSKT”) Water Compact

a. Writeups

- i. [Memorandum: Legal Analysis of S.3013 – The Salish and Kootenai Water Rights](#) (Sept. 2016)
- ii. [Transmittal Correspondences to Montana's Congressional Delegation and to relevant U.S. House and Senate Committee and Subcommittee Chairs Summarizing the Legal Memorandum](#) (Sept. 2016)
- iii. [Summary of Write-Ups for Western States Constitutional Rights, LLC](#)

b. Media

- i. [Montanans Must Seek Independence from CSKT Water Compact](#), (Canada Free Press, July 2015)
- ii. [Honor the Rule of Law](#), (Western Ag Reporter Sept. 2015)
- iii. [A UN and Tribal Takeover?](#), (Canada Free Press, Sept. 2016)

2. Oregon-California Klamath Basin; Klamath River Basin Agreements

a. Media

- i. [Hydro Agreement Changes Made Without Using the Rule of Law](#), (Herald & News, April 2016)
- ii. [Bureau of Reclamation Makes Offer Irrigators Can't Refuse](#), (Capital Press, April 2016)
- iii. [Wyden-Merkley Amendment: The Dog That 'Don't Hunt'](#), (Capital Press, June 2016)
- iv. [Hill Letter Misleading to Save KID Board Payoff](#), (Herald & News, June 2016)
- v. [KID Lawyer Claims Bias by Newspaper](#), (Herald & News, July 2016)
- vi. [White House as Originator and Promoter of Klamath Basin Agreements](#), (Canada Free Press, Sept. 2016)

V. Turkish-Lobbied Congressional Legislation Enacted for Leasing of ‘Sovereign’ Reservation Lands to Foreign Entities and Persons Without DOI-BIA Oversight (e.g., from Islamic Republic of Turkey)

1. Filings

- a. [Summary Record of Filings – Keenan v. Bay, Civil Action No. 1:15-cv-01440 – National Security Issues Engendered](#)
 - b.

2. Writeups

- a. [Highly Questionable Turkey, Open Border & Greater Tribal Sovereignty Policies Together Undermine U.S. National Security](#) (Academia.edu (2016))

3. Media

- a. [Lawsuit: Dam Transfer to Tribes Has Nuclear Purpose](#), (Breitbart, Sept. 2015)
- b. [Is Turkey Secretly Working on Nuclear Weapons?](#), (National Interest, Sept. 2015)
- c. [OPINION: More Questions About Turkey Role in Tribal Issues](#), (Daily Interlake, NW Montana, Dec. 2015)
- d. [Setting the Record Straight About Our Kerr Dam Lawsuit and Turkey](#), (Western Ag Reporter, Dec. 2015)
- e. [Turkey’s Alliance with the West is Crumbling Under Islamic Militancy](#), (National Review, Dec. 2015)
- f. [London Book Review: Military to Military, Seymour M. Hersh on US Intelligence Sharing in the Syrian War](#) (Jan. 2016)
- g. [Learn About Islam on April 8](#), Char-Koosta News, (March 2016)
- h. [Turkey Cracks Down on Academics, Anti-Israel Scholars Silent](#), (Blogcamera.org, July 2016)
- i. [Turkey IS Supporting Terrorists and Islamist Groups in Syria According to Leaked German Government Report](#) (Aug. 2016)
- j. [Native Americans ‘Disappointed’ at Judge’s Ruling on Dakota Pipeline](#), (Islamic Invitation Turkey, Sept. 2016)
- k. [“Sovereign” Indian Reservations Along U.S. Canada Border Endanger National Security](#) (Dec. 2016)
- l. [Turkey’s Radical Islamization Process Accelerating](#), (PJ Media, Jan. 2017)
- m. [Serious Questions Abound Regarding Interior Secretary Selection](#), (Western States Constitutional Rights, LLC, Feb. 2017)
- n. [Turmoil and Terrorism Breed Economic Uncertainty for Turkey](#), (PBS Newshour, March 2017)
- o. [NATO Ally Turkey Working With U.S. Muslim Brotherhood](#) (April 2017)
- p. [Erdogan’s Traveling Goon Squad](#), (Middle East Forum, May 2017)