

Pursuant to the Wildlands Team's resolution regarding the Malheur Community Empowerment for the Owyhee Act we are submitting the following recommendations for the Sierra Club's position on the wilderness elements of the legislation. We will defer to the Grazing Team for comments on the many provisions related to Grazing but note that our Team shares the overall concern that the Malheur Act constitutes a great overreach in the expansion of grazing that is incompatible with public land management from both conservation and climate change perspectives.

On page 42 Section 5(b)(1) designates 1,133,000 acres as wilderness. It's our understanding this includes 205,000 acres of WSA release and 350,000 acres of LWC gain. It is the position of the Wildlands Team that all wilderness legislation for BLM lands should result in no net loss of protected lands (and preferably a large gain) – WSAs are protected lands. This provision appears to generally pass that test so Wildlands approves of this provision. We are not aware of the specific condition of what was released and retained so we qualify this support by noting that size matters for protecting wild character as does connectivity and those provisions should be factored into decisions on WSA releases (or not) and LWC additions.

On page 51 Section 5 (3)(B) Grazing includes fairly standard language. We believe it is unnecessary and that the Wilderness Act speaks for itself.

On page 52 Section 5(3)(C) Fire Management includes House Report language authorizing road construction and other motorized and mechanized pre-suppression activities in designated wilderness. Wildlands recommends the Club oppose the inclusion of this section in the bill. If we must include any language pertaining to fire management we recommend this language taken from the attached House Report language pertaining to the Arizona Desert Wilderness Act of 1990:

“Management of Fire: The objectives of fire management in wilderness are to: (a) permit lightning-caused fires to play, as nearly as possible, their natural ecological role within wilderness and (b) reduce, to an acceptable level, the risks and consequences of wildfire within wilderness or escaping from wilderness. Fire ignited by lightning will be permitted to burn or will be suppressed as prescribed in an approved plan. Prescribed fires ignited by man may be permitted to reduce unnatural buildup of fuels only if necessary to meet objectives (a) and (b) above. Although additional benefits may result from man-ignited prescribed fire, vegetative manipulation will not be used to justify such fires.”

On page 53 Section 5(3)(D) Invasive Species Management – Wildlands recommends the Sierra Club oppose the inclusion of this section in the bill. This section contains the same offensive authorization of “any” management activities that has begun to creep into legislative language. It is overly broad and should be opposed in all circumstances. But this section contains even worse provisions. It explicitly authorizes the use of non-native species to compete with other non-native species. Such a practice is questionable in most cases and is certainly not appropriate as legislative language. It also authorizes chemical, biological, and

mechanical manipulation of vegetation. We believe this is a new precedent. It's a bad idea under any circumstances and especially bad given its precedential nature.

Beginning at the bottom of page 53 Section 5(3)(E) Maintenance of Livestock Structures – Wildlands recommends the Sierra Club oppose the inclusion of this section in the bill. Once again the overly broad word “any” is applied to the authorization of management activities. For that reason alone this should be opposed, it's especially grievous for applying it to the maintenance of grazing structures in wilderness.

On page 54 Section 5(3)(F) Setback for Roads – sets a 300 foot from the center of the road setback. This is too large and should be opposed. Wildlands recommends utilizing the recommendations of the BLM Manual: 300 feet for paved roads, 100 feet for gravel roads, and 30 feet for dirt roads.