



SIERRA CLUB

OREGON CHAPTER

January 14, 2020

Senator Ron Wyden
221 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

On behalf of our 80,000 members and supporters in Oregon, we are writing to express Sierra Club's views on your Malheur Community Empowerment for the Owyhee Act (S. 2828). Permanently protecting the Owyhee Canyonlands is a longstanding priority of our organization, and we are delighted to see this bill designates more than 1.1 million acres of the region as wilderness.

However, there are a number of provisions we would need to see improved in order to support this bill. Please find our suggestions below:

- **Land Exchange.** Historically, Sierra Club is willing to exchange public and private land in order to protect important wild places. For example, in S.47, John D. Dingell, Jr. Conservation, Management, and Recreation Act, Sierra Club worked with Senator Orrin Hatch to designate more than 700,000 acres of new wilderness in Emery County, Utah, and in exchange released 60,000 acres to private interests for local economic development. However, we cannot support what from our understanding is a release of 800,000 acres for grazing with a hard release of at least 200,000 acres in the Owyhee. Sierra Club grazing policy states our strong belief that grazing practices should be phased out whenever possible, and releasing this much land for grazing purposes would contradict this aim. We highly encourage you to reconsider such a large release of federal land for this purpose and welcome the opportunity to discuss what a fair exchange would be.
- **Grazing.** This bill not only allows current grazing practices to continue but also actively encourages future grazing. This is at odds with the stated aim of the bill to protect and promote the region's environmental wellbeing. Simply put, it is impossible to "maintain grazing ... as a tool to promote ecological health," as the bill currently states. We recommend the bill's purpose is amended to no longer include the "maintain grazing" aim. Additionally, this bill does not include language to allow for voluntary retirement of grazing permits, which provide a mechanism to reduce grazing pressure without harming the livelihood of individual ranchers and lease holders. We recommend the inclusion of a voluntary retirement clause, as is standard in most wilderness bills. Finally, our grazing team's review finds that the bill will negatively impact sage grouse and pygmy rabbit populations due to increased fence construction and livestock activities. We encourage you to add text reaffirming that sage grouse and pygmy rabbits will be protected.
- **Wild and Scenic Rivers.** We are thrilled to see that your legislation designates 14.7 miles of the Owyhee River as Wild and Scenic, permanent protection that would make Mary Gautreaux proud. This legislation is a golden opportunity to permanently protect more at-risk rivers in the region, as recommended by the Bureau of Land Management. We propose you include Wild and Scenic designations for 8.6 miles of Antelope Creek and 16.8 miles of Dry Creek, which are both threatened by grazing and mineral withdrawal activities.

- **CEO Group.** While the CEO group represents a positive step towards giving local communities a voice in land management decisions, we are concerned with the group's membership and exclusion from the Federal Advisory Committee Act. As outlined by the bill, the CEO group's composition favors ranchers over indigenous, stewardship, or recreation interests. Furthermore, exempting the CEO group from this act means that there is significantly less transparency in management decisions decided on by the group.
- **Programmatic Environmental Impact Statement.** While we understand the intent to streamline management practices by favoring a PEIS over a site-specific EIS, we are concerned about the accuracy of a single PEIS spanning 4.5 million acres. Additionally, a PEIS will shut out public input under the National Environmental Policy Act, which in combination with the CEO group's FACA exemption leaves little to no time for public comment.

Additionally, please find attached further recommendations from our volunteer teams. Sierra Club looks forward to working with your office to make this legislation something we can support. Please let us know when our Chapter, local volunteer leads, or DC staff can sit down with you and discuss our proposed changes in more detail.

Once again, thank you for your hard work putting together this wilderness bill, and for the opportunity to comment on this important legislation as it comes up for consideration in the Senate.

Sincerely,

Trevor Kaul
Director, Sierra Club, Oregon Chapter

Athan Manuel
Director, Lands Protection Program