Testimony

H.R.10082
Oregon Owyhee Wilderness and Community Protection Act

United States House of Representatives Committee on Natural Resources
Subcommittee on Federal Lands
Legislative Hearing

Tuesday, November 19, 2024

Ryan Houston
Executive Director
Oregon Natural Desert Association

My name is Ryan Houston, Executive Director of the Oregon Natural Desert Association (ONDA). We are a community-based organization representing more than 25,000 members and supporters who promote conservation of public lands, waters and wildlife on more than 12 million acres of high desert in central and eastern Oregon. We have been working to protect Oregon's Owyhee Canyonlands for decades and I appreciate the opportunity to testify today in support of permanently protecting, enhancing, and improving management in the Owyhee and surrounding areas.

ONDA opposes H.R.10082 and instead encourages Congress to advance S.1890, the Malheur Community Empowerment for the Owyhee Act, developed by Senator Ron Wyden and co-sponsored by Senator Jeff Merkley. To explain why we oppose H.R.10082 but support S.1890, the bill upon which H.R.10082 is based, I will first describe how Oregonians have been working together over the past 5 years to develop a proposal that would improve protection and management of the Owyhee Canyonlands.

In sharing this story, I will describe the core principles that guided those conversations and how S.1890 does – and H.R.10082 does not – align with what was supported by the diverse array of stakeholders who invested thousands of hours over many years to develop S.1890.

Although discussions about protecting the Owyhee Canyonlands began decades ago, the proposal encapsulated in S.1890 began to take shape in 2019 when Senator Wyden convened a diversity of stakeholders in Ontario, Oregon, to explore the potential for a community-supported plan for the long-term protection and management of Oregon's Owyhee Canyonlands. Senator Wyden convened these stakeholders at the request of local ranchers who asked him to help bring resolution to the many years of disagreement and conflict surrounding public land protection and management.

The stakeholders included an array of ranchers, businesses, conservation organizations, Tribes, hunters, anglers, academics, recreational users, and others. In spite of their diverse and sometimes conflicting views, the group found common ground in a commitment to sustaining the "long-term ecological health" of the 4.5 million acres of public lands in Malheur County. This commitment became our guiding principle as we discussed and debated various approaches to protecting, managing, and sustaining multiple uses in the Owyhee Canyonlands.

Of critical importance, Senator Wyden also established some key sideboards for these conversations and made several important commitments of his own, including respecting Tribal rights and sovereignty, relying on science to govern public land management, and ensuring that any new legislation would not undermine existing bedrock laws governing public lands management and conservation, such as the Federal Land Policy and Management Act (FLPMA), National Environmental Policy Act (NEPA), the Wilderness Act, Taylor Grazing Act, and others.

Following years of work, including dozens of meetings, hundreds of edits and thousands of hours of collective effort, S.1890 achieved a significant milestone when it was voted out of the Senate Committee on Energy and Natural Resources with bipartisan support in December 2023. S.1890 proposes:

- Designation of ~1.1 million acres of wilderness in the Owyhee Canyonlands and surrounding areas, connecting to adjacent wilderness areas designated in Idaho's Owyhee Canyonlands in 2009;
- Transfer of ~30,000 acres of land into trust for the Burns Paiute Tribe and promotion of Tribal co-stewardship on adjacent federal lands;
- Establishment of a flexible, science-based grazing management and monitoring program designed to improve the ecological health of 4.5 million acres of public lands in Malheur County; and
- Creation of a consensus-based, multi-stakeholder organization – the "Malheur CEO Group" – to develop, propose and fund restoration and management projects throughout the region.

H.R.10082 includes some of these provisions and ONDA commends Representative Cliff Bentz for adopting these components. H.R.10082 would designate more than 926,000 acres of wilderness, promote certain elements of the adaptive grazing management program, and convey approximately 30,000 acres of lands into trust for the Burns Paiute Tribe.

In spite of these similarities between H.R.10082 and S.1890, their specific approaches to public lands conservation, management, community involvement, Tribal rights, and respect for existing federal laws could not be more different. The two proposals diverge in very significant and problematic ways. Notably, H.R.10082:

- Discards long-term ecological health as the core principle that held stakeholders together and became the driving principle for managing the Owyhee Canyonlands in the future.
- Eliminates the requirements for data collection, monitoring and adaptive management for livestock grazing, undermining the ability of ranchers, the Bureau of Land Management and the public to assess and manage the impacts, positive or negative, of adjustments to permitted livestock use. H.R.10082 would also remove the requirement for Secretarial review, evaluation and, if necessary, adjustment of the grazing management program after 10 years, essentially making the program permanent before assessing and understanding its real world results.
- Modifies the consensus-based community group, morphing it into a much smaller, exclusive committee weighted in favor of industry and excluding other key constituencies.
- Undermines the recommendations of the Southeast Oregon Resource Advisory Council, the Bureau of Land Management, public process and federal law and policy by overriding the recently-adopted Southeastern Oregon Resource Management Plan Amendment, eliminating current and future conservation management on more than 3.5 million acres of public lands not designated as wilderness. This would include the release of nearly 375,000 acres of existing Wilderness Study Areas, a requirement that none of the 1.2 million acres of existing Lands with Wilderness Characteristics be managed to protect their wilderness values, and restrict potential future conservation of nearly 2 million additional acres of public lands in Malheur County.
- Undermines wilderness and the Wilderness Act by promoting motor vehicle access and roads into designated areas, resulting in the designation of something other than actual wilderness.
- Burdens the Burns Paiute Tribe with unjust financial obligations, requiring the Tribe to pay grazing permittees for adjusting grazing use to conserve sacred lands, including paying for fencing to protect sacred lands from livestock. It further requires Tribal management to "protect the interests of those who hold livestock grazing permits," thus tying the Tribe’s hands in how they manage their sacred lands.

In conclusion, ONDA supports legislation that honors the work of the local community by improving management and conservation of public lands, waters and wildlife, promoting stakeholder engagement, supporting local communities and economies, and elevating Tribal priorities in Oregon's Owyhee Canyonlands. H.R.10082 would not accomplish these goals but, instead undermine decades of federal law and policy governing public lands management; usurp the authority of the Bureau of Land Management; reduce the role of science, accountability and transparency in management; limit public participation; and burden the Burns Paiute Tribe with unnecessary constraints and requirements.

I close by again urging Congress to focus on advancing S.1890, the Senate version of the Owyhee Canyonlands proposal developed by Senator Ron Wyden and co-sponsored by Senator Jeff Merkley.