

Desert Ramblings

the newsletter of the
Oregon
Natural Desert
association



Inside:

SPECIAL EXPANDED ISSUE
Bully Creek 7

FEATURE SECTION:
Interim protection for
desert wildlands 8
Wildlands Research.. 11
Annual Report..... 13

Volume 15, Number 2

The last roundup

Toward a phase-out of grazing on public lands

By **Bill Marlett**

The rancher (with a few honorable exceptions) is a man who strings barbed wire all over the range; drills wells and bulldozes stock ponds; drives off elk and antelope and bighorn sheep; poisons coyotes and prairie dogs; shoots eagles, bears and cougar sonsight; supplants the native grasses with tumbleweed, snakeweed, poverty weed, crowsfoot, ant hills, mud, dust, and flies. And then leans back and grins at the TV cameras and talks about how much he loves the American West.

— Edward Abbey¹

Politicians need to realize is that ranching on public lands is a social ailment, not a political crisis. The American West is neither the Middle East nor Northern Ireland. The depletion of the West's wilderness and the social tragedy left in its wake is more akin to former colonies in Africa. Like many extractive industries that thrive off the largesse of our federal welfare state, ranching on public lands will continue only to the extent the public, and by extension our elected officials, continues to support it.

That support is eroding rapidly as more and more people, especially in the rapidly urbanizing West, realize the burden livestock ranching imposes upon the health of our public lands, American taxpayers, and future generations. Unlike past exploiters of western Wilderness, such as the buffalo hunter or fur trapper, the modern public lands rancher has benefited from appropriating an American cultural icon: the hard working, tough but honest "Cowboy," who rides his horse under the hot sun or through a bone-chilling blizzard.

Today, the cowboy is largely a myth, a myth born in our past, rooted in our imagination and nurtured by Hollywood studios, television, and books like Owen Wister's classic novel, *The Virginian*.



The cowboy is a romanticized cultural icon that has conferred public sympathy and credibility, however undeserving, on the public land livestock industry.

USFWS delays decision to downlist wolves

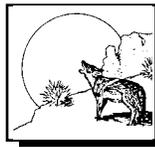
By **George Wuertbner**

In July 2000, the U.S. Fish and Wildlife Service (FWS) proposed downlisting gray wolves from "endangered" to "threatened" in the lower 48 states. Under the proposal, FWS would focus future gray wolf recovery efforts only in certain parts of the wolf's historic range. The changes would have also eliminated protections offered by the Endangered Species Act (ESA) in Minnesota and in "areas where recovery actions are not necessary or feasible" — a murky, subjective threshold at best.

Public response to the proposed changes has generally been negative. The overwhelming majority of comments received by FWS supported greater protection for wolves, not less. Furthermore, public testimony and letters indicated that most people want wolves restored to more places than the FWS is currently pursuing. The agency has not yet adopted a final rule on this issue.

Breeding pairs vs. all wolves

In addition, FWS proposed removing from the ESA list the entire Rocky Mountain wolf population if at least 30 breeding pairs survive for three consecutive years. Wolf management would then pass to the individual states. This magic, somewhat arbitrary number has not been reached yet—primarily because of continued killing of wolves by the FWS to "protect" livestock. Nevertheless, the FWS hopes that this summer's



ONDA needs your help to grow

Enough has been said about the challenges we face with the current political climate. With our hearts, minds, and eyes on Oregon's high desert, we will persevere.

This spring, the staff and board are revising our next 3-year strategic plan. Bigger is not always better, but sometimes a little bigger is better—we have to grow in order to achieve our ambitious mission. Our present staff is just too small to accomplish everything that has to be done.

Of course, a larger staff requires more money. We need to expand and enlist more support from our current and new members, private donors, and foundations. As we delve into this review and planning process, I would like to invite you to submit any thoughts, ideas, and suggestions on how to broaden the support ONDA can muster.

Please send your considered comments to me at christie@gorge.net. While we cannot promise to act on all of them, we do want to hear them.



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ONDA exists to protect, defend and restore forever the health of Oregon's native deserts.

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ANNOUNCEMENTS

Hart Mountain Barbed

Wire Round-Up

July 24-28, Hart Mountain National Antelope Refuge

Join fellow ONDA members, staff, and board for three days of wildlife habitat restoration. We'll work with refuge staff to remove old, obsolete barbed wire fences that pose a hazard to pronghorn and other wildlife. Melt away the days' toil with evenings in the hot springs! Watch your mailbox for more info or contact Gilly at glyons@onda.org or (503) 525-0193.

Benefit Antique Show

Fri-Sun, August 10-12, Bend

ONDA is sponsoring our first Benefit Antique Show. Dealers from throughout the west will sell their fabulous, hard-to-find treasures on August 10, 11 and 12 in Bend. Friday evening, ONDA will host an "early opening" reception featuring wine, hors d'oeuvres, music, and the first chance to snag that unique piece you've been looking for. For info, contact Daniele at dmckay@onda.org or (541) 330-2638.

Desert Conference XXIII

September 27-30, Malheur Field Station (near Burns, OR)

ONDA will host Desert Conference in the fall this year. Join us for an amazing weekend of golden aspen, glacier-carved gorges, and inspiring speakers from around the West. Watch your mailbox for more info or contact Daniele at dmckay@onda.org or (541) 330-2638.

Benefit River Trips

August-September Salmon River, Idaho

ONDA has teamed up with Hells Canyon Preservation Council, NW Ecosystem Alliance, Kettle Range Conservation Group, and The Wilderness Society to offer a series of extraordinary whitewater river trips. Spaces are still available on two Lower Salmon trips (Aug. 13-17 and Sept. 4-8) and one Middle Salmon trip (Aug. 31-Sept. 5). The river outfitters will donate a generous portion of your trip fee to the above groups. To register or for more info, contact Brenda at brenda@hellscanyon.org or at HCPC (541) 963-3950.

Wolf protection

CONTINUED FROM PAGE 1

crop of wolf pups will grow to put them over the 30 breeding pair target, so they can begin the countdown to full de-listing. In early 2001, an estimated 63 wolves roamed in Northwest Montana, 177 wolves in Greater Yellowstone, and 192 wolves in Central Idaho for a total of 432 wolves in the region. But that total included only 28 breeding pairs.

Effects of rule changes

These proposed changes would dramatically affect wolf recovery in Oregon. First, the proposed changes would put Oregon into the Rocky Mountain wolf recovery area. Thus, if sufficient numbers of wolves survive in Idaho, Montana, and Wyoming to qualify for de-listing, no further protection or separate effort toward wolf recovery in Oregon would occur. (Of course, FWS has never proposed a separate recovery effort in Oregon, despite calls for one.)

In contrast, all wolves now living in Oregon or that disperse here from Idaho are considered “endangered” under the ESA. This status grants far more protection to the species than if it has no protection under the ESA.

De-listing would also give Idaho control over wolf management. Consid-



GEORGE WUERTHNER

The USFWS has proposed to downlist gray wolves in the Northwest from endangered to threatened, eventually off the list altogether, with no plan to restore wolves to Oregon.

ering the state’s proven antagonism towards predators in general, this move would likely bode ill for wolves. If Idaho fails to protect its small wolf population, the number of dispersing wolves that enter Oregon could be reduced.

Wolf recovery in Oregon

Meanwhile, wolf recovery is presently occurring in Oregon. A few radio-collared wolves from Idaho have already slipped into the state—unfortunately, one was captured and removed (“Freedom,” see B-45) and the other was killed by a vehicle.

Nevertheless, it’s almost certain that other uncollared wolves reside in Oregon already. If Idaho wolves continue to receive some minimum level of protection, more wolves are bound to disperse into Oregon, setting the stage for successful wolf re-colonization in the Beaver State. Natural re-colonization has led to wolf recovery in Wisconsin and Michigan, where both states now host populations that exceed several hundred individuals. For this to happen in Oregon, we must maintain protected wolf populations in Idaho.



Wolf Compensation Trust Fund pledged for Oregon

By Tom Buckley

*Northwest Outreach Coordinator
Defenders of Wildlife
(tbuckley@defenders.org)*

Defenders of Wildlife began its Wolf Compensation Trust Fund in 1987, when wolves first started to re-colonize Montana from Canada. Over the past 14 years, the fund has been used successfully in Wyoming, Montana and Idaho after the reintroduction of wolves into Yellowstone National Park and Central Idaho. In 1995, when Mexican wolves were first reintroduced in the

Southwest, Defenders expanded the program to include those wolves, and has since increased the compensation fund to include wolves migrating into Washington, Oregon, Colorado and Utah.

Private donors and foundations finance the \$200,000 compensation fund. Here’s how it works: When a livestock producer suspects that a wolf has killed a sheep or cow (or other livestock or domestic guard animal), the rancher calls USFWS and asks them to send someone out to verify the kill. If it turns out that a wolf has, in fact, caused the death of

the sheep, cow, etc., a claim can be submitted to Defenders. The rancher will then be reimbursed for the full fair market value of the dead animal, usually within a few weeks of the claim being made. Since 1987, Defenders has paid out approximately \$156,000 in claims.

Defenders considers this program a success in reducing tensions where wolves and livestock share territory. Should wolves begin in earnest to re-colonize Oregon, Defenders has pledged to compensate ranchers for any wolf-related livestock predation that may take place here.

Last roundup

CONTINUED FROM PAGE 1

It's the landscape

But the romantic underpinnings that buttress the icon are about the place, not the rugged individual. Wide-open spaces, big blue skies, and “untrammelled” Nature are what beckon the young and restless. In reality, we all seek adventure, challenge and danger in an enchanted landscape. Today, the mythical cowboy appeals to the part of the American psyche that longs for the freedom of the great outdoors...for wildness. We crave wild Nature and live vicariously riding into the sunset. Louis L'Amour, one of the most popular Western novelists, clearly understood our fascination of human drama played out in unfettered western landscapes.

I will not argue the ecological and economic failings of grazing on public lands; others more adept have done so. Instead, I will merely assert that the long-term good of ranching on public lands crumbles under the weight of honest observation. The problem has been and continues to be our field of view and our point of reference. Our market-driven culture, coupled with the perversities in our short-sighted political system, prevent any collective ability to step back far enough, in time and space, to realize that livestock grazing on public lands is neither sustainable or desirable.

To wit: If the livestock industry proposed, for the first time ever, to graze livestock on our public lands today, under current law, it would not be allowed. Period. When we talk about a phase-out of public lands grazing, we're talking about a social solution to an ecological dilemma; how do we accommodate the transition of the individual rancher affected by the sunset of public lands grazing? And who are these ranchers? The vast majority of grazing permits

today are controlled by corporations or nouveau land barons...corporate cowboys likely to hold stock portfolios as corrals filled with bovines.

Proponents of grazing on public lands have largely failed to wean themselves from their myopic notion of “agrarian stewards;” they've never wiped the dust from their eyes to see the happy accidents that allow their lifestyle to exist.

We are presently mired in a conflict of values. What we share is love; whether it be for a place or lifestyle. Our challenge is to weave these values into a common goal. Can we gently phase out livestock grazing on public lands and restore native biodiversity to the western landscape? Yes! Can it be done in a manner that saves face and respects the legitimate, albeit futile, toil of the yeoman rancher on our public lands, and do it with compassion? I believe so. Will the public support it? One-third of Americans already favor a ban on public lands grazing, according to one recent poll. With increasing public awareness, it's only a matter of time before that number reaches 51%.

Toward a grazing phase-out on public lands

ONDA has joined with a small, but vigilant coalition of small, grassroots groups in the West to form the National Public Lands Grazing Campaign. At its core, the coalition's mission is to restore the ecological well-being of public lands by phasing out grazing on public lands. With over 300 million acres of public land, countless opportunities exist to eliminate grazing where ranchers and conservationists could agree grazing should end. Of course, we'll need Congress to weigh in. Sen. Gordon Smith's (R-OR) recently introduced the Conservation Security Act (a bill to pay farmers and ranchers to do good by the land). Smith's bill and the bi-partisan interest to reform the Farm Bill, especially under

the new Senate leadership of Sen. Tom Daschel (D-SD), offer two excellent avenues for conservationists to educate Congress on the need for reform.

Ten Recommended Congressional Actions

Below is a list of recommended actions Congress should debate. As they are adopted, they will represent milestones on the trail, a path that will, eventually, take us closer to the vibrant, healthy landscape the West once was. We can never truly start over, but we must endeavor to restore what we can.

1) Adopt an overarching policy to gradually phase out livestock grazing on federal land.

As a matter of public policy, Congress should declare that grazing on public lands will be phased-out over time, and in a manner that respects the legitimate investment of persons engaged in the livestock industry and affected local communities.

2) Allow non-ranchers to hold or retire grazing permits for conservation purposes.

With many public lands ranchers close to retirement age (and many ranch progeny uninterested in the lifestyle), Congress should allow conservation-oriented individuals and organizations to purchase their interest in grazing permits from willing-sellers. These permit “sales” should only be allowed when the transfer will result in non-use, conservation use, or permanent retirement of the permit.

3) Allow the government to buy-out the interest in federal permits voluntarily surrendered by ranchers or others.

Given that the value of all permits in the West is at least \$1 billion, conservation groups will be able to afford only a small slice of permits, most likely to protect special places, such as national parks, wilderness areas or endangered species habitat. Congress should authorize transition payments equal to the appraised value of any grazing permit that a rancher voluntarily surrenders to the federal government. This is not a



Pamphlets lured pioneers West to seek their fortunes.

new idea. Congress has socially engineered and subsidized much of American agriculture, including the ill-conceived decision to encourage homesteading in the arid lands of the West after the Civil War. Congress has acted in the past to ameliorate social chaos resulting from economic calamities. Examples range from the whole herd dairy buy-out in the Midwest and the purchase of federal tobacco allotments in the Southeast, to the huge bailout of the savings and loan industry a decade ago and the more recent proposal of a federal buyout of one-third of the ground fishing fleet on the Pacific Coast. Like the huge bailout of the savings and loan industry a decade ago, as with any other social program gone bad with enormous financial consequences, federal dollars will be required.

4) Allow ranchers or others who hold a grazing permit to not use it.

Believe it or not, there are ranchers who don't want to run cows on their public grazing allotments. But current law hog-ties them since it only allows ranchers three years of non-use before they *must* put their cows back on the allotment, whether they want to or not. Congress should change this rule to allow ranchers or others who hold permits to rest their allotments indefinitely.

5) Retire grazing permits voluntarily surrendered by a permittee.

Congress should require that federal agencies retire any permit voluntarily surrendered, making it unavailable for future grazing use.

6) Retire permits on vacant allotments.

Congress should retire all permits on grazing allotments that are currently vacant.

7) Cancel all permits in the hot deserts of the Southwest.

Congress should implement the recommendation of the federal Government Accounting Office to terminate hot-desert grazing because it is ecologically irrational.

8) Retire grazing allotments in poor condition.

Congress should retire permits on all federal lands where grazing has been a clear and obvious ecological failure, as evidenced by the federal agency ranking them as being in "poor" condition.

9) Continue federal payments to counties for retired permits.

Congress should continue to support counties and local schools that depend on revenue sharing of federal grazing receipts. For example, Congress in 2000 stabilized payments to counties that had once been dependent on a percentage of fluctuating agency timber sale revenue. That legislation guaranteed \$1.1 billion to 800 counties in 42 states over the five years, regardless of whether a single tree was cut. In fact, de-coupling and stabilizing county payments would be beneficial regardless of grazing levels on public lands.

10) Prohibit banks from using federal grazing permits as collateral on loans to ranchers.

Congress should end the perverse relationship between banks, ranchers, and federal land management. Currently, banks now include the

use as collateral for a loan federal grazing permits attached to a base (private) property. Consequently, banks become advocates for maximum grazing returns off the public lands in order to ensure their loans can be paid, without regard for the ecological consequences to the land

Leopold's notion of civilization

The end of grazing on public lands is not about the death of an industry, or the end of a way of life. Seven out of ten ranchers in the West don't even graze livestock on public lands, so the cowboy won't be riding off into the sunset anytime soon.

The greatest challenge to our society in the 21st century is the restoration of Nature. We must learn to live within Nature's limits. It was Aldo Leopold who said, "(T)he major premise of civilization is that the attainments of one generation shall be available to the next." If we stumble, history may condemn us for failing future generations. Like the emancipation of slaves in the South, rewilding our lands in the West includes abolishing livestock grazing on our public lands. When Nature is freed from the burden of bovines on public lands in the West, we will not merely restore the health of vast landscapes, but nurture our passion for the freedom of Wilderness.

Striving for such lofty goals underscores the need, if not duty, to end grazing on public lands with conviction, compassion, and civility. Understanding a landscape that no one alive has experienced makes the task even more formidable. Perhaps *Lonesome Dove* author Larry McMurtry, who spent a lifetime observing his father's deep and peculiar obsession with grass, summed it up best:

I think it's likely that a lot of my writing about the cowboy was an attempt to understand my father's essentially tragic take on his own—and human—experience. . . . as we begin our long descent toward the country we won't be back from, our memory seeks to go back to where it started.²



¹ "Even the Bad Guys Wear White Hats: Cowboys, Ranchers and the Ruin of the West," *Harpers*, January 1986.

² *The New York Review*, Nov. 4, 1999



GEORGE WUERTHNER

The worst first 100 days

Bush Administration officials reveal contempt for protecting the environment

By Gilly Lyons

President George W. Bush's first 100 days revealed clearly the new president is no friend of the environment.

The press has reported on the worldwide furor for his rejecting the international Kyoto accord to combat global warming. His energy policy cuts funding for energy conservation while boosting the burning of nuclear and fossil fuels to "solve" the energy crisis. And, of course, Bush supports drilling for oil in the Arctic National Wildlife Refuge, which would provide oil equivalent to requiring sport utility vehicles to get three more miles per gallon.

Laid end to end, the list of anti-environmental initiatives backed by the Bush Administration would probably span the Grand Canyon. Below is a very abridged sampling of some lesser-known proposals and administrative actions that specifically impact public lands and wildlife.

Open National Monuments to resource extraction

In a March 28 letter to members of Congress and a host of state and local officials, Secretary of Interior Gale Norton solicited ideas about how best to "manage" new national monuments. The missive included leading questions about boundary adjustments, maintaining existing uses, vehicle use, livestock grazing, and "the wide spectrum of traditional uses."

Open public lands to drilling and mining

The Bush Administration has strongly suggested that all public land should be open to oil and gas drilling—including wildlife refuges, coastal areas, national forests, monuments, and parks.

Cut BLM resource protection budget

Actually, the Interior Department's budget request for the BLM includes a \$7 million increase over last year's funding levels for land use planning. However, the Administration wants to prioritize land use plans linked to energy and mineral development, not resource protection. In fact, the Interior

Dept.'s request would increase the budget for energy and mineral exploration by \$15 million, while cutting funds for protecting at-risk lands by the same amount.

Slash funds for endangered species protection

A \$6 million cut in the U.S. Fish and Wildlife recovery program budget means that even species on the endangered list could face new threats, if not outright extinction. The only increases in USFWS funding will be in the form of grants to states, timber companies, developers, and other landowners—effectively shifting funds away from USFWS and toward unaccountable third parties.

Roll back hardrock mining standards

Secretary Norton and the BLM announced a proposal to roll back strong environmental mining water quality protections and replace them with the outdated regulations that preceded them—allowing the mining industry to pollute 40% of Western streams' headwaters as well as rural drinking water supplies. The now-suspended rules would have established meaningful environmental standards and required mining operators to post adequate clean-up funds before mining begins. A return to the old rules means taxpayers may once again foot the bill—financially and ecologically—for toxic mining waste on public lands.

Alas, the list goes on. But you can help make it shorter by contacting your U.S. Senators and Representative. Tell them that you support strong environmental protections and urge them to work towards sane public lands policies that safeguard open spaces, wildlife, and clean water. To learn more, visit www.stoptherollbacks.org.

Rep. _____

U.S. House of Representatives

Washington, DC 20515

Sen. _____

U.S. Senate

Washington, DC 20510

Many thanks to the Sierra Club for information used in this article

Court Affirms LUBA Decision on Steens Mountain Development

In May, the Oregon Court of Appeals affirmed an earlier state Land Use Board of Appeals (LUBA) decision to prohibit development of a "career school" on private land on the west slope of the Steens Mountain.

Harney County commissioners at first rejected a proposed resort on land zoned for "exclusive farm use" four years ago because it violated the county plan for the area and state land use laws. The developers re-cast the resort as a "private school" in an attempt to qualify for an exception. They applied for and received a license from the Oregon Department of Education to construct a "career school," including a 14-room lodge, restaurant and 19 permanent cabins, on the west slope of Steens Mountain.

There are currently no commercial developments in this rugged and pristine area. ONDA and citizens were concerned

that, if approved, the "school" would unleash a deluge of similar developments that would degrade the wild character of the Steens-Alvord region, and successfully petitioned LUBA for a review of the permit. The Court of Appeals held that although elementary and secondary schools are permitted, LUBA "correctly concluded that the proposed career school was not a "public or private school" allowed as an outright permitted use on exclusive farm use lands."

"This is a critical decision because it closes a potential loophole that could have opened farm and ranch lands to extensive and inappropriate development," said ONDA's attorney Paul Dewey. Bill Marlett, ONDA's executive director agreed, saying, "The threat of resorts and trophy homes on Steens is real and must be stopped before it's too late."

Bully Creek: Another success for the desert

By Stephanie Parent

The Western Watersheds Project, ONDA and the Committee for Idaho's High Desert succeeded through litigation in forcing the BLM to implement grazing management changes intended to improve the ecological health of the Bully Creek Landscape Area. The Area covers twenty grazing allotments and over 250,000 acres of public lands in the BLM's Malheur Resource Area, Vale District. Bully Creek features many important environmental and natural resource values, including two Areas of Critical Environmental Concern, a Wilderness Study Area, and sensitive species, such as sage grouse, interior redband trout, and Columbia spotted frog.

The BLM recorded significant devastation to the area caused by livestock grazing. Damage resulted in 84% of riparian pastures not meeting standards for riparian ecological health. Only 23% of the riparian habitats were in proper functioning condition. Almost all of the aspen stands had declined in health and noxious weeds had infested many parts of the landscape. Water quality conditions in many streams had been severely degraded.

After public comment and participation, the BLM issued a decision changing grazing management. The BLM regulations require that it implement the changes before the start of the next grazing season. However, the BLM bowed to the pressure of the affected permittees and did not issue revised permits to conform with its decision to change grazing.



GENE BRAY

Grazing impacts on Bully Creek include stream degradation as evidenced by this gully.

On March 15, 2001, WWP, ONDA and CIHD filed suit in federal court and requested an emergency injunction ordering the BLM to issue the permits. The BLM agreed to issue the revised permits by April 1, 2001. Although they have pending administrative appeals of the decision, the permittees agreed to sign the revised permits by April 6, 2001. This time, the wheels of justice did not turn slowly! ONDA appreciates the efforts of Gene Bray, Bob Moore, Katie Fite, Pam Marcum and Jon Marvel, and Laird Lucas in bringing about this successful result.

Taylor Grazing Act lawsuit dismissed

By Stephanie Parent

It took more than two years filled with unreasonable delays, but ONDA and other environmental groups have succeeded in getting the Secretary of the Interior to respond to our petition for rulemaking. This was an effort to establish procedures and standards that would guide the Secretary in deciding which lands are "chiefly valuable for grazing and raising forage crops" under section 315 of the Taylor Grazing Act (TGA). We were joined in this petition by Idaho Watersheds Project, Center for Biological Diversity, Committee for Idaho's High Desert, Forest Guardians, Hells Canyon Preservation Council, Oregon Natural Resources Council, American Lands Alliance, and Oregon Wildlife Federation.

Unfortunately, the Secretary denied our petition. He reasoned that existing regulations, including the Fundamentals of Rangeland Health and the Standards and Guidelines for Grazing Administration, are sufficient for determining grazing lands under TGA. The Secretary recognized that "grazing in some locations has caused degradation and, in some cases, irreparable damage to resource values," but, he maintained that the existing regulations are the "best route to rangeland protection and restoration."

While ONDA won the claim that the Secretary unreasonably delayed taking action on our petition for

rulemaking, the end result was less than satisfactory. We had also claimed that the Federal Land Policy and Management Act required rulemaking in this case. However, ONDA and the other plaintiffs decided to voluntarily dismiss this claim for several reasons. First, overturning the Secretary's denial faced a steep uphill battle based on special treatment given to agencies for decisions regarding rulemaking. Second, another interpretation of the TGA in a separate ruling weakened our legal theory. Finally, the Bush Administration refused to honor an offer of settlement made by the Clinton Administration. This change in position made it seem unlikely that we would succeed in our attempt to get the current administration to give a favorable interpretation of what is "chiefly valuable" for grazing.

In 1934, Congress passed the TGA seeking to "promote the highest use of the public lands." They authorized the Secretary of the Interior to establish grazing districts only on the public lands "which, in his opinion, are chiefly valuable for grazing and raising foraging crops." ONDA maintains that to comply with these goals, the Interior must uphold the regulations requiring an evaluation of the relative values of our public lands. Where grazing cannot compete with the values of native plant, wildlife and fish habitat, clean water, and aesthetic beauty, to name a few, it should fall by the wayside.

Interim protection for desert wild lands

New BLM policy could open way for more WSAs

*Sutton Mountain
Wilderness Study Area,
John Day Basin,
Central Oregon.*



GEORGE WUERTHNER

By Gilly Lyons

Eastern Oregon is filled with wilderness. Although Congress has not officially designated these wild lands as “Wilderness” (with a capital “W”), these vast expanses of sublime, graceful lands offer beauty, solitude, and extensive wildlife habitat. Some of the most remote wild areas left in the lower 48 states are found in the eastern two-thirds of the Beaver State.

Yet millions of acres of these roadless lands, managed by the Bureau of Land Management (BLM), have no formal protection whatsoever. That means grazing, mining, or off-road vehicles could be degrading these wild lands as you read this.

Fortunately, the BLM recently clarified its policies for protecting wilderness quality lands, offering renewed hope for these “orphan” wild lands. Two new BLM documents—*Land*

Use Planning Handbook and *Wilderness Inventory and Study Procedures Handbook*—provide citizens with a process to advocate for the designation of new Wilderness Study Areas (WSAs). And getting wildlands designated as a WSA is a crucial first step on the path to official Wilderness designation.

BLM: Biggest landlord on earth

Upon the collapse of the Soviet Union a decade ago, the BLM became the world’s largest landlord, with an astounding 264 million acres of American public land under its authority. These lands, 18 million acres of which lie within Oregon’s borders, contain a vast spectrum of ecotypes. They include deserts, wet forests, dry forests, wetlands, sagebrush steppe, rivers, coastlines, estuaries, alpine tundra, vernal pools, and everything in between.

In 1976, Congress passed a law that clarified and further articulated the BLM’s duties in managing these lands. Called the Federal Lands Management Policy Act, or FLPMA, this statute outlined a process for BLM to inventory all its lands to better guide the agency’s management decisions.

WSAAs are unique to the BLM and reflect a forward-thinking approach to land management.

The law (Sec. 603, FLPMA) also required BLM to assess its lands for wilderness qualities, and to protect lands found to contain wilderness characteristics as “Wilderness Study Areas.” BLM was then to make formal recommendations to Congress as to which Wilderness Study Areas should ultimately be protected as federal Wilderness.



DAN SHERMAN

Ruby-crowned kinglet on nest. Wildlife habitat is one of many benefits wilderness can provide.

Wilderness Study Areas: Interim protection

WSAs are unique to the BLM and reflect a forward-thinking approach to land management. Unlike the U.S. Forest Service, the BLM has the authority to provide interim protection to roadless lands that it deems worthy. The Forest Service’s new roadless area protection policy, adopted by former President Clinton, was intended to protect roadless forest lands. Now, however President Bush has all but rescinded the policy, in accord with his campaign promises.

Once the BLM designates a WSA, it must ensure that the area’s wilderness characteristics do not suffer the impacts of grazing, resource extraction, roads, or permanent structures. This is a relatively high legal standard. The BLM is obligated to keep its WSAs in good shape until Congress makes a final determination about their inclusion in the National Wilderness Preservation System—effectively a method of ecological “lay-away.” In the last two decades, Congress has moved at a glacial pace in considering and passing wilderness bills, making interim protection especially important. Although WSAs do not receive as much protection as congressionally designated wilderness, they are far better than no protection at all.

Oregon’s WSAs

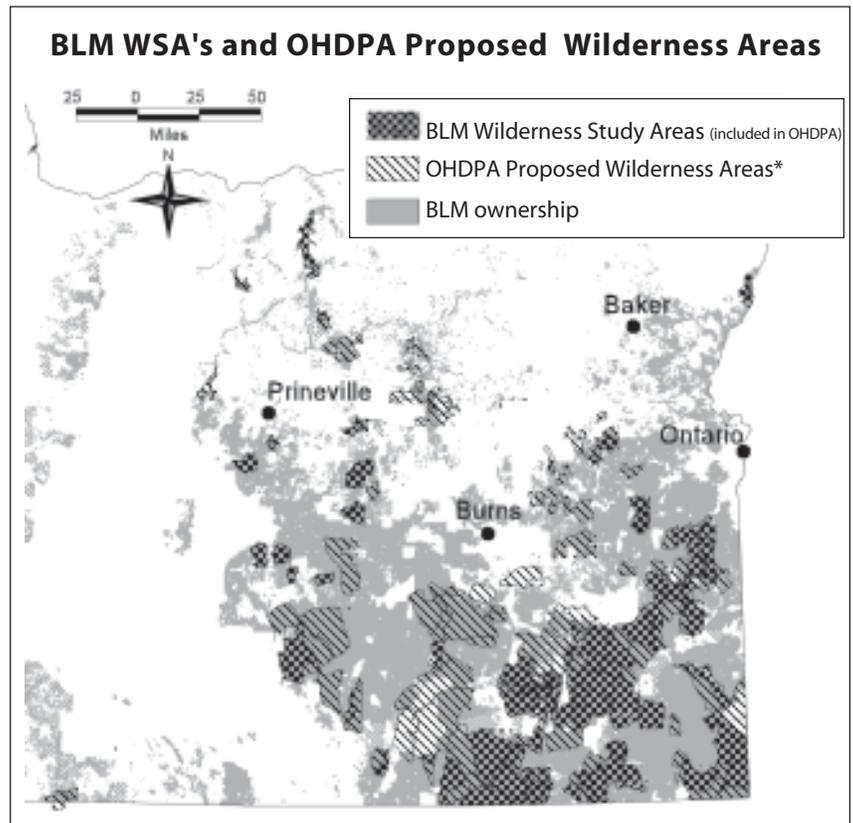
In Oregon, the BLM kicked off its wilderness inventory in the mid-1980s. The agency initially recommended that about 2 million acres be designated as WSAs, prompting an outcry from concerned citizens who knew millions of additional acres deserved protection. (In fact, desert lovers organized ONDA to advocate for more WSA acreage.) This public clamor inspired BLM to take another look, and the agency finally designated 3.1 million of the agency’s 18 million acres

in Oregon as WSAs. In 1991, BLM sent these meager wilderness recommendations to Congress, over the protest of Oregon’s conservationists. In response, ONDA and others documented and mapped 6 million acres of wilderness quality lands, twice the acreage identified by the BLM, and

packaged them as the Oregon High Desert Protection Act (OHDPA).

BLM’s Oregon State Director was not alone in submitting low-ball wilderness estimates to Congress. Throughout the 1980s in states around the West, the BLM identified absurdly low numbers of WSA acres—numbers far below conservationists’ inventories. Across the West, BLM overlooked or otherwise excluded tens of millions of acres worthy of WSA status—often for reasons based on arbitrary criteria or highly subjective opinions of a single BLM staff person.

CONTINUED ON NEXT PAGE



*OHDPA is the Oregon High Desert Protection Act, a citizen land protection proposal that would set aside 6 million acres of wilderness on BLM lands in Oregon.

PREPARED BY ECOTRUST

Doing it right

We now have a chance to set at least part of the record straight. The BLM's *Land Use Planning Handbook* and *Wilderness Planning and Study Procedures* manual offer vital new opportunities for citizens to revisit the BLM's faulty inventory process of the 1980s, and to expand the acreage granted interim protection as WSAs to include deserving roadless lands omitted in the BLM's current WSA recommendations.

Here's how the two documents can help.



ELAINE REES

Indian paintbrush. Native plant communities are a wilderness resource.

gold, timber, and livestock forage.

Furthermore, the LUP Handbook states:

New information, updated analysis, or new resource use or protection proposals may require amending or revising land use plans and updating implementation decisions... New data or information can include... public comment or staff assessments indicating that new information or changed circumstances warrant reconsideration of the appropriate mix of uses on particular tracts of public lands.

In other words, if the BLM receives "new information" from conservationists regarding the need to re-inventory overlooked roadless lands for potential designation as WSAs, the agency is obligated under its own policies to consider altering

its land use plan prescriptions for the areas in question. In Oregon, a plethora of new information is available about the state's unprotected roadless lands that could compel BLM to re-open the relevant land use plans. Modified land ownership patterns, failed mining operations, unbuilt geothermal plants, and other realities could lead to a re-evaluation of lands excluded from BLM's 1991 wilderness inventory.

Wilderness Inventory and Study Procedures Handbook

The *Wilderness Inventory and Study Procedures Handbook* (WISP) points out that the BLM is legally obligated to provide opportunities for public participation in federal land use decision-making. It adds that the "BLM may, from time to time, receive requests from the public suggesting that existing land use plans do not adequately identify public lands that have wilderness characteristics."

The WISP Handbook establishes specific criteria that a citizen wilderness proposal must meet before the BLM will consider it. They are:

- (a) a map which identifies specific boundaries of the area in question;
- (b) a detailed narrative that describes the wilderness characteristics of the area and documents how that information significantly differs from the information in prior inventories conducted by the BLM regarding wilderness values in the area; and
- (c) photographic documentation.

This recipe, if followed carefully, should meet the BLM's threshold for reconsidering non-WSA roadless lands. (Please see "Wildlands ReSearch

Land Use Planning Handbook

According to the *Land Use Planning Handbook* (LUP), when developing new management plans, the BLM must, among other things:

- rely on an inventory of public lands, their resources, and other values;
- consider present and potential uses of public lands;
- consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values...

What's particularly relevant here is that the BLM defines wilderness as a "resource" — one that must be considered equally alongside oil, gas, coal,

The BLM is legally obligated to provide opportunities for public participation in federal land use decision-making.



GEORGE WUERTHNER

North Fork of the Owyhee River in Oregon.

and Rescue” article below)

The WISP Handbook also obligates the BLM to “...prepare and maintain on a continuing basis an inventory of certain public lands to determine the presence or absence of wilderness characteristics.” FLPMA already requires BLM to do this, but it doesn’t hurt to reiterate the law.

The BLM’s new handbooks give citizens and conservation groups some new and much-needed traction on the long, mucky trail to secure permanent wilderness protection for at-risk roadless areas. In Oregon alone, conservationists have identified at least three million acres of wholly unprotected wildlands deserving of WSA designation. We may not be able to convince the BLM to revisit each and every one of those overlooked acres, but our chances are better now than ever. It’s time to brush up our map reading skills, invest in a digital camera, and hit the ground running.



GEORGE WUERTHNER



Cottonwood Canyon, Pueblo Mountains, in southeast Oregon.

Become a Wildlands ReSearch and Rescue Volunteer

by Gilly Lyons

“The idea of wilderness needs no defense, only more defenders,” opined Edward Abbey.

Abbey’s words have motivated ONDA’s staff and volunteers since our founding in 1989. This oft-quoted statement goes to the heart of our wildlands protection efforts. We value our cooperation with our members and volunteers to effectively and passionately advocate for protecting their favorite wild canyon, playa, butte, or creek.

We now have an unprecedented opportunity to do just that. The BLM recently issued two planning documents (see article, pg. 8) that create a way for ONDA and other conservationists to require the agency to reconsider wild lands left out of its inadequate 1991 wilderness recommendations to Congress. The two handbooks require BLM to consider citizens’ wilderness proposals (that meet certain criteria) when making wilderness recommendations.

Thus, we could secure interim protection as Wilderness Study Areas (WSAs) for deserving BLM roadless lands omitted during the BLM’s original flawed inventory. This is important because it’s much easier to include designated WSAs in future congressional wilderness legislation than non-WSAs. BLM omitted at least 6 million acres that possess unparalleled wilderness characteristics and are contained in the Oregon High Desert Protection Act.

That’s where ONDA’s *Wildlands ReSearch and Rescue* project comes in. ONDA will work with our members to map, describe, photograph or otherwise document

features that qualify specific wild areas the agency’s legal definition of “wilderness.” We will then present this documentation to the BLM’s Oregon State Office with a request that the agency re-examine its 1991 recommendations to incorporate new, updated information.

Wildlands ReSearch and Rescue will be a multi-year re-inventory effort throughout Oregon’s High Desert. Initially, ONDA will focus on two “pilot areas” in 2001-2002: the Owyhee Canyonlands in southeastern Oregon and the John Day Basin in north-central Oregon.

In the Owyhee region, conservationists have identified 1.3 million acres of potential wilderness. The BLM designated 796,000 acres as WSAs and of these, the agency has recommended that only 405,000 acres be protected as wilderness.

In the John Day region, we identified 200,000 acres that deserve wilderness protection, but the BLM designated 81,300 acres as WSAs and recommended only 40,000 acres for actual wilderness.

By adopting specific roadless areas and carefully documenting their wilderness values, Wildlands ReSearch and Rescue volunteers will strive to reduce or eliminate these huge discrepancies.

Wildlands ReSearch and Rescue will kick off this summer with wilderness inventory workshops and field trips. We hope you can join us. For more information, please contact us at glyons@onda.org or (503) 525-0193.



A Vast and Ancient Wilderness

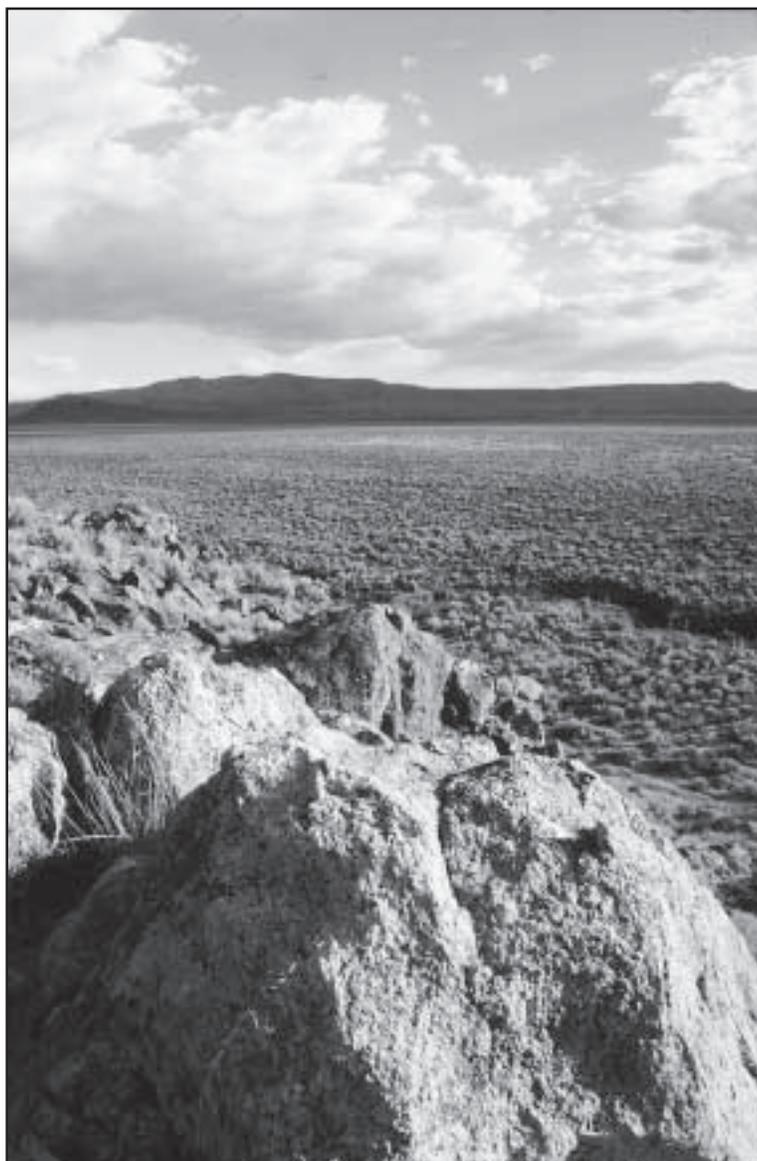
From the introduction written by Steve Roper for the book, *A Vast and Ancient Wilderness*, by Claude Fidler, Chronicle Books (San Francisco), 1997.

. . . the Great Basin seems harsh, undone, inhospitable: America's lost quarter. Many travelers, both from the pioneer days and of the present, say it is a place to pass through quickly. There's a certain truth to this. . .

But the Great Basin has given me far more times of peace and silence than of trauma. Only there have I been taken back to an ancient time, to a place where nothing seems to change. It is not an intimate landscape. It is big and lonely and grand and Western; but what I appreciate

most about it is its variety. Just when I decide the Basin is nothing but a desert, I look up at a mile-high escarpment of granite, with pines on the crest, tiny as matchsticks. Time for a walk. Sometimes, at the start of a hike, I'll spy a green-tailed towhee darting into a clump of rabbitbrush, savoring the heat and dryness. Six hours later, shivering at the base of an alpine snowfield, I might see a rosy-crowned finch snatching insects from the sun-cups. Such variety is typical of the Basin, and I never get tired of the contrast. Sagebrush to aspens, muddy wash to gem-clear brook, juniper to bristlecone — all beautiful, all altitude-dependent.

I've seen a herd of fifty antelope staring at me from atop a black lava flow. I've climbed peaks from which the view encompasses several thousand square miles of utter emptiness, without a single road visible. Once, within a graveyard of bristlecone pines, I found one snag so agonizingly beautiful that I couldn't keep my hands off it. Touching this solid, lifeless wood was not a meeting with death; the snag had the feel of something immortal, like Carrara marble. Nearby, a weathered stone shelter occupied a small hillock. An Indian hunting lookout? A pioneer windbreak? Whatever it was, it fit perfectly with the landscape, and it will remain for centuries as it is.



GEORGE WUERTHNER

Trout Creek Mountains by Willow Creek, southeast Oregon.

ONDA's 2000 Annual Report

The year 2000 was a landmark year for ONDA. Staff, board, and volunteers spent great efforts to permanently protect Steens Mountain and Alvord Desert. Working with a coalition of conservation groups, we secured legislative protection for this desert gem, which included the nation's first Congressionally-designated cow-free wilderness area.

We were also busy with an exciting, strategic array of conservation initiatives aimed at fulfilling ONDA's mission: *to protect, defend, and restore forever the health of Oregon's native deserts.*

A common thread runs through each of our activities: you. Our members make possible all of the work we do—from filing precedent-setting legal challenges to hosting the only large gathering of Great Basin wilderness activists in the country. On behalf of ONDA's staff and board of directors, thank you for inspiring us, supporting our efforts, and caring deeply about Oregon's High Desert. Below are highlights of ONDA's accomplishments in 2000.

Ecosystem Defense

- Helped secure permanent protection with passage of the Steens Mountain Cooperative Management and Protection Act of 2000. It designated 175,000 acres of Steens as wilderness (105,000 are cow-free), placed 500,000 acres off-limits to off-road vehicles and road construction, protected 29 miles of rivers and creeks as Wild and Scenic Rivers, and banned mining and geothermal development on more than 1,000,000 acres.
- Advocated for designation of the Badlands Wilderness Area, a 32,000-acre high desert wildland east of Bend. It could be the nation's first wilderness area where ranchers voluntarily retire their grazing permits.
- Rallied public to submit comments opposing the U.S. Fish and Wildlife Service on its proposal to reduce or eliminate Endangered Species Act protections for gray wolves. The USFWS opted to delay this process.

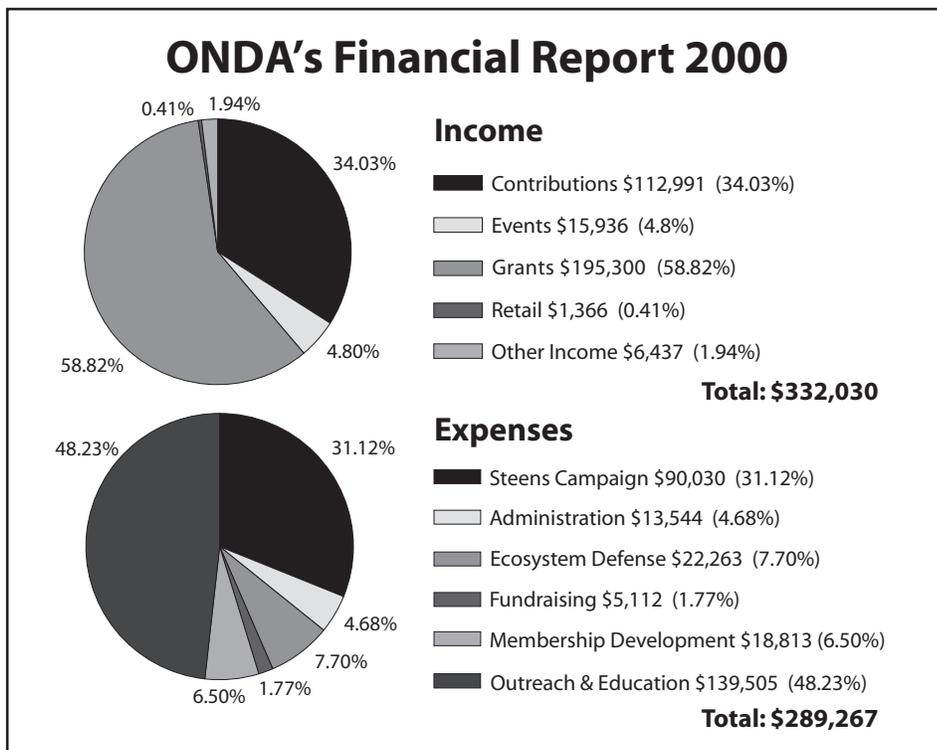
- Joined a coalition of conservation groups seeking Endangered Species Act protections for the northern sage grouse.
- Challenged a scientifically flawed proposal to kill predators, including coyotes, on Hart Mountain National Antelope Refuge.
- Secured a precedent-setting injunction against destructive, illegal livestock grazing along sections of the Owyhee Wild & Scenic River.
- Worked with conservationists in Idaho and Nevada on political and legal strategies to protect the majestic Owyhee Canyonlands.
- Won an appeal to the state Land Use Board of Appeals to halt a resort-style development on the west slope of Steens Mountain.
- Rallied public comments on the BLM's National Off-Highway Vehicle Strategy.
- Continued to pursue legislation to retire federal grazing permits and develop solutions to the dilemma of public lands livestock grazing.

Outreach and Education:

- Participated in scientific panels and presented talks and slide shows at

numerous conferences and events to diverse audiences across the West.

- Provided technical assistance to grazing and wilderness activists throughout the West.
- Produced and distributed our informative quarterly newsletter, *Desert Ramblings*.
- Published a scientific report, "Livestock Grazing and Weed Invasions in the Arid West" documenting the how livestock contribute to the West's invasive weed crisis.
- Produced and distributed thousands of action alerts across Oregon on timely issues, such as off-road vehicle use, water quality, desert wilderness, and public lands grazing.
- Hosted Desert Conference XXII, a 3-day, multi-state gathering of desert activists, scientists, agency staff, and citizens concerned about the ecological integrity of the Great Basin.
- Organized habitat restoration projects at Hart Mountain National Antelope Refuge and Malheur National Wildlife Refuge.
- Expanded and improved SageNet, ONDA's electronic action alert and information network.





Rudy Clements

Thanks, Rudy!

For the past six years, ONDA has been honored by the presence of Warren "Rudy" Clements on our board of directors. Last December, Rudy let us know that he'd be stepping down from the board in order to pursue his many civic, tribal, and familial duties. While Rudy's departure is most certainly ONDA's loss, we know countless others will gain from his expanded role as public information officer for the Confederated Tribes of the Warm Springs Indian Reservation.

When Rudy joined ONDA's board in 1994, he brought with him a wealth of experience in organizational development, capacity building, and strategic planning. His expertise in these areas proved invaluable to ONDA's board and staff as we developed our first and second strategic plans, re-vamped our mission statement, and expanded the board to include new members with

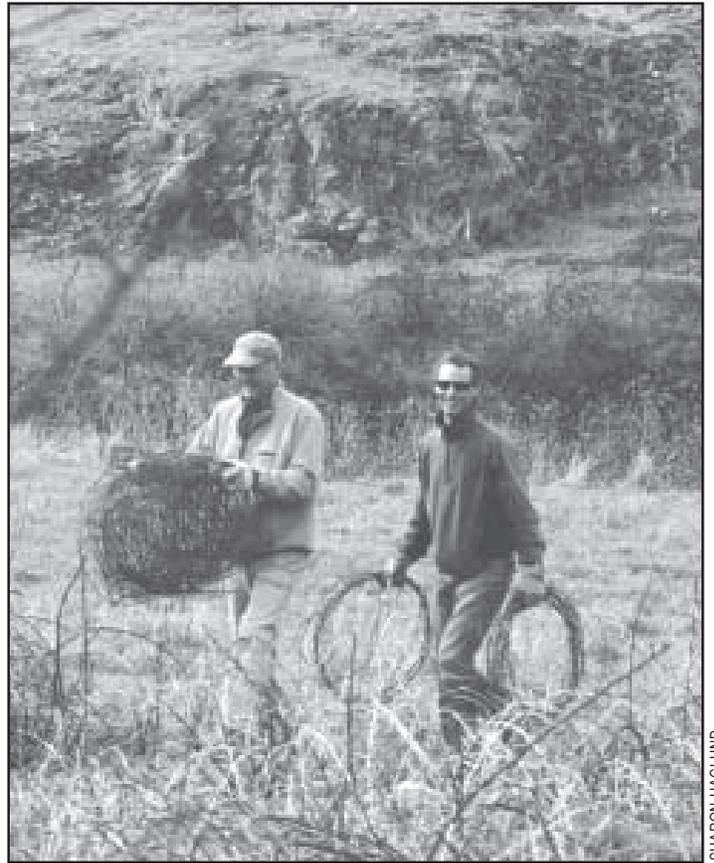
vital skills and strengths. Rudy has an amazing knack for reminding people about what's most important. During many a far-ranging board discussion, Rudy would gently urge us to remain rooted in ONDA's core values, and to use those values as a point of origin for our decision-making.

Heartfelt thanks to Rudy for his dedication to ONDA and the lands we're striving to protect. We wish Rudy all the best in his continued work with the Warm Springs Tribes, and we look forward to collaborating with him for years to come.

ONDA seeks Development Director

ONDA is looking for its first development director to help nurture support for our growing outreach and advocacy activities.

We need someone who is gregarious and energetic, and who has top-notch writing and speaking skills. As a fundraiser, you must not be afraid to ask for money, and must be willing and able to work independently, yet be part of an exciting team of highly dedicated people. Above all else, you must have a passion for being in wild places and a strong desire to protect these places, forever. A witty sense of humor is a plus. If you or someone you know is interested in the position, send a cover letter and resume to us at 16 NW Kansas St, Bend OR 97701 or via email: <onda@onda.org>. The full position description can be viewed on our web site at: www.onda.org. Deadline is July 6.



Thank you volunteers!

ONDA members lent a hand in early April to help restore Pine Creek Ranch, near the John Day River. The ranch was purchased in 1999 by the Warm Springs Tribes using BPA fish and wildlife mitigation money, and is being managed by the Tribes to benefit fish and wildlife habitat. Over the weekend volunteers worked hard planting trees, removing fences and surveying beaver dams. We'd like to thank the Warm Springs Tribe for providing this opportunity, the Hancock Field Station for hosting the volunteers, and most importantly, all the ONDA members who worked so hard on behalf of wildlife!

Help the desert! Join SageNet

SageNet is ONDA's electronic listserv for wilderness supporters who want to protect Oregon's desert wildlands. E-mail alerts inform members of breaking news 4 to 6 times a month to quickly mobilize our grassroots network. Send your e-mail address(es) to info@onda.org to sign up. You can unsubscribe at any time. We do not share our e-mail list with other organizations.

ONDA extends our warmest thanks to the **Sperling Foundation** for their support of our efforts to keep the Owyhee Wild and Scenic River canyon cow-free in perpetuity.

Books

- The Western Range Revisited*
by Debra Donahue \$17
- Waste of the West: Public Lands Ranching*
by Lynn Jacobs \$28
- Sacred Cows at the Public Trough*
by Denzel & Nancy Ferguson \$9
- Oregon's Outback: An Auto Tour Guide to Southeast Oregon*
by Donna Lynn Ikenberry \$15
- Netting the Sun - A Personal Geography of the Oregon Desert*
by Melvin R. Adams \$15

Scientific Papers

- "Survey of Livestock Influences on Stream and Riparian Ecosystems in the Western United States"
by Joy Belsky, A. Matzke, and S. Uselman \$1
- "Effects of Livestock Grazing on Stand Dynamics in Upland Forests of the Interior West"
by Joy Belsky and Dana Blumenthal \$1 (postage)

"Livestock Grazing and Weed Invasions in the Arid West"
by Joy Belsky and Jonathan Gelbard \$5

T-Shirts

- ONDA T-shirts (100% organic cotton)
Specify size (M, L or XL), style (short or long sleeve), and color (sage or natural)
- Short Sleeve \$12
- Long sleeve \$15
- Women's ONDA T-shirts (white only) (M, L)
- Short Sleeve \$12

Etc.

- Big Indian Gorge: stunning 18"x28" color poster \$10
- "Cows Kill Salmon" bumper sticker \$1
- "Boycott Public Lands Beef" bumper sticker \$1



ONDA Marketplace Order Form

ITEM DESCRIPTION	COLOR (1st & 2nd choice)	SIZE	QUANTITY	ITEM PRICE	TOTAL
				x	=
				x	=
				x	=
GRAND TOTAL					

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Contribution levels:

- \$35 Individual
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 \$250 Patron
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Automatic bank deductions are convenient and cut down on paper use and mail solicitations. Deductions from your account may be stopped or adjusted at any time simply by sending a written notice or by phoning ONDA at (541) 330-2638. Please enclose a voided check or deposit slip. **Monthly amount to deduct:** \$ _____

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E-mail address (for SageNet electronic action alerts) _____

Mail this form with check (or voided check for automatic withdrawals) to ONDA, 16 NW Kansas, Bend, OR 97701

OREGON NATURAL DESERT ASSOCIATION

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- *TOWARD A PUBLIC LAND GRAZING PHASE OUT*
- *SECURING INTERIM PROTECTION FOR WILDLANDS*



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Bald eagles, salmon in Klamath basin need water--and letters

Despite an April 30 court victory, both Upper and Lower Klamath Basin National Wildlife Refuges (NWR) will be left without sufficient water this year to meet basic fish and wildlife needs—threatening migrating and nesting waterfowl, as well as Upper Klamath Lake's endangered native fish species. Between 1995 and 1997, 80% to 90% of all the remaining endangered fish in Upper Klamath Lake died. The U.S. Fish and Wildlife Service (USFWS) has now warned that lack of water at Lower Klamath NWR could lead to starvation or serious harm to over 950 bald eagles.

On April 4, 2001, a federal judge ruled that the Bureau of Reclamation's dam operations in the Klamath Basin violated the Endangered Species Act, which protects Klamath River salmon. The judge's ruling, along with a USFWS Biological Opinion released on April 6, have helped to increase water levels in the Klamath River this year. However, current plans still do not provide for sufficient water in Upper Klamath Lake to support endangered lake fish, and NO water is provided to the Lower Klamath National Wildlife Refuges and its more than 1,000 wintering bald eagles.

Please send a letter to Sens. Ron Wyden and Gordon Smith. Ask them to resist pressure to circumvent or undermine the Endangered Species Act, which protects Klamath Basin National Wildlife Refuges as well as threatened coho salmon in the Klamath River. Ask that they work to:

- Provide immediate financial relief to all irrigators in the Klamath Project this year.
- Provide full water deliveries to Lower Klamath NWR for over 1,000 bald eagles, as well as nesting and migrating waterfowl.
- Provide full water deliveries to the Klamath River to protect its threatened coho salmon.
- Provide that Upper Klamath Lake be held one foot higher, as U.S. Fish and Wildlife Service recommended in March 2001. (Vice President Dick Cheney and others recently leaned on USFWS to change the agency's final Biological Opinion, so it now allows Upper Klamath NWR's marshes to be drained by summer's end—jeopardizing two endangered fish species and other wildlife.)
- Arrange to buy out willing sellers with agricultural leases in the Klamath National Wildlife Refuges.

Senator Ron Wyden
515 Hart Office Bldg
Washington, DC 20510

Senator Gordon Smith
404 Russell Senate Office Bldg
Washington, DC 20510

For your convenience, you may download a sample letter from the ONRC's website: www.onrc.org