

# DESERT RAMBLINGS

NEWSLETTER OF THE OREGON NATURAL DESERT ASSOCIATION

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PROMOTING A

## BALANCED

ENERGY FUTURE FOR OREGON

By Liz Nysson  
*Energy Policy Coordinator*

More than ten years ago, the Steens Mountain Cooperative Management and Protection Act was passed with unanimous support from Oregon's Congressional delegation, Governor Kitzhaber, the conservation community, and many in the ranching community. The collaborative spirit that brought about its resolution still influences how we work on campaigns, as well as our interest in creating permanent protection for other iconic and naturally rich landscapes in Oregon's high desert. Yet, today proposed wind energy development looms on the horizon at Steens Mountain and the intention of the Steens Act of 2000 is revisited by those who came together to protect this special place.

Any type of development in an area protected and recognized for its natural and cultural values presents an inherent challenge. The proposed energy development within and adjacent to the Steens Cooperative Management and Protection Area is no exception. For ONDA, this represents a classic example of "right idea, wrong place." This controversy provides us with a window into future proposed uses on desert lands, and a keener understanding of the potential benefits and conflicts associated with renewable energy development.

In many ways, the "Steens wind" controversy is reflective of the greater renewable energy debate, where environmental and scenic impacts seem to be on one side, and the promise of cleaner energy and jobs on the other side. While it may appear an acrimonious conflict with winners and losers, the reality is much more complicated. ONDA and other conservation groups are finding ways to be a part of the energy discussion so that we can help devise solutions to shape a responsible renewable energy future that is truly sustainable. These solutions will be found through collaborative partnerships, reaching out to

see **BALANCED** page 8

### FROM THE OUTBACK

## Interior Department Adopts 'Wild Lands' Policy

By Brent Fenty  
*ONDA Executive Director*

Since getting involved with ONDA over a decade ago, I have been consistently amazed and proud to be part of an organization that does so much with so little. 2011 marks the third and final year of ONDA's strategic plan. As I look back over the last few years, it is hard not to marvel at what ONDA has accomplished. It's impossible to list everything, but a few highlights include the protection of Badlands and Spring Basin Wilderness, a successful legal defense of critical steelhead habitat in the upper John Day basin, creation of partnerships to protect wilderness in the lower John Day basin and in Central Oregon, and putting thousands of volunteers on the ground to restore fish and wildlife habitat throughout Oregon's high desert.

Most recently, our successful legal effort on the Southeastern Oregon Resource Management Plan (RMP), culminating in a 2010 settlement agreement with the Bureau of Land Management (BLM), played a major role in Secretary of Interior Ken Salazar's recent decision to establish a new "Wild Lands" policy for BLM. As you may recall, in 2003 the Bush administration signed a backroom settlement with the State of Utah that eliminated BLM's ability to protect wilderness-quality public lands as Wilderness Study Areas (WSAs). Despite this "No More Wild" settlement, federal law is clear that BLM must keep an up-to-date inventory of wilderness-quality lands just as it does for other resource values such as natural gas, minerals and grazing. This is exactly what the Ninth Circuit Court said when it ruled in ONDA's favor in our

see **FROM THE OUTBACK** page 12



# ONDA Shapes its Perspective on Energy

By Helen Harbin  
*President*



**FROM  
THE DEN**

Five years ago, when the ONDA community talked about protecting the long-term health of Oregon’s deserts, words like “wind turbine” and “solar farm” were seldom heard, but times have changed.

As the world looks for viable non-fossil energy sources, Oregonians are fortunate to have a variety of renewable sources at hand – including wind, solar, and geothermal. Our public lands are attractive places for energy development, because they offer large isolated tracts of land available at seemingly low cost. The decisions made about how and where development takes place will have long-lasting effects.

The potential for innovation and benefit is terrific, and we’re going to learn a lot more over the next five years about the effects and non-economic costs of developing these energy sources. It’s daunting and exciting at the same time. The challenge is in balancing the benefits and the costs, and proceeding responsibly.

To that end, ONDA has been developing expertise in the science of the effects of energy development on sensitive species and habitats of the high desert, and developing a voice in the state and regional dialogue on how these decisions will be made. In this newsletter, Liz Nysson writes about this work and highlights the positive actions that are within reach. With your continued support, ONDA can help Oregon be a leader in clean energy and protect our deserts.



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to protect, defend,  
and restore the  
health of Oregon’s  
native deserts for  
present and future  
generations.**



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# New Restoration Effort Planned for Hart, Sheldon

By Devon Comstock  
*Hart-Sheldon Conservation Coordinator*

The Greater Hart-Sheldon Ecosystem spans over 3 million acres in southeastern Oregon and northern Nevada, encompassing both the Hart Mountain National Antelope Refuge and Sheldon National Wildlife Refuge; these refuges were created for the conservation of the pronghorn antelope. President Franklin D. Roosevelt established Hart Mountain National Antelope Refuge in 1936 “as a range and breeding ground for antelope and other species of wildlife.” Similarly, the area that is now the Sheldon National Wildlife Refuge was created in 1931 “primarily for the conservation of the antelope (American pronghorn) and other native wildlife forms.” Management has since grown to include conservation of a wide variety of wildlife and the restoration of native ecosystems found within the refuges.

In 1993 livestock grazing was eliminated from the Hart Mountain & Sheldon Refuges allowing native species to thrive. Studies

have shown that wildlife and plants have benefited greatly from the removal of cattle, allowing increases in bird populations, pronghorn and improved plant health. Combined these refuges represent over 750,000 acres of ungrazed public lands; one of the largest habitats in the arid West that is not grazed by domestic livestock. These refuges offer a sanctuary for over 300 species of wildlife, including pronghorn antelope, bighorn sheep, sage-grouse, and mountain quail.

Though these two refuges were originally designated to protect the summer and winter ranges of the pronghorn, the habitat quality and connectivity between the two refuges has never been intensively studied. ONDA is excited to begin a new project, in partnership with Friends of Nevada Wildlife and US Fish and Wildlife Service, to evaluate habitat connectivity between the two refuges and implement restoration projects.

One of the primary goals of this project is to organize volunteers to continue much needed restoration projects on both Hart

and Sheldon Refuges. We will be focusing on removing the remaining interior fences on both Refuges. These fences create migration barriers as well as causing injury and death to pronghorn and other wildlife. By removing these barriers, Friends and ONDA will help restore and protect important migratory pathways for pronghorn and other ungulates.

ONDA and Friends will also be working with volunteers to build enclosure fences and remove remaining development features from over 15 degraded springs. Historic livestock grazing and an overpopulation of feral horses on Sheldon NWR have led to springs depleted of vegetation, compacted soils, and high levels of sedimentation (that’s muddy water!). These fences will be wildlife friendly, allowing native pronghorn and mule deer to access the springs.

We hope that you will consider joining us for one of this year’s volunteer trips at Hart Mountain and Sheldon Refuges. See pages 6–7 for trip details and registration information.

*Additional wilderness reports from ONDA’s coordinators in the field*



**CENTRAL OREGON**

*The Hidden Springs Wilderness Proposals offer the promise of achieving public ownership of 20,000 acres of wilderness quality land in Central Oregon.*

– Page 4

**JOHN DAY**

*ONDA and other wilderness supporters will try again to win passage of John Day Wilderness bill in the new Congress after time runs out in the last session.*

– Page 4

**OWYHEE**

*The heart of the Owyhee lies in three Wilderness Study Areas on the Owyhee River – Owyhee River Canyon, Lower Owyhee Canyon and Owyhee Breaks.*

– Page 5



# Hidden Springs Wilderness Proposals Take Shape

By Gena Goodman-Campbell  
*Wilderness Coordinator*

One of the most exciting aspects of working as a part of ONDA's Wilderness Program is the opportunity to build relationships with new and often unexpected allies. From ranchers and landowners to business leaders and realtors, our wilderness campaigns constantly challenge us to try to find common ground on Wilderness issues with people from all walks of life. In Central Oregon and everywhere that ONDA works, we strive to bring diverse parties to the table to craft wilderness proposals that accomplish our goals while also addressing issues relevant to the local community.

In Crook County, a relationship with a key landowner and rancher has led to an unprecedented opportunity to bring more than 20,000 acres of wilderness-quality lands into public ownership and create a brand new wilderness area in a sweeping corridor of potential wilderness between the Post-Paulina Highway and Highway 20. With the permanent protection of South Fork Crooked River/Sand Hollow, Gerry Mountain, Hampton Butte and Cougar Well Wilderness Study areas and a land exchange between the BLM and a private ranch, there is the potential to expand Central Oregon's Desert Wilderness by over 120,000 acres. We've named this grouping of wild lands the Hidden Springs

Wilderness Proposals, in honor of the many freshwater springs that are the lifeblood of the diverse flora and fauna that call this region home.

This swath of wild land represents one of the largest and most remote segments of unroaded habitat left in Central Oregon's desert. It is as varied and diverse a landscape as one would expect in Central Oregon; volcanic buttes rise from the undulating sagebrush country with springs and old-growth aspen stands hidden in every draw. Herds of mule deer, elk and pronghorn roam the meadows and grasslands. And through the middle of all this wild country, the rugged canyon of the South Fork Crooked River offers a welcome oasis and the only major water source for miles.

Of course, ONDA and the ranchers who call these rugged lands home are not the only ones who recognize the significance of this area. The Oregon Department of Fish and Wildlife selected their Maury Unit (which includes the Hidden Springs Wilderness Proposals) as one of five focus areas statewide for their Mule Deer Initiative. ODFW commenced this collaborative effort in 2008 to address steady declines in mule deer numbers throughout Eastern Oregon. Although mule deer are among Eastern Oregon's most common species, they are still susceptible to the pressures of habitat loss and harassment from increasing motor vehicle recreation,

issues that are of major concern for sportsmen, wildlife managers and conservationists alike.

Many of the objectives outlined in the Mule Deer Initiative are directly in line with ONDA's conservation vision for the Hidden Springs Wilderness Proposals, and will provide an excellent opportunity for dialogue and collaboration among the many diverse stakeholders in the area. Habitat enhancement is a major focus of the initiative, including juniper management, the reintroduction of prescribed fire, aspen stand restoration and the curtailment of livestock grazing in key areas. Together with the extensive road closures and enforcement that the initiative calls for, these actions have the potential to significantly improve habitat for mule deer and the many sensitive species that have traditionally thrived in this region. There will surely be a crucial role for ONDA volunteers to play in this effort, beginning with our first riparian restoration trip on the South Fork Crooked River, March 11-13.

ONDA's constant willingness to engage with stakeholders from outside of the traditional conservation community helps make us stronger and more successful. The Hidden Springs Wilderness Proposal is among the many opportunities we will have in 2011 to bring more voices into the chorus calling for wild deserts, protected forever.

## Clock Runs Out on John Day Wilderness Bill in 111th Congress

By Aaron Killgore  
*John Day Coordinator*

Despite our best efforts, the Cathedral Rock and Horse Heaven Wilderness Act of 2010 did not become law in the 111th Congress. This bill is part of ONDA's larger effort on Sutton Mountain, in the Owyhee Canyonlands and Whychus Creek to bring local landowner voices into proposals to improve the management of wilderness-quality BLM lands. Due to our conversations on the ground, this bill brings widespread support for protection of the John Day River basin from our grassroots partners – Young Life and the adjacent landowners, as well as all three county courts (Jefferson, Wasco, Wheeler), hunting, boating, fishing, and conservation groups. Until the end of the lame duck congress, Senator Wyden's office

fought for the inclusion of these areas into a possible public lands omnibus bill. Unfortunately, with a long list of important bills to pass, Congress ran out of time to pass conservation legislation for any of our public lands.

Our next steps in the 112th Congress are to ask our Senate co-sponsors, Wyden and Senator Merkley to re-introduce this bill, and ask Representative Walden to introduce companion legislation in the House. The letters of support that ONDA members have sent to the delegation offices continue to be important in the passage of these bills – we urge everyone to visit our website and take the time to let our delegations know that we: 1) greatly appreciate their leadership in championing this legislation in the Senate; and 2) would like to re-introduce this bill in 2011

in both the House and Senate.

A proposal calling for the designation of Sutton Mountain, Pat's Cabin, Painted Hills, and Dead Dog (nearly 60,000 acres) as wilderness is imminent. For nearly 20 years ONDA members and staff have been working to protect the Sutton Mountain area, and in 2011 we hope to realize our vision for permanent conservation. We have secured strong local support for these stunning backdrops to the Painted Hills National Monument and John Day River, and have enlisted the support of key stakeholders who have photographed, hunted, hiked, and ridden horseback throughout the area. Please visit ONDA's website ([www.onda.org](http://www.onda.org)) or contact [akillgore@onda.org](mailto:akillgore@onda.org), if you would like more information on how to contribute to ONDA's wilderness efforts in the John Day River basin.



The Owyhee offers dramatic views of wild places. Photo © Glenn Merritt

## Heart of the Owyhee Lies in Three River WSAs

By Chris Hansen  
Owyhee Coordinator

A number of voices in the wilderness have declared that the desert has a subtle way of suggestion, a kind of whispering narrative compared to the chorus of mountains. Wandering amongst the sage in the Owyhee country one might completely miss the cascading call of the canyon wren or the burgeoning phlox with its delicate pink petals, entranced instead by the wind or the horizon. But after reaching the rim of the Owyhee River Canyon and looking straight down on that hazel-hued ribbon, one can't imagine that even the sagebrush sea could keep quiet long about such a place. Water—the trickling lifeblood of the desert—has carved its way through the Owyhee Canyonlands in spectacular fashion, shepherding wildlife, heritage, and recreation in between its walls.

After detailing the Upper and Lower sections of the Owyhee Canyonlands in previous publications, this article speaks to the core of the region—the Wilderness Study Areas directly associated with the navigable parts of the Owyhee Wild and Scenic River. The Owyhee River Canyon Wilderness Study Area (187,000 acres), Lower Owyhee Canyon WSA (74,000), and Owyhee Breaks WSA (12,000) represent the heart of the proposed Wilderness, a fitting representation of the naturalness, solitude, and opportunities for primitive recreation that justify an area being deemed Wilderness.

Boaters have long held that the Owyhee River is a somewhat unknown and thrilling stretch of whitewater, solitude and adventure. The Middle section from Three Forks

to Rome is filled with challenging rapids with foreboding names like Widowmaker that oftentimes requires difficult portages. The slightly more tranquil Lower section from Rome to Birch Creek allows visitors to climb to the rim for a desert sunset or explore the fascinating rhyolite formations in Pruett's Castle and Chalk Basin.

Three Forks hot springs at the junction of the Middle, North and West (Little) Owyhee Rivers is an incredible destination. A series of cascading pools create an amphitheater of warm water for the adventurer willing to wade the river to soak. Echo Rock and Greeley Bar hot springs also allow for such extended pauses.

The river WSAs act as a migration route for the movement of iconic wildlife, connecting the larger ecosystem in three separate states. Steep sections of the canyon are important breeding and lambing grounds for the largest herd of California bighorn sheep in the United States. Vast herds of Rocky Mountain elk and mule deer winter in the relative warmth of the canyon bottom. High overhead one can see the deliberate arc of the peregrine falcon, ferruginous hawk, and golden eagle.

People have always moved with the animals in the canyon. Native Americans traveled through places like Hole in the Ground and carved geometric shapes representing rain, hunting magic—something old and now unknown—on the volcanic rock a stone's throw from the river. At Birch Creek Ranch the not so distant past still echoes through the stone walls built by Basque settlers at the turn of the century.

ONDA's commitment to the Owyhee River has been fervent and long-standing.

The lawsuit filed to protect the Wild and Scenic nature of the canyon nearly a decade ago established the vital artery for the Wilderness proposal we now work toward. The next time you adventure out in this remarkable country do not resist the temptation to stand at the water's edge—the same thing that whispers to you has whispered to those who came before.

### LITERARY CORNER

#### Dusk in the Canyon

*As shadows fill the canyon,  
the evening shift arrives.  
Swallows swoop  
nightjars dart  
swifts swift  
bats flit,  
all frantic  
to do a day's work  
in a single hour.*

*Rhythm of the Canyon  
I look up from my cup of coffee  
to watch ducks flying upstream.*

...

*I look up from my glass of wine  
to watch them flying  
downstream.*

*We have had a busy day.*

— Curt Johnson



# SAVE THE DATE ...



*Eric Lucas and Fred Sawyer pull fence at the 4th Annual "Last" Hart Mountain Fence Pull.  
Photo © Dave Shegrill*



*Mick Langtry and Jefferson Jacobs coil wire deep in Eagle Canyon, Spring Basin Wilderness.  
Photo © Scott Erickson*

Trip season is fast approaching, and with more volunteer trips than ever before, this spring promises to be action packed.

Along with our continued collaborative restoration work on Bridge Creek and the advertised trips on the schedule, the coming months will bring some additional opportunities to become involved in restoration efforts.

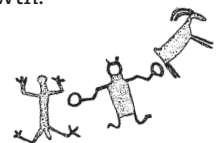
Despite the seemingly full spring and fall restoration trip schedule, we may yet learn of a few additional projects that will call for volunteer work-parties. If you would like to be informed of these shorter-notice trips, be sure to read (or subscribe to, if you do not already) ONDA's SageNet alerts.

In addition, there will be some volunteer needs for smaller-scale efforts, beginning with harvesting of live willow and cottonwood stakes from the Forest Service-BLM nursery at Clarno for spring restoration plantings. With surveys of restoration needs at Cathedral Rock and Horse Heaven proposed Wilderness Areas upcoming, smaller-scale needs (such as removal of downed barbed wire or short lengths of fence) will benefit from volunteer day trips. If you are interested in being contacted for these latter types of needs, please let Alexa, ONDA's Restoration Coordinator, know, either by e-mail ([alexa@onda.org](mailto:alexa@onda.org)) or by phone.

Besides setting up several of the upcoming volunteer trips, the restoration program has been making strides to expand in a new direction.

We have been working to develop a youth-education program for students in the John Day basin. The program will find a stretch of stream for each participating school to "adopt." Classes will then visit the site throughout the year, ranging from once each season to monthly. Each field trip will focus on a different topic, with students actively conducting restoration, such as removal of invasive species, water quality sampling, and riparian planting.

We eagerly anticipate launching this program in the fall for the 2011-2012 school year and look forward to its further development and growth.





# SAVE THE DESERT

## ONDA 2011 TRIPS AND EVENTS

March 11–13	South Fork of Crooked River Riparian Planting with Trout Unlimited
March 25–27	Cherry Creek Riparian Planting
March 31–April 3	Hart Mountain Sage-Grouse Lek Monitoring #1
April 8–10	Owyhee Sage-Grouse Lek Monitoring
April 15–17	Annual General Meeting
April 21–24	Hart Mountain Lek Monitoring #2
April 29–May 1	Job Creek Riparian Planting
May 3–8	Owyhee River Float Trip
May 13–15	Hay Creek/Murtha Ranch Fence Pull
May 19–22	Wilderness Inventory Trip Hart/Sheldon Refuge Connectivity
May 27–30	Owyhee Wilderness Surveys #1
June 3–6	John Day Float and Wilderness Survey
June 23–26	Sheldon Refuge Fence Pull with Friends of Nevada Wilderness
June 29–July 3	Steens Family Fence Pull
July 7–10	2nd Sheldon Fence Pull
July 22–26	5th Annual “Last” Hart Mountain Fence Pull
August 11–14	Annual Hart Mountain Fence Pull #2
August 17–22	Steens Backcountry Fence Pull
September 8–11	Sheldon Refuge Spring Restoration Project
September 8–11	Pine Creek Conservation Area Barbed Wire Rodeo
September 22–25	Spring Basin Backcountry Fence Pull
October 6–9	Owyhee Wilderness Survey #2
October 13–16	Pine Creek Conservation Area Backcountry Fence Pull
October 21–23	Cherry Creek Riparian Planting

*Pull a fence, plant a tree, photograph a grand vista, or just walk with us through the wilderness. Lend a hand, soak in the sights, soak in the hot springs! Join the team and make a lasting difference in Oregon's high desert.*

*For additional trip information and registration visit us at [onda.org](http://onda.org) and click on “volunteer” or e-mail ONDA's Wilderness Stewardship Coordinator, Jefferson Jacobs at [jjacobs@onda.org](mailto:jjacobs@onda.org)*



**BALANCED** from page 1

developers, working with policy makers and community leaders, and continuing to defend those special places and resources that require long-term protection.

Because ONDA receives many questions related to why we support renewable energy, how we evaluate impacts, and what we are currently working on, it is useful to review ONDA's current work and discuss new efforts underway in the Legislature and elsewhere.

### **Why do we need renewable energy?**

It is no secret that the world's economy is rooted in fossil fuel production and use. A 2008 report recorded that 83% of our energy use in the United States is made up of fossil fuels, with nuclear power making up 9% and renewable energy (mostly dominated by hydro electric and biomass) comprising 8%. Our unhealthy appetite for oil, coal, and natural gas is causing irreparable damage throughout the world. Overproduction of greenhouse gases is causing severe imbalances to the chemical make-up of our atmosphere and oceans. The effects of a changing climate are evident worldwide and in our own backyard, as we see declines in species like northern pika. Fossil fuel extraction like drilling and mining have disfigured the land, displaced wildlife, and can lead to disasters that have the power to destroy entire ecological systems. If we do not take steps now to change the way we use and consume energy, we will leave a damaged planet for future generations.

We cannot expect a magic bullet or a single technique to solve our energy and climate crisis. Similarly, we cannot expect these new forms of energy to fill our huge energy gap overnight. There will need to be dedication and financial investment in research and development to create and refine a new era of energy generation. Although many types of renewable energy are still in nascent stages of development and might not have the same level of efficiency as more established forms, the environmental community should encourage renewable energy advancement when activities are conducted in sensible and environmentally responsible ways. For these reasons, ONDA supports actions by federal and state policy makers that will help our country advance non-polluting energy generation and reduce our carbon footprint.

A more sustainable energy economy will require a multi-faceted approach to tackle our current energy problems so we can find better ways to produce, transport, and use energy. Therefore, policy makers need to invest in efficiency upgrades to reduce energy consumption, as well as help facilitate the production of non-polluting sources of energy—including wind, solar, and geothermal—and other forms of renewable energy. In addition to taking these steps, we need to improve transmission capacity and energy storage. New energy and transmission projects developed with foresight, environmental and social responsibility, and with proper permitting and review will help bring about the long-term change we desire. Within this framework, ONDA supports renewable energy

projects and views this as a sensible use on appropriate public and private lands.

### **How does ONDA support renewable energy in Oregon's High Desert?**

ONDA is currently involved in partnerships with other conservation groups, as well as collaborative efforts that include stakeholders such as agencies, policy makers, and development interests. By representing conservation needs and wildlife protection, we are able to help shape planning efforts related to renewable energy siting, permitting, and mitigation so that it will have the least impacts on special desert lands and important wildlife. We also recently brought together conservation groups working in Oregon to sign on to a joint statement outlining a vision for responsible renewable energy development in the state, which we will build upon to implement better state policies and actions (see <http://onda.org/protecting-wildlife-and-clean-water/climate-change/>)

In addition to collaborative processes, we work directly with developers to address wildlife habitat concerns upfront. In this way, we can save everyone valuable time and money by avoiding impacts to wildlands and wildlife.

### **What are ONDA's concerns related to renewable energy development?**

Environmental impacts, such as negative effects on critical wildlife habitat, from renewable energy development are not assuaged because this type of energy is cleaner. As with any use that may be permissible on public lands, there are some places that are better than others for energy development. Just like a house, we have rooms or spaces for particular needs. For example, we would not place a garbage can in the middle of our living room and in the same sense, we should not put development within migration corridors, critical wintering habitat, or ecologically irreplaceable habitats. Cleaner energy is necessary in the face of climate change and depleting fossil fuel resources, yet agencies and other permitting authorities should not permit energy development without critically examining the impacts. Without scrutiny through environmental review and the creation of suitable mitigation for unavoidable impacts, we are bound to damage those places and harm the wildlife we hope to protect in the face of climate change. Therefore, we need to plan this next phase of energy exploration responsibly, and recognize that some places should be off limits to any kind of development.

### **How are the environmental impacts of renewable energy development currently assessed?**

There are laws that exist to safeguard our natural resources, such as the National Environmental Policy Act (NEPA). This federal law





# PROMOTING A **BALANCED** ENERGY FUTURE FOR OREGON

requires agencies, like the Bureau of Land Management (BLM), to evaluate the impacts of any major action on public lands through an Environmental Impact Statement (EIS) or environmental assessment (EA). When development is proposed on public lands, NEPA allows ONDA and other groups to have an active role through public review and comment. In this way we can act as a watchdog to ensure impacts are completely evaluated and addressed by the agency. When energy development is proposed on private land, but the use of public land is proposed for roads, transmission, or other infrastructure needed to facilitate the project, the BLM must evaluate the full impact of the proposed project. NEPA also requires the agencies to review and address the cumulative impacts of multiple projects on the landscape.

In all cases, an energy project will require a permit by either the state or county, depending on the size of the development. In Oregon, wind projects of 104 megawatts or less only require a county conditional use permit. Projects over 104 megawatts are required to go through site certificate process under the Oregon Department of Energy (ODOE). While the conditional use permitting process differs by county in the amount of review, evaluation of impacts, and conditions required for the permit, the site certificate process administered by the State requires the Oregon Department of Fish and Wildlife (ODFW) to review impacts to wildlife and issues recommendations for site specific changes or mitigation. Additionally, the state is required to hold public hearings through the Energy Facility Siting Council (EFSC)—the official body that issues site certificates.

## **How is ONDA encouraging responsible energy development in Oregon?**

ONDA is dedicated to ensure renewable energy growth is achieved carefully in Oregon's high desert. We began with our 2009 report about wind energy development in Oregon's high desert (<http://onda.org/protecting-wildlife-and-clean-water/climate-change/WindReportRevision120109.pdf>). By working to make sure project impacts are fully evaluated, that places with sensitive and important natural resource values are avoided, and that proposed development employs sufficient mitigation to minimize impacts, we hope to ensure that renewable energy projects are truly "green." We make public comments to agencies and the EFSC, work on technical advisory committees facilitated by counties, and utilize legal expertise to help make prudent decisions and ensure that agencies follow the letter of the law in evaluating impacts. In addition, we are encouraging the passage of legislation and policies that will better define what responsible energy development means, require more thorough review of natural resource impacts in permitting and development, and provide incentives for responsible renewable development in Oregon.

## **What can you do to help?**

Right now, there are a few ways you can help to promote a responsible renewable energy vision for Oregon:

### **Contact your policy makers:**

Please tell your State Representative that you support House Bill 2208, which will fix a loophole in state permitting and help authorities better evaluate the cumulative impacts of multiple renewable energy projects in the same area. Tell your representative that you want renewable energy development to protect wildlife and natural resources to ensure truly green energy.

For HB 2208 see:

[www.leg.state.or.us/11reg/measpdf/hb2200.dir/hb2208.intro.pdf](http://www.leg.state.or.us/11reg/measpdf/hb2200.dir/hb2208.intro.pdf)

Contact information for your member can be found at

[www.leg.state.or.us](http://www.leg.state.or.us)

### **Write public comments:**

The final Environmental Impact Statement for the North Steens Transmission Line will be released this spring. It is important that BLM knows that this is not a responsible place for energy development and that Steens Mountain should remain free of development that would change the natural and historic character of the area.

For more, see

[www.onda.org/defending-desert-wilderness/steens-mountain-wilderness/steens-wind](http://www.onda.org/defending-desert-wilderness/steens-mountain-wilderness/steens-wind)

### **Comment on Sage Grouse:**

Additionally, ODFW is finalizing their Greater Sage-Grouse management plan for Oregon. It is important that any strategy includes limits to development actions and protects core sage-grouse habitat that is integral to maintaining a sustainable population. Let the ODFW Commission know you think this species and other sagebrush obligates deserve protection for long-term viability.

For the latest opportunity to comment, go to

[www.dfw.state.or.us/wildlife/sagegrouse](http://www.dfw.state.or.us/wildlife/sagegrouse)

### **Join ONDA's Sage Alert:**

Sign up to join our "Sage-net" email list to find out more about High Desert issues and receive the latest opportunities to take action.

*Thank you for joining us to protect the beauty and integrity of Oregon's high desert country for future generations!*





## LEGAL DOCKET

### Court order blocks steelhead habitat grazing

Livestock grazing harmful to endangered steelhead has been banned on more than a quarter-million acres of public land on the Malheur National Forest. In a Dec. 30, 2010 ruling, federal District Judge Ancer Haggerty ordered the Forest Service and National Marine Fisheries Service to reconsider the effects of the agencies' grazing plan on native steelhead streams before grazing can resume.

The evidence amassed over the course of the decade-long legal challenge showed that grazing has harmed steelhead by damaging hundreds of miles of stream and riparian habitat throughout the John Day River basin. The court order prohibits the Forest Service from allowing grazing on a vast area, including nearly 200 miles of critical steelhead habitat, until the agency complies with the Endangered Species Act. Along another 100 miles of steelhead streams, the Forest Service must carry out protective measures ordered by the court during the last two years. The agency also must comply with habitat monitoring obligations before resuming grazing.

The court order is the result of long-running challenges by ONDA and its co-plaintiffs, Center for Biological Diversity and Western Watersheds Project. The December injunction ruling follows the court's merits ruling last June that the Forest Service's grazing plan violated the Endangered Species Act and National Forest Management Act. Prior to that, the court issued a preliminary ruling in 2008 barring grazing on two allotments, which protected more than 90 miles of steelhead streams. In 2009, the court imposed strong conditions to restrict grazing and limit damage to streams.

In the places where the court orders have prevented grazing during the past two years, even a single year of rest has allowed for significant initial recovery of riparian plant communities, stream channels, and fish habitat. This legal victory not only validates ONDA's longstanding concerns over federal management of steelhead habitat, but also paves the way for restoring the stable stream banks, overhanging vegetation, and other habitat elements that keep streams clear and cold and ensure the survival and recovery of the steelhead.

### Lawsuits target uninformed grazing decisions

ONDA has challenged unlawful grazing decisions in other important high desert habitats on national forests in eastern Oregon. In October 2010, ONDA and co-plaintiff Klamath Siskiyou Wildlands Center challenged the Forest Service's decision to resume grazing in a sensitive wetland after seven years of restoration and excluding cattle – and to do so without first preparing any environmental analysis of the potential consequences of that grazing. Round Meadow is home to sensitive plants and mollusks, as well as the Oregon spotted frog, an amphibian on the list of species that, like the Greater sage-grouse, the U.S. Fish & Wildlife Service has determined is "warranted" for listing under the Endangered Species Act. Represented by Laurie Rule of Advocates for the West, ONDA hopes to block this damaging grazing until the agency first studies its environmental impacts as required by law.

In January 2011, ONDA challenged the Forest Service's decision to authorize grazing throughout the Malheur, Umatilla and Wallowa-Whitman National Forests, without first studying environmental impacts pursuant to NEPA. The Forest Service has invoked a provision from a 2005 appropriations bill rider that allows it to exclude

grazing decisions from NEPA analysis – but only if the agency has monitoring data showing that the grazing is meeting applicable ecological objectives and has demonstrated there will be no significant impacts to resources such as imperiled species, wetlands, congressionally-designated areas, and cultural sites. The agency has used the rider as a virtual blank check in these three forests, authorizing grazing in areas known to be suffering from grazing damage and for which the agency has little or no data. ONDA seeks a court order blocking these uninformed decisions and requiring the agency to collect and publicly evaluate environmental information before authorizing resource-damaging uses of public lands. ONDA is represented by Jennifer Schwartz, a former ONDA law clerk and now staff attorney for the Hell's Canyon Preservation Council, as well as Laurie Rule.

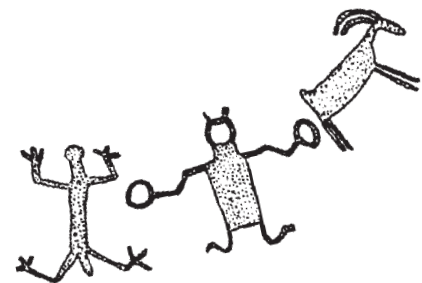
### ONDA wins important legal ruling in Steens case

In January, ONDA won an important ruling protecting the public's access to federal court. Federal Magistrate Judge Paul Papak ruled that ONDA had adequately raised during administrative proceedings all the legal issues it now pursues in its challenge of BLM's motorized travel plan for Steens Mountain. As a general rule, reviewing courts will not consider issues that were not presented to the agency during the administrative proceedings – i.e., during the public comment period or during an administrative appeal. This is the legal doctrine of "issue exhaustion." In this case, BLM invoked an extraordinarily narrow view of the requirement and argued ONDA hadn't exhausted most of the legal claims it raises.

The court agreed with ONDA's legal analysis that the courts have long viewed the requirement in broad terms, satisfying it so long as they gave the agency sufficient notice to understand the concern during the administrative proceedings. The court rejected BLM's and the Department of Justice's push for a hyper-technical pleading requirement that would have placed significant new restrictions on public access to the federal court system. The court will now rule on all nine legal theories, based on violations of four different federal laws, ONDA has advanced to show why BLM's Steens Mountain travel plan is illegal.

### ONDA asks for rehearing in land use plan case

In January, ONDA petitioned the Ninth Circuit to rehear our wilderness-based challenge to BLM's Andrews-Steens resource management plan. The court in December issued a short order denying ONDA's appeal. ONDA argues in its petition that the ruling is inconsistent with eight of the court's prior decisions establishing that when BLM is presented with opposing views and evidence – in this case, the 1,600-page ONDA citizen wilderness survey – the agency must under NEPA disclose and respond to the substance of the information, including by disclosing any contrary evidence and explaining why it rejected the evidence, as was the case here.





## ANNOUNCEMENTS

# Welcome, Allison Messina

Sometimes it's the smallest decisions that have the biggest consequences. When Allison Messina, a Massachusetts native, decided to take a trip to explore the national parks in several western states, she had no idea it would lead to a new direction in her life.

After experiencing the awe-inspiring mountains, rivers and deserts, Allison was hooked. It wasn't long before she left her non-profit career in Boston behind to start a new one in Colorado. And when the opportunity to relocate to Bend presented itself in 2005, Allison jumped at the chance to explore a new part of the country.



Allison Messina

Allison holds a B.A. in political science from Fairfield University. Her diverse nonprofit background includes traveling nationwide managing logistics for multiday breast cancer walks, work in the development office of a Massachusetts university and a five-year stint in Vail, Colorado organizing international athletic events. Since moving to Bend, Allison has managed a capital fundraising campaign for a local human service nonprofit organization and worked in health care.

For Allison, joining ONDA in November of 2010 and having the opportunity to focus her efforts on preserving Oregon's native deserts is the culmination of a life-long love of the outdoors, a newfound passion for Oregon's natural wonders and a career dedicated to helping connect people to the causes they care about.

# Farewell, Dave Becker

Thank you, Dave Becker!

After three years of tireless and outstanding work, ONDA staff attorney Dave Becker opened his own solo law practice in Portland in January 2011. His accomplishments for ONDA rank as some of the most important in our 20-year history. They include winning our



Dave Becker

long-standing challenge to destructive grazing in steelhead habitat in the upper John Day River basin on the Malheur National Forest, engineering the settlement that created the multi-million dollar Hart-Sheldon Conservation Fund, and leading the charge to block development of industrial-scale wind energy generation on Steens Mountain. His expertise in the areas of energy development, fish and wildlife protection,

and administrative law have formed a bedrock of much of ONDA's recent success. While we are sad to lose a top-notch counselor from our in-house team, we are excited to announce that Dave will continue to represent ONDA through his new practice. We count ourselves very lucky that Dave will remain one of the best advocates around for the sage-grouse, the sagebrush and all that we hold dear about Oregon's high desert. Here's to Dave's picking up right where he left off in our on-going effort to protect and defend these imperiled species and wild places!



The 2011  
Wild Desert  
Calendar

# Photos Sought for 2012 Calendar

ONDA is requesting submissions of photos to be considered for our 2012 Wild Desert Calendar. The chosen photos will be put into our calendar, which we plan to release in August 2011.

High priority areas are:

1. Proposed Central Oregon Wilderness - Hampton Buttes/Gerry Mountain/South Fork Crooked River WSA
2. Proposed Whychus/Deschutes Wilderness -Alder Springs and Steelhead Falls WSA
3. Owyhee Canyonlands
4. Bully Creek/ Malheur River
5. Steens Wilderness, Alvord Desert, Sheepshead Mtns
6. John Day River and Cathedral Rock Proposed Wilderness
7. Sutton Mountain WSA, Pat's Cabin WSA and Horse Heaven Proposed Wilderness
8. Hart Mountain National Antelope Refuge and Beaty Butte. Long Lake, Hawksie Walksie RNA and other areas between Hart and Sheldon Refuges

Please submit **no more than ten** of your highest quality photographs, using the following guidelines:

- Transparencies: 35mm, 2 1/4, 6x7, 4x5 or 8x10
- Digital images: Maximum quality JPEG files (2.5 MB/long edge 1024 pixels, 72 dpi) for initial submission, print quality 300 dpi TIFF files must be available if your image(s) are selected.
- Please send horizontal, landscape images (which may include people as small elements) for the large (9.25x12.25) full-page sheets, and smaller scale vertical or horizontal (details of flowers, wildlife, etc.) for the inset images on the calendar grid. Be sure that a description of each photograph is provided, either on the photograph itself, or on a separate sheet with corresponding numbers.
- The calendar will be printed in CMYK, which has a smaller color gamut than the RGB palette. Therefore, please be conservative with saturation increases and do not sharpen files.
- Please include a self-addressed envelope with your submission to ensure proper protection and return of your images.
- Please submit images by no later than June 1st, 2011.
- Images can be submitted to:

ONDA  
c/o Calendar Images  
33 NW Irving Ave.  
Bend, OR 97701  
or email: [katya@onda.org](mailto:katya@onda.org)

For questions contact ONDA at (541) 330-2638 or [katya@onda.org](mailto:katya@onda.org).



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 Bend, Oregon 97701

OREGON NATURAL DESERT ASSOCIATION  DESERT RAMBLINGS

## Annual Meeting set April 15–17

You are invited to join ONDA staff, Board of Directors and members for our Annual Meeting and to help remove old barbed-wire fence at the 35,000-acre conservation property near the John Day River, owned by the Confederated Tribes of Warm Springs. We'll be staying at the comfortable facilities of the Hancock Field Station. This is an excellent opportunity to learn more about ONDA and enjoy the beauty and solace of the high desert. After a day of restoration projects our hard work will be rewarded with a salmon bake by tribal members, and an evening of music and good company.

Hancock Field Station sits just two miles from the banks of the John Day River near Clarno, Oregon. The beautiful high desert setting is complemented by comfortable facilities. We'll be sleeping in wooden A-frame cabins, all of which have 12 bunk beds, electricity, and heat. Alternatively, bring your own tent and camp out under the stars. Hancock's dining hall serves nutritious, homemade meals. All meals are covered by the registration fee (there will not be a meal Friday night).

### ONDA'S 2011 ANNUAL MEETING

Hancock Field Station, near Clarno, Oregon  
 April 15–17, 2011

#### AGENDA

**Friday, April 15:**

Check-in and Orientation

**Saturday, April 16:**

Restoration work followed by salmon bake, conservation updates and live music.

**Sunday, April 17:**

Breakfast, check-out, optional day hikes or explore on your own

#### INFORMATION AND REGISTRATION

**Cost:**

Registration is \$75 per adult, \$45 per child (under 14) and \$210 for a family of four (2 adults, 2 children under 14)

**Contact:**

Katya Spiecker at (541) 330-2638 or [katya@onda.org](mailto:katya@onda.org)

**Register online:**

[www.onda.org/get-involved/events/2011AnnualMeeting](http://www.onda.org/get-involved/events/2011AnnualMeeting)

## 'Wild Lands' Policy

FROM THE OUTBACK from page 1

Southeastern Oregon RMP case in 2008.

The Ninth Circuit Court's decision, coupled with significant public pressure for a more enlightened approach to managing our public lands, left the Department of Interior with no choice but to find a way to comply with its continuing inventory obligation of wilderness-quality lands. Therefore, in December, Secretary Salazar issued the Wild Lands Policy, which reinstates BLM's authority to designate Wilderness Study Areas, now termed "Lands with Wilderness Characteristics."

Despite explosive rhetoric from some quarters, the fact is that the Wild Lands policy serves to restore BLM's commitment to the responsibility to inventory potential wilderness areas as outlined in the Federal Lands Policy and Management Act of 1976. This is a huge win for Oregon's high desert and I urge you to take a few minutes to offer your thanks to Secretary of Interior Salazar and tell Oregon's Congressional delegation that you support the Wild Lands policy.

As you will see in other articles, contacting Secretary Salazar and Oregon's delegation is just one of the many things that you can do to get involved in protecting and restoring Oregon's high desert in 2011. This year we have 30 multi-day work trips scheduled with slots for 400 volunteers in beautiful desert areas throughout Eastern Oregon and even a few at Sheldon Refuge in Northern Nevada (see page 7 for our list of trips). Also be sure to join us for our Annual Meeting in April at OMSI's Hancock Field Station in the John Day Basin (details on page 12).

Last but not least, I'm happy to announce that ONDA will be moving from our current office to a new space near Strictly Organic on Bond Street in Bend. This move has been much anticipated by ONDA's board and staff and we are looking forward to unveiling the new space in mid-April. As you will see, the space allows us to host more events at ONDA's office and involve even more volunteers in our work so please let us know or stop by if you are looking to help.

As an ONDA member one of the most important things you can do is tell a friend about ONDA's work. When you are done with this issue of Desert Ramblings, please pass it on to others who care about Oregon's desert wildlands and ask them to join our efforts. I look forward to working with all of you in 2011 to create another successful year for Oregon's high desert.