

An Update on ONDA's Efforts to Stop the Steens Wind Project

By Dan Morse
Conservation Director

For more than five years, ONDA has actively engaged in an effort to protect iconic Steens Mountain from an ill-advised, large-scale wind energy project proposed by Columbia Energy Partners, LLC (CEP) in 2007. Since that time ONDA has worked to prevent the impacts this project would create for wildlife and our public lands. ONDA has a long history of protecting the ecological integrity and natural beauty of Steens Mountain and was instrumental in the Congressional action to create the Steens Mountain Cooperative Management and Protection Area (CMPA) in 2000.

A unique ecosystem

Steens Mountain is among the greatest undeveloped landscapes and most important wildlife habitats anywhere in Oregon. As an unusually large and diverse complex of largely intact natural systems, Steens has long been recognized as a vital reservoir of biological diversity. As described in the Steens Act, the CMPA was intended to preserve "the long-term ecological integrity of Steens Mountain for present and future generations. No industrial development exists on the mountain or within the CMPA, development is limited to private ranches and small-scale or primitive campgrounds and recreation facilities."

Proposal's early years

In order to circumvent state permitting regulations, the developer segmented the project

into four smaller projects thereby limiting public comment to a local county process instead of a state process that is the norm for large projects. In April 2007 Harney County issued a conditional use permit to the developer for a portion of the proposal on private property just outside the protected area. The developer subsequently submitted three additional applications for wind energy facilities near the original proposal, and ONDA began a rigorous review.

As this issue escalated, ONDA was a leading voice in the broader discussion of renewable energy development. In 2009 ONDA completed a report that identified nearly a half million acres in Oregon's high desert that have wind resources and, unlike Steens Mountain, have low to moderate social and environmental conflicts and

are more appropriate for wind development. With this report as a guide, ONDA remains a proponent of responsible renewable energy development in carefully screened areas, but opposes wind development on Steens Mountain because of its many impacts.

Impacts on the Landscape

From the outset ONDA had many concerns with the Steen's project. Industrial wind development requires dozens of miles of roads, acres of sagebrush cleared for transmission towers, miles

of transmission lines crossing public lands, leads to noise and light pollution, and causes collisions with avian species, such as birds and bats. The project contradicted the Steens Act and the law's intention to limit development to activities that maintain the character of the area.

It was clear to ONDA that the Steens Act, which included a specific prohibition on another form of renewable energy (geothermal), intended to limit

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The Steens. Photo © Bruce Jackson

Is the Steens Wind Proposal on its Last Legs?

Steens Wind at a Glance

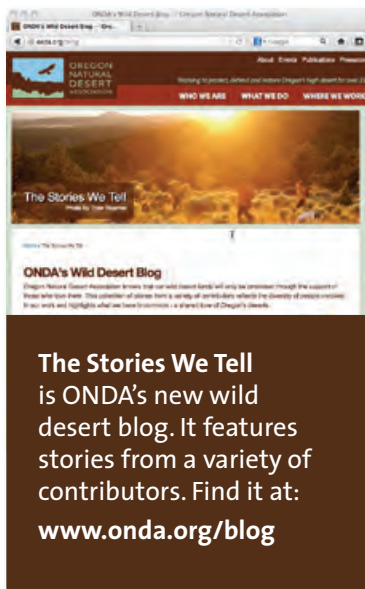
- > Steens Mountain protections eroded by proposed energy development
- > ONDA intervenes to protect wildlife and area character
- > After five years of opposition, recent developments may soon end the Steens wind project
- > ONDA supports responsible renewable energy development

INSIDE DESERT RAMBLINGS:

Protect: Oregon's senators introduce Wilderness legislation again. Page 4.
Defend: ONDA joins conservation partners in two legal actions. Page 5.
Restore: ONDA's schedule of field trips for members. Page 6.

Protect, Defend, Restore

By Brent Fenty, Executive Director, and Helen Harbin, Board President



2012 marked another banner year for ONDA and an opportunity to celebrate our 25th year in existence. Nearly 20 years after cattle were removed from the Hart Mountain Antelope Refuge, ONDA volunteers finally removed the last few miles of barbed wire fence from the refuge, ensuring that thousands of pronghorn antelope and other wildlife that call Hart Mountain home will be free to roam. In addition to this historic achievement, our stewardship program continued to post huge results, with 600 ONDA volunteers spending nearly 5,000 hours in Oregon's desert planting 13,400 trees, pulling out 100 miles of fence and charting 180 miles of the soon-to-be completed Oregon Desert Trail. As always, we are grateful to each and every volunteer who stuffed an envelope or planted a tree in 2012. I encourage you to check out the calendar of trips for 2013 on page 6 to see how you can get involved this year!

Our efforts to defend Oregon's wild deserts also saw a long-awaited victory last year with the closure of a decade-long series of legal cases to protect crucial steelhead habitat on the John Day River. First filed in 2003 by ONDA and our partners, these cases addressed over a century of destructive cattle grazing along more than 250 miles of steelhead streams in the John Day River Basin. As a result of ONDA's dogged advocacy, unprecedented new requirements for monitoring and improved management will now ensure that our public agen-

cies improve fish habitat benefiting native steelhead runs for generations to come.

These are just a few of our accomplishments from 2012, and we look forward to reporting many more to you in a year's time. As ONDA embarks on our next quarter century of desert conservation, we continue to look for ways to build support for Oregon's high desert. We are proud to have an active membership, many of whom read every newsletter from cover to cover. Based on member feedback and suggestions, we have taken on a new color format that we hope captures the true beauty and magnificence of Oregon's high desert.

Each newsletter will feature updates on our efforts to protect, defend and restore Oregon's high desert. Every issue of Desert Ramblings will also highlight some of our favorite places to visit and members who are going the extra mile for Oregon's high desert. Lastly, the newsletter will help connect members to ONDA's increasing library of online resources, such as our new blog The Stories We Tell. We hope you enjoy the colorful new format, and as always, we welcome your feedback on ways in which we can continue to connect more people to Oregon's deserts.

Please send your thoughts to: bfenty@onda.org

Your Donation at Work in Oregon's High Desert

THANKS TO YOU...

23 work trips to restore critical lands and waterways across Oregon's high desert are planned this year. Sign up at onda.org/volunteertrips.

2,019 individuals, including 226 new members, expressed their passion for Oregon's high desert and moved vital landscapes closer to protection.

1 new video, ONDA: A Voice for Oregon's Wild Deserts, highlights the opportunity to protect open spaces and wild places. View and share this video at onda.org/video.

Hundreds of handshakes, cups of coffee, and conversations shared with the people who live and work in Oregon's high desert have identified shared values that move conservation forward.

... and so much more, all made possible **because of you!**

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energy development within the CMPA. Steens Mountain provides important breeding and migration areas for numerous wildlife species. There is a migratory flyway in close proximity to the proposed development, as well as golden eagle and peregrine falcon nesting sites and critical Greater sage-grouse habitat. The area is also important for pronghorn, mule deer and bighorn sheep.

In addition to these concerns, ONDA objected to CEP's refusal to seek a site certificate through the appropriate state permitting process. ONDA strenuously argued for comprehensive baseline data collection and monitoring and expressed concerns about the fact that the project would require significant taxpayer subsidies. ONDA worked with numerous partner organizations, including Audubon Society of Portland, to highlight multiple concerns and alert the public to the possible impacts to Steens Mountain.

Legal Action to Oppose Steens Mountain Development

Despite these flaws in the project and the obvious impacts to public lands, the Bureau of Land Management (BLM) began its own review in 2009 and issued a decision to allow construction of the North Steens Transmission Line. ONDA opposed BLM's decision to support wind development on Steens Mountain and filed suit challenging it in October 2012.

With help from legal counsel, Advocates for the West, ONDA staff crafted a scientifically rigorous argument against the project and its impacts. ONDA submitted multiple Freedom of Information Act requests to the BLM to gather data and analyses from the agency. ONDA assembled five detailed personal declarations from wildlife experts, ONDA staff, and members about the likely impacts of the project. Legal counsel submitted a series



Backpacking in Steens Mountain Wilderness. Photo by Warren Roe

“ONDA worked with numerous partner organizations, including Audubon Society of Portland, to highlight multiple concerns and alert the public to the possible impacts to Steens Mountain.”

of briefs and oral arguments will be scheduled in early 2013. However, ONDA has learned of new developments that indicate this issue may be settled soon.

Is the End in Sight?

In an unusual move, CEP's legal team recently asked the court for permission to withdraw from the case without any explanation or public announcement. One effect of this departure is that CEP has not filed all of the required briefings and the status of the case is unclear. For its part, the BLM says it is unaware of the reasons for the departure of CEP's law firm and acknowledges that the case may or may not be a “live case or controversy.” While

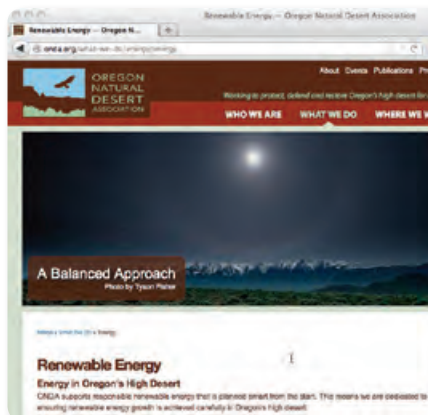
there is uncertainty, CEP has not formally withdrawn from the court case or withdrawn its BLM right-of-way application. ONDA is actively monitoring these developments and is hopeful that CEP will formally withdraw.

Additionally, ONDA has learned of two other developments that may signal the end of the Steens Wind proposal. ONDA understands that CEP has withdrawn its request for an interconnect agreement with the Bonneville Power Administration (BPA). This would mean that BPA is not preparing to connect the Steens Wind project to its transmission grid and the project would have no means of transmitting power. In

addition, several sources have indicated that Southern California Edison has cancelled the power purchase agreement for the project. This agreement would have enabled power developed from the project to be sold to customers in Southern California. Without this, CEP would have no ability to sell the power that would be generated by the project. Collectively, this could mean that the project is no longer viable and may come to an end in the near future.

Our Energy Future

ONDA is hopeful that more than five years of effort to protect Steens Mountain from the impacts of this ill-conceived wind development proposal will come to a successful conclusion. While we hope to celebrate this outcome, ONDA is mindful of the need for clean energy and looks forward to continued discussions about the potential for renewable energy in many areas of eastern Oregon with low conflicts. We envision a future where responsible energy development supports a transition away from fossil fuels without negative impacts to important wildlife habitat and landscapes like Steens Mountain.



ONDA supports responsible renewable energy. Read more at:
onda.org/energy

Oregon's Senators Renew the Legislative Effort to Create New Wilderness Areas in the High Desert

By Ben Gordon,
John Day Coordinator

As a supporter of High Desert conservation, you are likely aware of ONDA's stalwart commitment to the designation of Cathedral Rock and Horse Heaven as Wilderness. These lands had been introduced by Oregon Senators Ron Wyden and Jeff Merkley in two previous Congresses as standalone Wilderness Acts without successful passage into law. In 2013, they have been reintroduced – for a third time – as part of the Oregon Treasures Act of 2013. If passed by Congress, the public will enjoy consolidation of public and private land and the designation of two new wilderness areas totaling nearly 18,000 acres within the John Day Basin.

Reintroduction

Oregon Senators Wyden and Merkley recently reintroduced the Oregon Treasures Act of 2013, which includes Cathedral Rock and Horse Heaven. It is ONDA's hope that the 113th Congress will see to its successful passage into law. Since the 111th Congress, Senators Wyden and Merkley have worked tirelessly for its passage, but due to gridlock in Congress wilderness bills have received little consideration. In fact, the 112th Congress was the first since 1966 not to designate any new wilderness.

While we wish that Cathedral Rock and Horse Heaven had

taken a shorter path to protection, this extra time has allowed for outstanding issues to be resolved, further solidifying support for the proposal. There were some unresolved access issues which caused the Jefferson County Commissioners to rescind their support for the proposal, putting the likelihood of reintroduction in jeopardy. However, after focused efforts to bring together all of the key stakeholders – Jefferson County, private landowners involved in land exchanges, and Senator Wyden's staff – Cathedral Rock and Horse Heaven were included in the Oregon Treasures Act of 2013 and a Wilderness designation remains close on the horizon.

Road Access Solution

In spite of the fact that the Cathedral Rock and Horse Heaven Wilderness proposal would double access to public lands in the area, the Jefferson County Commissioners expressed concerns that the only access to Cathedral Rock would be via the John Day River. With 10,000 people annually floating the John Day River through the proposed Cathedral Rock Wilderness Area, the land exchange will provide necessary access to public lands along the river for camping and other activities. Outside of the boating season, the river is often low enough that visitors can easily cross over to Cathedral Rock from the Spring Basin Wilderness Area without even getting their shins wet. Additionally, the 9,497 acre Horse Heaven Wilderness Area would be easily accessed from a county road on two sides, resulting in a net increase of public land accessible via roads.

Even with this improved public access, Jefferson County

remains on the fence about whether to support the proposal, insisting that the public should be able to access Cathedral Rock from Muddy Creek Road year-round. In the eyes of the landowners involved with the proposal, year-round access from Muddy Creek Road is a deal-breaker because of concerns about trespassing, poaching, and public safety. The landowners proposed a solution that they felt was a good compromise: a seasonal closure of the road and the addition of a public parking area for access to the Cathedral Rock Wilderness Area. Jefferson County initially liked this idea, but when they received negative public feedback about a seasonal road closure the commissioners backed off.

It has taken several rounds of negotiations but an agreement is within reach that will satisfy all parties involved. Once this issue is resolved, we can say with

Will the third Time be a Charm for Cathedral Rock and Horse Heaven?



Cathedral Rock sunrise. Photo © Greg Burke

“... after focused efforts to bring together all of the key stakeholders, Cathedral Rock and Horse Heaven were included in the Oregon Treasures Act of 2013 and a Wilderness designation remains close on the horizon.”

Wilderness Legislation,
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Hells Canyon Pres. Council v. Connaughton: The Forest Service must reevaluate the environmental impacts of cattle grazing on more than 300,000 acres of public land according to a federal district court ruling in late January. In this case, ONDA joined Hells Canyon Preservation Council (HCPC) in challenging Forest Service decisions to authorize grazing without full environmental review under the National Environmental Policy Act (NEPA).

NEPA outlines the process federal agencies must follow in order to take a hard look at the environmental consequences of their actions. Agencies must prepare a detailed environmental impact statement (EIS) for actions that may “significantly impact” the environment.

Agencies may avoid an EIS and use a categorical exclusion (CE) for “actions which do not individually or cumulatively have a significant effect on the human environment.” A CE is not an option, however, where “extraordinary circumstances” are present. These are things like imperiled species, wetlands, and protected areas such as Wilderness. If any of these are present, the Forest Service must assess the potential effect of the proposed action on the resource, and determine whether the proposal may have a significant environmental effect.

In 1995, concerned with the Forest Service’s inability to complete timely NEPA reviews on expiring grazing permits, Congress passed the Rescission Act. The law allowed permits to be renewed under the same terms and conditions prior to NEPA review and set a schedule intended to ease the backlog. Yet, the backlog continued to grow. In 2005, Congress passed another law, this time allowing the agency to categorically exclude permit decisions so long as the decision continues current grazing management, monitoring indicates the grazing is meet-



Photo by K. Fite/WWP

ONDA and the Western Watersheds Project are trying to stop grazing damage in West Little Owyhee Wild and Scenic River drainage

This photo shows soil peppered with cattle hoof prints at Jack Creek in November 2012. The down-cut stream bank and vulnerable willows in the background are further evidence of grazing damage. Details below in ONDA v. Palma.

ing standards, and the decision is consistent with the agency’s “extraordinary circumstances” policy.

HCPC and ONDA argued the Forest Service unlawfully reauthorized grazing permits throughout the Umatilla and Wallowa-Whitman National Forests. Monitoring data showed that the grazing was falling short of forest plan objectives and that it was likely to have significant environmental effects on important resources protected by the extraordinary circumstances policy. The court agreed that most of the agency’s CE decisions were illegal.

The ruling includes an important analysis of cumulative impacts under NEPA, explaining that agencies must consider relevant factors – including cumulative impacts of related actions – as they review extraordinary circumstances and determine the significance of a project’s environmental impacts. The court observed that the Forest Service “failed to provide any explanation whatsoever” about the potential significance of cumulative effects on sensitive species such as steelhead and redband trout, the Columbia spotted frog,

and rare plants. The agency acknowledged other actions that are degrading the environment – such as use of roads, timber harvesting, mining, and wild and prescribed fire – but never explained why the cumulative effects of these other actions would not have the possibility of significantly affecting sensitive species if the newly-permitted grazing activities were added into the mix.

Livestock grazing can seriously degrade fish and wildlife habitat. Grazing cattle consume native grasses and plants important for wildlife hiding cover and food. Cattle trample and compact soils, increase soil erosion, and increase the proliferation of weeds such as cheatgrass, a rapidly-spreading, non-native plant that is replacing sagebrush. And cattle grazing alongside native trout streams destroy banks and streamside plants critical to protecting the cold, clear water these fish need to survive.

The court set aside the CE decisions and remanded them to the Forest Service to undertake a lawful cumulative impacts review. ONDA thanks lead attorney (and former ONDA law clerk) Jennifer Schwartz and her

co-counsel Laurie Rule for their excellent advocacy.

ONDA v. Palma: ONDA and co-plaintiff Western Watersheds Project (WWP) have called on BLM to protect against grazing damage along Jack Creek in the upper West Little Owyhee Wild and Scenic River drainage. In a routine field survey in November, WWP biologist Katie Fite discovered disturbing cattle grazing in this area. Grazing is prohibited within the Wild and Scenic River corridor by Judge James Redden’s permanent injunction in this case. ONDA won in 1999. The damage extends into the adjacent Upper West Little Owyhee Wilderness Study Area. We also documented an incredible abundance and diversity of archaeological sites throughout this part of the watershed – rimrock blinds, lithic scatter, worked pieces, and petroglyphs at literally hundreds of locations along and below the Wild and Scenic River rim and in the Jack Creek drainage. In addition to asking BLM to comply with the terms of the injunction, ONDA and WWP also asked BLM to perform overdue cultural resource surveys.



Save the Date, Save the Desert! ONDA's 2013 Field Trips

Rolling barbed wire on a ridge in the Pine Creek Conservation Area. Photo © Bill Crowell

ONDA 2013 Field Trips

April 11-14	Hart Mountain Lek Monitoring
April 19-21	ONDA Annual Meeting, Hancock Field Station
May 2-5	Long Draw Fire Monitoring and Wilderness Inventory
May 2-5	Malheur National Refuge Fence Building
May 3-7	Owyhee Wild and Scenic River Float
May 8-12	Oregon Desert Trail Water Inventory
May 10-12	Cherry Creek Riparian Planting #1
May 16-19	Beaty's Butte Wilderness Inventory
May 30-June 2	Owyhee Canyonlands Wilderness Monitoring
May 30-June 2	South Fork Crooked River Fence Pull and Build
June 1-4	John Day Float and Fence Pull
June 6-10	Oregon Desert Trail Three Forks to Rome Backpack
June 13-16	Logan Valley Riparian Planting Trip
June 20-23	Honeycombs Wilderness Study Area Weekend
June 20-23	Silvies Valley Spring Riparian Planting Trip
June 27-30	Wilderness Inventory of the Diablo Mountains
August 27-September 1	Steens Backcountry Fence Pull
August 30-September 1	Cherry Creek Riparian Planting #2
September 12-15	Pine Creek Conservation Backcountry Fence Pull #1
September 19-22	Moonlight Butte Wilderness Inventory Trip
September 19-22	Pine Creek Conservation Backcountry Fence Pull #2
September 27-29	Silvies Valley Fall Riparian Restoration Trip
October 10-13	Pine Creek Conservation Area Fence Pull: Rattlesnake Canyon

Volunteer Work Trips

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 to
register:
onda.org/volunteertrips

Questions?

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Ally with her dog, Ruca

Meet Ally Steinmetz

In this article, we celebrate you, the people of all ages, backgrounds and interests who make up the ONDA community and share an abiding love for our wild deserts. Learn what your fellow members have to say about ONDA and our deserts, in their own words.

What inspired you to become an active ONDA member?

There is not one landscape I care more about seeing protected than the Oregon high desert, and so it was only natural that I would become a member. I have always admired what ONDA does in their restoration, outreach and advocacy efforts to restore and defend the high desert.

Why do you care about Oregon's wild desert?

On a gorgeous Central Oregon day, I'd rather drive into the middle of the desert than up the Cascade Lakes Highway. I've spent many memorable days and nights exploring Oregon's desert. Nothing beats a desert sunset. I have a deep love for the otherworldly beauty of this unique landscape.

What would you say to existing and future members about ONDA's community?

I'm excited to be a part of ONDA's vibrant community. I live in Portland now and would like to help raise awareness about an ecosystem that stretches across the majority of our state. We can generate a lot of interest in this active city and work together to reach our goals.

What would you like to see ONDA accomplish in the year ahead? 5 years from now?

I hope ONDA continues with its volunteer programs and public outreach and extends that beyond Central Oregon to gain supporters in other parts of the state. I'm excited about upcoming events in Portland, and hope the Wild Desert Calendar continues to be a creative presence. Hopefully within the next 5 years we can see more areas become designated as wilderness.

ONDA is a member of EarthShare of Oregon, which brings support to environmental endeavors in local communities, across Oregon and around the world.



Annual General Membership meeting

April 19 – 21, 2013

Save the date and join us for a beloved ONDA tradition: the Annual Membership Meeting at Hancock Field Station near Clarno, Oregon! Get ready for a fun-filled weekend, replete with restoration work, a salmon bake, good music, and great company – an excellent opportunity to connect with the ONDA community and enjoy the beauty of the high desert.

Register and get details: www.onda.org/agm

Call for Photos: 2014 Wild Desert Calendar

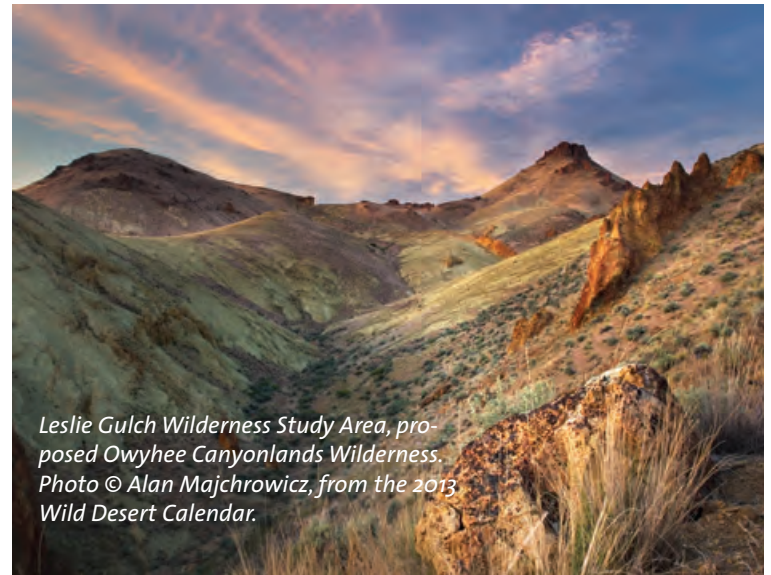
Deadline: June 7, 2013

Calling all photographers and desert lovers! Submit your best shots of Oregon's high desert for a chance to have your photos featured in ONDA's 'wildly' popular Wild Desert Calendar.

The calendar features the wildest places in Oregon's high desert to inspire action on behalf of the magnificent and relatively unknown landscapes ONDA and its members tirelessly work to protect.

Get calendar submission details, tips and guidelines:

www.onda.org/photosubmissions



Leslie Gulch Wilderness Study Area, proposed Owyhee Canyonlands Wilderness. Photo © Alan Majchrowicz, from the 2013 Wild Desert Calendar.

4x4 Field Vehicles Needed



When you donate your SUV to ONDA, you support efforts to protect and restore Oregon's native desert AND receive a tax deduction. Contact Barksdale Brown at hbbrown@onda.org or 541.330.2638 for more info.



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Wilderness Legislation, Continued from Page 4

confidence that this proposal has met the approval of an impressively broad constituency and is perceived as a resounding “win-win” for all involved.

Landowner collaboration

ONDA sought and earned the support of local outfitters, guides, government officials, public land agencies, conservation groups, residents, business owners, and of course, landowners.

What makes this proposal unique is how well the neighboring landowners have worked together to ensure the protection of the lands in their backyard. They have invested countless hours of their time devising solutions to hurdles that have arisen, in meetings to clarify the fine points of the proposal with various stakeholders, and have even taken trips to Washington D.C. to advocate for passage of the Wilderness Act.

Enhanced public protection

The third time is a charm! We are confident that the 113th Congress, the third Congress to consider Cathedral Rock and Horse Heavens’ fate as wilderness, will give us reason to celebrate.

We will be celebrating vastly enhanced public access and protection along a breathtak-

ing stretch of the John Day River and its uplands. We look forward to discovering new treasures within 8,500 acres of public land that have been largely inaccessible to the public, more than four miles of the Wild and Scenic John Day River added to public ownership with 12 new camp-

sites; and the protection of close to 18,000 acres of wild lands for future generations to enjoy!

If the promise of Cathedral Rock and Horse Heaven becoming Wilderness has you jumping around the room and making strange bird calls (like it does to me), here is how you can

help: get out your phone, your computer, or your pen and let Senators Wyden and Merkley know how much you appreciate their leadership and tireless work to protect Cathedral Rock and Horse Heaven as Wilderness.

Get involved at onda.org/take-action.

Public Land Access: Cathedral Rock and Horse Heaven Wilderness

