

## Testimony in opposition to

### H.R. 10082, the Oregon Owyhee Wilderness and Community Protection Act

United States House of Representatives  
Committee on Natural Resources  
Subcommittee on Federal Lands  
Legislative Hearing  
Tuesday, November 19, 2024

Chair Tiffany, Ranking Member Neguse, and Members of the Subcommittee:

On behalf of our millions of members and supporters, we write to express our strong opposition to H.R.10082, the Oregon Owyhee Wilderness and Community Protection Act. We support legislation that will improve management and conservation of public lands, waters and wildlife, promote community engagement, support local communities and economies, and elevate Tribal priorities in Oregon's Owyhee Canyonlands, but H.R.10082 would not accomplish these goals. Rather, H.R.10082 would undermine decades of federal law and policy governing public lands management; usurp the authority of the Bureau of Land Management; reduce the role of science, accountability and transparency in management; limit public participation in deciding the future of public lands; and burden the Burns Paiute Tribe's interest in reconnecting with the Owyhee Canyonlands with unnecessary constraints and insulting requirements.

To understand the effect of H.R.10082, it is important to first consider its genesis in the context of the past five years. H.R.10082 was developed by Oregon Representative Cliff Bentz as an alternative to S.1890, the Malheur Community Empowerment for the Owyhee Act, co-sponsored by Oregon Senators Ron Wyden and Jeff Merkley and introduced in the Senate in June 2023. Although both H.R.10082 and S.1890 address the same landscape, their approach to public lands conservation, management, community involvement, Tribal rights, and respect for existing federal laws could not be more different and diverge in very significant and problematic ways.

S.1890 began to take shape in 2019 when Senator Wyden convened a broad diversity of stakeholders in Ontario, Oregon, to explore the potential for a community-supported proposal for the long-term protection and management of Oregon's Owyhee Canyonlands. The stakeholders included a diverse array of ranchers, businesses, conservation groups, Tribes, hunters, anglers, academics, recreational interests, and others. Since 2019, the group has evolved to include additional community stakeholders and has met dozens of times to discuss, negotiate, develop and refine Senator Wyden's proposal.

In spite of the diverse and sometimes conflicting views, the group coalesced around a common commitment to protecting and managing the "long-term ecological health" of the 4.5 million acres of public lands in Malheur County. This commitment became a guiding principle for the group as they considered options to protect, manage, and sustain multiple uses in the Owyhee Canyonlands, ensuring that each provision was compatible with restoring and maintaining the long-term ecological health of the landscape as an outcome that would accrue benefits to all involved.

Of critical importance, in developing his proposal, Senator Wyden also established some key sideboards and made several important commitments of his own, including respecting Tribal rights and sovereignty, relying on science to govern public land management, and ensuring that his proposal would not undermine existing bedrock laws on public lands management and conservation.

Following dozens of meetings, thousands of hours of work and discussion by stakeholders, allies and partners over many years, S.1890 was voted out of the Senate Committee on Energy and Natural Resources with bipartisan support in December 2023. S.1890 includes the key components as agreed upon by community members, ranchers, the Burns Paiute Tribe and conservation interests:

- Designation of 1.1 million acres of wilderness in the Owyhee Canyonlands and surrounding areas, building upon 520,000 acres of adjacent wilderness designated in Idaho's Owyhee Canyonlands in 2009;
- Transfer of ~30,000 acres of public and tribal land into federal trust for the Burns Paiute Tribe and promotion of Tribal co-stewardship on surrounding federal lands;
- Establishment of a flexible, science-based grazing management and monitoring program designed to improve the ecological health of 4.5 million acres of public lands in Malheur County; and
- Creation and funding of a consensus-based, multi-stakeholder organization – the “Malheur CEO Group” – to develop and fund restoration and management projects throughout the region.

Although H.R. 10082 is nominally based on S.1890, H.R. 10082 would result in significantly different, harmful outcomes and negative precedents for public lands management. Key examples include:

- Section 2 would eliminate the definition of “long-term ecological health,” a core tenet the community supported to ensure sustainable management of public lands in Malheur County.
- Section 3 would eliminate the requirements for data collection, monitoring and adaptive management for livestock grazing, undermining the ability for ranchers, the Bureau of Land Management and the public to assess and manage the impacts, positive or negative, of adjustments to permitted livestock use. H.R. 10082 would also remove the requirement for Secretarial review, evaluation and, if necessary, adjustment of the grazing management program after 10 years, essentially making the program permanent before having any information about its efficacy.
- Section 4 would eliminate the consensus-based community group in favor of a much smaller committee weighted in favor of industry while excluding other key constituencies.
- Section 5 would undermine the recommendations of the Southeast Oregon Resource Advisory Committee, public process and federal law and policy by overriding the recently-adopted Southeastern Oregon Resource Management Plan Amendment, eliminating current and future conservation management on more than 3.5 million acres of public lands not designated as Wilderness. This would include the release of nearly 375,000 acres of existing Wilderness Study Areas and require that none of the 1.2 million acres of existing Lands with Wilderness Characteristics (LWCs) be managed to protect their wilderness values.

- Undermines wilderness and the Wilderness Act by establishing unnecessary roads and promoting motor vehicle access in protected areas, resulting in the designation of something other than actual wilderness.
- Section 6 would burden the Burns Paiute Tribe with financial obligations, requiring the Tribe to pay ranchers for adjusting grazing use to conserve their sacred lands, including paying for fencing to protect sacred sites from livestock. It further requires Tribal management to "protect the interests of those who hold livestock grazing permits," thus tying the Tribe's hands in how they manage their sacred lands.

We strongly oppose H.R. 10082, urge the Committee to vote "NO" on this bill should it move forward, and encourage Congress to focus on advancing Senator Wyden's thoroughly vetted, community-supported proposal for protecting the Owyhee Canyonlands that has already advanced to the Senate floor with bipartisan support.

Sincerely,

American Bird Conservancy  
Center for Biological Diversity  
Central/Eastern Oregon Bitterbrush Chapter, Great Old Broads for Wilderness  
Conservation Lands Foundation  
Endangered Species Coalition  
Environment Oregon  
Environmental Protection Information Center - EPIC  
Friends of the Owyhee  
Great Old Broads for Wilderness  
GreenLatinos  
Intentional Hiking  
Kettle Range Conservation Group  
Klamath Forest Alliance  
Love is King  
Oregon League of Conservation Voters  
Oregon Natural Desert Association  
Project Eleven Hundred  
Sierra Club  
Southern Utah Wilderness Alliance  
The Wilderness Society  
Vet Voice Foundation  
WildEarth Guardians