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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**OREGON NATURAL DESERT ASS’N,
THE WILDERNESS SOCIETY,
AMERICAN HIKING SOCIETY,
SIERRA CLUB, and OREGON WILD,**

Appellants,

v.

BUREAU OF LAND MANAGEMENT,

Defendants.

Appeal and Petition for Stay of Field
Managers’ Final Decision Dated
Nov. 28, 2007, involving the Steens
Mountain Travel Management Plan EA
OR-05-027-021

DECLARATION OF CRAIG MILLER

I, CRAIG MILLER, state and declare as follows:

1. My name is Craig Miller and I reside in Bend, Oregon. The following matters are personally known to me, and if called as a witness I would and could truthfully testify thereto.
2. I am past president of the Board of Directors of Plaintiff Oregon Natural Desert Association (“ONDA”). I also am a charter member of ONDA and serve as a part-time, contract employee of ONDA as a Geographic Information System (“GIS”) Analyst.
3. As part of my work as a GIS Analyst for ONDA, I am also an active participant in ONDA’s wilderness inventory program including on-the-ground documentation. I offer an explanation of how the Bureau of Land Management’s Travel Management Plan (“TMP”) decision contrasts with ONDA’s recommendations and how those differences will affect the members of ONDA and the public. My statements are intended to demonstrate that the BLM’s decision to designate nearly 600 miles of routes on Steens Mountain open to motorized vehicle

use will harm the public and the ecological integrity of wilderness quality lands within the Steens Mountain Cooperative Management and Protection Area (“CMPA”).

4. **Parcels with Wilderness Character:** Although BLM has identified about 3,700 undesignated acres within the CMPA as having wilderness character, ONDA has provided BLM with photos and analysis that documents an additional 77,600 acres as possessing wilderness character. This information was provided beginning in September 2003 with periodic updates, most recently in October 2007. An overview summary of these areas, as well as the routes ONDA proposed that BLM should close in the TMP, is delineated on the first two maps attached to my declaration. See Attachment A. Route closures recommended by ONDA within the CMPA are entirely within lands that currently are ostensibly protected for their wilderness values, or that ONDA has identified, using BLM’s own wilderness inventory protocol, as possessing wilderness character.

5. **Route Condition:** All routes that ONDA recommends for closure fail to meet the wilderness definition of a “road.” That is to say, all the routes that ONDA proposes for closure lie within roadless areas. Some of these routes have been reclaimed by natural processes to the extent that they are no longer visible. The remaining routes are so rocky, eroded, and/or overgrown as to be inaccessible to all motorized vehicles except those specially manufactured for off-road travel. None of the routes have been maintained to insure relatively regular and continuous use. ONDA has extensively documented the condition of these routes with geo-referenced digital photos. See Attachment B (ONDA’s May 2007 road inventory report and recommendations to BLM).¹

6. Moreover, BLM’s TMP decision would designate “Obscure Routes” in Wilderness Study Areas even though such routes cannot be located on the ground. Near the close of the TMP planning process, the BLM employee in charge of the TMP Environmental Assessment acknowledged that “[s]ince [these Obscure Routes] are obscure, I could not find them to actually GPS them during the TMP route inventory process” in the field. See Attachment C. BLM’s decision to open these “routes” to motorized use violates the Steens Act’s express prohibition of off-road motorized vehicle use, and is fundamentally contradictory with the Act’s single purpose of protecting the “long-term ecological integrity” of the CMPA.

7. **Effects on the Environment:** The benefits of large tracts of roadless areas to the environment cannot be overestimated. Biotic crusts, native vegetation, and wildlife all benefit in proportion to the size of the intact area. The routes ONDA have recommended for closure currently consists of a vast network of ways that divide wilderness quality lands into numerous, relatively small fragments vulnerable to soil disruption, erosion, weed invasion, and wildlife disturbance. Route closure would protect these fragile resources. Closure would have an additional benefit of reducing the carbon footprint caused by the gas-guzzling vehicles necessary to negotiate these routes.

¹ This document also is available on ONDA’s website at: www.onda.org/enforcing-conservation-laws/legal-actions/cases-1/onda-v-shuford-et-al-andrews-steens-rmp/ (May 21, 2007 entry).

8. **Effects to the Public:** The more than 9,000 public comments BLM received on this travel plan were overwhelmingly in favor of extensive route closures. The positive effects that route closures would have on the environment would in turn bring many benefits to the public. These benefits include the esthetic enjoyment of natural landscapes and wildlife viewing. The recognized benefits of wilderness quality lands such as primitive recreation and solitude would likewise be greatly enhanced.

9. **Harm from the Steens Mountain Travel Management Plan EA decision:** ONDA, its members, and members of the public will be irreparably harmed if the decision is allowed to go forward. The decision flies in the face of the majority of public input. The plan emphasizes high impact recreation to the detriment of other forms of recreation—particularly non-motorized recreation, which BLM has completely deferred to a subsequent, separate planning process, contrary to the Steens Act’s requirement that BLM’s transportation planning for Steens Mountain must be done “comprehensively” and include all forms of motorized and non-motorized use and recreation. The plan sustains fragmentation of a unique, vast roadless area. The decision will impair opportunities for primitive and unconfined recreation and solitude. It will result in accelerated ecologic degradation, including noxious weed invasion. In sum, the plan will thwart all the benefits that would be afforded by the judicious closure of unnecessary routes.

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Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED this 14th day of December, 2007.



Craig Miller