



HARNEY COUNTY COURT

Office of Judge Steven E. Grasty

450 North Buena Vista #5, Burns, Oregon 97720

Phone: 541-573-6356 Fax: 541-573-8387

E-mail: steve.grasty@co.harney.or.us

Websites: www.co.harney.or.us ♦ www.harneycounty.org

January 14, 2016

Sally Jewell, Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Secretary Jewell,

As you are well aware, we are in the midst of an armed takeover of the Malheur National Wildlife Refuge in Harney County. We cannot abide or support anything that these armed militants espouse as a justification for the unauthorized trespass and the crimes they have committed in their occupation of the headquarters at the Refuge.

We have learned a great deal in confronting this situation and I feel compelled to share our experience with you as we face this and, potentially, other situations of this kind in the west in the future. In addition, I would like to communicate with you about the challenges that we, and many communities in the west, face in working with federal agencies in carrying out our mutual interest in maintaining support for the sound management of federal lands in a manner that protects the valuable resources they provide the entire country, while respecting the local economies they support. It is for these reasons that I request an opportunity to meet with you at your earliest convenience.

There are three general areas, lessons learned if you will, that I would like to discuss with you as we develop a way to address what I consider as a misguided approach of these armed militants. The first area has to do with a fundamental understanding of the legal underpinning of the status of federal lands including the federal government's responsibility for management and administration of federal laws. We need to do more to ensure there is an understanding of the history of these lands and their status under the law. This may seem like a given to you, but there is clearly a misunderstanding among some in the rural west. In addition, we need to do more to ensure that communities and the Department of the Interior are fully engaged in a process of mutual education about the science and practices that lead to policies that accomplish our mutual interests as we undertake planning and projects.

Second is the area of collaboration. We have had three very significant successes in collaborative solutions in Harney County and Oregon that have created a relationship with federal agencies that has served us well as we deal with this current situation. While differences remain in our communities, I cannot imagine where we would be now

RECEIVED
2016 JAN 19 PM 1:33

without these successful efforts. The Malheur National Wildlife Refuge Comprehensive Conservation Plan; the Steens Mountain Cooperative Management and Protection Area (CMPA) that made the designation of a monument unnecessary; and the ground breaking Sage Grouse plan that avoided a listing under the Endangered Species Act. All gave us a level of support in the community. We need to double down on collaborative efforts throughout the West to knit national and community needs together in a way that sustains both. I would like to talk with you about how to make collaborative work easier to do and to make it a way of doing business that avoids the disconnect in which traditional processes often times result.

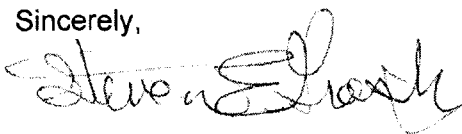
Lastly, an area we need to focus on is implementation. Plans for solutions require follow through in implementation. We need to ensure that the trust engendered in collaborative efforts is not lost in the failure to implement the agreements we have developed. There are examples in our county where this has occurred and it can defeat what we have worked so hard to accomplish. Worse, it calls into question the trust that comes from our mutual work. For example, the Steens Mountain CMPA legislation clearly called on the Refuge to fence inholdings. They have not done this, and have indicated that they have no intention of doing so. We must think about the institutional changes that need to be made to ensure that implementation can be achieved. One positive example of attention to implementation has been the recent appointment of Mike Haske in BLM to implement the sage grouse plan – we need to ensure he has the tools to succeed. This is a template for us to follow on a larger scale. We need to have someone who is a regional representative of the Department of Interior in the West who can bridge the various processes that individual agencies provide and to advocate for holistic solutions for national objectives on federal lands, as well as the communities where they exist.

Despite the successes mentioned above, many in my community continue to feel that the federal government neither listens to, nor hears, our concerns. While we have had some recent successes, this collaborative approach is not yet the norm, and we have decades of heavy-handed federal management to overcome. This will not be easy, and it will not happen overnight, but we must begin the process.

I ask to meet with you so we can chart a course that prevents, or successfully responds to, the kind of damaging occupation we are dealing with today. I feel it is our collective responsibility, both local governments and the federal government, to create a climate where support for these objectives can be effectively attained and supported in the communities where they exist.

Please know that I have experienced what can happen when we work together and I want to engage with you in this common cause throughout the West.

Sincerely,



Steven E. Grasty
Judge, Harney County Court

CC: Association of Oregon Counties
National Association of Counties