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**Testimony of Rick Johnson
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**Before the
House Resources Subcommittee on Forests and Forest Health**

**Regarding H.R. 3603
The Central Idaho Economic Development and Recreation Act**

October 27, 2005 – Washington, DC

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear today to discuss H.R. 3603, the Central Idaho Economic Development and Recreation Act of 2005 (CIEDRA). My name is Rick Johnson. I am the executive director of the Idaho Conservation League. For over 30 years we have worked to protect the clean water, wilderness, and quality of life of Idaho. In addition to these brief oral remarks, I ask that my full written comments be included in the hearing record.

I first appeared in this room as a young and nervous citizen witness twenty-one years ago. I would later spend eight years as a representative of the Sierra Club, spending upwards of 100 days a year here, lobbying the US Congress. For over ten years I have been the Idaho Conservation League's executive director.

I return to this Subcommittee as I did 21 years ago: humbled and speaking for land the people of Idaho love, the Boulder and White Cloud Mountains. I also appear having learned something since that first visit.

No wilderness bill has passed for Idaho in twenty-five years, not since Frank Church was one of our senators. One reason for this is that each time a wilderness proposal came from the Idaho delegation, the conservation movement was unable to collaboratively engage the delegation so rallied to fight them. I know this because I have had a leadership role in every serious attempt to protect wilderness in Idaho for over 20 years.

And each time we stopped a bill, afterward we'd come together and put forth a new proposal: bigger, better, bolder, and more protective of wilderness. Unfortunately, each new proposal of ours was even more disconnected from the realities of the politics of the state where we live. Don't get me wrong: Our organization supports and has long

articulated a bold vision for wilderness in Idaho, but as we look to that distant horizon, we are also looking where our feet can go, one step at a time.

Idaho is a conservative state. Like this Congress, Idaho is more conservative today than it used to be.

I appear today to speak for a bill I would not have written myself. We do not support some of the provisions it contains. But I speak for a bill that is connected to the politics of Idaho.

It is said that it takes a craftsman to build a barn, yet any fool can tear one down. We have a long track record of stopping Idaho bills. It is now, however, time to pass one, and this is the best opportunity we've had to do so in 25 years.

Before I describe provisions of this bill all conservationists find troubling, I would like to discuss public support, for, in Idaho, wilderness has long been controversial and public support is a key element to this endeavor. As Abraham Lincoln said, "With public sentiment, nothing can fail; without it, nothing can succeed."

The Boulder-White Clouds of Idaho lie in both Custer and Blaine Counties. These adjacent counties could not be more different, yet for different reasons owing to the breadth of issues in this bill, the county commissioners *in both counties* have voted to support Mr. Simpson's effort.

I'd like to draw your attention to the easel, and charts from a poll recently conducted by a highly respected Republican pollster:

After being told about each provision of the bill, after hearing various aspects of the bill's impact, support for the bill is nearly 60%, with supporters outnumbering opponents by more than two to one.

Let's now look at the partisan composition of that support. There is majority support for this bill from each political sector in Idaho. Republicans, Independents, Democrats.

Finally, I draw your attention to the majority support from the motorized recreation community.

This is enviable public support for a legislative package in any state, but particularly in Idaho. I would also like to call your attention to an editorial in support of the bill from this past Sunday's *Idaho Statesman*, our state's largest newspaper, and ask that this be added to the hearing record.

How did this bill get this support? One way is through a whole lot of work.

For the past several years the Idaho Conservation League has been talking to the people of Idaho, from all walks of life, from all political perspectives, at Rotary Clubs and

county fairs, around kitchen tables, and hearing rooms as well as campfires. Yes, we've been *talking* about the Boulder-White Clouds, but in doing so, we've also been *listening* a lot, too. In listening, we've learned that Idahoans, be they Republican or Democrat, rural or urban, rich in wealth or just rich in spirit, all love the outdoors, yet are also frustrated by politics of polarization on the issues that impact the outdoors, and in Idaho, everyone's lives touch the outdoors.

Another factor to gaining this level of support is from writing a bill that provides something for the key constituencies that could kill it. A criticism of the bill is that it is too broad, and has too much in it. While we agree, we recognize that it is this broadness that has generated the support for the bill.

We would like to comment on a few of the more troubling provisions:

Key economic development provisions in the bill are the land conveyances to Custer County. While this measure has evolved since the framework for this bill was released in 2003, and the acreage of the conveyances has decreased, these provisions remain one of the bills foremost liabilities.

We understand Custer County's desire to increase their tax base and economic opportunities. That said, conveyance of non-surplus public lands for private purpose is a difficult compromise to ask of the American public.

And while troubled by the land conveyances generally, we are particularly concerned about the conveyances around the City of Stanley in the Sawtooth National Recreation Area. We do not support conveyances, particularly those in the Sawtooth NRA. I would also point out that in the poll I cited, this provision of the bill is the **ONLY** provision that does not have majority support from the Idaho public, and if there is something most needing change in this bill, this is it.

There is a lot in this bill for the motorized recreation constituency.

Concerns have been raised from both the motorized and conservation community regarding the Boulder-White Clouds Management Area established under the bill. Like other provisions, this one is a mixed bag.

The special management area created in legislation makes permanent the summer motorized use on selected trails and snowmobile use in certain areas. We do not support this or other provisions that limit the management authority and discretion of the Sawtooth National Recreation Area.

We also do not support retention of the motorized trails in Germania Creek, to Frog Lake, or the others that bisect, yet are separate from, the wilderness designation. We do not support the loss of wilderness recommended by the Forest Service because of snowmobile use there.

It is important to note, however, that this designation would cap the number of motorized trails at current levels and provide more resources for enforcement. The Idaho Conservation League views this as a positive provision. Illegally used trails would not be legitimized by this bill, and no new trails will be created in the future. Likewise, the special management designation would ensure that existing non-motorized trails would remain non-motorized and that the area will not be further damaged by unregulated motorized recreational pursuits in years to come. In short, while we do not like making the status quo permanent, we do recognize that these trails are open today, and that the Boulder-White Cloud Special Management Area would provide limitations not currently in place.

I mentioned that I first appeared in this hearing room in 1984. I would like to direct your attention to the chart on ORV registrations and see the growth of this sector in the past 20 years, and consider the impact this is having on the land, on the wildlife, on the recreation experience for others, and for land managers trying to manage it. Rampant, cross-country motorized use on public lands has been identified by US Forest Service Chief Dale Bosworth as one of the greatest issues facing his agency.

Despite efforts by conservationists to advocate stronger restrictions on motorized use through two previous forest management planning processes, regulation of motorized recreation in the Boulder-White Clouds region has failed. While I respect that certain Sawtooth NRA managers oppose this portion of the bill, they have done nothing to reduce the impacts of this rapidly growing sector. Moreover, the land managing agencies have enabled motorized recreationists to become and more and more entrenched in Wilderness Study Areas (WSAs) and proposed wilderness areas. The motorized community in Idaho has millions of acres of federal public lands in Idaho already available for motorized recreation.

This chart demonstrates why Rep. Simpson considers motorized interests an important political constituency, but it also demonstrates why now is the time to both protect the fragile wilderness and more proactively direct use.

I have spoken to the need to move forward, and to the most troubling provisions of the bill. **I would now like to speak to the wilderness proposal for the Boulder and White Cloud Mountains.**

While the boundaries of this wilderness proposal are also a compromise, this is by far the most comprehensive proposal for the Boulder-White Clouds ever proposed by an Idaho Member of Congress, Republican or Democrat. It is not perfect. Special places have been left out, but it is a good proposal. This wilderness provision of this bill totals over 300,000 acres of the Boulder and White Cloud Mountain Ranges in Central Idaho. This is the primary reason the Idaho Conservation League has been and continues to be a stakeholder in this process. The Boulder-White Clouds is the largest contiguous block of unprotected National Forest roadless land outside of Alaska. The rugged, vast landscape contains more than 150 peaks rising above 10,000 feet. Hunting and fishing are extremely popular here, as the absence of roads creates large contiguous tracts of land

that support salmon spawning and big game such as elk, moose, mountain goat, bighorn sheep, black bear, and cougar.

The variety of roads provide excellent access, tremendous recreation opportunities and spectacular scenery; the Boulder-White Clouds are popular with Idahoans as well as thousands of people from out-of-state who come to enjoy these lands and generate millions of dollars for the local tourism industry.

Since its inception over 30 years ago, the Idaho Conservation League has worked diligently to protect this landscape as wilderness. If this legislation sold the Boulder-White Clouds area short, I would not be here today urging you to move this bill forward. From the beginning of our work with Congressman Simpson, the League decided that a palatable wilderness bill will ultimately have to protect the high peaks and valleys of the Boulder Mountains, and protect the open ridges, peaks and valleys of the east side of the area. We would still like to see improvements to the wilderness title—an increase in the 300,000 acreage wilderness acreage figure by adding part of the North Fork of the Big Wood River which constitutes the backdrop for world-famous Sun Valley and parts of Sun Valley Heli-Ski's permit, which the company has decided should be wilderness. We would also strongly support elimination of the remaining motorized corridor separating two wilderness units.

I know this country well, and have traveled its valleys and ridges for over 25 years. I've skied across the entire White Cloud range in winter, and I have walked it in summer. In our advocacy for this area, we have consulted with the people who know this country best, and imperfect as the boundaries are, they are wholly worthy of support. I should also point out that the part of the bill with the greatest public support is the wilderness designation, which is supported by 70% of the Idaho public.

Other provisions in HR 3603

Grazing provisions

The bill allows for donation or purchase of current grazing permits within the wilderness area, and grazing in these areas would be permanently retired. This provision is extremely important because many existing grazing allotments are within the upper East Fork watershed of the Salmon River and are considered critical to the recovery of fish species listed under the Endangered Species Act. The bill would allocate \$7 million to assist affected ranchers recapture economic opportunities that have diminished over time.

The Boulder-White Clouds are dry, steep, erosive and not suitable for grazing. Valley bottoms contain habitat for salmon and other species listed under the Endangered Species Act. This is a very important provision to CIEDRA.

Water

The water provision in CIEDRA is commonly referred to as “headwaters” language, which means that proposed wilderness lands are located at the headwaters of streams and rivers. The waters in the Boulder and White Cloud Mountains are all headwaters. The language recognizes that lands designated as wilderness would be properly managed to protect wilderness values and would not be suitable for the development of new or expansion of existing water facilities. No water developments have occurred in wilderness areas where headwaters language has been applied in the past. The bill would also specifically prohibit future development of any new water resource facility (including dams, reservoirs, and wells) or water right application within the designated wilderness. Consequently, the wilderness areas established under CIEDRA would have an extra degree of protection that Idaho’s existing wilderness areas do not have.

Disabled Access Provision

CIEDRA authorizes creation of first-ever wheel-chair accessible trails in wilderness. Because the Wilderness Act prohibits the use of motorized and mechanized vehicles in designated areas (with exceptions for emergencies), there has been some concern that this bill provision will weaken the intent of the original Act. The Americans with Disabilities Act of 1990 reconciled this issue by stating that wilderness shall not prohibit use by individuals with disabilities who use wheelchairs for everyday mobility. It also stated that managing agencies are *not required* to make special accommodations for such users, but there is *no prohibition* on making accommodations.

The trails would be “primitive access,” which means that they would be compacted and slightly leveled, but not paved, allowing a wheelchair user to navigate them unassisted. These short trails (approximately 1.5 miles) would also provide recreation opportunities for elderly users.

Conclusion

While I am troubled that conservationists are divided about this legislation, the Idaho Conservation League believes that if conservation is to be relevant, beneficial, and important to the lives of our fellow citizens, we have to do more than fight what is bad, we also have to achieve something that is lasting and good.

This is not a perfect bill, but let us not allow the perfect to be the enemy of the good. This is an Idaho bill with support of Idahoans. This bill includes compromises, but so does every bill that passes Congress.

This bill recognizes that if we are going to protect wilderness in Idaho for the first time in a quarter century, we have to engage the other constituencies who live there, work there, play there, and call it home and join them at the table.

There are those who speak against what they see as precedents in this bill; the precedent I am most troubled by is that of failure. And let me also offer the hope that on this issue,

we move forward, because failing to do so again squanders this opportunity, proves the naysayers right, and returns us to politics of polarization.

Wild landscapes define Idaho. It makes us different than every other state. And the Creator is not making any more of it. Idahoans want to protect this special place, yet we cannot do that without the support of the US Congress.

In closing, I would like to express my thanks to Rep. Mike Simpson. Congressman, you have done some remarkable work here. Having both Blaine and Custer Counties on board is extraordinary. Having majority support of the Idaho public is extraordinary. To do this, you have forced many of us to look beyond the concerns of the moment, to step out of default positions of the past, and have challenged us to look into the future. You have created the best opportunity in decades to protect a special part of Idaho. You have proposed the largest Boulder-White Cloud Wilderness ever by a member of the Idaho delegation, and at the same time you have forced us to listen and learn from our fellow citizens rather than simply talk over them.

Mr. Chairman and Members of the Committee, this morning, in the White Cloud Mountains of Idaho, the golden sunrise, as it does each day, touched the high summit of Castle Peak first. Today, on that mountain, shaking off the frost, a white and woolly mountain goat stood and greeted the morning, a day where we gather, here, thousands of miles away, to discuss this same remarkable place.

Be it for constituents of Custer and Blaine County in Idaho, be it for the thousands of people who've voiced their support for protection of this remarkable place, be it for your own constituents back home, or be it for that mountain goat on Castle Peak, we are entrusted with the responsibility for our actions.

It is time to protect the Boulder and White Cloud Mountains of Idaho.

Thank you.