

Statement of Representative Michael K. Simpson (ID-02)
HR 3603- The Central Idaho Economic Development and Recreation Act
Before the Committee on Energy and Natural Resources
Subcommittee on Public Lands and Forests

September 27, 2006

Mr. Chairman, it is a pleasure to testify before Idaho's senior Senator and alongside Idaho's junior Senator. I want to thank you for holding today's hearing on the Central Idaho Economic Development and Recreation Act (CIEDRA). It is historic that both Senator Crapo and I are here today with separate wilderness bills that were developed in Idaho by Idahoans for Idahoans. This is a significant occasion and a long time coming. I am pleased that after significant work in the House Resources Committee, we have moved CIEDRA out of the House and are here before your committee today.

Since my election to Congress, one of my priorities has been to resolve conflicts in central Idaho's Boulder-White Cloud Mountains. Mine is not the first attempt to solve management issues in this area. Senator McClure and Governor Andrus worked together to find a wilderness compromise. Representative Stallings and then Representative Crapo each made their own attempts. Their efforts faced a political climate that had little desire for compromise.

Things are different today; lawsuits, national monument threats, ESA protections for fish and wildlife, as well as a myriad of other restrictions and conflicts have forced all parties to reconsider the need for a compromise in the Boulder-White Clouds. Today we have a rare opportunity to control our own destiny by crafting legislation that fits the needs of the people who live and recreate in central Idaho while creating substantive wilderness.

During the past three years, my staff and I have had countless meetings with the groups and individuals that will be impacted by my proposed wilderness designation. These meetings included Custer County's commissioners, ranchers, snowmobilers, off-road vehicle users, outfitters, conservationists and others as well as public meetings I held in Stanley, Challis and Ketchum. What I heard made me believe that we could find a positive outcome in the management of the Boulder-White Clouds that benefits all users.

In my discussions I found there were some important issues that had to be addressed if this bill were to move forward. These include providing economic stability for Custer County, securing roads and trails for today's motorized recreation users and future generations of motorized users, providing economic viability to ranching families, and creating a substantive wilderness. CIEDRA represents my best effort at resolving these issues in a manner that provides certainty for today's users and future generations in the Boulder-White Clouds.

This bill is a carefully balanced compromise that seeks to protect the needs of the people who live and recreate in the Boulder-White Clouds while creating a substantive wilderness. It's unique in that we are trying to be inclusive and recognize the needs of motorized users, the community surrounding it, the ranchers who live in the area, even creating new opportunities such as a first of its kind "primitive access wheelchair trail" into the wilderness. The old approach to wilderness of sacrificing the needs of individuals and specific user groups to the benefit of others will not work anymore. I began this process with the assumption that those who are affected by wilderness creation must be a part of the solution. In short, the needs of the people who live and recreate in the area are as important as the lines drawn on a map.

What I have heard has made me believe we can find a positive, reasonable outcome for the management of the Boulder-White Clouds that benefits all users. It has also made me realize there are four main components that have to be addressed in this legislation.

The first component is the need for economic development in Custer County. Custer County is larger than three states yet has just over 4,000 people. Unfortunately, it is burdened with a high proportion of public lands with over 95% of the county's 3.4 million acres administered by federal agencies. As we will hear from Custer County Commissioner Hansen, this grossly disproportionate public ownership causes a severe strain on their resources. Simply put, the county's tax base, or more specifically the lack thereof, is inadequate to support the services required for such an expansive county. I think it's important to note, the county's citizens and taxpayers are supporting those who recreate in the area by maintaining roads, law enforcement, search and rescue, medical aid and other services, infrastructure and facilities.

The second component is ensuring our ranchers, outfitters, miners and others who are permitted to operate on Forest Service and BLM lands in the Boulder-White Clouds can continue to maintain their livelihoods. They need an opportunity to remain as viable and sustainable operations so that they and their children can continue their traditional way of life. I must say that at this point, we have not found the solution to compensating ranchers for their AUMs. In the House passed bill I remained silent on the grazing issue. I will continue to work to find a way to compensate these ranching families in a manner that provides for AUMs that they have lost and stand to lose.

The third component consists of recreation and motorized users who need certainty so that they are guaranteed continued access to recreation areas without finding their roads, trailheads, or snowmobiling areas have been shut down overnight.

The last component is to release 131,600 acres of wilderness study areas back to multiple use according to their current management plans and to designate approximately 319,000 acres as wilderness in the Boulder-Hemingway Wilderness, the White Clouds Wilderness and the Jerry Peak Wilderness.

I would like to address some concerns I hear regarding this legislation.

- 1) There are concerns with the transfer of 162 acres to Stanley and Custer County. As part of the overall compromise 162 SNRA acres adjacent to Stanley and Custer County is a small price to pay to create a 300,000 acre wilderness in the Boulder-White Clouds. With respect to these 162 acres, the land is being made available to aid the local economy by increasing the tax base through the sale of no more than 14 home sites and providing land for low income housing or parks and other public purposes. There are significant deed restrictions on these lands to assure that the SNRA's special qualities are protected.

- 2) I have heard that my bill will both create a “motorized Disneyland” and in the alternative it will “prohibit all motorized activity”. Under CIEDRA there will not be an increase in motorized use beyond existing motorized roads or motorized trails and at the same time motorized users will not be locked out of the Boulder-White Clouds. With the exception of closing one motorized trail and two segments of motorized trails, the SNRA travel map will remain as it is today with the requirement that if roads or trails are impeded they shall be fixed or placed in a manner that will allow continued access to traditional recreation areas or trailheads. As part of our compromise, we have closed the motorized Grand Prize corridor and we have left the Germania motorized corridor open. In addition, snowmobilers will be

locked into their high elevation snowmobile areas in the Fourth for July, Washington Basin, Champion Lakes and Warm Springs areas. By its name, the SNRA is a “recreation area” which encompasses many uses. Today and into the future, we will not deprive traditional recreation users for the benefit of others. The bottom line is that there will not be new motorized trails or roads beyond what are used today. My goal has been to maintain the status quo as close as possible so all can use and enjoy the SNRA.

- 3) Some have stated that there is no “trigger language” in CIEDRA and that promises made in the legislation will not be kept. What they do not state is that immediately upon enactment of CIEDRA the following will take place: Custer County and the local communities will receive their land grants; one million dollars that has already been appropriated will go immediately to Custer County; 131,600 acres will be released from wilderness study area into multiple use under the current management plans; the existing travel plan will be locked into place for motorized users as detailed above; as well as many other aspects of the legislation.

- 4) I have also heard that the pristine waters of the Boulder-White Clouds will be vulnerable to future appropriations by the State of Idaho. This is incorrect as CIEDRA contains language regarding water rights commonly referred to as "headwaters language". This language makes clear that the wilderness is high elevation land, that there are no upstream threats to its waters and thus, it is not necessary to assert a new federal water right to protect those waters. In addition, the language prevents any new water projects from being developed *inside* the wilderness. This language was first proposed by Colorado Democratic Senator Tim Wirth in 1993 and has been used a number of times to apply to that state's high elevation wilderness areas, most recently, I believe, by Mr. Mark Udall in the James Peak Wilderness designated in 2002.

- 5) In response to concerns by the BLM related to Section 302. “Land Acquisition and Acquisition of Unpatented Mining Claims in Management Area”, I am asking Senator Craig to remove that provision in markup or will remove it myself in conference. It has come to my attention that my intentions of acquiring unpatented mining claims within the management area will have unintended consequences on general mining law.

- 6) Finally, it is critical that the restrictions on development on SNRA lands conveyed to Custer County and Stanley in Sections 101 and 103 remain as written. These restrictions were developed cooperatively between the Sawtooth Society, the City of Stanley and the Custer County Commissioners. They are vital to the integrity of CIEDRA and removing or changing these provisions would alter the cooperative agreement that was reached in Idaho putting the true compromise of CIEDRA in peril. I would ask the committee to inquire directly with Commissioner Hansen regarding the necessity of these provisions when his panel is up shortly. Cliff was directly involved in developing the transfers and recognizes the importance of the provisions in providing “assurances” to the Sawtooth Society and others that any development on these parcels will take place as agreed upon with explicit restrictions.

There is no doubt that Idahoans are passionate about CIEDRA. In my office alone I have received over 3000 pieces of mail including personal letters, form letters, post cards and petitions. I know that Senators Craig and Crapo have received a significant amount also.

The scope and breadth of the bill is one of its greatest detriments in that it provides its critics an opportunity to read, interpret, and disseminate their views in any manner they see fit. This is not a

perfect bill. I have told many people that this isn't the bill I would have written- which sounds kind of funny since I'm the author- however, it's the compromise that best balances the needs of the people who live near and use and enjoy the Boulder-White Clouds. I would like to add that these compromises place the legislation on a precarious knife edge. I want to reassure people that I will not allow the compromises we reached in Idaho to be changed here in Washington in a manner that affects the substance of the bill.

To the people on each side of the wilderness debate who oppose this bill I would only ask-- are they fighting my efforts as a continuation of past wilderness battles- seeking all or nothing- or are they opposing my efforts because they think that today's users and future generations will be made worse off. It appears to me that those individuals and organizations on both sides who oppose my efforts would prefer to roll the dice and take their chances on the status quo of threatened lawsuits and litigation rather than see their own or another user group gain a certain, definite future for their continued use and enjoyment in the Boulder-White Clouds.

CIEDRA meets the needs of today's users and secures the future for generations of Idahoans who want to continue using and enjoying our beautiful Boulder-White Clouds. I firmly believe that this is our last best opportunity to resolve many of the long standing and thorny land use, recreation, and wilderness designation issues in Central Idaho. It may well be another 25 years before we see this chance again. By enacting CIEDRA, we can put to rest many long standing conflicts and move ahead to a stronger, more secure economy in the rugged, beautiful and productive heart of Idaho.

I want to thank Senator Craig again for allowing me to testify today.