

**TESTIMONY OF
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BUREAU OF LAND MANAGEMENT
BEFORE THE HOUSE RESOURCES COMMITTEE
SUBCOMMITTEE ON PARKS AND PUBLIC LANDS
OVERSIGHT - BLM IDAHO ISSUES**

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Thank you for the opportunity to testify today on behalf of the Bureau of Land Management. I appreciate the chance to report on the progress we're making in Idaho on providing for a wide range of multiple-use activities, while improving the health of the public lands.

The BLM in Idaho is working hard to carry out its broad management programs and responsibilities. We are striving to meet the social and economic needs of traditional users and local communities, while accommodating the increased use of public lands necessitated by the state's rapidly growing population.

We are working to provide for the military training needs of the Idaho National Guard and the United States Air Force while maintaining recreation, livestock grazing and other uses, and while sustaining habitat for important wildlife species, such as sage grouse, bighorn sheep, and birds of prey. We are seeking to protect expanding urban areas from the dangers of wildfire while utilizing fire more effectively to promote forest and rangeland health. And we are trying to maintain Idaho's extraordinary quality of life by working closely with state and local governments to address resource issues that ignore political boundaries, such as water quality and the spread of noxious weeds.

These are complex challenges, on which we are making steady and significant progress. We are making that progress with full recognition and respect for both state jurisdiction and private property rights. For example, the BLM is following state law and procedures in filing claims for water rights on public lands contained in the Snake River Basin Adjudication. In developing management plans for grazing allotments, we encourage land owners to consider how management of private lands could complement and help achieve mutual resource objectives (though any actions are, of course, entirely voluntary). Part of being a good public neighbor is respecting private property and as an example, our employees are careful to ask permission to cross gated private lands when access is needed for administrative purposes.

Allow me to update you on several important management issues and policies in Idaho: recreation trends on Idaho's public lands, BLM Idaho's law enforcement program, the Owyhee Resource Management Plan, Idaho's progress in renewing grazing permits, the U.S. Air Force's Enhanced Training in Idaho Project, and the Snake River Basin Adjudication.

Recreation Trends and Access

Recreational use of Idaho's public lands is booming as the population increases. The numbers are staggering. Over the past 5 years, trail-related activities, such as mountain biking and ATV use

have increased over 55 percent, boating is up over 60 percent, fishing and hunting have grown over 75 percent, and camping has increased over 20 percent. For example, boating use on the South Fork of the Snake River, near Idaho Falls, has increased well over 100% -- from 150,000 visits in 1992 to approximately 350,000 visits in 1998.

This tremendous growth challenges BLM's ability to continue to provide quality recreation opportunities while protecting valuable land and water resources. We are exploring every possible avenue to address the escalating demand for public land recreation. For example, we have established 12 recreation fee demonstration projects in Idaho including a joint effort with the Forest Service on the Payette River. All of the money we collect at these demonstration projects stays on site to maintain and improve the site. We are also reaching out to private and public partners throughout the state to help support recreational improvements.

Public access to public lands is becoming a vital concern as recreational demand increases. We are utilizing both new and traditional approaches to secure public access. For example, in the Boise Foothills we have partnered with the City of Boise, Ada County and the Forest Service to establish a trail system and secure easements for public access through private property to public land.

In addition, throughout the state we have used appropriations from the Land and Water Conservation Fund, and support from nonprofit conservation organizations and local and state government entities, to acquire easements that afford recreation access to the South Fork of the Snake River, an internationally-famous blue ribbon trout fishery; the Lower Salmon River, the longest free-flowing river in the lower 48 states; and Coeur d'Alene Lake, where less than two percent of the lakeshore is available for public access.

Law Enforcement

Regional development and growth have created a variety of challenges for both BLM and local law enforcement organizations. Vandalism of recreation sites, theft of landscape rock and mineral materials, and calls for search and rescue are increasing along with the use of public lands. We're responding to these challenges in two ways: by making a concerted effort to increase the level of communication and mutual aid between BLM and local law enforcement organizations, and by emphasizing the educational and customer service elements of BLM's law enforcement program.

The BLM Idaho law enforcement program places a high priority on cooperation with state and local law enforcement organizations. Nonmonetary mutual assistance agreements have been established with nearly all Idaho County Sheriffs' Departments. In addition, formal cooperative law enforcement agreements have been signed with the Idaho State Police and fourteen sheriffs' departments. These agreements enable the BLM to provide funding to help increase local law enforcement capabilities on public lands.

This cooperative approach to law enforcement is proving highly successful and is providing numerous benefits to BLM and local law enforcement programs, and to the publics we serve. I'd like to highlight a few recent examples:

BLM's Lower Snake River District Office recently received a letter of appreciation from Idaho Power at Oxbow and Brownlee Dams for the assistance of BLM law enforcement rangers during the Memorial Day Weekend.

Our law enforcement program has made special purchases of search and rescue equipment for the Owyhee County Sheriff's Department, and has assisted the Jerome County Sheriff's Office in purchasing their drug enforcement dog.

Idaho BLM law enforcement staff has actively assisted both State and local law enforcement organizations in marijuana eradication efforts.

BLM's law enforcement program in Idaho focuses on gaining voluntary compliance with laws and regulations by helping the public understand the need for the managed use of resources. This is accomplished by placing uniformed rangers in the field who emphasize public contact and education over issuance of citations. The BLM in Idaho currently has nine law enforcement personnel including seven rangers and two special agents who are responsible for nearly 12 million acres of BLM-managed land in Idaho. BLM law enforcement personnel, as with all law enforcement personnel, seek voluntary compliance before issuing citations whenever circumstances allow.

The Owyhee RMP

Idaho's population and recreation trends are also readily apparent in the BLM's Owyhee Resource Area, which can be reached in an hour's drive of the Boise-Nampa area. Last month the BLM released the Proposed Owyhee Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS) for public review. The EIS analyzes five alternatives, including the proposed RMP. The proposed RMP provides for the management of the full spectrum of resource values and land uses on 1.3 million acres of public lands in Owyhee County.

The proposed plan establishes management objectives and guidelines for maintaining and improving the health of public lands over the long term. It also establishes specific land use allocations for certain resources, such as land exchanges and mineral leasing, and provides recommendations to Congress for designation of wild and scenic rivers in the Owyhee Canyonlands.

The original Draft Owyhee Resource Management Plan was released in 1996. We received more than 6,000 public comments from 2,800 commentors during a 10-month comment period on the draft. The proposed plan incorporates numerous changes in response to those comments. The Proposed RMP is now subject to a protest period which ends August 2. We expect to issue the Record of Decision (ROD) in January of next year.

These are the key elements of the proposed plan:

Livestock grazing would be managed to achieve Idaho BLM's Standards and Guidelines for Rangeland Health, and State of Idaho water quality standards. Site-specific assessments for

achieving these standards will be prepared and implemented within ten years on all grazing allotments. Livestock grazing will continue at current levels and will be adjusted, where needed, based on site-specific assessments. The plan projects that, once fully implemented, livestock grazing could increase by up to ten percent over current active use levels.

Off-highway motor vehicles would be limited to use on existing or designated roads and trails throughout most of the resource area. Cross-country motor vehicle use would no longer be allowed because it increases soil erosion, damages vegetation and wildlife habitat, impacts cultural resources, and creates disturbances that help spread noxious weeds.

About 7,500 acres of juniper would be prescribed burned each year to improve watershed and wildlife habitat conditions. A total of 105,000 acres of juniper are identified for prescribed burning.

Approximately 200 wild horses would be maintained in the Owyhee Mountains encompassing three Herd Management Areas (HMA).

Roughly 325,000 acres would be available for disposal through land exchange or sale.

Nine existing recreation sites would be maintained and up to six new facilities could be built as recreation use increases. New facilities would support equestrian use, camping, and hiking.

12 Areas of Critical Environmental Concern would be designated, encompassing 167,373 acres. These designations will help to protect unique environmental, cultural, and scientific values.

163 miles of the Owyhee River and tributaries would be recommended to Congress as suitable for National Wild and Scenic River designation.

Given the increasing use of public lands, and the diverse needs and demands of public land users, we believe the Owyhee RMP offers a reasonable and balanced blueprint that, over the long term, will enable a wide variety of activities to occur in a sustainable manner.

Renewal of Grazing Permits

Another important program that has experienced substantial change in recent years is the BLM's process for renewing grazing permits. Both regulatory changes and court decisions have influenced this program. In 1995, BLM's grazing regulations were revised to require that grazing permits include management terms and conditions to help achieve local land use plan objectives and ensure conformance with statewide standards and guidelines for improving rangeland health. In 1997, the Department of the Interior's Board of Land Appeals (IBLA) issued a ruling in a case involving the Comb Wash Allotment in southern Utah, which emphasized and clarified the BLM's responsibility under the National Environmental Policy Act (NEPA) to adequately analyze the site-specific effects of livestock grazing on the environment in issuing or renewing grazing permits. In addition, a decision issued in Idaho last March by U.S. District Court Judge Lynn Winmill reinforced the requirement for the BLM, in issuing grazing permits, to "take a

hard look" at whether new or significant environmental impacts have arisen since the last environmental analysis was conducted.

The net effect of these factors has been that the BLM must carefully review its prior NEPA documentation, update the analysis where needed, and develop appropriate management stipulations as part of its process for renewing grazing permits. This represents a substantial workload in Idaho, where 518 grazing permits expire in 1999. We are working very hard to complete the required analysis and issue the grazing permits prior to September 30, 1999. Currently, 91 grazing permits have been renewed and we expect an additional 325 will be renewed by late July or early August. This would represent an 80% completion of a workload that is abnormally high; on average, 200 permits are up for renewal annually in Idaho. We are working diligently to complete the renewals in a timely fashion. This is a high priority for BLM-Idaho and for the Bureau. We want to make sure that permits are renewed timely and accurately.

We are working with the Department to explore all options within applicable laws and regulations to avoid disrupting permittees' or lessees' grazing operations in cases where it appears that permit renewal will not be completed timely.

Accomplishing this workload will help Idaho achieve two fundamental goals: providing long-term stability to livestock permittees by issuing 10-year grazing permits, and ensuring that livestock grazing is conducted in a manner that will maintain or improve the health of public lands.

Enhanced Training in Idaho

Increasing demand for the use of public lands is illustrated by the expansion of the Air Force Training Range in southwest Idaho, which Congress established in the Juniper Butte Range Withdrawal Act of October 17, 1998. The project, called Enhanced Training in Idaho, or ETI, includes a 12,000-acre primary target area, one 640-acre battlefield simulation area, five 5-acre "no-drop" target areas, ten one-acre electronic emitter sites, and 20 quarter-acre mobile emitter sites.

BLM and the Air Force entered into a Memorandum of Understanding that is recognized in the law, which identifies numerous low-level flight restrictions and other mitigating measures to be implemented. The statute directs BLM to assist the Air Force in establishing the new range and in monitoring the associated military activities. We are continuing to cooperate with the Air Force in the implementation of ETI and the mitigating measures.

Just last month the BLM and the Air Force signed an interagency agreement that provides for continuing cooperation in ETI implementation. Our goal is to maintain a solid, open working relationship with the Air Force, and to help ensure that public resources are managed properly as the project is carried out.

The BLM has made significant progress toward accomplishing its responsibilities in establishing ETI. Our accomplishments include:

Publishing the Federal Register notice containing the legal description of the withdrawn lands;

Preparing an official map of the withdrawn lands and filing that map and the associated legal descriptions with Congressional committees as directed;

Establishing an agreement with the Air Force to help suppress fires resulting from military activities; and,

Providing cadastral surveying assistance to locate the boundaries of the withdrawn areas and rights-of-way.

BLM has worked closely with the Air Force in consulting with the Shoshone-Paiute Tribes, to avoid conflicts with Native American cultural resource sites, areas of medicinal plants, or any other important cultural or sacred areas. Also, BLM has worked diligently to prepare a mutually acceptable and legally defensible decision to transfer livestock grazing Animal Unit Months (AUM) from one permittee to another, as required by the law and as specified by the related agreements between the Air Force and the permittees.

Snake River Basin Adjudication

Finally, I'd like to provide an update on the Snake River Basin Adjudication (SRBA). The adjudication began in 1987 when the Idaho State Legislature directed the State Courts to adjudicate the waters in the Basin. It encompasses the entire Snake River Basin in Idaho and is the largest water rights adjudication ever attempted in the United States. Like every other water user in Idaho, BLM was required by the State to file claims for all water being put to beneficial use on public lands.

The BLM conducted field inventories of all water sources on public lands and submitted approximately 16,700 claims to the Idaho Department of Water Resources. These claims represent current uses of water sources scattered over 11 million acres of public lands. This may sound like a great deal of water, but the total volume would irrigate only 350 acres of alfalfa. Although this is not much water, it is critical to the continuation of commodity uses of public lands, and to securing the long-term dependability of forage use for the ranching community and wildlife. The BLM only filed claims for water that was being put to beneficial use on public lands. The BLM made no new claims for waters being put to beneficial use on private lands.

The U.S. Supreme Court decision in March of this year United States of America v. State of Idaho et al. left intact the ability of the BLM to provide for long term use of water from springs and water holes under a 1926 Presidential Executive Order. This is not new policy. Thus, the Court held that the BLM may hold water rights on public lands.

Competing claims to water on public lands are resolved before the SRBA Court. Under the present court schedule these cases will be resolved over the next 6 years. The end result of the adjudication should be court decrees that will ensure the continued viability of BLM programs such as grazing, mining and recreation programs on public lands in Idaho.

Thank you for this opportunity to update you on the BLM's programs and activities for Idaho's public lands. I would be pleased to respond to any questions.

[LINK TO MORE INFORMATION ABOUT BLM ACTIVITIES IN IDAHO](#)