

Brad Robert Testimony

Mr. Chairman, and members of the panel, thank you for the opportunity to present testimony at this important hearing. I am Brad Roberts, Chairman of the Elko County Board of Commissioners. My testimony today will address the Social and Economic impacts of the listing of the Jarbidge River population of bull trout.

It is not possible today for me to provide you with the actual dollar impact this listing has had on the town of Jarbidge or our County. What I will share with you is a brief rundown of the adverse social and economic impacts we have seen, so that you might better understand how important this issue is to our County.

Jarbidge, Nevada, is one of the most remote towns in the lower 48 states, and could be considered as a mining ghost town. There are some 12 year-around residents of the town, and in summer this increases to 50 or 60. A large percentage of the summer residents are retired persons. The towns businesses comprise: a bed and breakfast, one bar/restaurant, a general store, and a gasoline station. Other amenities include a U.S. Post Office and Volunteer Fire Department. In addition, two outfitters conduct business in the Jarbidge Mountains.

The Jarbidge area is renowned for its Class 1 airshed, scenic beauty, and numerous outdoor recreation opportunities. These factors directly account for the bulk of Jarbidge commerce. Visitors enjoy a variety of leisure pursuits, including hunting, fishing, camping, hiking, backpacking, horseback riding, ATV and four wheel driving, birdwatching, and rockhounding. Key to the pleasurable experience of these visitors is access to the Forest System lands in the area. In turn, these visitors are key to Jarbidge's economic well-being.

Repair of South Canyon Road has been stymied by the emergency listing of the bull trout as a threatened species under the Endangered Species Act of 1973. Because the road has not been repaired, fire crews cannot readily access fires in Jarbidge Canyon south of Pine Creek, effectively placing the first fire line about three miles south of Jarbidge. This is unacceptable, as it clearly places a priority on the bull trout at the expense of people, their property, and the Forest. As a commissioner of this county, I am charged with protecting the lives and property of the county's residents. The listing of this fish is preventing me and my fellow commissioners from carrying out our mandate.

A General Accounting Office report issued in April of 1999, identified the Jarbidge area as one with high potential of catastrophic fire. If a fire were to begin south of (or, up-canyon of) the town of Jarbidge, it would, at the very least, inhibit visitors from spending time in the area, due to diminished recreational opportunities and scenic values. In a worst case, the town of Jarbidge could be destroyed.

Two issues are central to preventing a catastrophic fire: first, access is necessary so that fire suppression can be implemented while a fire is in its earliest stages. Secondly, land managers need access in order to properly reduce the fuel loads so that fires will be of lower intensity.

In addition to the fire suppression issue, the listing of the bull trout has prevented the Nevada Division of Wildlife from stocking sportfish in Jarbidge River. As the fishing experience is diminished by the lack of stocking, fewer anglers will visit Jarbidge, which reduces the revenue of the town's businesses.

According to an Environmental Assessment prepared by the Forest Service in 1998, there are six fewer campsites available in the canyon than there were before the 1995 flood that damaged South Canyon Road.

This may not sound like much, until you realize that there are only some 23 campsites remaining in one of the premier outdoor recreation locations in the state of Nevada. The lack of campsites undoubtedly has reduced the number of camping visitors, and dispersal of Forest visitors is hampered by the lack of suitable campsites, resulting in overuse of the remaining facilities. Some of which include toilets which cannot be serviced and certainly create a greater environmental concern than some silt in the water. Furthermore, according to the Forest Services 1998 EA, "Jarbidge Canyon is an important avenue for forest visitors to access the [Jarbidge] wilderness."

The Forest Service estimates that visitors to Forest System lands are increasing by 2 to 3 percent per year, but the Jarbidge area has experienced a reduction in facilities available for use by the visiting public. Fewer campers means fewer dollars spent in Jarbidge. In fact, Jack Creechley, owner of the Outdoor Inn, says that his business has fallen approximately 20 percent since the bull trout was listed. Another business, the Red Dog Saloon, has closed. Numbers of hunters have also declined, because the Nevada Division of Wildlife has reduced the numbers of deer tags issued, largely as a result of the drought we have been experiencing. While the reduction in hunters is not directly related to the listing of bull trout, it does become a part of the cumulative effects on the financial well-being of Jarbidge. Combined with decreasing numbers of fishermen, campers, and other recreationists, the impact is severe.

The "Economic Specialists Report for Jarbidge Canyon Road Reconstruction Project," authored by Doug Clarke and Clare Josaitis of the Forest Service, dated February 25, 1997, states that road reconstruction would result in the greatest numbers of visitors to the Jarbidge area when compared with no road reconstruction. The report states, "The local economy would do best under this alternative." Clarke and Josaitis (1997a) note that "Many factors, both natural and human caused, have cumulatively affected the economy of the town of Jarbidge." Included in their list of factors are:

- Lack of opportunities for further development of the town because it is surrounded by National Forest system lands
- The remote location of the town and its distance from substantial population centers
- The popularity of designated wilderness and its proximity to the town

Clarke and Josaitis, in their "Recreation Specialists Report for Jarbidge Canyon Road Reconstruction Project," also dated February 25, 1997, note that, "Prior to the 1995 flood, the Jarbidge Canyon road ended at Snowslide Trailhead, which was the most popular portal to the Jarbidge Wilderness, among horseback riders, backpackers and dayhikers." They also state, "It has been reported by Jarbidge business owners and **observed in the field** that visitor use in Jarbidge Canyon has dropped since the flood event. The over all decline in the number of people visiting the area is expected to continue under the current condition." Regarding the probable consequences of repairing the road, the report indicates, "Restored vehicle access to four camp areas above Pine Creek, would: (1) reduce but not eliminate the competition for campsites, (2) limit the amount of pioneering of new sites, and (3) reduce the amount of unauthorized camping within the town of Jarbidge." Clarke and Josaitis (1997b) indicate **that administration of the wilderness boundary would be most effective with the road repaired.**

For about ten years the County has been trying to comply with the Federal Clean Water Act by installing a filtration plant for the Jarbidge water supply, which has 100 connections. Because of a variety of bureaucratic complications, we are now looking at a one million dollar chlorination plant for a population of 60. Unfortunately, the bull trout is square in the middle of this, causing us to do additional scoping and

analysis prior to gaining approval for this vital project.

In addition to the potential for catastrophic fire, loss of recreation opportunities, and additional costs to the County and community of Jarbidge, another significant social impact of the listing of the Jarbidge River bull trout is the deterioration of the relationship between Elko County and its residents with the Forest Service. Prior to the listing, the Forest Service and Elko County had worked cooperatively, both on maintenance of South Canyon Road, and on repair of the road after the 1995 flood. With three years passing and nothing done to restore the road, Elko County had grown weary of what the Chief of the Forest Service, Dale Bosworth, terms "analysis paralysis" exhibited by the Forest Service, and in July 1998 the County took steps to repair the road, citing the threat of catastrophic fire as the reason.

The bull trout had been considered for listing, but had been considered low on the Fish and Wildlife Services priority list. The Fish and Wildlife Service was sued by environmental groups, and as part of the settlement agreement reached in that lawsuit, published notice of intent to list various populations of bull trout under the ESA. This was done in June of 1998. In July of 1998, when Elko County authorized repair of South Canyon Road, citing the threat of catastrophic fire, the Jarbidge River population was emergency listed as endangered. The emergency listing alleged that Elko Countys road repair efforts would put the fish in immediate danger. The County was ordered by the Corps of Engineers to cease and desist repair efforts one day after they began. Nevada Division of Environmental Protection issued its own cease and desist order, which was later found to be unsubstantiated.

Numerous previous studies conducted by the Forest Service had been favorable to road repair. With the emergency listing, everything changed. Without involving the County, the agency decided to close the road, which it did in November and December of 1998. Elko County Commissioners, and many Elko County residents, were understandably upset by this unilateral action. The cooperative association between the County and the Forest Service was badly damaged.

The loss of a cooperative relationship between Elko County and the Forest Service has done no good for either party, and has had a ripple effect throughout the County. A direct economic impact of this damaged relationship is the cost, to both Elko County and the United States, of the mediation and court-sponsored settlement proceedings. A number of Elko County residents will also tell you that Elko Countys economic diversification efforts have been hampered by Elko County taking a stand against what we Commissioners perceived as a federal agency overstepping its authority.

We realize that the Forest Service has nothing to do with the listing of the bull trout. We also realize that it is far better that the County and the Forest Service work together than to be at loggerheads. Elko County and the Forest Service have recently begun the lengthy process of restoring an air of cooperation, but it will not happen overnight.

The assessed valuation of private property and improvements in Jarbidge is some \$1,472,380. Our assessments are based on 35% of appraised value, so the total appraised value of private property in Jarbidge is \$4,206,800. Prior to the listing, it was virtually impossible to acquire property in Jarbidge. Today, about 10% of the property is for sale, and there are essentially no buyers coming forward. One business has closed.

These may not seem like severe impacts, and our situation certainly pales in comparison to the Klamath Basin. But this county, the 4th largest in the continental United States, with only about 50,000 residents, has about 72% of its area controlled by the federal government. Sales and property taxes are vital, and when

anything adversely impacts our tax revenues, the entire County feels it. Clearly, the impacts of actions taken by federal agencies are felt throughout our county. The listing of the bull trout, and its subsequent effects on recreation, the town of Jarbidge, and our relationship with the Forest Service, has been detrimental to our well-being.

The bull trout is a survivor. It is a glacial relic and there is no glacier for survival. It has lasted through floods, intensive grazing (nearly 400,000 sheep at the turn of the century), logging (stories tell of the stream being choked with sawdust for lumber for the mines), mining (which included the dumping of toxic chemicals into the stream), and sportsfishing. It coexisted with South Canyon Road for most of a century. Therefore, I conclude my prepared remarks with a request that you use every tool available to measure whether or not the bull trout is truly threatened by our road, or is, as we believe, doing just as well as it has for a very long time.

Thank you for the opportunity to testify. I will be happy to answer any questions you wish to ask.

References Cited

Clarke, D., and Josaitis, C., 1997(a), Economic Specialists Report for Jarbidge Canyon Road Reconstruction Project, USDA Forest Service, 8 pp.

Clarke, D., and Josaitis, C., 1997(b), Recreation Specialists Report for Jarbidge Canyon Road Reconstruction Project, USDA Forest Service, 12 pp.

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USDA Forest Service, 1998, Jarbidge River Environmental Assessment for Access and Restoration Between Pine Creek Campground and the Jarbidge Wilderness, Humboldt Toiyabe National Forest, June, 1998, 52 pp. plus appendices.