

Rep. Scott Bedke, Speaker of the Idaho House of Representatives
Testimony before the House Committee on Natural Resources
Wednesday, October 25, 2017

Mr. Chairman and members of the committee,

Thank you for the invitation to testify regarding the importance of protecting state sage grouse conservation in the West. We appreciate your efforts to provide Congressional protections for Idaho's sage grouse plans.

I am the Speaker of the House in the state of Idaho and a charter member of the Governor of Idaho's sage grouse task force. I am also perhaps uniquely positioned to testify regarding the Greater Sage Grouse. My brother and I run a family ranching operation. For five generations, our family has operated in the heart of Greater Sage Grouse habitat in the Great Basin of southern Idaho and northern Nevada. We understand the needs of Greater Sage Grouse. Our ranching operation is designed to operate according to the best available science and methodology to benefit the greater sage grouse and its habitat.

Idaho's sage grouse conservation efforts are designed to address the conservation of sage grouse in the state of Idaho using the best available science. That science determined that the largest threat to the sage grouse population in the Great Basin is, number one, wildfire, and number two, the invasive plant species that proliferate after a large fire. The best science also says that livestock grazing is a "second tier" threat -- and then only if the grazing is carried out improperly. Proper livestock grazing is not deemed to be a threat at all.

All of the sage grouse stakeholders were disappointed in the federal land management agencies' disregard for the decades of science and expertise upon which Idaho's sage grouse plans are predicated. Instead of adopting Idaho's sage grouse plan, the 2015 federal land use

plan amendments seek to punish livestock grazing with unreasonably large lek (breeding ground) buffers and impossible minimum stubble height requirements. If, as the science says, wildfire is the number one threat to the sage grouse population, then federal plan amendments that further restrict livestock grazing create an increased fuel load, thus making the habitat much more susceptible to larger and more frequent wildfires. The amendments are counterproductive to sage grouse conservation.

This past summer, my family witnessed first-hand how good intentions and a total lack of practical knowledge can backfire. Lightning started a range fire on one of our grazing allotments on the Nevada-Idaho border. The fire burned approximately 500 acres and was declared out and contained, and the fire crews left. The next day, the fire started again and burned approximately another 20,000 acres, all of which was in sage grouse habitat.

As the fire began to build again, the hard-working firefighters showed up with their fire-fighting equipment. To our surprise, most of the heavy equipment sat unused for hours. The fire continued to grow and get more out of control. Why? Because federal regulations prevented the use of fire-fighting equipment since a “cat tender” had not shown up. A “cat tender” is a person who walks in front a bulldozer as the fire line is created, in order to assure that no historical artifacts are disturbed. However, most of the time the fire line is laid down in areas that have already been disturbed, such as an existing road or fence line, as it was in this case – thus obviating the need for archaeological clearance or cat tending. So instead of extinguishing the fire, thousands of acres of prime sage grouse habitat burned. In fact, essentially the entire winter unit of our allotment was consumed in one large catastrophic wildfire.

These dangerous situations will be made worse by restrictions on fuel control activities such as grazing. There is nothing wrong with using a “Cat tender.” But federal red tape resulted in a perverse outcome. Rather than being able to quickly assess the situation on the ground and doing the right thing, those on the ground did not have the decision-making authority to adapt to a quickly escalating wildfire.

What we are talking about here is using common sense.

There seems to be a growing trend in federal resource planning of ignoring the needs of the Western States, to say nothing of the decades of wisdom and practical experience we can offer. Let me speak more specifically: Catastrophic wildfire is the top concern in Idaho sage grouse habitats. Our plans are designed to address the factors which can result in catastrophic wildfire. Federal sage grouse plans not only ignore Idaho’s science and our decades of experience in addressing these contributing factors, but they will actually make the situation worse.

Let me explain how this happened. Anti-grazing activists have been filing lawsuits for decades to list livestock grazing as one of the threats to the Greater Sage Grouse. Their theory has been to reduce AUMs by requiring a minimum stubble height on the range. Their justification is a completely unproven theory that a minimum stubble height requirement will help grouse hide from ravens and crows who predate on sage grouse nests. Because ravens and crows have been literally unmanaged for decades due to federal restrictions on predator control, their numbers far exceed historic levels. As a result, in many places, nest predation by ravens and crows is somewhere in the range of 60-90% of the sage grouse nests. So rather than

implement predator control to reduce nest predation, the BLM and Forest Service adopted unproven stubble height restrictions that will result in fewer AUMs.

In addition, there are common-sense changes that can be employed in firefighting protocols. In the process of placating anti-grazing activists, federal agencies have made the number one threat to the Greater Sage Grouse in Idaho worse. In fact, these federal amendments, if left to stand, will create an explosive wildfire situation throughout the Great Basin. This shows a lack of common sense and ignores the threat assessment and the best available science upon which the states' sage grouse plans are based.

Mr. Chairman and members of the committee, since 2014 we have been meeting with you and your staff regarding the coming disaster of these federal sage grouse plan amendments. The very things which we warned against were adopted by the BLM and Forest Service. This summer, our family witnessed the catastrophic wildfire which we had predicted could occur. More federal regulation is not helping sage grouse and their habitats; in fact, it is hurting. Placating anti-grazing, anti-sportsmen, and radical anti-use activists is making the situation on the ground worse for the Greater Sage Grouse. Good intentions are **not** good enough for the people of the West. These plans are bad for the West, bad for jobs, and bad for sage grouse.

We are encouraged by Chairman Bishop's sage grouse legislation. Western states have invested \$750 million dollars to address the needs of sage grouse. These state conservation measures need to be respected and protected. The previous administration's 2015 BLM and Forest Service sage grouse plans are misguided at best, catastrophic at worst. These plans are based on restrictions on human activity rather than addressing the real threats of

pinyon/juniper encroachment, wildfire, and post-wildfire effects, which account for the greatest challenges to sage grouse habitat in the state of Idaho and across the Great Basin. Instead, these plans seem to be based on the Wyoming and Colorado sage grouse plans which do not, and will not, work for Idaho.

This past winter, Governor Butch Otter and I visited Congressional leaders and expressed Idaho's strong support for reversing these federal sage grouse plan amendments and providing Congressional protections for Idaho's conservation measures. For the last 20 years, sage grouse populations have been steady or increasing in Idaho and across the West. We are committed to sage grouse conservation in the state of Idaho. For 30 years, radical environmental activists have been petitioning to list this bird and have been filing lawsuit after lawsuit. Greater sage grouse are not endangered. State conservation plans are working to protect and conserve sage grouse and their habitat. It is time to take Congressional action to protect the state plans. Please give the state-based plans a chance and some time to work. We in Idaho are committed to their success.

Thank you