

Testimony given by Mike Webster to the
House Subcommittee on Forests and Forest Health

Regarding H.R. 3603 on October 27, 2005

Chairman Walden and members of the Subcommittee, thank you for giving me this opportunity to discuss H.R. 3603, the Central Idaho Economic Development and Recreation Act. My name is Mike Webster, a 4th generation cattle rancher from Roberts, Idaho and President-Elect of the Idaho Cattle Association, a statewide organization representing the interests of Idaho's ranchers.

As you would imagine, this legislation has generated much discussion in Idaho. This is particularly true amongst members of the cattle industry. On one hand, due to the stringent standards and reductions that have been placed on their grazing permits, the ranchers in the affected area feel they must support this effort; they perceive this bill as their only alternative left to keep them from completely going out of business. On the other hand, we are concerned that this proposal will result in the end of grazing in the Sawtooth National Recreation Area and in parts of the Salmon/Challis National Forest and BLM area.

When the Sawtooth National Recreation Area was originally created, a sign was put up that, in essence, stated, "Welcome to the SNRA. Grazing, mining, timber harvesting, and recreation are the sustainable uses of the land." As time went by, there was an obvious shift in emphasis when this sign came down and another sign went up acknowledging only recreation.

In this legislation, Congressman Simpson accurately recognizes that "many of the ranching families...have found themselves unable to survive economically...". These ranchers have virtually been extinguished by over-reaching federal regulations and laws and by the court's misinterpretation of those laws. They have been trampled on time and again by government action. They have watched their livestock be decimated and harassed by wolves. They have had unachievable grazing standards applied on their permits as a result of the supposed presence of fish, without the benefit of sound rangeland science. I applaud this Committee for its recent action in approving amendments to the Endangered Species Act. This is a step in the right direction. Federal laws and regulations, such as the ESA, have been used as a hammer over the ranchers' heads, forcing them to reduce their permits year by year to the point where the ranching operations are no longer viable. Radical environmental organizations have used such laws in the court system to turn activist judges into land managers—to the point where I have to wonder why we have the agencies at all. From the agencies' standpoint, they would like to be able to do their job and be out on the ground rather than behind piles of paperwork created by the current system. Due to the application of the laws and regulations, we're bleeding from 10,000 paper cuts.

I would like to relate a story that provides insight into the circumstances of the area impacted by H.R. 3603. This summer, my wife and I drove along the East Fork of the Salmon River. She was not familiar with the area and didn't even know where we were at. Upon seeing the broken down fences and waist-high, overgrown grass, my wife questioned why the area was in such condition. After I explained that grazing and other land uses had been all but removed from the land, she said to me, "What a waste!" It is very telling for someone who has no involvement in the industry and little knowledge about it, to recognize the tragedy of the situation. When uses are taken off land, so are management and stewardship.

Therein lays our concern with wilderness. It is difficult for us to encourage any action that removes multiple-use (particularly grazing) from the federal lands, especially on a permanent basis. Livestock grazing is a wise and sustainable use of the land and, as a sound management tool, should never be removed from consideration. In addition to its role in sustaining the local economies of Idaho, public lands grazing fosters a good ecological balance as it promotes good grass growth, prevents or lessens the threat of wildfires, and controls the spread of weeds. As such, grazing is in harmony with the pure intent of wilderness. Therefore, the existing grazing leases should be protected if wilderness is created. H.R. 3603 currently states that "Upon cancellation, grazing permits shall be prohibited in the areas where permits were waived, and no future management allocations for grazing shall be permitted". It is concerning that this legislation, in its current form, could entirely eliminate grazing, and consequently, the economic base of Central Idaho. Rather, this bill should seek for a way to creatively leave the door open to enable federal agencies to utilize grazing as a management tool in the future.

While I'm sure the intentions behind H.R. 3603 are noble in attempting to alleviate the ranchers' problems, I'm not certain that paying them to get off the land is the solution. Rather, we would like to see a proactive approach identified in legislation that will allow the ranchers to continue grazing under their permitted numbers. It is our concern that this legislation will embolden the extremist groups' efforts to establish a programmatic permanent permit retirement program and will set a precedent that will make such an effort more easily attainable.

It is our belief that a grazing permit is private property that cannot be separated from base property without loss of value. When these permits are reduced or removed by the government, this action should be called a takings. Because this is the scenario with the permits identified in CIEDRA, this legislation should take the opportunity to treat these ranchers with a

fair hand by stating what has truthfully happened and setting a positive precedent; these permit were taken from the ranchers.

An aspect of this legislation which we will provide a small measure of relief and certainty to ranchers is its action on Wilderness Study Areas. Current law states that these areas will be studied for a period of 10 years and then the managing agency will make a recommendation as whether or not the land should be designated as wilderness. However, westwide, this has not been the case. Once a wilderness study area is created, the land is managed as defacto wilderness in perpetuity. The language in H.R. 3603 which either specifically designates WSAs as wilderness or releases the land will allow the ranchers to know what playing field they are on and will restore sound stewardship and wise use of the land.

In closing, I would like to commend Congressman Simpson for taking on this issue and acknowledging the problems that have been handed to the local ranchers. He and his staff have been diligent in working with us and various groups in an effort to find the best possible solution to this difficult and divisive issue. I respect and understand the local ranchers' reluctant acceptance of this bill. Yet, I believe that work remains on this bill to strengthen and preserve the ranching heritage of this area and to ensure that it will remain a sustainable, viable part of the economy of Central Idaho.