

April 21, 2016

Senator John Barrasso
Chairman
Subcommittee on Public Lands, Forests and Mining
U.S. Senate
Washington, D.C. 20510

Senator Ron Wyden
Ranking Member
Subcommittee on Public Lands, Forests and Mining
U.S. Senate
Washington, D.C. 20510

Hearing Statement re:

**S. 1167, a bill affecting the Owyhee Canyonlands Wildernesses in Idaho; and
S. 1777, a bill to allow additional, commercial recreational developments at
Smith Gulch on the Salmon Wild and Scenic River**

Dear Chairman Barrasso and Ranking Member Wyden:

On behalf of the undersigned organizations, we are submitting this testimony to express our strong opposition to two bills that will be heard today in your subcommittee. Please include this letter as part of the hearing record on S. 1167 and S. 1777.

S. 1167, a bill affecting the Owyhee Canyonlands Wildernesses in Idaho

This bill deals with six Wildernesses in the Owyhee Canyonlands area of Idaho that Congress designated as part of the 2009 Omnibus Public Lands Management Act, P.L. 111-11. The bill makes some minor boundary adjustments to three of these Wildernesses, to which our organizations do not object

But Section 3 of S. 1167 would allow ranchers to drive trucks, ATVs, or other motor vehicles to drive into all six of the Owyhee Wildernesses “for livestock monitoring, herding, and gathering...” It is this provision to which our organizations vigorously object, and for the following reasons:

- 1. This provision will significantly degrade the wilderness character** of these six Wildernesses by allowing ranchers to routinely drive into these Wildernesses. Such activities are not allowed under the 1964 Wilderness Act (36 U.S.C. 1131-1136).
- 2. This provision is unnecessary.** Ranchers across the West conduct their livestock activities inside designated Wildernesses without trucks and motor vehicles. There is

nothing about the Owyhee Wildernesses that would suggest ranchers here need special treatment not afforded to ranchers who use other Wildernesses for grazing their livestock.

3. This provision would be unprecedented in the National Wilderness Preservation System. It goes way beyond what is allowed under either the 1964 Wilderness Act or the 1980 Congressional Grazing Guidelines.

4. This provision could be replicated and expanded in future wilderness bills, thus leading to a corrosion of standards for the entire National Wilderness Preservation System. Such repetition and expansion of other wilderness-damaging provisions has already occurred for other issues in Wilderness, Congress shouldn't add to those problems with Section 3 of S. 1167.

Please remove Section 3 from S. 1167.

S. 1777, a bill to allow additional, commercial recreational developments at Smith Gulch on the Salmon Wild and Scenic River

This bill would allow additional commercial developments at Smith Gulch on the Salmon Wild and Scenic River in the Frank Church-River of No Return Wilderness. It is the epitome of a special interest bill that would commercially benefit a single entity, the River of No Return Lodge, at the expense of all Americans who value the Wild and Scenic River status of the Salmon River and the wilderness character of the Frank Church-River of No Return Wilderness in Idaho.

This bill should not be passed for the following reasons:

1. It will further degrade the wild Salmon River and the wilderness character of the Frank Church-River of No Return Wilderness. Specifically the bill would mandate that the Forest Service allow, without any ability to regulate, the use of motorized equipment, gasoline-powered electrical generators and associated electrical transmission facilities, hydroelectric generators and associated electrical transmission facilities, and solar energy facilities and associated transmission lines and facilities. This is not an exhaustive list. It is a significant expansion of existing authorizations, couched in terms of maintenance and replacement of existing practices and facilities.

2. The federal courts ruled that this lodge had been illegally constructed in 2000. A special rider was slipped into an unrelated spending bill in 2004 to allow this lodge to continue operation, but now the owner wants even more special favors.

3. The River of No Return Lodge lies on public land within a designated Wilderness and Wild River corridor; those who visit should expect a rustic and primitive experience, not one replete with the accouterments of a modern lodge. There are many other opportunities for that outside Wilderness.

4. This bill would reward the lodge owner who has a history of non-compliance and violations with U.S. Forest Service permitting requirements. As the U.S. Forest Service noted in a 2014 memo, “Between 2009 and 2012, for example, at least 5 different non-compliance/suspension notices were sent from the [U.S. Forest Service] to [the owner] based on lack of bill payment, proof of insurance, reporting requirements, and other permit violations. In addition, in 2011 [the owner] was investigated by the Idaho Outfitter Guide Licensing Board and Idaho Department of Fish and Game for reported infractions of licensing board and/or game and fish violations, both of which were in violation of his permit.”

For the reasons stated above, the undersigned groups oppose S. 1777.

Sincerely,

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