

**Testimony given by Mike Webster to the
Senate Subcommittee on Public Lands and Forests
regarding H.R. 3603 and S. 3794 on September 27, 2006**

Chairman Craig and members of the Subcommittee, thank you for giving me this opportunity to discuss the cattlemen's perspective on wilderness issues, particularly as it relates to H.R. 3603, the Central Idaho Economic Development and Recreation Act (CIEDRA) and S. 3794, the Owyhee Initiative. My name is Mike Webster, a 4th generation cattle rancher from Roberts, Idaho and President 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 locally-affected ranchers feel that without some sort of regulatory or legislative relief, their ability to remain in business is precarious, at best. On the other hand, we are concerned with any proposal that will, or is likely to remove grazing from the land.

General Views on Wilderness

Before I discuss any specifics about either bill, I would like to state some of our general philosophical views regarding wilderness. When uses are taken off the 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 specifically protected within the legislative language if wilderness is created.

It is imperative that when wilderness legislation is drafted, it is not crafted in such a way as to be used as the vehicle to put ranchers out of business. Unfortunately, history has shown that ultimately, and despite the Wilderness Act language citing grazing as an appropriate use, livestock are entirely removed from wilderness areas.

Furthermore, legislation should not explicitly call for the permanent retirement of AUMs. The option to use grazing as a management tool must always remain open. In the event that reductions in AUMs are called for, they should not be allowed without the justification of trend monitoring.

If, despite all of this, livestock grazing is reduced as a result of a wilderness or other land use designation, permittees must be compensated in a manner that will allow them to stay in business and maintain viable ranching operations. Simply paying ranchers to get off

the land is no 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 legislation which includes a grazing permit buyout 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. Ideally, legislation which removes or reduces AUMs should treat these ranchers with a fair hand by stating what is truthfully happening and set a positive precedent; these permits are being taken from the ranchers.

Lastly, it is our belief that any wilderness proposal should have the input and approval of the stakeholders. Several groups weigh into wilderness issues. However, it is important to remember that ranchers are the only ones who have everything at stake (with the possible exception of a limited number of outfitters). While other groups engage in wilderness dialogue because they simply have an interest in recreation or enjoyment of the land, ranchers have their entire livelihoods on the table.

Why Ranchers Consider Wilderness Legislation

You now have legislation before you that carries the support of some ranchers. Given the above concerns, what drives ranchers to accept wilderness designations? 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 had unachievable grazing standards applied on their permits as a result of the presence of one species or another, without the benefit of sound rangeland science. 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, or even Congress, at all. As has been the case in Idaho, an activist judge is apparently free to choose to completely ignore or misinterpret language approved by Congress. I'm sure that 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 to death from 10,000 paper cuts.

To illustrate this point further, I would like to explain to you some of the realities of ranching in the West. In an average year, ranchers net about \$50 per head of cattle. In a typical scenario, a rancher owns 100 acres of private ground but has permits to graze on thousands of acres of federal land. Because federal land ownership in an Idaho county may be as high as 93%, Idaho's ranchers are dependent upon the use of these lands in order to maintain viable businesses. If the federal grazing permit is taken away, that rancher would only be able to raise about 100 cows. We all know that it is impossible to

make a living on \$5,000 a year. The only viable alternative left to the rancher would be to sell off his land in such a manner as to obtain maximum return. The resulting conclusion is subdivisions and condos on small acreage lots. I don't think anyone would disagree with the fact that this is devastating to the land and to the habitat on which wildlife depend. Once this happens, the true character of the land can never be reclaimed. It is in the best interest of everybody, to encourage the viability of ranching operations. A strong cattle industry guarantees unfragmented landscapes and a solid economic base for the rural West.

The promise of release of wilderness study areas, which can provide a small measure of relief and certainty to ranchers, is a strong incentive for many ranchers to go along with wilderness legislation. Such is the case with both of Idaho's wilderness bills before you today. 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. Legislative language 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.

H.R. 3603, CIEDRA

Now turning to the merits of the legislation before you, I'll share with you ICA's current position on both Idaho wilderness proposals. Regarding H.R. 3603, our membership voted to not support CIEDRA, primarily because it contains no assurances for the continuation of grazing in the area. In short, as currently written, it fails to adequately protect and promote grazing within the SNRA and the proposed Boulder White Clouds Management Area or provide local ranchers with an acceptable alternative that would enable them to continue in the ranching heritage of the area. If the bill were to more adequately address some of the above stated concerns, we would revisit our position related to it.

S. 3794, Owyhee Initiative

Regarding S. 3794, the Owyhee Initiative, I must state up front that our membership has not yet had the opportunity to form direct policy on this legislation. This will occur at our annual meeting in November. Up to this point, ICA has been generally supportive of the process under which this agreement was developed. The collaborative effort has been inclusive of the locally-affected ranchers and the issues they deem necessary in order to maintain viable ranching operations.

Although we do not yet have a clear position on S. 3794, we have developed some interim discussion points related to some of the specifics of the bill.

First, it is important that the bill be amended to include language that would prevent implementation of the bill until it is funded in its entirety through mandatory appropriations. If the bill was implemented without the associated appropriations, the ranching industry of Owyhee County would be devastated. It is also important that the

funds used for this bill should not be used as an excuse to reduce the BLM's annual appropriations in this and other areas.

Also, the bill must include stronger language protecting the continuance of grazing in wilderness. As stated above, reductions in AUMs should not be allowed without the justification of trend monitoring.

Finally, the option to use grazing as a management tool should always be available. The bill should not explicitly state that the transferred AUMs will be permanently retired. Rather than eliminating livestock, 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.

Conclusion

In closing, I would like to commend Congressman Simpson and Senator Crapo for taking on these issues and working with the ranching community. I know that they have been diligent in working with various groups in an effort to find solutions to this difficult and divisive issue. Yet, I believe that work remains on these bills to strengthen and preserve the ranching heritage of these areas and to ensure that it will remain a sustainable, viable part of the economies of Central Idaho and Owyhee County. Thank you for providing the Idaho Cattle Association with the opportunity to provide our perspective on these important issues.