

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 2

BY RESOURCES AND CONSERVATION COMMITTEE

A JOINT MEMORIAL

1  
2 TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS  
3 ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF  
4 IDAHO IN THE CONGRESS OF THE UNITED STATES, AND TO THE SECRETARY OF THE  
5 INTERIOR.

6 We, your Memorialists, the House of Representatives and the Senate of  
7 the State of Idaho assembled in the First Regular Session of the Sixty-first  
8 Idaho Legislature, do hereby respectfully represent that:

9 WHEREAS, on December 22, 2010, United States Secretary of the Interior  
10 Ken Salazar entered Secretarial Order 3310 which sets forth as its subject:  
11 "Protecting Wilderness Characteristics on Lands Managed by the Bureau of  
12 Land Management," and requires the Bureau of Land Management to identify and  
13 manage certain lands, out of the 245 million acres it manages in the West, as  
14 de facto wilderness; and

15 WHEREAS, Idaho's Governor C.L. "Butch" Otter responded to this order in  
16 a letter to Secretary Salazar on January 12, 2011, wherein he expressed his  
17 disappointment in the order and the fact that it was made without any state or  
18 public input, proper notice or environmental compliance, including the Na-  
19 tional Environmental Policy Act. Governor Otter also expressed that the Bu-  
20 reau of Land Management's draft policy makes it clear that areas designated  
21 as "Wild Lands" will carry a heavy presumption of de facto "W"ilderness man-  
22 agement and that this type of de facto designation by administrative fiat was  
23 categorically rejected in the state of Wyoming's challenge to the 2001 Clin-  
24 ton Roadless Rule; and

25 WHEREAS, Governor Otter asked that the Secretary immediately withdraw  
26 the order and initiate proper federal rulemaking pursuant to the Administra-  
27 tive Procedure Act; and

28 WHEREAS, sixty-nine percent of Idaho's land is managed by governmental  
29 agencies, and federal agencies are currently purchasing more land using tax-  
30 payer funds to buy private property, removing such property from county tax  
31 rolls; and

32 WHEREAS, the Bureau of Land Management manages about one-quarter of  
33 Idaho land and has just initiated further restrictions for twelve million  
34 acres; and

35 WHEREAS, Idaho is a sovereign state, and it is the duty of its citizens  
36 to determine what is best for the state through the public process; and

37 WHEREAS, Idaho already has established the Frank Church River of No Re-  
38 turn, Gospel-Hump, Hell's Canyon, Sawtooth, Selway-Bitterroot and Owyhee  
39 wilderness areas and proposals are currently being drafted for additional  
40 wilderness areas including CIEDRA (Boulder White Clouds), Secesh, Needles,  
41 French Creek, Clearwater, Scotchman Peaks and the Selkirk; and

1           WHEREAS, Idaho's economy depends on the resources from these lands  
2 which create jobs and sustainable communities in rural areas and wilderness  
3 designations lock up the land from production; and

4           WHEREAS, in designating Idaho's current wilderness and other special  
5 management units, many compromises and agreements were laboriously and  
6 painfully worked out by all interests involved and specific legislative  
7 language was agreed upon to protect traditional uses. Once the designations  
8 were made, however, the compromises and agreements were forgotten and the  
9 protective language was circumvented. Idaho now finds itself again trying  
10 to protect access to lands that were to be available pursuant to the prior  
11 agreements.

12          NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
13 sion of the Sixty-first Idaho Legislature, the House of Representatives  
14 and the Senate concurring therein, that Idaho shall not support any type of  
15 wilderness designations without having used the public process which in-  
16 cludes the citizens of the state of Idaho; and

17          BE IT FURTHER RESOLVED that our elected officials are urged to defend  
18 this position whenever necessary with the full support of the citizens of the  
19 state.

20          BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-  
21 tives be, and she is hereby authorized and directed to forward a copy of this  
22 Memorial to the President of the Senate and the Speaker of the House of Rep-  
23 resentatives of Congress, and the congressional delegation representing the  
24 State of Idaho in the Congress of the United States, and to the Secretary of  
25 the Interior.