

**MINUTES**  
**(Subject to approval by the Committee)**  
**Federal Lands Interim Committee**  
**Friday, October 10, 2014**  
**10:30 A.M.**  
**Rick Allen Room**  
**Herrett Center for the Arts and Sciences--College of Southern Idaho**  
**Twin Falls, Idaho**

Cochairman Senator Chuck Winder called the meeting to order. Other members present were Cochairman Representative Lawrence Denney, Senator John Tippetts, Senator Sheryl Nuxoll, Senator Michelle Stennett, Representative Stephen Hartgen, Representative Terry Gestrin, and Representative Mat Erpelding. Senator Bart Davis and Representative Mike Moyle were absent and excused. Mike Nugent was the LSO staff member present.

Persons in attendance were Del Kohtz; John Perryman, Twin Falls County Democratic Party; Bill Benkula; Dale Turnipseed; Bob Sojka; Roy Hubert, Lincoln County Commissioner; Chris Talkington; Amanda Gearhart, University of Idaho; Catherine Talkington, Legislative Candidate District 24B; Representative Lance Clow, House District 24; Gus Brackett; Stan Mai, Magic Valley ATV Riders; John Rickets, Magic Valley Cattle Association; Sarah Nielson, Northwest Farm Credit; Kathleen McKeivitt, One Light Stand, LLC; Richard Perrott; Senator Lee Heider, District 24; Andy Brunelle, U.S. Forest Service; Dale Ewerson; Clayton Nielson; Judy Woody, Idaho Farm Bureau; Samantha Marshall, U.S. Senator Mike Crapo's Office; Kari Emond, U.S. Senator James Risch's Office; Melody Asher; Michael McBride; Leon Martin, Betty Slifer; Representative Steve Miller, House District 26; Dale Ewerson and Jim Simpson.

**Mr. Mike Nugent**, LSO staff, gave background information on the committee's charge. He explained that the purpose of the committee is to give the Legislature more time to study the subject that is too complex to complete during the regular legislative session. This committee is a two-year committee that ceases to exist after November 30, 2014. In order to continue beyond that date the Legislature will have to approve another concurrent resolution or enact a statute. The committee was formed pursuant to the adoption of [HCR21](#) and [HCR22](#) during the 2013 Legislature. He also explained that all information from past meetings is available on the LSO website at: [www.legislature.idaho.gov](http://www.legislature.idaho.gov)

**Senator Winder** explained that this is going to be a long-term process that will probably require a recommendation for some type of land commission to pursue the opportunities that are out there regarding federal land transfers. He noted that a lot of other states are interested in the issue as well and that it is a bipartisan issue across the West. **Senator Winder** noted that it is not easy and, if the state got all of the federal land back, there would still be endangered species and EPA issues to deal with. He added that the committee wanted to reach out to communities that are impacted by these federal regulations and hear concerns and stories about how they are impacted.

Written testimony was also accepted by the committee and that is posted at: <http://www.legislature.idaho.gov/sessioninfo/2014/interim/lands.html>.

**Mr. Del Kohtz** listed the following seven reasons why federal lands should be transferred to state ownership:

- Idaho needs the increased business and tax income for the state's budget. One of his daughters is studying to be a teacher and she doesn't know how she can make a living for herself and her children with the teachers' pay in Idaho.
- Idaho has the infrastructure in place to manage the lands. In his opinion, state lands are being managed far better than federal lands.

- Development of the non-scenic lands would provide jobs for our graduates instead of them moving out of state. Forty thousand dollars for a lot to build a home on is ridiculous when the federal government is locking up millions of acres of non-scenic lands that could be used for these purposes. Young families will be paying the mortgage for these lands all their lives and of course the banks will benefit.
- Local control of these lands by Idaho citizens is better for those who live here instead of management from Washington, D.C. He commented on the mismanagement of the BLM and Forest Service lands in respect to the wildfires every year and said Idaho's air quality caused by these fires is terrible each summer.
- The payment in lieu of taxes (PILT) paid by the federal government is a paltry sum in comparison to the sums that would be paid by an owner or lessee. He said he would pay fifty times what the federal government is paying on lands if he could farm the land.
- This land transfer has been done before in other states such as North Dakota and South Dakota. Look at what is being done in North Dakota and Montana on private lands. All of this has been done on private lands and everyone in the nation is benefiting from cheaper and abundant oil.
- This transfer is constitutional. He stated that the federal government was supposed to divest itself of these lands to private enterprise as soon as somebody wanted the lands. Government overreach has stopped this transfer into private hands at a huge cost to our economy and well-being. Private property ownership has been the basis for our prosperity all through our history.

**Mr. Kohtz** said federal government policies have choked the wealth-producing engine of this country. He said he wouldn't be surprised if this government is not following all of the other countries who valued freedom and self-determination and became controllers. He said Idaho can stop this by getting the land back into state control and control its our own destiny.

**Mr. Bill Benkula** said he understands some of the frustration with federal oversight of the public lands. He said some timber does need to be harvested and mill owners need material to saw. He is an avid hunter, and access to public lands outweighs the frustration factor. He said the idea of the state taking over the public lands probably means that a lot of those lands will be sold and then access to those lands for recreation purposes would be in question. **Mr. Benkula** said that North Dakota does not have a lot of state or federal land, and access for hunting purposes in that state is difficult. He said there needs to be better cooperation between the state and the federal government over management of the public lands.

**Mr. Dale Turnipseed**, retired Idaho Department of Fish and Game employee, said during his career land management by the state of Idaho has not been that good. He said the Department of Lands is understaffed and trust lands have not been managed all that well. He said the state constitution requires there be a profit motive on state trust lands and that can preclude things like access, wildlife or fish habitat.

**Mr. Bob Sojka**, a retired soil and water scientist, asked what assurance is there that public lands transferred to state control will remain in Idaho ownership? He said he opposes the large-scale transfer of federal land to the state of Idaho. He said Idaho does not have an experiential base for managing land at this scale, nor the infrastructure to do it. **Mr. Sojka** said in view of cronyism and sweet deals to connected people that have occurred by those currently in power in Idaho, he doesn't trust them to conduct business fairly, especially if transferred lands are sold off. **Mr. Sojka** said, by its very nature, sales of public lands involve large tracts that cannot be competed for by individuals or small groups compared to corporations and the ultra-wealthy. He said there has been no detailed financial analysis or budget or operational plan offered to the public, only ideology-charged rhetoric and such a detailed financial analysis and proposals for financing such a transfer should precede any serious action toward such a transfer.

**Mr. Roy Hubert**, Lincoln County Commissioner, said he has concerns for Lincoln County because it has a very small tax base. **Mr. Hubert** said 76% of the county's area is federal lands and that PILT is a large portion of the county budget. He also expressed concern about firefighting costs and noxious weed control. **Mr. Hubert** said the state of Idaho owns 3% of the land in Lincoln County. He said if the land is turned over to the state, he would like to see a mechanism so that the PILT payments could be replaced by the state. He added that control of noxious weeds also needs to be addressed.

**Mr. Chris Talkington** said he would like the federal government to maintain control of the public lands. He cited an Attorney General's opinion that concluded that Idaho has never had title to those public lands. He said if the state were to take control of the public lands it would cost \$240 million in year one and that figure would escalate to \$992 million by year five. He said Twin Falls County relies on PILT payments for its annual budget. **Mr. Talkington** said the state funding for the state parks system has been abysmal the past few years. He said land would have to be leased to the highest bidder if it were under state control.

**Ms. Catherine Talkington**, legislative candidate for House seat B in District 24, said during her campaigning she has knocked on 6,500 doors and she has listened to the people's deep interests about keeping the land open for everyone's use. She said she has heard the following three main concerns:

- The Attorney General's office has opined that the federal government owned the property before Idaho became a state and that Idaho gave up any claim to those unappropriated lands forever.
- That special interest money supports some Idaho politicians who are pushing to put public lands up for high bid and is endangering our state's second largest business. She said tourism is a \$6.3 billion industry employing 77,000 people who pay \$450 million in taxes. In addition, 70% of Idaho's cattle graze on cheap federal land fees and a number of Idaho counties depend on PILT payments to provide public services. She said \$28 million dollars are at risk from the loss of PILT funding and the Twin Falls School District received \$90,000 from endowment lands this year.
- The derision by some Idaho politicians for the immense number of people who fish, hunt, camp, hike, ATV and ride the scenic waters, not to mention the cattle ranchers whose livelihoods are threatened... it is distortion of our heritage. When the use of public lands for business, recreation or balancing budgets is characterized as simply "playgrounds for environmentalists," it is easy to see why public confidence in the Idaho Legislature is so low.

In conclusion, her message is to keep public lands accessible to Idaho citizens and don't try to lease them out to the highest corporate bidder.

**Mr. Gus Brackett** said Congressman Mike Simpson commissioned a study that found \$295 million were expended on BLM and Forest Service lands in Idaho and only \$18 million in revenues was collected from those lands. **Mr. Brackett** said Idaho can manage these lands better. He said if the state takes over the federal land, there needs to be some form of revenue sharing. He said some taxing districts are hamstrung because of the lack of a tax base. **Mr. Brackett** thought that rangeland fire protection costs for the state would go down because of better management, reducing the fuel load and a quicker response when a fire breaks out. **Mr. Brackett** said federal government management is inefficient because the people in charge are insulated from failure and that privatization has been shown to be the ultimate solution for managing the commons.

**Mr. Richard Perrott**, a farmer/rancher near Filer, said he is ambivalent about the state taking over the public lands. He said the Western Watersheds Project has interfered a lot in land management issues, but he also said the state of Idaho does not handle land management any better.

**Mr. Clayton Nielsen** of Kimberly said he came to Idaho because of all the public lands and opportunities to recreate on them. He said the Legislature does not seem to budget for recreation. He said the logging industry does not have to be the antithesis of hunting but that they can coexist.

If land is just logged, it can be a boom or bust type business and the state may have a difficult time budgeting because of the cyclical nature of that industry.

**Mr. Michael McBride** said he enjoys using federal lands both for gathering of firewood and for being a rock hound. He said it is great that the federal government owns the public lands because it is open to the public. He said if the state takes over the management, the state's share of fire suppression cost is going to be very high. He also said ranchers get a good deal grazing cows at \$1.35 per AUM.

**Mr. Leon Martin** is a third generation Idahoan and he urged the committee to not try and take over the federal lands. He said Oregon beaches are public and the public can go and use them, but that is not the case in a good portion of California. He asked the committee not to sell the lands to the highest bidder.

**Ms. Betty Slifer** said that people in the Magic Valley love to fish, hunt and cut wood. She said if the federal lands are turned into state lands, politicians would gain, wealthy entrepreneurs would gain, and local people would be hurt. She said wilderness lands are a good model of how to manage lands.

**Mr. Jim Simpson** is a U.S. Forest Service retiree and has also been in the Idaho National Guard. He said he is against the transfer of the public lands to state control for a lot of the reasons that have already been stated. He said one reason that has not been articulated is that the state could lose some valuable highway money if the lands are turned over to state control. He said it is ironic that the state is attempting to take control of the public lands while another group has been trying to get national monument designation in the Boulder-White Clouds area.

**Senator Winder** said the concerns that have been voiced are important and that a lot of questions have been generated.

The public hearing was adjourned at 11:45 a.m.