



Attachment 1
4/1/15

Posted: Wednesday, April 1, 2015 12:00 am

By ERIC BARKER of the Tribune | 1 comment

Defending a vote last week that could lead federal land to be transferred to state and local governments, U.S. Sen. Mike Crapo said Tuesday that Westerners got a raw deal when they had to give up most of the property within their borders at statehood.

"I have always felt that states west of the Mississippi were not treated fairly, or fairly with the states who received the lands within their borders, mostly east of the Mississippi," he said.

Crapo and his seatmate, U.S. Sen. Jim Risch, both Republicans, voted in favor of a budget resolution amendment offered by Sen. Lisa Murkowski, R-Alaska, that paves the way for future legislation that would transfer federal land to state and local governments. The resolution passed the Senate Friday on a 51-49 vote.

Washington Sens. Patty Murray and Maria Cantwell, and the rest of the Democratic caucus, voted against the amendment, as did Republican Sens. Lamar Alexander of Tennessee, Kelly Ayotte of New Hampshire and Cory Gardner of Colorado. Sen. Susan Collins, R-Maine, initially voted against the amendment, but later changed her mind and voted for it.

Members of Risch's staff did not return calls Tuesday seeking comment.

The amendment doesn't authorize the transfer of any federal land. Instead, the procedural step creates a mechanism, known as a spending neutral reserve fund, which allows the Senate to take up future land transfer legislation without violating the Budget Control Act of 2011. The act requires legislation to be deficit-neutral or to identify offsets.

The amendment would exclude the transfer of national parks, national preserves and national monuments.

Crapo's comment puts him in the camp with many Republican legislators from Idaho and other Western states, most notably Utah, who believe the states should have been given title to federal land within their borders when they entered the Union. Instead, those federal land holdings, or reserves, made up what would become national forests, parks and land overseen by the Bureau of Land Management.

Those lands are immensely popular with many Idahoans and citizens throughout the nation for the recreation, solitude and wildlife habitat they provide. But some legislators and county commissioners feel the federal government isn't able to properly manage the land through logging, grazing and mining, and the states would do a better job.

Idaho has signed onto an effort led by Utah that is attempting to force the federal government to give up its land within the state's borders. The strategy has little legal merit, according to Idaho Deputy Attorney General Steve Strack, but legislators have proceeded anyway.

Many outdoor enthusiasts and conservation groups who fear states will either mismanage the land or sell it to wealthy investors have aligned against the idea and expressed alarm at the votes by Crapo and Risch.

"The state does not have the capacity to manage over 30 million acres of our public lands, and we worry this will lead to a degradation of fish and wildlife habitat, or worse, a massive sell-off to private interests," said Michael Gibson, executive director of the Idaho Wildlife Federation at Boise. "It is troubling that our Senate delegation is supporting this ill-conceived idea."

Crapo said the amendment only provides the Senate with the ability for future deliberations on land transfer and doesn't even mention the possibility selling land. He also said the amendment doesn't undercut the collaborative processes, such as the Clearwater Basin Collaborative, which he favors as the best way to solve controversial public land management issues.

"It was a budget amendment with no substance in terms of details and left working out of any details to future legislation that would necessarily, if it comes together, will be as a result coming to consensus," he said. "I don't see how it would undercut the idea of working together to find solutions to land management approach."

But the willingness of Crapo and Risch to even entertain the idea is enough to raise red flags for some. Even though the legislation doesn't authorize the sale of public land, it could lead to it, said Brad Brooks of the Wilderness Society at Boise.

"Votes matter more than words, and a vote to allow the sale of public lands speaks for itself," he said. "The vast majority of Idahoans enjoy our national forests and BLM lands regularly and would be upset - to put it mildly - if their favorite hunting, camping or fishing spot was sold to the highest bidder and a 'no trespassing' sign went up instead."

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IDAHO FOREST GROUP CONCERNS RE: HOUSE BILL 265

(Interstate Compacts on Transfer of Public Lands) (Gestrin, Rep.)

1. Passed House 45-23-2 (Mar. 27, 2015); Senate Resources April 1, 2015

2. Originates in Federal Lands Interim Committee Report dated 1/20/15

10 Public Meetings around the State of Idaho (Mar. 2014 – Jan. 2015)

10 committee members

Sens. Winder, Davis, Tippetts, Nuxoll, Stennett

Reps. Moyle, Gestrin, Hartgen, Erpelding, Denny

Majority Report

“litigation is not the preferred path to resolve federal land management issues” (1)

Committee “coalesced around....collaboration with federal government to increase the State’s control over federal lands....[e.g.] collaboration on specific landscapes, the expansion of the trust model that is currently employed by the State to manage its endowment lands, or *through legislation of the type that recently prompted Forest Service approval of treatment of nearly 2 million acres of federal forest lands in Idaho at high risk of wildfire due to insect and disease mortality.*” (1-2)

Committee “also recommends exploration of interstate cooperation, such as compacts with the federal government” (2) (emphasis added)

Committee “recommends that the Legislature should develop the interstate compact *concept* with the assistance of the Council of State Governments and its National Center for Interstate Compacts. This would very likely include efforts to *codify federal legislation to facilitate orderly transfer of lands and/or approval of interstate compact* and/or approval of collaborative or trust pilot projects. Litigation [sic; one word sentence ends, no period.]” (28)

U.S. Const. Art. I Sec. 10 “No State shall, *without the Consent of Congress...enter into any Agreement or Compact with another State...*”; Majority Report (20) (“This so-called ‘Compacts Clause’ promotes the ability of states to work cooperatively on issues of the day while maintaining *Congress’s power to approve or deny such cooperation.*”)

Conclusion: . . . “The Idaho Legislature is unlikely to redress its grievances in the administrative branch of the federal government. *Congress is more likely to consider the issues, if only to allow a compact among interested states to pursue the issues.*”

Minority Reports (Sen. Stennett, Rep. Erpelding) & **Special Minority Report** (Sen. Nuxoll): no mention of ‘Interstate Compacts on Transfer of Public Lands’

3. Other Options: SCR 126, Good Neighbor Policy, Farm Bill Pilot Projects.



Attachment 3
4/1/15

FOOD PRODUCERS of IDAHO, Inc.

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April 1, 2015

TO: Members of the Senate Resources & Environment Committee

FR: Travis Jones, President
Food Producers of Idaho

HJM011

Food Producers of Idaho, representing over forty commodity and agriculture organizations in Idaho and the Pacific Northwest, **supports HJM011** related to the Columbia-Snake River System.

Although the question of dam removal is not new, Food Producers of Idaho has recently been briefed on revived efforts to question the viability of the Port of Lewiston and advocate for a free-flowing river. This decades-old debate over river management has played out to show that a multiple-use approach does provide important transportation, hydroelectric power, flood control, recreation opportunities, and healthy fish habitat.

In addition to officially stating Idaho's position on dam removal, House Joint Memorial 11 also affirms Idaho's sovereign control of its water. Uses of water, including for flow augmentation, must occur within the bounds of Idaho law.

The system of dams and improvements on the river allows Idaho's agricultural products to access to the markets of the world. Additionally, a viable Port is a competitive force in the overall transportation market, helping to keep freight rates reasonable even for Idaho products that do not typically ship on the river.

We ask for your "YES" vote on HJM011 to officially affirm Idaho's policy on the Columbia-Snake River System.

Membership list on back of letter

HJM011_House

Attachment 4
4/1/15



IDAHO COOPERATIVE COUNCIL, Inc.

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April 1, 2015

TO: Members of the Senate Resources & Environment Committee

FR: Toy Smith, President
Idaho Cooperative Council, Inc.

HJM011

The Idaho Cooperative Council, Inc., representing local and regional agriculture cooperatives throughout Idaho, stands in **support** of HJM011.

The Port of Lewiston is a key component of the Columbia-Snake River System and plays an important role in supporting economic competitiveness and multimodal transportation of Idaho commodities and manufactured goods. Idaho Cooperative Council, Inc. members represent farmers and ranchers who rely on the system for the distribution of goods from the Pacific Northwest.

HJM011 directly aligns with Idaho Cooperative Council Legislative Policy, which states:

"We support efforts to maintain the current system of dams on the Columbia and Snake River as an efficient and effective way to handle Idaho water and for the value of transportation of Idaho commodities."

This memorial emphasizes to Congress the importance that Idaho places on the Columbia-Snake River System and its tributaries. It officially states Idaho's position in support of maintaining the current system and draws clear opposition to policies and actions that would jeopardize Idaho water and transportation.

We ask for your **YES** vote in support of HJM011.

Joint Memorial 11 Columbia-Snake River System

Thank you Chair and Committee members

Dams in Idaho and in the nation have a long and storied history. When early settlers reached the Pacific Northwest, rather than the land of “Milk and Honey,” they expected, they encountered landscapes from burning desert floors to sweeping mountain ranges. All linked together by the mighty Snake-Columbia River System and its tributary.

These early settlers were indeed hardy and creative pioneers. Survival was difficult, and based on the natural resource industries of mining, logging, ranching and farming. Once again, the mighty river system linked them – miners used water to process their ore, the timber industry used it to transport logs to mills downstream, ranchers grazed cattle and sheep along fertile riverbanks, and farmers looked to the river as a resource to secure the food and the future of our young nation.

Under the Reclamation Act of 1902, the United States Reclamation Service was tasked to initiate large-scale irrigation projects in the West. Idaho was quick to be part of this, building the Minidoka Dam in 1905 and the Post Falls Dam in 1906. Today there are 37 Dams in Idaho. The last one, the Priest Lake Dam, constructed in 1978.

Like many decisions made by early pioneers, unintended consequences followed. Weather patterns changed, ground water charging was disrupted, fish and wildlife migration was forever altered.

Much has been learned since the early dams were constructed at the turn of last century. And many uses have been added to the economically critical ones of agricultural irrigation, hydropower generation and barge transportation.

Sound science has informed the efforts of Northwest families, farmers, ranchers, organizations and businesses investing billions in fish passage and habitat improvements resulting in 97.5% average survival for juvenile Chinook and 99.5% for juvenile steelhead migrating downstream through the Lower Snake River dams

Expanded uses of the river system have emerged. The Port of Lewiston, Idaho's only Seaport, is part of the collective Columbia-Snake River System and is an asset of the State of Idaho and to the Inland Northwest region, providing global competitiveness and connectivity for regional products, economic development investment and transportation. The Columbia-Snake River System is the top wheat export gateway in the United States, with approximately 16% of all U.S. wheat exports barged through at least one of the Snake River dams

In addition, hydropower is the most efficient, environmentally favorable form of electrical generation, combatting global warming by offsetting at least 3 million metric tons of CO₂ emissions per year through use of the Lower Snake River dams while producing 1,000 megawatts of carbon free, renewable energy annually, and 3,000 megawatts for peak power emergencies

Today, a review is underway of the Columbia-Snake River Biological Opinion by Federal Judge Simon. Should he rule in favor of the Opinion, it will support a multi-use river system.

In 1999, the Idaho Legislature passed a concurrent resolution opposing flow augmentation and the removal of the dams. It is time once again for Idaho to affirm sovereignty over its water resources; our opposition to the removal or breaching of the dams on the Columbia-Snake River System and its tributaries for fish recovery; recognition of the unique and important role that the Port of Lewiston plays in supporting economic competitiveness for the Inland Northwest region and the state; and supporting the multiple use benefits of the river system.

Thank you Committee. I stand for questions