

**Statement of
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U.S. Department of the Interior
Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
S. 1167, Owyhee Wilderness Areas Boundary Modifications Act
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 1167, the Owyhee Wilderness Areas Boundary Modifications Act. This bill would modify the boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas; authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in six wilderness areas in Idaho; and require the Secretary of the Interior to submit a report describing livestock grazing management activities that were authorized in these six areas prior to their designation as wilderness in 2009.

The BLM acknowledges the dedicated efforts of stakeholders to collaborate on issues concerning wilderness management in this region of Idaho. Generally, the BLM supports stakeholder-driven efforts to refine management boundaries, provided those solutions further the purposes of the original enabling legislation and represent a balanced approach to enhancing manageability. The Administration, however, strongly opposes S. 1167, because of broad management changes that would lift essential protections from wilderness areas. In particular, we oppose provisions for the use of motorized vehicles in wilderness areas because the language undermines the longstanding definition and spirit of wilderness as established in the Wilderness Act of 1964. We would like the opportunity to work with the sponsor and Subcommittee on other concerns detailed below.

Background

The Omnibus Public Land Management Act of 2009 (OPLMA; Public Law 111-11, Subtitle F) designated six wilderness areas in southwest Idaho – the Big Jacks Creek Wilderness (approximately 52,826 acres), the Bruneau-Jarbridge Rivers Wilderness (approximately 89,996 acres), the Little Jacks Creek Wilderness (approximately 50,929 acres), the North Fork Owyhee Wilderness (approximately 43,413 acres), the Owyhee River Wilderness (approximately 267,328 acres), and the Pole Creek Wilderness (approximately 12,533 acres), in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.). These six wilderness areas lie within the Northern Basin and Range, an elevated plateau with mountains separated by canyons draining into the Pacific Ocean via the Snake and Columbia rivers. These provisions were derived in part from legislation introduced by Senator Crapo and developed based on the recommendations of the Owyhee Initiative, a collaborative stakeholder group. In April 2015, the BLM finalized the Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. This plan establishes the management framework for the BLM’s management of these six Idaho wilderness areas.

Under section 1503(b)(3) of OPLMA, livestock grazing in these six wilderness areas is “allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines described in Appendix A of House Report 101-405.” Since passage of OPLMA, however, the Owyhee Initiative and certain other stakeholders have expressed concerns with the BLM’s implementation of OPLMA, specifically related to cross-country, motorized herding in wilderness areas, which the BLM has determined to be inconsistent with the Wilderness Act of 1964, OPLMA, and Appendix A of House Report 101-405.

S. 1167

S. 1167 would modify the boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas; authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in six wilderness areas in the State of Idaho; and require the Secretary of the Interior to submit a report describing livestock grazing management activities that were authorized in these six areas prior to their designation as wilderness in 2009.

Owyhee Wilderness Areas Boundary Modifications (Section 2)

Section 2 of the bill would adjust the designated boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas. The BLM supports some, but opposes other adjustments identified in this section, as described in detail below.

Under Section 2, the Noon Creek Cherrystem of the North Fork Owyhee Wilderness Area would be extended an additional 0.84 miles to the historically used corrals at Big Springs Camp. The BLM opposes this boundary modification because public motorized access to this site could result in negative impacts to wilderness characteristics and vandalism or damage to existing range improvements at the Big Springs Camp. The BLM currently has discretionary authority to allow motorized administrative access to this site for livestock grazing permittees.

In addition, Section 2 of the bill would shift the northeastern boundary of the Owyhee River Wilderness from a section line to the existing Dickshooter Road, removing about one section of land from the wilderness area and opening about one mile of the road to motorized travel. While the proposed change may improve certain aspects of the manageability of the area, the BLM would like to work with the sponsor to assess whether the cherrystem to the Kincaid Reservoir is necessary. The BLM already has discretionary authority to allow motorized administrative access to the Kincaid Reservoir for livestock grazing permittees. We also encourage the sponsor and Subcommittee to consider balancing the removal of the protected status of this general area with possible new protections elsewhere in the Owyhee region in order to maintain the careful balance established in the original legislation.

Section 2 of the bill also proposes one modification to the boundary of the Pole Creek Wilderness along the Mud Flat Road. The BLM supports this modification, which would allow for legal use of a historic and popular motorized vehicle pullout and car camping site from the wilderness, thereby allowing the BLM to concentrate vehicle use in an already disturbed area and reducing impacts to other areas with wilderness characteristics.

Finally, the BLM has identified some minor technical errors in the maps referenced in this legislation and would like to provide the sponsor and Subcommittee with updated maps that reflect the latest data.

Use of Motorized Vehicles for Livestock Monitoring, Herding & Grazing (Section 3)

Section 3 of the bill would authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in the six wilderness areas in the State of Idaho that were designated in OPLMA. While the BLM acknowledges the collaborative work of stakeholders in this region, the BLM opposes this section of the bill because the language undermines the longstanding definition and spirit of wilderness as established in the Wilderness Act of 1964.

Report on Livestock Grazing Management Activities (Section 4)

Section 4 of the bill would require the Secretary of the Interior to submit a report to Congress describing all livestock grazing management activities that were authorized in the six wilderness areas in the State of Idaho designated by OPLMA. The BLM notes that an extensive list of wilderness range improvement projects and the operations associated with those facilities has already been developed as mandated by Congress in Section 1503(b)(3)(B) of OPLMA and this inventory was included as Appendix D of the 2015 Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. Therefore, the BLM recommends deleting this section of the bill.

Conclusion

Thank you again for the opportunity to testify on S. 1167, the Owyhee Wilderness Areas Boundary Modifications Act. While we appreciate the sponsor's work on this legislation, the Administration strongly opposes the bill as it is currently written. We look forward to working with the sponsor and the Subcommittee on these management issues.