

Meeting Summary
Roadless Area Conservation National Advisory Committee
November 29-30, 2006
Yates Building, U.S. Forest Service, Washington, DC

Participants

Committee Members Present:

- Darin Bird – Utah Department of Natural Resources
- Adena Cook – Blue Ribbon Coalition
- Robert Cope – County Commissioner Lemhi ID
- Jeff Eisenberg – National Cattlemen’s Beef Association
- Paul Hansen – Izaak Walton League of America
- Dale Harris, RACNAC Co-Chair – Montana Wilderness Association
- Geraldine Link – National Ski Areas Association
- Jim Riley – Intermountain Forest Association, also with the American Forest and Paper Association and on the board of The Nature Conservancy
- Greg Schaefer, RACNAC Co-Chair – National Mining Association and Arch Coal
- Todd Schulke – Center for Biological Diversity
- Ray Vaughan – WildLaw
- Chris Wood – Trout Unlimited

Committee Members Absent:

- Denny Scott – Carpenters Union

USDA:

- Mark Rey, Under Secretary NRE

U.S. Forest Service:

- Dale Bosworth, Chief
- Susan Yonts-Shepard, DFO
- Meg Roessing, Biological Scientist
- Bill Supulski, Roadless Coordinator
- Abigail Kimbell, Northern Regional Forester
- Tom Rhode, Land Management Planner
- Jack Troyer, Intermountain Regional Forester
- Randy Welsh, Regional Wilderness

Idaho:

- Governor Jim Risch
- First Lady Vicki Risch
- Jim Caswell, Administrator of the Office of Species Conservation
- Thomas Perry, Counsel to Office of Species Conservation
- David Hensley, Counsel to Governor Risch
- Ryan White, Deputy Chief of Staff

State of Utah:

- John Harje, Assistant Director for Policy and Planning

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Facilitators:

- Kathleen Rutherford, Kearns & West
- Janet Thomson, Kearns & West

Committee Agreements

Recommendation Regarding Idaho Petition

The RACNAC will recommend acceptance of the Idaho petition to the Secretary of the U.S. Forest Service (USFS). Chris Wood and Jim Riley will draft a transmittal letter by December 12th and the RACNAC will submit the final letter to the Secretary by December 19, 2006.

Subcommittee on Sustainable Harvest in Roded Areas

Jim Riley, Todd Schulke, and Paul Hansen will draft a statement to encourage sustainable harvest on USFS roded lands in order to relieve pressure for timber harvest on roadless areas. If completed in time, the statement will be included in the Idaho transmittal letter.

Additional Meeting Highlights

Welcoming Remarks and Introductions

Dale Harris and Greg Schaefer, RACNAC Co-Chairs, welcomed the Committee, the Idaho Governor and First Lady, Idaho and USFS staff, and members of the public. Kathleen Rutherford, Kearns & West, reviewed the agenda and ground rules.

The RACNAC resolved to discuss the Colorado petition at its January 11-12, 2007 meeting in Salt Lake City, Utah.

Idaho Presentation

Governor Risch presented an overview of the Idaho petition. The Governor clarified that the Wild Land Recreation and Primitive Areas management themes are more restrictive than the 2001 Roadless Area Conservation Rule. All road building is prohibited in these areas. The Backcountry/Restoration Areas management theme is equivalent to the 2001 Roadless Area Conservation Rule, and the General Forest, Grassland, Rangeland Areas management theme is less restrictive than the 2001 Roadless Area Conservation Rule. The “narrowly defined guidelines” for road building in the Backcountry/Restoration Areas management theme cited on page 68 of the petition as submitted, are the criteria for road building found on page S9 of the Final Environmental Impact Statement (for the 2001 Roadless Area Conservation Rule). Governor Risch used the term “stewardship roads” to describe those roads permitted under the 2001 Roadless Area Conservation Rule. Finally, Governor Risch clarified that recreation access will be addressed through USFS Travel Management Planning Process and not through the roadless rule petition.

Governor Risch provided an overview of the public participation process that guided petition development. He noted that his successor, Governor-elect Otter, and the four Idaho Congressmen support the Idaho petition. Additionally, Governor Risch notified the RACNAC that he recently issued two executive orders creating two committees to support Idaho’s roadless area

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management. The first, temporary committee will help to implement the rule if the USFS Secretary accepts the petition for rulemaking. The second committee is a long-term RAC-type committee that will be comprised of industry, environmental, and other stakeholders to provide continuing input from Idaho. These executive orders are subject to change based on suggestions provided to the governor.

In response to questions from the RACNAC, Governor Risch discussed the level of public support for the petition, recreation access and mining issues, and ski area management. Chief Bosworth and RACNAC members gratefully thanked Governor Risch for personally presenting the petition to the Committee. Governor Risch noted that the RACNAC may help to bridge the gap between what Idaho intends for management of its roadless areas and the way the petition is being interpreted. For further detail on the presentation and subsequent discussion, please see Appendix A.

Jim Caswell, Idaho Administrator for the Office of Species Conservation, delivered a presentation providing additional information about the public participation process and explaining the guiding principles behind the management themes. Mr. Caswell clarified that Idaho only requests a re-inventory of the specific IRAs listed in Section 3E of the petition. He noted that, in retrospect, Idaho should have created a separate management theme to address special areas due to the large total acreage of these areas. Idaho intends to address special areas more thoroughly in the rulemaking process. The state seeks advice from the RACNAC regarding categorization of special areas, methods for clarifying Idaho's intent on road development, and options for including an off-ramp in the rule to address any future unforeseen circumstances.

The RACNAC asked Mr. Caswell for clarification on placement of lands in the General Forest management theme, questioned whether the petition prescribes recreation access decisions, and inquired whether the maps adequately identify all of Idaho's special areas, particularly Wild and Scenic Rivers.

USFS Presentation

Jack Troyer, Intermountain Regional Forester, and Gail Kimbell, Northern Regional Forester, delivered presentations on the Idaho petition. The USFS asked that the RACNAC provide guidance on: addressing the more prescriptive sections of the petition (particularly the suitability tables); ensuring that the clarification provided by Governor Risch regarding temporary and permanent road development is reflected in the petition; ensuring that the state and the USFS agree on the use of the term "adaptive management"; and providing sufficient flexibility in the rule for individual forest management. The USFS expressed the intent to develop an MOU with the state of Idaho for the rulemaking process.

The USFS answered the Committee's questions regarding inconsistencies between the Idaho petition and USFS documents, the extent to which the public participation process successfully captured public comment, the criteria for Wildlife Urban Interface (WUI) designation in Idaho, and clarity on the degree of timber harvest permitted by the petition.

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Evaluation Discussion

The RACNAC used the revised Evaluation Criteria from the October 28-29, 2006 meeting to assess the Idaho petition. Deliberations focused on the governor's clarifications on intent of the petition including the following issues: lands placed under the General Forest management theme; ski area management; wildfire and timber management; the adequacy of the public participation process; Governor Risch's clarifications regarding road development under the Backcountry/Restoration Areas management theme; categorization of special areas during rulemaking; the reinventory of specific IRAs; and the role for county input in adaptive management decisions. The Committee advised the Governor on the structure of the RAC-like committee proposed in his recently issued executive order. The results of the deliberations will be reflected in the letter of recommendation to the Secretary.

Public Comment:

Oral public comment was offered to the Committee by:

- Scott Stouder (Trout Unlimited). Idaho has some of the best big game hunting in the world due to the presence of the IRAs. These IRAs must be protected from development. There were some problems with the public involvement process. Demands for public input in this process were overly burdensome and prohibited many from commenting. The public was asked for data only existent in national forest documents, and asked to defend recommendations with scientific data that most people don't have. Meetings were held in the winter and were consequently hard to get to. The firms hired to review public comments were almost exclusively industry representatives. Recommendations reflected the ideology of individual county commissioners. The Idaho roadless petition removes wilderness language that does not reflect what the citizens want.
- Craig Gehrke (Wilderness Society). There are inconsistencies between contents of the petition and reality on the ground. Since many areas have long fire intervals (over a hundred years), it is not accurate to assert that man's fire suppression efforts have affected fire intervals. I am concerned that the petition asks for preference for input from local county commissioners (page 22). Some of the contents in the petition conflict with current forest plan activities, even though the petition supposedly follows local forest plans.
- Bill Rogers (Idaho resident). Idaho's roadless areas are like nothing else in the world and should be protected. The contractors hired to sort through the public comments had a clear conflict of interest. The petition gives too much discretion to local and state officials to determine the fate of federal lands. Since the population of the west will double, we need to protect our heritage of open space and quality recreation.
- Mathew Jacobson (Heritage Forests Campaign). The World Institute Resources report on frontier forests finds only one forest ecosystem in the lower 48 states large enough to support all native species and natural processes; we should not destroy the remaining functioning ecosystem. I have a concern about the lack of inclusion of general comments

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in the public participation process. The public involvement process was presented as inclusive, but seemed to exclude all general comments to protect lands. Also, there are contradictions in governor's presentation, which said that the petition is almost identical to 2001 rule, and almost identical to Forest Plans, yet the Forest Plans are not identical to the 2001 rule so there is clearly some inconsistency.

- Gary Lane (Wapiti River Guides). We need to preserve Idaho's roadless areas for public enjoyment and for recreational-based economy. Roads have an enormous impact on wildlife habitat. I feel like my voice has not been heard in the public participation process.
- Chris Hunt (Trout Unlimited). Roadless lands are the foundation of good habitat and hunting success; we need to protect them. Any additional road development may cause us to lose the ability to have over-the-counter season tags for hunting. Existing habitat for native trout and salmon is 58%-74% located in roadless areas, indicating the need to continue protection of these sensitive areas.
- James Piotrowski (Idaho resident). Economic growth in Idaho does not depend on mining or logging the roadless areas in the state. The only thing that sets the state apart from other states is its wild land. We need to start the discussion from the paradigm of full protection of public lands, not from the context of the current Forest Plans. The petition leaves a lot of land subject to the vagaries of the political process and includes almost nothing in the way of permanent protection for the roadless areas. The petition leaves protected areas primarily in the center of the state, and almost no protection near the population centers of Idaho.
- Jonathan Oppenheimer (Idaho Conservation League). I oversaw a process to submit comments on every roadless area in Idaho and saw that some counties required you to submit comments on a specific form while others didn't. Many counties developed their own forms for public input. In some places, comments fell through the cracks. The tables in the petition cause confusion and do not always follow the text of the petition. We need clarification on what mining options are still available and what activities are allowed under "forest health" category of the petitions. Regarding Governor Risch's executive orders, though he noted that the committee will be structured in the format of a RAC that is not noted in the executive orders and should be clarified.

Written public comment was offered to the Committee by:

- Gerald Jayne (Idaho resident). I do not support Governor Risch's petition for management of Idaho's roadless areas. This petition attempts to gain local control and promote more development in these areas. The RACNAC should deny the petition for rulemaking.

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Appendix A
Notes from Governor Risch's Presentation and Discussion

Governor Risch: Thank you for inviting me. I am the Governor of Idaho and with me is my partner of 38 years, my wife Vicki. I was educated at University of Idaho. Bachelor's in forest management. Dale Bosworth and I were classmates. Had the same major in forest management; took the same courses with soils, watershed management, range management, wildlife, our subset was in forest management. Went on to law school, served two terms as county attorney, then went to ID state senate, served 22 years, and all years I served as president pro tem or majority leader. Served as lieutenant governor, now serving as governor. We're ranchers, have 450 head of cows. Also have some other business interest, we have three sons, 6 grandchildren, and we're avid fishermen. Avid hunter all my life, longtime member of Ducks Unlimited and National Rifle Association. Great love for the land. Today, dealing with some of the most unique and valuable, pristine lands in the US. I am here today representing the people of Idaho. Founding fathers rendered governor of Idaho the supreme executive authority, sole authority to communicate state policy to any foreign government, state government, tribe, federal government. Come with that designation from the people of Idaho. Not lost on me that there is a tremendous responsibility that carries.

116 years ago and 5 months, Idaho was admitted to the union. Supposed to be admitted on equal footing with other states. 2/3 of state remains in ownership of fed govt. Unique partnership requires delicate balance and collaboration. We like to believe we're dealing fairly and equally between ourselves. As I talk here, going to make reference to the Clinton rule and the Bush rule. Frankly, don't like doing that because neither one of those really was a cornerstone for us as we set out doing what US government asked us to do. When we started, invited to look at roadless areas in Idaho. Give our input as to how they would be managed. Clinton rule, Bush rule painted a very broad brush. Tried to put in place a management scheme for many different areas, ones very diverse, that's not the way we approached this. Our approach was that each piece is very unique piece of ground; each one should be looked at individually. That's what we did. To be frank, when we started with this, I was very little schooled in Clinton rule and Bush rule. Made very little reference to that. But since people are focused on that, I'll make reference from time to time. Don't take it that I subscribe to either one. In addition, litmus test for all of these seems to be roads. So I'll tell you now from executive standpoint, what you'll find, is that we're dealing with 9.3 million acres. About 3 million are classified as close to wilderness. In those you'll find that Idaho's petition suggests, recommends a much more stringent approach than the Bush rule or Clinton rule. In short, Clinton rule allows for stewardship roads. Allows those roads in all 275 areas. What we are petitioning the Secretary to do is, on 3 million acres, become more stringent than that; prohibit all road building of any kind. At the far end of spectrum, a half million acres of general forest. Talk about that when we get to them. Not typically what you'd think of as roadless type areas. Suggesting that there be much more liberal application of road building there. I suspect we're not going to have much argument over that. Biggest chunk of ground is a little over 5 million acres. We are suggesting in rulemaking that there isn't any difference between allowing road building here and in Clinton rule. Did not use Clinton rule

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language. Has caused a lot of controversy. In either event, suggesting that stewardship roads be allowed. Clinton rule says all roads prohibited, but essentially allows stewardship roads. In short, 3 million acres, more stringent than Clinton rule. 5 million acres, road building is the same, and then for 500,000 acres, road building to be allowed as on other USFS areas.

With that general overview, there are 275 unique parcels here. Considered precious, some of the most superb lands in the state, dealing with lands that of course lie between what would classically be considered wilderness and general forests lands. 9.3 million acres is larger than 9 of the 50 states. We have 53 mil acres in Idaho. 2/3 owned by federal government, operated by various agencies. 20.4 of 53 million acres are national forest lands. We have 4 million acres of Wilderness in Idaho. Those are 5 different laws enacted by congress between 1964 and 1980. After you take out the 4 million acres we have in Wilderness that leaves around 16 million acres of national forest. We're dealing here with 9.3, over half of the 16 left over.

Over the last 40 years, Congress has been fighting over these 275 parcels. Numerous bills have emerged, none of which have passed to create more Wilderness areas. Currently we have two bills; Mike Simpson and Senator Wyden bills. I support both, not exactly how we'd draw them, but the result of considerable collaboration, and they present to me the type of resolution that will eventually happen regarding at least some, if not most, of the properties we're talking about here today. I was asked to do this from a perspective that we have 40 years of experience dealing with this. Started with RARE I, ever since then, a tug of war over properties. In the meantime, properties did exist, become part of forest plan, were used by Idaho and by others, so we have in front of us a good roadmap to start with as to how properties have been treated by USFS. These properties have been incorporated into USFS plans over the years. So I'm very fortunate in dealing with that. I'd like to say that, if I'd have done this 40 years ago, substantially more difficult to do because no starting point. Over the years, the management of these properties has evolved. Goal is to develop common-sense plan that will continue to stand the test of time, not just from one administration to the next, or one lawsuit to the next, but rather, hoping that this plan that we've put forward is one that will last for a long period of time until eventually, where we'll wind up, is with congressional plans regarding some, perhaps most, of these properties. Wind up with bills similar to five Wilderness bills. In that regard, considered it my responsibility that particularly as to the 3 mil acres in first two designations, these properties need to be preserved in such a condition that they're available for US Congress when, if they ever get to incorporating these into a Wilderness bill. There is absolutely no doubt in my mind that some of this ground will wind up in specifically in a wilderness bill. I would say, I knew Frank Church, was around when the original bills were fought over, in Idaho politics at that time.

Some of the properties we're dealing with are very similar to those. Also, a different day today. When and if Congress gets around to putting some of these properties into Wilderness, different way of doing it than Frank Church did. Much more collaborative effort today than back in those days. I don't think that the purity of Wilderness, of a Wilderness bill, will be what it was back in those days. Not pure Wilderness bills in front of us today. That doesn't mean that some of

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ground won't be pure wilderness areas. But when they pass a bill, give and take as far as users of property are concerned. Two bills on the table today, not what Church envisioned.

Environmental groups are right; in these 275 properties are some of the most magnificent lands in the world. All Idahoans want and deserve to have them guarded at all costs. With the environmental groups who insist that all 275 areas be treated the same and all preserved and protected, I don't think that is the case. I would urge that when you look at properties, find that they make up a mosaic of different kinds of lands that deserve different kinds of management. Let me say, as example of that, last half million acres in the last theme that we have -- they really aren't timbered properties. Most, sagebrush ground, rolling sagebrush ground, don't appear like what you'd think of as wilderness area. Each is very different.

I've talked a lot about background. The federal government did invite governors of states with roadless areas to present a petition for rulemaking, that's what we did. Let me tell you how we did this. We concluded that the best way to do this was to invite the local communities in. In Idaho, I suspect like most states, the people who actually live in close proximity to these areas--they know the areas better than anyone else does. Started there, asked each board of county commissioners (44 counties) to participate. They rolled up their sleeves and went to work. They held public hearings for each parcel located in their county, took public testimony from different sides, and put together recommendation to me. Caswell will talk to you more about that process. There is criticism that that wasn't enough. Frankly, I don't know what more we could have done getting it out there on the ground. Considerable amount of participation in those hearings. I look around the room today and I'm presenting this petition. The number of people here is very small compared to number of people who participated in that hearing process. County commissioners put together remarks they had, and summarized them; but all remarks and comments were forwarded to my office.

We reviewed the summaries, as well as the actual comments submitted, particularly those not duplicative or overly general in nature. Then I asked for more public comment, and we did get additional public comment. Invited people to come see me. Had to recruit some important stakeholders who were dragging their feet. Talked to people in my office, got input. I have to tell you, I thought that was productive. Had a good give and take, and in the end, found that, as frequently happens with this, lots of heat, in the end not that much different as far as what we all wanted regarding these properties. Clear recognition of how important these properties are to Idaho and to America. Clear vision as to what we wanted to see regarding these properties. One of the things I was a little disappointed in was that I didn't get enough on specifics regarding each particular property. I looked at each of the 275 properties individually, not as a group. I was familiar with a lot of them, hunted and fished in them, known some of those properties since early 1960s. Intimately familiar with some of them in that regard. Aerial photos, aerial viewing, sometimes went out on the ground to look at properties. In the end, I think we have appropriately classified properties.

Tribal comments were encouraged, received and considered. Again, slightly disappointed in that out of all the Tribes in Idaho, some were very engaged, and some even with considerable

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encouragement, were not so much engaged. Poster child would be Nez Perce Tribe. Current Chairman is a visionary and is very protective of their culture and heritage; she gave me a dozen recommendations on these properties, regarding particular pieces and areas with cultural or other significance for that tribe. Since I got those recommendations, I can tell you that we incorporated virtually verbatim everything they wanted in the recommendation that I am making to the Secretary in the petition.

Once we received all comments and recommendations, we developed some guiding principles. I want to say, I had tremendous help here. Jim Caswell, really lead the effort, with people from his office. Also Ryan White and David Hensley, this was a considerable undertaking by office of the governor. Took it personally, took it on as something that we really believed deserved that kind of effort. We devised guiding principles. The starting point for discussion about management of IRA began with the current management prescriptions in existing forest plans. Didn't take the black board and start with a clean slate. Instead we started with what USFS was already doing with these properties. In my mind, started with presumption that that was appropriate management scheme for the properties. What we're proposing is not a whole lot different from current management prescription. We gave considerable deference to counties, public, and Tribes in these recommendations.

We developed four management themes. Each of the IRAs was placed in one of those four management schemes. We had special areas; I will let Jim talk about that more. In the end, wound up with four themes. Wildland recreation areas bear close relationship to Wilderness. Primitive areas, close to that, I would be very comfortable in wagering that those will wind up in Congressional bill sometime to be management at wilderness level or close to wilderness level. Third, backcountry recreation, probably most discussion there. Then general forest designation, about one half million acres.

Again, since everyone focuses on roads, I want to back up and say that the first two themes, we're requesting that they be managed more strictly than Clinton or Bush rule; prohibit road making and road building of any kind, for any purposes, at any time. No stewardship roads. In the largest one, backcountry restoration, we're asking that the stewardship roads be permitted - congruent with the Clinton plan. That talks about stewardship roads. For general forest properties, we're suggesting that general road building, under usual rules/regulations of USFS, be allowed.

I think this allows a thoughtful compromise. To the extent possible, every effort was made to preserve currently existing uses where possible. Deferred to counties who know and work on lands, also public. The management recommendations contained in the petition are procedural or passive in nature. USFS, notwithstanding fact that we make petition, USFS is not required to implement any specific on-the-ground projects. Those are left for land managers that should be making those decisions. As a governor, I cannot designate an area as wilderness. But for those who have met suitability criteria, the plan will manage these areas in such a way as to preserve that option when, and if, Congress should decide to designate all or part of areas as wilderness. Wildland recreation theme best accomplishes this objective. 1.4 mil acres under this theme and

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1.6 mil acres under primitive theme. The State is fully aware of tribal/historical sites, and we preserved that. Reasonable, thoughtful compromise, treating each parcel as unique. At same time, protects present and future, and we believe these parcels will be maintained so congress can deal with them when and if they get to it. Pieces in the future that will be incorporated into wilderness plan. In the meantime, we have the opportunity to manage these properties and they should be managed. There will be questions about recreational vehicle use. The plan/application we're making does not in any way affect current recreation use of these properties. Use by motor vehicles has been developed over 40 years. Most properties, including the wildland recreation and primitive, are currently open to snowmobile use. Under this plan, there is no change in that. That can be handled by the USFS under their travel plans, as they should be. Same for other motor vehicle use. I can tell you that Idaho feels very strongly about being able to use these properties for recreational purposes, both under current allowed motor vehicle uses and areas that are closed to motor vehicle uses.

I'd be remiss if I didn't talk about fire, a tremendous problem in Idaho. We spent 30 days this past summer, in excess of 30 days, breathing smoke that was truly unacceptable to Idaho people. Very few issues that my office received more calls on than on the issue regarding smoke generated by the fires, primarily on federal lands. We manage our state properties differently than the federal government does. We actively manage public schools. Every week, I sign about half a dozen timber sales. I review those personally. We do actively manage our properties. We generate a considerable amount – considerable profit, make sure they are actively thinned. State of Utah, those guys were better negotiators, they got four sections of land rather than two sections for our management. Back to fire, as most of you know, we have tremendous fuel build up on a lot of our properties. Result, catastrophic fires which seem, over the long haul, to be getting worse every year in size, and intensity. I visited fires this summer. When you go out, get briefing from bosses on the scene, really a discouraging sort of thing. They don't have wherewithal to manage these, which is fully understandable; they're huge areas. Perimeter is staggering. We have got to do better, as far as this is concerned. Air quality concerning. Daily monitoring. We had some unacceptable air quality this summer.

What I did in here was not a romantic exercise, but a real world exercise. Look at each parcel of property, make a determination. Personal note, truly a labor of love. I said previously that this is something, I have to write a budget every year, would rather do ten of these than one budget. Let me conclude by saying that every one of our congressional delegation supports the petition that we have submitted. My successor has also indicated clearly that he supports the petition that we have. And you will find letters, there'll be a statement passed out to you, a letter from Senator Crapo supporting the petition. Heartwarming to see that all four of them got behind and strongly support this petition. My successor has also indicated his support.

Lastly, I did enter two executive orders creating two committees. One small, temporary, to help implement this rule, assuming that we're successful in getting secretary to accept our petition. Secondly, have provided for long-term, ongoing RAC sort of committee with input from environment, industry, others, to continue to have some input from state of Idaho. This initial foray by federal government to allowing state of Idaho to have input into management of lands

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within our borders is a real step forward, we believe, and is heartwarming to discover. Executive orders are written on paper, not stone. When I put together these committees, I frequently go back and make changes because other people want input or I get additional suggestions.

With that, I am willing to take on important and probing questions you may have.

Paul Hansen: Sorry I was late, took me two hours to get here this morning. Critical to the RACNAC's consideration of this petition is to understand better how you define the roads that might be able to be built into the backcountry restoration theme. On page 68, under backcountry restoration, roads only permitted under certain guidelines... what are those narrowly defined guidelines? Critical for us to understand what those are.

Governor Risch: Refer you to the Clinton rule; I would refer you to preferred alternative – 3-social and economic mitigations. I think those, as well as anything, state the stewardship roads we had envisioned in that particular background designation. Does that help? In short, I believe there is already on the books this narrowly defined definition of when road building is permitted. They are stewardship roads.

Paul Hansen: Narrowly defined definition is essentially the narrowly defined guidelines in Clinton rule?

Governor Risch: We were referring to stewardship roads defined in Clinton rule.

Paul Hansen: That helps my understanding, I guess. Have a copy of the exceptions that the Clinton rule stipulated, wanted to take a look at that. If there is real consistency here, makes a huge difference to our ability to come out with a unanimous recommendation.

Governor Risch: Look at entire description in 2001 Rule of road construction, reconstruction activities. Starts by saying, road construction... prohibited on ... then go on for 2 pages to describe. Looking at page S9.

Chris Wood: That was a very helpful and clarifying presentation. Thank you for it. I think your comment that although you didn't want to use Clinton rule and Bush rule... potential controversy has been narrowed significantly with that clarification.

Governor Risch: I guess maybe it was a clarification. It was never intended to be anything but stewardship roads. I thought we had said that, but not clear I guess.

Chris Wood: Petition contemplates a re-inventory of the roadless areas in the state. Considering a top to bottom exhaustive inventory?

Governor Risch: No. Not entire re-inventory. I thought we kind of did this when we looked at them. We re-classified them. My biggest objection to starting with RARE I, broad brush. I can't believe that they contemplated that each of these would be contained in one blob all managed the

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same. Doesn't make sense from a practical or reasonable standpoint. To the gentleman from Greenwire, I was speaking yesterday in Vail at an energy summit. Your colleague had a blackberry, and said he'd been emailed a question from his colleague in DC. Regarding opening 5 million acres to road building. Was that you? Question was asked. It was to the effect that, how can you justify that. Why are you opening 5.5 million acres of Idaho land to road building? I want to answer that. I didn't answer that for him. Didn't think venue was appropriate. In any event, specifically answer that question. We are not opening up anything more other than the half million acres, to road building, than is currently under the rule that allegedly is in play right now, the Clinton rule. There is no more opening up. In fact, for Greenwire, I think the news story would be that Idaho is petitioning that 3 million acres be closed to all road building of all kinds in the two areas designated as wildland recreation and primitive, more stringent than either of the two rules or both combined. We believe it's the right thing to do.

Paul Hansen: Elaborate more about OHV use, how that squares. There is a separate rulemaking for that, pretty much taken that off the agenda for us, but petition seemed to put it back in, in a way.

Governor Risch: Didn't intend that. We took motor vehicle use off the table as we discussed this, for a number of reasons. It wasn't our charge, and I think it's best left to travel plans in national forests. As I told you, there is a really strong feeling in Idaho about being able to use the ground that they've been using historically over the last many years for the type of recreation that they've been using them for. When and if Congress gets around to designating these as wilderness, they'll have difficult time reconciling the use of motor vehicles with those who want it and those who decline to have it. I really, in short, I think this is more resolvable if you leave that fight to another day. And I think it's appropriately left to another day. There are 40 years of experience using these properties. USFS has developed travel plans. Most of this property is open to snowmobile uses. In the petition that we are proposing, we have not affected that in any way. Jim, on wildland and primitive, how many closed to snowmobiles?

Jim Caswell: Six total, out of 77 individual areas. I will deal with this in my presentation.

Governor Risch: 77 areas in wildland/primitive. Only 6 presently closed to snowmobile use. At some point in time, Congress or individual forest might want to weigh in there. For reasons of wildlife protection or some other area. This has been going on for a long, long time. Right now, fairly decent level of acceptance of various groups to the use of the properties for motor vehicle use. And I say that understanding that the pure wilderness groups will disagree.

Paul Hansen: One of the four greatest threats to the forest system, the number one complaint of hunters is OHV's disrupting their hunt every year. Important, but maybe not for deliberations today.

Governor Risch: Disagree in Idaho. Don't get same complaint about hunters. There are few hunters who don't use 4-wheelers to get their game. On the other hand, right now, there are Wilderness Areas we have that are fully closed to any motorized vehicles. Most people have

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access to those areas and can avoid being disrupted. People who hike feel that they have lost the wilderness experience. Frankly, I've been in that position myself. But, you make your choice when you decide to go.

Paul Hansen: Great recreational pursuit, but about responsible use. Not opposed to use of these.

Governor Risch: In Idaho, we are fortunate to have a massive amount of acreage. Mosaic of uses, people can make a choice as to where they want to go. Because it's been historically used like that, most have reasonable expectation of what they'll find in particular area.

Adena Cook: Could you describe a bit how deeply the state has been involved in the management of these recreational uses? On USFS land? How the state agencies have historically cooperated with the USFS in access matters and in funding, management of trails, different kinds of access?

Governor Risch: Kind of a broad question. Each one of those is different; have different state agencies. Most agencies are under my direct control. One agency is not, that's fish and game, our constitution sets up fish and game. Governor does appoint people for a term of office, they hire the director. We're not always in complete sync with fish and game. But when state is invited, we do participate. I can tell you, over the years, the level of state participation has not been, at least to my satisfaction, sufficient. That's why I'm so excited that government has asked for our two cents on managing these areas.

Dale Harris: When you say that under wildlife recreation, preserved currently existing roads. Intending to codify that at any level? Say ranger wanted to issue special order.

Governor Risch: On our verbiage here: I'm not trying to codify anything, and committee can't. Only Congress and President can codify. We, Secretary, can engage in rulemaking. Back to specific questions, not our intent to draw a rule that is so prohibitive that it would prohibit people on the ground from making those kinds of decisions. Suggestion that rules provide that, as far as road building concerned, in those two areas, those things be prohibited.

Greg Schaefer: Governor, you have gone a long way to addressing some controversy surrounding petition. One question, under 2001 rule, at least one mining operation in Idaho was impacted by that. How does your petition impact existing operations.

Governor Risch: Jim, speak to that?

Jim Caswell: Will talk about that soon. It's a valid and existing right. We're very clear about what you do in our tables under each theme, about what you do with the minerals, etc.

Greg Schaefer: Expanding?

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Jim Caswell: We speak to leasing issue in the petition, in the tables. Explained where that is permissible, where it's not. Essentially, only thing outside USFS control are sales. Everything else is available under normal processes, statues, mitigations, environmental assessments, all of those activities. We're not saying that those things can't happen.

Governor Risch: This was run by the interested party and they've signed off on that. We didn't want this to be hung up by one existing operation. Did solve that.

Greg Schaefer: Thank you.

Todd Schulke: Appreciate the presentation. Question, on page 64, towards the end, a short discussion about future land management planning that the USFS would do. Impression I get, the management prescriptions for these areas could change as part of land management process. Could you talk more about that?

Governor Risch: First of all, we have our foot in the door by invitation. Now, trying to keep my foot in the door with this petition. But certainly, they'll be changed over time. Biggest changes come when some Congressman decides he'll take a particularly area, try to get them to reach agreement. I suspect that what we have done here, Idaho, Secretary, is probably going to be in place for some time. The reason is because we have history on our side. Have a management of these properties for 40 years that has been developed, if you would, be de facto – how people have been using it. I think it's probably going to stay that way for some time. Trying to leave enough flexibility here that when something is appropriate to be reviewed, can be reviewed. Hope we can put this on the shelf for some time.

Todd Schulke: Related to that, assume that long-term engagement is what the commission that you're proposing is for.

Governor Risch: Hope so.

Todd Schulke: I don't think we have a copy of those executive orders.

Governor Risch: You'll have those before long. Written on paper, not stone. Have to tell you though, received no input against them so far. Usually, if I have made something that isn't the way people would like it, people usually tell me about it. Have not received that yet. Think people were generally satisfied with what we put on the table.

Robert Cope: From county perspective, we found that flexibility is absolutely essential. Had people come to us, say it's in a roadless area, but harvested, grown back, and needs to be harvested again. In RARE I and RARE II – fresh harvested. In the interim, come back to the point that for management of that forest, for fuel reduction (and there are roads there), on a cyclical basis, as these things come around, management activities need to be repeated. Address cyclic nature of forest management. Other thing, Governor, when we started through process,

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our Governor did not have forestry background. Did not have personal level of commitment, and we really appreciate that.

Governor Risch: Thank you. One point too, on road building, most of you are familiar with Idaho lands. But they're very different – can go into heavily timbered area, build a road, and won't find that road 40 years later (in northern Idaho). In southern Idaho, this is not the case. On our property, still use the Oregon Trail. Very different in each of the properties.

Jim Riley: Thanks for coming today. Idaho has always had a robust history with these issues. There have been packed houses expressing concern about federal government propositions over the years. What is your sense, on petition, about how much local government, local county support there is for this product. Getting closer? Always believed that durable solution had to have support of locals. Are we getting close?

Governor Risch: Let me answer that in this regard. In 1974, I was a freshman state senator. We both had political careers since then. When we walked on floor of the state senate, there were 42 operating lumber mills in southern Idaho, south of Salmon River. Today there is one. Changed dramatically. I think that, I've used this before, this issue as you describe when it first started... people were very polarized and a long ways apart. This issue has matured substantially. Maturing process almost always brings people together, knocks the rough edges off, makes it easier to resolve. We are fortunate to have at least that degree of maturity behind us. The county commissioners that I have met with, talked about with, they're just as delighted as I was that the feds asked us to engage. As they were about us asking counties to engage. Counties really did outstanding work as far as holding public hearings. Amount of material developed for each of these was exhaustive. My experience, county commissioners generally satisfied with what we have. Not exactly as they'd do it, but they support it.

Robert Cope: Some counties don't have roadless areas, have not expressed a great deal of support. But I know of no counties or commissioners who have expressed dissatisfaction with it. Rural primarily dominated by federal ownership counties are overjoyed/elated with the product.

Governor Risch: Unique, in the overall scheme of things.

Geraldine Link: Question about treatment of future ski area development under petition. Question is specific in nature, but also a broader application for the committee. I know Caswell has been in active discussions with Brundage Mountain. It's a ski area with a few roadless areas next to the ski area. Those two roadless areas are actually part of the ski area's master development plan, authorized by USFS in 1970s. Master development plan is ski area's future development plans for expansion. I guess my question is whether you are open to some kind of agreement to remove from roadless designation, or remove from primitive designation, which these two roadless areas have, a removal and perhaps change to general forest category or something like that to accommodate future development of this resort's recreation site. Right now, being used for Snowcat operations. Wanted to see what flexibility is.

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Governor Risch: Simple answer, from my standpoint, would be yes. But I wouldn't classify Brundage Mountain as a resort. Ski area, but doesn't have amenities you'd think of as a resort. Tamarack is a resort. To be honest, I'm not familiar with negotiations going on with the family, Jim probably is. I'm not privy really to what legal rights they might have a result of development of the plan. Frankly, out of 9.3 mil acres, that would probably compromise such a small number of acres, I'd hope that wouldn't be something we'd have a problem with. They've been using it for Snowcat skiing for many years, doesn't seem to bother anyone. I frankly don't see a problem.

Jim Caswell: Talked to forest about this and to Brundage about this. I think we do have a path forward. We can talk about that. I think we can solve this issue. Has to be a joint effort with the forest.

Dale Harris: Follow up with on one of Todd's questions. Haven't seen executive orders. Not on implementing committee, but oversight committee. Modeled after RAC?

Governor Risch; Long-term committee, modeled after RACNAC. Don't make specific reference to that. Will look pretty familiar to you.

Jeff Eisenberg: Understand you had fairly elaborate public process. There are always those who feel like process was not inclusive enough. Is there anything you could say at this point to those who feel that they have not been included enough? Elaboration about giving them additional opportunity to get two cents in?

Governor Risch: When I rolled this out, expected opposition, and there was. Frankly, not surprised at any opposition. A bit surprised that our allowance of stewardship roads in backcountry drew as much controversy as it did. But surprised about criticism that there wasn't enough input. Don't know what more we could have done. Meetings well advertised. Considerable press on it. Again, media advisories that we were working on it, invited input into governor's office. In Idaho, this may seem strange, but people can walk into governor's office. If I have time, I'll sit and talk. That may seem strange, but that's how I operate my shop. I received input on this on formal and informal basis. I received input on it through people who would clip letters to editor. I got all that, and I considered all that. Then, I talked to additional stakeholder groups. I don't know what more we can do. Had input at local level, state level and then here today. Has been all over the news in Idaho about today's meeting. Someone told me that their phone was ringing off the hook, and that meant they were getting four calls. I don't know what more to say. My phone number is listed, you can call us.

Jeff Eisenberg: Are you aware of any specific requests for input that you denied?

Governor Risch: Absolutely not.

Jeff Eisenberg: Cattlemen have not objected to the lack of input.

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Governor Risch: I'll leave that one alone.

Robert Cope: Also comment on that. Interesting part for us in rural areas, had trouble getting people to comment. They finally did, about initial objection was, why should we? No one ever listens to us. Finally talked people into coming to meetings. When they realized someone actually wanted to hear them. Amazing. We actually did bring people in, to my knowledge for first time, the rural forest community. First time it's ever happened.

Governor Risch: Always a tendency for people to say, I was disenfranchised if it doesn't come out exactly the way they wanted. I think that tendency is there, always criticisms you can levy, but don't think that one is a valid one. To me, you'd have a hard time making that lack of input criticism.

Dale Harris: Before you leave, I worry about unintended consequences. Again, back to committee. Long-term committee. Urge you to create committee, balanced, to force group to work their fannies off, especially for issues we don't know about today. Fifteen years from now, don't know what we don't know; I worry that down the road that we need a fair, equitable mechanisms, if this survives rulemaking, that will fairly represent interests in Idaho.

Governor Risch: I'm aware of the law of unintended consequences. Having said that, executive orders in front of you are very easy to amend, reissue, whatever. Certainly if you want to back up, open to any changes, suspect some of my successors. What we're doing here today, when started wilderness process, had no idea we'd be here today doing this. Think that probably is part of this.

Paul Hansen: Please leave with us the paper you referenced regarding road guidelines.

Jim Caswell: Have table comparing 2001 rule and those guidelines.

Governor Risch: Again, we envisioned stewardship roads. Particularly after I read Clinton rule, permits stewardship roads, that's what we have.

Chris Wood: There has been lots of misinterpretation, misunderstanding about language within your petition and your plain intent. Are you open to committee helping to bridge the gap between what state wants and the way it's being interpreted outside this room?

Governor Risch: No problem with that. Keeping in mind, the first two groups, don't want Clinton rule, want more stringent rules. Want to make sure we're clear on that. Want to be just as clear, that we don't want you to mess with recreation vehicle use on the ground and in play right now.

Dale Harris: Heartburn with that last statement, deal with it tomorrow, but one of the things I have issues with, is on page 34. Says permanent road construction based upon long-term

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ecological need. Question is obvious – it is the first I’ve heard of this in any petition. I wonder what the thinking was behind it?

Governor Risch: Because you use the word permanent roads, it grates. That petition is pretty long, should have smoothed it more than we did. I mean nothing more by the language in that sentence, than is in the Clinton rule.

Chris Wood: In defense of Idaho, could make same argument under Clinton rule for response under...

Governor Risch: When you say permanent roads, say same thing but...

Dale Harris: Flashpoint.

Governor Risch: I agree. You indicated you took issue with travel management... unwilling to have USFS make those decisions?

Dale Harris: No. But I’m not sure if all this access issue is solely wrapped around travel planning. And if you’re a district ranger, not clear that they have flexibility they need to either increase or decrease or close based on special order. Because it’s not in there. Taking it at face value. Also, first petition we’ve had that discusses access. And, again, another flashpoint. I’m sure we’ll have talked about it by end of day tomorrow. Glad you’re here, helps to clear it up, I’m still confused.

Adena Cook: Point of clarification, current existing use is general; maybe many people are taking general statement and implying something far more specific. You can, to me, also means opportunity, which is not so specific, as to x number of miles on the ground in this piece of land, but opportunity means what is generally available to that kind of recreation which could take a varying mileage in various places. Secondly, I think we have to remember that it’s just the first step, just the petition. Do not have to go into hard and fast details that will one, be tiered to rulemaking, and two, site-specifically to those issues that I alluded to. Do not have to address it here and now.

Governor Risch: Encourage you to follow what Adena just said. Don’t wade into travel plans and site-specific. Encourage you to do what we did; accept what is in play right now, on the ground, leave that fight to another day in a local area by local people, making local determinations. Again, come back to the fact that we’re fortunate to have 40 years behind us.

Paul Hansen: Right on travel planning. But we’ll need your commitment to get enforcement of travel plans, because real problem is to practice responsible use. Some percentage makes all users look bad.

Adena Cook: And I would respond that enforcement takes it one step further. That is the management and implementation. Yes, has to be addressed in the site-specific planning stage,

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but yes, it's in the enforcement and implementation where it is so crucial that that be done properly. Crucial that funding, resources devoted to that. Circling back to importance of that small piece to the whole, allude to governor's presentation on fire. That is what is sucking the money out of where we really need it in not only that specific kind of management, but all kinds of other management.

Jim Riley: Moving into deliberations, our time might be best served to look after our agenda and hear presentations. Matter of record, first three petitions all had permanent roads, provided for reconstruction/maintenance of those, also I think New Mexico made the exact same statement about existing access, existing motorized recreation use. Just a point of clarification, not new before this committee. Governor, thoughts about how we could help you the best?

Governor Risch: Accept my petition. More specific? Like I said, first of all, hear from everyone else. As I indicated, we took this very seriously; I take my obligation to represent the people of Idaho seriously. Balance reasonableness, practical-ness, we brought that into play here.

Ray Vaughan: Appreciate the presentation. For my simple southern mind, I need to simplify. Summarize. Clear up misunderstanding. You use some unique language. At most basic, I hear that wildland recreation, primitive themes are those you want to be more protective than 2001 rule. Backcountry restoration, equivalent to 2001 rule. Maybe minor differences.

Governor Risch: Relatively fair statement.

Ray Vaughan: General forest, specific information for each of those areas that supports putting them into a more general management.

Governor Risch: Without southern accent, that's pretty much what I said.

Ray Vaughan: Appreciate it.

Greg Schaefer: Other questions?

Dale Bosworth: Thanks for coming and personally presenting petition. Resets the standards. Firmly believe that if we can be successful in Idaho, can be successful in probably every other place. Understand complexities there. Appreciate the presentation and personal attention. Apparently you paid attention in college, having a forester who can talk about this is a great help.

Governor Risch: Thank you.