

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 132

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

1 STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE 50TH ANNIVERSARY
2 OF THE WILD AND SCENIC RIVERS ACT AND CELEBRATING THE CONTRIBUTIONS
3 THAT IDAHOANS HAVE MADE TO PROTECT AND APPRECIATE RIVERS AND STREAMS IN
4 IDAHO AND ACROSS THE NATION, STATING THAT AS LAND MANAGEMENT AGENCIES
5 CONSIDER CHANGES TO FUTURE WILD AND SCENIC RIVER DESIGNATIONS, THOSE
6 CHANGES SHOULD BE CONSIDERED ONLY THROUGH A TRANSPARENT PROCESS THAT
7 INCLUDES INPUT FROM IDAHOANS, INCLUDING THOSE MOST IMPACTED BY ANY NEW
8 DESIGNATIONS, AND STATING THAT THE FEDERAL LAND MANAGEMENT AGENCIES
9 WITH RESPONSIBILITY OVER IDAHO'S WILD AND SCENIC RIVERS DIRECT ADEQUATE
10 FINANCIAL RESOURCES AND EXPERTISE TO ENSURE THE ONGOING PROTECTION,
11 MANAGEMENT, UTILIZATION AND ENJOYMENT OF DESIGNATED WILD AND SCENIC
12 RIVERS IN IDAHO.
13

14 Be It Resolved by the Legislature of the State of Idaho:

15 WHEREAS, the United States Congress approved the Wild and Scenic Rivers
16 Act (WSRA) on October 2, 1968, to preserve certain rivers that possess out-
17 standingly remarkable scenic, recreational or other similar values in free-
18 flowing condition and to protect such rivers for the benefit and enjoyment of
19 present and future generations; and

20 WHEREAS, Idaho's former United States Senator Frank Church served as
21 the author, sponsor and floor manager for the bill in the U.S. Senate; and

22 WHEREAS, Idaho's former United States Representatives George Hansen
23 and James McClure cosponsored the House version of the bill; and

24 WHEREAS, the Middle Fork Clearwater, Selway, Lochsa, and Middle Fork
25 Salmon Rivers were designated as "original" Wild and Scenic Rivers upon pas-
26 sage of the Wild and Scenic Rivers Act; and

27 WHEREAS, the Saint Joe, Salmon, Snake and Rapid Rivers were added to the
28 network of Wild and Scenic Rivers with the support of the Idaho congressional
29 delegation under various acts passed by the United States Congress in the
30 1970s and 1980s; and

31 WHEREAS, the Bruneau, West Fork Bruneau, Jarbidge, Owyhee, North Fork
32 Owyhee and South Fork Owyhee Rivers, along with Battle, Big Jacks, Cotton-
33 wood, Deep, Dickshooter, Duncan, Little Jacks, Red Canyon, Sheep and Wickahoney
34 Creeks, were designated as Wild and Scenic Rivers pursuant to the Om-
35 nibus Public Lands Management Act of 2009, by and through the recommendation
36 of the collaborative Owyhee Public Lands Initiative and with the support and
37 leadership of Idaho's U.S. Senator Michael Crapo; and

38 WHEREAS, Idaho has 891 miles of rivers and streams designated under the
39 Wild and Scenic Rivers Act, which represents less than 1% of the state's
40 107,651 miles of rivers; and

41 WHEREAS, the protections established by Congress have permitted mil-
42 lions of Americans to enjoy the natural beauty of our nation's rivers and

1 have resulted in additional visitation and tourism that contributes signif-
2 icantly to Idaho's economy; and

3 WHEREAS, Idaho's river outfitters and guides rely upon the free-flowing
4 nature of Idaho's Wild and Scenic Rivers and contribute significantly toward
5 the economy of rural communities across Idaho; and

6 WHEREAS, Idaho's Wild and Scenic Rivers provide important habitat for
7 steelhead, salmon and trout, which are important for recreational and tribal
8 fisheries alike; and

9 WHEREAS, the State of Idaho and its citizens recognize the importance of
10 the protection of streams and watercourses for the enjoyment, use and bene-
11 fit of all people and recognize that clean water in the streams of Idaho is in
12 the public interest; and

13 WHEREAS, the State of Idaho explicitly recognizes, retains and exer-
14 cises its appropriate authority over management of navigable riverbeds,
15 adjacent roadways and commercial corridors; and

16 WHEREAS, the State of Idaho encourages the federal government to work
17 with state partners and stakeholders to resolve potential disputes associ-
18 ated with the management of Wild and Scenic Rivers in a transparent and col-
19 laborative manner; and

20 WHEREAS, the State of Idaho, the United States of America, and other in-
21 terested parties have signed stipulated agreements regarding objections to
22 in-stream federally reserved water rights claimed pursuant to the federal
23 Wild and Scenic Rivers Act; and

24 WHEREAS, these stipulated agreements are referred to as the Wild and
25 Scenic Agreement, which quantifies the federally reserved in-stream water
26 rights on specific Wild and Scenic Rivers in Idaho; and

27 WHEREAS, in addition to quantifying the Wild and Scenic Water Rights,
28 the Wild and Scenic Agreement subordinated the Salmon River's Wild and
29 Scenic Water Right to certain existing and future water uses and required
30 detailed administration of existing and new water rights to ensure water use
31 conforms to all elements of the water rights; and

32 WHEREAS, the Snake River Basin Adjudication court approved and adopted
33 the agreement as a court order, and thus finally settled and resolved the in-
34 stream flow claims.

35 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
36 sion of the Sixty-fourth Idaho Legislature, the Senate and the House of Rep-
37 resentatives concurring therein, that the State of Idaho recognizes the 50th
38 Anniversary of the Wild and Scenic Rivers Act and celebrates the contribu-
39 tions that Idahoans have made to protect and appreciate rivers and streams in
40 Idaho, and across the nation.

41 BE IT FURTHER RESOLVED that as land management agencies consider
42 changes to future Wild and Scenic River designations, those changes should
43 be considered only through a transparent process that includes input from
44 Idahoans, including those most impacted by any new designations.

45 BE IT FURTHER RESOLVED that the federal land management agencies with
46 responsibility over Idaho's Wild and Scenic Rivers direct adequate finan-
47 cial resources and expertise to ensure the ongoing protection, management,
48 utilization and enjoyment of designated Wild and Scenic Rivers in Idaho.