

# Owyhee Cattlemen's Association

## Resolutions



### **OCA Resolution Policy**

Resolutions to establish Owyhee Cattlemen's Association (OCA) policy should be written and submitted to the Owyhee Cattlemen's Association Board of Directors for their review prior to the general membership meeting (summer/winter).

These written resolutions should be mailed to the Owyhee Cattlemen's Association, P.O. Box 400, Marsing, Idaho 83639, two weeks prior to the general membership meeting or at least prior to the Board of Directors' meeting preceding the general membership meeting.

Resolutions from the floor will be accepted in the event of urgency or timeliness of an issue. These resolutions should be presented in writing to the OCA president, the OCA resolutions chairman, and the OCA secretary before the meeting is convened. Additional copies of the resolutions should be available for distribution to members attending the general membership meeting.

Any resolution brought up after the meeting is convened requires a majority vote to bring it before the membership.

*Updated: March 11, 2016*

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**A RESOLUTION CALLING FOR A CONGRESSIONAL INQUIRY INTO FEDERAL LAND MANAGEMENT AND AGENCY OVERREACH (2016-1)**

WHEREAS, heavy-handed Federal land management agencies have spawned widespread frustration in the West among public land users, ultimately causing tensions to boil over and protests to occur such as the Nevada incident with the Bundys and the just concluded Malheur refuge takeover; and

WHEREAS, these Federal land management agencies control vast sections of eleven Western states including over 60% of Idaho and nearly 80% of Owyhee County resulting in stifling the rural economy of the West; and

WHEREAS, Federal land management agencies have used questionable tactics in attempts to force private property owners to give up their land and their rights in order to acquire more land and property rights that they deem desirable; and

WHEREAS, continued Federal control of so much area of the West is sure to cause further discord and future incidents like the Harney county occupation.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association also calls for a Congressional inquiry into Federal land management and agency overreach with the ultimate goal of greater local control and possible land management transfers to the states as required by the U.S. Constitution.

**A RESOLUTION IN SUPPORT OF THE IDAHO LEGISLATURE CODIFYING THE IDAHO SUPREME COURT DECISION IN JOYCE LIVESTOCK COMPANY V. UNITED STATES (2016-4)**

WHEREAS the Idaho Supreme Court in Joyce Livestock Company v. United States ruled that Joyce Livestock's predecessors acquired a water right on federal land for watering livestock by appropriating and putting the water to beneficial use; and

WHEREAS the court held that the water rights obtained by Joyce's predecessors on federal lands were appurtenant to their patented properties; and

WHEREAS the court denied the United States water rights claims because the United States had not appropriated any water by grazing livestock and there was no evidence that Joyce's predecessors were acting as agents for the United States when they acquired water rights; and

WHEREAS the United States obtained thousands of stock water rights in the SRBA by default and in other places have required permittees to relinquish their water rights as a condition of receiving a permit.

NOW, THEREFORE, BE IT RESOLVED that to address the unlawful takings that occurred with the default decrees and to help prevent the extortion of water rights by the United States, the Owyhee Cattlemen's Association supports the Idaho Legislature codifying the Joyce decision.

**A RESOLUTION REQUESTING IDAHO LEGISLATURE ACT LEGISLATIVELY TO INSURE NO VALID EXISTING PRIVATE RIGHTS ARE LOST IN ANY LAND EXCHANGE WITH THE FEDERAL GOVERNMENT (2014-1)**

WHEREAS land exchanges are proposed involving Idaho state lands and federally managed lands; and

WHEREAS numerous valid existing private rights exist on the federally managed land; and

WHEREAS these rights were established under local law, custom, and decisions of the courts, are recognized and acknowledged by acts of Congress, and have been upheld by State and Federal courts; and

WHEREAS, these rights, including water rights and grazing preference rights, are recognized as property rights under Idaho law.

THEREFORE BE IT RESOLVED that the Owyhee Cattlemen's Association requests that the Idaho Legislature act legislatively to insure that none of the valid existing private rights are lost in any land exchange with the federal government.

**A RESOLUTION REQUESTING CONGRESSIONAL DELEGATION TAKE STEPS TO BRING MANAGEMENT OF FEDERAL LANDS UNDER CONTROL AND SET BOUNDARIES OF AUTHORITY (2014-2)**

WHEREAS the U.S. Constitution gives Congress the obligation and responsibility of establishing the policy regarding management of the Federal lands; and

WHEREAS unelected and apparently unaccountable bureaucracies routinely ignore and contravene congressional policy and set their own agendas.

THEREFORE BE IT RESOLVED that the Owyhee Cattlemen's Association requests its Congressional delegation take all steps necessary to bring these bureaucracies under control, including oversight hearings, use of the

appropriations process to cut agency funding, and provide specific corrective direction in addition to passing clearly stated legislation to set the boundaries of authority.

**A RESOLUTION SUPPORTING OWYHEE COUNTY COMMISSIONERS TO BUDGET FUNDS FOR LEGAL COUNSEL TO TAKE ACTION WHEN FEDERAL GOVERNMENT ACTS CONTRARY TO LAW AND THE INTEREST OF OWYHEE COUNTY (2014-3)**

WHEREAS the county government of Owyhee county has the responsibility and jurisdiction to protect the health, safety, economic welfare, and rights of its citizens; and

WHEREAS actions of the federal government, which controls 77% of Owyhee County have direct and significant impacts on Owyhee County and its citizens; and

WHEREAS federal agencies are mandated by Federal laws and regulations to coordinate their planning and decision making with local county governments, assure consistency with local plans to the maximum extent possible under law, and provide for meaningful involvement of local government officials in land use planning and decisions for the Federal managed lands; and

WHEREAS the Federal government often ignores these mandates and acts adversely to the rights of the citizens and economic stability of Owyhee County.

THEREFORE BE IT RESOLVED that the Owyhee Cattlemen's Association supports and encourages the Owyhee County Board of Commissioners to budget sufficient funds to engage competent legal counsel in order to take timely action when the Federal government acts contrary to law and the interest of the county.

**A RESOLUTION REQUESTING FULL NEPA COMPLIANCE IN THE BLM PERMIT RENEWAL PROCESS (2013-1)**

WHEREAS, the National Environmental Policy Act of 1969 (NEPA, PL 91-190, as amended) requires the federal land management agencies to assess the ecological, economic and social impacts of land management alternatives;

AND, WHEREAS, the Bureau of Land Management has recently released a critical Environmental Assessment (EA) that ignores the critical social and economic assessment as required under NEPA.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association strongly objects to these omissions and encourages the BLM to table any action until valid social and economic information can be gathered, analyzed and used in a NEPA-compliant document that will be supported locally, regionally and nationally.

**A RESOLUTION REQUESTING FEDERAL TRANSFER OF PUBLIC LANDS (2013-2)**

WHEREAS, following the Revolutionary War, the Congress of the United States determined that the public lands it acquired would be disposed of through sale or grant and that these territories would be converted into new states;

AND, WHEREAS, this process of adding states would be accomplished through the vehicle of enabling acts setting the conditions of statehood;

AND, WHEREAS, Congress made provisions in the enabling acts for the funding of education in the new states through land grants and proceed sharing from the sale of the public lands in the new states;

AND, WHEREAS, the compacts that were entered into by the new states and the United States in the enabling acts calling for the states to disclaim their right and title to the un-appropriated public lands to the U.S. and for the U.S. to then dispose of the lands were honored east of the state of Colorado and also Hawaii;

AND, WHEREAS, these same enabling acts have not been honored in the remaining western states including Idaho;

AND, WHEREAS, recent pronouncements by the U.S. Supreme Court have stated that the enabling acts of the western states are "solemn agreements", that the states are entitled to the "benefit of the bargain", and that subsequent acts of Congress cannot override the commitments made in the enabling acts;

AND, WHEREAS, because the federal government has unduly retained control of over 60% of the lands in Idaho, the state has been substantially damaged in its ability to provide funding for education and the common good

of the state, to serve a sustainable and vibrant local economy, and to properly manage the natural resources of the state.

NOW, THEREFORE, BE IT RESOLVED that in order to provide a fair, justified, and equitable remedy for the federal government's past and continuing breaches of its solemn promises to the State of Idaho, to provide for the sufficient and necessary funding of Idaho's public education system and to provide for proper management of the state's natural resources and the local economies dependent upon them, the Owyhee Cattlemen's Association strongly supports a move in the Idaho Legislature to demand that the federal government transfer title to all of the public lands within Idaho's borders directly to the state of Idaho.

#### **A RESOLUTION REGARDING BLM CROSSING PERMITS (2012-1)**

WHEREAS, the only mention of crossing permits in the grazing regulations note that a crossing permit has no priority for renewal and cannot be transferred or assigned (§ 4130.6); that a crossing permit is a temporary authorization for grazing use resulting from the trailing of livestock across BLM managed land (§ 4130.6-3); that fees shall be charged for the grazing use (AUMs) involved (§ 4130.8-1) and that a service charge shall be assessed for each crossing permit (§ 4130.8-3). And

WHEREAS, the grazing regulations demonstrate that the intent of a crossing permit is not to facilitate orderly management and use by permittees with a preference to graze on and who are legally authorized to obtain grazing use of such land. Instead, a crossing permit is intended to facilitate the trailing of livestock across BLM managed land by stockmen not otherwise authorized to use such land but who show a need to cross these lands and to use forage during such crossing. And

WHEREAS, the US Congress attached a rider to the DOI appropriations bill that was passed and signed into law. The intent was clearly to allow BLM to issue crossing permits as needed for a period of two years while appropriate NEPA could be completed for the issuance of crossing permits. And

WHEREAS, the grazing regulations establish the purpose and parameters of a crossing permit, but do not clarify the specific circumstances which require a crossing permit nor has BLM been able to agree on such circumstances. BLM acknowledges the intent of the Congressional rider but proposes that the wording does not excuse them from a NEPA process for issuing crossing permits in 2012 and 2013. Consequently, resolution of the crossing permit issue has degenerated to a state of utter confusion due to inconsistent understandings and representations from within BLM that put the affected ranchers in jeopardy of violating the grazing regulations and placing their grazing preference at risk.

WHEREAS, the Taylor Grazing Act (§ 315e), Federal Land Policy and Management Act (Sec. 509) each contain a savings clause that preserves all private rights and interests acquired prior to passage of those acts; furthermore, the US Court of Claims (Hage v US, 2008, 2010, 2011) has affirmed that those rights are perpetually reserved by right of access to the holder subject to due process and compensation if taken by denial of such access. Now therefore be it resolved: In order to resolve this matter the following actions are necessary.

1. BLM must adopt and provide a clear explanation of the specific circumstances that require a crossing permit for the movement of livestock across BLM administered land.
2. BLM must continue to issue crossing permits where necessary in accordance with the clear intent of the Congressional rider.
3. The Idaho Congressional delegation must act immediately to legislatively assure that the issuance of crossing permits is clearly exempt from environmental analysis for a period of at least two years.

BE IT FURTHER RESOLVED, that BLM must recognize that the trailing of livestock across public land without need of an overnight stay on such land does not result in any quantifiable use of forage; therefore, no crossing permit is required by the regulations. Furthermore, an authorization for grazing use under the terms and conditions of a grazing permit carries with it an understanding that movement of livestock is integral to the authorization and has been fully considered in the underlying EA and therefore does not require a separate crossing permit.

BE FURTHER RESOLVED, that BLM should adopt the following clarifications,

A crossing permit is not required for the active trailing of livestock on or across BLM administered land when such trailing is required by a grazing authorization pursuant to the terms and conditions of a valid grazing permit and does not require an overnight stay on BLM administered land outside of the authorized allotment(s).

A crossing permit is not necessary for the movement of livestock due to any exigent circumstance that dictates the movement of livestock outside of the existing grazing use authorization.

A crossing permit may be required when livestock are trailed for purposes other than compliance with grazing use authorized through a valid grazing permit and quantifiable grazing use occurs due to holding livestock overnight on BLM administered land. In addition a crossing permit may be required when quantifiable grazing use occurs from drifting across such land as in the case of sheep.

BE IT FURTHER RESOLVED, that, if BLM does not adopt the above clarification or an equivalent position, the Congressional delegation should take action as soon as possible to seek a legislative remedy to clearly distinguish the circumstances where a crossing permit is necessary.

**A RESOLUTION IN SUPPORT OF THE CONCEPT OF A COUNTY-WIDE MOSQUITO ABATEMENT PROGRAM (2009-1)**

WHEREAS, mosquito populations in Owyhee County appear to be increasing; and

WHEREAS, West Nile virus is carried and spread by mosquitoes, and is a serious health risk to game birds, animals, and humans.

NOW, THEREFORE, BE IT RESOLVED, that the Owyhee Cattlemen's Association support the concept of a county-wide mosquito abatement program.

**A RESOLUTION IN SUPPORT OF CHANGES TO THE NATIONAL BEEF CHECK-OFF PROGRAM (2008-1)**

WHEREAS, the National Beef Check-Off program established by the Beef Promotion Act of 1995 has become a national and international recognized logo that promotes United States beef; and

WHEREAS, the Beef Check-Off has created, funded, and evaluated effective promotion, research, and education projects; and

WHEREAS, these programs have specifically provided funding for nutrition, food safety, new product development, consumer confidence, crisis management issues, and world-class advertisement; and

WHEREAS, two decades of inflation and concurrent reduction of check-off dollars collected has economically impacted the ability to fund programs to increase beef demand,

NOW, THEREFORE, BE IT RESOLVED the Owyhee Cattlemen's Association supports an additional \$0.50 per head assessment to the Idaho Beef Check-Off; and

BE IT FURTHER RESOLVED the \$0.50 increase to the Idaho Beef Check-Off will accommodate any future National Beef Check-Off increase; and

BE IT FURTHER RESOLVED that all the governance and fiscal authority of the additional \$0.50 per head assessment to the Idaho Beef Checkoff be governed by the Idaho Beef Council; and

BE IT FURTHER RESOLVED that any increase to the Idaho Beef Checkoff be used to fund industry information, promotion, new product development, international markets, research, food safety, and research; and

BE IT FURTHER RESOLVED that producers may request a refund of dollars paid in to the Idaho Beef Check-Off increase.

**A RESOLUTION IN SUPPORT OF OCA PURSUING A CAPTIVE BREEDING PROGRAM TO AUGMENT THE SAGE GROUSE POPULATION (2007-1)**

WHEREAS, Sage Grouse continue to be a sensitive species that significantly affects management of grazing permits; and

WHEREAS, Owyhee County has historically had and currently has a healthy, abundant Sage Grouse population; and

WHEREAS, while the numbers are high it is the appropriate time to gather eggs and not hurt sage grouse population numbers;

WHEREAS, western Sage Grouse management areas outside of Owyhee County have populations that could benefit from augmentation; and

WHEREAS, one of the premier wild fowl producers in the nation resides in Owyhee County.

NOW, THEREFORE, BE IT RESOLVED, that the Owyhee Cattlemen's Association pursue a captive breeding program with appropriate cooperation to establish sound science and protocol to augment the Sage Grouse population, in the event that it should become necessary.

**A RESOLUTION OPPOSING LEGISLATION TO ELIMINATE OR CURTAIL ELK RANCHING AS AN AGRICULTURAL ENTERPRISE IN IDAHO (2007-2)**

WHEREAS, efforts are under way by special interests to persuade the Idaho Legislature to adopt legislation that would effectively destroy the Idaho elk ranching industry, which is a legitimate agricultural enterprise contributing significantly to the economy of Idaho; and

WHEREAS, opponents of the elk ranching industry are using false and misleading information and scare tactics related to potential introduction of Chronic Wasting Disease (CWD) into Idaho deer and elk as a means to gain support for their crusade against elk ranching; and

WHEREAS, the science regarding CWD and new disease management programs by the USDA Animal and Plant Health Inspection Service for the certification of captive elk herds and regulation of interstate movement of captive elk mitigate any potential risk to free ranging cervids in Idaho; and

WHEREAS, two decades of information and research shows that a species barrier prevents transmission to humans, that CWD is not naturally transmissible to domestic livestock, that the mode of transmission of the disease to distant non infected areas has never been determined and that 86% of all known infected captive herds (none in Idaho) have already been depopulated.

NOW, THEREFORE, BE IT RESOLVED, the Owyhee Cattlemen's Association opposes any legislation that would eliminate or significantly curtail the legitimate pursuit of elk ranching as an agricultural enterprise in Idaho.

**A RESOLUTION TO OPPOSE THE HORSE SLAUGHTER PREVENTION ACT (2007-3)**

WHEREAS, the Owyhee Cattlemen's Association believes that the horse packing business provides a valuable service to the ranching industry in the United States by providing a humane way to dispose of surplus horse populations; and

WHEREAS, OCA believes that if commercial horse packers are outlawed, unwanted pleasure horses will be released on the various grazing allotments thereby causing harm to permit owners and private property.

NOW, THEREFORE, BE IT RESOLVED, that the Owyhee Cattlemen's Association opposes the horse slaughter ban being proposed in the U.S. Congress.

**A RESOLUTION TO SUPPORT FUNDING FOR JUNIPER RESEARCH (2006)**

WHEREAS, the rapid expansion of Western Juniper (*Juniperus occidentalis*) and its dominant characteristics, which now includes over 450,000 acres in Owyhee County, has caused the loss of understory grasses and shrubs that are critical to wildlife, livestock, and erosion control; and

WHEREAS, juniper effects on hydrology, streamflow, changes in plant community composition, structure and bio-diversity; and the replacement of mesic and semi-arid plant communities with woodlands, are uncertain; and

WHEREAS, under new leadership and with an enthusiastic momentum, the USDA, ARS, Northwest Watershed Research Center, Boise, Idaho, and its Reynolds Creek Experimental Watershed, is currently engaged in research projects which include fire regimes to reestablish historic mid-elevation 20 – 25 year fire cycles and other treatments across shrub-steppe communities and woodlands in Owyhee County; and

WHEREAS, the USDA, ARS, NWRC has taken the lead in cooperating with the Boise District Bureau of Land Management, Idaho State Lands, and private land owners in treatment projects in order to gather sound science on runoff, erosion, vegetation recovery, effective post-fire management strategies and plant water use after prescribed fires, information which can be used by federal, state and private land managers to justify and promote control projects for Western Juniper's invasion; and

WHEREAS, this scientific research for management of the western Juniper requires funding; and

WHEREAS, the U.S. Congress appropriates funds for research to the USDA-ARS and the Library of Congress Thomas.loc.gov web site lists funds that are appropriated to ARS research centers across the United States; and

WHEREAS, the Burns Oregon, Reno, Nevada and Boise Idaho ARS Center are approximately the same in size, and all providing equally important rangeland research; and

WHEREAS, there has been a huge disparity in funding in the past, and in current proposed appropriations to provide research necessary for Owyhee County rangelands; and

WHEREAS, Idaho's Senator Larry Craig is a member of the Agricultural Appropriations Committee.

NOW, THEREFORE, BE IT RESOLVED, that Senator Craig be informed of the serious threat that the invasion of Western Juniper is to the natural resources and rangelands of the State of Idaho and particularly to Owyhee County;

AND BE IT FURTHER RESOLVED, that the Owyhee Cattlemen's Association Board of Directors and the Owyhee County Commissioners meet with Senator Craig and ask him to rectify the disparity for adequate funding with an increase from the Ag Appropriations committee to the Boise USDA-ARS for research projects that include a fire regime for Western Juniper management.

**EMINENT DOMAIN (2005-1)**

WHEREAS, grave concern has arisen in Owyhee County over the United States Supreme Court's decision in Kelo vs. City of New London which affirmed the power of a city government to condemn private residential property for economic purposes in order to implement an eminent domain plan to "revitalize an economically distressed city"; and

WHEREAS, many citizens believe that no private property should be condemned for "public use" or "public purpose" if that use or purpose is economic development to benefit private person or business, and further believe that Kelo vs. City of New London empowers such condemnation; and

WHEREAS, close review of the Kelo decision shows that the Court allowed the condemnation only because a Connecticut statute authorized such action and the action was taken by the city government in accord with that statute; and

WHEREAS, the Court detailed a "long standing policy of deference to legislative judgments" as to what constitutes a "public purpose" in eminent domain proceedings; and

WHEREAS, the Court pointed out there should be legislative public debate as to whether eminent domain should be used to promote economic development, but that the place for such debate and decision was in elected legislative bodies; and

WHEREAS, the Court pointed out that many states have already carefully imposed constitutional or statutory restrictions and limitations on the grounds on which eminent domain may be based; and

WHEREAS, the Court has now made it clear that it is within the power of a state to limit the uses for which condemnation can be exercised and therefore it is up to citizens to pursue property protection in their state legislatures.

THEREFORE BE IT RESOLVED, that the Idaho legislature shall be requested to take action necessary to limit the eminent domain authority of government by prohibiting condemnation of private property for the purpose of economic development to benefit private and public business and commerce; and

BE IT FURTHER RESOLVED, that the members of the legislature representing Owyhee County shall be requested to introduce and to support measures to secure such legislative action.

**RECREATION/PRIVATE PROPERTY (2005-2)**

WHEREAS, for over a century Native Americans and pioneer settlers who followed them into Owyhee County enjoyed the blessings of the rugged beauty of the County's mountains, forest, valleys, canyons, rangelands, rivers, springs, and creeks without intrusion from the outside world; and

WHEREAS, the early settlers established themselves in economic endeavors such as logging, trapping, hunting, fishing, ranching, mining, transporting passengers and freight, farming, and ultimately the businesses necessary to serve these activities; and

WHEREAS, the remote, rugged terrain in which these early settlers and their successors toiled made it necessary to develop a cohesive custom and culture through which individual and communities joined together in mutual support; and

WHEREAS, ownership of private property was and is key to the success of such custom and culture just as it was key to the survival of the earliest settlers on the Nation's eastern shores and has been key to the strength of the American Republic; and

WHEREAS private property was and is key because it is property owners who fund government services necessary to support economic and social stability within the established custom and culture, and because it is property owners who have the greatest stake in survival of the established customs and culture; and

WHEREAS, ownership of private property is of immense importance in Owyhee County which has a vast expanse of federal lands because the intermingled private lands provide financial and resource support to the federal lands; and

WHEREAS, the citizens of Owyhee County have shouldered the responsibility of protecting and preserving the County's natural wonders and the cost of their efforts have fallen on the private property owners; and

WHEREAS, as the unique beauty and openness of the County's landscape has attracted national attention, ever increasing numbers of people have become involved inland protection issues and in recreational uses of the land; and

WHEREAS, many of the people now visiting the County and/or enjoying recreational activities in the County are not familiar with or aware of private property lines and values; and

WHEREAS, the Owyhee County Commissioners have initiated efforts to forestall and avoid problems and conflicts which may result from massive use of the federal lands by persons not familiar with the custom and culture of the citizens of the County and the importance of private property to that custom and culture; and

WHEREAS, even though the citizens of the County and recreation users have always worked cooperatively to protect the County's resources, and such cooperation should continue under the Owyhee Initiative plan proposed by the County Commissioners, such cooperation may become endangered before the Initiative Plan can be legislatively implemented;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners be requested to work deliberately towards completion of the Owyhee Initiative including its specific recreation and transportation plan; and

BE IT FURTHER RESOLVED that the members of the Idaho Congressional delegation be urged to support the passage of the Owyhee Initiative because of the economic stability which can result and particularly because of the recreation and transportation plan which can help resolve almost certain resource conflicts which will continue to increase as the population of Boise and the Treasure Valley continue to expand; and

BE IT FURTHER RESOLVED that the responsible organizations of motorized vehicle users who have cooperated with the County and private property owners in the past should be urged to continue to do so, and to support the Owyhee Initiative's Recreation and Transportation Plan, and to support private property rights; and

BE IT FURTHER RESOLVED that such motorized organizations be urged to sponsor educational and communication programs through which members and non-members learn about responsible recreational use and the rights of private property owners, and that such programs be presented in cooperation and conjunction with Owyhee County, private property owners, and the Bureau of Land Management; and

BE IT FINALLY RESOLVED that the Recreational Task Force created by the County Commissioners to function while the Owyhee County Initiative is being completed be urged to put a high priority on such educational and communication efforts.

#### **CANADIAN "BSE MINIMAL-RISK REGION" (2005-3)**

WHEREAS, since 1878, the Owyhee Cattlemen's Association has represented the Owyhee and Idaho cattle producers on local, state, and federal issues affecting profitability and culture, and

WHEREAS, USDA has proposed regulation that would label Canada as a "BSE minimal-risk region", and

WHEREAS, according to the World Organization for Animal Health (OIE), which has established BSE risk classifications that are the scientific standards agreed to by 164 countries including Canada and the US, Canada can be classified no higher than a "BSE moderate risk" region; and

WHEREAS, USDA stated in the November 4, 2003 Federal Register Notice proposing the "BSE minimal-risk region" rule that "effects from the possible loss of US export markets and subsequent industry contractions, if this proposed rule is adopted as final and other countries were to refuse entry of our beef as a result, would harm small as well as large entities."

NOW, THEREFORE, BE IT RESOLVED that the OCA request that USDA halt the BSE minimal-risk region rulemaking and maintain USDA's current ban on the import of cattle and beef from Canada pending completion of a thorough scientific risk assessment, identifying all potential factors for BSE occurrence and their historic perspective and that analyzes the risk of introducing BSE into the US as a result of resuming imports of cattle and beef from a country where BSE is known to exist.

#### **SAGE GROUSE (2005-4) (Re-affirmed 2-7-2009)**

WHEREAS, the Fish & Game Department can influence the need for the BLM to modify allotment management for the benefit of Sage Grouse through the state Sage Grouse Management Plan and through coordination with the BLM and FWS if the Sage Grouse becomes a candidate or listed species.

WHEREAS, the Fish and Game Department should not allow hunting of Sage Grouse in an area unless the population is secure and the habitat is adequate.

NOW, THEREFORE, BE IT RESOLVED, that a hunting season for Sage Grouse in an area be considered proof that livestock management practices regarding Sage Grouse and their habitat are appropriate and that the Fish & Game Commission direct the Fish & Game Department to stop seeking modification of allotment management in areas where a hunting season exists.

**REQUEST USDA MAINTAIN CURRENT BAN ON THE IMPORT OF CATTLE AND BEEF FROM CANADA PENDING MORE THOROUGH ASSESSMENT (2004-1)**

WHEREAS, since 1878, the Owyhee Cattlemen's Association has represented the Owyhee and Idaho cattle producers on local, state, and federal issues affecting profitability and culture; and

WHEREAS, USDA has proposed regulation that would label Canada as a "BSE minimal risk region"; and,

WHEREAS, according to the World Organization for Animal Health (OIE), which has established BSE risk classifications that are the scientific standards agreed to by 164 countries including Canada and the United States, Canada can be classified no higher than a "BSE moderate risk" region; and,

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**RS2477 RIGHTS OF WAY ON PRIVATE PROPERTY (2004-2)**

WHEREAS, throughout Owyhee County, privately owned lands are intermingled with public lands, and the Owyhee Cattlemen's Association recognizes that public access currently occurs on many of those private properties; and

WHEREAS, the growing population in the Treasure Valley and associated recreational access is creating conflict between the public claiming RS2477 property rights, and the private landowner; and

WHEREAS, in the 1866 Mining Law, the US Congress passed federal statute RS2477, to provide a method for states and local governments to create and develop road rights of ways across public land, rights of ways used as access from and to public lands; and

WHEREAS, the impact of RS2477 was limited to public lands, with private property rights protected from any RS2477 development; and

WHEREAS, in 1976, FLPMA repealed RS2477, ending the creation of any new rights of way, and specifically preserved existing private property rights; and

WHEREAS, any accepted RS2477 public right of way used as a road or highway, which became a road by virtue of Idaho Law, falls within the exclusive jurisdiction of the county board of commissioners; and

WHEREAS, there are a few individuals and a few Idaho counties that believe the current road statutes regarding roads on privately owned property are inadequate and are actively seeking drastic changes in proposed legislation, a law that would remove private property rights and legalize the taking of private property for simple public access, placing the burden and cost of defense on the private landowner; and

WHEREAS, under statutory changes sought by these few individuals and counties, any member of the public can initiate a proceeding which will force the private property owner to shoulder huge legal expenses to protect their existing rights which are protected under current law; and

WHEREAS, under current statutes the status of private property and public access in existing roads is placed within the authority of locally elected county commissioners, with judicial review limited so as to protect the discretion of local elected officials; and

WHEREAS, as demonstrated by the Owyhee County Board of Commissioners in two specific cases decided in 2003 current law provided clear direction to County Commissioners to protect private property rights while preserving public access where it lawfully exists; and

WHEREAS, the Owyhee County Board of Commissioners found that direction furnished by current law, to be more than adequate to allow protection of property rights while preserving lawful public access; and

WHEREAS, the Owyhee County Board of Commissioners did not find it necessary to plead for statutory changes in order to exercise their authority over the county road system; and

WHEREAS, the statutes and case decision analyzed and applied by the Owyhee County Board of Commissioners are now clearly established, and any statutory changes would jeopardize existing private property rights by opening issues for new judicial interpretation which threatens established property rights; and

WHEREAS, the Owyhee County decisions were so clearly supported under clear current law that no judicial review was even sought, thus saving property owners the expenses of defending their rights in lengthy court battles; and

WHEREAS, statutory amendments leading to new judicial interpretations will again subject property owners to enormous legal costs to defend their existing rights; and

WHEREAS, an individual or county truly seeking an objective decision regarding road status can reach such decisions by following the same procedure, and relying on the same law, followed by the Owyhee County Board of Commissioners; and

WHEREAS, statutory changes which have been proposed during the past two sessions of the Idaho legislature would allow attacks on existing property rights, would allow open alteration and reduction of private property rights, would allow severe reduction of authority of locally elected county commissioners, and would subject property owners to extreme expense to defend their rights at the whim of any member of the public; and

WHEREAS, the existing road statutes are adequate for road issues occurring now, in the past, and future, and that any changes to the statutes may jeopardize existing decisions, and compromise and take private property.

NOW, THEREFORE, BE IT RESOLVED, the Owyhee Cattlemen's Association opposes any new road right of way, highway, or RS2477 legislation that may impact or take private property, private property rights or the economic activity that occurs on the affected private lands, oppose legislation that weakens the authority of locally elected county commissioners, and oppose any additional burden on the county taxpayers the proposed legislation may allow; and

BE IT FURTHER RESOLVED, the Owyhee Cattlemen's Association supports the 1993 Owyhee County assertions of RS2477 rights of ways on federal and state lands, the current Idaho statutes protecting private property rights while preserving public access where it lawfully exists, and will oppose any legislation that expands those RS2477 rights of ways onto private property.

#### **COUNTRY OF ORIGIN LABELING (COOL) (2003-1)**

WHEREAS, voluntary country of origin labeling with a born, raised and processed standard for determining United States origin has been available to the beef industry since the early 70's but despite producers support for labeling, it has not been utilized by processors and retailers; and

WHEREAS, Country of Origin labeling was passed into law by Congress in the 2002 Farm Bill; and

WHEREAS, all beef imported into the United States is required to be labeled up to the ultimate consumer, but the ultimate consumer has been defined as the processor, who is not required to retain the labels; and

WHEREAS, imports of both live cattle and beef represent formidable competition to producers of domestic livestock; and

WHEREAS, without the ability to differentiate imported beef from domestic beef at the retail counter, consumers cannot choose between imported beef, and domestic products and domestic producers cannot market, promote or advertise their specific product; and

WHEREAS, US livestock producers want to compete at the retail counter and labeling is the pro-competitive tool needed to facilitate competition;

NOW, THEREFORE, BE IT RESOLVED, the Owyhee Cattlemen's Association supports mandatory country of origin labeling with a born, raised and slaughtered standard for determining United States Origin.

BE IT FURTHER RESOLVED, the Owyhee Cattlemen's Association strongly urges Senators Larry Craig and Michael Crapo to support United States cattle producers by voting to keep funding for country of origin labeling.

#### **SAGE GROUSE (2003-2)**

WHEREAS, all available information indicates that sage grouse numbers in Owyhee County Have been increasing steadily over the past 10 years; and

WHEREAS, hunter take of sage grouse in Owyhee County has been increasing dramatically over the past three years and the take has been disproportionate toward females; and

WHEREAS, continually increasing hunter take has the potential to stop or even reverse the 10-year trend toward improved sage grouse populations.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association calls for careful review of take information in 2004 and if take numbers continue their rapid increase, the OCA calls for modification of the hunting season including bag limits, season length, and/or season dates to prevent any further increase in take numbers and to reduce the proportion of females being killed.

#### **SAFEGUARDING PRIVATE PROPERTY RIGHTS (2001-1)**

WHEREAS, Secretary of Interior Gale Norton has a record of defending, supporting and protecting private property rights, and has advocated a governmental approach which respects the free enterprise system founded on private property rights, interests and investment backed expectations; and

WHEREAS, Secretary Norton also has advocated the importance of including state and local government in federal management planning and implementation of the importance of coordinating federal management with such governments; and

WHEREAS, Secretary Norton also has advocated promoting local input into federal management planning and has further advocated that the planning agencies actually consider such local input; and

WHEREAS, Secretary Norton has expressed commitment to protection of the environment through good stewardship of the resources, a stewardship which respects both the health of the resource and the health of the private property rights which support, and make possible good stewardship; and

WHEREAS, the Owyhee Cattlemen's Association believes that protection and enhancement of our natural resources is consistent with protection of private property rights and interests and that, in fact, it is the existence of such rights and interests which prompt and promote good stewardship of the resources; and

WHEREAS, the Owyhee Cattlemen's Association has willingly taken a lead in the effort to promote good stewardship and effective management of the natural resources of Owyhee County; and

WHEREAS, the Owyhee Cattlemen's Association, founded in 1878, also has traditionally defended, supported and promoted private property rights and interests, a tradition which includes a long series of resolutions urging implementation of the free enterprise system such as the following:

1. a 1991 resolution urging Owyhee County to protect private property rights and the environment through implementation of a local land use planning process;
2. a 1991 resolution urging the BLM to comply with statutory provisions providing for consultation and coordination with ranchers in development of allotment management plans which would help protect private rights and expectations and benefit the environment;
3. a 1992 resolution urging the Idaho congressional delegation to work to create a requirement that a cumulative effect analysis be made of federal actions resulting in single use and limited use of federal lands in order to determine the negative impact such restrictions have on private property rights and interests and, therefore, on the economic health of Owyhee County and other rural counties in the west;
4. a 1994 resolution which urged the Idaho legislature to recognize by statute the private property right inherent in the grazing preference; and
5. a 1997 resolution urging that Congress prevent implementation of Interior Columbia Basin Ecosystem Management Plan which adversely impacts private property, rights and investment backed expectations and, thus, will adversely impact the environment.

WHEREAS, the Idaho legislature has recognized by statute the private property right inherent in the grazing preference by enacting Idaho Code, Sections 25-901, 25-902, and 25-903; and

WHEREAS, Owyhee County Commissioners have worked to protect private property rights such as the right inherent in the grazing preference and the private intermingled land upon which the health of the range is dependent, water rights and access rights which together form investment backed expectations which should be safeguarded by the Secretary of Interior; and

WHEREAS, Owyhee County Commissioners have offered such protection through implementation of a local land use planning process designed pursuant to the provisions of the Federal Land Policy and Management Act and an insistence that BLM coordinate its activities with the County; and

WHEREAS, there has never been established an adequate cumulative effect analysis process which requires analysis of the adverse impact of any federal rule or regulation on a small entity such as Owyhee County, the school districts and other taxing districts within Owyhee County, and the cities and towns within Owyhee; and

WHEREAS, Representative George Nethercutt of Washington was successful in gaining enactment of language in the FY 2001 Department of Interior Appropriations Bill that requires the federal agencies to present an analysis of the impact of the devastating fires which have occurred within the area covered by the Interior Columbia Basin Ecosystem Plan before that Plan was implemented; and

WHEREAS, the federal agencies, including the BLM, have continued to ignore the required analysis of adverse impact on small entities, and have commenced the process to implement the Interior Columbia Basin Ecosystem Plan in spite of the provisions contained in the Interior Appropriations Bill for FY 2001; and

WHEREAS, the BLM has refused to consult and coordinate with ranchers in development of allotment management plans even as related to those allotments as to which the BLM had previously decided allotment management plans were necessary, and continues to make livestock grazing decisions which adversely impact the grazing preference rights and the intermingled private land upon which range health is dependent, water rights and access rights which together form investment backed expectations which the Secretary of Interior is supposed to safeguard; and

WHEREAS, the BLM has failed to comply with its statutory obligation to coordinate with Owyhee County to the extent required by the Federal Land Management Policy Act, particularly regarding livestock grazing reductions which do not provide safeguarding of the private property right inherent to the grazing preference, such reductions being ordered even in the face of available management alternatives which would achieve sound management without such reductions; and

WHEREAS, when faced with issuing a grazing decision for an allotment, BLM routinely develops and selects an alternative with the greatest possible reduction in grazing and the most detrimental impact on the ranching operation, even when other viable alternatives are available which will achieve all resource management objectives with minimal impact on the grazing preference and the ranching operation; and

WHEREAS, the BLM has thus failed to safeguard the private property right inherent in the grazing preference even though the US Government assured the United States Supreme Court in arguments presenting *PLC v. Babbitt* that adequate safeguards for the preference were being afforded, and that the Secretary of Interior had no intent to violate the Taylor Grazing Act which requires such safeguard; and

WHEREAS, the BLM has taken actions which fail to safeguard the private property right and interest inherent in the grazing preference and the investment backed expectations which attach to that preference without making adequate takings implications assessments as required by Executive Order 12630 issued by President Ronald Reagan; and

WHEREAS, the BLM has failed to safeguard the grazing preference and its appurtenant water rights and access rights by filing claims as to the stockwater rights which were appropriated by ranchers' predecessors in title and thus became private water rights under Idaho state law; and

WHEREAS, because of the BLM's failure to adequately comply with federal statutory requirements in issuing ten year permits for ranchers in the Owyhee Resource Area of Owyhee County, ranchers have been punished by issuance of a court order by US District Judge B. Lynn Winmill which applies severely restrictive interim conditions not based upon sound science or site specific conditions, said order, if applied literally, effectively eliminating benefit to the ranchers of the Taylor Grazing Act's mandate that the Secretary safeguard the grazing preference recognized as a private property right by Idaho statute, said order, if applied literally, threatening the economic viability of 68 private ranches in the Owyhee Resource Area; and

WHEREAS, because of said decision by Judge Winmill, the permittees in the Owyhee Resource Area have been deprived of equal protection of the law because they are the only permittees in the United States who do not have the protection of language in the Interior Appropriations Bill which allows permittees to continue to graze in accordance with the previous year's terms pending full compliance with the National Environmental Policy Act; and

WHEREAS, Judge Winmill's order states that BLM "has broad discretion in enforcement matters" and that "if application of the interim terms in a specific situation would be unjust, ineffective, or unreasonable, the BLM has the discretion to meet with the permit holder and work out a fair result", to the date the BLM has not suggested that it will exercise such discretion but contends that it is bound by the interim conditions; and

WHEREAS, the Owyhee Cattlemen's Association believes that there are actions the Secretary of Interior could take to safeguard the grazing preference, to require full compliance with statutory requirements of coordinating federal

actions with Owyhee County, to require consultation and coordination with ranchers to develop allotment management plans, to require analysis and consideration of the adverse impact of federal decisions on small entities, to hold up implementation of the Interior Columbia Basin Ecosystem Plan until there has been compliance with the terms of the FY 2001 Interior Appropriations Bill and with the statutory requirement of analysis of adverse impact on small entities, to assure that adequate takings implications assessments are made prior to issuance of federal actions and decisions, and to require the BLM in Idaho to provide adequate safeguarding of the grazing preference by reviewing alternative management strategies which would protect the preference and still comply with Judge Winmill's order; and

WHEREAS, after experiencing the adverse impact of the private property rights and interests resulting from federal actions during the past 8 years, the Owyhee Cattlemen's Association believes that renewed efforts are necessary to protect private property, private property rights and interests and investment backed expectations from adverse impact resulting from governmental actions at all levels of government – local, state and federal.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association urges the Secretary of Interior to consider the issues discussed herein and to direct that BLM staff, including BLM staff in the Boise District, comply with federal law in the following manner:

1. Safeguard the grazing preference, and coordinate federal management with local county planning, by giving realistic consideration to implementing grazing management strategies which provide alternatives to reduction of grazing, and to resort to reductions only when it is not practicable to implement such alternative strategies; and
2. Comply with Executive Order 12630 by performing takings implications assessments prior to implementing grazing reductions, paying careful attention to property rights which include investment backed expectations; and
3. Comply with federal statutory requirements for pre-implementation analysis of adverse impact of federal action on small entities which, by statutory definition, includes Owyhee County, the school districts and other taxing districts within the county, and all cities and towns in the county; and
4. Delay agency implementation of the Interior Columbia Basin Ecosystem Plan until the report on changed conditions resulting from the past year's devastating forest fires has been presented as required by the FY 2001 Interior Appropriations Bill, and has been considered by Congress; and
5. Comply with provisions of the Federal Land Policy Management Act by consulting with and coordinating with ranchers in development of allotment management plans for at least those allotments included in a previous BLM decision that allotment management plans were necessary; and
6. Safeguard the grazing preference of the ranchers involved in the lawsuit of Idaho Watersheds Project v. Hahn by considering, reviewing and giving priority to management strategies which would protect the resource without complying with the interim conditions of Judge Winmill's decision, such action being consistent with Judge Winmill's statement that the interim conditions were not mandatory if alternative strategies could protect the resource; and
7. Review and re-assess the decision made by BLM during the past administration to file claims to stockwater which historically, and constitutionally, were appropriated as private water rights by ranchers, and review the severity of adverse impact of the federal filings on ranchers who have been required to expend large amounts of money on attorney fees to defend their water rights which are valid under state law.

BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association urge the Secretary of Interior to appoint a designee to meet with appropriate members of the BLM staff in Idaho, with the Owyhee Cattlemen's Association, the Owyhee County Commissioners, the Owyhee County Farm Bureau, appropriate members of the Idaho Department of Lands, other range specialists, and representatives of financial institutions in order to discuss and attempt to resolve issues related to coordinating planning and management actions in order to promote the health of natural resources and the private property rights, interests, and investment backed expectations inherent in the grazing preference;

AND BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association urge state agencies involved in management of natural resources and with enforcement of environmental regulations to carefully review and consider the guidelines provided to them by the office of the Attorney General with regard to analysis of adverse impact of state actions on private property rights, interests and investment backed expectations;

AND BE IT FURTHER RESOLVED that the Idaho Attorney General be urged to review submissions by the state agencies to assure that such agencies are complying with Idaho's Regulatory Takings laws;

AND BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association urge the Owyhee County Commissioners to continue their long-standing effort to protect private property rights, interests and investment backed expectations inherent in the grazing preference, to continue their insistence that the BLM and other federal and state management agencies coordinate their activities with the County in order to protect a sound environment and economy for the County, and to continue their efforts to lead in the formation of a coalition of rural counties in order to gain strength for supporting measures beneficial to and necessary for achieving and maintaining a healthy environment and economy for such rural counties;

AND BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association President and Board of Directors appoint a Private Property Task Force to implement this resolution and to study other means of securing protection of private property rights, interests and investment backed expectations and recommend action to support of such means to the Association, and to study means by which a fair method of compensation can be administered to benefit persons whose private property is diminished in value or in use by government regulations.

### **OWYHEE BRUNEAU CANYONLANDS (2001-2)**

WHEREAS, a special interest groups have requested the President of the United States to designate an Owyhee-Bruneau Canyonlands National Monument in Owyhee County, Idaho, which would include over two million federal acres, and hundreds of thousands of acres of state land as well as private land, in an area including more than one-half the land mass of Owyhee County; and

WHEREAS, designation of the monument would remove the affected federal lands from the multiple use mandates of Congress and place them under more restrictive administration as a monument where management can adversely impact livestock grazing that is key to the local economy of the County, block access to and use of water rights held as private property rights, eliminate the economic viability of vested mining claims, and deny thousands of citizens the opportunity to recreationally use, enjoy and benefit from the land; and

WHEREAS, the uniqueness of the Owyhee Canyonlands has been maintained in co-existence with multiple uses of the federal lands and continuing stewardship of adjoining state and private lands, and this successful co-existence demonstrates no necessity, or even desirability, for designation of a national monument.

NOW, THEREFORE, BE IT RESOLVED by the members of the Owyhee Cattlemen's Association that we strongly oppose any action to implement special use designation such as a National Monument or National Conservation Area or any other designation that would compromise the historic multiple use of the Owyhee Bruneau Canyon lands.

BE IT FURTHER RESOLVED that this resolution be forwarded to the President of the United States, the Secretary of Interior, President of the Senate and Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho.

### **RANGE EVALUATION METHODS AND PROCEDURES (2001-3)**

WHEREAS, the BLM Lower Snake River District resource area field offices are in the process of conducting Assessments and Determinations under the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management; and

WHEREAS, the BLM is conducting and publishing assessments and determinations without an assessment of non-grazing impact on range health indicators and without any evaluation of current livestock grazing practices as required by the Idaho Standards and Guidelines; and

WHEREAS, in the process of conducting the Standards and Guidelines Assessments, BLM is using a subjective and qualitative rangeland health assessment procedure which the Interagency Development Team adamantly declares is neither intended nor suitable for this purpose; and

WHEREAS, the BLM is using a purported Proper Functioning Condition evaluation which does not follow the standards and procedures for such evaluations established by the National Interagency Riparian Team headed by BLM personnel; and

WHEREAS, the BLM is using outdated 303(d) lists instead of current 303(d) lists issued by the Idaho Department of Environmental Quality and is therefore erroneously targeting beneficial use standards on stream segments for which IDEQ has determined those standards are already met; and

WHEREAS, the BLM is making adverse livestock grazing determinations regarding threatened, endangered and sensitive species from livestock grazing, and even in the face of evidence that livestock grazing has no such impact; and

WHEREAS, the BLM is issuing reports for compliance with the interim conditions set forth in US District Judge Winmill's order in Idaho Watershed v. Hahn without documenting any determination that the conditions are applicable to a particular allotment or stream segment, without using assessment protocols specific to the interim conditions and without even following standard assessment protocols; and

WHEREAS, the efforts of BLM employees appear to be, and are perceived to be, inconsistent with the Department of Interior approved Idaho Standards and Guidelines, inconsistent with procedural direction given by their own superiors in the Department of Interior, inconsistent with State processes for identification and management of streams for beneficial use, inconsistent with Federal statutory requirements that species decisions be based upon scientifically sound evidence and inconsistent with federal court decisions implementing specific interim conditions.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association seeks to resolve these range and resource condition assessment questions and to identify mutually understood and accepted protocols and procedures; and

BE IT FURTHER RESOLVED that to achieve such resolution, the Owyhee Cattlemen's Association urges that a meeting be arranged with the Owyhee County Commission, Owyhee County Farm Bureau, the BLM district and area managers, BLM state specialists, a designee of the Department of the Interior, State Department of Lands, State Department of Agriculture, and recognized independent range assessment experts to discuss the application and use of appropriate assessment procedures, and that the President and board of directors of the Owyhee Cattlemen's Association appoint a task force to implement this resolution.

#### **MAINTAINING THE ECONOMIC VIABILITY OF THE PRODUCTION SEGMENTS OF THE BEEF INDUSTRY (2000)**

WHEREAS, foreign beef imports are not subject to the same consumer protection regulation as domestic beef, are produced under subsidy creating unfair price advantages over domestic beef and result in increase supply without regard to demand thereby depressing domestic prices; and

WHEREAS, the retail and packing segments of the livestock industry have become concentrated enough to possess bargaining power that cannot be matched by the production segments and are able to maintain or increase their profit margins at the expense of the other segments; and

WHEREAS, the production segments of the livestock industry play an important role in agriculture's positive trade balance, the economic health of rural economies and governments, provide the ecological benefits of open space and sustainable use of natural resources, and provide the social and cultural benefits associated with family farms and ranches; and

WHEREAS, the positive benefits described above are threatened by the current and continuing loss of family farms and ranches due to low cattle prices resulting from concentration in the retail and packing segments of the industry and from unfair foreign beef trade.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association requests that the Congress take action as necessary to direct the Departments of Agriculture and Commerce to take action to balance bargaining powers of the different segments of the cattle industry; and

BE IT FURTHER RESOLVED that the Congress take action as necessary to direct the Department of Agriculture and Commerce, in consultation with the beef industry, to develop a formula of predicting the amount of foreign beef imports that may depress domestic prices below economic levels and take all legal actions to prevent importation that results in such prices.

#### **INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT EIS (1997)**

WHEREAS, the Interior Columbia Basin Ecosystem Management Project and Upper Columbia River Basin EIS:

- Was initiated and has been developed without Congressional authorization or consent.
- Has misappropriated public funds authorized by the Congress for other purposes.
- Encompasses such a vast and diverse area that site specific conditions, objectives and management are meaningless.
- Is written and assembled in a manner that defies public understanding of its content or consequences.

- Cannot possibly address the diversity of potential local situations through a single preferred alternative covering 5 states.
- Was developed without the specific and direct coordination with affected local governments as required by law.
- Was implemented, funded and developed through agency agreements that insulate the bureaucracy from accountability.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association calls for the Congress of the United States to immediately exercise their Constitutional duty to assume management authority and budget oversight for the Federally Managed Lands by taking what ever action is necessary to direct all Federal agencies involved in the Eastside and Upper Columbia River Basin Ecosystem Management Project to end the effort without further action or expense and to abandon effort to publish a Final Environmental Impact Statement and Record of Decision.

WHEREAS, the Federal Lands Task Force appointed by the State is investigating the circumstances under which the State could assume management of the public lands to better represent the wishes and needs of Idaho citizens.

#### **STATE AND LOCAL MANAGEMENT OF PUBLIC LANDS (1996)**

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association asks the State of Idaho to pursue the assumption of management authority for the public lands within its borders for the protection and health of the natural resources, to reduce deficit Federal spending, to ensure multiple use by all citizens of the State and our visitors, and to keep the breath of life in our unique culture and communities that will surely be lost with a continuation of present management.

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association is dedicated to this course of action and will work with the State to gain County management of the Public Lands in Owyhee County.

#### **RECOGNITION OF PROPERTY RIGHTS IN GRAZING PREFERENCE (1995-1)**

WHEREAS, the United States Supreme Court has stated that "property rights are not created by the Constitution; rather, they are created and their dimensions are defined by existing rules or understandings that stem from an independent source such as State Law." (449 US 155, 161; 1980); and

WHEREAS, the Supreme Court has stated "...the Law of real property is, under our Constitution, left to the individual States..." (389 US 290, 295, 19 L Ed 2d 530, 88 S. Ct. 438; 1967); and

WHEREAS, the Supreme Court has also stated "Rights and interests . . . are matters of Local Law" (269 US 10, 22, 80 L Ed 9, 56 S. Ct. 23; 1935); and

WHEREAS, grazing preference, by Federal Statute, has been defined, acknowledged and adjudicated to individual citizens of the State of Idaho under local custom and law.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association calls on the Legislature of the State of Idaho to recognize by law the possessory property right inherent in grazing preference held by Idaho citizens to graze their stock upon the public land.

#### **RETURN OF BLM LANDS TO THE STATES (1995-2)**

WHEREAS, the 10<sup>th</sup> amendment guarantees the entry of states into the Union on an equal footing; and

WHEREAS, Federal Government actions in the management of public lands are denying, and attempting to take, without compensation, private property rights and interests in the public lands including water rights, grazing rights, rights of way, hunting rights, recreational rights and others; and

WHEREAS, the Federal Government has demonstrated that they cannot efficiently manage the BLM lands, thus creating a drain on the Federal budget.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association supports legislative efforts to restore the BLM managed lands to the States to which they belong and to assure that such transfer includes a guarantee of all vested private property rights and interests in those lands.

AND, BE IT FURTHER RESOLVED that the OCA ask their members to pay part or all of their 1996 PLC dues to the Owyhee Cattlemen's Property Rights Defense fund in order to maintain a fund capable of dealing with significant property rights issues facing our membership.

### **RE-AUTHORIZATION OF THE ESA (1995-3)**

WHEREAS, the Federal Agencies administering the ESA have totally disregarded the Constitution, all common sense, impact on citizens of their actions; and

WHEREAS, the Act is now up for Re-authorization.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association supports amendment of the act to fully protect the value of all private property rights and interests, to protect privacy on private lands, to require consideration of economic impact on both private citizens, states and the Federal budget, to assess the potential for a successful recovery prior to any proposed listing or recovery plan, and to require that state of the art science and not theoretical possibilities be incorporated into any actions regarding the listing and or recovery plans for endangered species.

### **STATE ENDOWMENT LAND GRAZING LEASES (1994-1)**

WHEREAS, State Endowment grazing lands must be managed to maximize benefit to public schools; and

WHEREAS, the economic activity generated by grazing use of State Grazing Lease Lands will produce greater revenue for our schools than non use of these lands.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association is opposed to issuing a State Endowment Grazing Lands lease to any entity that will not actually use those lands for grazing purposes.

### **COUNTY RANGE ADVISOR (1994-2)**

WHEREAS, the condition and management of the private, state, and public rangelands and other natural resources are of critical importance to the economic stability of the county; and

WHEREAS, the county has assumed responsibilities under the County Land Use and Management plan regarding federal and state rangelands and all natural resources within the county; and

WHEREAS, all rangelands and natural resources in the county would benefit from management based on more science and less conjecture, on range condition, trend, utilization, and other resource information.

NOW, THEREFORE, BE IT RESOLVED that the OCA urge the Owyhee County Commissioners to hire such range and natural resource advisors as are necessary to assist the commissioners, citizens, and state and federal agencies with development, assessment, and interpretation of data used for land management decisions within the county, even if the costs requires an increase in county tax rates.

### **RANGELAND REFORM '94 (1994-3)**

WHEREAS, Rangeland Reform '94 proposes no positive action to truly manage rangeland ecosystems while implementing a minority environmental extremist agenda through arbitrary enforcement of arbitrary compliance standards that disregards all legal, social and economic considerations; and

WHEREAS, every section of the proposed rule contains wording that will result in one or more of the following:

- Violation of current statutes and/or Constitutional law
- Taking or infringement on private property rights and interests.
- Infringement on the sovereignty of the western states. Destruction of the custom, culture and economic stability of the rural west.
- Reduced grazing use of State lands that support our School Endowment Fund.
- Changing multiple use land management to special uses through custodial regulation and enforcement of arbitrary compliance standards.
- Reversal of current ecosystem improvement resulting from rancher stewardship and the active participation of private enterprise in management of the public land.
- Collection of an unfair, unreasonable, and industry disrupting grazing fee in direct conflict with the governing statutes.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association insists that:

- The Administration withdraw the proposed rule and affirm a commitment to abide by current governing statutes and the US Constitution.
- The ICA, NCA, PLC and Idaho Congressional delegation reject any offer of compromise and pursue all administrative, legal and legislative avenues to defeat every section of the proposed rule.
- Grass roots input be sought and used to address any future Administration effort to implement environmental extremist policy.

#### **UNAUTHORIZED USE (1994-4)**

WHEREAS, current grazing regulations contain no provision for penalty for unauthorized use which is incidental in nature, that is, which was not actively allowed by the permittee, and a permittee cannot “allow” unauthorized use to occur unless he/she is aware that it is happening or aware that it is very likely to happen; and

WHEREAS, penalty provisions in the grazing regulations specifically refer only to persons allowing a prohibited act to occur and, therefore, incidental unauthorized use is not subject to penalty as a prohibited act; and

WHEREAS, the absence of provisions for incidental unauthorized use results in the BLM pursuing time consuming trespass actions for incidental use that is contrary to current grazing regulations and serves no useful purpose.

NOW, THEREFORE, BE IT RESOLVED that the OCA supports adoption of the following policy by the Idaho States BLM office and that it be enforced in all district area offices:

*“Unauthorized grazing use resulting from circumstances beyond the reasonable control, duty, and knowledge of the permittee and not resulting from a volitional act of the permittee, will be considered as incidental unauthorized use and shall be settled by the timely correction of the occurrence by the permittee. Failure of the permittee to respond in a reasonable and timely manner may result in trespass action. Grazing use, honestly represented in a certified actual use report will not be used to pursue penalty actions for unauthorized use.”*

#### **PROTECTION OF THE CUSTOM, CULTURE AND ECONOMIC STABILITY OF OWYHEE COUNTY (1993-1)**

WHEREAS, Federal agencies are mandated by numerous federal statutes to protect the local custom, culture, and economic stability of Owyhee County as defined in the Land Use Plan and to coordinate their activities with the county.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen’s Association strongly encourages the Owyhee County Commissioners to pursue whatever means necessary to insure Federal agency compliance with their statutory obligations to the county.

#### **BLM FILINGS ON PERMITTEE WATER RIGHTS (1993-2)**

WHEREAS, the BLM has cross filed on permittees water rights on Federal lands. They are claiming livestock grazing as a beneficial use with priority dates as of first settlement of the region, and through court actions are not paying filing fees necessary to cover the cost of adjudicating their claim. They are formulating objections to all claims of permittees which are not cross filed; and

WHEREAS, the Idaho Department of Water Resources plans to recommend that the court favor the BLM filings.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen’s Association work with the ICA to formulate protests to the BLM filings and the IDWR recommendation to pursue efforts to get this matter resolved before the courts, and to pursue efforts to require the BLM pay their share of the handling of their claims.

#### **GRAZING FEE CHANGE PROPOSALS (1993-3)**

WHEREAS, the proposed Incentive Based Grazing Fee System establishes narrower management goals than those historically founded in multiple use management, is inherently unfair in the granting of incentives for vegetation change, would make dealings with and treatment of permittees a discretionary matter with agency managers, and would make the “subsidy” claims of anti-grazers a matter of fact.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen’s Association calls on our congressional delegation and the Federal agencies to reject the proposal and to pursue study of other concepts including the “No Net Cost” concept proposed by Congressman Smith of Oregon and the “Equitable Estate Right” approach proposed by Dick Manning of New Mexico.

### **POLICY ON NATIONAL NATURAL LANDMARK PROGRAM (1992-1)**

WHEREAS, the National Natural Landmark Program is a little known National Park Service activity established in 1962 to identify and designate lands (Federal, State, and privately owned) as National Natural Landmarks that are of "National Significance"; and

WHEREAS, the National Park Service claims authority for this program under the Historic Sites Act of 1935 despite a 1980 Department of Interior solicitors opinion that no such authority exists in this Act; and

WHEREAS, the NPS through the NNLP and its environmental surrogates have clandestinely surveyed the entire land base and targeted tens of thousands of landowners (including over 800,000 acres in Idaho alone) in this program; and

WHEREAS, this program is a land use control mechanism that has been operated outside of any NEPA requirements with secrecy, deception, and abuses of private property rights, and new proposed rule changes clearly indicate the intention of NPS to continue the abuses of the past.

NOW, THEREFORE, BE IT RESOLVED that due to the NNLP's moot legislative authority, blatant exclusion of public review, and extensive historic abuse of private property rights, the Owyhee Cattlemen's Association calls for our congressional delegation to seek an immediate Executive Order and introduce legislation to dissolve the NNLP and release all pending NNL designations from such authority;

AND, BE IT FURTHER RESOLVED, that the NNLP, through Executive Order of legislation, be required to review all current NNL designations and provide due process to individuals by allowing land owners and others with valid private property rights, at their discretion, to withdraw their lands, exempt their rights from NNL influence, or to accept just compensation for loss of those lands and or property rights.

### **POLICY ON CUMULATIVE EFFECT OF FEDERAL ACTIONS (1992-2)**

WHEREAS, the federal lands are used to convert, on a sustained yield basis, otherwise unused forages to a valuable edible and nutritious human food, to supply wood products to a growing nation, to produce essential minerals, to supply a substantial portion of the nation's energy, and to provide vast diverse recreational opportunity; and

WHEREAS, the law requires these lands to be managed under multiple use sustained yield policy, and such policy is being ignored and displaced on vast areas of Federal lands by limited or single use designations and artificial use restrictions based on liberal bureaucratic interpretation of laws and regulations regarding wetlands, endangered species, wilderness, wild horses and burros, wild scenic rivers, national parks, natural landmarks, special management areas, user fees, and others; and

WHEREAS, the cumulative effect of these increasingly frequent limited use or single use designations and other artificial use restrictions are destroying economic integrity in the West, depriving American citizens of food, fiber, and shelter at a reasonable cost, continually shrinking recreational opportunity, infringing on personal property rights, and limiting the industrial development of the Nation.

NOW, THEREFORE, BE IT RESOLVED that the OCA calls for our congressional delegation to seek an immediate Executive Order and introduce National Legislation which will require an Independent Cumulative Effect Analysis of all Federal designation or use restriction (whether by law or administration) on any Federal, State or Privates lands with regard to the cumulative negative impacts such designation may or will have on community, area, and regional economic health in the West, cost of essential consumer goods, recreational opportunity, and the supply of raw materials which feed the nation's industrial growth.

### **POLICY REGARDING WILD HORSES AND BURROS (1991-1)**

WHEREAS, the Wild and Free Roaming Horses and Burros Act provides that consultations be undertaken with wildlife agency representatives and others as recommended by the National Academy of Science with determining overpopulation of wild horses, appropriate management levels, and need and method of removal of "excess" animals (Section 3(b)(1)); and

WHEREAS, the act also provides that a determination of overpopulation and determination of appropriate management levels (numbers) be based on land inventory, land use plans completed pursuant to Section 202 of FLPMA, information contained in EIS's pursuant to Section 2 of PRIA, recommendations of the National Academy of Science, information gained from research as provided for in this act, and, in the absence of this information, on the basis of such information as is currently available (Section 3(b)(2)); and

WHEREAS, the purpose for determination of Appropriate Management Levels and removal of “excess animals” Section 2(c) is to preserve and maintain a thriving ecological balance and multiple use relationships of that area; and

WHEREAS, the Interior Board of Land Appeals in its decision dated June 7, 1989, effectively eliminated the requirement for consultation with wildlife representatives and others, eliminated any use of the above inventory, planning, and research information in determination of Animal Management Levels, and has eliminated multiple use management of Wild Horse Areas and shifted use exclusively to wild horses and, in effect, re-written the law.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen’s Association requests the Idaho State BLM Director, National BLM Director, Secretary of interior, and Congressional Delegation make every effort necessary to overturn this decision and restore management of wild horses to the full letter and intent of the Wild and Free Roaming Horses and Burros Act and bring such management back under the legal requirements of FLPMA and PRIA.

**POLICY ON CONSULTATION AND COORDINATION (1991-2)**

WHEREAS, the Boise District of the BLM is in the process of developing the various Resource Area Management Plans and determining allotment (M, C, & I) ratings and management priorities which will affect all future AMP’s; and

WHEREAS, comments received from permittees during the ORAMP scoping process were apparently not fully considered in developing planning criteria for the RMP; and

WHEREAS, the allotment conflicts used for determining M, C, & I rating and priorities are improper in that research shows that erosion is not a conflict associated with the general practice of grazing cattle and that application of grazing suitability criteria is no longer applicable; and

WHEREAS, consultation and coordination with permittees during the RMP scoping process should be given greater consideration when developing planning criteria; and

WHEREAS during the allotment rating process Consultation and Coordination with permittees should be done prior to determining the conflict criteria should allow more time for permittees to respond to ratings, and should be scheduled to allow for on site consultations at the request of affected permittees.

NOW, THEREFORE, BE IT RESOLVED that the OCA request that the BLM increase their effort to provide for timely and complete consultation and coordination with permittees as directed in the Federal Land Policy and Management Act when making decisions which will affect future Allotment Management Plans.

**POLICY ON STATE LAND TENURE (1991-3)**

WHEREAS, the proper stewardship of state grazing lands is largely dependent upon the long term commitment of the cattlemen leasing those lands; and

WHEREAS, the state grazing lands contribute substantially to the stability of ranching operations and consequently the small rural communities of Idaho; and

WHEREAS, the current leasing system for state grazing lands does not provide for the tenure needed to promote the highest possible rancher investment and improvement in those lands; and

WHEREAS, a leasing system that would provide for tenure would promote and enhance the stability of ranching operations as well as dependent rural communities.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen’s Association supports legislation that would change the current state grazing land leasing system to provide for long term tenure on those lands.

**PRIORITY FOR PUBLIC LAND ISSUES (1991-4)**

WHEREAS, public land grazing is essential to the beef cattle industry in Idaho as we know it today, from the cow-calf producer to feeders, packers, allied industries and our rural communities.

NOW, THEREFORE, BE IT RESOLVED that the continuance of public land grazing in an economically feasible and environmentally responsible manner be the number one priority of the OCA and that the Owyhee Cattlemen’s Association shall seek to have this resolution accepted as Idaho Cattle Association policy.

**POLICY ON ENHANCED TRAINING IN IDAHO (ETI) (1991-5)**

WHEREAS, the Department of Defense has decided that an expansion of Air Force and Air National Guard training range capacity in Owyhee County is important to the national defense; and

WHEREAS, the continued presence of Mountain Home AFB is important to the economy of southwest Idaho; and

WHEREAS, the information currently available on the proposed Enhanced Training in Idaho (ETI) could, with modification, satisfy the concerns of the OCA and the Training Range Review Committee.

NOW, THEREFORE, BE IT RESOLVED that the OCA is committed to successful resolution of issues satisfactory to the interests of the military, Owyhee County, and the OCA regarding the Proposal for Enhanced Training in Idaho, and that the Board of Directors shall work to that end with the Stockmen's training Range Committee and the ICA.

#### **PROPERTY RIGHTS AND LOCAL LAND USE PLANS (1991-6)**

WHEREAS, both private property and federal grazing rights are essential to continue a viable livestock industry in Idaho and Owyhee County; and

WHEREAS, the BLM is under pressure to reduce livestock grazing; and

WHEREAS, the BLM at times chooses not to use the time honored method of coordination, cooperation and consultation in their land use plans.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association goes on record and urges the Owyhee County Commissioners to proceed with their research in development of ordinances to protect property rights and to ensure the cooperation of the Federal Government in Local Land Use Planning.

#### **POLICY ON WILD AND SCENIC RIVERS (1991-7)**

WHEREAS, National Wild and Scenic Rivers Bills are being proposed in Idaho which will include private as well as public lands within their areas; and

WHEREAS, livestock rely to some degree on public as well as private lands for grazing and water; and

WHEREAS, the bills contain condemnation provisions for private lands as well as condemnation of scenic access and other easements which may be used to jeopardize privately vested water rights and dictate management of adjacent lands; and

WHEREAS, the bills contain no specific language to assure that grazing and agricultural practices can continue without disruption.

NOW, THEREFORE, BE IT RESOLVED that because such bills carry with them the potential of fatal disruption of ranching units that the Owyhee Cattlemen's Association will strongly oppose them.

#### **BLM RANGELAND MONITORING PROGRAM (1990-1)**

WHEREAS, all land use plans contain activity plans designed to achieve specific range management objectives. BLM Technical Reference 4400-4 identifies Trend monitoring data as the primary indicator of whether rangeland is moving toward or away from specific planned management objectives. Monitoring data and specifically Trend data is the only way to know if planned activities and improvements are successfully achieving the intended objectives and consequently whether plans should be continued or changed; and

WHEREAS, monitoring data for utilization, actual use, and climate data are useful in support of trend data for long term planning; and

WHEREAS, in the past, rangeland trend has been largely a subjective estimate and has varied widely with changes of resource area personnel, resulting in continually changing long term management direction; and,

WHEREAS, the success of the entire planning and management process is dependent upon availability and accuracy of comprehensive monitoring data.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association calls for the BLM Boise District to provide for all of the minimum monitoring requirements for each separate allotment in the district, and that such rangeland monitoring program should conform to the Idaho Rangeland Committee, Minimum Monitoring Standards for BLM Administered Rangelands in Idaho; and

BE IT FURTHER RESOLVED that the monitoring program be given a high priority to insure that adequate and accurate monitoring data is available to support future land use planning efforts and to stabilize current ongoing management programs.

### **AMENDMENT OF THE ENDANGERED SPECIES ACT (1990-2)**

WHEREAS, the Threatened and Endangered Species Act (16 U.S.C. 1533) allows any person to file a petition to protect a species under the terms of the Act. The USFW Service alone (without public input) determines whether such species receives a proposed listing. Such proposed listing results in government management actions as though the species was listed; and

WHEREAS, the current actions by the USFW Service and other government agencies associated with proposed listings can completely disrupt land uses and people's livelihoods without public input and without considering all of the pertinent scientific data prior to the proposed listing; and

WHEREAS, private property rights are being encroached upon and the well-being of the general public is being disregarded by proposed listings as well as final listings under this Act.

NOW, THEREFORE, BE IT RESOLVED that the U.S. Congress amend the Threatened and Endangered Species Act to provide for the following:

1. A person proposing the listing of a species as "threatened or endangered" shall post a bond (for damages to individuals and property incurred as a result of the proposal) if the species are subsequently not found to be endangered.
2. It shall be the responsibility of the petitioner or the USDI to prove the endangerment rather than the general public. Final listings as endangered shall be on the basis alone and not simply on "rarity" and further the whole of a species must be endangered to be listed and not just a sub-population in a small area.
3. Scientific data supporting inclusion of species shall receive wide dissemination to land owners and private organizations representing rights of land owners.
4. Listing of a species shall not encroach upon economic aspect of agricultural pursuits and, where there is conflict, human need for food, fiber and energy shall have priority over the protection of endangered species.
5. The grizzly bear and wolf shall be removed from listing as threatened and endangered and their management be given over to the states in which they exist. The Federal Government shall assume all liability for damages to persons or property caused by or in any way resulting from the relocation or re-establishment of an endangered species, especially carnivore such as wolves and bears. When or if a species is transplanted or otherwise relocated into an area, there shall be no prohibition of or changes made in current land management practices. Endangered species may be taken or removed from private land if causing damage to private property of if payment or compensation by the federal government is not allowed.
6. Any area where an endangered species has not been sighted in five years shall be withdrawn from designated habitat.
7. The Fish and Wildlife Service shall develop and maintain an accurate inventory of current numbers of endangered species with critical designations as to the numbers necessary for listing and for de-listing and such species shall be de-listed when the population exceeds the upper limit for endangerment.
8. All federal agencies shall prepare an economic impact study of all actions taken under the Act to perpetuate a species prior to taking such actions.

### **STATE AGENCY GUARANTEE OF PROPERTY RIGHTS (1990-3)**

WHEREAS, agriculture and private property rights, as we know them, are under siege and those who would operate their farms and ranches as they have are losing those historic rights; and

WHEREAS, these valued rights of land ownership and freedom of operation are steadily being stripped away by means of government regulations and ordinances; and

WHEREAS, the Constitution of the United States and the Idaho State Constitution contain explicit language protecting private property rights and insure just compensation if those rights are taken by government.

NOW, THEREFORE, BE IT RESOLVED to remind State governmental agencies of the Constitutional provisions and to guarantee that they will be honored in the rule making process. A bill needs to be introduced and passed in the 1991 session of the Idaho State Legislature that will require each agency of State government to insure through impact assessment that rules and regulations which they adopt do not "take" or impair the use of private property without just compensation.

**WILD HORSE AND BURRO POLICIES (1982-1)**

WHEREAS, the Department of Interior and Bureau of Land Management have recently announced new policies for wild horse and burro management and control; and

WHEREAS, the new policy calls for a \$200 per animal fee for adoption of excess wild horses and burros; and

WHEREAS, we need to control the numbers of wild horses and burros, for the need to protect our rangelands is becoming more evident year.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association go on record in favor of the new Interior Department and BLM Wild Horse and Burro Management Plan which would provide for adoption fees and disposal of excess wild horses and burros;

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association support changes in this policy which would provide for increased adoption fees to level which would make the wild horse management program more self-sufficient;

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association be in favor of changes in the wild horse and burro act and policies which would allow for other means of removing wild horses and burros from the range along with adoption procedures;

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association strongly supports Senator McClure's Amendment (S2183) to the Wild Horse and Burro Act which permits the sale or disposal of excess animals not adoptable, to control the number of animals on public rangelands.

**BRUNEAU SAND DUNES STATE PARK (1982-2)**

WHEREAS, the State of Idaho proposes an expansion to the Bruneau Sand Dunes State Park. A total of 1,800 additional acres has been requested from the BLM; and

WHEREAS, the proposed expansion would reduce grazing land resources in the area; and

WHEREAS, due to its current financial position, it appears the State could spend taxpayer funds more wisely than on this expansion.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association opposes the proposed expansion to the Bruneau Sand Dunes State Park.

**LOSS OF AGRICULTURAL LAND** *(on agenda to be re-affirmed at July 1981 meeting – original date of resolution not known)*

WHEREAS, it is a recognized fact that prime agriculture lands nationwide are being lost to other uses such as freeways, all types of developments, recreation, etc. at an alarming rate; and

WHEREAS, agriculture, including livestock raising is the leading industry in Owyhee County; and

WHEREAS, an ordinance which would have been protective toward agriculture as well as providing for orderly growth around the cities or impact areas has been stricken down; and

WHEREAS, there is a moratorium now in effect that prohibits any new developments outside of a 10-mile strip from the Snake River, which would still allow for any developments such as residential, industrial, etc., in or around the impact areas.

NOW, THEREFORE, BE IT RESOLVED, that the Owyhee Cattlemen urge the County Commissioners upon expiration of this moratorium to extend it for a period of not less than three years or until an ordinance that is truly protective of agriculture is passed.

**BONDING MINING CLAIMS** *(on agenda to be re-affirmed at July 1981 meeting – original date of resolution not known)*

Note: This resolution is brought about to protect land owners from irresponsible acts, and is not a reflection on the mining industry.

BE IT RESOLVED that the Owyhee Cattlemen's Association urges the county to have anyone filing a mining claim on deeded land where the government retains the mineral rights post a bond or cash with the county clerk in the amount of \$5,000 not limited for each claim. The money would be used to reimburse the landowner for surface damages.

**PROPERTY OWNER RIGHTS** *(on agenda to be re-affirmed at July 1981 meeting – original date of resolution not known)*

WHEREAS, property owners often, out of necessity, own property in more than one district, county, township, or state; and

WHEREAS, bond proposals, elections, zoning ordinances, etc. affect their property both real and personal, whether or not they reside on that particular parcel; and

WHEREAS, under present law property owners can only vote on issues pertaining to that particular parcel on which they reside; and

WHEREAS, family corporations are not allowed to vote on water bonds pertaining to that particular parcel on which they do reside; and

WHEREAS, we strongly feel that property owners should be allowed their Constitutional right of expressing their desires and/or views on legislation regarding their property whether they reside there or not.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association by this resolution respectfully requests that our State Legislature, Water Districts, City and County Governments take immediate action to restore to property owners their Constitutional rights governing their property regardless of where they reside.

**WILD HORSE ROUNDUP** *(on agenda to be re-affirmed at July 1981 meeting – original date of resolution not known)*

WHEREAS, the Boise District BLM was the first district to set up the most efficient and economical program in the gathering of wild horses and;

WHEREAS, the results on ranges where these gatherings have occurred have been beyond our wildest dream.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association go on record as supporting these practices on a regular schedule in the future.

**STATE LAND TRADES AND EXCHANGES** (1982-4)

WHEREAS, there has been some thought given to the blocking of State Endowment Lands; and

WHEREAS, this blocking would be the result of land trades and exchanges between the State Land Board and the BLM; and

WHEREAS, we are starting to see interest in the possibilities of natural gas, oil and other minerals in Idaho and that interest will probably escalate in the future; and

WHEREAS, the State Land Board could trade themselves out of some very valuable assets.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association recommends that the State Land Board not enter into any land trade or exchange with the BLM until extensive studies are made as to the long term impact these actions will have on the State of Idaho and its citizens.

**TRUE COST OF GRAZING ON PUBLIC LANDS** (1982-5)

WHEREAS, the public is concerned about the fees paid for grazing on public lands; and

WHEREAS, news releases and other documents list only the cash rental cost for such grazing; and

WHEREAS, there are other major costs associated with grazing livestock on public lands such as fence construction, water developments, range seeding, and special management considerations; and

WHEREAS, the public is not informed regarding these other costs and consequently they believe grazing fees are lower than the current value received for forage of equal value.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association recommends that news releases from public agencies emphasize that major additional costs of grazing are incurred by permittees beyond the cash fees.

**TRANSFER OF USE** (1982-6)

WHEREAS, the Taylor Grazing Act of June, 1934, authorized the issuance of permits to graze livestock; and

WHEREAS, about 1963, the ranges in BLM districts in Idaho were adjudicated and followed closely the designation of rights as defined by previous boards and Bureau personnel; and

WHEREAS, now after nearly half a century, comes a proposal to transfer permittees from one area of use to another.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association requests the BLM refrain from making such transfers and that the present permittees be given the right of first refusal for any excess forage in their allotment.

**BLM WILDERNESS (1982-7)**

WHEREAS, the members of the Owyhee Cattlemen's Association are not aware of any BLM areas in Owyhee County that have wilderness characteristics and criteria; and

WHEREAS, we feel that all BLM areas in the county should be managed under the multiple use system as they are so vital to the established agricultural economy; and

WHEREAS, in the Organic Act of 1976, the intent of Congress was for the Public Land Management Agencies to protect and enhance the family farm and ranch.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association also oppose any federal land being designated as wilderness study areas for an indefinite period, that all areas currently in BLM Wilderness Study Area classification be returned to multiple use management.

**STATE GRAZING LAND TENURE (1982-8)**

WHEREAS, the State of Idaho depends on a healthy and productive economy; and

WHEREAS, many livestock operations depend on state grazing leases as an integral part of their operation; and

WHEREAS, these livestock operations are now reluctant to invest funds to improve, maintain and expand their operations because tenure is not assumed; and

WHEREAS, Idaho's tax base is not expanding in the area of operations who utilize state land leases because of this reluctance to expand.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association urge the State Land Board to implement a tenure policy and/or legislation be introduced to accomplish this purpose for the benefit of all citizens of the State of Idaho.

**IMAGE OF OWYHEE CATTLEMEN'S ASSOCIATION (1980-1)**

WHEREAS, the Owyhee Cattlemen's Association has gone on record as supporting the Sagebrush Rebellion; and

WHEREAS, members of the Owyhee Cattlemen's are constantly being bombarded by false statements by the preachers of gloom; and

WHEREAS, we need to combat the misquotes, misinformation, and outright lies by government employees and liberal journalists.

NOW, THEREFORE, BE IT RESOLVED the Owyhee Cattlemen's Association will make an all out effort to present the truth before the American public by buying TV spots and placing advertisements in all of our local and statewide newspapers.

**OWYHEE ZONING ORDINANCE (1980-2)**

WHEREAS, the Owyhee Zoning Ordinance is designed to protect our agricultural land; and

WHEREAS, the sagebrush land within the county needs to have guidelines for orderly growth; and

WHEREAS, this ordinance is not very restrictive to ranchers, as ranch buildings pertaining to ranching are exempt.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association goes on record in support of the Owyhee Zoning Ordinance.

**APPRECIATION TO OWYHEE COWBELLES (1980-3)**

BE IT HEREBY RESOLVED that the members of the Owyhee Cattlemen's Association take this opportunity to extend our gratitude to the members of the Owyhee CowBelles and Idaho CowBelles for their untiring efforts on behalf of our industry. We would especially like to commend them on their promotional and educational programs they have conducted for the general public. This, plus their ongoing support of youth programs, plus more, has gained both state and national recognition.

**BRUCELLOSIS VACCINATION PROGRAM (1979-1)**

WHEREAS, Brucellosis is a disease that can have a devastating effect on a livestock producer's operation, and can also be a human health hazard; and

WHEREAS, Brucellosis can be controlled by a vaccination program for heifers; and

WHEREAS, the presently proposed bill, by requiring that all females, regardless of age, must have been calfhooed vaccinated at the time of adoption of the law. Therefore, mature females that had not received calfhooed vaccinations, prior to the passage of the law could not be returned to a breeding herd, which would cause an adverse economic effect upon livestock owners.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association supports a program that would require only breeding females, born after the adoption of the bill as law, be required to have been vaccinated to enter the state or be sold through a licensed auction yard, with the market testing program to still be enforced; and

BE IT FURTHER RESOLVED that the Brucellosis vaccination program be continued and funded cooperatively by federal, state and producer monies.

#### **FELONIOUS LIVESTOCK DESTRUCTION (1979-2)**

WHEREAS, the felonious destruction of all livestock is on the increase in Idaho; and

WHEREAS, with the price of meat increasing, felonious livestock destruction can be expected to escalate.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association recommends that there be a mandatory minimum sentence for conviction of felonious livestock destruction. The minimum sentence to be a \$500 fine, reimbursement for the value of the animal, and six months in jail.

#### **APPRECIATION TO SHERIFF TIM NETTLETON (1979-3)**

BE IT HEREBY RESOLVED that the members of the Owyhee Cattlemen's Association take this opportunity to extend our gratitude to Owyhee County Sheriff Tim Nettleton and the members of his department for their untiring service to the Owyhee Cattlemen's Association during our annual winter and summer meetings.

#### **BRUCELLOSIS (no date)**

WHEREAS, Brucellosis has again become a serious threat to livestock owners in Southern Idaho; and

WHEREAS, many cattle are transported into Idaho each year; and

WHEREAS, most cattle on spring, summer, and fall ranges are run in common with multiple ownership; and

WHEREAS, an outbreak of Banks in a herd resulting in quarantine causes extreme economic pressures on cattlemen.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association recommends that the USDA and the Idaho State Department of Agriculture implement a similar Brucellosis eradication program as was so effective in the past.

#### **ESTRAY LAW (no date)**

WHEREAS, the present estray law of the State of Idaho was enacted in 1905 and has had only minor revision since that time; and

WHEREAS, since its enactment, major changes have occurred in livestock inspection and public land management at the state and federal level; and

WHEREAS, improved authority is necessary for the state to preserve the rights of the livestock industry.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association join the Idaho Cattlemen's Association and the State Brand Board in support of current legislation to amend and strengthen the estray law.

#### **FREE ENTERPRISE SYSTEM (no date)**

WHEREAS, the depression in the cattle business today has brought for the many ideas of how the problem might be solved (plans such as controls, subsidies, restrictions, handouts, etc.).

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association continue to support the free enterprise system and that we, as an industry, let the law of supply and demand work, and that we actively support our state and national association so that a true cattleman's voice will be heard, not the weekend cowboy's.

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association stands against government intervention in the free enterprise system.

**LICENSING FEES FOR CARS AND TRUCKS** (no date)

WHEREAS, the costs of farming and ranching have increased so greatly in the past three years and the price received for products sold has decreased; and

WHEREAS, the proposed increase in licensing fees for cars and trucks, including pickups, now pending in the legislature would add an extra burden on an already overtaxed industry.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association go on record as opposing such increases and that the association so inform the proper legislators.

**OWYHEE BLM DISTRICT ENVIRONMENTAL IMPACT STATEMENT** (no date)

WHEREAS, Environmental Impact Statements (EIS) are being conducted in other areas of Idaho; and

WHEREAS, grazing reductions are certain in some areas without efforts to prevent them; and

WHEREAS, improved range management may be implemented to maintain grazing levels if ranchers remain informed on EIS processes; and

WHEREAS, the BLM is required to consult the ranchers on range surveys.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association should be prepared to provide input to the BLM on range management plans. They should also be prepared to take action for the protection of grazing rights in the Owyhee BLM District.

**50% REFUND** (no date)

WHEREAS, during the formative period of the Federal Land Policy and Management Act, it was agreed by Public Land users and by BLM personnel that 50% of the grazing fee money collected would be returned to the state or district of origin to meet on-the-ground rangeland improvement priorities; and

WHEREAS, the final language of the above mentioned act mandates that 50% of these collected monies be used for on-the-ground rangeland improvements but only half of that 50% (25% of the total) need be returned to the district where collected with the remaining half (25% of the total) to be distributed as the secretary directs to meet on-the-ground rangeland improvement priorities; and

WHEREAS, the Boise District, which has jurisdiction over all public lands in Owyhee County, received less than half of the money for fiscal year 1979, compared to that received in fiscal year 1978, based on the identical \$1.51 per AUM grazing assessed each year; and

WHEREAS, those of us holding grazing privileges on public lands agreed to a specified grazing fee formula that would increase the cost of an AUM, but we were willing to accept this increased cost with the belief that half of that increase would be channeled back to the district of origin for range improvement practices; and

WHEREAS, with nine Environmental Impact Statements completed early this year, it was decided by the director's office that the secretary's directed funds would first go to the implementation of actions resulting from that sequence of planning and environmental assessments. If this did not require all the remaining 25%, the states were requested to justify additional needs for the distribution of the remaining funds on a priority basis; and

WHEREAS, again, we who hold privileges to graze livestock on BLM lands never asked for the EIS's question the value of the results of the planning and environmental assessments of the completed statements and are highly resentful of the use of any portion of the grazing fee monies being applied to the implements of Environmental Impact Statements; and

WHEREAS, many of us have accepted the personal financial obligation of installation of water systems, maintenance and operational cost of these systems, fencing projects, etc. in the belief that we can come out with a better product than does the BLM and for less dollars spent; these dollars saved for the Bureau presumably would be spent on other range improvements in the area, but we question how long we can continue these financial contributions in addition to the assessed grazing fee when a substantial portion of the fee is being utilized in an unintended area.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association ask the Secretary of Interior and District Office of BLM that in the planning and allocation of fee monies for fiscal year 1980 and all succeeding years, that the full 50% of monies prescribed for on-the-ground range improvement practices be returned to the district of origin.

**ENVIRONMENTAL IMPACT STATEMENTS (1979-4)**

WHEREAS, the Owyhee Resource Area Environmental Impact Statement is due in 1981; and

WHEREAS, the Challis and Shoshone EIS's were drafted with minimal input from cattlemen; and

WHEREAS, these Impact Statements directly affect the way of life of cattlemen and their families.

NOW, BE IT RESOLVED that the Owyhee Cattlemen's Association urges the Bureau of Land Management to use input from cattlemen in drafting the Environment Impact Statements for Owyhee County; and

BE IT FURTHER RESOLVED that cattlemen throughout Idaho be consulted on any future Environmental Impact Statements.

**WILDERNESS AREA (1979)**

WHEREAS, 1.5 million acres in Idaho are designated as wilderness land; and

WHEREAS, 3.5 million acres more of public land is being considered for wilderness designation, with an additional 700,000 acres set aside for further planning; and

WHEREAS, wilderness designated areas will be off limits to motor vehicles needed to properly manage range cattle operations; and

WHEREAS, according to the Western Environmental Trade Association, 730 long term jobs will be lost, with a loss of revenue to counties to exceed 1.6 million in taxes and fees.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association disapprove of further designation of public land as wilderness in Idaho.

**BIRDS OF PREY SANCTUARY (re-affirmed 1979)**

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association will stand by their initial endorsement of the original acreage set aside for the Birds of Prey area, but will not endorse further expansion in Owyhee County of the Birds of Prey Sanctuary pending completion of the final draft of the Environmental Impact Statements.

## The following Resolutions were sunsetted:

### **REQUEST FOR REMOVAL OF LIVESTOCK FROM J-LIST (2005) (sunset 2-7-2009)**

WHEREAS, the Tariff Act of 1930 [19 U.S.C. §1304 (a)] generally requires that all products entering the U.S. to be marked as to country of origin. Thereafter the statute sets down a number of exceptions to this requirement and gives the Secretary of Treasury the power to exclude marking requirements for certain classes of merchandise [1304 (a)(3)(J)], and

WHEREAS, pursuant to regulation [19 C.F.R. §134.33 (known as the "J-list") the Secretary of Treasury has excluded all livestock from this general country of origin marking requirement, and

WHEREAS, removing livestock from the J-list and, consequently, requiring marks of origin on all imported animals would facilitate implementation of mandatory country of origin labeling, and

WHEREAS, requiring all imported livestock to be marked with their country of origin would also strengthen the United States' ability to safeguard the U.S. cattle herd, safeguard the food supply, and maintain consumer confidence in the U.S. food system.

NOW, THEREFORE, BE IT RESOLVED, that the Owyhee Cattlemen's Association supports removing all livestock from the J-list as soon as possible and shall communicate this position to the Idaho Congressional Delegation, Secretary of Agriculture, Secretary of Treasury, and any other applicable entities.

19 U.S.C. 1304(a)

Except as hereinafter provided, every article of foreign origin (or its container, as provided in subsection (b) hereof) imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or container) will permit in such manner as to indicate to an ultimate purchaser in the United States the English name of the country of origin of the article. The Secretary of the Treasury may by regulations –

.....  
(3) Authorize the exception of any article from the requirements of marking if –

.....  
(J) Such article is of a class or kind with respect to which the Secretary of the Treasury has given notice by publication in the weekly Treasury Decisions within two years after July 1, 1937, that articles of such class or kind were imported in substantial quantities during the five-year period immediately preceding January 1, 1937, and were not required during such period to be marked to indicate their origin: Provided, That this subdivision shall not apply after September 1, 1938, to sawed lumber and timbers, telephone, trolley, electric-light, and telegraph poles of wood, and bundles of shingles; but the President is authorized to suspend the effectiveness of this proviso if he finds such action required to carry out any trade agreement entered into under the authority of sections 1351, 1352, 1353, 1354 of this title, as extended;

### **SENATE BILL 1331 – To change date of implementation of country of origin labeling from 9/30 to 1/30/2006 – (2005) (sunset 2-7-2009)**

WHEREAS, South Dakota Senator Tim Johnson, along with co-sponsors Senators Baucus and Burns (MT), Enzi and Thomas (WY), Thune (SD), Bingaman (NM), and Dorgan (ND), have introduced S. 1331 which will amend the Agricultural Marketing Act of 1946 to change the date of implementation of country of origin labeling from September 30, 2006 to January 30, 2006, and

WHEREAS, Mandatory country of origin labeling would be an important marketing tool for U.S. livestock producers as well as a valuable provision as a consumer right-to-know issue, and

WHEREAS, S. 1331 would move forward with the implementation of mandatory country of origin labeling in a timely and reasonable manner.

NOW, THEREFORE, BE IT RESOLVED, That the Owyhee Cattlemen's Association supports S. 1331 and urges Senators Craig and Crapo to sign on as co-sponsors and work for its passage.

**FINANCIAL SUPPORT FOR PROTECTION OF PRIVATE PROPERTY RIGHTS (1993) (sunset 2-7-2009)**

WHEREAS, private property rights, both tangible and intangible, and the investment backed expectations of members of the Owyhee Cattlemen's Association are threatened by legislation, regulation, rules, and governmental policies and planning activities.

NOW, THEREFORE, BE IT RESOLVED that the membership of the Owyhee Cattlemen's Association supports an assessment of \$.50 per head from the membership to establish a fund for the purpose of protecting the rights of Owyhee cattlemen.

**THE 50%/\$50,000 HOMEOWNER INITIATIVE (1982) (sunset 2-7-2009)**

WHEREAS, the proposed 50%/\$50,000 homeowners exemption initiative will appear on the November 2, 1982, Idaho General Election Ballot; and

WHEREAS, the initiative will cause a tax shift of 18 million dollars to agriculture, business and industry and substantially increase agricultural taxes and utility rates and cause increased unemployment and loss of business; and

WHEREAS, the initiative is an anti-job, anti-business movement which will severely affect Idaho's economy.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association strongly oppose the 50% Homeowners Initiative.

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association is doing everything possible to inform the public about the negative impacts of this initiative.

**SUPPORT OF SECRETARY WATT (on agenda to be re-affirmed at July 1981 meeting – original date of resolution not known) (sunset 2-7-2009)**

WHEREAS, Secretary of Interior James Watt has recently come under attack for his decisions on public land management; and

WHEREAS, Secretary Watt has brought some much needed balance and common sense to the management of public land; and

WHEREAS, Secretary Watt is from Colorado and knows the problems of the western rancher.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association strongly affirms its support of James Watt as Secretary of the Interior; and

BE IT FURTHER RESOLVED that OCA urges President Reagan and our Congressional delegation in Washington to support Secretary Watt.

**U O F I GRAZING SYMPOSIUMS (on agenda to be re-affirmed at July 1981 meeting – original date of resolution not known) (sunset 2-7-2009)**

WHEREAS, the University of Idaho with the Extension Service has been so helpful in the past two years with their cooperation with the Owyhee Action Committee in formulating new and innovative BLM policy changes; and

WHEREAS, they are willing to continue this with the Rangeland Team in organizing future symposiums on new grazing systems that benefit our members in formulating their Allotment Management Plans.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association supports the efforts of the University of Idaho Rangeland Team and the Owyhee Action Committee in setting up these symposiums.

**FUTURES TRADING (1982) (sunset 2-7-2009)**

WHEREAS, the Colorado Cattlemen's Association had the fortitude to publicly oppose the NCA's policy of supporting the Futures Trading of live cattle; and

WHEREAS, the majority of cattlemen are opposed to cattle futures trading because of the manipulations of a few traders controlling the market; and

WHEREAS, the Chicago Mercantile Exchange has not attempted to explain to the cattle industry nor made information available about the seemingly abnormal future market price movements.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen oppose the negative effect of cattle futures trading and advise the NCA to take a more positive position on the actual live cattle market.

**BLM WILDERNESS** (passed 1981) (sunset 2-7-2009)

WHEREAS, meaningful management of the Public Lands cannot be conducted under Wilderness inventory guidelines; and

WHEREAS, Congressionally mandated Wilderness Studies come at the same time as court ordered Environmental Impact Statements (EIS); and

WHEREAS, the two processes cover the same areas creating conflicts that will result in hardships for the people living in these areas dependent upon the resources presently managed under multiple use.

NOW, THEREFORE, BE IT RESOLVED that we propose that Congress review the Roadless Wilderness Act, which is the most stringent Federal Land Classification, as it applies to the Public Lands.

**UNIVERSITY OF IDAHO AG EXTENSION AND RESEARCH** (passed 1981) (sunset 2-7-2009)

WHEREAS, Idaho agriculture is responsible for 3 out of 5 dollars generated in the state's economy; and

WHEREAS, the University of Idaho is Idaho's Land Grant College dedicated to teaching, research and services for all citizens of the state; and

WHEREAS, in order to maintain Idaho's high level of productivity in agriculture, ag research must be carried out to study new and improved methods of production; and

WHEREAS, Ag Extension conducts informal educational programs to deliver the research results to the people in the state.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association urges the State Legislature and the Governor to support the University of Idaho Ag Research and Extension by giving positive consideration in accepting their 1982 budget requests.

**RANGE RESOURCE PLANNING MANAGEMENT** (passed 1981) (sunset 2-7-2009)

WHEREAS, during the past year an intensive effort has been made by the Idaho Rangeland Committee and the Rangeland Coordinator, in cooperation with the College of Agriculture and the College of Forestry at Moscow to promote and assist the implementing of cooperative coordinated range resource planning and management; and

WHEREAS, funding for the activities was provided jointly by the above-named colleges and the Pacific Northwest Regional Commission; and

WHEREAS, the Owyhee Cattlemen's Association and more specifically the Owyhee Resource Action Committee in conjunction with the writing of the Owyhee EIS has benefited greatly in working with the colleges and the Rangeland coordinator; and

WHEREAS, our association members are also fully aware of the benefits that have accrued to our industry throughout Idaho and the public land states of the West in promoting cooperative working relationships between the BLM and user groups; and

WHEREAS, the dismissal of Dave Tidwell as the Rangeland Coordinator by the Governor's Office is viewed by our association as an unfortunate action which will seriously curtail the existing cooperative and positive attitude between the BLM and user groups; and

WHEREAS, it is our strong feeling that the revised structure of operation as proposed by the Governor's Office and the College of Forestry cannot possibly attain the efficiency and effectiveness which has been prevalent under the former structure.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association by this resolution inform the Governor of our extreme displeasure concerning his action in restructuring the program and in the dismissal of Dave Tidwell and respectfully request that the Governor reconsider the action taken and reform the program and personnel under the former lines as was agreed upon by all parties involved at the program's inception.

**POLL OF MEMBERSHIP REGARDING FUTURES TRADING BY NCA** (1980) (sunset 2-7-2009)

WHEREAS, Owyhee Cattlemen have never been backward in taking positions that our members believe in; and

WHEREAS, the NCA Convention in San Diego did agree to poll the NCA membership on the beef futures; and

WHEREAS, the questionnaire gave us a choice of being stabbed in the back or having our throats cut with a dull knife.

NOW, THEREFORE, BE IT RESOLVED, that the Owyhee Cattlemen's Association members go on record as strongly opposing the futures trading of live cattle.

**APPRECIATION TO DAVE TIDWELL (1980) (sunset 2-7-2009)**

BE IT HEREBY RESOLVED that the members of the Owyhee Cattlemen's Association extend our appreciation to Dave Tidwell. Through his dedicated efforts, the Owyhee Cattlemen's Association has developed an alternative to the BLM's EIS Draft Statement on the Owyhee Resource Area. This alternative is being strongly considered as the management plan for this area.

**IDAHO STATE MEAT INSPECTION PROGRAM AND LAWS (1979) (sunset 2-7-2009)**

WHEREAS, the Governor has proposed in this 1979 budget that the Idaho Meat Inspection Program be discontinued; and

WHEREAS, Senate Bill 1025 will rescind all Idaho Meat Inspection Laws; and

WHEREAS, all slaughtering plants would then come under the Federal Meat Inspection Program, except for custom exempt and mobile slaughtering units; and

WHEREAS, the mobile butcher and small slaughter house would not be federally inspected on a regular daily basis, this lack of close supervision would cause the loss of control of legal ownership (brand inspection) of animals; and

WHEREAS, many slaughtering plants in Idaho do not now meet federal requirements, and many of the above mentioned plants could not or would not go to the expense of meeting the federal requirements; therefore, they would be forced out of business.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association supports the maintenance of the Idaho State Meat Inspection Program and laws.

**INCREASED AMOUNT PER AUM (no date) (sunset 2-7-2009)**

WHEREAS, the BLM has recently increased the amount paid per AUM to use public range from \$1/AUM to \$1.51/AUM; and

WHEREAS, the present Administration has vigorously fought increased inflation; and

WHEREAS, a 51% increase per AUM would cause undue hardship on many cattlemen, especially with the depressed cattle market at present.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association urge the President and Congress to apply pressure to proper authorities so this increase can be cut.

**BRAND INSPECTION (no date) (sunset 2-7-2009)**

WHEREAS, existing legislation sets the fee limits for brand inspection at \$.30 per head; and

WHEREAS, the cost of operating the brand inspection service exceeds the current maximum allowed by law.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association join the Idaho Cattlemen's Association to support legislation to increase the maximum fee limit to \$.50 per head.

**BRAND INSPECTION OF HORSES (no date) (sunset 2-7-2009)**

WHEREAS, the Idaho Brand Department has been operating at a loss in regard to brand inspections of horses as the brand inspection fee is \$.30 and the mileage is \$.15 per mile plus other costs; and

WHEREAS, the brand inspections of cattle have been supporting these added costs of brand inspecting horses.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association go on record in support of the Brand Department's new proposal regarding brand inspection of horses now in the legislature that would make the brand inspection of horses more self supporting;

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association urge the legislature to adopt the new proposal.

**CATTLE INDUSTRY** (no date) (sunset 2-7-2009)

WHEREAS, the current situation of low cattle prices and high costs have reminded us of other years when we were struggling to put together our ranches. In those times we had to continue to conserve our meager resources. We had to make do with what we had. We struggled to make ends meet. In doing so, we became strong, we enjoyed hard work, and appreciated honesty and integrity. We were closer as neighbors. We were as concerned with getting our neighbors cow home as our own. Our lives were more simple, our families brought closer together because we all needed each other. We needed God in those days and called upon him as our fathers did; and

WHEREAS, in our present society these values have slipped out of our lives. We no longer care about or know our neighbors. Our family ties have weakened and we have departed from the true values of life. These departures throughout our nation and, yes, our industry, are bringing us to disaster.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association encourage and exhort its members, their neighbors, and the leaders of this country to look beyond the dollar value of things and return to those high principles that were greatly esteemed by our forefathers: honesty, integrity, hard work thriftiness, and conservativeness. And, yes, return God to our daily lives.

BE IT FURTHER RESOLVED that we, as cattlemen, be no part of any payoff or illegal practices in relation to our industry so that we can continue as our forefathers to ride tall in the saddle and be proud of our contribution to a better America.

**SUBDIVISIONS IN DELAMAR MINE AREA** (no date) (sunset 2-7-2009)

WHEREAS, grazing lands will be sacrificed in this area if subdivisions are allowed; and

WHEREAS, school district facilities are inadequate in this area; and

WHEREAS, population problems such as power, water and sewage will be significant.

NOW, THEREFORE, BE IT RESOLVED that the town of Jordan Valley is only four miles away and provides needed services and facilities for these people;

AND, BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association is opposed to residential subdivisions in this or other areas surrounding the Delamar Mine.

**BRUNEAU – KUNA EIS** (1982) (sunset 2-7-2009)

WHEREAS, the BLM has published a draft EIS on the Bruneau-Kuna Resource area outlining various range improvements and management procedures under the proposed action; and

WHEREAS, the Owyhee Cattlemen's Association proposes a fifth alternative which is more suitable to multiple use management and development of the rangeland resources that benefits food and fiber production, wildlife and recreational use.

NOW, THEREFORE, BE IT RESOLVED that the Owyhee Cattlemen's Association strongly encourages the BLM to accept alternative number five as the proposed action; and

BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association strongly encourage the BLM to develop the nineteen miles of water pipeline in the Little Jacks/Big Jacks Creek area, plus needed additional distribution pipelines to benefit livestock as well as wildlife and other uses; and

BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association strongly supports other needed BLM range improvement in the area to be financed by 8100 grazing fee funds and individual rancher contributions; and

BE IT FURTHER RESOLVED that the Owyhee Cattlemen's Association work closely with BLM personnel to manage riparian areas for the benefit of the riparian zone resources as well as multiple use.