

Section 5c

Condemnation authority and limitations need to be spelled out clearer than has been done in this clause. With the only restriction being the five percent acreage limitation, the majority of the small landowners could be taken out.

SUGGESTIONS

This is a rather unique bill in that a Federal Agency will be managing private land. Therefore, some unique guidelines and procedures should be put into the bill.

1. The Secretary and Forest Service have a pretty good idea at this time, just what private land they are after in Stanley Basin. The type of structures they propose to allow, and in what area, should be put in the bill so people concerned will know just how they will be affected, and not held in indefinite suspense. This could be done by preclassifying as to allowable uses such as grazing, ranching, commercial use, homesites, intensive recreation areas etc. and a map showing these areas, should be incorporated into the bill. There could be guidelines for the Secretary to modify these as circumstances warrant, but only through established procedures. These modifications could come before an advisory board (to be explained later) and then to public hearings.

2. That the Secretary cannot put a scenic easement on any tract of land of less than 160 acres in size without voluntary consent of the owner. Except to establish fair and reasonable zoning laws that will not preclude the private landowners intended use of the land.

3. That before the Secretary can condemn land for access and utilization of Public Lands, a determination must be made by an Idaho Court that the land is actually needed by the Government, and there is no reasonable alternative for access and use of the public land.

4. Any proposed regulation which can adversely affect a private landowner should have recourse through vs District Court. This could be restricted to only private land, not public land.

5. An Advisory Board, or Use Commission, or whatever tag you want to put on it; be established to advise the Secretary on any proposed regulations. This also could or could not be restricted to regulations affecting private land. I would think such a commission would be helpful for all proposed regulations. This commission to be made up as follows:

	Member
Landowners 160 acres and over-----	1
Landowners under 160 acres-----	1
Commercial users-----	1
Custer County-----	1
Blaine County-----	1
Fish and Game Commission or State-----	1
Sportsmans Association-----	1

6. That at this time, proposed exchange areas be set out within the recreation area and that if a parcel of lands present use, or future use, is not in harmony with the purpose of this act; the landowner will be allowed to select a parcel of land within the exchange area. (Subject to approval of the present owners.)

7. Section 5c should be worded stronger, that no scenic easement or condemnation shall adversely affect any present, customary or obviously intended use of a parcel of land, but shall be limited to any future change of use which would not be in harmony with the purposes of this act.

SUMMARY

It is disturbing that from reading this bill, so much of it is concerned with condemnation of one form or another and so little to working with the landowners in developing a fully multiple use recreation area.

It does not seem logical that some intelligent homesite use cannot be made in an area of 360,000 acres in harmony with other uses in the area. After all, the Forest Service is a multiple use agency; this is supposed to be a multiple use bill, and homesites are definitely a distinct land use.

To pass such an important bill as this, without first working with the landowners to set up homesites in areas that are compatible with other uses and work out exchanges with people who are agreeable to exchange, would be a big mistake. As this area is of vital importance to not only the landowners but a large percentage of people in Idaho, these people should be allowed to play an active part in forming the bill and participate in managing the area. These people have invested a lot of money, and dreams into this area and are every bit as concerned with protecting its present beauty as the Forest Service.