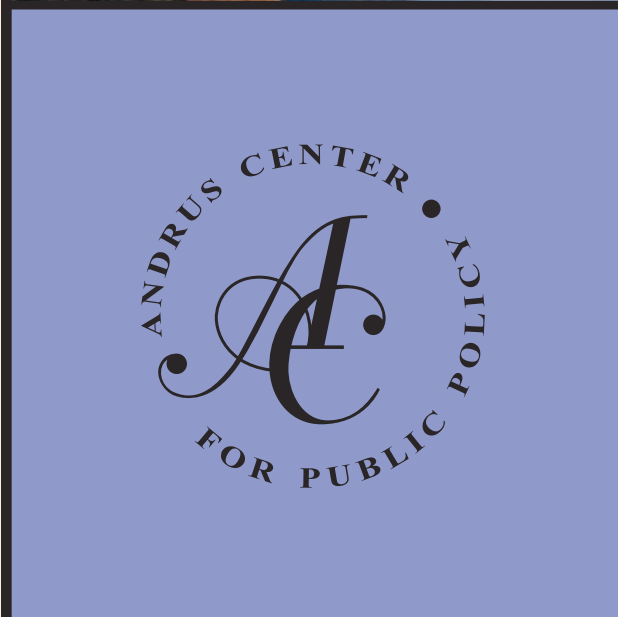
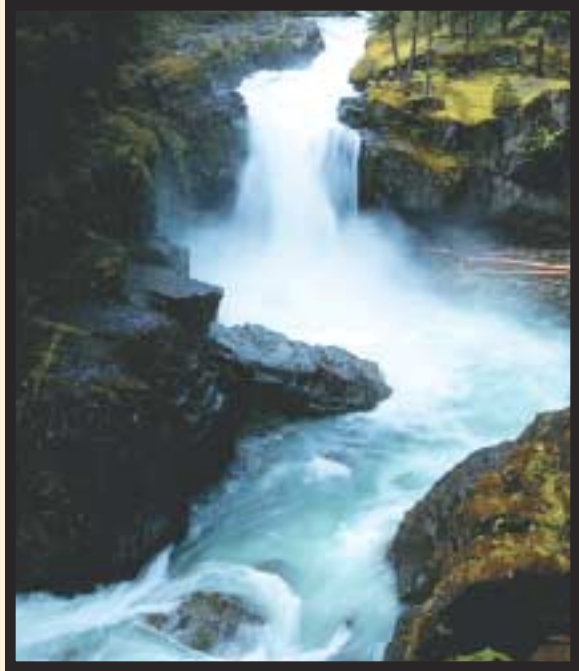


Keynote Address
River Management Society
Symposium

Remarks by:
Cecil D. Andrus



Boise, Idaho • May 1, 2002



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I want to welcome all of you to Idaho. You simply could not have come to a more appropriate place to discuss the important issues of river management. Water is a renewable resource, but it is finite in any given year and is the critical factor in both industrial and domestic growth in the western United States.

Idaho is home to some of the world's greatest rivers and, as you know, probably some of the most threatened. We have working rivers and recreational rivers. All are important. All need wise and careful management.

The federal agencies represented here today have a critical role to see to the wise and careful management of Idaho's and America's rivers. The feds must work with a variety of laws and mandates, including the Wild and Scenic Rivers Act, the Endangered Species Act, and others.

State managers have a role as well. They must exercise multiple and often conflicting mandates to both protect and enhance water quality and to impound and divert water for other uses.

Those competing uses represent one of the great and enduring challenges in the west: using and protecting water resources and the rivers that carry what we often refer to as the "life blood" of western America. Every one of us has a personal stake in the use of our river resources, either for economic or recreational purposes or, in some cases, both.

There is no longer any question but that our great rivers present one of our biggest management challenges, but they also represent a lasting legacy of our generation to the next and the next and the next generations.

Management of western rivers has been a long, twisting, and difficult whitewater journey. We've dumped the raft a few times. We have had to bail like crazy more than once. Rarely, if ever, has the water been still or the rocks deep.

I had the good fortune to have had a hand in the making of public policy for more than 40 years. Lots of

things have changed in that length of time. Much of the change has been for the good.

We used to think nothing of skidding a log down through a streambed if that was the fastest, most direct way to get the wood fiber out of the woods. Jack Simplot used to consider it an acceptable part of doing business to dump potato waste, untreated, right into the Snake River at Burley. In the 1970s, we had cities like Blackfoot that were still dumping raw sewage into the Snake River.

We built forest roads and feed lots wherever we darn well pleased because the resources were without limit. If a little runoff got to the creek, it was no big deal.

Well, we have changed many of those attitudes, and thank God we have. The resources are not without limit. You can't keep abusing forever and not destroy the very things that have so much value to all of us.

Things have changed, but you still hear – I know I do – from folks who believe the only appropriate use of water is to impound it, divert it, and then apply it to the land in a consumptive use. Some really do believe that the good Lord only put that water in the river so it could be pumped out and put on a field of spuds or beans or cotton. All that attitude proves is that not all the dinosaurs ended up in the tar pits.

Most people have come to recognize that there are other legitimate uses. Fish and wildlife, whitewater recreation, and water quality not only have a place in the management of rivers, but those values are increasingly important to the economies of the western United States.

We have embraced a new era of water resource planning, planning that looks not only at how and where to impound water, but also at how to protect free-flowing rivers for recreation, for fish and wildlife, and for economic diversification.

I have been a witness and an occasional participant in making these changes over a period of a lot of years in public life. My perspective goes way back, back to stream channel protection and dredge mining laws in the early 1970s.

It goes back to 1976 when I worked with Frank Church and Jim McClure to get the Hells Canyon National Recreation Area protected. Back to 1980 when the River of No Return – appropriately named now the “Frank Church River of No Return Wilderness” – was created. Back to the protections granted by Congress for the Lower Snake and Salmon Rivers.

Increasingly the public has recognized the value of free-flowing rivers, and so have the politicians, regardless of party. The public insists – and rightfully so – that there are other uses for free-flowing rivers than diversion and consumptive use. The rivers of Idaho generate millions of dollars of recreational income each year.

I am proud to say I had a hand, along with a lot of other people, in helping bring about this change in values. As Governor and as Secretary of Interior, we fought a lot of battles over Hells Canyon’s wild and scenic status, the River of No Return, and the Alaska lands bill, which protected many rivers.

It hasn’t always been easy. It has almost always involved controversy. And, from time to time, we had to outsmart the dinosaurs that are still wandering around.

It has been largely forgotten now, but in my final hours at the Department of the Interior, we protected, with the stroke of a pen, five great rivers in Northern California: the Eel, the Trinity, the Smith, the Lower American, and a part of the Klamath. A lot of people raised the roof, but the Ninth Circuit Court of Appeals upheld the action, and those rivers enjoy that protection today. I’ll tell you the story.

In the late 70’s, there was an effort by southern California water interests to divert water from northern California – via great aqueducts, canals, and exchange systems – to southern California. The project would have basically dried up those tremendous northern California rivers.

We proposed Secretarial Withdrawals under the Wild and Scenic Rivers Act for the aforementioned rivers and were immediately enjoined from implementation by James Watt and his organization. (As you may recall, Watt followed me as Secretary of Interior. He was so bad that he made me look good, and I appreciate his efforts on my behalf.)

We, of course, appealed to the 9th Circuit Court, which gave us the decision we were looking for on January 19, 1981 at 4:30 P.M., Pacific Standard Time. In Washington, D.C., that, of course, was 7:30 P.M., Eastern Standard Time. We were attending a black-tie affair at the White House, which was a going-away party for President Carter and his cabinet. When the Secret Service passed the word that I had an emergency phone call, I learned of the 9th Circuit’s decision. I returned immediately to

Interior and executed the necessary documents to protect those rivers under the Wild and Scenic Rivers Act.

James Watt and his abuser group once again challenged this action by saying that since it was the last day of the Carter Administration and after the close of business hours, I was no longer the Secretary of Interior and could not implement Secretarial Withdrawals. I took the position that, until Ronald Reagan was sworn into office the next day, I continued to be Secretary of Interior with full authority. This position, once again, prevailed, and that, ladies and gentleman, is why the people of this country continue to enjoy the northern California river system.

OK, end of war stories. Real changes began in the 1970s. Stream channel protection was enacted in 1971, followed by the state water plan and, in 1978, by minimum stream flow legislation. We began to address water quality with the Surface Mining Act and the Forest Practices Act. More recently, a comprehensive rivers planning bill was enacted in 1988 during my second life as Governor.

Finally, in a truly landmark step, I encouraged and cajoled a diverse group of industry, environmental, sportsmen, and tribal interests to sit down and agree on a comprehensive state program to address non-point source pollution. Their accomplishment was unique, not only for how we resolved the controversy through negotiation but also because our water quality program had public involvement as its cornerstone – a very necessary and important ingredient. I say to you, as managers of our waters, do not write regulations from the top down. All wisdom does not reside inside the Beltway.

Historically, our state has planned for water development rather than for river protection. But I believe the people of Idaho want to see a responsible balance between protecting and developing natural resources. Those who believe every drop of water should be removed from our streams are just as wrong as those who would oppose every project, even one that is cost effective and clearly in the state’s interest.

Since leaving office, I have remained involved in river issues, primarily through working riffles and pools with a fly rod or floating my drift boat. I much prefer to be in the class of resource user for a change, rather than resource manager.

In 1995, however, I did establish the Andrus Center for Public Policy at Boise State University as a way to organize conferences and to encourage a common-sense approach to the important issues affecting Idaho and the west.

In fact, one of the first conferences we sponsored focused on the management of the Snake River, and we

invited interested parties from across Idaho and neighboring states. Not surprisingly, the discussion centered on:

- Ensuring water quality in the Snake River;
- Balancing hydropower and public uses;
- Managing recreation on the river to deal with emerging conflicts;
- Developing watershed councils.

Let me say a word or two about what I see with regard to the issues of hydropower and public uses. Running rivers through turbines to generate electricity is a commercial use, but so is running on top of the water a commercial use and one that generates tremendous income. Outfitters and guides are a major industry.

At that 1995 conference, we talked about the need for the state of Idaho to develop a solid and thoughtful position on the relicensing of Idaho Power Company dams in the Snake River. Many of its smaller dams have been in the relicensing process for many years, and, this fall, a draft of the license application for the Hells Canyon Complex will be filed.

The CEO of Idaho Power at that time, Joe Marshall, stated at our conference, “The relicensing process should be a collaborative process. It shouldn’t be done by Idaho Power in a closed room, then shipped out to FERC.” Idaho Power did, in fact, begin a collaborative process well in advance of the deadlines and make initial efforts to involve multiple parties. Believe me, that is a change!

Unfortunately, what started strong has since weakened. Two years ago, conservationists walked away from the table. The company has been accused of being slow to share its studies with other parties. There will now be 25,000 pages of material to review when the draft license application is filed in September 2002. And then the agencies get 90 days to digest it all and comment.

Contrast this with the very significant relicensing effort in north Idaho and western Montana with the Cabinet Gorge and Noxin Dams on the Clark. Avista (formerly Washington Water Power) was able to develop a settlement agreement with a wide variety of parties and submit it with its license application to FERC. This settlement includes an aggressive and experimental plan to re-establish bull trout and west slope cutthroat trout habitat, connecting the Clark Fork River with Lake Pend Oreille.

When Idaho Power files its draft license application this fall for the Hells Canyon Complex, the two elements of the license that will be challenging to bring to resolution are fish passage and water quality.

The remaining issues with the license may be easier

to resolve. To build a track record, of success, I believe the parties should work together to develop a settlement agreement on those parts that can be resolved.

Specifically:

- Recreation;
- Dealing with noxious and nuisance weeds and protecting native plants;
- Chukar and other upland game management;
- Aesthetic enhancements and trail maintenance.

It would be a winning move for Idaho Power Company to put money into recreation – specifically facilities/sanitation/ garbage pickup – and to revamp some of its parks that are so popular. Idaho Power would deserve mitigation credit if it steps up and takes care of these needs while the large water and fishery issues are being discussed.

My prediction is that it will be ten years before Idaho Power gets a new license for the Brownlee, Oxbow, and Hells Canyon dams. Of course that is just a guess. It depends on how long it takes FERC to review the license application, how many additional information requests are made, how quickly Idaho Power responds to those requests, and then how quickly FERC can prepare a draft EIS and then a final EIS.

If we don’t have some type of agreement in place, nothing will start to happen on the ground until after the license is issued. That would make it 2012 or 2013 before any enhancements are realized. Can we really afford to wait that long? As professional river managers, those of you involved in the relicensing process with Idaho Power should strive to make things happen sooner.

I ask all of you involved in any FERC relicensing process to keep in mind, first, the resources you are charged with managing and protecting and, second, what the impact on your agency may be. Too often I have seen agency agendas get in the way of a sound resource decision.

Funding a pet program or a larger agency budget should not be the mitigation goal in a FERC relicensing decision. Protecting, mitigating, and enhancing the resources for the benefit of the public should come first. Put the dollars on the ground.

I have also witnessed a disturbing trend that may affect many of you in federal agencies, and we saw it first-hand at some of the past Andrus Center conferences.

In 1998, we asked the top land managers for the Forest Service, the National Park Service, and the Bureau of Land Management to come to Boise and discuss the future of our public lands. They discussed the situation with land management and identified where some issues

were in gridlock. We invited the principals back in 1999 to see where they had made progress. It pains me to say that none of them had anything to report – only that the decisions were in process.

Fed up with that attitude, for a conference the following year, I invited Governors John Kitzhaber of Oregon and Marc Racicot of Montana to discuss their views on federal land management. The governors – one Democrat, one Republican – presented some very specific ideas for the next national Administration. Unlike too many federal managers, they were not bound up in “process.” They did not hide behind discussions about the process of an Environmental Impact Statement and avoid real issues.

With that in mind, I am pleased that late last year, the Chief of the Forest Service, Dale Bosworth, spoke in Boise at my invitation and discussed the need to improve how federal agencies do business. Dale talked of the need to identify and correct areas where we have paralysis by

analysis with the goal of making good decisions sooner. I hope that those of you who work for the Forest Service can support the Chief in what I think is a key issue that needs to be addressed.

The final thing I would say is to Congress and is simply: Let the professionals do their jobs. The Forest Service, the BLM, and the Fish and Wildlife Service are not the personal agencies of either political party or of any member of Congress.

Those agencies and the career professionals who do the work are scientists, biologists, and hydrologists. They – you – need to be given a chance to practice those professions. Public policy – and river management – are always better when politics and biology don't mix.

I continue to hope that the professional politicians will let you do your jobs. If that happens, the resource and the public will be better served.

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