

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 6

BY TRANSPORTATION AND DEFENSE COMMITTEE

A JOINT MEMORIAL

1  
2 TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CON-  
3 GRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE  
4 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, AND TO THE DIRECTOR  
5 AND BOARD OF THE IDAHO TRANSPORTATION DEPARTMENT.

6 We, your Memorialists, the House of Representatives and the Senate of  
7 the State of Idaho assembled in the First Regular Session of the Sixty-fifth  
8 Idaho Legislature, do hereby respectfully represent that:

9 WHEREAS, public highway agencies, including the Idaho Transportation  
10 Department (ITD) and Federal Highway Administration (FHWA) are required to  
11 conduct environmental assessments to consider the environmental effects of  
12 transportation projects receiving federal funds pursuant to the National  
13 Environmental Policy Act (NEPA) review process; and

14 WHEREAS, environmental assessments conducted pursuant to NEPA in-  
15 creasingly recommend that wildlife crossings, including overpasses, un-  
16 derpasses, and related fencing, are necessary or recommended additions to  
17 transportation projects to allow for the safe crossing of wildlife; and

18 WHEREAS, the link between receipt of federal funds for highway projects  
19 and the acceptance of environmental assessment recommendations can cause  
20 concern for state highway agencies such as ITD when objections to aspects of  
21 highway projects, such as wildlife crossings, are raised; and

22 WHEREAS, as to a proposed highway improvement project for the recon-  
23 struction of Targhee Pass on U.S. 20 between the junction with state highway  
24 87 and the Montana state line, the NEPA environmental assessment process re-  
25 sulted in five alternative options, one of which would have included several  
26 wildlife crossings and dozens of miles of related fencing; and

27 WHEREAS, local citizens and elected officials, multiple homeowner as-  
28 sociations, and members of the Idaho Legislature became concerned about the  
29 potential repercussions of wildlife crossing bridges and fences in Fremont  
30 County; and

31 WHEREAS, on an advisory ballot question presented during the November  
32 2018 general election, 78% of Fremont County residents participating voted  
33 against the option to install wildlife crossings and fences along U.S. 20;  
34 and

35 WHEREAS, in a testament to our democracy in action and the power of citi-  
36 zens and governmental entities to coordinate to create a positive solution,  
37 ITD, ITD District 6, and the FHWA recently recommended a preferred alterna-  
38 tive that addresses highway needs, safety, and wildlife, but does not in-  
39 clude crossing structures with wildlife fencing; and

40 WHEREAS, the House of Representatives of the Idaho Legislature is  
41 grateful for the hard work and dedication shown by ITD and its staff, includ-  
42 ing the staff of ITD District 6, as well as the FHWA, to recommend a solution

1 that is responsive to the needs and concerns of local Idaho citizens and  
2 highway users while also achieving project objectives; and

3 WHEREAS, the House of Representatives of the Idaho Legislature extends  
4 congratulations to ITD, ITD District 6, and the FHWA with respect to their  
5 recommendation of the preferred alternative for the reconstruction of the  
6 Targhee Pass; and

7 WHEREAS, the House of Representatives of the Idaho Legislature believes  
8 that the situation presented by the Targhee Pass project and an initial  
9 option including wildlife bridges and fencing may again arise as to future  
10 transportation projects in Idaho; and

11 WHEREAS, a wide range of stakeholders are affected by wildlife cross-  
12 ings and related infrastructure in ways that are distinct from other trans-  
13 portation-related proposals and actions; and

14 WHEREAS, areas adjacent to highways in the State of Idaho are critical  
15 not only for the safe passage of motor vehicles, cyclists, and pedestrians  
16 but also for access to private and public lands, livestock, recreation,  
17 hunting, snow removal, and the preservation of scenic views; and

18 WHEREAS, stakeholders may not initially realize that transporta-  
19 tion-related projects could ultimately involve the consideration of  
20 wildlife crossing infrastructure, including fencing, presenting a poten-  
21 tial challenge to the goal of stakeholder involvement; and

22 WHEREAS, as demonstrated by the outcome of the Targhee Pass project rec-  
23 ommendation, government functions most effectively when the voices of the  
24 people are heard and agencies are able to cooperate effectively together;  
25 and

26 WHEREAS, affected stakeholders benefit from the opportunity to be in-  
27 formed as soon as possible about the extent and potential impact of projects  
28 to allow for involvement in decisions about animal crossings and related in-  
29 frastructure.

30 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
31 sion of the Sixty-fifth Idaho Legislature, the House of Representatives and  
32 the Senate concurring therein, that we urge the members of the Senate and the  
33 House of Representatives in the Congress of the United States to review the  
34 NEPA environmental assessment process for transportation projects to ensure  
35 that stakeholders are quickly and fully informed whenever wildlife cross-  
36 ing infrastructure is proposed as an option for a transportation project and  
37 that state transportation agencies be given clear guidance to that effect.

38 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-  
39 tives be, and she is hereby authorized and directed to forward a copy of this  
40 Memorial to the director and the board of the Idaho Transportation Depart-  
41 ment.

42 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-  
43 tives be, and she is hereby authorized and directed to forward a copy of this  
44 Memorial to the President of the Senate and the Speaker of the House of Rep-  
45 resentatives of Congress, and to the congressional delegation representing  
46 the State of Idaho in the Congress of the United States.