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News Release For Immediate

CASE AGAINST SAWTOOTH NATIONAL RECREATION AREA DISMISSED

A lawsuit brought against the Secretary of Agriculture and the U. S. Forest Service in 1974 by a group of eleven landowners in the Sawtooth National Recreation Area of central Idaho was dismissed following a June 25 hearing by a panel of three Federal Judges in Boise, Idaho.

The lawsuit challenged the constitutionality of the 1972 Act establishing the Sawtooth NRA and the standards used to classify private lands as set forth in the Private Land Regulations for the 754,000 acre recreation area.

The three-judge court ruled that these standards are well within the constitutional powers of Congress under eminent domain and property clauses of the United States Constitution. The effort to qualify the case as a class action suit on behalf of all the private landowners in the National Recreation Area was rejected by the Court.

Included in the Sawtooth National Recreation Area are some 25,000 acres of private lands, most of which are located in the Stanley Basin and Sawtooth Valley. The 1972 Act allows the Forest Service to purchase scenic easements and fee title to these lands as needed to protect the natural, scenic, historic, pastoral, and fish and wildlife values of the Area. The Forest Service plans to keep as much land as possible in private ownership while providing the necessary protection.

"The Forest Service will continue its present policy of land purchase, or purchase of scenic easements, in order to protect the values of the area,"

according to Recreation Area Superintendent Gray Reynolds. "The Forest Service will uphold and abide by approved legal standards providing just compensation for any and all individual property rights which are altered or damaged by the Sawtooth National Recreation Area private land regulations."

Numerous studies by the Forest Service, as well as those of independent agencies, served as a basis for the development of private land regulations for the Area. Acquisition of lands or interest in lands (scenic easements) have been carried out in conformance with the standards contained in the regulations. Landowners with properties conforming to the standards are free from threat of any taking of their property by the federal government. They may request and obtain a Certificate of Compliance. To date, over 75 have been certified. Most recreation residences in the NRA are located in areas classified for that use in three designated communities.

The Forest Service has purchased and is processing purchase of the lots owned by 261 of the 322 private landowners at Obsidian and Pettit Lake subdivisions. Appraisals have been completed for the remaining 61 lots. These lands are located in areas which have been developed in a manner which is incompatible with the objectives and values of the Recreation Area.

Outside the Obsidian and Pettit Lake areas, fee title has been acquired for 681 acres and scenic easements covering 2,710 acres have been acquired from 14 owners.