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United States Department of Agriculture

Before the

Subcommittee on National Parks, Forests and Public Lands

House Natural Resources Committee

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Concerning

H.R. 4162: San Bernardino Biomass Use Facilitation Act;

H.R. 6156: Eastern Sierra and Northern San Gabriel Wild Heritage Act;

H.R. 6290: The Lewis and Clark Mount Hood Wilderness Act of 2008;

H.R. 6291: The Oregon Treasures Act of 2008;

H.R. 6553: To clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System lands subject to ski area permits; and,

H.R 6628 Connell Lake Watershed Protection and Recreation Act

Mr. Chairman and members of the committee, I appreciate this opportunity to provide the Department of Agriculture's views on six of the bills on the agenda today.

H.R. 4162: San Bernardino Biomass Use Facilitation Act

H.R. 4162 would authorize an exchange of lands between the Forest Service and San Bernardino County, California. The purpose of the exchange would be to make National Forest System lands on the San Bernardino National Forest available to the County for biomass utilization facilities, biomass recycling activities, and industrial resource recovery and recycling activities. The bill calls for the exchange of 71 acres of non-federal land for 53

acres of federal land. The Department supports this bill with amendments that would provide clarification and help assure that the interests of the United States and taxpayer investments are protected.

The removal of hazardous fuels from land within and adjacent to the San Bernardino National Forest is critical for improving forest health and mitigating the effects of catastrophic fire. Biomass utilization facilities convert non-merchantable forest products into renewable energy. Having these facilities in close proximity to the forested lands will reduce the overall costs of completing this important work and create more sustainable forest management. This legislation is an important step in helping the community attract these industries.

While the Department supports the purpose of the bill, we would like to work with the Committee on amendments that would provide for the County to pay the costs associated with relocation of the Pacific Crest National Scenic Trail; the issues associated with current encumbrances of the Federal land to be resolved by the County prior to completion of the exchange; the ownership, description and map of the exchange lands to be clarified; and the County to work with us to identify different lands for conveyance and to ensure that it has fee title to the non-federal lands conveyed. We believe that by incorporating these changes the responsibilities of both parties will be clearly delineated and we will be able to move forward with the proposed exchange.

As mentioned, the federal lands proposed for conveyance to the County have several easements for a variety of uses. These uses include electric transmission lines, roads, high pressure gas lines, and an effluent outfall line. The interests of the easement holders would be protected as a normal part of the land exchange process. However, the Baby Bess mining claim extends onto the Federal parcel proposed for exchange. We believe removal of the claim will likely require compensation of the claimant. It is our understanding the County has met with the claimant and expressed an interest in purchasing the portion of the claim on the Federal land. We believe the County should be responsible for any of the costs to resolve this issue.

As stated above, we feel the County should be responsible for the costs associated with relocation of the Pacific Crest National Scenic Trail, but the Department does not oppose

its relocation. The Pacific Crest National Scenic Trail is governed by the National Trails System Act, as amended, and relocation will need to be consistent with this statute. The Department recommends that the County, with concurrence from the Secretary, be directed to relocate the small portion of the Pacific Crest National Scenic Trail at the County's expense and to Forest Service standards. The trail location should be consistent with an Optimal Location Review completed by the Forest Service.

We also note that Congress intends that the land exchange will be completed within one year. While it is always our goal to complete legislated land exchanges as quickly as possible, it is difficult to complete any land exchange within one year. We anticipate the exchange would take more than one year based on our experience in resolving issues similar to those that would be involved in this exchange.

H.R. 6156: Eastern Sierra and Northern San Gabriel Wild Heritage Act

The Department testified on a companion bill, S. 3069, before the Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands and Forests on July 16, 2008. Because the two bills are essentially the same, our testimony for H.R. 6156 is essentially the same as our July 16 testimony. However, we recognize that considerable work has occurred with the staff of the sponsors of S. 3069 and H.R. 6156 and with the Senate committee staff since the earlier testimony. That work addressed concerns such as current patterns of recreational uses, activities under special use permits, compatibility with Forest Plan allocations and concerns about hazardous fuels treatments and wildfire suppression. Much of that work was adjustments to boundaries as represented in maps the Forest Service provided at the request of sponsors' staff in July 2008. We would be pleased to work with the House Natural Resources Committee staff as well to address the remaining concerns expressed in the earlier and following testimony.

With regard to hazardous fuels treatments and wildfire suppression, we note that Section 4 of H.R. 6156 gives the Forest Service clear authority to control fire, insects and diseases in wildernesses designated under the Act. This section and the proposed adjustments to boundaries illustrated in the July 2008 maps previously provided to sponsors' staff give the Forest Service the ability to respond to fire emergencies in

wilderness areas in a timely and efficient way to ensure public safety and protection of resources.

H.R. 6156 is a large and complex bill that would designate more than 470 thousand acres of new wilderness and about 52 miles of wild and scenic river. It would create a number of special management areas, and would establish specific management direction for wilderness areas designated under this Act. These designations would affect both National Forest System (NFS) and Bureau of Land Management (BLM) lands. Our discussion is focused on proposals involving NFS lands.

The Department supports many of the provisions of this bill, including much of the wilderness and wild and scenic river designations, as well as the attention focused on motorized winter recreation. However, we are unable to support all of the proposed designations because of various conflicting uses or because the areas do not meet the criteria established by the Wilderness Act of 1964 and Forest Service policy. Questions and concerns remain on some of the bill's provisions. One area of special concern relates to the clarity and technical adequacy of the maps that accompany this bill and has posed a challenge to our ability to understand the extent of the bill and assess implications regarding on-the-ground management of areas within, and adjacent to, proposed boundaries. We would like to work with the subcommittee and bill sponsors to address these and other outstanding issues.

Consistent with the Wilderness Act and subject to the planning process under the National Forest Management Act, the Department supports wilderness designation for areas that are dominated by the forces of nature, and that offer outstanding opportunities for solitude or primitive and unconfined recreation. The Forest Service engages the public in its land management planning process as a means of collaboratively developing wilderness recommendations. The Forest Plans for the three National Forests on which these designations would occur have informed our views on this legislation.

Proposed Wilderness Areas

<u>Magic Mountain and Pleasant View Ridge</u>

H.R. 6156 would designate 13,709 acres as the Magic Mountain Wilderness and 28,424 acres as the Pleasant View Ridge Wilderness in the Angeles National Forest, for a total of 42,133 acres of new wilderness. Because these areas were not recommended for wilderness in the Angeles National Forest Land and Resource Management Plan's 2005 Record of Decision, the Department cannot support their designation unless certain boundary adjustments and corrections consistent with the Forest Plan are made to address the issues listed below.

The Forest Plan allocated the majority of these acres (36,871) to Backcountry Non-motorized use. Backcountry nonmotorized areas are managed to meet the physical, managerial, and social settings consistent with the Recreation Opportunity Spectrum descriptions for semi-primitive non-motorized (SPNM) recreation. They provide a wide variety of dispersed recreation opportunities and settings. Natural processes are the primary agents for vegetative change, with vegetation management used only to protect the resource or complement the recreational value. To minimize potential conflicts, the continued use of the current Forest Plan designation remains appropriate, but the Department would not object to the designation by Congress of these lands as wilderness. The remaining acres are allocated to Backcountry Motorized Use Restricted (2,349 acres), Developed Area Intermix use (1,158 acres), and Critical Biological use (774 acres).

These Forest Plan land management designations accommodate several different uses within these areas that wilderness designation could potentially impact. There are four mining operations located in the proposed Magic Mountain Wilderness. In the proposed Pleasant View Ridge Wilderness, there are several linear special use permits, including water and electric lines that would require mechanical equipment to access and maintain, a developed trail camp that serves hikers on the Pacific Crest Trail, and active fuel reduction projects that provide defensible space in the wildland urban interface. To minimize these potential impacts, we suggest the continued used of the current Forest Plan designation remains appropriate.

If wilderness areas are designated on the Angeles National Forest beyond those recommended in the Forest Plan, we suggest the areas allocated as backcountry non-

motorized use would be more suitable than the other areas. We would like to work with the subcommittee and the bill's sponsors to adjust boundaries to allow most current uses to continue.

Hoover East and Hoover West Additions on the Humboldt-Toyaibe National Forest

H.R. 6156 would designate a total of 76,982 acres of new wilderness on the Humboldt-Toyaibe National Forest in the following areas: 39,815 acres as the Hoover East Wilderness and 37,666 acres as the Hoover West Wilderness. A majority of these acres were recommended for wilderness designation in the Humboldt-Toiyabe National Forest Land Management Plan. Therefore we support their designation as wilderness, although we would like to discuss specific boundaries with the subcommittee that are consistent with Forest Plan recommendations. For example, the Hoover East Addition includes two large "cherry stem" wilderness exclusions, which are narrowly drawn corridors to exclude designated roads, travelways, or other areas from wilderness designation, and other boundary lines that do not coincide with the Forest Plan wilderness recommendations. We support the Forest Plan recommendations in their entirety.

Emigrant Wilderness Addition

H.R. 6156 would add approximately 251 acres of the Humboldt-Toiyabe National Forest to the adjacent Emigrant Wilderness, which is currently managed by the Stanislaus National Forest. This area is allocated as semi-primitive non-motorized recreation in the current Forest Plan. We oppose designation of this area as wilderness due to additional difficulties that we would anticipate in managing oversnow vehicle use, which is already difficult here because of the nature of the terrain and conflicts with motorized crossing of the Pacific Crest National Scenic Trail. We would like to discuss the management situation in this area with the subcommittee and the bill's sponsors.

White Mountains Wilderness, Granite Mountain Wilderness, and Additions to the Ansel Adams, Hoover, and John Muir Wildernesses

Most of the lands that would be designated as wilderness by H.R. 6156, approximately 313,400 acres, are located within the Inyo National Forest. This includes16,450 acres of an addition to the existing Hoover Wilderness (Hoover-Bighorn), 15,247 acres of the

Owens River Headwaters to be added to the Ansel Adams Wilderness, and 79,850 acres to be added to the John Muir Wilderness. There are also two new wilderness areas designated by H.R. 6156: White Mountains Wilderness (199,000 acres on NFS lands) and the Granite Mountain Wilderness (2,900 acres on NFS lands). The other portions of these proposed wilderness areas are located on lands administered by the BLM.

Several of these proposed designations were not recommended as wilderness in the Inyo National Forest Land and Resource Management Plan (Forest Plan), which was completed in 1988. The Inyo National Forest Plan recommended that approximately 172,600 acres be designated as wilderness, but not all of those acres coincide with the bill's proposals. However, since the Plan's approval in 1988, many of the issues, concerns, and conditions that informed the Plan decisions have changed, and merit reanalysis.

In this regard, the Department supports designation of those acres recommended for wilderness designation in the Plan. The Department prefers to address other areas in light of changes mentioned above within the context of a forthcoming revision of the Forest Plan, but would not oppose wilderness designation by Congress for most of the other proposed areas, if certain boundary adjustments and technical corrections are made and if issues that we identify today are addressed.

Within the White Mountains, the Forest Plan recommended 120,008 acres as wilderness. Subsequent to the Forest Plan decision, Congress designated approximately 10,000 acres of the White Mountains as the Boundary Peak Wilderness Area within the State of Nevada. H.R. 6156 would add an additional 89,000 acres within the White Mountains beyond the Plan recommendation. A majority of these additional acres in the White Mountains were identified in the Forest Plan for semi-primitive recreation which includes opportunities for motorized use on designated routes. The Inyo National Forest is currently in the planning process for designating routes through a travel management planning process which, depending on the final decision of the planning process, may or may not concur with the routes designated as "cherry stems" in H.R. 6156. We would like to work with the subcommittee and the bill's sponsors to address concerns.

Motorized Corridors in Proposed Wilderness

Overall, we are concerned with the extensive use of "cherry stems." The areas that would be designated in this bill include over 100 miles of "cherry stems" on NFS lands. In our view, it is important to maintain the integrity of wilderness by designating only those areas which are, as stated in the Wilderness Act of 1964 and in Forest Service policy, "dominated by the forces of nature". Allowing for continued motorized use miles into a designated wilderness, even along designated corridors, can lead to motorized incursions from the roadways, noise, and other intrusions, complicating wilderness management. Consistent with relevant Forest Plans, we recommend that areas where motorized use is necessary for uses such as range management, hunting, undeveloped recreation, and forest administration be omitted from wilderness designation. Such adjustments would result in more manageable boundaries for any proposed wilderness.

Should this legislation move forward with the "cherry stems" as mapped and that are inconsistent with relevant Forest Plans, we would like to work with the subcommittee on establishing corridors wide enough to allow for proper maintenance. Many of these routes are within drainages that are prone to washouts necessitating rerouting or reconstruction. In addition, some of the boundaries are very close to paved high speed roads which incur a high level of use, as they provide access to popular recreation opportunities such as dispersed camping, hang gliding and technical rock climbing.

Within the Inyo National Forest, an additional 11 miles of "cherry stemmed" roads are within inventoried roadless areas and are not designated as National Forest System roads. We would like to discuss this situation and inconsistencies with the Forest Plan with the subcommittee and bill's sponsors.

In addition, on the Inyo National Forest, approximately 32.3 miles of non-system routes as well as 1.1 miles of system road are not "cherry stemmed" but are within the boundaries of the proposed wilderness areas. These routes would require conversion to trails or decommissioning to protect resource values.

Wild and Scenic Rivers Designations

H.R. 6156 would designate approximately 26.35 miles of streams on NFS lands as part of the Wild and Scenic Rivers System; 19.1 miles of Owens River Headwaters on the Inyo

National Forest and 7.25 miles of Piru Creek on the Angeles and Los Padres National Forests.

The Forest Service has not conducted a wild and scenic river suitability study for either of these rivers. The Forest Service did make a determination of eligibility. Of the Owens River Headwaters proposal, all of Glass Creek, the lower portion of Deadman Creek and the 1.0-mile segment of the upper Owens River were found eligible for the National Wild and Scenic Rivers System. Segments A, B and the majority of segment C of Deadman Creek, however, do not possess outstandingly remarkable values and were found ineligible. Consistent with these determinations, the Forest Service supports designation of the eligible river segments. While the Department prefers to address other areas in a manner consistent with relevant determinations, we would not oppose designation of the ineligible segments of Deadman Creek because of their contribution to protecting the Owens River Headwater's outstandingly remarkable values while avoiding the creation of new management conflicts. We also wish to work with the subcommittee and the bill's sponsors to clarify river classifications in this proposal.

Section 6 of the bill incorrectly references the Secretary of the Interior as the administrator for the Owens River Headwaters (#172). The bill should be revised to indicate the Secretary of Agriculture as the administrator.

The two segments of Piru Creek proposed in this bill are both eligible with an outstandingly remarkable value of geology. The Forest Service does not oppose this designation because it would have little effect on current and future resource management.

Ancient Bristlecone Pine Forest Designation

H.R. 6156 would designate approximately 28,991 acres of the Inyo National Forest as the "Ancient Bristlecone Pine Forest" to conserve and protect Ancient Bristlecone Pines.

This area contains groves of the oldest living trees in the world. We would like to work with the subcommittee on making minor boundary adjustments to add additional acreage to this proposal to ensure that all significant groves of ancient Bristlecone Pine are protected under this designation. The Department would support this designation if the

bill is amended to remove the requirement in section 9(c)(4) for development of a new management plan for this area. As recognized in the bill, the 1988 Forest Plan provides sufficient direction for protection of this area, and the requirement to conduct additional planning would require the redirection of funds currently directed at the management of these outstanding resources.

Bridgeport Winter Recreation Area

Section 7 of H.R. 6156 would create a new designation for approximately 7,680 acres of land on the Humboldt-Toiyabe National Forest called the Bridgeport Winter Recreation Area. The Department supports this designation based on an Environmental Assessment signed in 2005, which includes many of the same management prescriptions included in H.R. 6156. Accordingly, our support is contingent on amendment of the bill to remove section 7(d), which would require the Secretary to develop a winter use management plan. In addition, we are concerned about section 7(f), which would require the Secretary to establish a snowmobile crossing point along the Pacific Crest National Scenic Trail, and would like to discuss our concerns with the subcommittee and the bill's sponsors.

Management of "Area X", Humboldt-Toiyabe National Forest

Section 8 of H.R. 6156 would designate approximately 3,200 acres referred to as "Area X" as a snowmobile use area. The Department would not oppose this designation if the language is amended to clarify that summer motorized travel will be restricted in "Area X", a management prescription that currently applies to only a portion of the surrounding area.

Other Management Considerations

<u>Outfitting and Guiding and Pack Station Considerations</u>

We are concerned about the potential impact that the proposed designations may have on existing outfitting and guiding and pack station operations on the Inyo National Forest and wish to advise Congress of these potential impacts prior to its enactment of designations. Without specific language to clarify the intended purposes of the proposed additions to the John Muir, Ansel Adams, and Hoover Wilderness areas, the proposal

could directly affect the amount and location of existing commercial uses in these additions.

Each of these wilderness areas has specific quotas on recreational use and, in some cases, court-ordered restrictions that could apply to the additions in the absence of explicit language to the contrary. For instance, the Inyo and Sierra National Forests are currently required by a court order to limit commercial pack stock operations in the John Muir and Ansel Adams Wilderness Areas. Many of the commercial services in these wilderness areas that were intentionally directed to non-wilderness areas to reduce impacts on the wilderness areas would now be included in these proposed wilderness designations. Unless the bill would allow continuation of authorized outfitting and guiding that are currently conducted on lands that would be added to these wilderness areas, the number of service days allocated for outfitting and guiding on those lands would have to be reduced, per the court order.

Section 4(j) of the bill may have been intended to address the foregoing concern. However, we believe additional clarification is needed. We would like to work with the subcommittee and the bill's sponsors to address these issues.

Management of Research Natural Areas

There are three Research Natural Areas (RNAs) within the boundaries of wilderness areas proposed by this bill: Harvey Monroe Hall RNA (Hoover-Bighorn Additions), McAffe Meadows RNA (White Mountains), and White Mountains RNA (White Mountains).

RNAs are administratively designated areas within national forests to be permanently protected and maintained in natural condition for the purposes of maintaining biological diversity, conducting non-manipulative research and monitoring, and fostering education. RNAs help preserve our Nation's natural heritage for future generations. The protection afforded to RNAs is a critical step in maintaining a range of biological diversity of native ecosystems and species. Because they are protected in a natural state, RNAs also provide valuable opportunities for monitoring of long-term ecological change, and comparison of the effects of resource management activities against unmanaged controls.

RNAs that are representative of common ecosystems in natural condition serve as baseline or reference areas for those ecosystems. Each RNA can have its own public use restrictions in order to protect its unique condition. These may be more restrictive than what is normally allowed in designated wilderness, such as prohibiting overnight camping. We will continue to address RNA management needs through our Forest Land Management Planning process.

Administrative Jurisdiction of Wilderness Areas

H.R. 6156 would designate as wilderness several areas of BLM lands that are contiguous to much larger areas of NFS lands with existing wilderness. The proposed John Muir Wilderness additions include five small BLM parcels totaling approximately 780 acres. The proposed White Mountains Wilderness includes five small BLM parcels totaling 1,200 acres on the western edge of the proposed wilderness. To ensure efficiency and consistency in wilderness management, it may make sense to transfer the administrative jurisdiction of these small parcels from the Secretary of the Interior to the Secretary of Agriculture and exclude the proposed 22,300 acre area on the eastern edge. We would also propose transferring administrative jurisdiction over the 2,700 acres of NFS lands in the proposed Granite Mountain Wilderness to the Secretary of the Interior to improve management over these small parcels. We would like to further discuss this idea with the subcommittee.

Map Concerns

The Department has many concerns regarding the maps that are referenced in the legislation. In general, the maps are difficult to understand and are technically inadequate due to gaps in the Geographic Information System data and improper labeling. Because they are vitally important to our on-the-ground management and implementation of Congress's direction, we would like to work with the subcommittee and bill sponsors to ensure the maps are adequate. As mentioned earlier, much of this work has already occurred with the Senate on the companion bill and we would be pleased to share those efforts with House committee staff as well.

Summary

In summary, the Department supports the many aspects of H.R. 6156 that are consistent with relevant Forest Plans and which would add outstanding landscapes in the eastern Sierra of California to the Wilderness Preservation System. As I have testified before, the Forest Service has always been a champion of wilderness. We care about maintaining the integrity of wilderness areas as places that are dominated by the forces of nature, and that offer outstanding opportunities for solitude or primitive and unconfined recreation. For those reasons, we would like to work with the subcommittee and the bill's sponsors on our many specific concerns.

H.R. 6290: The Lewis and Clark Mount Hood Wilderness Act of 2008

The Lewis and Clark Mount Hood Wilderness Act of 2008 would provide management direction for Mount Hood and its surrounding landscapes that emphasizes the importance of wilderness, recreation, and forest health, as well as cultural, historical, environmental and scenic values.

The Department recognizes that the bill's sponsors have conducted a considerable amount of outreach and worked with a number of communities of interest including local and state governmental entities, tribes, profit and non-profit organizations and individuals in the development of H.R. 6290 and related bills. We recognize and appreciate the sponsors' collaborative approach and local involvement that have contributed to the development of this bill.

In 2007 the Department testified on S. 647. We appreciate that the sponsors of H.R. 6290 have incorporated some of our suggestions on S. 647 and earlier bills. However, we still prefer the earlier bill introduced in the House for Mount Hood Stewardship. We prefer its bipartisan approach and, therefore, we cannot support H.R. 6290.

Several provisions in H.R. 6290 would create significant fragmentation in both habitat and administrative boundaries which jeopardizes resources, by impeding our ability to offer cohesive resource protection and by driving up the risks and costs of fire fighting, and the costs of managing invasive species and other threats to forest health. The

legislation continues to be highly prescriptive and unnecessarily limiting and, we believe, could benefit from additional collaboration among all stakeholders.

Several of the wilderness designations and the Cooper Spur land exchange provisions continue to be especially troubling. Bringing this highly developed residential and commercial property under Forest Service management is not in the best interests of the public. We recommend the bill be amended to ensure that existing legal and cooperative frameworks for decision-making continue to be honored and the significant impact to existing recreation on the Mount Hood National Forest, particularly for family camping and mountain bikers, be mitigated.

Overview

H.R. 6290 would expand the National Wilderness Preservation System and the National Wild and Scenic Rivers System. It would designate a national recreation area and a special resources management unit.

The bill would direct the Secretary to enter into specified land exchanges, including one with a private a landowner, the Mount Hood Meadows Limited Partnership. The bill would establish a special management unit for the Crystal Springs watershed. The bill would also establish protections for natural and primitive character for an additional 1,860 acres of land.

In addition, the bill would direct the Secretary to work with state, local, and other federal agencies to develop an integrated multi-modal transportation plan, and with the State of Oregon, to study the feasibility of establishing a gondola connection and a multi-modal transportation center located near Government Camp.

H.R. 6290 would require the Secretary to prepare a forest vegetation management implementation schedule that would include recommendations for biomass utilization. The bill would direct the Secretary to develop and implement, in consultation with Indian tribes, a management plan that meets the cultural foods obligations of the United States under applicable treaties. The bill would allow for the establishment of a recreational working group to provide advice to the Forest Service about recreation enhancement in the Mount Hood National Forest.

Analysis

The Department supports many of the concepts and provisions of this bill, including some wilderness and wild and scenic river designations, and the attention focused on recreation, watershed and forest health and transportation issues on and around Mount Hood.

The bill requires new management activities without identifying any mechanisms for funding or making offsets. It requires several plans, studies, and management activities without consideration for ongoing forest or regional priorities. It sets multiple timelines that are unachievable given the constraints of funding, volume of work, current staffing, and requirements for third party participation.

We would like to work with the Committee and sponsors to correct technical items and resolve concerns regarding the legislation including: 1) mitigating unintended effects of some of the wilderness proposals; 2) modifying unnecessarily restrictive management requirements for the proposed Crystal Springs Watershed Management Unit, Upper Big Bottom and Cultus Creek; and 3) and removing the requirement to enter into the proposed Cooper Spur land exchange. We appreciate that the sponsors have remedied some of the previously troublesome aspects of this exchange. However, we continue to believe this exchange is not in the public interest. The residential and commercial developments on the lands that would transfer to federal ownership do not have national forest characteristics.

Wilderness

H.R. 6290 proposes to designate approximately 132,403 new acres of wilderness and 2,770 acres of potential wilderness on the Mount Hood National Forest. The Department supports the designation of wilderness for areas that are consistent with the hallmarks of wilderness described in the Wilderness Act of 1964 – areas that are, or can be administered so they become, dominated by the forces of nature, with primeval character and natural conditions that contrast with developed lands and offering outstanding opportunities for solitude or primitive and unconfined recreation.

The best opportunities for achieving these conditions are within those proposed areas that are contiguous to existing wilderness areas. The additions that, in our opinion, could enhance existing wilderness areas include approximately 61,000 acres consisting of the following: Bull of the Woods (5,400 acres), Mount Hood (2,000 acres), Salmon-Huckleberry (7,700 acres), Roaring River (31,000 acres), portions of Gorge Face (12,500 acres) and Bluegrass Ridge (2,170 acres).

We would like to continue work with the sponsors and the Committee to seek agreement on map changes that would provide more manageable boundary locations and enhance the overall wilderness character of the proposed wildernesses. We also seek the flexibility in legislative language to make minor boundary adjustments prior to survey to exclude non-conforming uses such as power lines, roads and existing permitted operations. We believe additional work with Committee and sponsors' staff would result in important improvements. For example, work with sponsors' staff recently identified an adjustment to the Sand Canyon proposal that would appropriately exclude from the wilderness designation Nordic/mountain bike trails recently developed by the Government Camp community. An example of a particular area that continues to cause us concern is the Memaloose proposal. The current configuration would preclude the West Wide Energy Corridor, a proposal resulting from Section 368 of the Energy Policy Act of 2005, and may limit the Palomar gas transmission line proposal. A minor adjustment to the southern boundary of the Memaloose proposal would allow for the energy corridor and the gas transmission line while still maintaining proposed wilderness.

With regard to "potential wilderness areas" we note inconsistencies between the bill language and the maps for Cloud Cap, Tilly Jane and other proposed wilderness areas. In addition we believe the language in the bill for the potential wildernesses is unnecessarily complex. We would be pleased to work with the Committee to clarify these issues.

We have specific concerns with other proposed wilderness designations including many of the smaller, isolated areas that would have an unreasonable impact on long established patterns of existing recreation uses on the Mount Hood National Forest, including family camping and mountain bikes. These areas are currently managed for values and uses that are inconsistent with wilderness designation, including motorized access.

Recent experience with wild fire suppression on the Mount Hood National Forest has highlighted significant difficulties associated with small wildernesses, particularly those adjacent to private land, wildland-urban interface, or lands protected by the Oregon Department of Forestry. Fire suppression is unusually complex, difficult and costly for small wildernesses that are at odds with management in the surrounding lands.

Examples of proposed wilderness with limited or impaired wilderness character include areas close to I-84 and Highways 35 and 26, and small extrusions and peninsulas extending from existing wilderness and from some of the proposed new wilderness. We believe these proposed areas would be adversely impacted from adjacent activities or from activities associated with the continuation of existing uses, such as mountain biking and motorized camping. Some of the smaller isolated tracts now proposed for wilderness would be better protected as additions to the proposed national recreation area rather than be designated as wilderness.

An estimated 500 miles of new and complex wilderness boundary would need to be described, mapped, and surveyed as a result of the legislation. Mapping and surveying boundary lines tied to easily described and identifiable features (such as roads, ridgelines and streams) has an average cost of approximately $2,000/mile to complete, compared to up to $20,000/mile for mapping and surveying boundaries that are not tied to identifiable features on the ground. We would like to work with the Committee to identify boundary adjustments that would meet the intent of the Act and reduce administrative costs to establish and manage the new wilderness areas.

H.R. 6290 proposes new wilderness within the boundary of the Columbia River Gorge National Scenic Area (NSA) designated by Congress in 1986. Most of the area within the Columbia River Gorge NSA covered under the bill is adjacent to urbanized areas and significant infrastructure. These include the cities of Hood River, Bonneville, and Cascade Locks, the unincorporated communities of Dodson and Warrendale, Bonneville Power Administration's high voltage power lines that traverse and transect the Columbia Gorge, Interstate 84, and the Union Pacific rail line. We believe that adjacent land uses, in conjunction with special provisions for existing rights such as the Army Corps of Engineers permit related to Bonneville Dam, could potentially conflict with and

compromise the wilderness character of the proposed Gorge Face Wilderness. The Columbia River Gorge NSA designation has been highly successful in protecting and enhancing the scenic, cultural, and natural and recreation resources of the area while accommodating economic development consistent with these purposes. We support Section 112 that extends river protections of the Columbia River Gorge National Scenic Area Act.

Wild and Scenic River Designations

The Department supports the wild and scenic river designations proposed by H.R. 6290, with the exception of the Fifteen Mile Creek and the East Fork Hood River. The former was not found to have values that rise to a level of significance for wild and scenic river eligibility when it was evaluated in the Land and Resource Management Planning process for the Mount Hood National Forest, and we believe it still does not merit further consideration. The East Fork Hood River was determined not a suitable addition to the National Wild and Scenic Rivers System in the Mount Hood National Forest Land and Resource Management Plan. In addition, the Forest Service is concerned about its ability to protect the East Fork Hood River as a wild and scenic river concurrent with the state's capacity to maintain or reconstruct State Highway 35 which closely parallels the river in many places. The paragraphs amending Section 3(a) of the Wild and Scenic Rivers Act do not reflect the recent addition of the Eightmile River and are, therefore, incorrectly numbered. We would be pleased to work with the Committee to clarify the numbering of new wild and scenic river designations.

National Recreation Area

H.R 6290 would designate 34,550 acres as a Mount Hood National Recreation Area (NRA). The Department supports this designation, which recognizes the variety of recreational activities that visitors currently enjoy in the proposed area. We also appreciate the significant changes in language reflected in this bill in response to Department concerns with language in previous versions. We suggest that some of the smaller isolated tracts proposed for wilderness would be better protected as additions to the proposed national recreation areas rather than be designated as wilderness.

As mapped, the Mount Hood NRA overlaps the proposed Badger Creek Wilderness (3,004 acres), the proposed Barlow Butte Wilderness Area (1,973 acres), the proposed Boulder Lake Wilderness Area (3,996 acres) and the proposed Twin Lakes Wilderness Area (6,399 acres). We suggest that national recreation area designation for all of these areas, without additional wilderness designation, is most appropriate and will achieve the protections and management intended by the bill.

Special Protections

H.R. 6290 would establish the "Crystal Springs Watershed Special Resources Management Unit", which includes both existing National Forest System land and 770 acres acquired through the proposed Cooper Spur land exchange. The Department does not support the transfer of these highly developed residential and commercial lands to the National Forest System. In addition, Section 131 of H.R. 6290 would impose unnecessary restrictions on the management of those lands already in the National Forest System. Water quality in this area is already protected through the Mount Hood National Forest Land and Resource Management Plan, the Federal Safe Drinking Water Act and the Clean Water Act. The Department does not support the establishment of this special resources management unit.

Section 132 of H.R. 6290 would provide special protection for Upper Big Bottom (1,580 acres), and Cultus Creek (280 acres), two separate isolated areas on Mount Hood National Forest. The purpose of this section is to preserve the natural and primitive character of these lands for recreational, scenic and scientific use. We believe a new and unique special designation for these two areas is unnecessary. Upper Big Bottom is currently designated as Wild and Scenic River corridor and scenic viewshed, as such is adequately protected for the purposes stated in the Act. Cultus Creek is a small isolated area adjacent to BLM land and is designated as Late Successional Reserve. We would like to work with the Committee to identify concerns that are not already addressed in current designations and, if necessary, to identify other existing designations in the forest's land management plan that would provide the desired protections. Creating new and unique special designation for these two areas may not be necessary and may be difficult to administer.

Transportation

The Department supports collaboratively participating with the State of Oregon, local governments, and other federal agencies in the development of a comprehensive, multi-modal transportation strategy for the Mount Hood region. We are pleased to report that such collaborations are currently underway. The transportation plan will include a review and compilation of all existing studies related to transportation in the Mount Hood region. We believe this work will meet the intent of H.R. 6290, and recommend that these studies be completed and used to inform the proposed Cooper Spur-Government Camp land exchange.

Forest Stewardship Strategy

We support the objectives Section 302 calling for a vegetation strategy (including recommendations for biomass utilization) to address forest health. The Forest Service is currently developing an integrated vegetation management approach that we believe will meet the intent of this section.

Tribal Relationships

The bill encourages the Secretary of Agriculture to cooperate with tribal governments to manage the forest to meet the cultural foods obligations for members of Indian tribes with treaty-reserved rights. We support this provision.

Land Conveyances

We appreciate the sponsors' efforts to resolve long-standing conflicts in the Mount Hood region with the Cooper Spur- Government Camp land exchange proposal, as well as the changes to earlier version of the legislation to address some of the valuation-related concerns expressed in the Department's previous testimony. We support the use of nationally recognized appraisal standards. We remain concerned that the fragmentation of ecosystems and the lack of national forest characteristics in the land to be conveyed to the United States have not been addressed in H.R 6290. We believe the decision to transfer ownership of the Government Camp parcels from the United States should be made after completion of the transportation and related studies so the results of those studies inform that decision.

Of the 770 acres of private lands offered to the United States at Cooper Spur, 620 acres (80%) are outside of the Mount Hood National Forest boundary. The lands that would be added to the Mount Hood National Forest contains many improvements--including a hotel and residences--and are surrounded by residential development and do not have national forest characteristics. They are heavily developed resulting in highly disturbed and fragmented ecosystems interspersed with roads, power-lines, and subdivisions. The Cooper Spur land exchange would require the Forest Service to take possession of aging buildings, utilities and other infrastructure with unknown liabilities such as hazardous material contamination. All of these concerns would be extremely expensive to resolve in order to restore the lands to conditions expected of national forests. Included in the 157 acres offered within the national forest boundary is a parcel that was previously national forest land which the Forest Service disposed of in the 1980s because the ecosystems were fragmented and lacked the characteristics of national forest lands. Its condition has not improved. Because of this, these lands are not on acquisition plans for the Forest Service. They would put a tremendous drain on limited resources to manage and protect as National Forest System lands.

We suggest consideration of alternative exchange lands for the Government Camp parcels. There are many other privately-owned properties in the Pacific Northwest Region that would have much higher benefit to the public to acquire. In contrast to the Cooper Spur properties, the Forest Service has a long standing interest in acquiring parcels along the Pacific Crest National Scenic Trail, wilderness in-holdings such as the Catherine Creek property in the Eagle Cap Wilderness, in-holdings within the Newberry Crater National Volcanic Monument and numerous wild and scenic river parcels.

With an especially high value property such as Government Camp, the Forest Service would typically conduct a competitive exchange, using a prospectus to solicit proposals from the general public. This could result in acquisition by the Forest Service of some of these highly desirable resource properties in exchange for the Government Camp property. We would like to work with the sponsors and Committee staff on amendments to address concerns related to the Department's legislated acquisition of the Cooper Spur development.

The bill directs the agency to complete a specific land exchange, but there is no exemption from National Environmental Policy Act (NEPA) analysis of the Cooper Spur land exchange. Consequently, we believe the agency would be in the untenable position of being unable to consider the information provided by the NEPA analysis. Normally, we would evaluate the exchange using existing administrative authorities and would have the discretion to select an alternative action or a no action alternative. We suggest that the Forest Service be explicitly relieved of the requirement to do a NEPA analysis, or be allowed the discretion to choose among a range of alternatives to effect the land exchange related to Government Camp. We would like to work with the Committee on amendments to address these concerns.

The Department supports the proposed exchange with the Port of Cascade Locks to improve access to the Pacific Crest National Scenic Trail. The Department does not object to the Hunchback Mountain exchange with Clackamas County. We note that this exchange would require a legislated adjustment to the Mount Hood National Forest Boundary, and we would work with the Committee to address this.

It is the intent of H.R. 6290 that the Forest Service would complete all legal and regulatory processes required for the exchange of federal land and the non-federal land within 16 months. While it is always the intent of the Department to complete legislated actions in a timely and responsible manner, we note that in the experience of the Forest Service land exchanges as complex as those directed in H.R. 6290 often take longer to complete.

Summary

In summary, while we are encouraged by the sponsors' efforts on behalf of the Mount Hood National Forest, the Department has significant concerns with H.R. 6290 as presently written. Nevertheless, we have an interest in working with the many stakeholders of the region and beyond to meet the bill's objectives to provide recreation opportunities and protect resource values on the Mount Hood National Forest and nearby landscapes. We believe we can accomplish these objectives using existing authorities as well as some of the provisions of the bill. We strongly support negotiated agreements on

land management and we are committed to continuing to work on the sections where we have concerns.

H.R. 6291: The Oregon Treasures Act of 2008

The intent of H.R. 6291 is to designate additional areas to the Rogue Wild and Scenic River, enhance protection of resources associated with the Oregon Caves National Monument and to increase public recreation opportunities. The bill would transfer approximately 4,070 acres of land from the Rogue River-Siskiyou National Forest to the Oregon Caves National Monument; it would designate six segments of rivers within the boundaries of the proposed transfer as part of the National Wild and Scenic Rivers System (NWSRS); and it would provide for possible termination of grazing use on a Forest Service-managed grazing allotment, a portion of which is located within the proposed boundary of the Monument. The legislation would also designate 40 segments of rivers to the Rogue Wild and Scenic River as part of the NWSRS.

The Department of Agriculture (USDA) does not believe that two of the bill's primary purposes, enhanced protection of resources and increased public recreation opportunities, would be effectively achieved by its enactment. We believe that interagency coordination is the best and most effective means not only to enhance resource protection and recreational opportunities but also, and perhaps more importantly in the long run, to increase the participation of local communities, governments, and interest groups in Federal land and resource planning activities. To that end, the Forest Service and the National Park Service are currently engaged in discussions on the concerns that H.R. 6291 intends to address. Therefore, we request that the committee defer action on this proposal pending further coordination between the Forest Service and the National Park Service.

By way of background, the Oregon Caves National Monument is comprised of an area of approximately 480 acres located in the Siskiyou Mountains of southern Oregon. H.R. 6291 would expand the Monument boundary, through a land transfer to the Secretary of the Interior, to include approximately 4,070 acres of land that are currently in the Rogue River-Siskiyou National Forest.

In order to better illustrate the Department's position, we present in greater detail a number of the bill's specific proposals as well as the current status of cooperative and mutually supportive management between the Rogue River-Siskiyou National Forest and the Oregon Caves National Monument.

Expansion Proposal

Section 2(c) of the bill would direct the Secretary of Agriculture to transfer the proposed expansion area to the Secretary of the Interior, and to adjust the boundary of the Rogue River-Siskiyou National Forest to exclude the transferred land. The 1998 Oregon Caves National Monument General Management Plan, developed through the public NEPA process, recommended a similar boundary expansion. No coordinated study or formal dialogue between the Departments (beyond that provided under NEPA during development of the 1998 plan) has taken place in the intervening period.

The longstanding policy of USDA and DOI is to avoid unilateral proposals to change the status of lands. Instead, if land change status is to be considered, the Departments' approach has been to conduct a joint study, fully open to public participation. Moreover, longstanding direction has been for mutual support and cooperation in management of lands under each jurisdiction. The Forest Service is fully committed to cooperative and mutually supportive management across our respective jurisdictions.

Protection of Resources

The land managers of the Rogue River-Siskiyou National Forest and the Oregon Caves National Monument currently work very closely together on areas of mutual interest. The Forest Service and National Park Service managers mutually support the following three specific goals:

1. <u>Maintaining and protecting cave resources, hydrologic resources, watersheds, and view sheds</u>. Critical landscapes, including cave resources and watersheds, are managed by interagency collaboration. These resources, and the need to manage them in a cooperative manner, not only extend beyond the current Monument boundary but also extend well beyond the proposed expansion area. Mere expansion

of the Monument boundary would do little to further enhance resource protection of these landscapes and resources.

2. Improving forest health by addressing hazardous fuels. The majority of the proposed expansion area is designated as "Late-Successional Reserve" (LSR) as defined under the Northwest Forest Plan. These areas are intended to serve as habitat for late-successional and old-growth related species. A majority of the LSR landscape within this watershed, and the larger surrounding landscape managed by the Forest Service, is in fire condition class 3—high risk of damaging, perhaps catastrophic, wildfire. Currently the Rogue River-Siskiyou National Forest is using commercial harvest in a coordinated, multi-year effort to reduce fuels, both around the immediate vicinity of the Monument and across the larger watershed and landscape. The Rogue River-Siskiyou National Forest plans to treat approximately 1550 acres to reduce hazardous fuels within the proposed expansion area. Four hundred and forty acres will be treated over the next several years. Of those acres, approximately 100 acres will be treated by commercial harvest with volume estimated at 560 thousand board feet and an appraised value of approximately $168,000. The remainder will be treated using other methods. All together, these treatments are designed and implemented to help restore the historic role of fire in this ecosystem and will help ensure that the forest attributes intended for the LSR, including bigger, older, more fire resistant trees, remain intact. To that end, we fully endorse the intent of section 2(d) of the proposed legislation to have forest restoration activities continue on the proposed expansion area. The hazardous fuel challenge in this region--and the danger of catastrophic fire--crosses all jurisdictions and is one we all must work together to address.

3. Minimizing any potential impacts from harvest, grazing, mining, and road construction. On the national forest lands that surround the Monument, timber harvesting, grazing and harvesting of special forest products such as bear grass, firewood, and mushrooms are allowed only if they meet resource objectives of sustainable multiple-use. Road management is limited to maintenance and reconstruction activities; no new roads are planned to be built within the area. Moreover, interagency collaboration provides additional oversight of these types of

multiple-use activities. The Forest Service is fully committed to its multiple-use mission on National Forest System lands. Sustainable timber harvesting, grazing, and special forest products harvesting, as well as providing for a diversity of recreation opportunities, including hunting and fishing, help support the local economy. Returned receipts to states from commercial activities on National Forest System lands play an important role supporting local schools and roads.

Expanding and improving tourism and recreational opportunities

Current recreation on the portion of the National Forest proposed to be transferred includes horseback riding, hunting and fishing, gathering, camping, backpacking, and hiking. Interagency coordination maintains access to a full range of recreational opportunities which enhances the experience of both Monument and National Forest visitors. Executive Order 13443, issued in August 2007, directs the managers of national parks, forests, and other public lands, consistent with agency missions, to "facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat." If the bill is enacted, we understand from the National Park Service that hunting would be prohibited from the 4,070 acre proposed expansion area. The Forest Service is fully committed to working with the National Park Service and the local community to provide for and to enhance a full spectrum of public outdoor recreational opportunities.

Relinquishment and Retirement of Grazing Permits

Section 2(e) of H.R. 6291 would direct the Secretary of Agriculture to accept any "donation" of a grazing permit by the permit holder for grazing on the Forest Service managed Big Grayback grazing allotment, and if such a donation is received, ensure an end to grazing on the entire allotment. Under this legislation, only a small portion of the Big Grayback allotment would become part of the Monument, and it is not clear how permanently ending grazing on a large area of land outside the Monument will further the legislation's purposes of enhancing resource protection and recreation opportunities on the Monument.

The Forest Service believes that grazing is an environmentally compatible use within this portion of the Rogue River-Siskiyou National Forest. Livestock grazing has been and

continues to be an appropriate use of our public rangelands and is important to the economic vitality and cultural identity of many communities. We recognize that most ranchers are good stewards of the land, and that they are essential contributors to retaining rangelands as open space and working lands across the Nation. The United States is losing important working rangelands to development all across the Nation. The loss of open space results in fragmentation of the rangelands into smaller, more isolated patches. The loss of open space affects our air, water, and vegetation, and degrades wildlife habitat; increasingly these former rangelands are developed into part of the wildland/urban interface. Development of open space is driven by a multitude of social and economic factors, some of which are beyond the mission or ability of the Forest Service to address. However, for our part, we want to ensure that Forest Service policies help to keep working ranches in operation and the land whole, in the best tradition of conservation.

The Big Grayback grazing allotment has been actively managed by the Forest Service since 1937. The current permit was issued 2002 and will expire in 2012. A revised management plan for the allotment was issued in February, 2008 following an Environmental Assessment that was completed in October, 2007. The revised plan has not yet been issued, pending resolution of an appeal.

Absent a voluntary waiver of the permit by the permit holder, the Forest Service generally only retires grazing permits through the public land use planning process. The current permit holder may waive the permit at any time. If the permit holder waives the permit back, the Rogue River-Siskiyou National Forest currently has the discretion to utilize the land within the parameters of the Forest's Land Management Plan. Options for use of the land include issuing the permit to a new holder if the base acres requirement is met, holding the allotment vacant, or retiring the allotment. We note that if the legislation is enacted and the permit is not waived, the permit on the National Forest portion of the allotment, beyond the proposed expansion area, would continue as a valid use. Further, the Forest Service would not be responsible for enforcement of livestock exclusion, including fence construction and range improvements, on the portion of the allotment in the proposed expansion area, since that land would be transferred to the Secretary of the Interior.

We have other concerns with section 2(e). For example, this section does not indicate in what order the transfer of the land and the waiver of the permit would occur. In addition, while section 2(e)(1) would require a permanent end to grazing on the allotment if the permit is “donated,” section 2(e)(4) indicates that only a portion of a grazing permit could be donated. We also have concerns with some of the terminology in section 2(e). For instance, the use of the term "donation", is a concept that is not applicable to Forest Service grazing permits. The Forest Service uses the term “waiver” to describe a permit holder's voluntary relinquishment of a grazing permit. Consequently, the Department opposes this provision.

The Department and the Forest Service recognize the value of working cooperatively and collaboratively with local stakeholders, state and Federal agencies to fulfill its multiple use mission on National Forest System lands. There are numerous examples nationwide where an interagency memorandum of understanding (MOU) is helping guide effective protection of cave resources and their surrounding landscapes. Local managers from the Oregon Caves National Monument and the Rogue River-Siskiyou National Forest are considering an MOU as a tool that could be useful for identifying areas of mutual interest and for establishing how the two agencies can work together to manage the Oregon Caves and surrounding landscape to protect the resources and enhance recreational opportunities. An October 2008 workshop convened by the Forest Service and National Park Service will identify mutual landscape goals and specific resource priorities and build stronger relationships among managers and staff at each unit. The National Park Service has asked that the Forest Service assist in planning the Oregon Caves centennial celebration in 2009, in recognition of their first 25 years of stewardship of the Monument. These efforts will permit the responsible land management agencies to mutually identify effective and efficient resource and recreation opportunities. Therefore, we request that the Committee defer action on the proposal for boundary expansion pending the outcome of these interagency efforts by the Forest Service and the National Park Service.

Wild and Scenic Rivers

Section 3(a) of the proposed legislation provides for the addition of six river segments to the National Wild and Scenic Rivers System (NWSRS). The Siskiyou National Forest analyzed all tributaries to the Illinois River on National Forest System lands for eligibility for inclusion in the NWSRS as part of a 1989 settlement agreement to an appeal of the Land and Resource Management Plan. None of the four rivers included partly or entirely in the current Monument expansion proposal were found to meet the criteria for eligibility at that time. The Forest Service would suggest that, at minimum, the segments within the proposed expansion area be re-evaluated for their eligibility for the NWSRS.

Section 3(b) would amend the Wild and Scenic Rivers Act with additions to the existing Rogue Wild and Scenic River and on lands administered by the Bureau of Land Management. As written, the legislation does not specify which department will administer these proposed additions. This omission can be remedied with a simple wording change and we would be pleased to work with the Committee and the Bureau of Land Management to make this necessary change. We respectfully refer the Committee to the testimony provided by the Department of the Interior regarding the suitability and scope of the designations included in the bill.

H.R. 6553: To clarify the authority of the Secretary of Agriculture regarding additional recreation uses of National Forest System Lands subject to ski area permits

The Department supports H.R.6553. The bill would amend the National Forest Ski Area Permit Act of 1986 to authorize the Secretary to permit seasonal and year-round outdoor and natural resource-based developed recreational activities and associated facilities at ski areas, in addition to those that support Nordic and alpine skiing and other snow sports that are currently authorized by the Act.

The other seasonal and year-round recreational activities and associated facilities authorized by the bill would have to encourage outdoor recreation and harmonize with

the natural environment. The bill would make clear that the primary purpose of the authorized use and occupancy would continue to be skiing and other snow sports.

The bill recognizes the ability of ski areas to serve as portals to national forest recreation. There are 125 ski areas operating under permit on national forests. These ski areas occupy a fraction of 1 percent of the total land base. Nevertheless, about 1/5 of all recreation on national forests is occurring at these ski areas. For many Americans, ski areas are the gateways to our national forests and a means to greater appreciation of the natural world.

We have become increasingly concerned about trends showing a decline in visitation and appreciation and understanding of the natural environment among our youth. One place where we still see strong visitation by youth and families is at ski areas. The Forest Service has developed strong partnerships with many ski area operators that enhance visitors' understanding and appreciation of the environment through interpretive signing, programs, and exhibits. Expanding opportunities for year-round use will enable more of the public to experience and appreciate the national forests.

H.R. 6553 also recognizes the ability of ski areas to provide outdoor recreation in a more intensively managed recreational setting. Ski areas are some of the most developed sites on the national forests. Focusing more of the developed outdoor recreational activities in these areas would reduce pressures to develop other areas of the national forests. One example of a popular developed outdoor recreational activity is freestyle mountain biking. By focusing this activity at ski areas, permit holders would be able to increase utilization of existing infrastructure, and the impacts on surrounding National Forest System lands caused by freestyle biking could be minimized.

We are beginning to see widespread insect infestations and longer and more intense wildfires which may be attributable in part to climate change. In addition, it is possible that ski areas in some locations may see somewhat shorter winter operating seasons. Increasing the scope of activities and facilities that may be authorized under a ski area permit could help ski areas remain economically viable by more fully utilizing their significant investment in infrastructure, such as ski lifts, in the off-season or year-round.

We would like to work with the Committee to clarify the bill. Although the agency in exercising its discretion would not interpret the legislation so broadly, the bill could be read to allow water parks, amusement rides, or other urban-based recreational activities under a ski area permit. We support allowing additional activities and infrastructure for year-round activities. However, they should be appropriate to the natural resource setting and resource objectives for the area and should be consistent with existing Forest Service policy, which requires the national forest setting to contrast with an urban setting. Additionally, the ski area boundaries should continue to encompass acreage the Secretary deems sufficient and appropriate to accommodate the permit holder's needs for skiing operations and appropriate ancillary facilities for skiing operations, as opposed to recreational activities and facilities that are not related to skiing and snow sports.

In summary, this legislation would facilitate more families and youth recreating on the national forests and appreciating the natural world. For these reasons, the legislation is a positive step and one which the Department supports, with the suggested clarifications.

H.R 6628 Connell Lake Watershed Protection and Recreation Act

H.R. 6628 would apply the Recreation and Public Purposes (R&PP) Act to the conveyance of certain lands in the Tongass National Forest in Alaska. The Administration has consistently testified on similar legislation that the R&PP Act should not be applied to National Forest lands, and that conveyances of National Forest lands should be for market value consideration.

H.R. 6628 would require the conveyance, in accordance with the R&PP Act, of approximately 880 acres of National Forest System lands within the Tongass National Forest to the Ketchikan Gateway Borough (KGB). The bill acknowledges that KGB has a great interest in the management of the Connell Lake area and desires to participate in the planning and management of the area. No other demonstrated public need is identified in the legislation.

This legislation is not needed because the lands are already being appropriately managed. The lands identified for conveyance in H.R. 6628 are currently managed under the

Tongass Land Management Plan (TLMP) as part of the Ward Lake Recreation Area, a special interest area land use designation that provides for the protection of the unique existing natural features of the area. The standards and guides applied to this designation require that water quality must be maintained consistent with Alaska water quality standards and source watersheds must be protected consistent with the Federal Safe Drinking Water Act and the Alaska drinking water regulations. These lands are therefore already managed to protect the KGB's water source by ensuring water quality is maintained and by limiting land use activities to avoid adverse effects on water resources.

These lands are also managed for recreational use. We presently operate and maintain the Connell Lake trail for public use, and two excursion companies are permitted to provide guided hikes on this trail. In addition, we have three campgrounds, a popular day use area, and a network of trails along Ward Creek, which provides the highest recreational fishing use in Ketchikan and is the outlet for water from the dam located at Connell Lake. These facilities offer opportunities for public recreational use adjacent to the lands proposed for conveyance in the Connell Lake area. The dam at Connell Lake has been studied as a potential source for hydroelectric power pursuant to the Federal Energy Regulatory Commission (FERC) licensing process. Although the local public utility determined that a hydroelectric project was technically feasible, fishery issues would significantly affect the proposed project, and the application for a FERC license has not been pursued further.

Under the R&PP Act, and Department of the Interior regulations and guidelines, the Secretary of the Interior may convey Public Domain Lands to government entities at no cost, if they are used for recreation or historic monument purposes. However, the R&PP Act does not apply to national forests, national parks and monuments, national wildlife refuges, Indian lands and acquired lands.

We have consistently taken the position that National Forest Systems land should be conveyed for market value consideration. This bill, in its application of the R&PP Act, would direct the conveyance of NFS without compensation. Additionally, H. R. 6628 would create a large in holding for the Tongass National Forest, resulting in management inefficiencies and associated costs.

In conclusion, Mr. Chairman, the Forest Service does not support amending the Recreation and Public Purposes Act to apply to the conveyance of National Forest System lands in the Connell Lake watershed. We believe the land is already being managed consistent with the public interest, which also meets the needs of KGB. Additionally, we do not support applying the R&PP Act to National Forest land conveyances. We would welcome the opportunity to work with the bill's sponsor, Mr. Young, and the Ketchikan Gateway Borough to explore what the Borough's needs are.

Mr. Chairman and members of the committee, this concludes my testimony. I am available to answer any questions you may have at this time.