

**STATEMENT
THE HONORABLE PETER DEFAZIO**

**BEFORE THE
COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS
U.S. HOUSE OF REPRESENTATIVES
MARCH 8, 2012**

**CONCERNING
H.R. 3436, WILD ROGUE WILDERNESS EXPANSION
H.R. 1415, CHETCO RIVER PROTECTION ACT OF 2011**

Thank you Chairman Bishop for holding this hearing. And, thanks for continuing to work with me and my Oregon colleagues to resolve the challenges posed by the historically and statutorily unique O&C Lands in western Oregon.

Three of the four bills before the committee today would provide additional protections to important Oregon rivers: the iconic Rogue, the Chetco, and the Molalla. All three bills were individually introduced, but are included in the bipartisan discussion draft of the "O&C Trust, Conservation, and Jobs Act," which I wrote with Rep. Greg Walden and Rep. Kurt Schrader and publicly released last month.

The O&C package attempts to resolve long-standing management challenges unique to western Oregon. Our bipartisan proposal – which is supported by the Oregon Legislature, county governments, labor, and the local timber industry – would establish a known land base for sustainable timber harvests, put thousands of Oregonians back to work, provide revenues to failing rural counties, and save the federal government millions of dollars every year.

The O&C Trust, Conservation, and Jobs Act also includes substantial conservation components, including the first ever legislative protection for old growth in Oregon and three of the bills being heard before the committee today.

I sponsored two of the three bills: H.R. 3436 relating to the Rogue and H.R. 1415 relating to the Chetco. My colleague Rep. Kurt Schrader sponsored H.R. 752, which designates segments of the Molalla River under the Wild and Scenic Rivers System. These bills enjoy overwhelming support from Oregonians and the Oregon Congressional Delegation. Companion legislation for the Rogue, Chetco, and Molalla are pending in the Senate.

Having visited and explored these places many times, I can personally attest to their incredible natural beauty, their importance to local water supplies and million dollar fisheries, and their role in creating jobs and generating economic opportunities in distressed rural communities.

I want to spend a little time talking about each bill. I will start with H.R. 3436, which proposes to add predominantly mature and old growth forests on steep slopes in the Rogue River watershed to the Wilderness Preservation System.

The Rogue is one of Oregon's most important and productive salmon runs and one of the nation's most well-known rivers. In fact, the Rogue was one of eight rivers originally designated as "Wild and Scenic" through the Wild and Scenic Rivers Act of 1968.

Anyone who has rafted, fished, or hiked along the Wild and Scenic Rogue has experienced a truly wild canyon – much of which is only accessible by boat or foot. The river flows through rock canyons formed by volcanoes and is fed by ice-cold tributary streams that come from the surrounding forests. Thousands of Americans travel to and *down* the Rogue on exciting rafting and fishing trips every year.

A 2008 economic study found that recreation-related activity on the Rogue River provided \$30 million in economic benefits to the State of Oregon in 2007, including 445 jobs. Josephine County, the county in which the proposed Rogue wilderness addition lies, received \$14 million in benefits alone.

To protect the incredible values of the Rogue and the jobs it creates, I have introduced legislation to expand protections for the Rogue River through the Wild and Scenic Rivers Act in each of the last three congresses.

In the 110th and 111th congresses, I introduced legislation that would have designated 143 miles of the Rogue River and its tributaries as "wild" and "scenic" and provided half-mile corridors on both sides of the designated streams instead of the traditional quarter-mile corridors. The footprint of my Wild and Scenic approach would have totaled more than 77,000 acres.

The local timber industry objected to these bills because of the precedent my wild and scenic approach would have established. In response, the timber industry

began meeting with local conservation groups in 2009 to discuss alternatives to protecting one of Oregon's and America's greatest rivers.

In 2010, the timber industry and local conservation groups agreed to a smaller proposal that replaced 50 miles of wild and scenic protection with wilderness protection. The agreement was codified in a "Terms Sheet." I ask unanimous consent that the Terms Sheet be included in the official committee record.

The agreement proposes designating approximately 58,000 acres of Late Successional Reserve forests and Critical Habitat for the northern spotted owl – areas that will never be logged – as wilderness. The agreement also proposes protecting 93 miles of Rogue River feeder streams important to regulating the river's water temperature as "wild" and "scenic."

The agreement signed by the timber industry and local conservation groups has a footprint that is nearly 20,000 acres smaller than my original approach. This is the agreement – which was worked out at a local level with key stakeholder groups – I introduced as H.R 3436.

The proposed Wild Rogue Wilderness area is entirely within my district. The local timber industry, as represented by the American Forest Resources Council, and the Association of O&C Counties have expressed no opposition to the proposal if included in the bipartisan O&C Trust, Conservation, and Jobs Act. A recent poll also revealed that 77% of Oregonians support additional protections for the Rogue River while only 12% are opposed.

Contrary to the claims of opponents, access to the river and existing road infrastructure would be preserved – less than two miles of roads that are rarely if ever used would be closed. Valid mining claims are explicitly protected in the legislation. Most importantly, my legislation would provide certainty to local communities and businesses that depend on this incredible resource for jobs, revenue, and recreation.

The Chetco River is another iconic river and economic engine for southwest Oregon. The Chetco provides an exceptionally pure domestic water supply for the coastal communities of Harbor and Brookings and produces trophy sized steelhead trout and some of the best salmon fishing in the world, with king salmon weighing up to 65 pounds.

The Chetco River was added to the National Wild and Scenic River system in 1988. I played a major part in that effort along with Oregon Republican Senator Mark Hatfield. H.R. 1415 would provide technical corrections to the original Chetco wild and scenic designation, including withdrawing the current "Scenic" and "Recreational" segments from location and entry under the 1872 Mining Law. It would prevent the location of new mining claims but protects valid existing rights.

The Chetco River was recently listed as the 7th most endangered river in America due to suction dredge gold mining. In 2008, an out-of-state real estate developer formed Chetco River Mining and Exploration and submitted eight proposals to mine roughly 20 miles of the 44.5 mile National Wild and Scenic Chetco River, including approximately five miles within the Kalmiopsis Wilderness. The proposal would have mined as much as 3,200 cubic yards of riverbed each year for gold using gasoline powered suction dredges weighing up to a ton. The Forest Service estimated it would cost taxpayers \$800,000 to process the mining company's plans.

In response to overwhelming public opposition to the mining of an otherwise protected National Wild and Scenic River, Senator Wyden and I requested a temporary moratorium on new mining claims. The Bureau of Land Management announced a two year temporary withdrawal on August 1, 2011. The purpose of the administrative withdrawal is to preserve the status quo and give Congress time to consider and pass legislation to make the technical corrections.

Unexpectedly on December 5, 2011 the BLM issued a decision finding that all nine mines claimed by Chetco River Mining and Exploration had been forfeited. The 30-day appeal period for BLM's forfeiture decision ended on January 8, 2012 without response from the mining company. Because of the withdrawals and the forfeitures, 15 miles of the 17 miles covered by H.R. 1415 are free from mining claims for the first time in decades.

H.R. 1415 provides a unique opportunity to provide lasting protection for a world-class salmon and steelhead river that's also an economic driver for economically stressed communities and a source of clean water for coastal communities in Oregon. Passing this bill would save taxpayers money by eliminating the need for expensive mining validation tests on 15 miles of river, prevent the location of new claims, and help avoid sometimes violent user conflicts on the river.

I want to thank the Obama administration for supporting H.R. 3436, H.R. 1415, and H.R. 752. These bills are important to Oregonians and should be included in the bipartisan O&C Trust, Conservation, and Jobs Act which will create jobs, help failing rural communities provide basic government services, and save taxpayers money.

Again, thank you Chairman Bishop for holding this hearing.

Term Sheet

An Understanding Between American Forest Resource Council and American Rivers, Klamath Siskiyou Wildlands Center, Oregon Wild, and The Larch Company Pertaining to Legislation to Designate Certain Streams as Wild and Scenic Rivers and Certain Lands as Wilderness and for other Purposes.

AFRC will communicate to the Oregon Congressional Delegation and the staffs of the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate that it has no objection to Congress enacting legislation that does the following:

- Expands the existing Wild Rogue Wilderness to include another ~58,350 acres.
- Adds ~93 miles of tributary streams to the existing National Wild and Scenic Rogue River and would be managed under the default provisions of the Wild and Scenic Rivers Act as it pertains to the width of management corridors.
- Withdraws from the mining laws those newly designated Wild and Scenic River segments classified as "Scenic" and "Recreational" from the mining laws.
- Withdraws an additional ~50 miles of tributary streams from application of the mining laws and also prohibits water development projects.

The total Wilderness/Wild and Scenic River "footprint" would be ~64,075 acres with ~7,783 acres of "Matrix" under the Northwest Forest Plan (much of which is not effectively available for timber management).

The attached map reflects this understanding.

For more information:

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