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Testimony on “Restoring Public Access to the Public’s Lands: Issues Impacting Multiple Use on Our National Forests”

September 19, 2011

Mr. Chairman and members of the Subcommittee:

My name is Karen Schambach. I am California Field Director for Public Employees for Environmental Responsibility. PEER is a service organization dedicated to protecting those who protect our environment. PEER provides legal defense to federal, state, local and tribal employees dedicated to ecologically responsible management against the sometimes onerous repercussions of merely doing their jobs. In addition, PEER serves as a safe, collective and credible voice for expressing the viewpoints otherwise cloistered within the cubicles. Headquartered in Washington, D.C., PEER has a network of ten state and regional offices.

I am also a resident of Georgetown, California, on the edge of the Eldorado National Forest. I spend most of my spare time driving, hiking and camping on our public lands, so I can appreciate the desire for recreation on our national forests, as well as the limitations of those lands to sustain public use.

I greatly appreciate the opportunity to offer an alternative perspective on the topic we are all here to discuss today; the restoration of public access to our public lands.

As Mr. McClintock reminded his colleagues in a recent speech, the vision of Gifford Pinchot for the agency he founded was “to provide the greatest amount of good for the greatest amount of people in the long run. We also believe that vision is one the Forest Service should vigorously pursue.

We agree with Mr. McClintock that the public should have access to its public lands. Where we disagree is on the issue of access versus excess, use versus abuse of our National Forests, and how the Forest Service can provide the greatest good for the greatest number of people. We believe the delivery of clean water is of primary importance, along with the protection of native plants and animals, protection of historic and prehistoric cultural resources, and providing access to our public lands to the “greatest amount of people.”

The greatest amount of good for the greatest number of people.... A survey by the California State Parks Planning Division found that the State’s four highest unmet

recreation needs were for camping, hiking, walking, and wildlife viewing; OHV use was ranked 28th.

Consistent with the DPR survey is a USFS survey cited in the Eldorado NF Travel Management DEIS, which found OHV users are a recreation minority. According to this 2003 survey, 7.37 percent of ENF visitors participated in OHV activity; with OHV being the main activity for 3.34 percent. By contrast, 40 percent of ENF visitors participated in hiking/walking, with these being the main activity for 11.57 percent; almost four times as many as engaged in OHV use. Other popular non-motorized activities, including fishing, skiing, bicycling, backpacking, picnicking, non-motorized water, camping and simply relaxing far outnumber motorized recreation in popularity. Surveys on other national forests revealed similar use trends. On the Inyo NF, for example, OHV use was 1.8% of visitor use.

The Eldorado NF has 635 miles of Maintenance Level (ML)-3, ML-4 and ML-5 (county) roads. These are the roads maintained for passenger car use and most of the Forest's appropriated funding for road maintenance goes to these roads.

The Eldorado also has 1002 miles of ML-2 roads open to the public. These are native surface (dirt) roads that get minimal maintenance. These are also the roads around which most of the so-called "access" discussion revolves. These roads provide access only to high-clearance vehicles. Over the past ten or 15 years, many of these roads have deteriorated to the point that only a very, very rugged, high clearance vehicle with skid plates can safely navigate these roads without damage; in other words, off-road vehicles. The majority of forest visitors don't have the modified rigs necessary to travel on ML-2 roads. The majority of forest visitors are the greater public that is really being excluded from enjoying their public lands.

The primary problem is a road and trail system that is vastly larger than can be maintained with taxpayer dollars. As a result, forests are riddled with failed drainage structures, blocked culverts, sediment-laden streams, and badly eroded roads. All California national forests have significant deferred maintenance backlogs, over \$100 million for many forests. To illustrate a few:

Eldorado NF

Total annual maintenance needs for all roads on the Eldorado are \$3,328,000. Between 2003 and 2007 the ENF received a total of \$6,756,000 taxpayer dollars for road maintenance, an average of \$1,351,000 annually.

At the end of FY 2006, the Eldorado had a deferred maintenance backlog of \$32,307,375. The ENF road maintenance budget is only \$650,000, nearly all used on ML-3, 4 and 5 roads. The Travel Management FEIS concludes, " We don't have enough funding available to accomplish the needed work."

Inyo NF

Current deferred maintenance \$29 million.

Total estimated annual maintenance at existing level: \$2,445,265

Total for ML-2 roads \$1,155,375.

Annual budget for maintenance \$800,000. Majority goes to ML-3 – 5 roads.

Lassen NF (Data from Lassen TMP DEIS and ROD)

Cost of annual maintenance for ML-2 Roads is \$2,094/mile; number of ML-2 Road miles: 2,585.

Annual road maintenance budget: \$1,089,000

Deferred maintenance for all roads in 2009: \$111,695,499.

Projected deferred maintenance in 2013: \$182,733,355.

Budget for all trails \$141,000

Plumas NF

Deferred maintenance backlog: \$70.0 million

Annual maintenance needs for ML-1-5 roads: \$9.5 million

Sequoia NF

Annual maintenance need; ML-5 roads: \$3.3 million

Annual Road funding maintenance budget: \$633,700 (2008)

Deferred Maintenance (ML- 3,4,5 roads): \$94,700,000.

Deferred trail maintenance: \$5,811,090

Existing annual needs; road and trails: \$404,193

Total road and trail maintenance appropriation 2008: \$199,767

Sierra NF.

Deferred maintenance needs for roads estimated: \$10,900,000 per year.

Deferred maintenance needs for motorized trails: \$96,000/year

Estimated annual maintenance for roads: \$1,669,000 for roads

Estimated annual maintenance for motorized trails: \$95,000

SNF receives approximately \$425,000 annually for road maintenance

SNF receives \$100,000/year for motorized and non-motorized trails, plus \$44,000 in State OHV grants.

Six Rivers NF (Lower Trinity and Mad River)

ML-2 roads annual maintenance cost: \$455,577

Motorized trails: 36 miles at \$1,000/ miles; total annual maintenance: \$36,000

Deferred maintenance roads \$113,439,464

Annual maintenance costs, all roads and motorized trails: \$4,901,903

Tahoe NF

Annual road maintenance costs, all roads: \$10,277,327

Road budgets 2007: Total: \$1,234,673.

Deferred road maintenance \$115 million

The Organic Administration Act of 1897, under which the National Forest system was created, states, "No national forest shall be established, except to improve and protect the forest within the boundaries, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States."

Native surfaced roads are the biggest source of sediment on our national forests. A study of sedimentation from forest roads in 2006 found that sediment production rates from native surface roads were 12-25 times greater than from rocked roads. The same study found twenty-five percent of the surveyed road length was connected to the stream channel network. Stream crossings accounted for 59% of the connected road segments, and gullying accounted for another 35% of the connected road segments. (Coe, 2006).

More is not better. In order to serve the greatest number of forest visitors, the Forest Service needs to downsize its road system in order to match its ability with the taxpayers dollars it has to maintain its roads for the type of vehicle most people drive, not rock crawlers. That is how the forest will meet the needs of the greatest number of people.

Cost Recovery

Cost recovery is going to be key to the future of recreation in the forests, especially for the costly "special needs" of uses that damage the forest lands, and even more particularly for special events that cause even more damage. This is the era of user pays, until the federal budget is fat once again.

We don't believe the public should bear the cost of providing for permitted events for private organizations. Those who benefit from a special use, such as dirt bike enduros, should pay the costs of putting on the events, including the necessary environmental analysis and inevitable restoration costs.

Again using the Eldorado as an example, an Enduro put on by California Enduro Riders Association in 2000 in a torrential rainstorm completely destroyed a stream crossing. That trail had to be rerouted, a bridge built and the old crossing closed and repaired, all at taxpayer expense.

Local economies don't benefit from these events, which are completely self-contained. As for access, thousands of acres of national forest are closed to the public during these events, to serve the 300 or so participants. The greatest good for the greatest number of people?

It is inconsistent to argue for leaner government, smaller budgets, and then ask the taxpayer to subsidize these events from which a very few derive any benefit. The fact that the taxpayer has bankrolled their events in the past is no argument for continuing the practice, especially when programs to help our neediest citizens are being slashed. The greatest good for the greatest number of people...

Thank you for the opportunity to share my perspective on this topic, which is of such concern to so many taxpayers.