

**STATEMENT OF  
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BEFORE THE  
SUBCOMMITTEE ON FORESTS AND FOREST HEALTH  
COMMITTEE ON RESOURCES  
UNITED STATES HOUSE OF REPRESENTATIVES**

**On  
July 14, 2005**

**Concerning**

**H.R. 233 – The Northern California Coastal Wild Heritage Wilderness Act  
H.R. 1129 – The Pitkin County Land Exchange  
H.R. 2720 – The Salt Cedar and Russian Olive Control Demonstration Act  
H.R. 2875 – Public Land Corps Healthy Forest Restoration Act of 2005**

Mr. Chairman and members of the Subcommittee:

Thank you for the opportunity to appear before you today in order to provide the Department's view on these four bills.

**H.R. 233 – The Northern California Coastal Wild Heritage Wilderness Act**

I will limit my remarks to the provisions of the bill related to lands managed by the US Forest Service and will defer to the Department of the Interior on provisions relating to lands managed by the Bureau of Land Management.

H.R. 233 would designate certain public lands in Humboldt, Del Norte, Mendocino, Lake, Napa, and Yolo Counties in the State of California as wilderness and certain segments of the Black Butte River in Mendocino County, California as a wild and scenic river. In furthering the purposes of the Wilderness Act (16 U.S. C. 1131 et seq.), this bill would designate as wilderness 114,707 acres in the Mendocino National Forest and 87,815 acres in the Six Rivers National Forest, as components of the National Wilderness Preservation System or as additions to existing components of the system. H.R.233 would also designate 3 sections (21 miles) of the Black Butte River in the Mendocino National Forest as part of the Wild and Scenic River system.

We recognize that the bill sponsors have conducted a considerable amount of outreach and worked with a number of communities of interest in the development of H.R. 233. The Department understands that boundary modifications have been made to the proposed wilderness designations since the bill was introduced, and we recognize that some of the concerns raised in our testimony may have already been addressed. The Department would like the opportunity to review the finalized maps which would be cited in the legislation to ensure the accuracy of the National Forest System lands proposed as Wilderness.

The following briefly describes each of the proposed wilderness designations:

- **Snow Mountain Wilderness Area Addition (Mendocino NF)** –With the addition of two new units, Bear Creek/Deafy Glade and Skeleton Glade, 23,312 additional acres of National Forest System lands would be designated as wilderness in the Snow Mountain Wilderness Area. The Department **does not oppose** the Bear Creek/ Deafy Glade wilderness designation as these units would make good additions to the existing Snow Mountain Wilderness Area given their remoteness and opportunity for solitude. The Department **does not oppose** the Skeleton Glade wilderness designation, but notes the high costs of hazardous fuels treatments in this area may limit the amount acres that can be efficiently and effectively treated should it designated as wilderness. The Department foresees the use of motorized equipment or mechanical transport to accomplish such restoration treatments. The use of these measures or tools would need to be implemented to the maximum extent practicable consistent with maintaining the wilderness character of the area. To this end the Department would like to seek clarification of Section 3 (e) of the bill.
- **Sanhedrin Wilderness Area-Proposed (Mendocino NF)** –10,571 acres of National Forest System lands would be designated as a new wilderness area. The Department **does not oppose** this wilderness designation, but notes the high costs of hazardous fuels treatments in this area may limit the amount acres that can be efficiently and effectively treated . The Department foresees the use of motorized equipment or mechanical transport to accomplish such restoration treatments. The use of these measures or tools would need to be implemented to the maximum extent practicable consistent with maintaining the wilderness character of the area. To this end the Department would like to seek clarification of Section 3 (e) of the bill.
- **Yuki Wilderness Area-Proposed (Mendocino NF)** – approximately 53,887 acres of National Forest System lands would be designated as wilderness. The current Mendocino National Forest Plan assigned management area prescriptions of Back Country and wilderness to this area. The Department **is not opposed** to the designation of the Yuki Wilderness Area as proposed.
- **Yolla Bolly-Middle Eel Wilderness (YBMEW) Area Additions (Mendocino NF)** –26,937 acres on National Forest System lands would be designated as wilderness. Boundary adjustments have been made to address major cherry-stemming (delineating a road or trail out of the designated wilderness) issues in the Smokehouse Unit of the YBMEW. This unit contains important habitat for connectivity from the Buttermilk Late Successional Reserve and the existing Yolla Bolly-Middle Eel Wilderness. In addition, the Smokehouse Unit has high scenic quality. The Department **is not opposed** to the

designation of the YBMEW, Smokehouse Unit, as proposed. The Department **would not oppose** the designation of the Eel River Unit if boundary adjustments are made in the Steel Bench/Blands Cove area to follow the Wild & Scenic corridor line (as reflected in the October 28, 2004 map). The Eel River Unit has high scenic quality.

- **Mad River Buttes Wilderness Area – Proposed (Six-Rivers NF)** – 6,494 acres of National Forest System lands would be designated as wilderness. The area is bordered on three sides by private land which increases the likelihood of motorized access and hinders manageability as wilderness. Over one-third of this proposed wilderness area is matrix lands (2,459 acres), the allocation in the Northwest Forest Plan amendments in which most scheduled timber harvesting and other silvicultural activities can be conducted. The Department **does not support** designation as proposed.
- **Siskiyou Wilderness Area Additions-Proposed (Six Rivers NF)** – 48,754 acres of National Forest System lands would be designated as wilderness with the addition of the Bear Basin Butte, Blue Ridge, Broken Rib, Woolly Bear and Blue Creek wilderness units. All units, with the exception of Blue Creek, are within the Smith River National Recreation Upper South Fork Management Area, where emphasis is on wild river and roadless backcountry recreation. Opportunities for solitude are enhanced due to the adjacency of the Siskiyou Wilderness and the naturalness of the area which has been modified very little. Modifications of the proposed wilderness area boundaries have been made to better follow land features and enhance manageability. The Department is **not opposed** to the designation of Bear Basin Butte, Blue Ridge, Broken Rib and Woolly Bear Units. The Department **would not oppose** the designation of the Blue Creek Unit. However, we would prefer boundary adjustments be made to exclude 3,167 acres of matrix lands, the allocation in the Northwest Forest Plan amendments in which most scheduled timber harvesting and other silvicultural activities can be conducted.
- **Mt. Lassic Wilderness Area –Proposed (Six Rivers NF)** – 7,279 acres of National Forest System lands would be designated as wilderness. Approximately half of the Lassics Botanical Area – a forest plan allocation to protect rare and endangered plants – is within the Mt. Lassic proposed wilderness area. Two user-created motorized routes totaling two miles are within the proposed wilderness area. The Department is **not opposed** to this designation. If the future designation process decision is to designate the two routes as part of the system, then the above mentioned routes would have to be cherry stemmed within the wilderness through subsequent legislation.

- **Trinity Alps Wilderness Area Addition - Proposed (Six Rivers NF)** – 28,805 acres of National Forest System land would be designated as wilderness. The natural integrity of the Horse Linto, East Fork and Red Cap proposed units have all generally been maintained and offer an opportunity for solitude and remoteness. The Department **is not opposed** to the designation of these three units, as proposed. The Department **does not support** the designation of the Orleans Mountain Unit (Boise Creek). This area is not contiguous to the Trinity Alps Wilderness Area and is located approximately six miles southeast from the town of Orleans (a community at risk). The proposed unit contains 5,707 acres of matrix lands, the allocation in the Northwest Forest Plan amendments in which most scheduled timber harvesting and other silvicultural activities can be conducted.
- **Underwood Wilderness Area – Proposed (Six Rivers NF)** – 2,977 acres of National Forest System land would be designated as wilderness. The Six Rivers Forest Plan management area prescription for the area is Adaptive Management Area and is located adjacent to the 1.5 mile threat zone for a Community at Risk. Approximately one-third of the western portion of the area is currently managed under a wild river designation (Trinity River). In addition, the proposed wilderness area contains 659 acres of matrix lands, the allocation in the Northwest Forest Plan amendments in which most scheduled timber harvesting and other silvicultural activities can be conducted. The Department **does not support** the designation of the Underwood Wilderness Area.
- **The Black Butte River Wild and Scenic River Designation (Mendocino NF)** – Twenty-one miles of the proposed Black Butte River would be designated a Wild and Scenic river. Along the main stretch, 16 miles would be designated as a wild river and 3.5 miles as a scenic river; and along the Cold Creek tributary, 1.5 miles would be designated as a wild river for a total of 21 miles. The 1995 Mendocino National Forest Plan and Final Environmental Impact Statement found the Black Butte River eligible for designation due to its outstanding cultural and fisheries habitat resources. The Department **is not opposed** to the designation as proposed.

Section 3(k) would require the Secretaries to ensure that Indian tribes have access to wilderness areas for traditional, cultural, and religious purposes. In carrying out this provision, the Secretaries would be authorized upon request of an Indian tribe, to temporarily close to the general public the use of portions of areas designated by the bill to protect the privacy of traditional cultural and religious activities in the area by members of an Indian Tribe. We understand that implementation of this provision is at the discretion of the Secretary to determine whether the requested closure is appropriate and that providing access would be to the extent practicable in order to maintain the wilderness character.

We look forward to working with the Committee towards enactment of the bill. Finally, the Department would also like the opportunity to work with the sponsors and the committee on the

submission of amendments pertaining to Section 6 (b) in the bill; These amendments would require a fire management plan and report on the cultural and historical resources within the Black Butte River segments designated in the bill in order to insure these provisions are aligned with current policies and laws and are not duplicative.

### **H.R. 1129 – Pitkin County Land Exchange Act of 2005**

H.R. 1129 would direct the Secretary of Agriculture to exchange thirteen parcels of National Forest System lands (totaling 11.42 acres) and the Secretary of the Interior to exchange one 40 acre parcel of Bureau of Land Management (BLM) land for two parcels of non-federal land (35 acres and 18.2 acres) if Pitkin County, Colorado offers to convey title to the non-federal land that is acceptable to the Secretary of Agriculture. The lands acquired by the Secretaries would then become part of the White River National Forest in Colorado. The federal lands would be conveyed to Pitkin County, Colorado.

The Departments would have no objection to the enactment of H.R. 1129 if the reversionary clause in section 5(d)(1)(B) is modified. DOI would like the opportunity to work with the Committee and the sponsors of the bill on amendments to ensure that the reversionary clause is discretionary for the Secretary of the Interior to avoid potential liability to the Federal government. Also, the Departments would like the opportunity to finalize the map cited in the legislation to ensure the accuracy of the federal parcels to be transferred.

The acquisition of the non-federal parcels would consolidate National Forest land ownership in and around the historic Ashcroft Townsite and on Smuggler Mountain. The non-federal parcels and surrounding lands are a popular sightseeing and recreation destination used for nordic skiing and contain historic structures associated with the US Army's 10th Mountain Division during World War II.

Section 5 (a) through (c) of the bill would require that the value of the federal and non-federal lands directed to be exchanged under H.R. 1129 be equal, with values being determined by appraisal conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, the Uniform Standards of Professional Appraisal Practices and the Forest Service appraisal instructions. The bill includes provisions on equalizing values, if necessary.

Section 5 (d) (1) (A) of the bill requires Pitkin County to grant to an entity acceptable to the Secretary of the Interior a permanent conservation easement. The conservation easement would provide for public access on the BLM parcel conveyed to the County and would limit future use to recreational, fish and wildlife and open space purposes only. However, under section 5 (b) (2) of the bill, the appraiser would be directed not to consider the easement in appraising this parcel.

**H.R.2720 – Salt Cedar and Russian Olive Control Demonstration Act**

I will limit my remarks to the provisions of the bill relating to USDA and will defer to the Department of the Interior on the remaining portions of the bill.

The Department agrees with the goals of H.R. 2720 which would provide important information for managing two non-native invasive species that pose a significant ecological threat in the western United States. The Department would not oppose enactment of H.R. 2720 but defers to the views of the Department of the Interior since it is designated as lead agency in the bill.

H.R. 2720 directs the Secretary of the Interior acting through the Commissioner of Reclamation and the Director of the United States Geological Survey in cooperation with the Secretary of Agriculture and the Secretary of Defense, to carry out an assessment and demonstration program to control salt cedar and Russian olive.

The genus Tamarix (commonly known as salt cedar) is comprised of shrubs or trees native to arid, saline regions of Eurasia and Africa. Since the 1830s, ten species have been introduced into North America as ornamental plants and for windbreaks. Two species of salt cedar have escaped cultivation and rapidly invaded riparian areas of the western United States. Today, salt cedar has infested over one million acres in the western United States, consuming large quantities of water, intercepting deep water tables and interfering with natural aquatic systems. It disrupts the structure and stability of native plant communities and degrades native wildlife habitat.

Russian olive (Elaeagnus angustifolia) is also native of southern Europe and Western Asia and was first introduced in this country in the late 1800s as an ornamental tree and windbreak. Although it is a non-native invasive species, Russian olive is a popular and hardy plant species. However, it has been declared a noxious species in Utah, and has been banned from being sold in Colorado. Like salt cedar, Russian olive is a fast growing plant that can out-compete native vegetation and tax water reserves.

The USDA Forest Service is active in invasive species management. The Forest Service uses existing authorities to coordinate projects at the Federal, State, and local levels through its National Forest System, Research and Development, and State and Private Forestry Deputy Areas. The Forest Service participates with other Federal agencies in the National Invasive Species Council (NISC), established by Executive Order 13112. The Agency also participates in the Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW) to manage invasive plants. The NISC and FICMNEW continue to work collaboratively with local, State, Tribal, and regional interests to expand partnerships and coordination efforts among all stakeholders. The Forest Service is currently leading (under the National Invasive Species Council) an economic assessment of the impacts of salt cedar.

Section 2 of H.R. 2720 directs the Secretary of the Interior in cooperation with the Secretary of Agriculture, to complete an assessment of current knowledge concerning salt cedar and Russian olive invasion. The assessment is expected to address the economic means for biomass disposal created by the removal of the two species. The Forest Service does have an interest in

developing the capability to manage biomass, and is would cooperate with the Department of the Interior in this area.

The actions outlined in H.R. 2720 can be achieved within the Forest Service's existing authorities. However, the level for authorization of funding contained within the bill has not been considered in the President's FY 2006 budget proposal and therefore any activities implemented through H.R.2720 must be considered within existing appropriations if H.R. 2720 is enacted.

The Department commends the Subcommittee and bill sponsors for addressing the ecological problems posed by these two non-native invasive species. The invasive species challenge to our Nation is enormous, and land managers and communities are stretching limited resources significantly to address it. Increased understanding of the impact of these species on the quantity of surface and groundwater would advance our Nation's ability to address their ecological consequences.

#### **H.R. 2875 – Public Lands Corps Healthy Forest Restoration Act of 2005**

The Department is supportive of H.R. 2875. However, the Department would like to work with the committee and bill sponsors to insure specific conservation corps would be covered under H.R. 2875 since we work with several programs that service disadvantage youths.

H.R. 2875 would amend the Public Lands Corps Act of 1993 to direct the Secretary of Agriculture and the Secretary of the Interior, to the maximum extent practicable, to give preference to qualified youth or conservation corps located in specific area where a substantial portion of the members who are economically, physically, or educationally disadvantaged. Priority projects are those that will: (1) reduce wildfire risk to communities, municipal water supplies, or other at risk Federal land; (2) protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire; (3) address the impact of insect or disease infestations or other damaging agents on forest and rangeland health; (4) protect, restore, or enhance forest ecosystem components; (5) promote recovery of threatened and endangered species; (6) improve biological diversity (7) or enhance productivity and carbon sequestration. It is important to recognize that implementation of some priority projects requires a certain amount of maturity, decision-making capability, perspective and attention to safety. It is both appropriate and necessary to provide the Secretaries the discretion in determining the types of priority projects suitable for the target corps.

In many respects, the goals of H.R. 2875 are consistent with existing authorities that the Department has supported, including the Healthy Forests Restoration Act (HFRA) [P.L.108-208], the original Public Land Corps Act of 1993, P. L. 103-82 Title II, and the Youth Conservation Corps Act of 1970, P. L. 91-378.

However, the Administration does have concerns about the Committee's expectation regarding the authorization of specific appropriations contained in the bill given current and future budgetary constraints.

This concludes my statement, I would be happy to answer any questions that you may have.