

Committee on Resources

Subcommittee on National Parks and Public Lands

Witness Statement

October 21, 1999

Statement of Jim Myron, Conservation Director of Oregon Trout
Before the House Subcommittee on National Parks and Public Lands on
H. R. 2950, the Oregon Land Exchange Act of 1999

Oregon Trout is a regional native fish conservation organization dedicated to the protection and restoration of native fish and their habitats. Oregon Trout was founded in 1983 around the notion that native fish needed to have a voice in discussions affecting their survival. Since that time, Oregon Trout has advocated on behalf of the native fish resources of the Pacific Northwest in a variety of forums. Our several thousand members appreciate this opportunity to comment on H. R. 2950, the Oregon Land Exchange Act of 1999.

Oregon Trout is on record in support of the Northeast Oregon Assembled Land Exchange (NOALE). The original NOALE proposal has been incorporated within H. R. 2950. Oregon Trout's support for the NOALE was based upon the many assertions in the Environmental Impact Statement for the proposal indicating that the exchange would benefit native fish and environmental values in a variety of ways, including:

- "substantial improvements could be expected in riparian habitats and water quality with the acquisition of over 71 miles of perennial streams..."
- "Wildlife habitats would benefit substantially..."
- "Fish habitats would benefit substantially..."
- "Alternative 1 would have positive impacts to Federally listed threatened and endangered species."
- "these riparian areas are one of the most critical wildlife habitats in the Blue Mountains, and the North Fork John Day River is an important wildlife corridor and link to other habitats. The net increase in the amount of riparian/wetland areas and associated contiguous miles of riparian habitat into public land ownership would provide increased opportunities to maintain or enhance habitats for wildlife."
- "When considering acquisition of 60 miles of contiguous, manageable anadromous and resident salmonid fish habitat, conclusions are drawn that the proposed action would benefit fishery habitats (including bull trout and steelhead trout) in the John Day Basin."

(NOALE EIS, September 1997)

Based upon these assertions in the NOALE EIS, Oregon Trout offered our support for the proposal, knowing that there would be a net loss of old growth habitat on the federal lands remaining after the transfer. We believed that the acquisition of critical riparian lands, especially those in the North Fork John Day River subbasin, would offset the loss of old growth habitat, particularly if the acquired lands in this

subbasin were managed for their fish and wildlife resources rather than for commodity production.

The John Day River system is one of the longest undammed rivers in the entire Columbia Basin and supports one of the healthiest remaining populations of summer steelhead in the western United States. The John Day is also one of the few rivers in the region that has not been subjected to the detrimental effects of a fish hatchery program. The John Day River may be the best example in Oregon of a native salmon and steelhead sanctuary. Acquiring public ownership of these lands could assure that these lands are managed in the future for their fish, wildlife, and recreational values, and not for the production of commodities such as timber and livestock.

Over the years, Oregon Trout has generally been supportive of land exchanges that consolidate federally-owned lands and divest the federal government of scattered isolated parcels of land that have little, if any, benefit to the public. An example of a land exchange Oregon Trout supported that ended up benefiting the environment, the public and the local landowners was the Sutton Mountain exchange in Central Oregon that occurred a few years ago. Oregon Trout believes that the passage of the Oregon Land Exchange Act of 1999 offers a similar opportunity for benefiting all of the interests involved.

However, Oregon Trout's endorsement of this bill does not come without some reservations. First, the bill does not specifically direct how these lands will be managed in the future. And second, the bill currently designates the wrong federal agency for the future management of the lands along the North Fork of the John Day River. Oregon Trout's final support for H. R. 2950 is contingent upon resolving these two critical issues.

Oregon Trout believes that the acquired lands in the North Fork John Day River subbasin should be managed for their fish, wildlife, and recreational values and not for commodity production. Therefore, Oregon Trout believes that timber harvest, livestock grazing and other commercial uses of these lands should be eliminated once they have been acquired by the federal government.

Clear language in the bill directing how these lands will be managed in the future, and for what purpose, is good public policy. Furthermore, such language will go a long way toward complying with federal Endangered Species Act (ESA) requirements and the consultation process that will be required under the ESA once these lands have been transferred into public ownership. Providing clear management direction in the bill that these lands will be managed for the protection and restoration of federally listed fish, including bull trout and summer steelhead, will simplify the future consultation process and assure that future management activities on these lands will not adversely affect these listed species.

Oregon Trout continues to work with staff from Senator Wyden's office in an attempt to craft language that will address these issues. We are hopeful that we can reach agreement on language that will be supported by all of the interests in this debate.

Oregon Trout also believes that the management responsibility for the acquired lands in the North Fork John Day River subbasin should be vested in the U. S. Forest Service, not the Bureau of Land Management (BLM). We believe this for several reasons. First, from purely a logistical point of view, the lands to be acquired are adjacent to Forest Service administered public land in the Umatilla National Forest and existing Ranger District offices in Heppner and Dale, Oregon are in close proximity. The nearest BLM office is located in Prineville, over 100 miles and a two hour drive away. Secondly, in Oregon Trout's opinion, the Forest Service has a much better record of managing environmentally sensitive lands than does the BLM. This has been clearly indicated by recent actions in federal court where the BLM's management of federally

designated Wild and Scenic Rivers was found to be legally deficient. The North Fork of the John Day River is also a federally designated Wild and Scenic River and Oregon Trout believes that the Forest Service is the most appropriate agency to manage the acquired lands in this watershed.

Oregon Trout has some hesitation about supporting legislation to accomplish this land exchange because it circumvents the public process that has been occurring for the past few years. However, because of the threats that currently stand in the way of completing this exchange, Oregon Trout is willing to support legislation if it accomplishes the objectives we have specified in this testimony.

Passing legislation that addresses Oregon Trout's concerns during the current session of Congress offers the best opportunity to protect these lands and their natural resources for future generations. If we fail to take advantage of this short window of opportunity, the chance to permanently protect these lands could be lost forever.

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