

STATEMENT OF
LENISE LAGO
DEPUTY REGIONAL FORESTER, PACIFIC NORTHWEST REGION
U.S. FOREST SERVICE
U.S. DEPARTMENT OF AGRICULTURE

HOUSE NATURAL RESOURCES COMMITTEE
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS

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H.R. 2889, The Oregon Caves National Monument Boundary Adjustment Act of 2009
H.R. 3538, The Idaho Wilderness Water Resources Protection Act

Thank you for inviting us to testify on H.R. 2889, the Oregon Caves National Monument Boundary Adjustment Act of 2009, and H.R. 3538, the Idaho Wilderness Water Resources Protection Act. My testimony will cover both bills. The Forest Service testified on July 22, 2009 on S. 1270, the companion bill to H.R. 2889. At that time, the Forest Service stated that it would report on the progress of our interagency coordination efforts with the National Park Service (NPS) within 6 months. Currently, the Forest Service and the NPS are engaged in these ongoing conversations at the highest levels of the organizations.

H.R. 2889

H.R. 2889 would modify the boundary of the Oregon Caves National Monument to include approximately 4,070 acres of land currently managed by the Rogue River-Siskiyou National Forest. The resulting Monument would be designated as the Oregon Caves National Monument and Preserve. The bill would also designate six segments of rivers as part of the National Wild and Scenic Rivers System, 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 Preserve. USDA believes that interagency coordination and cooperation, with joint public involvement, is the most effective way of

managing the Oregon Caves National Monument and surrounding forest service land. USDA and DOI look forward to reporting on the progress of our interagency coordination efforts within 6 months.

I would like to take this opportunity to discuss the current status of cooperative management of the Rogue River-Siskiyou National Forest and the Oregon Caves National Monument and provide a few comments to the bill.

We believe interagency cooperation would carry out the purpose of the bill to enhance the protection of the resources associated with the Monument and increase public recreation opportunities through a joint public involvement and review process, to ensure that public concerns and desires are addressed.

Boundary Adjustment and Management

Section 4 of the bill would direct the Secretary of Agriculture to transfer management of the National Forest System Lands to the Secretary of the Interior, and to adjust the boundary of the Rogue River-Siskiyou National Forest accordingly. The 1998 Oregon Caves National Monument General Management Plan by the Department of the Interior (DOI), developed through the public National Environmental Policy Act (NEPA) process, recommended a similar boundary expansion. However, no coordinated study or formal dialogue between the Departments (beyond that provided under NEPA during development of the 1998 plan) has taken place on the issue of expansion.

The U.S. Forest Service is committed to cooperative management across our respective jurisdictions.

The land managers of the Rogue River-Siskiyou National Forest have three priorities:

Maintaining and protecting cave resources, hydrologic resources, watersheds, and view sheds. Critical landscapes, including cave resources and watersheds, are managed by interagency collaboration. These resources, and the need to manage them in a cooperative manner, extend well beyond the proposed Monument boundary.

Improving forest health by addressing hazardous fuels. Most of the proposed expansion area is designated in the Land and Resource Management Plan 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 wildfire. Currently the Rogue River-Siskiyou National Forest is removing hazardous fuels using timber contacts to reduce fuels, both around the immediate vicinity of the Monument and across watersheds. The Forest plans to treat approximately 1550 acres to reduce hazardous fuels within the proposed expansion area. ARRA funds are helping increase the implementation rate of treatment in this area. Of the 1,550 acres, approximately 100 acres of hazardous fuels will be removed by timber contract with volume estimated at 560 thousand board feet and an appraised value of approximately \$168,000. The remaining acreage will be treated using other methods. These treatments are designed to restore the fire to 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 7 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 cross all jurisdictions and is one we all must work together to address.

Managing for multiple uses while minimizing any potential impacts from harvest, grazing, mining, and road construction. On National Forest lands surrounding the Monument, timber harvesting, grazing and special forest product harvesting (i.e. bear grass, firewood, mushrooms, etc.) are allowed only if they meet resource objectives, as described above. Road management is limited to maintenance and reconstruction activities; no new roads are planned. Moreover, interagency collaboration provides additional oversight of these multiple-use activities.

Relinquishment and Retirement of Grazing Permits

Section 8 of the legislation would require the Secretary of the Interior to permit livestock grazing at a level not greater than the level at which grazing exists on the date of enactment. The

legislation also 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 proposed Preserve, but the legislation would end grazing on a large area of land outside the Preserve. We look forward to working with the Committee to address grazing management issues. The Deputy Chief of the Forest Service has agreed that upon voluntary waiver of the Big Grayback allotment permit, the allotment would be permanently retired.

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. We support the requirement in section 9 that fishing, hunting and trapping be permitted in the proposed National Preserve with some limitations. We will continue to work with NPS to promote the area as a premier recreation destination.

Wild and Scenic Rivers

Section 6 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 National Wild and Scenic Rivers System 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 segments within the proposed expansion area should be re-evaluated for their eligibility to be included in or added to the National Wild and Scenic Rivers System.

H.R. 3538

The U.S. Forest Service supports H.R. 3538, which would direct the issuance of a special use permit, if certain conditions are met, for the continued use of a water storage, transport, or diversion facility located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in Idaho.

Currently, there are over 22 water developments within the Frank Church and the Selway-Bitter Wilderness Areas that predate establishment of the wilderness, in some cases by decades. These developments include hydropower developments, irrigation, and domestic water uses. The legislation establishing both wilderness areas did not address these pre-existing water developments. H.R. 3538 would direct the Forest Service to issue special use authorizations, if the Secretary makes the following determinations: the facility was in existence when the wilderness area on which the facility is located was designated as part of the National Wilderness Preservation System; the facility has been in substantially continuous use to deliver water for the beneficial use on the owner's non-Federal land since the date of designation; the owner of the facility has a valid water right for use of the water on the owner's non-Federal land under Idaho State law, with a priority date that pre-dates the date of designation; and it is not practicable or feasible to relocate the facility outside the wilderness and achieve the continued beneficial use of water on non-Federal land. We understand that the bill does not create any rights beyond what is provided in the special use permit and that both maintenance responsibilities and liabilities continue with the permit holder, and not the Federal government.

This concludes my prepared statement on H.R. 2889 and H.R. 3538 and I would be pleased to answer any questions you may have.

