

**STATEMENT OF
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**BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON FEDERAL LANDS**

September 18, 2024

Concerning:

**H.R. 9159, Appalachian Trail Centennial Act
H.R. 9516, Military Families National Parks Access Enhancement Act
S. 612, Lake Tahoe Restoration Reauthorization Act**

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) on H.R. 9159, the “Appalachian Trail Centennial Act”, H.R. 9516, the “Military Families National Parks Access Enhancement Act,” and S. 612, the “Lake Tahoe Restoration Reauthorization Act.”

H.R. 9159, Appalachian Trail Centennial Act

USDA cannot support H.R. 9159, the Appalachian Trail Centennial Act (ATCA), as currently written and would like to work with the Subcommittee and bill sponsor to address the items identified in this testimony. We defer to the U.S. Department of the Interior (DOI) regarding provisions affecting the management of lands administered by the DOI agencies and the National Park Service’s role as administering agency of the Appalachian National Scenic Trail (Appalachian Trail).

The objective of H.R. 9159 is to enhance the preservation, maintenance, and management of the Appalachian Trail as well as all other national historic trails and national scenic trails. Section 2 of the ATCA clarifies that the administration and management of national scenic and historic trails are built on partnerships, collaboration, and community engagement as envisioned by the National Trails System Act (NTSA) (16 U.S.C. 1241). USDA has a long and proud history of successfully partnering with a wide range of non-governmental organizations and coordinating with State, Federal, and Tribal governments in stewarding these iconic trails. The Department is grateful for the ongoing coordination with the National Park Service in management of the Appalachian Trail and appreciates the National Park Service’s role as the administering agency for the Appalachian Trail. USDA also is deeply appreciative of its outstanding partnership with the Appalachian Trail Conservancy (ATC) and the many volunteer organizations that work with the Forest Service to steward significant portions of the Appalachian Trail on National Forest System (NFS) lands.

America's National Trails System is one of the nation's best examples of partnership and shared stewardship on our federal public lands. USDA is concerned that the definitions and concepts in Section 3 of the bill could cause confusion about the respective roles and responsibilities of the national trail administering and managing agencies and their cooperators or may alter the structure and administration of the National Trails System as envisioned and set forth in the NTSA. We would appreciate an opportunity to better understand the sponsor's intent in Section 3 of the ATCA and to discuss possible alternative approaches to achieve it. For example, if Congress wishes to revise the National Trails System as a whole, USDA recommends effectuating those revisions as amendments to the NTSA to avoid the potential for confusion or actual or perceived conflicting legal requirements.

Section 4 of ATCA would make the Appalachian Trail Conservancy "the Designated Operational Partner" for the Appalachian National Scenic Trail and provides for other national scenic and national historic trails to have a Designated Operational Partner. USDA greatly values ATC as a longstanding and stable partner in stewardship of the Appalachian Trail. However, statutorily codifying one primary partner with unique rights over others could have unanticipated effects on national trail management across a mosaic of jurisdictions and unintended consequences of creating conflicts with existing partnership agreements, potentially precluding other partners from playing a role in national trail stewardship. Multidimensional partnerships are a basic tenet in administration and management of national trails. More broadly, USDA is concerned that the concept of a single "Designated Operational Partner" in this bill runs contrary to the purpose of the NTSA, which is, in part, "to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails" (16 U.S.C. 1241(c)). We would like to work with the sponsor and subcommittee to better understand the role envisioned and intended for Designated Operational Partners, particularly in relation to development and approval or disapproval of comprehensive plans for national trails. Furthermore, we have concerns regarding resolution of disputes if a Designated Operational Partner disapproves a proposed comprehensive trail plan or amendments and revisions to comprehensive trail plans.

Section 5 of the bill would require a visitation assessment, an economic impact assessment, and long-term planning for all national scenic and national historic trails. USDA has technical concerns with Section 5 that the Department would like to address with the bill sponsor and the Subcommittee.

While we share the goal of supporting and enhancing public-private partnerships for national scenic and historic trails, for the reasons discussed above, we cannot support H.R. 9159 as currently drafted.

H.R. 9516, Military Families National Parks Access Enhancement Act

H.R. 9516, "Military Families National Parks Access Enhancement Act," would modify the Federal Lands Recreation Enhancement Act to provide a free, lifetime America the Beautiful—

the National Parks and Federal Recreational Lands Pass for next-of-kin to a member of the Armed Forces who are eligible for a death gratuity under 10 U.S.C. 1475. The National Defense Authorization Act for Fiscal Year 2022 (Pub. L. No. 117-81) made Gold Star Families and veterans eligible for a lifetime America the Beautiful—the National Parks and Federal Recreational Lands Pass. This bill would expand that benefit to next-of-kin of members of the Armed Forces who lost their lives while serving their country. The recipients of the benefit that would be provided by the bill are not eligible for the existing Gold Star or Veteran’s Pass.

USDA recognizes the importance of honoring our military and their families who sacrifice so much in serving their country. The Department also notes that there are financial and programmatic impacts of this bill as it is currently written because it would not be revenue-neutral compared to existing authority. We would like to work with the sponsor and subcommittee to minimize these revenue impacts. We defer to DOI as to any potential impacts of the bill on DOI agencies. USDA looks forward to working with the sponsor and subcommittee on this bill.

S. 612, Lake Tahoe Restoration Reauthorization Act

The Lake Tahoe Restoration Act (P.L. No.106-506) authorized \$415,000,000 in appropriations for a period of seven fiscal years, beginning the first fiscal year after the date of enactment of the Water Resource Development Act of 2016. Of that amount, \$150,000,000 was authorized to carry out fire risk reduction and forest management priority projects, with at least \$100,000,000 to be used for programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan. Further, \$113,000,000 was authorized to support stormwater management, erosion control, and total watershed restoration priority projects.

A significant amount of the appropriated funds authorized under the Lake Tahoe Restoration Act (LTRA) have been delivered through our cooperators as they increase our ability to complete forest, watershed, erosion control, and invasive plant projects on both NFS and private lands. In addition, the agency has greatly accelerated the pace and scale of forest restoration activities using the categorical exclusion provided through Section 3603 of the Water Infrastructure Improvements for the Nations Act (WIIN Act, P.L. 114-322), which amended the LTRA. With the ability to conduct mechanical thinning on up to 3,000 acres of NFS lands around Lake Tahoe without preparing an environmental assessment or an environmental impact statement, the Forest Service has reduced the timeframe and cost of planning efforts, resulting in faster implementation of projects. By coordinating with our cooperators, we have minimized conflicts in project planning and implementation.

S. 612 reauthorizes appropriations for the LTRA through September 30, 2034. USDA supports S. 612 as these federal funds will continue to allow work with states, local governments, and other public and private entities to provide for fuel reduction, erosion control, reforestation, and other management activities on federal and non-federal lands under the programs outlined in the LTRA.