

**TESTIMONY
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BEFORE THE
HOUSE COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS**

NOV 3, 2011

CONCERNING

H.R. 2621, Chimney Rock National Monument Establishment Act

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide the views of the Department of Agriculture on H.R. 2621, the “Chimney Rock National Monument Establishment Act”. While the Department supports H.R. 2621, I would like to offer modifications that would address some technical concerns with the bill and which would improve our ability to manage resources in the area.

Designated as an Archaeological Area and National Historic Landmark in 1970, Chimney Rock lies on 4,100 acres of San Juan National Forest land surrounded by the Southern Ute Indian Reservation. Between A.D. 900 and 1150, the ancestors of modern Pueblo Indians occupied the lands surrounding Chimney Rock, and the site remains archaeologically and culturally significant to many descendant tribes. At 7,600 feet, Chimney Rock is also the most northeasterly and highest Chacoan site known. Chacoan culture refers to the way of life of ancient ancestors of modern Pueblo Indians and continues to be important to the native people in the region.

The Forest Service values archaeological and cultural resources and considers it part of the agency’s mission to preserve and interpret them for the public. We believe the rich history, spectacular archaeological, cultural, scientific, watershed, and scenic resource values, as well as community support, merits the designation of the area as a National Monument.

Section 3 of H.R. 2621 would establish the Chimney Rock National Monument in the State of Colorado by designating 4,726 acres surrounding the Chimney Rock Archaeological Area within the San Juan National Forest as a National Monument as depicted on the map titled “Boundary Map, Chimney Rock National Monument” dated January 5, 2010. The purpose of the monument would be to preserve, protect, and restore the nationally significant archaeological, cultural, historic, geologic, hydrologic, natural, educational and scenic resources of Chimney Rock and adjacent land; and to provide for public interpretation and recreation consistent with the protection of the resources.

Section 4 of the bill addresses the administration of the proposed National Monument. It provides for continued use of the Monument by members of Indian tribes for traditional and cultural uses. The Secretary of Agriculture would also be authorized to allow uses of the Monument consistent with the purposes of its establishment. These uses include: vegetative management treatments including timber harvest and the use of prescribed fire only if the Secretary deems it necessary to address the risk of wildfire, insects, or diseases; scientific research; the use of mountain bikes and motorized vehicles; installation, construction and maintenance of a public utility right of way under certain circumstances; and grazing in existence on the date of enactment of the bill. We feel that the continued use of this area for hunting and other recreational use compatible with the designation should also be explicitly addressed in this section.

Section 4(j) references the Department of Interior when designating a manager; this needs to be corrected to read "Department of Agriculture". Additionally, 4(i) would provide that signs, fixtures, alterations, or additions needed in connection with the designation or advertisement of the Monument may be paid for only with non-federal funds or amounts made available of such purposes in the previous appropriation acts. While we appreciate the concern with limiting the costs associated with designation of the Monument, this provision may undercut the ability of the Forest Service to meet the objectives of the bill.

Section 5 would require the Forest Service to develop a management plan not later than 3 years after the date of enactment and in consultation with Indian Tribes with cultural or historic connections to the Monument. The management plan must identify the authorized uses for the Monument. In developing the management plan, the Secretary would provide an opportunity for comment to the public and such entities as State, Tribal government, local, and national organizations with an interest in the management and use of the Monument. The San Juan National Forest land management plan would have to be amended to incorporate the management plan for the Monument.

Section 6 allows the Secretary to acquire land and any interest in land within or adjacent to the boundary of the National Monument by (1) purchase from willing sellers with donated or appropriated funds; (2) donation; or (3) exchange.

Section 7 of the bill would withdraw all Federal land within the national monument, subject to valid and existing rights, from entry, appropriation, or disposal under the public laws; location, entry, and patent under the mining laws; and from operation of the mineral leasing, mineral materials, and geothermal leasing laws except for issuance of gas pipeline rights-of-way within existing easements. Section 8 of the bill would stipulate that nothing in this Act affects anything related to reserved water rights, tribal rights, fish and wildlife jurisdiction, and adjacent uses.

In conclusion Mr. Chairman, the Forest Service looks forward to working with you and the Subcommittee to carry out the intent of the bill. I would be happy to answer any questions you may have. Thank you.