

MISCELLANEOUS PUBLIC LANDS AND FOREST BILLS

HEARING

BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS
OF THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED EIGHTH CONGRESS
SECOND SESSION
ON

S. 738	S. 1614
S. 2221	S. 2253
S. 2334	S. 2408
S. 2622	

JULY 21, 2004



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MISCELLANEOUS PUBLIC LANDS AND FOREST BILLS

WEDNESDAY, JULY 21, 2004

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:30 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Larry E. Craig presiding.

OPENING STATEMENT OF HON. LARRY E. CRAIG, U.S. SENATOR FROM IDAHO

Senator CRAIG. The subcommittee will come to order.

Senator Boxer, Congressman Mike Thompson, please be seated if you would.

Good afternoon everyone. I want to thank each and all of you for coming to the hearing today. I am happy to see so many of our colleagues and hope that others will join us. I also want to thank Senator Bingaman, our Energy and Natural Resources Committee ranking member, for coming to the hearing today on these issues. We have quite a list to cover.

I know many of you have statements that you will want to make. We would hope you can keep them brief. We will enter them into the record.

Likewise, I would like to welcome the three witnesses who have traveled to Washington, D.C. to testify.

Finally, I want to welcome our witnesses from the administration to testify on these seven bills.

Today we will be hearing testimony on seven bills, including: S. 738, Senator Boxer and Senator Feinstein's bill to designate certain public lands in the Humboldt, Del Norte, Mendocino, Lake, Napa, and Yolo Counties in the State of California as wilderness and to designate certain segments of the Black Butte River in Mendocino County, California as wild and scenic;

S. 1614, Senator Cantwell and Senator Murray's bill to designate a portion of the White Salmon River as a component of the National Wild and Scenic River System;

S. 2221, Senator Smith and Senator Wyden's bill to authorize the Secretary of Agriculture to sell and/or exchange certain national forest lands in the State of Oregon and to correct a wilderness boundary that cutoff access to 12 miles of forest system roads in the Umpqua National Forest;

S. 2253, Senator Feinstein and Senator Domenici's bill to permit young adults to perform projects to prevent fire and suppress fires and provide disaster relief on public lands through a Healthy Forest Youth Conservation Corps;

S. 2334, Senator Clinton and Senator Schumer's bill to designate certain National Forest System lands in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System;

S. 2408, Senator Burns' bill to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana; and S. 2622, Senator Bingaman and Senator Domenici's bill to provide for a land exchange to benefit the Pecos National Historic Park in New Mexico.

Due to the large number of bills today, I would ask all of the committee members to make their statements as short as possible. I will be making an effort to enforce the 5-minute rule on the clock in relation to oral statements so that if there are any questions, we can move to them. I would want to comment about some of the bills to be heard today.

Once again, we will be asked to address the question of authorizing wilderness areas that are in some instances substantially eroded. I want each of you to understand that my interest in this issue is centered around what to do with the bridges and drainage structures to be abandoned and how fire protection will be impacted if and when these roads are abandoned or obliterated and removed. I think we do future generations a great disservice if we do not put into place mechanisms for dealing with these roads, bridges, and culvert failures that could occur. It is not a question of whether these bridges or culverts will fail. It is a question of what we will do about them when they fail under the right circumstances. Will we have a mechanism in place to immediately go in and clean up the mess or will we let them cause resource damage in the streams and rivers and further endanger or put at risk salmon populations that depend on these rivers?

Senator Wyden is not here, so let me start with my colleague, Senator Bingaman. Do you have any opening comments you would like to make?

**STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR
FROM NEW MEXICO**

Senator BINGAMAN. Mr. Chairman, very briefly. I thank you for holding this hearing. You have done a good job of summarizing all of the various bills being considered.

S. 2622, which Senator Domenici and I have introduced, related to the Pecos National Historic Park and the exchange of land there, is of particular interest to me. I also have a few questions about some of the others.

Thank you again for having the hearing.

Senator CRAIG. Thank you.

Senator Feinstein.

**STATEMENT OF HON. DIANNE FEINSTEIN, U.S. SENATOR
FROM CALIFORNIA**

Senator FEINSTEIN. Just a couple of statements, Mr. Chairman, because I know Senator Boxer and Congressman Thompson will give the majority of the testimony.

But I would just like to submit to the committee some pictures of the area that this involves.

I would like you to know that we have done our due diligence on this bill. I have very strong private property rights. We consulted on inholders, tried to reach every inholder we could. We talked with the boards of supervisors in the area. We have reviewed any potential impact of the wilderness designation with various local people.

I think there is one point I want to mention and that, of course, is hazardous fuels reduction. We all know that forest fires are on the way up. I think it is like from 1.9 million acres burned in America last year to something like 4.5 million this year. So it is a 400 percent increase already this year. The limits on forest reduction projects in wilderness areas are legally unclear, and I think a wilderness bill should take care to avoid preventing needed and feasible hazardous fuel reduction projects, particularly those near communities.

Now, we have reviewed all of the areas with the Forest Service, the Bureau, staff from Mike Thompson's and Senator Boxer's office, and the Campaign for America's Wilderness. At the end of this review, it was agreed to exclude the 4,000-acre Orleans area so the Forest Service can treat hazardous fuels in an area next to the town. We are in continuing discussions with the Hupa about whether any boundary adjustments are needed in the wilderness area next to their reservation. But the Hupas have expressed no specific concerns about the bill.

Bottom line, I think it is a very good bill. I am very happy to support it. I think if there are any inholder or other problems that come up, we can work them out.

Let me say one other thing about the Youth Corps bill, if I might.

Senator CRAIG. Please do.

Senator FEINSTEIN. You and I and Senator Bingaman as well worked on Healthy Families.

[Laughter.]

Senator FEINSTEIN. Healthy Forests Initiative.

Senator CRAIG. Well, we do know that healthy forests make healthy families. There you have got it.

Senator FEINSTEIN. Right. The thrust of this bill is something that I started over 20 years ago, which was the first urban conservation corps in America, and that is to take young people, aged 16 to 23, enable them to do some of the prevention work. The bill language says fire suppression, and I know the Forest Service has some concern with them doing fire suppression. I think we should delete that, but certainly cleaning out areas under supervision, learning some of these trades could well be not only job-productive for these youngsters, but also very helpful as we move aggressively to clean up some of these areas.

Senator CRAIG. Well, I appreciate your sensitivity to that. I think potentially in a non-adult status, younger than 18 years of age, we

obviously run into the liability question that we would have to be sensitive to.

Senator Burns, any opening comments?

**STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR
FROM MONTANA**

Senator BURNS. I do, and thank you, Mr. Chairman, for this hearing. I will just comment on S. 2408 which is on the calendar today.

This bill adjusts the boundaries of Helena, Lolo, and Beaverhead-Deerlodge National Forests in my home State of Montana. For Helena and the Lolo National Forests, these adjustments are necessary to continue the community-based Blackfoot community project. They call it the Blackfoot Challenge. This community-driven project is a collaborative effort supported by local residents, the elected officials, State and Federal agencies, and others who care about the future of the Blackfoot Valley.

By the way, this is the area of the book and the movie, *A River Runs Through It*, up in that part of the world.

This is a home-grown effort on the grazers, the ranchers, the people of Plum Creek Lumber who want these acres set aside, and they are selling some of it to the ranchers and some of it to the Forest Service, extending boundaries and blocking up some land. So it has taken a couple of years to get this done to get it to this point.

It will finally result in the Federal ownership and management of 88,000 acres of land. So it was a fairly good project. And that Blackfoot River watershed. The project will protect lifestyles of the large, intact landscape. That supports agriculture. It supports timber harvesting, recreation, and natural resources that are important both locally and nationally.

The project will provide a model for forest management in the West by creating a private/public partnership to manage the portion of the Blackfoot watershed as a community forest for sustainable timber products, other natural resource benefits, but particularly in the watershed.

The local community has requested the Forest Service to acquire lands outside the existing national forest boundary to ensure continued public uses of these lands, including public access for recreation, hunting, livestock grazing, and watershed protection.

The end result of this boundary adjustment will be consolidated ownership and improved forest management. The boundary adjustment on the Beaverhead-Deerlodge National Forest reflects the changes in the forest that result in a watershed conservation project completed in 2003. About 11,000 acres of watershed property that is currently adjacent to the forest will be more accurately classified as existing within the forest boundary.

The Forest Service purchased the property in partnership with the Rocky Mountain Elk Foundation. The county commissioners, local public conservation and sportsmen groups all have supported this project.

Mr. Chairman, I also welcome Mark Rey here today and we will be talking more about this. But this is a home-grown solution to an area that is very, very sensitive.

I thank you for holding this hearing.

Senator CRAIG. Senator Burns, thank you very much.

Now let us turn to our colleagues both in the Senate and the House, and I will turn to you first, Senator Boxer. Welcome before the committee.

**STATEMENT OF HON. BARBARA BOXER, U.S. SENATOR
FROM CALIFORNIA**

Senator BOXER. Thank you so, Mr. Chairman. I am going to try to speak fast and spare you a lot of words because I think the photos will speak better than I could ever speak.

I want to thank you so much. I want to thank Senator Feinstein for all her hard work in making this bill a really great bill. Of course, you are going to meet shortly a wonderful Congressman, Congressman Mike Thompson, who has worked so many hours on this bill.

I know that you know because you come from such a beautiful State, Mr. Chairman, that California is blessed with varied landscapes of magnificent beauty, and we all want to ensure that our children and our grandchildren get to see it the way God gave it to us. I think that this bill is a small but important step in protecting some of these areas.

Our bill will designate nearly 300,000 acres of the most magnificent lands in northwestern California as wilderness. We are going to show you some photos here. I know Senator Feinstein has done it in small pictures. But some of the areas protected by the bill include Mount Lassie, which offers breathtaking views of the coastal range in Humboldt County, King Range, which has the longest, undeveloped stretch of beach and coastal bluffs in the United States outside of Alaska; Snow Mountain in Lake County, which has 10 miles of scenic canyon, beautiful oak groves and ancient pine forests. We are moving fast here. The beautiful Yuki Wilderness in Mendocino and Lake Counties. This is just a small sample of what I could have brought to you.

The bill would also designate 21 miles of the Black Butte River as wild and scenic. The Black Butte River provides some of the best habitat for endangered salmon and endangered trout.

Mr. Chairman, I think Senator Feinstein alluded to her work in trying to make sure that everyone in this area knew about the bill and had a chance to tell us if they supported it, if they objected to it. As local people raised concerns to me and to her and to Congressman Thompson, we changed our bill to make the accommodations.

Mr. Chairman, you specifically talked about roads, and I think when the Congressman speaks to you, he will talk to you about the number of roads that we actually had in the bill and then we took them out of the bill because of your concern. I think you will find we have responded to your concern.

I want to point out that the bill before you has enormous support, and I would ask unanimous consent to place in the record just thousands of names on these 8½×11 pieces of paper of elected officials in and outside the congressional district, business community

in and outside, community groups, homeowners. Everybody came together around this bill, Republicans, Democrats, everybody.*

Senator CRAIG. Without objection.

Senator BOXER. Again, to stress the negotiation with Senator Feinstein, as you know, she is diligent. When she gets involved in something like this, she is going to find out are there problems with it. She found a few. She talked about one where the Forest Service was concerned with wildfire management near the community of Orleans, and we removed 4,000 acres from the bill. Also again, I will let Congressman Thompson talk about removal of roads.

So once again, I want to say to you, Mr. Chairman, this has been a long road in putting this together. We hope that this is one of the final steps. We think that you will support us because we think we have met your very high bar. And we are very excited about this bill and hope that we can get it done before this session is out.

Thank you very much.

Senator CRAIG. Barbara, thank you very much.

Congressman, we understand that a major portion of this, if not all of it, is inside your district. So we are pleased you are over here this afternoon to defend this work product. Mike, welcome before the committee.

**STATEMENT OF HON. MICHAEL THOMPSON,
U.S. REPRESENTATIVE FROM CALIFORNIA**

Mr. THOMPSON. Thank you, Mr. Chairman. It is a pleasure to be here. I would like unanimous consent to put my full statement into the record.

Senator CRAIG. Without objection.

Mr. THOMPSON. Thank you.

I want to thank you, Mr. Chairman, for having this hearing. I have always enjoyed working with you. I think the last time it was with the salmon habitat bill that we attempted to bring into law.

I want to thank Senator Boxer for her tremendous leadership on the issue of wilderness areas throughout California and Senator Feinstein not only for all of her past work in this area but for the tremendous amount of help that she has given us on this particular bill.

You are correct, Mr. Chairman. All of the land in this bill is in my congressional district. It is all federally owned property. We are not trying to put any additional property in. We are just trying to enhance the level of protection that this land currently enjoys.

I want to make sure that you know that this is more than just land in my district. I have hiked, hunted, fished, and toured just about every square inch of this land that is encompassed in the bill.

We have had public hearings. We have been working 4 years on putting this together. They have been exhaustive hearings. We have included every imaginable community of interest, timber, hunting and fishing interests, conservationists, government, off-road vehicles, mountain bikes, businesses, and agriculture. We have been very inclusive in all of our efforts.

*The names have been retained in subcommittee files.

Senator Boxer is correct. When we found problems, we have addressed them. She talked a lot about the roads. Most recently we found that we had a road that was not an open, legal road that we gave wilderness protection to, and we found out that the land managers had opened this. About 3½ miles of this road, they reopened it, and it was being used again. This happened just recently. So we have taken steps to take that out of the bill. We want to make sure that there are no legal roads that are closed in this bill.

During the town hall meetings that I had, the first probably 37 questions that were asked in each place was am I still going to be able to get into my favorite hunting or my favorite fishing place, and the answer is yes. We are not closing any legal roads. We have really gone the distance in making sure that that takes place.

The photographs that you saw I think are very telling. The area is absolutely beautiful. It is breathtaking. It needs to be protected.

But there is also another side to this. This enhanced protection is going to do more than protect beautiful areas and ensure that we have pretty pictures. This measure is going to address the very real economic concerns that face us with threatened and endangered species. It is not only going to add protection there to help bring these species back, but it is also going to protect their habitat. As you know, Mr. Chairman, this is what we tried to do in our salmon bill.

Senator Feinstein talked about the fire suppression concerns that folks raised, and that was probably the second biggest concern that I heard throughout my district. She is correct. We took added measures. We not only took out the area around Orleans, we addressed some boundary setback provisions that provided enhanced fire protection in areas, and we made sure that there would be nothing in this wilderness bill that would preclude Interior from being stopped from being able to do preventive work in regard to fire suppression. So I think that is an important one to mention.

I also want to talk about the value of this enhanced protection for water quality. California is known for its water wars, and there is hardly a thing that happens in California that does not spill over—no pun intended—to water. This is one of them. By enhancing the protection in this area, we are going to make sure that the waters that run through these properties in the first congressional district of California will continue to produce good, healthy fisheries. You know, Mr. Chairman, that these areas were once probably the top producing salmon waters in the entire United States, and we have seen this diminish over the years. We have not had a commercial salmon season in, I think, 13 years on the north coast of California. We have gone from a regional industry that was worth about \$1.25 billion to an industry now that has lost 7,000 family wage jobs. This bill is important to ensure not only the health of the rivers that are so important to the fish, but also to protect other businesses and other industries that are threatened because of these threatened or endangered species.

I look forward to working with the committee. I think both Senator Boxer and Senator Feinstein were on point when they said that we have worked so closely with the communities in addressing problems. If other problems come about or if other issues come about, we certainly want to hear about those. We certainly want

to work with them, and we want to make sure that we enhance this area and also enhance the opportunity for millions of Americans to enjoy this beautiful area for generations to come.

Thank you.

[The prepared statement of Mr. Thompson follows:]

PREPARED STATEMENT OF HON. MIKE THOMPSON,
U.S. REPRESENTATIVE FROM CALIFORNIA, ON S. 738

Chairman Craig and Members of the committee, thank you for the opportunity to provide testimony on S. 738, the Northern California Coastal Wild Heritage Wilderness Act. I appreciate the Subcommittee's continuing leadership on public lands issues and look forward to working with you on this legislation.

I want to specifically thank Senators Boxer and Feinstein for their leadership and good work on this bill. They carefully helped craft this bill to address concerns of the communities within California's 1st Congressional District. I would also like to thank the witnesses who have taken the time and effort to testify on this measure, many of whom traveled thousands of miles to be with us today. In particular, I would like to thank John Woolley, 3rd District Supervisor for Humboldt County. Supervisor Woolley's "on the ground" expertise of Humboldt County was critically important while crafting this legislation.

CRAFTING OF THE BILL

I have personally invested many hours in the formation of this bill. I have hiked, fished, hunted and taken aerial tours of the areas in this legislation. I have also held public hearings with stakeholders representing timber, hunting and fishing, conservation, government, off-road vehicle, mountain bike, business and farming. The process has taken over 4 years, was exhaustive and inclusive.

This legislation would expand wilderness protection on public lands by approximately 300,000 acres entirely within California's 1st Congressional District. The legislation is not only important for the protection of some of my district's most treasured lands, it also protects the federally threatened and endangered salmon and trout and helps ensure a source of clean, reliable water for California's future.

ACCESS

With respect to this wilderness legislation, the two most contentious issues for the constituents of California's 1st Congressional District were our ability to fight and prevent forest fires and the continued access to the proposed wilderness areas. Protecting the rural communities in my district from future catastrophic fires is incredibly important to me. Senators Boxer and Feinstein and I took extra precautions to ensure the land managers would still have the same tools to fight fire and maintain their ability to apply pre-suppression measures to combat catastrophic fire in S. 738. I understand Senator Feinstein will go into great detail about the fire fighting measure we took in this bill, so at this time I will address access.

I am an avid hunter and angler and have been all my life. Having an understanding of the land through the eyes of a hunter and angler has allowed me to be especially cognizant to sportsmen's concerns in this wilderness proposal.

One of the first questions raised in town hall meetings by sportsmen while we were crafting this legislation was whether any legal roads were going to be closed in this proposal. The answer is no. There will be no legal roads closed by this wilderness legislation.

In cases where once closed roads have been repaired and re-opened to the public by the land managing agency, we have made changes to the bill to ensure that these roads will continue to be open. For example, when we crafted this bill, the Telegraph Ridge Road, just off of Smith-Etter Road in the King Range, had been closed to the public due to landslides. It had been closed since 1998. However, the Bureau of Land Management (BLM) recently completed repairing Telegraph Ridge road and opened 3.2 miles to the public on a seasonal basis. After learning about this, we adjusted the boundaries so the public could continue to use this road.

We will continue to work with the land managers to make certain that no other roads would be affected by this proposal. As a sportsman, I understand how important it is to access these pristine areas and will continue to make sure that no legal roads will be closed as this bill moves through your committee and the House of Representatives.

WATER

Water rarely enters into the debate of wilderness protection, but in California's 1st Congressional District, it is very important.

In California's 1st Congressional District, protecting our watersheds is immensely important for salmon, steelhead and the livelihood of our coastal communities. The State or Federal government has listed most of the salmon and steelhead in Northern California as either threatened or endangered. These listings have dramatic impacts on logging, development, fishing, local businesses and our natural resources.

The fishing communities of Northern California once represented some of our country's most productive salmon rivers, generating more than \$1.25 billion to the regional economy. But declining fish numbers and poor water conditions along many of these rivers has forced the Federal government to all but shut down commercial fishing along California's North Coast for the last 13 years. This closure has cost Northern California coastal communities nearly 80% of the region's job base and over 7,000 family wage jobs.

This bill would protect 10 important headwaters along California's North Coast. Any disruption of these important headwater areas could lead to increased sedimentation and decreased shade, which results in higher stream temperatures and lower summer flows.

Lack of cold-water refuge areas leads to increased stress and risk of disease to salmon and steelhead.

Protecting these 10 headwaters will help protect these watersheds and the endangered species. The wilderness protection in this bill creates important refuges for migrating salmon and steelhead in California's North Coast and is a vital tool for their recovery.

LOGGING AND JOB CONSIDERATIONS TO THE BILL

Impacts on the once strong logging industry in Northern California were also taken into consideration in this bill and there are no timber sales under consideration for any of the public lands in this legislation. Nowhere could this issue be more important than in Del Norte County, the northern most county in this proposal, where logging has been all but shut down.

S. 738 would add approximately 33,750 acres of wilderness to the existing Siskiyou Wilderness in the Six Rivers National Forest in Del Norte County. These areas were carefully chosen. Logging has been prohibited on the proposed Del Norte County wilderness lands since 1991 because they are managed as a National Recreation Area. Because of this important distinction, and the fact that this area is home to species like the northern Spotted Owl, fisher, mink, bald eagle and Roosevelt elk, wilderness was the best choice for protecting this land.

Requests from the environmental community to add 60,000 acres of wilderness to this bill along the North Fork Smith River roadless area in Del Norte County were turned down. Over 27 percent of the area they proposed for wilderness protection is eligible for timber harvest and wilderness designation would have significantly reduced our ability to harvest these lands.

CONCLUSION

Thank you for this opportunity to testify on this important legislation to protect Northern California's important public lands. I think the committee will agree that we have carefully crafted this bill to take all industries and constituencies into account. I look forward to working with you and the committee as this bill moves forward.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 23, 2004.

Hon. LARRY CRAIG,
Chairman, Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR CRAIG: Thank you for holding a hearing on the wilderness bill Senators Feinstein, Boxer and I have introduced (S. 738/H.R. 1501). As you heard from our testimony, this legislation is important for the economy of Northern California, takes extra precautions to protect communities from fire and protects California's listed threatened and endangered species.

I share your concerns about whether there are any existing culverts, bridges or other obstacles within the proposed wilderness boundaries of S. 738. Many of these structures inadvertently block important habitat for trout and salmon. I want to

make certain that either none of these obstacles are within the proposed wilderness areas or that the land managing agencies have the ability to remove or repair these barriers.

I also welcome the opportunity to work with the U.S. Department of Agriculture and U.S. Department of Interior staff in Washington, DC. We have been in constant consultation with the local land managers and I want to make certain the Washington staff is also comfortable with this proposal.

Again, thank you for your time and careful consideration of this wilderness legislation. I look forward to working with you. If you or your staff have any questions or concerns, please contact me anytime.

Sincerely,

MIKE THOMPSON,
Member of Congress,
1st District, California.

Senator CRAIG. Well, Congressman, thank you. Senator, thank you. I appreciate it. My first glance at it would indicate that there has been a lot of due diligence done here. I do not think there is any question about that, and that is greatly appreciated because I believe that when we take that extra step of protecting, we do need to recognize that these are lands that are unique in their character and deserve this kind of protection and that we are not just trying to block people out, but we are working to accommodate human interests while preserving quality area. It appears that you have made every effort to do that. We thank you for that.

I do not believe I have any questions of you. Do any of my colleagues?

Well, thank you very much for being here. We do appreciate it.

Now let me invite our first panel to come forward: the Honorable Mark Rey, Under Secretary, Natural Resources and the Environment, Department of Agriculture; and Chad Calvert, Deputy Assistant Secretary, Lands and Minerals, Department of the Interior.

Secretary Rey, we will let you lead off please.

STATEMENT OF MARK REY, UNDER SECRETARY, NATURAL RESOURCES AND THE ENVIRONMENT, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. REY. Thank you, Mr. Chairman. I will summarize my written statement and provide that in its entirety for the record.

Senator CRAIG. Please do. Of course, your total statements will become a part of the record.

Mr. REY. Let me move through these bills as quickly as I can.

With regard to S. 738, the Northern California Coastal Wild Heritage Wilderness Act, I will limit my remarks to the provisions of the bill affecting the Forest Service and I will go through the bill section by section.

With regard to the Snow Mountain Wilderness Area additions, the Department is not opposed to the designation of the Bear Creek and the Deafy Glade units as additions to the Snow Mountain Wilderness. The Skelton Glade unit has several roads running through it, which compromise wilderness attributes and hinder manageability. In addition, designation would complicate and hinder habitat improvement work for the Tule elk and hazardous fuel management in order to protect the adjacent refuge late successional reserve.

The Department does not support the designation as proposed of the Sanhedrin Wilderness Area as the proposed designation would

complicate and hinder habitat and risk management of the Sanhedrin late successional reserve.

The Department is not opposed to the designation of the Yuki Wilderness Area as proposed.

The Department is not opposed to the designation of the Yolla Bolly-Middle Eel Wilderness if boundary adjustments to the proposed area additions could be made to avoid the road cherry-stemming, as described in my testimony.

The Department does not support the designation of the Mad River Buttes Wilderness Area as proposed. The area is very small. It is bordered on three sides by private land, and the opportunity for solitude and primitive recreation is low due to the small size of the area.

The Department is not opposed to the designation of Siskiyou Wilderness Area additions if the modifications to the boundaries are adjusted to better follow land features to enhance manageability.

The Department does not support the designation of the Mount Lassie Wilderness Area. This area is bisected by three major roads with moderate, dispersed motorized recreation presently occurring. A statewide designated California back country motorized route traverses the area. This is a State of California back country motorized route designation.

The Department would not support the designation of the Orleans Mountain portion as an addition to the Trinity Alps Wilderness. The Department is not opposed to the Horse Linto, East Fork, and Red Cap additions if boundary adjustments would be made to facilitate the removal of hazard trees where roads border the proposed wilderness.

The Department does not support the designation as proposed of the Underwood Wilderness Area. The area is located adjacent to the 1.5 mile threat zone for a community at risk for catastrophic wildfire.

The Department is not opposed to the designation as proposed of the Black Butte River Wild and Scenic River designation.

The Department would like the opportunity to work with the bill sponsors and the committee and the Department of the Interior on the submission of amendments dealing with fire management activities and fire use, as the Forest Service already has developed protocols for delegating responses during a fire emergency. So with these changes, I think the bill could be made one that the administration would not oppose.

The Department supports S. 2334, the Caribbean National Forest Act of 2004.

The Department supports enactment of S. 1614, the Upper White Salmon Wild and Scenic Rivers Act.

The Department supports passage of S. 2408, the Montana National Forests Boundary Adjustment Act of 2004.

The Department supports with a few technical amendments S. 2221, the Umpqua National Forest Land Management Act of 2004.

The Department supports the passage of S. 2622, the Pecos National Historic Park Land Exchange with a few technical amendments.

The Department is supportive of the concepts embodied in S. 2253, the Healthy Forest Youth Conservation Corps Act of 2004, particularly the recognition of the importance of the work conducted by State departments of natural resources, departments of agriculture, and forestry departments. We do have some concerns with the bill that we would like further consideration by the committee to address. As you are well aware, firefighting is an arduous and dangerous job that requires a certain amount of maturity, decision-making capability, and perspective in order to perform safely. Federal firefighting agencies recognize that this level of maturity cannot be expected of 16 and 17 year olds, and through policy and regulation will not place these individuals in hazardous roles. Therefore, we have significant concerns, as Senator Feinstein previously indicated, with the inclusion of people of this age in the firefighting positions.

That concludes my summary testimony on each of the measures before the committee. I would be happy to respond to any questions.

[The prepared statement of Mr. Rey follows:]

PREPARED STATEMENT OF MARK REY, UNDER SECRETARY, NATURAL RESOURCES, NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE, ON S. 738, S. 2334, S. 1614, S. 2408, S. 2221, S. 2622, S. 2253

Mr. Chairman, thank you for the opportunity to appear before you today to provide the Department's views on: S. 738 to designate certain public lands in the State of California as wilderness; S. 2334 to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System; S. 1614 to designate portions of the Upper White Salmon River in the Columbia River Gorge National Scenic Area as either a wild or a scenic river; S. 2221 to authorize the Secretary of Agriculture to sell or exchange certain National Forest System lands in the State of Oregon; S. 2408 to adjust the boundaries of the Helena, Lolo and Beaverhead-Deerlodge National Forests in the State of Montana, and S. 2253 to permit young adults to perform projects to prevent and suppress fires, and provide disaster relief on public land through a Healthy Forest Youth Conservation Corps.

S. 738—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 Interior on provisions relating to the Bureau of Land Management managed lands.

S. 738 would designate certain public lands in Humboldt, Del Norte, Mendocino, Lake, Napa, and Yolo Counties in the State of California as wilderness and to designate certain segments of the Black Butte River in Mendocino County,

California as a wild and scenic river. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), this bill would designate as wilderness, 109,670 acres in the Mendocino National Forest and 85,040 acres in the Six Rivers National Forest in the State of California, as components of the National Wilderness Preservation System (NWPS) or as additions to existing components of the NWPS. S. 738 would also designate 3 sections (21 miles) of the Black Butte River in California as part of the Wild and Scenic River system.

The following briefly describes each of the proposed wilderness designations:

- Snow Mountain Wilderness (SNW) Area Addition (Mendocino NF)—20,960 acres of National Forest System lands would be designated as wilderness. As proposed, the Bear Creek and Deafy Glade Units would make good additions to the existing SNWA given their remoteness and opportunity for solitude. However, as proposed, the Skelton Glade Unit has several roads running through it which compromise wilderness attributes and hinder manageability. In addition designation would complicate and hinder habitat improvement for Tule Elk and hazardous fuel management in order to protect adjacent Refuge Late Successional Reserve. The Department is not opposed to the designation of the Bear Creek and Deafy Glade Units as additions to the SNW.

- Sanhedrin Wilderness Area—Proposed (Mendocino NF)—10,196 acres of National Forest System lands would be designated as wilderness. As proposed designation would complicate and hinder habitat and risk management of the Sanhedrin Late Successional Reserve. The Department does not support the designation as proposed.
- Yuki Wilderness Area—Proposed (Mendocino NF)—approximately 35,000 acres of National Forest System lands would be designated as wilderness. The current Mendocino Forest Plan direction 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)—25,980 acres on National Forest System lands would be designated as wilderness. The Smokehouse Unit portion of the YBMEW addition contains important late successional 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 Eel River Unit portion of the YBMEW is proposed with extensive “cherry stemming” of roads on the west side of the Middle Fork Eel River which compromise wilderness attributes and manageability in the center of the unit. The area west of road 24N21 has high scenic quality and the current Mendocino Forest Plan direction assigned a management area prescription of Back Country Area to a portion of the area. The Department is not opposed to the designation if boundary adjustments to the proposed YBMEW Area

Additions could be made to avoid the road “cherry stemming” as described above.

- Mad River Buttes Wilderness Area—Proposed (Six-Rivers NF)—5,740 acres of National Forest System lands would be designated as wilderness. The Six River Forest Plan management area prescription for the area is Late Successional Reserve and Adaptive Management. The area is bordered on 3 sides by private land which hinders manageability. The opportunity for solitude and primitive recreation is low due to the small size of the area. Most existing trails are on ridges which have little vegetative screening and allow view of adjacent cutover non-federal land. The Department does not support designation as proposed.
- Siskiyou Wilderness Area Additions—Proposed (Six Rivers NF)—42,190 acres of National Forest System lands would be designated as wilderness. The Six Rivers Forest Plan management area prescription for the area is Late Successional Reserve and Matrix in the southern portion. The northern portion is within the Smith River National Recreation Upper South Fork management Area, where emphasis is on wild river and roadless back-country recreation. The terrain is very steep and rugged with numerous important cultural sites found in the area. The naturalness of the area has been modified very little. The Department is not opposed to the designation if modifications of boundaries to better follow land features could be made to enhance manageability.
- Mt. Lassic Wilderness Area—Proposed (Six Rivers NF)—7,100 acres of National Forest System lands would be designated as wilderness. The Six Rivers Forest Plan management area prescription for the area is Late Successional Reserve. The Forest Fire Plan identified this as a Resource Priority Fuel Treatment Area that showed high to very high susceptibility to stand replacing fire. This area is bisected by three major roads with moderate dispersed motorized recreation presently occurring. A state wide designated California Back Country motorized route traverses the area. The Department does not support the designation as proposed.
- Trinity Alps Wilderness Area Addition—Proposed (Six Rivers NF)—26,510 acres of National Forest System land would be designated as wilderness. The Six River Forest Plan management area prescription for the area is Late Successional Reserve. The natural integrity of the Horse Linto, East Fork and Red Cap portions have all generally been maintained and offer an opportunity for solitude and remoteness. These areas burned during the Megram Fire. The Orleans Mountain portion of the 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 area has been altered by land management practices. The Department would not support the designation of the Orleans Mountain portion as an addition to the Trinity Alps Wilderness. The Department is not opposed to the Horse Linto, East Fork and Red Cap additions if boundary adjustment would be made to facilitate the removal of hazard trees where roads border the proposed wilderness.
- Underwood Wilderness Area—Proposed (Six Rivers NF)—3,500 acres of National Forest System Lands 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). The Department does not support the designation as proposed.

- The Black Butte River Wild and Scenic River Designation (Mendocino NF)—16.0 miles of the Black Butte River and 1.5 miles of its tributary Cold Creek would be designated as a wild river. 3.5 miles of the Black Butte River would be designated as a scenic river. The 1995 Mendocino Forest Plan and Final Environmental Impact Statement found the Black Butte River eligible for designation and recommended 21.6 miles as wild and scenic river due to its outstanding cultural and fisheries habitat resources. The Department is not opposed to the designation as proposed.

In addition, the Department would also like the opportunity to work with the bill sponsors, the committee, and the Department of the Interior on the submission of amendments dealing with fire management activities and fire use as the Forest Service already has developed protocols for delegating responses during a fire emergency.

Sections 102(o) and 210(d) would require the Secretary, upon request of an Indian tribe or Indian religious community, 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 the Indian Tribe or Indian religious community. We have several concerns with this provision. The provision removes the discretion of the Secretary to determine whether the requested closure is appropriate. The lack of discretion is inconsistent with the approach used in existing statutory authorizing temporary closure to certain federal lands, such as the Jemez National Recreation Area on the Santa Fe National Forest for exclusive use by Indian Tribes for traditional and cultural purposes. We believe a more effective approach will be included in forthcoming tribal authorities legislation that is proposed in the President's FY 2005 Budget. We will be sending this proposed legislation in the near future. In addition, we understand the Department of Justice would like to consult with the committee and bill sponsors regarding constitutional issues related to sections 102(o) and 210(d). We also would like to work with the committee, bill sponsors and the Department of Interior on amendments that address additional concerns we have with the above mentioned sections.

Finally, the Department would also like the opportunity to work with the sponsors and the committee on the submission of amendments pertaining to Titles II and III in the bill which would require a fire management plan and report on the cultural and historical resources within the Black Butte River segments designated in the bill to insure these provisions are aligned with current policies and laws and are not duplicative.

S. 2334—CARIBBEAN NATIONAL FOREST ACT OF 2004

S. 2334 would designate approximately 10,000 acres of land in the Caribbean National Forest/Luquillo Experimental Forest in the Commonwealth of Puerto Rico as the El Toro Wilderness and as a component of the National Wilderness Preservation System. The Department supports S. 2334.

The bill would provide that designation of the Wilderness shall not preclude within the area's boundaries: installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities when they are essential to the scientific research purposes of the Luquillo Experimental Forest.

The Caribbean National Forest encompasses over 28,000 acres of land, making it the largest block of public land on the Island of Puerto Rico. The Forest, locally known as El Yunque, is one of the most popular recreation sites in Puerto Rico and the National Forest System. Almost a million tourists, from Puerto Rico, the U.S. mainland, and abroad experience this tropical rain forest environment each year.

It is the only tropical rain forest in the National Forest System and the most accessible in the world. It is also home to the Puerto Rican parrot, one of the 10 most endangered birds in the world, and nearly 240 species of trees and 120 terrestrial animals—four of which are also listed as endangered species.

The 1997 revised Land and Resource Management Plan for the Caribbean National Forest/Luquillo Experimental Forest recommended wilderness designation for the 10,000-acre El Toro area. We believe the designation of the El Toro Wilderness would enhance the areas solitude, scenery and pristine qualities of the area. The El Toro Wilderness would become the only tropical forest in the National Forest Wilderness System and the only wilderness area in Puerto Rico.

S. 1614—UPPER WHITE SALMON WILD AND SCENIC RIVERS ACT

This bill would amend section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) to designate portions of the Upper White Salmon River in the State of Washington as a component of the National Wild and Scenic Rivers System. The four segments that the bill would designate are located on the Gifford Pinchot National Forest and include 6.7 miles in the Mt. Adams Wilderness, classified as wild and 13.3 miles classified as scenic for a total of 20 miles. The Department supports S. 1614.

The Forest Service conducted a study of the Upper White Salmon River and its tributary, Cascade Creek, as directed by the Columbia River Gorge National Scenic Act (16 U.S.C. 544 et seq.) and determined their eligibility for designation as a component of the National Wild and Scenic Rivers System. The “Upper White Salmon River Wild and Scenic River Study Report and Final Legislative Environmental Impact Statement” (July 1997) recommended the entire 38.4 miles of the Upper White Salmon (including Cascade Creek) be added to the System. The recommended segments of the Upper White Salmon River possess outstanding wildlife, scenery, geology and hydrology, and are highly qualified for designation under the Wild and Scenic Rivers Act.

Although the bill does not designate the 18.4 mile segment of river from the Gifford Pinchot National Forest boundary to the confluence with Gilmer Creek, which is bounded by non-federal lands, section 4 does not limit the suitability of this segment for future designation.

S. 2408—MONTANA NATIONAL FORESTS BOUNDARY ADJUSTMENT ACT OF 2004

S. 2408 would extend the forest boundary of the Beaverhead-Deerlodge National Forest to include a recent acquisition contiguous to the forest boundary that occurred over a 3-year period from 2001 through 2003. S. 2408 also would extend the forest boundary of both the Lolo and Helena National Forests to provide for future land acquisitions in the Blackfoot River Valley. The Department supports S. 2334.

The bill would realize an estimated net increase of 6,193 acres within the Helena National Forest, 16,121 acres within the Lolo National Forest, and 11,727 acres within the Deerlodge National Forest.

Inclusion of these lands within the boundaries of these three national forests will clarify management of the lands acquired, simplify boundary management, and allow for the use of the Land and Water Conservation fund, outside the existing boundaries, for future acquisitions if land is offered for sale to the United States and if Congress should choose to fund any such purchase. There is substantial local community and county support for these boundary changes.

The Department would like to work with the Committee to make a minor technical change to the name of the map referenced in section 2(2)(C). Although the map is entitled “Blackfoot Community Project Acquisition Proposal Adjustments, Beaverhead-Deerlodge National Forest . . .”, the proposed boundary adjustment on the Beaverhead-Deerlodge National Forest is not associated with the proposed Blackfoot Community Project acquisition. Consequently, the name of the map should be entitled “Beaverhead-Deerlodge National Forest Boundary Adjustment.”

S. 2221—THE UMPQUA NATIONAL FOREST LAND MANAGEMENT ACT OF 2004

S. 2221 would authorize the Secretary to sell or exchange certain National Forest System land in the State of Oregon. Specifically, this bill authorizes for sale or exchange administrative sites, including the Roseburg Service Center (approximately 2.92 acres), the Roseburg Powder House (approximately 1.34 acres) and the Brown Residences (approximately 2.35 acres). All of these sites are currently in use by the Forest Service but are no longer efficient for current agency needs. The Department supports S. 2221.

As S. 2221 illustrates, the Department has a number of facilities and appurtenant administrative land excess to agency needs. The FY 2005 Budget contains a proposal for the establishment of a Facilities Acquisition and Enhancement Fund that would enable the Secretary to sell such units excess to need and to utilize proceeds from those sales for the acquisition or development of land and improvements for administrative consolidations while improving efficiencies through the reconstruction of functionally obsolete facilities or construction of new facilities. To this end, the Department will submit legislation concerning this Fund in the near future. In this context, then the Department supports S. 2221.

In section 3(i) Disposition of Proceeds, would allow the agency to retain proceeds from a sale or exchange and use them towards “the acquisition or rehabilitation of existing facilities or construction of new facilities in Umpqua National Forest in the

State". We would recommend changing "in Umpqua National Forest in the State" to "for the Umpqua National Forest in the State" in order to facilitate the office collocation with the Bureau of Land Management office in Roseburg. Additional administrative facilities would be developed for the collocated offices and warehouses at the existing BLM site.

S. 2221 would also correct an unanticipated problem generated when the Rogue-Umpqua Divide Wilderness was initially designated. The original legal description, prepared in accordance with the map of record at the time of designation, inadvertently resulted in a short segment of Forest Service Road No. 2947-300 being within the Rogue Umpqua Divide Wilderness by approximately 20 feet. This has resulted in the closure of the road which is necessary to access National Forest System land beyond the area where the road is within the wilderness area. The small portion of land cut off by the road, which is designated as wilderness, clearly has no wilderness character. When the road is opened for short-term local emergencies (wildland fire suppression) there is an automatic conflict with wilderness management.

S. 2221 would make a technical correction to the wilderness boundary by slightly modifying the boundary so that (1) the road is outside the wilderness by removing approximately 1.3 acres from the wilderness, and (2) by adding approximately 1.3 acres of land with wilderness character to the wilderness to offset the removal.

S. 2622—PECOS NATIONAL HISTORIC PARK LAND EXCHANGE

The bill would direct the Secretary of Agriculture to convey approximately 160 acres located in the Santa Fe National Forest in New Mexico to private landowners in exchange for 154 acres owned by the landowners within the Pecos National Historic Park that would be conveyed to the Secretary of the Interior.

The 160 acres of National Forest System land to be conveyed are located on top of Glorieta Mesa and have been identified in the Forest Plan as base for exchange; however, this land was recommended for exchange to facilitate the acquisition of other desirable property for National Forest purposes within the Santa Fe National Forest. The federal parcel is undeveloped and has relatively gentle topography.

The Department would not oppose the bill if amended to clarify several points. We have concerns regarding potential complications that could arise as this transaction proceeds and would like to understand the committee's intent as to how these should be resolved. We would like the opportunity to work with the committee, bill sponsors and the National Park Service on amendments to clarify expectations relative to the applicability of the National Environmental Policy Act and other applicable laws.

Although not specifically stated, the exchange would be subject to the National Historic Preservation Act of 1966 (NHPA). The National Forest System lands have not been surveyed for cultural resources. If, after survey, resources are found, the exchange would be subject to Sec. 110(b) of NHPA, which would require that data recovery precede conveyance. The legislation should identify who would be responsible for the data recovery costs in the event resources are found.

Appraisals would be submitted only to the Secretary of Interior for approval. We recommend an amendment to the legislation that requires joint approval by both the Secretaries of the Interior and Agriculture. If there is mutual valuation approval, we recommend the USDA and USDOJ jointly and mutually secure a title policy, select an appraiser agreeable to both agencies, jointly develop appraisal instructions and jointly review and approve the appraisal.

We look forward to working with the Subcommittee, the sponsors, and the National Park Service on amendments to this bill to ensure that the final bill language reflects the needs and interests of all parties to the exchange.

S. 2253—HEALTHY FOREST YOUTH CONSERVATION CORPS ACT OF 2004

S. 2253 would establish a Healthy Forest Youth Conservation Corps and would authorize the Secretary of Agriculture and the Secretary of the Interior to enter into contracts or cooperative agreements with existing state, local, non-profit conservation corps, or Indian Tribe or state natural resources, agriculture, or forestry departments, to carry out projects to prevent fire and suppress fires, rehabilitate public land affected or altered by fires, and provide disaster relief. The bill directs the Secretaries to give priority to certain projects, including those that will: (1) reduce hazardous fuels on public lands; (2) restore public land affected or imminently threatened by disease or insect infestation; (3) rehabilitate public land affected or altered by fires; (4) assess public land at a high risk of reburn; and (5) address public land located near a municipal watershed and water supply.

The Department is supportive of concepts embodied in S. 2253, particularly the recognition of the importance of the work conducted by state natural resources, agri-

culture, and forestry departments, and we recognize the values associated with providing opportunities for youth corps to be more proactive in healthy forest work. We would however, like to bring to the Committee some issues the Department has identified with S. 2253 that may require further consideration by the Committee.

In many respects, with the exception of including youth aged 16 and 17, the goals of S. 2253 are consistent with existing authorities that the Department has supported, including the Healthy Forests Restoration Act (HFRA) [P.L. 108-208], Public Land Corps Act of 1993, P.L. 103-82 Title II, and the Youth Conservation Corps Act of 1970, P.L. 91-378. The Administration has concerns about the Committee's expectation regarding the authorization of specific appropriations contained in the bill given current and future constraints.

As you are well aware, firefighting is an arduous and dangerous job that requires a certain amount of maturity, decision-making capability, and perspective in order to perform safely. Federal fire agencies recognize that this level of maturity cannot be expected of 16- and 17-year-old individuals and, through policy and regulation, will not place these individuals in hazardous roles.

We have significant concerns, with the inclusion of youth aged 16 and 17. Wildland fire suppression or forest and watershed restoration work authorized under S. 2253 pose threats to their safety that cannot be mitigated.

The Forest Service and Department of the Interior agencies agree that while some states allow individuals under the age of 18 to perform hazardous fire suppression duties on the fire line, this practice is not allowed by federal fire agency policy. In August 2003, the Forest Service and the Department of the Interior each established the policy that persons under the age of 18 years old will not perform hazardous or arduous duties during wildland fire management operations on federal jurisdictions, even if the minors are supervised by states or other entities. While legal minors are not to be employed in hazardous fire-line positions, the policy does allow them to perform fire prevention, support, logistical, or other duties away from the fire-line—activities which, if performed under agreements with existing state, local, and non-profit youth conservation corps, are consistent with S. 2253.

Similarly, hazardous fuels reduction treatments or restoration activities require operating power equipment such as chainsaws, brushsaws, or using prescribed fire. This is extremely hazardous work, frequently on steep terrain in dense forest environments. We would be remiss in supporting an authorization for 16 and 17 year olds to use chainsaws or other power equipment in such hazardous situations.

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

Senator CRAIG. Mark, thank you very much.

Now let us turn to Chad Calvert, Deputy Assistant Secretary, Lands and Minerals, Department of the Interior. Chad, welcome before the committee.

STATEMENT OF CHAD CALVERT, DEPUTY ASSISTANT SECRETARY, LANDS AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. CALVERT. Thank you, Mr. Chairman, ranking member. I am here testifying on behalf of the Department of the Interior specifically on three bills, S. 738, the Northern California Coastal Heritage Act; S. 2253, the Healthy Forest Youth Conservation Corps Act; and S. 2622, the Pecos National Historic Park land exchange, which is on behalf of the National Park Service. I will begin with that one.

The Department supports the land exchange for the Pecos National Historic Park. We would like to work with the committee on a couple of specific issues, namely putting together a better map for the committee's review.

With regard to S. 2253, the Healthy Forest Youth Conservation Corps Act, I would simply echo the comments of Mark Rey. The Department of the Interior agrees with that position.

With regard to S. 738, the Northern California Coastal Heritage Act, the Department generally supports the designations for wil-

derness for the Bureau of Land Management lands contained in the act. I could walk through those specific designations. We do have some minor concerns with a couple of areas and we would like to work with the committee not only to address more specific and detailed maps, but also to work with you on one of the designations that we think creates some practical management problems.

With regard to the King Range Wilderness, the bill would designate 41,615 acres in the Chemise Mountain Wilderness Study Area and the King Range Wilderness Study Area. This particular provision really highlights why the BLM supports Congress and local communities getting together to resolve the wilderness study area logjams that we see that have been out there for 13-14 years. And where the communities and Congress can work together and agree on those and where the Department views there is being significant wilderness values to protect, the department is very supportive of resolving the WSA's. Namely, the Department supports that provision.

With regard to Yuki Wilderness, 51,790 acres are proposed for wilderness designation. 17,000 acres are BLM lands and we support the designation of those acres, most of which are in the Thatcher Ridge Wilderness Study Area.

On the Yolla Bolly-Middle Eel Wilderness, it would expand the existing wilderness areas. Only 780 acres of that is BLM-managed land, but we do support the designation of it as part a larger wilderness designation.

Cache Creek Wilderness would designate 38,970 acres of BLM lands as wilderness. We support the designation that falls within the First District on that one.

With regard to Blue Ridge Wilderness, we actually oppose designating the Blue Ridge Wilderness provision in this bill because it only addresses a 760-acre parcel that is BLM-managed, and generally the Department feels that is too small of an area to manage as wilderness. It simply just does not provide the same character of wilderness that the other areas do.

Cedar Roughs Wilderness Area would be 5,880 acres of BLM lands, and we support this designation. It is currently in an area of critical environmental concern, specifically for its wilderness values.

The South Fork Eel Wilderness is 14,000 acres to be designated. It is almost entirely encompassed by the Red Mountain Wilderness Study area, and we support that designation.

Finally, the Elkhorn Ridge potential wilderness area. The Department is not opposed to designating this. It is not currently managed as a wilderness study area, but it contains significant wilderness values and we believe that the sponsors of the bill and the local communities have worked very closely together to identify the appropriate boundaries of that.

With that, I will close and answer any questions you may have.
[The prepared statements of Mr. Calvert follows:]

PREPARED STATEMENT OF CHAD CALVERT, DEPUTY ASSISTANT SECRETARY, LAND AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR, ON S. 738

Thank you for the opportunity to testify on S. 738, the Northern California Coastal Wild Heritage Wilderness Act. I will confine my remarks to those provisions of the bill which relate to lands managed by the Bureau of Land Management (BLM)

and will defer to the Department of Agriculture on provisions regarding lands managed by the Forest Service. While we will propose a number of amendments to S. 738, if those amendments are made, the Department of the Interior will support this legislation as it relates to BLM-managed lands.

This Administration strongly supports the efforts of members of Congress to work together with their local constituents to find solutions to the lingering Wilderness Study Areas (WSAs). Only Congress can determine the final status of WSAs—whether to designate as wilderness or release lands from WSA status. The WSA issue is one that should be resolved and we always stand ready to work with Members of Congress toward solutions.

S. 738 proposes to designate as wilderness nearly 120,000 acres of BLM-managed lands in California's 1st Congressional District. Because wilderness boundaries do not follow Congressional District boundaries, this has resulted in a few awkward provisions in the legislation that we will point out. Overall, we support the designations, but recommend some changes to the management language which we hope the committee will consider.

The areas proposed for designation include stunning landscapes, dramatic coastlines, and unique habitats. Taken together, these proposed wilderness areas include pristine Pacific Coast, steep inland canyons, rushing whitewater and mountainous terrain. The array of wildlife is incredibly diverse. Large mammals such as elk, sea lions, and black bear populate these areas. Various raptors including the endangered northern spotted owl, peregrine falcons and eagles nest here. Additionally, the areas provide significant habitat for steelhead, coho, and Chinook salmon, all listed endangered species. Recreational use is varied and scattered throughout the area including rafting, fishing, hiking, camping, and hunting, all of which will continue after designation.

A brief description of each proposed wilderness designation is in order:

- King Range Wilderness—41,614 acres encompassing both the Chimney Mountain WSA and the King Range WSA would be designated wilderness. This area truly would be a crown jewel of the wilderness system. Its 26 miles of pristine and undeveloped coastline is the longest in the continental United States. Referred to as California's "Lost Coast," this dramatic wilderness area is within the King Range National Conservation Area (NCA) established by Congress in 1970.
- Yuki Wilderness—51,790 acres are proposed for wilderness designation including approximately 17,200 acres of BLM-managed lands which include a steep, rugged river corridor. The larger acreage, approximately 35,000 acres, is managed by the Forest Service. We support the designation of the BLM acres (which encompass most of the Thatcher Ridge WSA) as a portion of the overall Yuki Wilderness.
- Yolla Bolly-Middle Eel Wilderness additions—expands the existing 153,000-acre Yolla Bolly-Middle Eel Wilderness Area by approximately 26,760 acres (the existing area includes over 7,000 acres of BLM-managed lands). However, only 780 acres of the wilderness addition is BLM-managed land. We support the designation of these 780 acres as a part of the much larger Forest Service addition.
- Cache Creek Wilderness—the legislation cites 38,970 acres of BLM-managed lands for wilderness. However, if the bill's intention is only to designate lands within Congressional District 1, this designation may be reduced to approximately 31,000 acres. Waters rushing through this area's steep canyons provide popular whitewater rafting venues while the surrounding oak woodlands are home to several herds of tule elk. We support this designation that falls within the Congressional District.
- Blue Ridge Wilderness—a small 760-acre area is proposed for designation by the bill. While it is our understanding that a larger 10,000-acre wilderness is envisioned in this area, only 760 acres of it is within Congressional District 1. We oppose designating such a small area as wilderness because it is too small to manage properly for wilderness values unless land in the adjacent district is included in the wilderness designation.
- Cedar Roughs Wilderness—5,880 acres of BLM WSA is designated as wilderness. We support this designation. The BLM has administratively designated this land as an Area of Critical Environmental Concern (ACEC) in recognition of its significant Sargent cypress stand and important black bear population.
- South Fork Eel Wilderness—14,000 acres to be designated encompassing the Red Mountain WSA. The area is home to a number of endangered species including the northern spotted owl and several salmon species as well as some unique and rare geological features. The designation is supported by the BLM.

- Elkhorn Ridge Potential Wilderness Area—8,000 acres of BLM-managed lands are proposed for a “potential wilderness area.” Under the terms of the legislation, the area would become wilderness within 5 years, or earlier, if determined by the Secretary of the Interior that appropriate ecological restoration had taken place. This area contains a portion of the Eel River headwaters and provides significant endangered species habitat. While such a designation is unique for the BLM, the National Park Service has experience with such designations and we think it is reasonable.

For those areas in the bill not identified as WSAs, and for the areas in the bill that were determined by the BLM to be non-suitable for wilderness, we note that Congress has plenary authority over the disposition of public lands. Except as otherwise specified, if Congress ultimately approves the bill, we do not see any additional management impediments to their inclusion.

We would like the opportunity to work with the sponsors and the Committee to perfect boundaries in a few cases, and release from WSA status those areas, primarily small bits and pieces of WSAs (our current estimate is around 2,200 acres), that are not designated wilderness by S. 738. Leaving those pieces unaddressed creates potential management problems.

We would also like the opportunity to work with the sponsors and the Committee on the management language in the bill. Specifically, we recommend adding standard language on the management of newly-acquired lands within the wilderness area and a full withdrawal of the lands designated as wilderness. The Department strongly recommends the legislation be amended to clarify that the wilderness designation not constitute or be construed to constitute either an express or implied reservation of any water rights. Additional technical matters on maps should also be addressed.

Thank you for the opportunity to testify on the sections of S. 738 which apply to BLM-managed lands. The resolution of these longstanding WSA questions is a priority for the Department and we welcome the opportunity to move this debate forward.

I would be happy to answer any questions.

PREPARED STATEMENT OF CHAD CALVERT, ASSISTANT SECRETARY FOR LANDS AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR, ON S. 2622

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you to present the position of the Department of the Interior on S. 2622, a bill to provide for a land exchange at Pecos National Historical Park in New Mexico.

The Department supports this legislation with an amendment. A hearing on a similar bill, S. 2848 was held during the 106th Congress. At that time we supported the bill with several amendments. S. 2622 has taken into consideration those amendments as proposed. We do recommend minor changes to clarify financial responsibilities for the appraisals and completion of compliance documents. By making these changes, and clarifying the map, we believe the exchange could be easily accomplished. However, we defer to the U.S. Forest Service with respect to a determination that the lands they would convey are excess to their needs and available to be used as part of the proposed land exchange.

S. 2622 proposes an exchange among the U.S. Forest Service, National Park Service and a private landowner. The private landowner would convey 154 acres of land to the National Park Service at Pecos National Historical Park. The U.S. Forest Service would then convey 160 acres of federal land to the private landowner. Because the land already is within the boundary of the park and identified for purchase in the July 1993 Land Protection Plan, no boundary adjustment would be needed. As part of the exchanges the private landowner would be given an easement to allow access to two existing wells. The bill also allows for the Secretaries to establish additional terms and conditions on the exchange in order to protect the interest of the federal government.

We understand the U.S. Forest Service parcel proposed for the exchange is undeveloped. There are no public utilities within one half mile of the parcel and no environmental analysis has been completed on this parcel.

We propose minor changes to the language to ensure that all parties understand that the landowner will assume the cost of the appraisals and associated environmental compliance. The legislation must be clear that neither Secretary is responsible for those costs. The proposed amendment is attached to this testimony.

S. 2622 would continue the expansion of the park that was begun when lands were added to the boundary in 1990, and allow the National Park Service to more

adequately and completely serve park visitors and protect park resources. This new bill also reflects the needs and interests of all of the parties to the exchange and should allow completion of the exchange in the most direct manner.

Pecos National Historical Park (NHP) was established in 1965 as Pecos National Monument and was redesignated in 1990. The park includes almost 7,000 acres in three units and tells the story of 12,000 years of human history. This story includes that of the people of the Pecos Pueblo who made their homes at a trading crossroads and the effects of Spanish colonization from the south and the movement westward along the Santa Fe Trail. In addition, Pecos NHP tells the story of one of the most interesting battles of the Civil War fought in the west, the Battle of Glorieta Pass. It is also home to a 20th century ranch that illustrates how important and critical this natural and cultural crossroads is to the history of America.

Of foremost importance in Pecos NHP is the Pecos River, one of only five in New Mexico that is free-flowing year-round. The mosaic of the riparian environment, high elevation forest, grasslands, and meadows sustains valuable and variable wildlife habitats and ecosystems that are prominent features and vital to the park's cultural landscapes.

When the park was redesignated in 1990, new lands were added and the scope and mission of the park were greatly expanded. The Glorieta Unit, divided into two sub-units, each containing approximately three hundred acres, preserves sites of the Civil War action at Glorieta Pass. More than half of the land in these two units is privately owned, making public access, preservation of resources, and protection of property rights difficult. The lands proposed for exchange in S. 2622 are in the Canoncito subunit, the westernmost portion of the park.

That concludes my remarks. I would be happy to answer any questions you may have.

PROPOSED AMENDMENT

Page 6, line 3, strike all after "COSTS.—" and insert "Before the completion of the exchange under this section, the Secretaries and the landowner shall enter into an agreement that states that the landowner shall pay the cost of the appraisals and associated environmental compliance documents. Additional costs of the exchange will be allocated in the agreement between the Secretaries and the landowner."

Senator CRAIG. Chad, thank you again for your comments and we look forward to your responses. So let me start the questioning, Mark and Chad.

I know that both Senators and the Congressman have spoken to their effort to take out as many roads as possible. Yet, it is our observation that there is a fair inventory remaining of roads and bridges and culverts and other drainage structures that fall within the proposed wilderness boundaries and the Wild and Scenic River proposals.

Would it be possible for you to provide an inventory of those approximate number of miles and structures? I say that because we make the general assumption that once these areas become designated, certainly they become non-motorized, and any ability to maintain or sustain those structures should, responsibly under the Wilderness Act, go out. Are these structures capable of withstanding the 500-year flood scenario, and if not, are we making provisions, once failed, to be able to go in and be able to take them out and to recoup the area? So that would be my reaction. Your reaction to that, and would you supply that for the committee?

Mr. REY. We can provide you with that information. Our Forest Service road inventories identify the major drainage structures for National Forest System roads, such as bridges and culverts. So we can provide you with such an inventory.

We designed those roads to withstand a 100-year flood event. So I think it is fair to say whether we designate these as wilderness or not, they are not likely going to withstand a 500-year flood

event. But in the course of dealing with the wilderness designation in the years afterward, we would probably remove as many of these bridges and structures as possible so that we do not have to risk the prospect of a catastrophic failure in a 100-year or larger flood event.

Senator CRAIG. Chad.

Mr. CALVERT. I commit the Department is working on improving the maps that you have. I know there are some maps that are floating around that have foot trails identified as potential roads, and the BLM right now is surveying those lands.

Senator CRAIG. I am not interested in foot trails. I am obviously interested in roads that have received some level of maintenance or some level of use and especially the structures that encompass those.

Could you also include information about the likely cost of removal of the structures, potential cost of mitigating anticipated habitat damage, if there were structure failures?

Mr. REY. We can certainly give you a cost of removal. The cost of habitat damage would be highly speculative based on the kind of failure that would occur, which particular structure fails.

Mr. CALVERT. For the areas under the BLM, I am only aware of one where they may be in the position of removing roads. They are right now looking at that. It is in the potential wilderness area where there are several private inholdings and access roads to those. It is my understanding that they are in the process of naturalizing themselves. So the cost may be minimal. It has been estimated to me to be less than \$1 million. But I will certainly ask the BLM to look at that.

Senator CRAIG. Thinking about the northern California wilderness proposal, it seems that many of these areas receive both heavy rains and have the potential for substantially large and intense wild fires. I know both the Senator from California and I and everybody on this committee have struggled with that issue substantially over the last couple of years. We also know the scenario out there suggests it is going to get worse before it gets better.

To the extent these areas are roaded, what will be the likely increased cost of firefighting if these roads are closed to access. Is there any way to evaluate that? Because we do change significantly the capability of firefighting or fire load reduction in those areas.

Mr. REY. Let me answer that under two separate scenarios, because I think the bill has some provisions to try to provide firefighting within these areas. So it is conceivable that with the provisions in the bill, as long as the roads are still passable, we could use motorized equipment upon order of the appropriate Forest Service officer. So that probably will not have a material effect if we decide, based on the language of the bill, to allow continued equipment access.

As time passes, however, since we are not going to maintain these roads and we are going to be presented with circumstances where we will have to remove bridges and culverts, access will begin to diminish, and the use of motorized equipment and engine crews will cease to be a practical possibility, notwithstanding what sorts of administrative procedures that we have developed. Once that occurs, then we will see some increased firefighting costs and

loss of efficiencies because hand crews are not as quick or as effective as engine crews. So that is when the impact will begin to be felt irrespective of the administrative decisions we make prior to that time regarding when and under what circumstances we would allow motorized equipment access into the wilderness for fire-fighting purposes.

Senator CRAIG. Areas that are currently designated wilderness, when fire starts in them, motorized equipment is not allowed. Is that not correct?

Mr. REY. It is not allowed by statute and regulation, but it is also not a practical possibility because most of the wildernesses we have now lack roads. If we applied the same statutory and regulatory standards to the areas affected by this legislation, where there are roads, then motorized access would not be allowed. As I read at least one of the provisions of the bill, there is some attempt to moderate that and to allow motorized access for firefighting purposes under certain circumstances, as outlined in the bill. That would provide some continued access until the point when that road ceases to be passable because of the passage of time without maintenance.

Senator CRAIG. Well, I have gone beyond my time.

Senator Bingaman, questions?

Senator BINGAMAN. Thank you very much.

Let me ask about S. 2253, the Healthy Forest Youth Conservation Corps Act. In 1970, Congress passed and the President signed the legislation establishing the Youth Conservation Corps. In 1993 we passed and the President signed the legislation establishing the Public Land Corps. I am having difficulty understanding what this Healthy Forest Youth Conservation Corps adds to the existing authority. It seems to me that the various Federal agencies already have very substantial authority to contract with and use young people under the Youth Conservation Corps or the Public Land Corps programs. The truth is, the National Park Service is the only one that has really committed resources to doing this. As I understand it, the Forest Service has not. The BLM has not. Based on the testimony that each of you have given, it would seem to me that you are saying, in as tactful a way as possible, that we should not expect you to commit the resources to it in the future, whether we pass this or not.

Is there a reason we should go ahead and pass this bill? Does it add anything to the existing authority that the agencies have? Is it likely to increase the probability that there will actually be funds spent on this?

Mr. REY. Well, it complements existing authorities in the sense that we could put Public Land Corps and Youth Conservation Corps crews into doing this kind of fuel reduction work. Currently those crews, when they are employed on national forest land, are employed in a wide variety projects, but there is nothing in the enabling legislation creating the Public Land Corps and the Youth Conservation Corps that precludes them from doing this kind of work.

Generally when Congress passes a new piece of authorizing legislation, we try within budget limits to respond to that. So I think if you pass this bill and say this is something you want to focus

these conservation crews on, at least with regard to fuel reduction work that is non-hazardous in nature, we would try to respond by accommodating that. As I indicated earlier, we have very little interest in using 16- and 17-year-olds for firefighting purposes because we think that is too hazardous.

Senator BINGAMAN. But I am still unclear as to whether you are saying that the administration would be willing to commit more funds to these types of activities generally, or are you just saying that if we pass this bill, then you will take funding that is currently being used for trail maintenance or whatever by young people and shift it over to doing forest thinning kinds of work? I know it has an authorization, but I am asking for how much money the administration would actually request each year and support because there are a lot of authorizations on the books, which of course the administration does not ask for any money for.

Mr. REY. I think our experience, particularly in the fuels treatment area, is with new authorizations we have tried to match that with increased budgets. I obviously cannot talk about the 2006 budget because it is in the very early stages of preparation right now. But we would look at a piece of authorizing legislation that Congress passed as something that we would try to be responsive to.

Senator BINGAMAN. So you think there might actually be an increase in funds if this legislation became law.

Mr. REY. We would take a pretty good, hard look at it. Sure.

Senator BINGAMAN. All right. That is encouraging. I think these are very useful programs and I am not in any way opposed to trying to go ahead. I would be concerned if we found that the very limited funding that is available for this kind of work by young people is shifted so that it is only available if they are doing this precise kind of work, and some of the existing programs have to essentially go away. I think that would be a mistake.

Mr. REY. Another option is to use more of our appropriated dollars for these programs as opposed to commercial contracts. That would be another thing we would look at, even within a flat budget, if we have specific authorization and interest from Congress to employ youth groups in this kind of work, one option, if it is work that we are already paying for under a commercial contract, is to shift it in that direction.

Senator BINGAMAN. There is really no limit on your ability to do that now, as I understand it. To the extent that you determine to go ahead and contract with these kinds of groups to accomplish the work you need done; to the extent they are available and to the extent you have appropriated funds, you can do that. Am I right?

Mr. REY. Generally speaking, unless it is work that needs to be dealt with through a competitive contract, in which case that might not work. But we can use different authorities to do this work through noncompetitive contracts with groups like this.

Senator BINGAMAN. I think that is useful testimony.

Thank you very much, Mr. Chairman.

Senator CRAIG. Thank you, Senator.

Now, let me turn to Senator Feinstein.

Senator FEINSTEIN. Thanks very much, Mr. Chairman.

On this point, just to respond to Senator Bingaman, the reason we did this is because the groups that exist under existing law really say that an authorization would help in terms of making, as Mr. Rey just pointed out, a kind of designated work effort and indicate I think to the Department that there was support for this. Otherwise, there is really no reason for them to extend a program that already is kind of fiscally strapped.

I would hope we would be able to gain some appropriations for the program. I think those of us that worked on Healthy Forests really see the huge deficit that we have in terms of underbrush and the need to prevent and clean out. So I think that would work.

On the subject of the wilderness bill, I was trying to follow what you said, Mr. Rey. I gather where you have sort of non-support—and correct me if I am wrong—is Sanhedrin, Mad River Butte, Mount Lassic, and Trinity Alps Wilderness, and Underwood. If that is a correct assessment, I guess my question to you is will you be willing to sit down and work with us and see what we can work out on each of those?

Mr. REY. Sure. We would definitely be willing to sit down and work with you. But let me clarify. On Trinity Alps, we are only opposed to the Orleans Mountain portion of that. We would not oppose the Horse Linto, East Fork, and Red Cap additions.

Senator FEINSTEIN. Well, did we not take of the Orleans Mountain part?

Mr. REY. This testimony was written on the bill as introduced. I probably should have said at the outset, based on some of your opening comments that you have already resolved some of the issues that we have raised here.

Senator FEINSTEIN. Well, then we need to go over where we have made some changes.

Senator CRAIG. I would trust that certainly the Department and you all can get together and clarify any of these differences that exist.

Senator FEINSTEIN. Fine.

Just quickly now, when I left this morning, I heard of this big fire beginning in southern California and approaching I guess they said dead trees. Can you give us any kind of an up-to-date report? As you may know, some of your people are saying that more money will be needed.

Mr. REY. For firefighting purposes?

Senator FEINSTEIN. Yes.

Mr. REY. I think you are in the process of taking care of that in the Department of Defense budget, appropriations bill.

Senator FEINSTEIN. That is what I understand. An additional \$30 million?

Mr. REY. That additional \$30 million is for fuels reduction. As I understand it, there is an additional \$30 million for fuels reduction in southern California that was included in the DOD appropriations bill at Congressman Lewis' and your request.

Senator FEINSTEIN. Exactly.

Mr. REY. So that will continue the work on as we move forward. As I understand, there is also some additional money for firefighting which will make sure that we do not have any problems there.

Senator CRAIG. Approximately \$500 million in DOD if we move that this week, for fire suppression purposes I believe.

Senator FEINSTEIN. Can you give us any kind of an update on what is happening right now in southern California?

Mr. REY. Right now we have six large incident fires active in southern California. Most of those are 80 percent or more contained. Probably the one that you are hearing about this morning is the Crown Fire, which is located southeast of Acton, California. We are seeing extreme fire behavior there with State Highway 14 from Antelope Valley to the LA Basin being closed. We have ordered a type 1 incident command team which is en route to the fire at present. So we will be directing all available resources to that or at least all the resources that the type 1 commander asks for.

Senator FEINSTEIN. Is that near bark beetle?

Mr. REY. I do not think so. I think this would be yet down slope from bark beetle infected areas. It is burning in heavy brush right now. So it would be at a lower elevation with the possibility, if we are unable to contain it, that it could compromise some of the bark beetle infected areas if it burns into them, but at least right now it is not that far.

Senator FEINSTEIN. Thank you very much.

Mr. REY. I could also tell you that so far there are no unmet orders for assets on any of the fires in southern California or elsewhere. So we are keeping abreast of all of our incident commanders' order requests.

Senator FEINSTEIN. That is great. Thank you very much.

Senator CRAIG. We have been joined by Senator Smith from Oregon, and Senator, you have a bill also. So we would appreciate any opening comment you want to make in relation specifically to that legislation or any questions you might ask of Mark or Chad as to the other legislation.

STATEMENT OF HON. GORDON SMITH, U.S. SENATOR FROM OREGON

Senator SMITH. Thank you, Mr. Chairman. I have a very brief opening statement I will share with you and ask if they have any response to it.

I appreciate you scheduling today's hearing and want to thank my colleague from Oregon, Senator Wyden, your ranking member on this subcommittee, for joining as a cosponsor of the legislation.

It is S. 2221 and it addresses a couple of basic needs for the Umpqua National Forest in Douglas County, Oregon. Between 1984 and 2003, timber harvest levels on the Umpqua dropped 99 percent, as did manufacturing jobs in that county. It is with this backdrop in mind that I am trying to give the Umpqua National Forest and Douglas County a little help and some good government.

S. 2221 is rather simple. First, it authorizes the Umpqua National Forest to sell at a fair market value three surplus parcels of land totaling 6.6 acres. In turn, the Umpqua is authorized to keep the revenues locally for improvements on the forests, including capital improvements.

The bill also adjusts the wilderness area boundary to remove a road currently within the boundary of the Rogue-Umpqua Wilder-

ness Area. This legislation removes 1.3 acres of wilderness and adds 1.3 acres of wilderness. So there is not a net loss of wilderness area.

This legislation I believe will help the Forest Service better manage their forest resources and simplify management of this property. It will also spur the economic development in Roseburg and Glide, Oregon, which have been hit hard by the decline in timber harvest on Federal lands.

That is all I have, Mr. Chairman. If Mr. Rey has any comment on it one way or the other, I would love to hear it.

Mr. REY. I have already indicated the administration's support for the legislation.

Senator SMITH. Thank you very much.

Senator CRAIG. The light is green. Senator, thank you very much.

Now let me turn to our colleague from the State of Washington, Senator Cantwell. You have legislation before us today in the White Salmon River Wild and Scenic designation. You can make an opening comment on that and/or ask questions of our colleagues here.

STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Mr. Chairman, and thank you for holding this hearing. I would, if I could, submit a statement for the record on the S. 1614.

Senator CRAIG. Without objection.

[The prepared statement of Senator Cantwell follows:]

PREPARED STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON, ON S. 1614

Thank you, Mr. Chairman, I appreciate you holding this hearing today and considering Senate Bill 1614, which is very important to residents of southwest Washington.

The bill before us would designate some 20 miles of the main stem of the upper White Salmon River and of the Cascade Creek, all within the Gifford Pinchot National Forest, as components of the National Wild and Scenic Rivers System. By designating this upper third of the White Salmon, we can permanently protect this special river as a premiere recreational destination, a Southwest Washington economic resource, and an important wildlife and salmon habitat.

The White Salmon River's remarkable beauty and pristine condition are not in question. In fact, the lower eight miles of the river received protection when Congress granted that stretch of the river "Wild and Scenic" status in 1986. As we saw then, its protected status hasn't prevented residents and visitors from taking advantage of the unique recreational opportunities the White Salmon River offers. Extending "Wild and Scenic" protection to the river's upper reaches today is an important step forward in protecting even more of its wild character for fishing, boating, and other recreational activities.

My bill, which will complement legislation offered by Congressman Baird in the House, will grant "Wild and Scenic" status to the upper reaches of the White Salmon and one of its tributaries, Cascade Creek.

As one of the best whitewater rivers in the Pacific Northwest, the White Salmon already supports a number of whitewater rafting companies. About 12,000 whitewater boaters visit the river each year. So I see this designation as not just protecting a pristine river, but also its beneficial impact on the local economy downstream.

Last August when I announced my intention to introduce this legislation, I asked local resident Mark Zoller to join me. Mark heads Zoller Outdoor Odysseys, a whitewater rafting company, and is the third generation of his family to guide whitewater trips on the river.

That's exactly why I believe we need to protect the White Salmon River—to ensure that future generations of Zollers can take people down the river and future generations of Washingtonians have the same opportunities to enjoy its wild beauty, its opportunities for recreation, and its economic benefits.

Whitewater sports are booming and last year were the second-fastest growing sport in the country. Nearly a quarter of all Americans 16 and older participated in a paddling sport at least once, and almost ten million people went seven or more times.

Protecting the White Salmon River will help increase opportunities for other outdoor sports, too. This is an important sector of our state's economy. According to the Washington Department of Fish and Wildlife, fish and wildlife related recreation pumps nearly \$2.2 billion per year into our economy. And we rank first in the Northwest and eighth in the nation in spending by sport fishers.

Safeguarding the White Salmon through this designation will also be an important step toward restoring wildlife habitat. Once the Condit Dam is removed from the lower reach of the river in 2006, the White Salmon will again become a major salmon and steelhead spawning habitat.

As I'm sure you can attest, Mr. Chairman, getting bills through Congress can sometimes make rafting Class V rapids look easy. But thanks to the tireless efforts of local residents, ranchers, farmers, the timber industry, environmentalists, and county commissioners, I am proud to be able to confirm that this legislation has strong support from all the key stakeholders.

In fact, I'd like to submit for the record a letter of support I received from 102 local citizens, including 30 individuals representing businesses.* I'd like to read a quote from that letter which I believe sums up the importance of this legislation: "This is a magnificent gem of a river, with waters that plunge through rugged canyons and provide many benefits for small towns on the way—organic herb and dairy farms; river rafting; kayaking; bed and breakfast enterprises; tourism; hiking; fishing; camping; wildflower viewing; sales of gas and food. These are only a few of the businesses and recreational activities that provide livelihoods for residents of our rural region."

In addition, I would also like to submit for the record a letter from Gifford Pinchot Forest Supervisor Claire Lavendel that confirms the Upper White Salmon River is eligible for the National Wild and Scenic River System. To quote Ms. Lavendel "Thank you for allowing me the opportunity to speak to one of the true treasures of the Gifford Pinchot National Forest. The Upper White Salmon River and Cascade Creek as they flow through the Forest near Mt. Adams are beautiful and special places."

This broad range of support reflects that this is truly a win-win proposal for local interests.

Mr. Chairman, I look forward to working with you and our Senate Colleagues to ensure that the Upper White Salmon River gets the special recognition and protection it deserves.

Senator CANTWELL. And if I could also, Mr. Chairman, submit for the record a letter from the forest supervisor for the Gifford Pinchot Forest in support of S. 1614 and letters from various property owners, businesses, and residents from the area.

Senator CRAIG. Without objection.

Senator CANTWELL. Thank you, Mr. Chairman.

I have read some of the statement that Mr. Rey gave this morning, so I will just ask a question. Obviously in the history of the designation of the White Salmon as a Wild and Scenic area, there had been first an original designation and then the continuation study of whether various parts of the river should also be added to the original scenic designation. It is my understanding that the Forest Service then came back, completed that study, and recommended the addition of the upper third of the river. So I am reading your testimony as supporting S. 1614. Is that correct?

Mr. REY. That is correct.

*The letter can be found in the appendix.

Senator CANTWELL. And the rest of the study and analysis as to other parts of the river is inconclusive or——

Mr. REY. We actually, in July 1997, recommended the entire 38.4 mile length of the upper White Salmon to be added to the system. So our recommendation was a little more extensive than what is envisioned in the legislation, but the legislation does not preclude a subsequent designation. So we are fine to support the legislation as introduced.

Senator CANTWELL. Thank you, Mr. Chairman. That is all I have.

Senator CRAIG. Senator, thank you very much. We appreciate your attendance.

A couple of questions and I will submit more for the record, again specific to the northern California wilderness proposal. There are some new concepts in this that have not been embodied, to my knowledge, in past language for wilderness designation. S. 738 includes language to provide a 600-foot buffer strip to be managed around each parcel of private property within a wilderness proposal. I am going to follow that up with some questions about how we would propose to manage those strips because I am assuming concern about fuel loading and those kinds of things and how you will gain access to them. Is that a realistic proposal? I understand what our colleagues are attempting to do here and I appreciate that concern. I think the question remains, how do you do it? Is that a practical approach toward this kind of designation?

Also, we are going to hear testimony in a few moments from Mr. Amador in which he talks about ROS's, or the recreational opportunity spectrum, as it relates to how the Forest Service views it and I think that as it relates to wilderness recreational experiences, an individual must be at least 3 miles from the nearest road or trail where motorized vehicles are used. The ROS systems were developed by the Forest Service and used by your field folks. I am going to have some questions there that I wish you all would look at.

I do not mind new concepts entering wilderness proposals. I think if we march in lock step to a 1963 law and demonstrate no flexibility, where certain areas and certain resources deserve additional protection, they are going to get denied in the end, and I think certainly the Senators from California and the Congressman have attempted to demonstrate some flexibility here. So I will have a series of questions for us to look at before we make a final decision on the legislation, and that will be for both of you.

Thank you very much. I have no further questions of you and I appreciate your time and your testimony this afternoon.

Mr. REY. Thank you.

Mr. CALVERT. Thank you.

Senator CRAIG. Now we will ask our second panel to come forward: Art Pope, Don Amador, and the Honorable John Woolley. Art Pope is the executive director for the Northwest Youth Corps of Eugene, Oregon. The Honorable John Woolley is with the Humboldt County Board of Supervisors, District 3, Eureka, California, and Don Amador is the Western representative for the BlueRibbon Coalition of Oakley, California.

We do appreciate you gentlemen being with us today and traveling the distances you have and taking the time that you have on this issue. So, Art, we will start with you. Please pull the microphone as close as possible and proceed.

STATEMENT OF ART POPE, DIRECTOR, NORTHWEST YOUTH CORPS, EUGENE, OR

Mr. POPE. Thank you. Mr. Chairman and members of the committee, I am honored to be here today to testify in support of S. 2253, the Healthy Forest Youth Conservation Corps Act of 2004. I want to thank Senator Domenici and Senator Feinstein for their leadership. I also want to thank my home State Senators, Senator Wyden and Senator Smith.

As you noted, I am director of the Northwest Youth Corps, and though our offices are located in Eugene, Oregon, our youth corps works on projects throughout the State as well as in Washington, central Idaho, and northern California. I am also testifying on behalf of the National Association of Service and Conservation Corps, NASCC, which represents more than 100 corps programs and 23 corps members in 32 States and the District of Columbia. I have attached detailed descriptions of the Northwest Youth Corps and NASCC for the record.

As folks have noted earlier, there are a lot of fires burning in the Western States. As of July 8, five Western States—Alaska, Arizona, Colorado, New Mexico, and Washington—all reported large, active fires. As of that time, 40,470 fires had consumed 2.9 million acres since the start of the year. Right now large, highly active fires are burning in Alaska and California. And in the West, fire danger remains high and continued drought conditions are expected to extend the fire season again this year.

The National Fire News notes that once firefighters control a wildland fire, another group of quiet heroes move in to start the healing. After a fire, extensive work is often needed to control erosion and protect water quality. Land management professionals often turn to corps programs for the resources they need to start the stabilization and reforestation process.

For example, in 2003, corps members in our programs built or maintained 367 miles of trail, pruned 257 acres of conifers, completed fuel reduction work on 147 acres, removed noxious weeds from 1,000 acres, planted 8,230 trees and covered 45 acres collecting native seeds needed for habitat restoration work.

In 2001, the Southwest Youth Corps in Durango, Colorado thinned or cleared 175 acres, created defensible space around 20 structures, removed 33 truckloads of wood and created a series of fire breaks 1 to 4 miles long and 40 to 400 feet wide.

In 2003, the Youth Corps of Southern Arizona partnered with the Apache-Sitgreaves National Forest, the Coronado National Forest, and the Chiricahua National Monument to cut and pile excess fuels in order to reduce the potential for a catastrophic fire.

The nearly 90,000 alumni of the California Conservation Corps have dedicated more than 50 million hours to protecting and enhancing the environment and another 6 million hours to responding to emergencies like fires, floods, and earthquakes.

Corps programs offer Federal, State, and local land management agencies a flexible, experienced work force able to respond to emergencies and disasters on short notice. In 2001, 16 corps programs engaged more than 1,400 corps members who provided 500,000 hours of service on our national forests. During this period, the Forest Service invested \$4.2 million in these partnerships, while corps programs contributed an additional \$2.4 million in matching dollars.

Today's corps programs are direct descendants of the Civilian Conservation Corps of the Depression era. Like the legendary CCC, corps are a proven strategy for giving young people the chance to change their communities and their lives. Corps give young people the chance to step up a challenge, a chance to make a difference, and sometimes just a vitally needed second chance.

Working under the leadership of adults who serve as mentors and role models, corps participants discover pride in their abilities, learn the importance of team work, and experience the recognition that comes from making a positive investment in their communities.

Nationally approximately 60 percent corps members are young people of color, 50 percent without a high school diploma or GED, and 55 percent come from homes where the annual income is less than \$15,000.

S. 2253 provides the additional resources needed to prevent and fight forest fires, protect rural communities, and restore fire-damaged land. It will help corps programs to meet the needs of our youth and help today's young people become productive members of society.

Mr. Chairman and members of the committee, thank you for the opportunity to testify on this important piece of legislation.

[The prepared statement of Mr. Pope follows:]

PREPARED STATEMENT OF ART POPE, DIRECTOR, NORTHWEST YOUTH CORPS,
ON S. 2253

Mr. Chairman and members of the Subcommittee, I am honored to be here today to testify in support of S. 2253, the Healthy Forest Youth Conservation Corps Act of 2004. I want to thank Senator Domenici and Senator Feinstein for their leadership. I also want to acknowledge the leadership of Senators Wyden and Smith from my home state of Oregon.

I am the Director of the Northwest Youth Corps (NYC). The NYC is headquartered in Oregon but also does work in Idaho, Washington State, and California. I am also testifying on behalf of the National Association of Service and Conservation Corps (NASCC) which represents the corps movement in Washington and consists of more than 100 corps, enrolling 23,000 corpsmembers in 32 states and the District of Columbia. I have attached detailed descriptions of the NYC and NASCC for the record.

Based on our work in Oregon and reports from my colleagues around the country, I am convinced that corps have an important role to play in preventing forest fires and other natural disasters that endanger our forests, providing appropriate assistance to communities threatened by fires, and helping communities recover from the devastation caused by fires.

As of July 8, five states—Alaska, Arizona, Colorado, New Mexico, and Washington—were reporting large, active fires and almost 300 large fires had been contained since January 1, 2004. In addition to these large fires, the National Inter-agency Fire Center reported that there had been 40,470 fires consuming 2.9 million acres since the start of the year. According to press reports, the extreme drought is expected to extend the West's fire season and drier than normal logs and trees are expected to fuel further fires as the heat wave conditions continue.

According to the National Fire News “as firefighters control wildland fires, another group of quiet heroes move into the area to start the healing. After a wildland fire, the land may need stabilization to prevent loss of topsoil through erosion and prevent the movement of dirt into rivers and streams. Land management specialists and volunteers jump start the renewal of plant life through seeding and planting with annuals, trees, and native species that help retain soils and fight invasive weeds. It’s a long term process that comes alive as the wildland fires die down.”

This is exactly the kind of work at which corps excel. In fact, we are already doing this work. Legislation such as S. 2253 will provide the federal government with the resources necessary to continue to utilize corps and cost-effectively fight wildfires. At the same time, this bill targets disadvantaged youth and encourages them to help themselves by helping their communities. For example:

In 2003, NYC Corpsmembers built or maintained 367 miles of trail, pruned 257 acres of conifers, performed fuel reduction on 147 acres, removed noxious weeds from 1,000 acres, planted 8,230 trees, and collected seeds on 45 acres.

Between April and October, 2001 the Southwest Youth Corps in Durango, Colorado thinned or cleared 175.5 acres, created defensible space around 20 structures, removed 33 truckloads of wood, and created a series of fire breaks that extended between one and four miles and were between 40 and 400 feet wide.

In the past year the Utah Conservation Corps did thinning in a wildland fire-urban interface zone outside of Park City that was a partnership between a homeowner’s association and Utah Department of Forestry. In the past, it has carried out “soil stabilization” projects in the Bridger-Teton National Forest that included the rehabilitation and re-routing of trail in burn areas and building drainage structures.

In 2003, the Youth Corps of Southern Arizona have partnered with Apache-Sitgreaves National Forest, the Coronado National Forest, and Chiricahua National Monument. Corpsmembers cut and piled excess fuels in preparation for a burn as part of a hazardous fuel reduction project. They also thinned and removed trees for habitat improvement on the Apache-Sitgreaves. The YCOSA worked with Ramsay Canyon, a facility of The Nature Conservancy in southern Arizona to remove hazardous, flammable material from buildings. Work to create defensible space was conducted several weeks prior to a fire and the Corps has received credit for saving the buildings. In the past, three camp crews were sent to fires on BLM and USFS areas (once in Wyoming and twice in Arizona).

The Coconino Rural Environment Corps located in Flagstaff, Arizona thins hundreds of acres of federal, state, county, city, and private lands every year. The Corps has created multiple partnerships in local communities to mitigate the hazards of catastrophic wild fires. Summit Fire Fuels Reduction Partnership has thinned land around more than 30 homes in its local community. The Partnership also provided the local Native American Reservations with more than 400 cords of fire wood. Partnering with County and City Waste Management the partnership found a way to transport fire wood to community members in need with little to no cost to the project. The partnerships have also increased community awareness to the dangers of wildfire and the risks that may be associated with living in one of the most fire prone forests in the world, thus creating a more fire wise community.

The CREC thins more than 500 acres a year and returns more than 4000 acres to native grasslands. Forest restoration has also been a large portion of the forestry work CREC has done over the last several years.

The Western Colorado Conservation Corps (WCCC) has done access and egress in urban interface in the Black Canyon of the Gunnison National Park housing area to insure safe passage for emergency response workers. Corpsmembers have been trained in fireescaping around new suburban neighborhoods as cities spread into rural areas to provide both visually aesthetic and fire resistant landscape around structures of value and along the avenues of emergency response. In 2003, The Minnesota Conservation Corps responded to 45 wildfires that totaled 30,656 acres. It completed 920 home and property assessments (fire wise) relating to wildfire danger and defensible space and made recommendations to the home owners on how to make their property safer in the event of a wildfire.

Corpsmembers also provided about 8,720 hours in indirect fire suppression activities including 5 miles of fire break construction, 400 acres of timber stand improvement, and 5,560 acres of prescribed burns.

In any given year MCC plants 150,000 plus trees in areas that may or may not have been impacted by previous fires. MCC also completes 150 Forest Inventory Analysis (FIA) plots each year for the Minnesota Department of natural resources Division of Forestry. These plots are then used in a variety of Forestry models including a wildfire model.

The California Conservation Corps (CCC) is the nation’s oldest, largest and longest-running youth conservation corps. Nearly 90,000 young men and women have

worked more than 50 million hours to protect and enhance California's environment and communities and have provided six million hours of assistance with emergencies like fires, floods and earthquakes.

This June the CCC laid plastic and sandbags on Delta levees to prevent flooding; fought fires in Santa Barbara and Madera counties and surveyed for the glassy-winged sharpshooter (a major agricultural pest that cause Pierce's disease in grapevines and other diseases in other plants and has caused the loss of millions of dollars to wine grape growers) in Solano County. At the request of the San Joaquin County Office of Emergency Services and the state Department of Water Resources, 200 corpsmembers and staff were dispatched. The 15 crews placed heavy plastic sheeting and sandbags to protect 13.5 miles of interior levees not designed to hold flood waters. Corps headquarters or satellites sending crews included Chico, Delta, Fresno, Los Angeles, Monterey Bay, Norwalk, Placer, Pomona, Redding, San Luis Obispo, Siskiyou and Tahoe.

At the same time the CCC responded to the Delta levees, three crews were dispatched to the Gaviota Fire in Santa Barbara County. Corpsmembers from the Los Padres and Pomona centers assisted the California Department of Forestry and Fire Protection with logistical support.

As crews finished up with the Gaviota Fire this month, the CCC was called upon to respond to the Source Fire in the Sierra National Forest, under the direction of the U.S. Forest Service. Fresno and Pomona corpsmembers provided assistance at the fire camp. As I have indicated, corps have experience working with federal, state, and local land management agencies. In 2001, 16 NASCC Corps engaged more than 1,400 corpsmembers in projects in national forests and corpsmembers provided more than 500,000 hours of service. Indeed, the Forest Service invested \$4.2 million in partnerships with Corps and leveraged an additional \$2.4 million in match.

Corps do fee-for-service work and meet the test of the marketplace everyday. If we don't meet or exceed expectations our partners go elsewhere. Enactment of S. 2253 and corresponding funding will enable us to do more.

Corps are the direct descendents of the Civilian Conservation Corps (CCC) of the Depression era. Like the legendary CCC, today's Corps are a proven strategy for giving young men and women the chance to change their communities, themselves, and their families. By providing opportunity to young people who need a second chance, corps turn potential problems into valuable resources.

Approximately 60% of NASCC corpsmembers are young people of color, 50% enroll without a high school diploma or GED and 55% come from homes where the annual income is less than \$15,000. A rigorous, random assignment evaluation conducted by Abt Associates/Brandeis University reports positive outcomes for young people who join a corps. The Abt Associates/Brandeis University study also found that:

- significant employment and earnings gains accrue to young people who join a corps;
- arrest rates drop by one third among all corpsmembers;
- out-of-wedlock pregnancy rates drop among female corpsmembers; and
- corps generate \$1.60 in immediate benefits for every dollar invested.

Corps engage primarily young people ages 16-25 in service, training and educational activities. The corps model places young people under the leadership of adult leaders who serve as mentors and role models.

In return for their efforts to restore and strengthen communities, corpsmembers receive: 1) a stipend; 2) classroom education to improve basic competencies and secure credentials; 3) technical skills training; 4) supportive services; and 5) a post-service educational award. Young men and women learn to value their personal contribution, learn the importance of teamwork and experience the recognition that comes from making a positive investment in their community.

Corps are established pathways to re-integrate vulnerable young people into society. The supportive environment, the power of providing service to their own neighborhoods and the value of paid work to self-esteem combine to strengthen the ties between a young person and his or her community.

S. 2253 provides needed additional resources to meet the challenges posed by forest fires. Funding corps to thin forests generate community volunteers, and restore land after a fire occurs is a cost-effective way to reduce the danger of fires and their aftermath.

Mr. Chairman, thank you again for the opportunity to testify on this important piece of legislation.

Senator CRAIG. Art, thank you for that testimony. Those are valuable and important figures that we add to the record.

Now we turn to the Humboldt County Board of Supervisors, John Woolley. John, welcome before the committee.

**STATEMENT OF JOHN WOOLLEY, SUPERVISOR,
HUMBOLDT COUNTY, CA**

Mr. WOOLLEY. Thank you, Mr. Chairman. It is my pleasure to be here today. I am a Humboldt County Third District Supervisor, and I want to thank you for the opportunity for this hearing and to testify on behalf of the Northern California Coastal Wild Heritage Wilderness Act.

I would also like to recognize colleagues of mine behind me who are here today to help support the bill for California's First Congressional District. We have Mike Rippey, Napa County Supervisor; Peter Windrom, a horseman and hunter from Lake County; and Karen Oslund, the mayor of the town of Willits which is in Mendocino County, the county just south of mine.

Senator CRAIG. Welcome to the committee, folks. We appreciate you attending today. Thank you.

Mr. WOOLLEY. I want to thank our representatives starting, of course, with Congressman Mike Thompson, and then of course, our Senators Feinstein and Boxer. It is truly great to see their hard work on this bill and I will be speaking to that in my testimony.

So all of us are here to lend our support on this bill because of its benefits to what we believe is our quality of life throughout the congressional district. We believe this bill will protect our spectacular scenery and unmatched outdoor recreation opportunities. It protects our clean air and water and passes our natural heritage on unspoiled for future generations to enjoy. At the same time, it ensures continued motorized access by not closing any areas legally and physically open to standard passenger vehicles. We believe it can help increase tourism to the region while benefiting rare wildlife and plant communities, and last, greatly protect our 300 miles of important fish habitat. The bill provides local government with a critical piece of the puzzle for saving our imperiled salmon.

I should say as a sidebar, I am part of the five-county team that works on salmon restoration efforts and we believe what you have identified here are the headwaters areas that will really help with our salmon efforts.

The great degree of local support for S. 738 is largely due to the extraordinarily inclusive process through which Senators Boxer and Feinstein and Representative Thompson crafted in their legislation. We witnessed their development of this bill from the ground up. During the 4 years they spent listening to local citizens and elected officials throughout the First Congressional District, they sought out and received input from a wide range of local stakeholders. As a result, the bill is now a mosaic of fine-tuned adjustments designed to address these local concerns. These stakeholders include equestrians, local fire officials, Native Americans, mining interests, the timber industry, anglers, hunters, ranchers, private landowners, local mountain bikers, and many others, including our elected officials.

So we are pleased with the discussion around what has happened so far.

We are very grateful of your attention to the fire issue because we too suffer, as you know, with the fire threats up there. In fact, we have been using fire planning funds to help address the very important issues around the Orleans communities, as was mentioned by Senator Feinstein.

The owners of the Short Ranch supported the bill after a boundary line was adjusted behind a fork of Boise Creek near their land. Another example with adjustments was when the BLM shared their fire management strategy in the King Range, the proposal boundaries were adjusted to accommodate their plans. Down in Lake County, when the Clear Lake Horsemen's Association was concerned about continuing to be able to cut firewood in a particular area, the wilderness boundaries were adjusted to meet their needs, and there are many more examples of this that brought about the changes such that from the original plan 21,000 acres were then dropped.

So this is the true level of cooperation and—I cannot emphasize this more—an attentiveness to local interests that county supervisors like Mike Rippey and myself truly appreciate from the Federal Government. I should say that we have, as has probably been mentioned, a list of hundreds of local folks throughout a whole community that both want wilderness protection but also the access that it provides. I think this bill really clearly demonstrates the flexibility that you spoke to earlier that is needed.

So aside from this inclusive process undertaken in crafting it, this bill is truly a gift to our region. We want to be able to make sure that we help support the tourism that continues we believe these designations will. These benefits have drawn the support of a broad and diverse range of citizens in the First Congressional District. I will support with my written testimony, if I could, this list of over local supporters of the bill, including many letters from individuals throughout the First District.

We thank you very much for your attention on this matter. I will be glad to answer any questions you may have.

[The prepared statement of Mr. Woolley follows:]

PREPARED STATEMENT OF JOHN WOOLLEY, SUPERVISOR, HUMBOLDT COUNTY, CA,
ON S. 738

Good afternoon, Mr. Chairman and members of the Committee. Thank you for this opportunity to testify on behalf of the Northern California Coastal Wild Heritage Wilderness Act.

My name is John Woolley. I'm a supervisor representing the people of northwestern Humboldt County.

I would like to also recognize some other visitors from California's First Congressional District who are here today. We have Mike Rippey, Napa County Supervisor, Peter Windrom, a horseman and Hunter from Lake County, and Karen Oslund, the Mayor of the town of Willits in Mendocino County.

We are here to lend our support to this bill because of its benefits to our quality of life in the North Coast.

It will protect our spectacular scenery and our unmatched outdoor recreation opportunities. It protects our clean air and water and passes our natural heritage on unspoiled for future generations to enjoy. It ensures continued motorized access by not closing any areas legally and physically open to standard passenger vehicles. It can help increase tourism to the region while benefiting rare wildlife and plant communities. Lastly, by protecting over 300 miles of important fish habitat, the bill provides local government with a critical piece of the puzzle for saving our imperiled salmon.

But these benefits only partly explain the popularity of this bill. The great degree of local support for S. 738 is largely due to the extraordinarily inclusive process through which Senators Boxer and Feinstein and Representative Thompson crafted their legislation. They painstakingly built the bill from the ground up. During the four years that they spent listening to local citizens and elected officials throughout the First Congressional District, they sought out and received input from a wide range of local stakeholders. As a result, the bill is now a mosaic of fine-tuned adjustments designed to address these local concerns. These stakeholders included equestrians, local fire officials, Native Americans, mining interests, the timber industry, anglers, hunters, ranchers, elected officials, private land owners, local mountain bikers, and many others.

For example, in my home of Humboldt County, when fire officials in Orleans expressed concerns about the proposed boundaries, the bill's sponsors removed the portion closest to the town. The owners of the Short Ranch supported the bill after a boundary line was set back behind a fork of Boise Creek near their land. When the BLM shared their fire management strategy in the King Range, the wilderness proposal boundaries were adjusted to accommodate their plans. Down in Lake County, when the Clear Lake Horsemen's Association was concerned about continuing to be able to cut firewood in a particular area, the wilderness boundaries were adjusted to meet their needs.

In all, 18 major adjustments and literally dozens of minor ones were made to the wilderness proposals as a result of these collaborative discussions. These efforts resulted in dropping nearly 21,000 acres from the original plan.

This is the level of cooperation and attentiveness to local interests that County Supervisors like myself truly appreciate from the federal government.

But of course; aside from the process undertaken in crafting it, this bill is truly a gift to our region. The scenic federal lands that this bill would protect are essential to our quality of life in Humboldt County. Tourism is a growing part of our economy along with timber, fishing, retail, and government. The areas proposed for protection are considered poor candidates for logging but are well suited to draw visitors in off the highway to come and hike, raft or kayak, hunt, fish, birdwatch, or just see our beautiful wildflowers in spring. They will eat at our restaurants and shop at our stores, and perhaps some of them will decide to make their home on the North Coast. While of course Wilderness is not the entire answer to our region's economic problems, it could make an important contribution.

These benefits have drawn the support of a broad and diverse range of citizens in the 1st Congressional district. I will submit as part of my written testimony this list of over 200 local supporters of the bill and this set of nearly 100 individual endorsement letters from elected officials, tribes, religious groups, inholders, citizen organizations and small businesses including ranch and mill owners.

We hope you will join with Senator Boxer and Senator Feinstein in supporting the Northern California Coastal Wild Heritage Wilderness Act.

Thank you for this opportunity to speak here today.

Senator CRAIG. Supervisor Woolley, thank you very much for that testimony.

Now let me turn to Don Amador, Western representative of BlueRibbon Coalition from Oakley, California. Don, it is pleasing to have you before the committee. I have had a great working relationship with BlueRibbon Coalition and I appreciate your advocacy for off-road vehicle use, responsible off-road vehicle use and recreational values. Thank you and please proceed.

**STATEMENT OF DON AMADOR, WESTERN REPRESENTATIVE,
BLUERIBBON COALITION, INC., OAKLEY, CA**

Mr. AMADOR. Mr. Chairman Craig, I appreciate being asked to testify on S. 738. My name is Don Amador. I am the Western representative for the BlueRibbon Coalition. I am also a native of Humboldt County and grew up there hunting and fishing and otherwise enjoying the use of public lands in that area.

BRC supports the intent of the original Wilderness Act of 1964 as quoted on Senator Barbara Boxer's web site, and in quotes, "an area where the earth and its community of life are untrammelled

by man, where man himself is a visitor who does not remain, an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.”

Mr. Chairman, we all remember the land use battle surrounding the wilderness designations in the mid-1980's. Many of us felt the strict 1964 Wilderness Act guidelines were bent or manipulated by wilderness advocates for political reasons. As you know, many of those lands contained historic mechanized roads and trails that were used by multiple use recreation and resource interests.

Today it appears that those same wilderness advocates are not just bending the rules, but throwing them out the window. Mr. Chairman, at the core of this issue, as you pointed out earlier, is roads and access. This bill's advocates have said that no current legal roads will be closed if the wilderness act is approved. However, BRC has found that many maintained public roads will be closed to motorized and mechanized uses, including portions of the Smith-Etter Road that go out to the Kinsey and Spanish Ridge trail heads in the King Range. BRC's review of on-line maps available to the public of these proposed wilderness areas found they used general purpose, low detail forest maps instead of the more accurate 7½ minute topo's. As you may know, general forest maps only contain about 50 to 80 percent of the legal and maintained road network.

Mr. Chairman, many legal and maintained logging spur roads are penned out in this proposal. As you know, these roads are important dispersed recreation sites or hunter camps used by outdoorsmen. Many of these would be closed to RV's and SUV's and these rigs would be forced to park along very narrow Forest Service roads creating both traffic problems, potential for theft, and visual impacts.

Another issue is that much of the promised hunting and outdoor access in S. 738 for motorized users is based on the cherry stem concept. While this idea sounds reasonable, it often fails to live up to its access promise. It must be remembered that motorized and mechanized use via the cherry stem concept is only an allowed use and not a prescribed use. Several Forest Service resource specialists have told me privately that cherry stem routes will not work long-term because it causes management problems or conflicts for the agency.

BRC believes this legislation is purposely deviating from the original intent of the Wilderness Act of 1964 by lowering the standards for Federally designated wilderness so that non-wilderness lands can be withdrawn from certain public use and management prescriptions.

BRC's review of this legislation shows that this 21st century modern type of wilderness can include radio and cell phone towers. It can include electrical transmission lines. It can border a county landfill site with views of people dumping their garbage from a proposed wilderness trail head. And as you pointed out before, it can contain well-maintained roads with culverts. And you may even find private inholders blocking access to public land with no tres-

passing signs such as greeted me on a recent attempt to survey the Elkhorn Wilderness addition.

Mr. Chairman, BRC feels that S. 738 fails to live up to its promise for access, recreation, and resource protection. At a time when the public is demanding more managed recreational use of Federal lands, BRC feels that Congress should work to provide more vehicle and mechanized opportunities and the resources to better care for our timber stands and grasslands. Should Congress feel that any part of S. 738 needs additional protection, BRC strongly suggests that it consider our back country designation.

Last, BRC and AMA did meet with Senator Boxer's senior staff in 2000, offering to look at lands that truly met the wilderness criteria. We just feel that this new modern type of wilderness where you are hiking and you maybe pass by a lineman driving a Dodge power wagon just does not fit the wilderness criteria.

I will be glad to answer any questions.

[The prepared statement of Mr. Amador follows:]

PREPARED STATEMENT OF DON AMADOR, WESTERN REPRESENTATIVE,
BLUERIBBON COALITION, INC., ON S. 738

Mr. Chairman and honorable committee members, I am Don Amador, the Western Representative for the BlueRibbon Coalition (BRC), based in Pocatello, Idaho. The BlueRibbon Coalition is a national recreation group that champions responsible use of public and private lands, and encourages individual environmental stewardship. It represents over 10,000 individual members and 1,100 organization and business members, for a combined total of over 600,000 recreationists nationwide. I am a native of Humboldt County and grew up in the Eureka area hunting, fishing in the ocean and streams, hiking in state parks, and riding my off-highway vehicle on public lands. In fact, the black bear I bagged in the late 1970s was the first bear taken off of Underwood Mountain (a proposed Wilderness area) according to the USDA Forest Service (FS) officer who validated my tag.

Between 1994-2000, I was a commissioner and chairman for the Off-Highway Motor Vehicle Recreation (OHMVR) Commission at California State Parks. I currently serve on the OHMVR community stakeholders group. I helped develop the current Memorandum of Understanding between BRC and the Washington Office of the USDA Forest Service. Recently on behalf of BRC, I partnered with the Mendocino National Forest on a joint grant request to Tread Lightly! and their HUMMER HELPS program to fund the restoration of the North Fork Campground that was destroyed in the 2002 Trough Fire. I have been invited to speak on public land access issues by the Society of Environmental Journalists, Outdoor Writers Association of America, and the Western Outdoor Writers.

BRC members work hard to promote a responsible land-use ethic and donate literally thousands of hours to maintain our existing trail and recreational facilities on lands managed by the FS and Bureau of Land Management (BLM). BRC also supports the intent of the original Wilderness Act of 1964 as, "*an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain . . . an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions . . .*"

In general, the public supports protection of these lands. The primary argument is not a conflict between protection and exploitation but a disagreement on the specific actions that are necessary to provide appropriate protection to these areas. In 1972, the Forest Service began the first review of FS Roadless Areas. This study was known as the Roadless Area Review and Evaluation (RARE) process. The intent within the agency, at that time, was to identify areas that met the criteria and then make a determination of which areas qualified for inclusion in the Wilderness Preservation System. One of the criteria in this 1972 process, for inclusion of an area in the roadless inventory, was that primitive roads would be ignored unless they were constructed or maintained with mechanical equipment.

Disagreements over what areas were suitable for Wilderness created significant controversy. In an attempt to reduce the controversy and conflict, the FS undertook a second review (RARE II). This second review resulted in the 58.5 million acres in the current inventory. As part of this review, the FS again made Wilderness suit-

ability determinations. In the several decades since this last review, Congress has designated some of the areas as Wilderness and not acted on some others. Instead of reducing the controversy surrounding Wilderness recommendations, this second review only served to expand the area under disagreement. Wilderness advocates, using the perception that all of these areas—and some BLM properties—are pristine have now pushed forward with their efforts to include all areas as designated Wilderness.

BRC appreciates that Senator Barbara Boxer and Congressman Mike Thompson want to protect our natural resources and provide for a variety of recreational activities. However, BRC has reviewed this proposal and finds that it has many programmatic and technical deficiencies that could result in the loss of those values that we all seek to enjoy.

Even though Thompson legislative aide Jonathan Birdsong stated (Press Democrat, April 1, 2003), “. . . no current legal roads—for example some of those in the King Range—will be closed if the wilderness act is approved.”—BRC finds that according to proposed Wilderness maps available on Senator Boxer’s website many existing roads including about 12 miles of local roads including the Smith-Etter Road in the proposed King Range Wilderness Area will be closed to the general public or mountain bikers traveling to interior staging areas. Many other legal and existing motorized roads used by hunters and other dispersed recreation interests will be closed as well.

BRC is concerned that road closures in S. 738 closely mirror other roads that are being closed elsewhere in the state by this legislation’s parent bill, S. 1555—The California Wild Heritage Act of 2003. While this bill’s supporters make similar claims that no roads are being closed, BRC found that many recreational access roads including 9N10, 10N14, and 10N14B would be closed in the new Caples Creek Wilderness Area.

Rather than this being a so-called citizen’s Wilderness proposal, the advocates for this legislation simply appear to have used a marking pen and traced many of their proposed Wilderness areas from the Forest Service’s March 2, 2000 *Map of Inventoried Roadless Areas on National Forest System Lands*. BRC’s review of online maps available to the public of these proposed Wilderness areas found they used general purpose low detail Forest Maps instead of the more accurate 7.5 Minute Series Topographic Maps. As you may know, general Forest Maps only show 50-80 percent of their legal and maintained road network.

Often because of large scale maps, the marking pen (representing up to ¼ mile in width) obliterates adjacent or boundary roads and makes it unclear if S. 738 intends to close the road or leave it open. Also, many legal and maintained “logging spur” roads that are usually between 100 yards to ¼ mile in length are “penned out.” These roads are important dispersed recreation sites or “hunter camps” used by outdoorsmen. Many of these would be closed to RVs and SUVs and these rigs would be forced to park along very narrow FS roads creating both traffic flow problems, potential for theft, and visual impacts.

Much of the hunting and outdoor access for motorized users is based on the “cherry stem” concept. While this idea sounds reasonable, it often fails to live up to its access promise. It must be remembered that motorized/mechanized use via the cherry-stemmed concept is only an “allowed” use, not a prescribed use. The Gasquet-Orleans road in the Six Rivers National Forest was originally cherry-stemmed in the California Wilderness Act of 1984, yet in the early 90s it was closed to motorized and off-highway vehicle (OHV) access because that use was not compatible with “Wilderness values.” Four-wheel drive use on the BLM’s Black Sands Beach in Northern California was recently banned because the agency said, “OHV use [i.e. motorized] is not compatible with Wilderness values.”

The passage of the California Desert Protection Act had as one of its “access foundations” the cherry-stemmed route to get buy-off from access groups and multiple-use legislators. Yet, when the final version of the bill was released or went into conference committee, many of those routes were erased from the legislation.

Even the Glamis Sand Dunes in Imperial County was a “cherry-stemmed” recreation area that the OHV community was promised as a bone, yet today the very groups that pushed the original Act have targeted that area for closure as well.

Because S. 738 uses many existing and legally maintained OHV and mechanized roads as new Wilderness “boundary markers,” it has created a new and somewhat problematic management dilemma for the FS and BLM. These roads could be called “quasi-cherry stems” and appear to be in conflict with the “3-mile” setback rule. According to the Recreation Opportunity Spectrum (ROS), in order to have a wilderness recreation experience, an individual must be at least 3 miles from the nearest road or trail where motorized vehicles are in use.

A Forest Service resource specialist once told me that another reason the cherry-stemmed route does not work long-term is because it causes “management problems or conflicts” for the agency. Again this dilemma for the agency derives from the fact that cherry-stemmed or quasi-cherry-stemmed OHV and mountain-bike (MTB) use is only an allowed activity that does not mesh well with the very strict management or non-management directives for federally designated Wilderness.

BRC believes this legislation is intentionally deviating from the original intent of the Wilderness Act of 1964 and the ROS 3-mile setback rule by “lowering the standards” for federally designated Wilderness so that non-Wilderness lands can be withdrawn from certain public uses and management prescriptions. BRC’s review of this legislation shows that this 21st Century “modern-type of Wilderness” can include radio and cell phone towers, electrical transmission lines, bordering a county landfill site with views of people dumping their garbage from the proposed Wilderness trail-head, and well maintained roads with culverts. According to apparent promises made to local water districts, utilities, and forest health interests a hiker in this modern Wilderness can expect to see garbage trucks emptying their loads, loggers running chainsaws to address overgrown habitats, bulldozers maintaining existing roads or building a fire line, backhoe operators repairing a culvert so radio technicians can reach a tower, and linemen or linewomen in Dodge Powerwagons, Jeeps, or all-terrain vehicles (ATVs) traveling on roads and trails to repair telephone poles or transformers. You may even find private inholders blocking access to public lands with NO TRESSPASSING signs.

Using the available proposed Wilderness maps posted on Senator Boxer’s website and based on my recent tour of some of the proposed Wilderness areas, I will endeavor to accurately portray what BRC believes the effect will be to the recreation community if the legislation is passed.

Snow Mountain Wilderness Additions—This 20,960 acre proposal would increase the size of the existing Snow Mountain Wilderness by approximately 60%. The affected National Forest System lands surrounding the current Snow Mountain Wilderness Area are important recreation lands used by MTBs, OHVs, hunters, fishermen, equestrians, houndsmen, and people driving for pleasure. It contains or is adjacent to many dispersed and developed recreation site. The proposal would close a number of mountain bike trails and apparently some legal motorized routes that do not show up on the low detail general forest maps used by the advocates for this legislation. As stated before, the sometimes indiscriminate use of a black marker pen on these large scale maps appear to effect a number of routes currently open to legal motorized access interests. The routes closed to mountain bikes include the Cold Creek Trail, Marble Cabin Trail, Bloody Rock Trail, and 9W45. Existing and legal forest roads that are cherry-stemmed or quasi-cherry-stemmed include, but are not limited to; M3, M6, M10, 17N02, 17N29, 17N33, 17N87, 18N02, 18N04, and 19N12. Also at risk of closure to motorized access are many dispersed hunter campsites that exist at the end of short logging spur roads. Since this area is at risk for catastrophic wildfire, BRC feels this Wilderness addition would complicate efforts to manage federal lands for forest health and fire protection and would place the local community including the nearby Fouts Springs Youth Facility in serious jeopardy. BRC does not believe this area qualifies for federal Wilderness under the guidelines of the Wilderness Act of 1964.

Sanhedrin Mountain Wilderness Addition—This 10,160 acre proposal appears to close a number of OHV and mountain bike opportunities. These include, but are not limited to, road near Pen Creek, and road south of L. Signal Peak. 9N16 appears to be cherry-stemmed or quasi-cherry-stemmed on the proposed Wilderness map. A Wilderness designation would impact the agency’s ability to actively manage the area for wildfire. BRC believes this area does not qualify for federal Wilderness.

Yuki Wilderness Addition—This 51,790 acre proposal appears to close a number of existing and legal OHV and mountain bike routes. These include, but are not limited to, 10W27, 10W32, 21N19, 4 unnamed roads/trails in the NW section, and a 4WD trail near Thatcher Creek. Roads that are cherry-stemmed or quasi-cherry-stemmed include, but are not limited to, M1, 20N14, 21N08, 21N11, and 21N18. Too many existing recreation facilities would be closed or otherwise impacted by this proposal. It would also functionally limit the agency’s ability to actively manage said lands for forest health and wildfire protection.

Yolla Bolly-Middle Eel Wilderness Additions—This proposal would add 26,760 acres to the existing 153,841 acre Yolla Bolly-Middle Eel Wilderness area. These additions would close all or portions of many existing and legal mountain bike trails and/or motorized routes. These impacts include, but are not limited to, 10W12, 10W13, 10W36, 10W47, National Recreational Trail, 24N21, and the Leech Lake Mountain Road. The routes that are cherry-stemmed or quasi-cherry-stemmed include, but are not limited to, M1, M2, M21, 9W36, 23N34, 24N21, 25N11, 25N16E,

25N18, 25N34, 28N23, Forest Road 35, and Forest Road 45. This proposal would negatively impact existing multiple-use recreation facilities that compliment the existing Wilderness area. BRC believes this plan would affect the agency's ability to actively manage the area for forest health and fire prevention.

Mad River Buttes Wilderness Addition—This 5,740 acre proposal would close one of the only legal semi-primitive OHV trails in the Six Rivers National Forest. 4E26 is also known as the Bug Creek Trail and is one of my personal favorites on the Six Rivers National Forest. It is being successfully managed for both OHVs and mountain bikes under existing statutes, codes, and regulations including direction from the 1995 Six Rivers National Forest Land and Resource Management Plan. Roads cherry-stemmed or quasi-cherry-stemmed include, but are not limited to, Route 1, 3N05, and 4N38. BRC does not believe it is in the public's best interest for Congress to withdraw this area from multiple-use recreation and resource management. BRC does not believe this area qualifies for federal Wilderness.

Siskiyou Wilderness Area Additions—This proposal consists of 33,750 acres in Del Norte County and 8,440 acres in Humboldt County. The access disaster story of the Gasquet-Orleans Road (G-O Road) is one of the best examples of why cherry-stemmed roads can be eventually closed. The G-O road was cherry-stemmed in the California Wilderness Act of 1984 because it provided an important access route for trade, commerce, and Forest Service administrative activities between the coast and the inland valleys. However, because cherry-stemmed routes often cause management problems or impact "Wilderness values" this road was closed to motorized and mechanized use in the early 1990s despite promises—similar to the buffer exclusion clauses in this bill—in the 1984 Act. The segments of the following mountain bike trails that appear to be impacted include, but are not limited to, 3E01, 4E09, 5E06, S. Kelsey Trail, and the trail near Norcross Campground. Short logging spur roads may be impacted by this bill as well. Roads cherry-stemmed or quasi-cherry-stemmed include, but are not limited to, G-O Road, 12N11, 13N01, 13N02, 13N34, 13N44, 13N44D, 14N01, 14N02, 14N06, 14N39, 15N01, 15N17, 15N17Y, 15N19, 15N27, 15N34, 15N35, 15N36, 16N02, 16N28, 17N11, 17N32, and 18N07. BRC believes these additions do not meet the guidelines for federal Wilderness.

Mount Lassic Wilderness Addition—This proposal would add an additional 7,100 acres of Wilderness to the Six Rivers National Forest. This area already has special protection afforded it by virtue of its designation as a botanical area. BRC is concerned that an important segment of 1S07 also known as the California Backcountry Motorized Trail will be quasi-cherry-stemmed and placed at risk for future closure. 2S08C appears to be quasi-cherry-stemmed as well. Several hunting spur roads also appear to be at risk for closure. BRC feels this area should remain in its current status as a botanical area.

Trinity Alps Wilderness Additions—This proposal would add an additional 26,510 acres of Wilderness to the Six Rivers National Forest. It appears this plan would close segments of the following mountain bike opportunities, Horse Ridge Trail, 6E14, 6E15, 6E18, and 6E31 in the Six Rivers National Forest or adjacent Forests. Numerous legal logging spur roads would be closed to motorized hunting access. The cherry-stemmed or quasi-cherry-stemmed routes include, but are not limited to, 5N04, 5N05, 5N15, 5N18, 5N33, 7N09, 7N15, 7N26, 7N53, 9N03, 9N26, 9N31, 10N01, 10N02, 10N01C, 10N03, 10N03B, and the Lubbs Trail. BRC feels the areas proposed are in conflict with the original intent of the Wilderness Act of 1964.

Underwood Wilderness Addition—This proposal would add an additional 3,500 acres to the Wilderness System. I recently toured this area with Scott Sinclair, a former OHV recreation manager for the Six Rivers National Forest. BRC found numerous spur roads that would be closed as well as 5N27D. An important mountain bike trail—5E23—would be closed to cyclists. We also found a number of ongoing forest health projects including the construction of "truck roads" to address active timber and wildfire management in the "Wilderness" portion of this proposal. Roads cherry-stemmed or quasi-cherry-stemmed includes, but are not limited to, 4N09, 4N29, 4N34, 5N08, 5N27, and 5N40. Too many important hunting and dispersed recreational opportunities would be closed by this plan. Also, much needed and apparently ongoing active management programs would be halted. BRC believes this unit should remain open for responsible multiple-use activities.

Cache Creek Wilderness Area—This proposal would add an additional 38,960 acres of Wilderness to the Ukiah Field Office of the BLM. This area is constantly at risk for catastrophic wildfire. It is close to the San Francisco Bay area and is used by mountain bikers, equestrians, hikers, and outdoorsmen. Numerous MTB trails would be closed by this plan. They include the Judge Davis Trail, Redbud Trail, and the Perkins Creek Trail.

Also, the western boundary is adjacent to the county landfill. This proposal would install a Wilderness trailhead that overlooks people dumping garbage at the county

site. Also, this area contains a vast network of private and government roads that should disqualify it from Wilderness designation. A Wilderness designation would prohibit the active fire management that this unit so desperately needs. Its close proximity to the residents of the Clear Lake area is another strike against this proposal. BRC suggests Congress leave this unit in its current status.

Blue Ridge Wilderness Area—This proposal would add 760 acres to the Ukiah Field Office of the BLM. This area contains at least one mountain bike trail. It is also too small to be considered for Wilderness and should remain in its current land management status.

Cedar Roughs Proposed Wilderness Area—This proposal would add 5,880 acres to the Ukiah Field Office of the BLM. This plan would remove the agency's option for active management to reduce the prospect of a catastrophic wildfire and its potential impacts to adjacent landowners in the Lake Berryessa area. This unit is also in relatively close proximity to the Los Posadas State Forest and Pacific Union College.

King Range Wilderness Area—This proposal would add 41,614 acres to the Arcata Field Office of the BLM. Contrary to statement made by Congressman Thompson's staff, this proposal as mapped on Senator Boxer's website would close significant portions of the Smith-Etter Road and other access roads to various trail heads on the front range. It would also close over 20 miles of the Lost Coast Trail to mountain bikes. Other mountain bike trails would be closed as well. A recent fire in the King Range illustrated that this unit requires more active resource management, not less. The 1865 Official Township Map of Humboldt County shows that the Lost Coast Trail was indeed an important north-south coastal "highway" at the time because of steep inland terrain. BRC has long contended that the BLM is already managing this area as de facto Wilderness based on the agency's ongoing road and trail closure program. Designating this area as federal Wilderness would be redundant and is unnecessary because it is already a National Conservation Area. It would also prohibit the active fire management prescriptions that are needed to protect private inholding within and adjacent to the King Range.

South Fork Eel Wilderness Area—These additions would add 14,000 acres to the Arcata Field Office of the BLM. Rather than designating these areas as Wilderness, Congress should look at the lack of public access to these federal lands. In fact, as I was preparing to do a field review of the Elkhorn segment of the proposal, I was rudely greeted with a NO TRESSPASSING sign placed near the only access point off of State Highway 271. As a native of this region, I was surprised the BLM even had this land in their jurisdiction. It appears these lands are purposefully landlocked and are the playground for private interests. BRC does not understand how a Wilderness designation will enhance public access to these units when they are currently closed and apparently jealously guarded by non-governmental parties. Also, these lands need intensive active fire and forest health management prescriptions. Ripping roads in the Elkhorn segment and prohibiting forest management unit-wide is unwise and could threaten nearby residents in Cummings and Leggett. The *Cahto Unit* near Laytonville has numerous roads, trails, and various radio or cell tower installations. Although important to the communication needs of the local community, the visual impact of these manmade structures makes this area unsuitable for federal Wilderness. Also, the access needs for radio and telecommunication professionals would be affected by this plan. BRC recommends this unit remain in the current management strategy.

Black Butte Wild and Scenic River Designation—This would add 21 miles of Wild and Scenic River to the Mendocino National Forest. BRC could not find a map of this proposal on Senator Boxer's website. However, BRC endeavored to review this proposal using existing Forest Maps and have determined that some or all of the following roads could be closed to motorized use and they include but are not limited to, 21N41, 22N29, 22N31, 22N32, 22N36, and 22N38. BRC recommends that most if not all of this proposal remain in current management strategy.

In conclusion, BRC feels that S. 738 fails to provide the public with adequately detailed maps upon which to make a judgment on the worthiness of the legislation. Based on the available information and field reviews, BRC suggests that most, if not all, of said lands remain in current management prescriptions. In fact, BRC suggests that active forest health and fire management treatments be accelerated. Over 90% of forest recreation and access is vehicle based with driving for pleasure being listed as the number one recreational activity. Most forest recreation occurs within 1/4 mile of a vehicle. It is said that only 3% or less of forest recreation is Wilderness based. At a time when the public is demanding more managed recreational use of federal lands, BRC feels that Congress should work to provide more vehicle or mechanized opportunities and the resources to better care for our timber stands and grasslands.

Should Congress feel that any part of S. 738 needs additional protection, BRC strongly suggests that it review our Backcountry Designation. Congress should consider establishing a new land designation that provides the protection the public demands for these lands while at the same time providing the managing agencies the necessary management flexibility to respond to recreational demands and address critical concerns of forest health, fire prevention and wildlife habitat enhancement.

These lands provide a very valuable resource for recreational activities that allow people to experience and enjoy natural appearing landscapes. They provide opportunities for people to escape from the pressures of the everyday world. This can include a wide range of recreational activities including hunting, fishing, snowmobiling, hiking, off-highway motorcycling, horseback riding, ATV use, bicycling or use of 4-wheel drive vehicles. At the same time, many of these lands are threatened by insect and disease epidemics and by catastrophic wildfires that could destroy the very values that the public wants to see preserved. Therefore, it is essential that this land designation also allow the managing agencies the ability to apply a minimum level of management to deal with these threats.

Senator CRAIG. Well, thank you very much for that testimony.

Art, I do very much appreciate your testimony. There are a number of people who believe this legislation is not needed. I think you heard Senator Bingaman question how it righted itself, if you will, with other corps concepts because I think they are concerned that the Healthy Forest Corps is either redundant or might consume all of the funding currently proposed for the Public Land Corps and Youth Conservation Corps. Could you spend just a minute or so to help us understand why this bill, S. 2253, is different from the existing authorizations and why it might be needed?

Mr. POPE. I would be happy to try and respond to that question. It is not an area I have got a lot of expertise in at this point and I might need to request the opportunity to provide clarification to you later.

But in the corps world, we are always as a nonprofit trying to find ways to piece together funding sources. This is another opportunity that allows us to partner with Federal agencies and bring our resources to bear for some of the projects that they are trying to complete. There are a number of ways that this would provide us the opportunity to continue to work with those agencies and expand the services we can provide.

In terms of the exact differences in the legislation, I would like to be able to get back to you on that.

Senator CRAIG. Okay. Thank you very much, Art. I do appreciate that. I think it is important. Sometimes we do get redundant around here and sometimes we maybe ought to adjust what we have to make it work better if it is not functioning properly. I think all of us share the example and the values you gave as it relates to the corps and corps activities and the kind of work that can be effectively done on public lands with the use of this talent. So I do thank you for it.

John, let me again thank you. I know that you have heard all of the testimony here today given on S. 738 and the other bills, and I know that you and many others in northern California have worked hard to get this legislation to where it is. How would you portray the involvement of the mountain bike community when it comes to this bill, and were they involved and are they supporters?

Mr. WOOLLEY. Thank you, Mr. Chairman. If I could speak to this, I would like to lend my support as well, if I could take the liberty, for the conservation efforts. I just finished last week voting on an effort we pushed through to blend the Conservation Corps

with fire suppression activities through our work force investment programs as we did not have the funds. But we were able to find through fire suppression moneys through H.R. 2389 funds for helping with the Conservation Corps and they were right on the spot. I want to tell you without our corps, we would be lost in Humboldt County.

But as to your question, I think that what I observed is both the work in the community for the 4 years that the advocates for the bill brought forward, and I also had testimony, if you will, brought to me individually by both mountain bike individuals as well as individuals that own bike stores in our area who are really well aware of the proposal sites and see that those are gems, something that they believe is something worth protecting. We believe that that is the case and that the mountain bike community is not all one voice, but we do recognize there is some more concern and we are willing to work with that, but right at this point I believe our community understands that these are the sites, the wilderness sites, that need protection.

Senator CRAIG. I see that many of the supporters of the King Range Wilderness make the point that this is the largest undeveloped section of the coast on the west coast outside of Alaska. I also see that it is roaded and that it is managed by the BLM. So I am a bit confused. If they are managing most of the area as a de facto wilderness, why does it need this designated protection?

Mr. WOOLLEY. Well, I think it has been kind of a football as far as wondering who is going to control what, and I think that the key to aspects to wilderness is it is a legacy program. I think by designating that land base—41,000 acres, as you know, is quite large for a rural area, and the coastal grounds that it is in is very steep and rugged. I think it just makes sense for us to legislatively protect that for the legacy purposes. The concerns that we have brought to the table I think have been addressed.

And I want to thank the administration for being on board with recognizing those purposes as well.

Senator CRAIG. Thank you.

My last question of you, John. What about the private properties that currently have road access and have historically had road access? Do you have specific language that you would recommend to ensure these private landowners can continue to gain access to their lands?

Mr. WOOLLEY. Personally I do not have language, but I believe it is the case where inholding lands, in particular, private roads that are in place now, will be protected by this bill.

Senator CRAIG. Well, I think that is the intent, and we are certainly going to look at that very closely because obviously we do not want private landowners denied that right of access.

Mr. WOOLLEY. We agree.

Senator CRAIG. Don, again, thank you for being with us. Having read your testimony concerning recreational opportunity spectrum, I am wondering if it is your contention that no wilderness should come within 3 miles of a road.

Mr. AMADOR. Well, that is just a general recommendation. I think sometimes, depending on topographic contours, you might

even go down to 1 mile. I know some people talk about a 1 to 3 mile buffer, and that is something we would be willing to look at.

But if you look at this new legislation, you will see that existing mechanized and motorized roads are being used as boundaries for most of these proposals. As you know, in the West particularly during hunting season, these roads and dispersed camp sites, logging roads are still being maintained by the Forest Service. It is literally a parking lot at the opening of hunting season. I just do not want to see that sort of access go by the wayside, and I do not think Supervisor Woolley does either.

Senator CRAIG. Given your testimony on a number of California examples where roads have been cherry-stemmed out of wildernesses, only to have the land management agencies subsequently close the road because the road use was not compatible with wilderness values, we have always thought that that was a way around particular problems. We are finding out not necessarily so.

I am wondering if your organization could provide us with some detail where this has happened in western States, once cherry-stemmed, then closed.

Mr. AMADOR. Yes, I would be glad to provide the committee with that information.

Senator CRAIG. Thank you.

I guess my last question of you, Don, would be if we cherry-stemmed these roads out of the wilderness and include express language that agencies must maintain access to these roads, are there any of these proposed areas that you would support?

Mr. AMADOR. Again, I would have to go back and look at these proposals because, again, many of them have legal and maintained roads and trails in them, and I think we would just have to review those. I would be glad to supply the committee with that information.

Senator CRAIG. Well, gentlemen, thank you very much for your time with us today. I do appreciate it. I know that my colleagues from California have worked hard to try to resolve this issue and we will see what we can do to make it happen where it fits.

I want to remind everyone that we will hold the hearing record open for 10 days, so anyone who wants to submit additional testimony may do that.

Additionally, I have a number of opening statements from Senators Domenici, Clinton, and Puerto Rico's Residential Commissioner Acevedo-Vilá that we will enter into the record.

[The prepared statements of Senator Domenici, Senator Clinton, and Mr. Acevedo-Vilá follow:]

PREPARED STATEMENT OF HON. PETE V. DOMENICI,
U.S. SENATOR FROM NEW MEXICO

I want to thank Senator Craig for holding this hearing on the seven bills listed in the hearing notice and ask that my statement be included in the record of this hearing.

I am a cosponsor on two of the bills to be considered today. I want to take just a moment to speak to each of them, and to thank Senators Bingaman and Feinstein for introducing these two bills.

First, I want to speak to S. 2253—The Healthy Forest Public Land Corps Act of 2004 which I am honored to co-sponsor with Senator Diane Feinstein.

As many of you know this legislation was included in the Healthy Forest Restoration Act of 2003 that was passed by the Senate last year. However, along with many of the provisions in the latter sections of H.R. 1904, it was stripped in conference.

I know that some believe that the Healthy Forest Public Land Corps may be redundant and not needed, but I believe that the Healthy Forest Public Land Corps called for in S. 2253 encourages more effort by young, economically disadvantaged youth, rather than replacing the good works that the existing Public Land Corps provides.

Both the Bush Administration and a number of Democrats in addition to my co-sponsor, Senator Feinstein, support a healthy forest public land corps. The Bush Administration supported the provisions in the Senate passed H.R. 1904. Senators Kerry and Edwards have called for an expanded Public Land Corps to work on the healthy forest situation. Given this bi-partisan support, I have to believe that S. 2253 will enjoy overwhelming political support.

I would hope that all members of this Committee would work with Senator Feinstein and me to improve this bill. It will provide meaningful work for disadvantaged youth while improving our federal forests.

The second bill is one introduced by Senator Jeff Bingaman that I am also honored to co-sponsor. This bill is one that we marked up in the 106th Congress. S. 2622, the Pecos National Historic Park Land Exchange, would authorize a land exchange between a private landowner, the Pecos Historic Park, and the Forest Service.

The Glorieta Unit of the Park, where this exchange is focused, protects key sites associated with the 1862 Civil War Battle of Glorieta Pass, a significant event that ended Confederate attempts to expand the war into the west.

More than half of the land in the unit is privately owned, making public access, preservation of resources, and cooperation with private property owners very difficult.

Again, I hope that all Committee members will work with Senator Bingaman and me to get this important legislation signed into law.

I look forward to the testimony of our witnesses in support of these two bills.

PREPARED STATEMENT OF HON. HILLARY RODHAM CLINTON,
U.S. SENATOR FROM NEW YORK

Mr. Chairman, I want to thank you holding this hearing today, and for the opportunity to testify regarding the Caribbean National Forest Act of 2004, a bill I introduced earlier this year along with Senator Schumer.

The Caribbean National Forest Act designates approximately 10,000 acres of the Caribbean National Forest as the "El Toro Wilderness." The El Toro Wilderness would be the only tropical forest wilderness in the U.S. National Forest system.

The Caribbean National Forest has long been recognized as a special area, worthy of protection. The Spanish Crown proclaimed much of the current Caribbean National Forest as a forest reserve in 1824. One hundred years ago, President Theodore Roosevelt reasserted the protection of the Caribbean National Forest by designating the area as a forest reserve.

Located 25 miles east of San Juan, the Caribbean National Forest is a biologically diverse area. Although it is the smallest forest in the national forest system, the Caribbean National Forest ranks number one in the number of species of native trees with 240. It contains 50 varieties of orchids and over 150 species of ferns. It is also home to over 100 species of vertebrates, including the endangered Puerto Rican parrot. This is the only native parrot in Puerto Rico. Although they numbered nearly one million at the time that Columbus set sail for the New World. Today there are fewer than 35 of these parrots. The Forest Service, the U.S. Fish and Wildlife Service and Puerto Rico's Department of Natural Resources and the Environment have initiated a recovery program for the Puerto Rican Parrot. Wilderness designation will ensure that the forest home to the parrot will remain protected and the ongoing recovery efforts, consistent with the Wilderness Act, will continue.

The Caribbean National Forest also provides valuable water to the people of Puerto Rico. Its major watersheds in provide water to over 800,000 Puerto Ricans. In addition, the forest provides a variety of recreational opportunities to over 700,000 Puerto Ricans and tourists each year. Families, friends and school groups come to the forest to hike, bird watch, picnic, swim and enjoy the scenic vistas.

Wilderness designation of the El Toro would protect approximately one third of the forest. A companion House bill, H.R. 1723, has been introduced by Puerto Rico's Resident Commissioner, Anibel Acevedo-Vilá. The bill is supported by the Wilder-

ness Society, Sierra Club, National Wildlife Federation, and the National Hispanic Coalition Council.

I thank you for the opportunity to testify, and I urge the committee to move this important legislation when the Senate returns to session in September.

PREPARED STATEMENT OF HON. ANIBAL ACEVEDO-VILÁ,
RESIDENT COMMISSIONER, PUERTO RICO

I would like to thank Chairman Pete Domenici, ranking member Jeff Bingaman, Chairman Larry Craig, ranking member Ron Wyden, and members of the Subcommittee on Public Lands and Forests. I greatly appreciate you holding this hearing on the Caribbean National Forest Wilderness Act of 2003, S. 2334, which will designate the El Toro Wilderness Area in the Caribbean National Forest in Puerto Rico. As you know, I introduced a companion measure in the House last year, H.R. 1723. I would also like to thank Senator Hillary Clinton for her strong leadership in introducing this measure in the Senate, and for Senator Charles Schumer for cosponsoring this measure.

I would also like to recognize the U.S. Forest Service who is testifying today. I have enjoyed working with the Forest Service on this and other issues, and I especially appreciate the agency's strong endorsement of the companion bill during a hearing on this legislation nearly a year ago, on July 23, 2003, in a House Forests and Forest Health Subcommittee hearing.

The legislation introduced by Senators Clinton and Schumer, and myself would designate approximately 10,000 acres of the Caribbean National Forest as the El Toro Wilderness Area, named for El Toro peak, the highest peak in El Yunque. The House bill has broad support, including 25 cosponsors, and was actually passed by the other body during the 107th Congress, though the Senate did not take it up at that time.

As some of you may know, the Caribbean National Forest, the only tropical rainforest in the national forest system, celebrated its 100th anniversary last year. In 1876, twenty-seven years before its 1903-federal designation by President Theodore Roosevelt, Spain's King Alfonso XII proclaimed this forest a Crown Reserve, making this forest, known locally as El Yunque, one of the first forest reserves in the western hemisphere.

Due to the topography of El Yunque, unsuitable forest composition for timber, and conservation by the Forest Service, El Yunque, and to a greater degree the lands to be designated as wilderness in this bill, maintains the characteristics it had over 100 years ago. El Yunque contains virtually all of the primary forest remaining in Puerto Rico, and as such represents a unique cultural and natural heritage for Puerto Ricans. The Wilderness Act was passed to protect just these types of lands—where the forest has been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable. Therefore, I believe that wilderness protection is appropriate and in line with the history of these lands and the value they contribute to Puerto Rico.

However, these beliefs are not solely mine. As the population density in Puerto Rico is among the highest in the nation, large, undeveloped tracts of land are increasingly rare, while their value to the public has grown significantly. When the Forest Service revised the management plan for El Yunque beginning in 1995, the public widely supported wilderness designations on the forest. Many public comments were received in support of expanding the wilderness study area that was in the previous land and resource management plan, and in support of wilderness designation for this study area.

Public support for wilderness led the forest plan to nearly double the wilderness recommendation from 5,254 acres to what is included in this bill, over 10,000 acres. However, I feel that it is important to note that an alternative considered during revision of the management plan would have provided for over 16,000 acres of wilderness, a proposal 63 percent larger than that which is being considered today. What this legislation proposes to designate as wilderness is identical to that recommendation in the Caribbean National Forest's revised land and resource management plan, and would create the first wilderness area in El Yunque. It should also be noted that there are no competing interests, such as timber harvests, road construction, or water development, in the lands to be designated as wilderness. This legislation also has the support of the Commonwealth's Governor, Sila M. Calderón, as well as numerous environmental organizations.

The El Toro Wilderness Area to be designated through this bill is also essential habitat for the Puerto Rican parrot. One of the ten-most endangered birds in the world and a federally listed endangered species, the parrot requires large, undevel-

oped tracts of land for its survival. It is for this reason that the only remaining wild population of this bird, currently about 36 birds, is confined to El Yunque. Activities necessary for the conservation and recovery of this species would not be hindered by wilderness designation. In addition to the Puerto Rican parrot, no fewer than eight other threatened and endangered species call El Yunque home. Many other species are endemic only to El Yunque, and the forest also provides respite to dozens of migratory bird species. Protecting the El Toro area as wilderness will ensure that the habitat of these species remains undeveloped and well suited for their survival.

Additionally, El Yunque, though one of the smallest forest system components, contains a striking array of plant biodiversity. The forest contains over 240 species of native trees, including some trees that are only found in the Forest, and also includes 50 species of native orchids and over 150 species of ferns.

Water conservation is another important value of El Yunque. The forest is comprised of 8 major watersheds that provide water for nearly 800,000 Puerto Ricans. Weather events in El Yunque often lead to mudslides, impacting water quality. Through wilderness protection, much of this forest will be protected from road development that could accelerate this type of erosion and water impairment. Further, recognizing the need for development outside the wilderness and to avoid user conflicts, the map of this wilderness area is drawn to exclude municipal water impoundments and is set back from a road right-of-way.

The El Toro area currently has a network of trails that permit an array of recreational opportunities that will continue under wilderness designation. Almost one million tourists a year currently visit and use El Yunque. Local residents and tourists alike hike, swim, climb El Toro peak, bird watch and otherwise take advantage of the wild nature of the proposed wilderness area.

I believe that the characteristics and values of the proposed El Toro Wilderness Area are very much in concert with the intent and purpose of the Wilderness Act. Solitude, the absence of the imprint of man, and nationally unique ecological and biological features comprise El Yunque and the proposed wilderness area. On the 40th anniversary of the Wilderness Act, I believe it would be fitting that the first tropical forest in the wilderness preservation system, and the first wilderness designation in El Yunque be the El Toro Wilderness Area, as it encompasses the natural qualities of this forest, and should be protected in that nature for perpetuity.

Again, I very much appreciate the Chairman's scheduling of this hearing. I appreciate the support for this bill that my colleagues in both the House and Senate have provided, and I encourage the support of this subcommittee, and the full Energy and Natural Resources Committee, in considering and approving this bill.

Senator CRAIG. And finally, we will enter into the record the letters and statements we have received from Oregon State Senator Penny Lind and the Off-road Business Association, American Rivers, and the Sierra Club.

Again, thank you all very much for attending.

The committee will stand adjourned.

[Whereupon, at 3:55 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

DEPARTMENT OF THE INTERIOR,
OFFICE OF CONGRESSIONAL AND LEGISLATIVE AFFAIRS,
Washington, DC, September 8, 2004.

Hon. LARRY E. CRAIG,
*Chairman, Subcommittee on Public Lands and Forests, Committee on Energy and
Natural Resources, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Enclosed are responses prepared by the Bureau of Land
Management to questions submitted following the July 21, 2004, hearing on S. 738,
the Northern California Coastal Wild Heritage Wilderness Act.

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

JANE M. LYDER,
Legislative Counsel.

[Enclosure.]

QUESTIONS FROM SENATOR LARRY CRAIG

S. 738—NORTHERN CALIFORNIA COASTAL WILD HERITAGE WILDERNESS ACT

Question 1. I am concerned about the bridges and culverts and other drainage
structures that will be abandoned within the proposed Wilderness areas.

Could you provide this Subcommittee with a detailed inventory of the bridges, cul-
verts and other drainage structures that fall within all of the wilderness, and wild
and scenic river proposals being made today?

Answer. The following is a list (area by area) of known roads and associated struc-
tures that would be closed to the public under the legislation (although any private
access to inholdings would be continued).

Proposed Yolla-Bolly Middle-Eel Wilderness

Big Butte Road, 0.6 miles long, no culverts or other drainage structures. This road
provides access to private inholdings within the existing Yolla-Bolly Middle-Eel Wil-
derness through lease authorizations and could continue to provide access to the pri-
vate inholdings after wilderness designation.

Proposed King Range Wilderness

Smith-Etter Road, 4 miles long, 6 culverts. This road is currently closed to the
public. The road provides access to private inholdings and would continue to provide
access to private inholdings after wilderness designation.

Proposed Cache Creek Wilderness

New Cacheville Road, 1.5 miles long, no culverts or other drainage structures.
This road provides access to undeveloped private land with frontage on Cache Creek
and could continue to provide access to the private inholdings after wilderness des-
ignation. Road is passable by four-wheel drive vehicle.

Question 2. Please provide estimates of the cost of removal of each structure.

Answer. The BLM does not anticipate removal of any of the access routes or asso-
ciated structures.

Question 3. S. 738 includes language to provide a 600 foot buffer strip to be man-
aged around each parcel of private property within the wilderness proposals.

Could you supply this Committee with maps of the non-federal lands within the proposed wildernesses, and an assessment of the cost of providing the 600 feet of buffer strips on the adjoining federal land?

Answer. A map that responds to this request is being prepared and will be forwarded to the Committee as soon as it is available.

Section 102(d)(4) of S. 738 directs that the boundaries of three of the wilderness areas in the bill be adjusted or set back by 600 feet to allow and encourage mechanical fire suppression activities. These areas are: Snow Mountain Wilderness (managed by the Forest Service), Yolla Bolly-Middle Eel Wilderness (managed by the Forest Service), and Cache Creek Wilderness (managed by the BLM).

The BLM adjusted the external boundary of the Cache Creek Wilderness on the maps we are providing under question #11 to exclude the 600-foot setback from the wilderness. The boundaries on the maps will show that the 600-foot setback, which may need extensive fuels treatment, will be located outside the wilderness. Thus, the fuels treatments can occur in the future without any wilderness-related restrictions. Accordingly, the language in section 102(d)(4) for Cache Creek is no longer necessary.

Question 4. Please also provide the approximate annual cost of maintaining these fire breaks once they have been cleared? And a description of your assessment of whether or not power tools would be allowed in the buffer area under the Wilderness Act?

Answer. The BLM has not completed such an evaluation and does not have an estimate on cost. However, the designation of wilderness should have no impact on future decisions about fuels treatments or on the cost of any such treatments. Because this area is outside the wilderness, the Wilderness Act would not be a consideration in whether or not power tools would be allowed on these lands.

Question 5. S. 738 includes a number of specific authorizations to earmark funding for economic development, fire fighting, and recreation improvements within these wildernesses. Do you believe we should be authorizing such earmarks? What impact will they have on your agency's ability to manage other Wilderness areas?

Answer. We note that there are a number of authorizations within the bill. It would be difficult to estimate the effect of these authorizations on the BLM's ability to manage wilderness until Congress makes a determination as to appropriation levels for each of these authorizations. However, we support funding as proposed in the President's Budget. The Department does not support the addition of funds for other programs or projects that would result in program goals not being achieved.

Question 6. Can you give us some insight on utilizing roads as the boundaries of wilderness areas? Does using roads as wilderness boundary lead to inevitable conflicts that result in those roads being closed at a later time?

Answer. Many BLM wilderness boundaries are along roads. In many cases roads are ideal boundaries for wilderness because they are semi-permanent physical features that are easy to locate on the ground. The BLM's wilderness policy recommends wilderness boundaries be set back 300 feet from high standard roads such as paved roads, 100 feet from high standard logging roads, and 30 feet from jeep roads or low standard logging roads.

Question 7. Mr. Amador testified today that a number of roads that have been cherry-stemmed out of wilderness have later been closed because local land managers have concluded that the recreation use is not compatible with the surrounding wilderness area. What is the agency's policy on this?

Answer. The BLM does not have a specific written policy on this topic. However, the BLM recognizes that only Congress has the authority to designate wilderness and determine wilderness boundaries. The BLM has no authority to change the boundary of a wilderness. There have been very limited occasions where a wilderness boundary road or cherry-stemmed road has been closed after wilderness designation. In these limited cases, the closure is not due to the wilderness designation, but for other resource reasons, such as natural disasters. We are not aware of any wilderness boundary roads that have been closed on BLM-managed lands in order to protect the wilderness resource.

Question 8. Please provide the Committee with a detailed list of roads that have been closed in areas that were cherry-stemmed out of wilderness by Congress. The list should include the name of the wilderness and the BLM District that the road and wilderness are located in. We would like a national inventory of this situation.

Answer. The BLM manages 161 wilderness areas with 6.5 million acres in 10 states. In response to our inquiry to each state office in which BLM manages wilderness, we were able to find a total of 21 closures of cherry-stemmed roads. The reasons for road closures include: closure by private landowners, closure prior to wilderness designation, seasonal closures, management plan closures, closures through natural reclamation including landslides and storms. Below is a state by state list.

ARIZONA

Paria Canyon-Vermilion Cliffs Wilderness, Vermilion Cliffs National Monument and Kanab Field Office. Numerous segments of boundary routes are not closed, but are in the process of natural reclamation, due to infrequent use.

Paiute Wilderness, Arizona Strip Field Office. The corridor road through the wilderness is closed from about December 1 to April 1 annually to reduce damage to the roadbed during winter/spring wet conditions. From April 1 to December 1, the road is open to all uses.

Grand Wash Cliffs Wilderness, Grand Canyon-Parashant National Monument. The north to south primitive road through the wilderness was designated to be used by the livestock grazing permittee and closed to the public since enactment of the Arizona Wilderness Act of 1984.

Kanab Creek Wilderness, Arizona Strip Field Office. The main access road to the Hack Canyon trailhead is closed intermittently by large storms. Access is encumbered or blocked following these natural events, sometimes for months.

Mt. Logan Wilderness, Grand Canyon-Parashant National Monument. Several small segments of boundary routes are not closed, but have already been naturally reclaimed due to infrequent use. Over time, vegetation has grown in along the route, blocking it. The open corridor road through the wilderness is closed intermittently by large storms and infrequent maintenance.

Beaver Dam Mountains Wilderness, Arizona Strip Field Office. In the past few years, the road corridor Congress provided through the wilderness has been blocked by chain link fencing with gates locked by the mining claimant/landowner. His claims and land straddle the corridor and public use of the road has been effectively blocked. In more recent years, the gates have variously been open, locked, and torn down.

North Maricopa Mountains Wilderness, Phoenix Field Office. Approximately ½ mile of East Margie's Cove Road and ¾ mile of West Margie's Cove Road were closed through a Management Plan decision to establish a trailhead in a manageable location in order to provide a staging area for cars, hikers and equestrians, and camping at a location away from an important water source for wildlife in the desert. Moving these developments away from this water source eliminates the conflict between intensive recreation use and the needs of wildlife. The closed portions of the routes are available for Arizona Game and Fish Department use for wildlife water maintenance.

Peloncillo Mountains Wilderness, Safford Field Office. There are locked gates on private land in Little Doubtful Canyon. Cochise County did not claim the road as a county road, which allowed the private land owner to lock the gate and prevent access to the cherry-stemmed road in Little Doubtful Canyon.

North Santa Teresa Wilderness, Safford Field Office. The Black Rock Road defines the wilderness boundary for approximately one mile on the north side of the wilderness. At the end of that one-mile stretch, a locked gate on private land prevents travel across both the private land and the adjacent public land.

Dos Cabezas Mountains Wilderness, Safford Field Office. The Mascot Canyon and Sheep Canyon roads, which are wilderness boundary roads on the southwest and southeast portions of the wilderness, respectively, are blocked by locked gates on private land (Klump property). Each stretch of closed boundary road is about 2 miles in length.

Gibraltar Mountain Wilderness, Lake Havasu Field Office. Through land use plan decisions established prior to the Arizona Desert Wilderness Act of 1990, portions of two boundary roads have designated use limitations. The northeast boundary road has a seasonal closure (January 1-June 31) within the Bighorn Sheep Lambing Grounds. Also, a utility access route, known as the Jump-Off, is limited to administrative and authorized users only.

East Cactus Plain Wilderness, Lake Havasu Field Office. Through the East Cactus Plain Wilderness Management Plan, the Central Arizona Project Aqueduct right-of-way was closed to the public. This portion of the right-of-way was outside of the Aqueduct fencing and bounded the Wilderness area. There was a faint two track road in this area at the time of the plan. The closure eliminated damage to soil and vegetation, protected the Central Arizona Project facility from unauthorized activities, and prevented vehicle intrusion along the wilderness boundary.

COLORADO

Black Ridge Canyons Wilderness, Grand Junction Field Office. A cherry stem is closed seasonally for several months in the winter and early spring due to a combination of snow, mud, and wildlife issues. The route was closed by a management

plan decision for the entire Ruby Canyon area several years before the wilderness was designated. The closure remains in effect.

CALIFORNIA

Mecca Hills Wilderness/Orocopia Mountains Wilderness, California Desert District, Palm Springs-South Coast Field Office. Approximately 3.8 miles of the 7.2-mile Meccacopia Trail between these wilderness areas is seasonally closed from June 1 through September 30. This allows desert bighorn sheep unimpeded access to critical water sources during the summer. Desert bighorn sheep are a BLM California Sensitive Species, a State Fully Protected Species, and a State Game Species.

NEVADA

Muddy Mountains Wilderness, Las Vegas Field Office. A ¼ mile long cherry stem was administratively closed in May 1998 when the Muddy Mountains was a Wilderness Study Area (WSA). Closure occurred through the Las Vegas Resource Management Plan to protect an area of prehistoric habitation and rock art. In addition, the closed segment is in a narrow gulch with inadequate passing space for opposing vehicles or for parking. In November, 2002, the Muddy Mountains Wilderness was designated. The Wilderness boundary followed the former WSA boundary and the cherry stem was carried over to the Wilderness. The route remains closed.

North Jackson Mountains Wilderness, Black Rock Desert High Rock Canyon Emigrant Trails NCA. The first 2 miles of the 2.85 mile Deer Creek cherry stem is passable by four wheel drive vehicles. Beyond that point, the road is washed out and impassable; it has not been driven for over 10 years and is now indiscernible.

North Jackson Mountains Wilderness, Black Rock Desert High Rock Canyon Emigrant Trails NCA. The North Fork Jackson Creek cherry stem is impassable and has not been used by vehicles for 10-15 years. Large sagebrush, cottonwoods and mountain mahogany grow in the former road bed.

North Jackson Mountains Wilderness, Black Rock Desert High Rock Canyon Emigrant Trails NCA. The New Years Canyon cherry stem has not been used for several years and has naturally reclaimed itself to the point that it is virtually indistinguishable.

North Jackson Mountains Wilderness, Black Rock Desert High Rock Canyon Emigrant Trails NCA. The Happy Creek Canyon cherry stem has no public access. Private lands around the cherry stem have been closed to the public by the landowner.

OREGON

Table Rock Wilderness, Salem District, Cascade Field Office. 1.25 miles of the northern dead-end boundary road was closed by a massive land slide several years ago. Opening the road would cost \$100,000 and would also require moving the road 0.25 miles into the existing Table Rock Wilderness. The road has been left closed.

Steens Mountain Wilderness, Burns District, Andrews Field Office. About 16.5 miles of the Steens Loop boundary road is closed seasonally due to heavy snowfall. This seasonal closure predates wilderness designation. This seasonal closure also closes the following cherry-stem roads that connect to the Steens Loop Road: Cold Springs Road, 12.9 miles; Fish Creek Road, 4.5 miles; Newton Cabin Road, .59 mile; Kiger Overlook Road, .26 mile; Grove Creek Road, 1.09 miles.

Question 9. Also if there are instances of efforts to re-open roads that have been closed by land slides or sluffing of cut-banks that were cherry-stemmed out of the Wilderness please provide a forest by forest listing of those roads.

Answer. As noted in the response to Question 8, the main access road to the Hack Canyon trailhead in Kanab Creek Wilderness, is periodically closed due to weather and re-opened as conditions permit.

Question 10. If efforts have been made to re-open cherry-stemmed roads and have been opposed and delayed or stopped by appeal or litigation please provide a forest by forest list of those roads.

Answer. BLM is not aware of this situation occurring in BLM-managed wilderness areas.

Question 11. We need a set of maps for all wilderness proposals in S. 738 that fall within lands managed by the BLM.

For each wilderness proposed in S. 738 that includes BLM lands please provide a map that displays the following information:

- A. The proposed wilderness (in the bill)
- B. Any adjoining wilderness
- C. Any Wilderness Study Areas that fall within the wildernesses proposed in S. 738 that are within the BLM land base.

D. All inventoried roads (from the most recent transportation analysis) including roads that have been or will be proposed to be closed, obliterated, or stored for later use.

E. All non federal lands within the proposed wilderness (including road or trail access to the property).

F. Those areas that you believe should be removed from the proposal to meet the BLM's management needs.

Answer. Maps that respond to this request are being prepared and will be provided separately as soon as they are available. Regarding item F above, as stated in our testimony, we recommend that approximately 2200 acres (primarily in the King Range) be released from WSA status and the proposed Blue Ridge Wilderness not be designated as wilderness due to its small size. The maps will reflect these recommendations.

Question 12. Section 103 on the Elk Horn wilderness directs the BLM to: eliminate non-native species, remove unused or decommissioned roads, repair skid tracks and to restore the natural ecosystem to the maximum extent practicable within five years after the date of enactment and to allow the use of motorized equipment and mechanized transport to accomplish the restoration. Can you give us any idea on whether or not all of this is possible, and what it might cost to accomplish?

Answer. Yes, this is possible. The BLM has been working on similar types of restoration in the Headwaters Forest Reserve with great success. In the proposed Elkhorn Ridge Wilderness most of the areas have already been naturally reclaimed and little additional work is needed. This provision would allow BLM to complete an assessment of any additional restoration that is needed after designation. Because the BLM has not completed this assessment, we are unable to give a precise cost estimate at this time. However, a rough estimate appears to be less than \$500,000.

Question 13. Do you think it is reasonable to be expending this kind of money undoing multiple-use management when your agencies have the maintenance backlogs that they have?

Answer. As we have noted, there is a small amount of work needed to reclaim the proposed Elkhorn Ridge Wilderness and the fiscal impact will be minimal. The actions would be designed to repair damage to the natural ecosystem, including recontouring slopes and removing abandoned vehicle trails and scars.

Question 15. Mr. Amador mentioned that according to the Recreation Opportunity Spectrum (ROS), in order to have a wilderness recreation experience, an individual must be at least 3 miles from the nearest road or trail where motorized vehicles are in use. The ROS system was developed by the Forest Service and is used by your field folks.

How about the DOI and BLM. Do you have a system similar to the Recreation Opportunity Spectrum (ROS)?

Answer. The Recreation Opportunity Spectrum offers a conceptual framework for the inventory, analysis, and management of recreation opportunities. It classifies recreation opportunities or zones along a continuum of development from the pristine (Gates of the Arctic) to the urban (Central Park). For example, using concepts adapted from the ROS, the BLM's Resource Management Plan for the King Range identifies zones—backcountry, front country, and residential—of recreational opportunities.

Question 16. Do you have conflicts with roads being the boundaries of a wilderness?

Answer. No. As noted in the response to question 6, many BLM wilderness boundaries are along roads. In many cases roads are ideal boundaries for wilderness because they are semi-permanent physical features that are easy to locate on the ground. The BLM's wilderness policy recommends wilderness boundaries be set back 300 feet from high standard roads such as paved roads, 100 feet from high standard logging roads, and 30 feet from jeep roads or low standard logging roads.

Question 17. Have you closed, or limited use on roads that were cherry-stemmed out of wilderness areas?

Answer. There have been very limited occasions when a cherry-stemmed road has been closed after wilderness designation. Examples of closures along wilderness boundary roads and cherry stems are listed in the response to question 8 above.

APPENDIX II
Additional Material Submitted for the Record

DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Vancouver, WA, July 6, 2004.

Hon. MARIA CANTWELL,
Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Re: Upper White Salmon River

DEAR SENATOR CANTWELL: Thank you for allowing me the opportunity to speak to one of the true treasures of the Gifford Pinchot National Forest. The Upper White Salmon River and Cascade Creek as they flow through the Forest near Mt. Adams are beautiful and special places.

Recognizing its uniqueness, our Forest Land Use Plan (1990) identifies the Upper White Salmon River as eligible for the National Wild and Scenic River System. The Plan classifies approximately 6.7 miles of the Upper White Salmon and its tributary, Cascade Creek, from their headwaters on Mt. Adams to the Mt. Adams Wilderness boundary as potentially "wild." The next approximately 11.3 miles of the White Salmon to the Forest boundary, and 1.5 miles of Cascade Creek from the Wilderness boundary to its confluence with the White Salmon River are identified as having potential to be classified as "scenic" (FEIS Appendix E 130). The 1997 Legislative EIS for the Upper White Salmon River recommended the same classifications.

The "outstandingly remarkable" values to determine eligibility are scenic and geologic. The upper segment of the White Salmon River, according to the Forest Plan, contains areas of old-growth Douglas fir, long and narrow gorges, and a glacier on Mt. Adams that is considered regionally significant because of large avalanches and lahars that have occurred as recently as 1921. The section within the Mt. Adams Wilderness is accessible by trail and is "totally without road development."

The Record of Decision for the Forest Plan recommends this river be protected for further study. We are currently managing this portion of the Upper White Salmon to maintain the outstandingly remarkable values and potential classifications for wild and scenic.

Thank you again for this opportunity. If I can be of further assistance, please call.

Sincerely,

CLAIRE LAVENDEL,
*Forest Supervisor,
Gifford Pinchot National Forest.*

July 1, 2004.

Hon. MARIA CANTWELL,
Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR CANTWELL: We are local landowners, area residents, and individuals representing business interests. We would like you to know that your Upper White Salmon Wild and Scenic Rivers Act (S. 1614) is important in so many ways for those of us living in this rural region. When the legislation has been passed, our community will enjoy the fruits of a long period of cooperative efforts that has occurred to give our river the prominence and protection it deserves.

This is a magnificent gem of a river, with waters that plunge through rugged canyons and provide many benefits for small towns on the way—organic herb and dairy farms; river rafting, kayaking, B and B enterprises; tourism; hiking, fishing, camping, wildflower viewing; sales of gas and food. These are only a few of the businesses and recreational activities that provide livelihoods for residents of our rural region.

The economic needs and the beauty to be enjoyed have brought together residents of our area to support the Scenic River proposal. We realized a long time ago that our interests in providing sustainable livings and maintaining a clean, attractive river were joined. Therefore, in 1986, through local lobbying efforts, the lower eight miles of the White Salmon was designated a Scenic River within the Columbia River Gorge National Scenic Area legislation. At the same time, Congress mandated the Upper White Salmon to be studied for similar status. A task force, representing a wide range of interests concerning the future of the river, determined that it qualified for such designation and agreed by consensus to recommend this. The public also was much involved in the final decision. It wasn't until 1997, however, that the Secretary of Agriculture introduced it to Congress; and it took seven years longer, during which there was additional negotiation, for us to arrive at this opportune point.

One B and B owner in Trout Lake has estimated that his business will increase by 20% when Wild and Scenic designation becomes a reality. Other business owners have said they expect the Wild and Scenic imprimatur to generate increased income for the entire region. Whitewater rafting guides tout not only the world class experience to be had on the White Salmon, but also the excellent water quality, and they lecture their rafters to protect it from degradation. All of the small communities along the river will benefit significantly both economically and environmentally by having pulled together to make this 20-mile stretch Wild and Scenic. It has broad public support in our area and beyond.

This 20 miles of river is on public land, all within the Gifford Pinchot National Forest. The Forest Service recommended it for inclusion in the Wild and Scenic Rivers system because of its free-flowing condition and its outstandingly remarkable scenic, hydrologic, geologic and wildlife values.

We believe that no river is more deserving of the designation Wild and Scenic than the Upper White Salmon. We are most hopeful that the Subcommittee of the Committee on Energy and Natural Resources will agree to recommend this to the entire Senate body for speedy passage.

NOTE: Signatories' pages containing approximately 102 signatures have been retained in subcommittee files.

OFF-ROAD BUSINESS ASSOCIATION, INC.,
Santee, CA, July 20, 2004.

Hon. LARRY CRAIG,
Chairman, Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN CRAIG: The purpose of this letter is to express our strong opposition to S. 738, the Northern Coastal Wild Heritage Wilderness Act sponsored by Senator Barbara Boxer (D-CA). While we share Senator Boxer's goal of preserving these areas for future generations this legislation represents nothing more than a further attempt by extreme environmentalists to ban the public from using "public" land. We believe further generations should be able to enjoy these areas and not be excluded from them due to their designation as wilderness.

As you know, this legislation would declare 300,000 acres in Northern California as wilderness, thereby closing it off to motorized vehicles and mountain bikes. Currently, California has a higher percentage of wilderness than any other of the lower 48 states. Nearly a decade ago 7 million acres of the Southern California desert were declared wilderness impacting thousands of Off Highway Vehicle (OHV) users. Enough is enough! We believe the time has come for balance—and this legislation does not help us achieve that balance. Instead it continues down a path of closing down the rest of the Western United States to OHV users. Many of the members who support this bill also support Congressman Shay's bill to designate millions of acres in Idaho, Montana, Oregon, Washington and Wyoming as wilderness. As you can see we all have something at stake with this designation.

Lost in the debate about this area under consideration for wilderness is the fact that it does not meet the definition of the 1964 Wilderness Act because it is not "untrammelled by man. We simply do not believe Congress should pick and choose when it follows the law. The proponents of this bill are using the fear of logging to steal land away from the public. By declaring the area wilderness Congress prevents the vast majority of the public from being able to enjoy the beauty and splendor of the land—we find this unacceptable!

ORBA is a national non-profit trade association of off-road related business owners who have united to preserve the sport of off-road recreation and to resist the efforts to eliminate off-road recreation under the pretense of protecting the environ-

ment. Our membership cares about the outdoors and about stewardship. Over the past few years, we have worked with interested parties to ensure that OHV users work to protect the environment. The economic impact of closures of public lands to vehicle access is having a significant affect on the Off-Road Recreation Industry.

Please give serious consideration to the impact that this bill would have on a multi-billion dollar (and growing rapidly) industry in this country.

With best regards,

ROY DENNER,
President & CEO.

GLORIETA BATTLEFIELD COALITION,
July 21, 2004.

Hon. PETE DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Re: S. 2622, Pecos National Historical Park Land Exchange Act of 2004

DEAR MR. CHAIRMAN: We are writing in support of S. 2622, the Pecos National Historical Park Land Exchange Act of 2004. We appreciate your long-standing commitment to preserving important elements of Glorieta Battlefield and your continuing efforts to facilitate acquisition of lands within the boundaries of both the Pigeon's Ranch and Canoncito subunits.

The private tract of land that would be acquired under S. 2622 is critical for providing public access to the Canoncito unit and to the Park Service's interpretive planning efforts. The tract includes the mesa front down which Union troops descended into Canoncito on March of 1862 in their attack on the Confederate supply train, thereby forcing the Confederate Army to withdraw from the field of battle and, ultimately, from New Mexico Territory, preserving the Southwest for the Union.

The bill will allow for the acquisition of nearly half of the acreage within the authorized boundary of the Canoncito subunit. An added benefit of this legislation is that no federal funds will be required for either the land acquisition or necessary compliance actions to effect the exchange, as we understand that any such costs would be borne by the private landowner, who is a willing seller.

We strongly support S. 2622 and encourage its swift passage in the Senate.

Sincerely,

RANDALL RASMUSSEN.

INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION,
Boulder, CO, July 22, 2004.

Hon. LARRY CRAIG,
Chair, Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. RON WYDEN,
Ranking Member, Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIR CRAIG AND RANKING MEMBER WYDEN: On behalf of the International Mountain Bicycling Association (IMBA), I write to offer comments on S. 738, the Northern California Coastal Wild Heritage Wilderness Act. As you know, Wilderness designation prohibits bicycling. For this reason, bicyclists seek modifications of Wilderness proposals that will protect the land while continuing to allow this quiet, low-impact, muscle-powered recreation on significant trails.

The International Mountain Bicycling Association (IMBA) was founded in 1988 and leads the national and worldwide mountain bicycling communities through a network of 32,000 individual members and more than 500 affiliated clubs. More than 43 million Americans participated in singletrack bicycling and 7 million were 'enthusiasts' of single-track bicycling in 2002, according to the Outdoor Industry Association. IMBA teaches sustainable trailbuilding techniques and has become a leader in trail design, construction, and maintenance; and encourages responsible riding, volunteer trailwork, and cooperation among trail user groups and land managers. IMBA members and affiliated clubs conduct close to 1,000,000 hours of trailwork annually and are some of the best assistants to federal, state, and local land managers.

At stake in S. 738 are fabulous riding routes such as the Kings Crest and Lost Coast-Chemise Mountain trails in the King Range National Conservation Area and the Red Bud and Judge Davis trails in Cache Creek in Napa and Lake counties. In addition, IMBA has analyzed the bill and found that three-quarters of the areas under consideration do not conflict with bicycling. For the one-quarter that would eliminate bicycling opportunities, IMBA recommends other forms of land preservation designations, Non-Wilderness Trail Corridors, or boundary adjustments. We are including a list of all trail opportunities that will be lost to bicycling due to S. 738/H.R. 1501. This list includes 139 miles of currently open routes, 32 miles that are uncertain or problematic, plus an unknown mileage of unofficial but legal bicycling routes.

IMBA supports protecting all of the lands in the proposal from development, some as Wilderness, and some using other, diverse designations such as National Conservation Areas and Protection Areas. Please find attached an example of the type of legislative language we think would ensure bicycle access and afford substantially the same protection as a Wilderness designation.* IMBA will continue to work with the sponsors of S. 738 and companion legislation in the House of Representatives to accommodate areas and trails of particular concern.

Generally, the elimination of bicycling access would exacerbate a situation where much of California's public land is already closed to bicycling. Congress has designated almost 14 million acres of Wilderness in California, more than any other state. Many trails in state and local parks are also closed to bicycling.

IMBA believes that bicycle access is a legitimate, primitive form of recreation that should be allowed in certain Wilderness areas subject to ongoing administrative discretion of federal land managers. Wilderness as the exclusive tool for preservation is increasingly problematic. The current interpretation of the Wilderness Act prohibits mountain bicycling by treating it differently than other forms of muscle-powered recreation, such as hiking, horseback riding, skiing, and climbing. IMBA believes that the original wording of the Wilderness Act in 1964 was ambiguous about the use of bicycles. The actual prohibition of bicycles didn't happen until 20 years later. In the 1980's land managers became concerned about the growing popularity of bicycles on trails but chose an excessive solution—banning bikes. Now there is significant scientific evidence and a full generation of actual experience showing that the impacts of mountain bikes are comparable to other muscle-powered recreation allowed in Wilderness. The blanket prohibition no longer makes sense.

In these days when the Centers for Disease Control is sounding an alarm that America's population is increasingly obese, we hope that Congress will endorse bicycling, both on roads and trails, as an excellent solution to that problem. Closing more trails to bicycling does not further that goal.

Thank you for the opportunity to submit comments on this important legislation. We look forward to working with you and the sponsors of S. 738, as the committee continues its work.

Sincerely,

TIM BLUMENTHAL,
Executive Director.

CIVIL WAR PRESERVATION TRUST,
Washington, DC, July 28, 2004.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the national Civil War Preservation Trust (CWPT), I am writing to express the organization's strong support for S. 2622, the "Pecos National Historical Park Land Exchange Act of 2004," co-sponsored by yourself and Senator Jeff Bingaman.

The 60,000 members of CWPT appreciate your long-standing commitment to preserving important elements of the Glorieta Battlefield, and your continuing efforts to facilitate acquisition of lands within the boundaries of both the Pigeon's Ranch and Canoncito subunits of the Battlefield.

The 1993 congressionally authorized Civil War Sites Advisory Commission (CWSAC) Report on the Nation's Civil War Battlefields listed Glorieta Battlefield as a "Priority 1, Class A" site. This means that the site is one of the major battlefields of the Civil War with its landscape basically still intact and not yet developed for housing or commercial purposes. The battleground is also one with less than 20

*Retained in subcommittee files.

percent of its core area protected and with a critical need for coordinated preservation action.

CWPT considers S. 2622 to be fully consistent with the CWSAC's conclusions and recommendations regarding the Glorieta Battlefield.

The bill authorizes the acquisition of private land that is essential for providing public access to the battlefield's Canoncito unit and to the National Park Service's interpretive efforts. These approximately 160 acres are key areas of the battlefield, comprising the mesa front down which Union troops descended into Canoncito in March 1862 in their successful attack on a Confederate supply train. The attack forced the invading Confederate Army to withdraw from the field of battle and, ultimately, from the New Mexico Territory, preserving the Southwest for the Union.

S. 2622 will allow for the acquisition of nearly half of the acreage within the authorized boundary of the Canoncito subunit. The bill also features both a willing seller and a land exchange requiring no subsequent Federal Government appropriations to carry out.

Consequently, CWPT strongly supports S. 2622, deeply appreciates your work on its behalf, and urges the bill's swift passage in the Senate. If you have questions or comments about our position on S. 2622, please have your staff get in touch with me at 202-367-1861 extension 210.

Sincerely,

JAMES LIDTHIZER,
President.

NORTHWEST YOUTH CORPS,
Eugene, OR, July 30, 2004.

Hon. LARRY CRAIG,
Chairman, Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN CRAIG: Thank you for the opportunity to testify on Wednesday, July 21 in support of S. 2253, the Healthy Forest Youth Conservation Corps Act of 2004. During the hearing, you asked me whether the authorities in previously enacted legislation and S. 2253 were similar enough that enactment of S. 2253 would be redundant.

You also asked that I submit for the record a letter that identified the major differences between the Public Lands Corps authorized in the National and Community Service Trust Act of 1993 (P.L. 103-82), the Youth Conservation Corps Act of 1970 (as amended) and the Healthy Forest Youth Conservation Corps that would be authorized by S. 2253. In response to your requests, I am submitting this letter on behalf of the Northwest Youth Corps and the National Association of Service and Conservation Corps (NASCC).

Because of the discussion of the Youth Conservation Corps Act (YCC), I want to highlight some of the major differences between it and the Public Lands Corps and S. 2253 for you:

- the YCC can be no more than a three month program, whereas S. 2253 does not stipulate a time limit on projects;
- participation in the YCC is limited to youth at least 15 but less than 19, whereas participants under S. 2253 can range in age from 16 to 25;
- the YCC does not focus on disadvantaged youth, whereas S. 2253 does; and,
- the YCC does not contain a priority for fire-related activities, whereas this is the primary focus of S. 2253.

Other important differences are that the PLC does not have an authorization for funding, while S. 2253 would authorize \$25 million a year for the next 5 years for youth corps programs.

What follows is a detailed analysis of the differences among the enacted legislation and the proposed bill.

FUNDING

S. 2253 authorizes \$25 million for each of fiscal years 2005-2009 and "allows service and conservation corps to contract directly with public land management agencies" to perform projects.

P.L. 103-82 establishes Public Lands Corps (PLC) in the Interior and Agriculture Departments, but contains no authorization for funding.

The Youth Conservation Corps Act establishes a permanent authorization of \$60 million a year.

MATCHING REQUIREMENTS

P.L. 103-82 requires the Secretaries “to pay not more than 75 percent of the costs of any appropriate conservation project The remaining 25 percent of the costs . . . may be provided from nonfederal sources in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. No cost sharing shall be required in the case of any . . . project carried out on Indian lands or Hawaiian home lands under this title.”

S. 2253 has no matching requirements.

The Youth Conservation Corps Act states that “no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

LIVING ALLOWANCE

P.L. 103-82 limits the living allowance paid to members of the Corps to the maximum level provided to AmeriCorps members.

S. 2253 includes no such limitation.

The Youth Conservation Corps Act states that “the Secretary of Interior and the Secretary of Agriculture shall—(3) determine the rates of pay, hours, and other conditions of employment in the Corps”

PARTICIPANTS

S. 2253 provides that a purpose of the bill is to “(2) offer young adults, ages 16 through 25, particularly those who are at-risk or economically disadvantaged, the opportunity to gain productive employment.” However, Section 4(b) Participants—states that the Corps “shall consist of low income young adults who are enrolled as members of a service and conservation corps.”

P.L. 103-82 states that “the Secretaries may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.”

The Youth Conservation Corps “shall consist of young men and women . . . who have attained age fifteen but have not attained age nineteen.” Further, “the Corps [shall] be open to all youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications . . . with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.”

TYPES OF PROJECTS

S. 2253 authorizes “projects to prevent fire and suppress fires, and provide disaster relief, on public land,” “perform rehabilitation and enhancement projects to prevent fire, rehabilitate public land affected or altered by fires, and suppress fires, and provide disaster relief.”

P.L. 103-82 authorizes the PLC “to carry out appropriate conservation projects which such Secretary is authorized to carry out under other authority of law on public lands.” “The Secretaries may also authorize appropriate projects to be carried out on Federal, State, local, or private lands as part of disaster prevention or relief efforts in response to an emergency or major disaster declared by the President.”

Both S. 2253 and the Public Land Corps include language stating a preference for projects that will 1) provide long-term benefits to the public; 2) instill in the enrollees a work ethic and a sense of public service; 3) be labor intensive; 4) be planned and initiated promptly; and 5) provide academic, experiential, or environmental education opportunities.

The Youth Conservation Corps authorizes the Secretaries to “(3) determine with other Federal agencies the areas under the administrative jurisdiction of those agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education projects for participation by members of the Corps.”

ASSISTANCE IN DISASTER PREVENTION AND RELIEF

P.L. 103-82 provides that the Secretaries may also authorize appropriate projects . . . as part of disaster prevention or relief efforts in response to an emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

S. 2253 does not require Presidential designation of an emergency or disaster.

The Youth Conservation Corps Act does not mention disaster prevention and relief.

RESPONSIBILITIES OF THE SECRETARIES

P.L. 103-82 authorizes the Secretaries to “provide such quarters, board, medical care, transportation, and other services, facilities, supplies and equipment as such Secretary deems necessary . . . and to establish and use conservation centers owned and operated by such Secretary for purposes of the Corps and such projects.”

S. 2253 authorizes each Secretary to “provide such services as the Secretary considers necessary to carry out this Act.”

The Youth Conservation Corps Act authorizes the Secretaries to determine “(a) Programs and projects; conditions of employment; regulations; [and] use of facilities by educational institutions.”

TECHNICAL ASSISTANCE

S. 2253 authorizes the Secretaries to “provide technical assistance, oversight, monitoring, and evaluation to, or for, state departments of natural resources, corps, Indian tribes, Alaska native corporations, or the applicable state agency in Hawaii with responsibility for Hawaiian home lands.”

P.L. 103-82 is silent on this issue.

The Youth Conservation Corps Act is silent on this issue.

NONCOMPETITIVE HIRING STATUS

S. 2253 provides that “each Secretary may grant credit for time served toward future federal hiring . . . for former members of the Corps.”

P.L. 103-82 includes no such provision.

The Youth Conservation Corps Act is silent on this issue.

RESOURCE ASSISTANTS

P.L. 103-82 authorizes the Secretaries to provide individual placements called “Resource Assistants” with any Federal land managing agency.

S. 2253 does not contain similar provisions.

The Youth Conservation Corps Act does not include similar provisions.

RELATIONSHIP TO THE DEPARTMENT OF DEFENSE

P.L. 103-82 authorizes the Secretaries to “make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to the Corps . . . where feasible. Logistical support may include the provision of temporary tent shelters where needed, transportation, and residential supervision.”

S. 2253 includes no such provisions.

The Youth Conservation Corps Act provides that “existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved.”

GRANTS TO STATES

P.L. 103-82 does not authorize grants to states. S. 2253 does not authorize grants to states.

The Youth Conservation Corps Act provides that “Thirty per centum of the funds appropriated under . . . this title for any fiscal year shall be made available for grants under this section for such fiscal year.”

I believe this analysis demonstrates that while the three proposals share the goal of creating opportunities for young people, there are significant differences among the proposals and that enactment of the S. 2253 would not be redundant.

If you have additional questions, please do not hesitate to call Sally Prouty, President of the National Association of Service and Conservation Corps at 202-737-6272 or email her at sprouty@nascc.org.

Sincerely,

ART POPE,
Executive Director.

Kelseyville, CA, August 12, 2004.

Hon. MIKE THOMPSON,
Congressman, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN THOMPSON: I am a horsepacker and hunter from Lake County, California, who is supportive of your wilderness legislation, the Northern Cali-

for California Coastal Wild Heritage Wilderness Act, H.R. 1501/S. 738. I attended the hearing for this legislation in the Senate Energy and Natural Resources Committee last month and wanted to comment specifically on concerns raised by Undersecretary Mark Rey with regards to an area I know, the Skeleton Glade Unit addition to the Snow Mountain Wilderness.

Mr. Rey stated the Skeleton Glade Unit "has several roads running *through* it which compromise wilderness attributes and hinder manageability." I know the area and I am not certain what "roads" Mr. Rey is referring to. There are abandoned remnants of primitive dozer trails that go through the Unit, but they are neither designated nor maintained as roads, nor do they detract from the wilderness quality of the area in any respect. They are used for hiking and horseback riding into the area. In contrast, there are important roads beside the proposed Unit as well as a few short "cherry-stemmed" roads.

There is a major road (M3) running between the existing Snow Mountain Wilderness and the proposed Skeleton Glade Unit. Under your legislation, this road will continue to stay open. In fact, you may recall this was brought up as an issue at one of your local hearings when crafting this legislation. I, along with many other people, wanted assurances this road would stay open so we could continue to frequent both the proposed wilderness additions to the North and the existing wilderness on the South side of the road. Without M3, this would be impossible.

In addition, there are several short roads "cherry-stemmed" roads that branch south off of M3, and are surrounded on either side by proposed wilderness that would extend the northern border of the existing Snow Mountain Wilderness up to the southern edge of M3.

These cherry stems serve an important purpose. Without them, there are several existing trailheads I would be unable to reach when bringing my horses in to explore these areas. This was another issue brought up during your local hearing. These cherry stems are important for access for horsepackers such as myself, but it is equally important that the lands surrounding them are protected. Without the full protection of the Wilderness Act, there is no guarantee that these scenic wild lands will remain in their wild state for future generations to enjoy.

The Skeleton Glade Unit will be a valuable addition to our wilderness system. I strongly advocate for keeping it in the bill in order to ensure wilderness protection for the marvelous lands within its boundaries. Please continue to advocate for its inclusion.

Thank you for your sponsorship of this important legislation.

Sincerely,

PETER F. WINDREM.

STATEMENT OF JACK HANNON, WILD AND SCENIC RIVERS PROGRAM COORDINATOR, AMERICAN RIVERS, INC., AND PHYLLIS CLAUSEN, RIVER STEWARD, FRIENDS OF THE WHITE SALMON RIVER, ON S. 1614

Mr. Chairman and Members of the Subcommittee, this statement is submitted for the record of the hearing on S. 1614, the Upper White Salmon Wild and Scenic Rivers Act, by Jack Hannon, the Wild and Scenic Rivers Program Coordinator for American Rivers, and Phyllis Clausen, River Steward for the Friends of the White Salmon River. Since its founding in 1973, American Rivers has worked with our grassroots partners to protect rivers under the Wild and Scenic Rivers Act and has actively assisted federal agencies, states and local groups with river conservation efforts. Friends of the White Salmon River is a local organization that has worked to conserve the White Salmon River since 1976.

We would like to thank Senator Cantwell for introducing and Senator Murray for co-sponsoring S. 1614, which would designate some twenty miles of the main stem upper White Salmon River and Cascade Creek, all within the Gifford Pinchot National Forest, as components of the National Wild and Scenic Rivers System. The lower eight miles of the White Salmon River were designated a Scenic River within the National Wild and Scenic Rivers System under the Columbia River Gorge National Scenic Area legislation back in November, 1986. At the same time Congress mandated the study of the upper White Salmon for possible inclusion in the National Wild and Scenic River System.

That study, expanded somewhat by the U.S. Forest Service as a result of many comments received, was essentially completed by June 1990, with a positive recommendation for designation of the river, but it took an additional seven years for this to be reported out to the President and Congress (July 1997). It has taken an additional seven years to move forward only with the portion of the upper White Salmon that lies squarely within the Gifford Pinchot National Forest, resulting in

the bill before you today. Some of the segments would be classified as a "Wild" river, and others as a "Scenic" river. American Rivers and Friends of the White Salmon River strongly endorse passage of this bill.

The U.S. Forest Service has recommended these segments for inclusion in the National System in recognition of the river's free-flowing character and its outstandingly remarkable scenic, hydrologic, geologic and wildlife values. The Forest Service determined that the pastoral scenery along these segments of the river make it one of the most scenic river areas in the region. The hydrology of the river is unique because of its consistently reliable flows; the upper White Salmon is a glacially fed stream, with a slow melting seasonal snow and even slower-melting glaciers, which extend the run-off season to an almost year-round basis. The areas near the river also provide regionally significant habitat for such species as spotted owls, pileated woodpeckers, and pine martens. And the river and its drainages provide important wintering areas for black-tailed deer.

The river areas to be encompassed in the wild and scenic river designation are forested through the entire segment and are used for a wide variety of recreational activities, including camping, picnicking, fishing, hunting, nature study hiking, horseback riding, skiing, climbing and backpacking. Access to the river is largely limited to bridge crossings and trails. Gradients are steep, with an average drop of 150 feet per mile. Within the Mt. Adams Wilderness Area and along the canyon below the confluence with Cascade Creek, the upper White Salmon River has a rugged, primeval character.

The White Salmon has strong historic values as well. Native American populations have inhabited the river valley for as much as 7,000 years, and relied on the river for food gathering, fishing, hunting, and establishing villages. Traditional Native American activities continuing to the present day in this area include collecting roots and berries, collecting materials for basket weaving, hunting, and fishing. The Lewis and Clark expedition passed the mouth of the White Salmon River and referred to it as the "canoe" river.

In 2003, American Rivers released two reports by researchers at North Carolina State University amply demonstrating that properly conserving a river will generate significant economic activity in the form of recreational spending. The rivers studied were the Farmington in Connecticut and the Chattooga in North and South Carolina and Georgia. (Further details are available on our website, www.americanrivers.org.) More particularly, Friends of the Upper White Salmon River has heard from those in the lodging industry, from outfitters and from other local businesses that designation of the upper White Salmon River as a wild and scenic river would have a similar effect, thereby contributing to the region's economy.

American Rivers has worked on many dozens of proposals for designating rivers as wild and scenic rivers. We believe the characteristics of the upper White Salmon River as described above meet the statutory requirements and amply support inclusion of the river in the National Wild and Scenic Rivers System. Our organizations thus support passage of this bill.

Thank you for considering this statement in the record of the hearing on S. 1614.

STATEMENT OF PENNY LIND, EXECUTIVE DIRECTOR, UMPQUA WATERSHEDS, INC.,
ROSEBURG, OR

CONSIDERATIONS TO INCLUDE IN CHANGES TO THE ROGUE/UMPQUA DIVIDE
WILDERNESS BOUNDARY, ETC.

1. The Umpqua portion of the Rogue/Umpqua Divide Wilderness is 26,350 acres, any proposed change in boundary, no matter how minor, can not result in a loss of designated wilderness.

The Rogue/Umpqua Divide Wilderness was originally proposed with logical landscape boundaries (those boundaries where altered in the final wilderness designation). The area where the road in question occurs ended up being drawn very mechanical rather than ecological. Senator Smith's proposed May 2003 change also uses the same engineered boundary outcome. The attached map shows a much more logical landscape boundary for the area. The opportunity to draw the road out of the wilderness also gives an opportunity to incorporate wilderness benefits in a more natural outcome for the rogue/Umpqua Divide. The proposed small roadless addition is 11 acres. Map attached. Please take this opportunity to add back some of the original wilderness designation area with this bill.

2. In addition—The Forest Service maps and specialists have identified fish blocking culverts on the road in question that need dollars to upgrade for fish passage.

If people are to gain greater access, please make it possible for fish to have greater habitat benefits also. In addition there are several stem roads in the access reach that contribute to stream and habitat problems. Road decommissioning as recommended by the Forest's specialists would contribute to restoration of these public lands for fish wildlife and people.

Thank you for the opportunity to comment to the sub committee on this important Umpqua wilderness matter.

STATEMENT OF THE SIERRA CLUB, ON S. 738

Representing nearly 750,000 members across the nation, including 168,000 Californians and over 6,000 constituents of the 1st Congressional District in California, the Sierra Club strongly advocates for the passage of S. 738, the Northern California Coastal Wild Heritage Wilderness Act. This bill will ensure that many of our national treasures, which provide the famous Northern California backdrop of redwoods, salmon, and wine, can be enjoyed just as it is today for all generations to come.

The Northern California Coastal Wild Heritage Wilderness Act would protect clean water, important fish and wildlife habitat, ancient forests, world-class outdoor recreation opportunities and our unmatched quality of life by designating 298,000 acres of wilderness and protecting 21 miles of the Black Butte River in the 1st Congressional District of California.

Some of Northern California's most spectacular wildlands are included in this proposal, such as the King Range, the longest stretch of undeveloped coastline in the lower 48, with towering peaks over 4,000 feet directly next to the great Pacific Ocean. Cache Creek, home to California's second largest wintering bald eagle population, is also protected in the proposal. The bill proposes additions to the Siskiyou Wilderness, a critical area for California's remaining Chinook and coho salmon and steelhead trout. The Black Butte River drains one of the most undeveloped tributary watersheds to the Middle Eel River, is one of the Eel's most important salmon and steelhead spawning tributaries, and is rich in Native American cultural values.

The areas proposed for wilderness are considered to have low potential for oil and gas and are generally uneconomical for logging due to the steep and remote nature of the land. Wilderness designation would help increase sustainable tourism-based income to local communities as people continue to enjoy hunting, fishing, bird watching, horseback riding, hiking, backpacking, camping, swimming, rafting, kayaking, and more. Livestock grazing would also continue under the bill.

The method used for drafting the legislation has won praise from a vast array of different user groups and local interests. Congressman Mike Thompson, Along with Senators Feinstein and Boxer, have crafted a wild lands conservation bill using a thoroughly inclusive approach. In the process, they sought out, met with and addressed concerns of affected constituencies, including local land owners, businesses, elected officials, members of the logging industry, scientists, mountain bikers, Native Americans, hunters, anglers, winemakers, federal agencies and members of other diverse user groups.

For example, the Clear Lake Horsemen's Association of Lake County objected to the original boundaries for the proposed Snow Mountain Wilderness additions because members like to cut firewood with chainsaws 150 feet from a certain Forest Service road, while the proposed additions began 100 feet from that road. As a result, the setback was increased in the proposal to 300 feet from the road and the equestrians subsequently offered their support of the measure.

Specifically, Congressman Thompson and Senators Boxer and Feinstein addressed the fire management concerns raised by the Forest Service, Bureau of Land Management, community leaders, and private property owners. They reduced the scope of the wilderness designations by nearly 12,000 acres, changing boundaries, adding buffer zones, and allowing for existing or proposed fuel breaks. Before Feinstein—a known leader on fire issues on public lands—threw her support behind the legislation, she gave the maps of the proposed wilderness to the Forest Service and asked them to identify concerns. Adjustments were made accordingly, and Feinstein joined original sponsor Senator Boxer as a sponsor of the legislation in the Senate.

In addition, after discussions with local mountain bikers and agencies, the sponsoring members removed 6,000 acres from the original wilderness proposal so that popular mountain biking trails would not be closed. Two Native American tribes have voiced their support for this legislation because it will protect sacred sites and guarantee the right to conduct traditional practices. The bill will protect opportunities for vehicle-free recreation without closing any areas currently maintained for off-road vehicle use. No roads that are both physically and legally open to the driv-

ing public will be closed by this bill, ensuring the current level of motorized access to the public lands remains.

In all, the sponsors scaled back the initial wilderness proposal by nearly 21,000 acres in order to address fire, mountain biking and manageability concerns. The result of this meticulous effort is an enormously popular wilderness bill with broad local and statewide support that will conserve the North Coast's wilderness character while also addressing the interests of local stakeholders.

With this thoughtful process addressing stakeholder concerns, the proposal has gained the support of more than 40 elected officials from both sides of the aisle in the 1st Congressional District. In true bipartisanship, the Napa County Board of Supervisors unanimously supported the Northern California Coastal Wild Heritage Wilderness Act. The Willits City Council recently passed a bipartisan resolution 4 to 0 in favor of the proposal, and the Mendocino County Board of Supervisors passed a bipartisan resolution for the bill last fall. The Ukiah City Council also unanimously voiced its support for the wilderness legislation last fall and has passed a bipartisan resolution of support in the past.

Over 140 diverse businesses, outdoor groups, religious organizations, and citizen groups throughout the 1st Congressional District support the areas proposed for protection, including Harwood Industries, a local timber mill from Branscomb; Woodworkers Local Lodge W-469, a timber workers union from Fort Bragg; Six Rivers Paddling Club from Eureka; Stony Hill Vineyard from St. Helena; and the Kelseyville Presbyterian Church from Kelseyville—just to name a few.

After four years of contacting all stakeholders and making changes to the wilderness proposal, the process has resulted in broad bipartisan support among 1st Congressional District voters, and indeed statewide. With this proposal, all Americans will be able to experience and enjoy our coastal heritage for generations to come. It is time for new wilderness in California and the Northern California Coastal Wild Heritage Wilderness Act serves as a balanced example of protection and compromise.

On behalf of our members, both within the affected Congressional district and beyond who will reap the benefits of this bill, Sierra Club calls for the swift passage of S. 738, to ensure that our national wild heritage will be enjoyed for years to come.