

**STATEMENT OF  
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BEFORE THE  
UNITED STATES HOUSE OF REPRESENTATIVES  
COMMITTEE ON NATURAL RESOURCES  
SUBCOMMITTEE ON PUBLIC LANDS  
AND ENVIRONMENTAL REGULATION  
CONCERNING  
H.R. 4283, TO AMMEND THE WILD AND SCENIC RIVERS ACT  
JUNE 10, 2014**

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to testify before you today on H.R. 4283, to amend the Wild and Scenic Rivers Act.

The Administration opposes H.R. 4283 because it discriminates between the businesses operating within the Main Salmon Wild River Corridor and would place an undue financial burden on the public for the operation of a private enterprise. We hope to work with Representative Simpson to find a solution that is mutually beneficial to his constituents and the Forest Service.

More than 160 rivers in 38 states and the Commonwealth of Puerto Rico comprise the National Wild and Scenic River System. More than 11,000 river miles are protected reflecting tremendous geographic diversity, from the remote rivers of Alaska, Idaho and Oregon to rivers threading through the rural countryside of Massachusetts, New Hampshire, and Ohio.

Smith Gulch is located within the Main Salmon Wild River corridor, located within the Frank Church-River of No Return Wilderness in Idaho. Both the Wild River and Wilderness were designated as such by the Central Idaho Wilderness Act of 1980 (16 U.S.C. 1132). The Act mandates that the Main Salmon River corridor be managed according to the requirements of the Wild and Scenic Rivers Act.

Public Law 108-447, enacted in 2004, amended the Wild and Scenic Rivers Act, 16 U.S.C. §1274(a)(24)(D), and directed that the Forest Service continue to authorize the established use and occupancy of three commercial recreation services within the Main Salmon River Corridor, including the services at Smith Gulch. Such continued authorization is to be subject to such reasonable regulation as the Secretary deems appropriate, including rules that would provide for termination for noncompliance, and if terminated, reoffering the site through a competitive process.

The facilities and structures for commercial recreation services at Smith Gulch in Idaho are authorized and operated under a Term Special Use permit to River of No Return Lodge, Inc. (Permit #NFK249). The permit is authorized under the authority of the Act of March 4, 1915, as amended July 28, 1956, (16 U.S.C. 497). This permit is issued with provisions and terms similar to those of recreation facilities throughout the National Forest System. The permit takes into account the location and surroundings of facilities and improvements, the public values affected by such an operation, and any specific public health and safety concerns. Through such authorizations, the responsibility for a fairly-offered, high quality outdoor recreation service is shared by the Forest Service, which represents the public at large, and the private business enterprise.

H.R. 4283 would require the public to bear more of the cost of providing recreation services in the operation of a private business, with the Forest Service bearing the cost of environmental analysis. Under the existing approach, regulations directing the assignment of costs are found in 36 CFR 251.58, with Forest Service policy in FSH 2709.11 Chapter 20. These regulations direct the assessment and collection of fees to recover agency processing and monitoring costs for new and existing authorizations. This legislation as written does not explain why the agency should bear the costs of a privately-provided recreation service in this location.

The Forest Service has in place appropriate policies to accommodate the needs of a recreation service business operating at this location. Consistent with statutory guidance, the policies allow for such facilities and structures needed to provide the authorized recreation services. Smith Gulch operates under these policies and requirements; just as other similarly authorized businesses within the Main Salmon Wild River Corridor.

As evidenced by the proclamation of June 2014 as Great Outdoors Month, the Forest Service recognizes and fully embraces its mission to provide high quality outdoor recreation services to the public. I encourage the operators of the recreation service business at Smith Gulch to work with the appropriate local Forest Service officials to resolve any issues related to their utilizing existing agency regulations, policies and authorities.

I would like to thank the Chairman and committee members for inviting me to testify on this issue, and I welcome any questions you may have for me at this time.