

**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. 4272 FOREST ACCESS AND RURAL COMMUNITIES ACT  
JUNE 10, 2014**

Many National Forest visitors use motor vehicles to access the National Forests, whether for recreation, commercial purposes, or the other multiple uses of National Forest System (NFS) lands. For many visitors, motor vehicles represent an integral part of their recreational experience. People come to National Forests to ride on roads and trails in pickup trucks, ATVs, motorcycles, and a variety of other conveyances. Motor vehicles are a legitimate and appropriate way for people to enjoy their National Forests—in the right places, and with proper management. The Travel Management Rule of 2005 was developed to meet the growing popularity and capabilities of Off Highway Vehicles (OHVs), and continue to provide these opportunities while sustaining the health of NFS lands and resources.

The Travel Management Rule has three subparts, dealing with overall roads analysis, management of the road system, and management of over-snow vehicles. Subpart A of the Travel Management Rule requires identification of the minimum road system needed for safe and efficient travel and for administration, utilization, and protection of NFS lands. Subpart B of the Travel Management Rule of 2005 provides a national framework for local Forest Service units to use in designating a system of roads, trails, and areas for motor vehicle use as the Agency moves toward a road system that can be sustainably maintained and that minimizes environmental impacts. The goal of Subpart B is to secure a wide range of recreation opportunities while ensuring the best possible care of the land. Subpart C of the Travel Management Rule provides for designation of routes and areas for over-snow vehicle use.

Under the Travel Management Rule, travel management decisions are made by the forest supervisor or district ranger, and the rule provides for involving a broad spectrum of interested and affected citizens, other state and federal agencies, and tribal governments in making travel management decisions.

H.R. 4272 would prohibit implementation and enforcement of all subparts of the Travel Management Rule on all NFS lands derived from the public domain; it would require consultation with affected county governments in making travel management decisions under all subparts of the Travel Management Rule and decisions affecting non-motorized access on public domain NFS lands; and it would require concurrence of each affected county for implementation of travel management decisions and decisions affecting non-motorized access on public domain NFS lands.

The Administration opposes H.R. 4272 because it would impair the agency's ability to manage NFS lands and resources safely, effectively, and efficiently.

Specifically, the bill would undercut the significant work already completed during the process of obtaining public input and coordinating with federal, state, county, and tribal governments in making travel management decisions. Approximately 90 percent of administrative units have already completed implementation of Subpart B of the Travel Management Rule. Designations are displayed on motor vehicle use maps, which show the public where and when they may operate motor vehicles on NFS lands. The agency is on track to achieve implementation on all units by the end of this fiscal year.

Additionally, approximately 35 percent of units have completed or nearly completed the requisite travel analysis that will support implementation of Subpart A. The travel analysis does not effect any changes on the ground, including road closures. Travel analysis for Subpart A is expected to be completed on all units by the close of fiscal year 2015.

In the specific case identified by Representative Walden—designation of routes and areas for motor vehicle use in the Wallowa-Whitman National Forest—the Forest Supervisor has agreed to reassess the travel management decision in response to public input, thus illustrating the agency's response to public involvement and the impact of public involvement on the designation process.

The bill could preclude the Forest Service from enforcing public safety prohibitions and restrictions on NFS roads, such as speed, load and weight limits, closures during forest fires, and prohibitions on operating a motor vehicle carelessly and recklessly. Additionally, some travel management decisions involve other programs. Curtailing implementation and enforcement of travel management decisions could therefore affect ongoing programs in other disciplines because of interdependent NEPA decisions and Endangered Species Act consultation.

The consultation requirements in the bill are duplicative. All subparts of the Travel Management Rule provide for involvement of a broad spectrum of interested and affected citizens, other state and federal agencies, and tribal governments in making travel management decisions.

Moreover, the bill's concurrence requirements would significantly delay or prevent implementation of future individual travel management decisions needed to protect NFS lands and resources, address use conflicts, and provide for public safety. It would be difficult to obtain concurrence from even one county, but "affected county" as defined in the bill includes a county that contains NFS lands affected by a travel management decision, as well as a county adjacent to that county. To illustrate the scope of the concurrence requirement, there are six counties adjacent to Representative Walden's Umatilla County. Four of those are in Oregon, and two are in Washington. Therefore, to implement travel management decisions affecting Umatilla County, it would be necessary to get concurrence from seven counties.

To the extent H.R. 4272 would apply only to public domain NFS lands and not to acquired NFS lands, the bill would result in inconsistent management of NFS lands.

This bill is not needed because the 2005 Travel Management Rule provides for dynamic management of the forest transportation system. Access can be changed or otherwise managed as needed to address issues that are important to the public and the ecosystem, including issues raised by affected counties.