

**Committee on Natural Resources  
Subcommittee on Federal Lands  
Legislative Hearing  
1334 Longworth House Office Building  
September 19, 2023  
2:15 PM**

- H.R. 1657 (Rep. Stauber), *“Lake Winnibigoshish Land Exchange Act of 2023”*;
- H.R. 3107 (Rep. Neguse), *“Improving Outdoor Recreation Coordination Act”*;
- H.R. 3200 (Rep. Zinke), *“Gateway Community and Recreation Enhancement Act”*; and
- H.R. 4984 (Rep. Comer), *“D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act”*.

**Questions from Rep. Tiffany** for Ms. Jacqueline Emanuel, Associate Deputy Chief, National Forest System, U.S. Forest Service.

1. During the hearing, you mentioned the Forest Service coordinates with local, county, and state governments (“stakeholders”).
  - a. How does the Forest Service define coordination?

**RESPONSE: The type of coordination with stakeholders conducted by the Forest Service varies depending on the context and applicable legal requirements, as discussed in response to Question 1b.**

- b. Will you provide citations for laws, statutes, codes, regulations, and policy manuals directing the Forest Service to coordinate with stakeholders?

**RESPONSE: Several authorities provide for Forest Service coordination with stakeholders. Examples include, but are not limited to, the following:**

- **Section 14(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974, 16 U.S.C. § 1612(a), and its implementing regulations at 36 C.F.R. Part 216, require the Forest Service to provide notice and opportunity to comment on formulation of standards, criteria, and guidelines applicable to Forest Service programs. Forest Service directives implementing these authorities state that it is the policy of the Forest Service to ensure appropriate intergovernmental communication when developing or amending directives that are subject to public notice and comment. Forest Service Handbook (FSH) 1109.12, Ch. 30, sec. 34.**
- **Forest Service regulations at 36 C.F.R. Part 212, Subparts A and B, require the agency to coordinate with stakeholders when designating National Forest System (NFS) roads, NFS trails, and areas on NFS lands for motor vehicle or over-snow vehicle use.**

- **The John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, Pub. L. No. 116-9, Title IV (Sportsmen’s Access and Related Matters) (Dingell Act), requires the Forest Service to coordinate with stakeholders on proposed temporary and permanent restrictions and prohibitions on hunting, fishing, and recreational shooting on NFS lands. Forest Service directives implementing this requirement are in FSH 5309.11, Chapter 30, section 34.**
  - **Forest Service regulations at 36 C.F.R. Part 261, Subpart C, provide for public notice and opportunity to comment on permanent restrictions and prohibitions applicable to a Forest Service region.**
  - **The Forest Service engages with stakeholders and other members of the public on proposals to establish, modify, or eliminate a recreation fee consistent with section 804 of the Federal Lands Recreation Enhancement Act (FLREA), 16 U.S.C. § 6803, and Forest Service directives at FSH 2309.13, Chapter 30, section 32.8.**
  - **The Forest Service also engages with stakeholders and other members of the public in connection with National Environmental Policy Act compliance for proposed projects, including decommissioning of developed recreation sites pursuant to recreation site assessments.**
2. H.R. 3200 would require the National Park Service to coordinate with local stakeholders, hold public meetings, and open at least a 60-day comment period before any action is taken to reduce access. Does the Forest Service support including similar requirements before reducing access to National Forest System lands?

**RESPONSE: Because the Forest Service generally conducts public outreach and solicits public comments for access-related actions needed on NFS lands, we would like to better understand the purpose of this provision and to work with the sponsor and the Committee to clarify it accordingly. The provision as drafted would preclude the agency from timely issuing short-term orders to address immediate public health and safety or resource concerns in specific areas, as authorized by the Dingell Act (authorizing emergency orders without public notice and comment) and the agency’s travel management regulations at 36 C.F.R. § 212.52(b)(1) and (b)(2) (authorizing temporary, emergency closures and temporary, emergency closures based on determination of considerable adverse effects without public involvement).**

3. Earlier this year during another hearing focused on recreation, the Forest Service followed up and assured me there are plans and funding available to rehabilitate boat launches at Beaver Lake, Cisco Lake, Stock Farm, Twin Lake, and Mondeaux. Will you provide an update on the status of these boat launches?

**RESPONSE: The Chequamegon-Nicolet National Forest remains on schedule for the planned rehabilitation at Beaver Lake, Cisco Lake, Twin Lakes, Stock Farm,**

**and Mondeaux Flowage using funding under the Great American Outdoors Act. The boat landing rehabilitations for Beaver Lake, Cisco Lake, Twin Lakes, and Stock Farm are anticipated to be completed in fiscal year (FY) 2024. Additionally, the planned fishing pier rehabilitation or replacement at Mondeaux Flowage is anticipated to be completed in FY 2025. The fishing ramp will remain open during rehabilitation or replacement of the fishing pier at Mondeaux Flowage.**