

**STATEMENT OF
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**BEFORE THE
UNITED STATES HOUSE COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON FEDERAL LANDS**

July 24, 2024

Concerning

**H.R. 3293 - Expediting Federal Broadband Deployment Reviews Act
H. R. 8403 - Benton MacKaye National Scenic Trail Feasibility Study Act**

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to provide a statement for the record on two bills pertaining to the United States Department of Agriculture (USDA), Forest Service.

H.R. 3293 - Expediting Federal Broadband Deployment Reviews Act

H.R. 3293 would require the National Telecommunications and Information Administration (NTIA) to establish an interagency strike force to prioritize the review of communications use applications by the Bureau of Land Management (BLM) and the Forest Service. The strike force would have to: (1) conduct periodic calls with strike force members to ensure that each agency prioritizes the review of applications for communications use authorizations; (2) establish goals for the review of the applications; and (3) monitor and facilitate agency accountability for meeting the established goals. The strike force would include members from USDA and the Department of the Interior. Lastly, the strike force would have to report to Congress within 270 days after the enactment of this act whether Federal land management agencies are effectively prioritizing requests for communication use authorizations.

H.R. 3293 would overlap with existing coordination among the NTIA, the Forest Service, BLM, and other federal agencies. Representatives from the NTIA, the Forest Service, and the BLM currently participate in biweekly Broadband Permitting Working Group meetings to share information. Forest Service staff and NTIA's Environmental Program staff routinely share best practices and strategies for effective and efficient broadband deployment on federal lands. We are working together to conduct stakeholder outreach on this topic, including sharing useful resources and tools related to federal permitting. With regard to H.R. 3293, USDA recommends clarifying the relationships and operational integrations among the strike force with existing coordination efforts provided through the Broadband Permitting Working Group, the national broadband team and the Federal Permitting Improvement Steering Council. We look forward to working further with the committee and bill sponsor to ensure the bill language would augment the Department's ongoing coordination with other federal land management agencies to streamline review and processing of communications use applications.

The Forest Service has prioritized the processing of proposals and applications for communications uses, including broadband projects, on National Forest System (NFS) lands. The Forest Service is striving to fully comply with current law, which requires federal land management agencies to grant or deny communications use applications within 270 days of receipt. The Forest Service received multi-year funding from the Federal Permitting Improvement Steering Council to address the anticipated influx of proposals and applications for broadband deployment on NFS lands. The agency established the national broadband team that advises and supports Forest Service offices with reviewing and processing communications use applications and that tracks these applications to ensure the agency meets its statutory requirements. Lastly, our ability to review broadband permits efficiently and effectively has been facilitated by the availability of categorical exclusions (CEs) that we have adopted under Section 109 of NEPA, enacted through the Fiscal Responsibility Act, such as NTIA's CEs C-4 through C-8, concerning new communications uses, including broadband, and the Department of Commerce's CEs A-4 (communication towers) and A-6 (fiber optic cable).

USDA would like to have further discussions with the committee and bill sponsor to clarify that the Forest Service and Bureau of Land Management retain decision making authority over land management decisions and to ensure any new coordinating body augments existing coordination efforts.

H. R. 8403 - Benton MacKaye National Scenic Trail Feasibility Study Act

H.R. 8403 would amend the National Trails System Act to direct the Secretary of Agriculture to conduct a study on the feasibility of designating the Benton MacKaye Trail as a National Scenic Trail. The Benton MacKaye Trail is a 287-mile, multiple-use resource that traverses the Chattahoochee, Cherokee, and Nantahala National Forests. The Benton MacKaye Trail is maintained through agreements between federal land managers and volunteer organizations seeking to sustain hiking, mountain biking, and equestrian uses of the Trail.

USDA supports this feasibility study, which is a standard step in the establishment of a national scenic trail. The study would include findings related to the feasibility, suitability, sustainability, and desirability of designating the Benton MacKaye Trail as a national scenic trail. If the bill is enacted, the Forest Service would work with all interested parties to complete the feasibility study, including representatives from the diverse groups that currently use and help maintain the Benton MacKaye Trail.

USDA supports H.R. 8403 and recognizes the importance of a feasibility study for designating a national scenic trail, and the Forest Service embraces its mission to administer national scenic trails.

Thank you for the opportunity to provide a written statement on H.R. 3293 and H.R. 8403. USDA welcomes any questions from the Subcommittee.