

**H.R. 6441, H.R. 7666, H.R. 8182,  
H.R. 8517, H.R. 9062, H.R. 9165,  
H.R. 9528, H.R. 10082, AND H.R. 10084**

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## **LEGISLATIVE HEARING**

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

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HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Federal Lands Republican Members

**From:** Subcommittee on Federal Lands; Aniela Butler, Brandon Miller, Taylor Wiseman, and Colen Morrow—Aniela@mail.house.gov, Brandon.Miller@mail.house.gov, Taylor.Wiseman@mail.house.gov, and Colen.Morrow@mail.house.gov; x6-7736

**Date:** Tuesday, November 19, 2024

**Subject:** Legislative Hearing on 9 Grazing and Public Lands Bills

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The Subcommittee on Federal Lands will hold a legislative hearing on 9 grazing and public lands bills:

- H.R. 6441 (Rep. Vasquez), “*Ranching Without Red Tape Act of 2023*”;
- H.R. 7666 (Rep. LaMalfa), To require the Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction;
- H.R. 8182 (Rep. Austin Scott of Georgia), “*Ocmulgee Mounds National Park and Preserve Establishment Act*”;
- H.R. 8517 (Rep. Gosar), “*La Paz County Solar Energy and Job Creation Act*”;
- H.R. 9062 (Rep. Curtis), “*Operational Flexibility Grazing Management Program Act*”;
- H.R. 9165 (Rep. Maloy), “*Public Land Search and Rescue Act*”;
- H.R. 9528 (Rep. Pallone), To redesignate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.;
- H.R. 10082 (Rep. Bentz), “*Oregon Owyhee Wilderness and Community Protection Act*”; and
- H.R. 10084 (Rep. Clyburn), “*Renewing the African American Civil Rights Network Act*”.

The hearing will take place on **Tuesday, November 19, 2024**, at 2 p.m. in room 1324 Longworth House Office Building.

Member offices are requested to notify Will Rodriguez (Will.Rodriguez@mail.house.gov) by 4:30 p.m. on Monday, November 18, if their Member intends to participate in the hearing.

#### **I. KEY MESSAGES**

- Grazing on public lands provides important conservation, ecosystemic, and economic benefits to the American people and federal land management agencies. H.R. 6441 (Rep. Vasquez), H.R. 7666 (Rep. LaMalfa), H.R. 9062 (Rep. Curtis), and H.R. 10082 (Rep. Bentz) each offer unique and innovative reforms to grazing policy to increase flexibility for Western ranchers and help support rural economies.
- H.R. 8182 (Rep. Austin Scott of GA) would create Georgia’s first national park and elevate a unique area with rich archeologic, historic, and natural resources to a crown jewel of the National Park System.

- H.R. 8517 (Rep. Gosar) is a win-win solution that would reduce the federal estate while supporting more domestic energy production. This legislation helps support an all-of-the-above energy strategy and rural economies.
- H.R. 9165 (Rep. Maloy) would support local law enforcement efforts by addressing the rising costs of search and rescue operations on federal lands, ultimately enhancing public safety.
- H.R. 10082 (Rep. Bentz) is a thoughtful solution to address land management issues in Oregon in a collaborative approach, avoiding a unilateral national monument designation.

## II. WITNESSES

### Panel I (Members of Congress):

- **To Be Announced**

### Panel II (Administration Officials):

- **The Honorable Deb Haaland**, Secretary, U.S. Department of the Interior, Washington, D.C. [Declined to testify]
- **Mr. Steven Lohr**, Director of Natural Resources, National Forest System, USDA Forest Service, Washington, D.C.

### Panel III (Outside Experts):

- **The Honorable Tracy Glover**, President, Utah Sheriffs' Association, Kanab, Utah, [H.R. 9165]
- **Ms. Sherri Brennan**, Member, Public Lands Council, Sonora, California [H.R. 7666]
- **Mr. Jeff Young**, President, Utah Cattlemen's Association, Henefer, Utah [H.R. 9062]
- **Mr. Seth C. Clark**, Executive Director, Ocmulgee National Park & Preserve Initiative, Macon, Georgia [H.R. 8182]
- **Mr. Elias Eiguren**, Treasurer, Owyhee Basin Stewardship Coalition, Jordan Valley, Oregon [H.R. 10082]
- **Mr. D.L. Wilson**, Solar Projects Manager, La Paz County, Parker, Arizona [H.R. 8517]
- **Mr. Ryan Houston**, Executive Director, Oregon Natural Desert Association, Bend, Oregon [H.R. 10082] [Minority Witness]
- **Dr. Bobby Donaldson**, Executive Director, Center for Civil Rights History and Research, Columbia, South Carolina [H.R. 10084] [Minority Witness]

## III. BACKGROUND

### *Overview of Federal Grazing Policy*

Several of the bills on today's hearing affect ranching and grazing, including H.R. 6441 (Rep. Vasquez), H.R. 7666 (Rep. LaMalfa), H.R. 9062 (Rep. Curtis), and H.R. 10082 (Rep. Bentz).

This overview provides general background information on federal grazing policy, while the subsequent sections provide detailed analysis on the individual grazing bills under consideration.

Grazing on public lands provides important conservation, ecosystemic, and economic benefits to the American people and federal land management agencies, alike. This is especially true in the Western states, where roughly half the land is federally owned.<sup>1</sup> The majority of grazing on federal land occurs on parcels managed by either the Bureau of Land Management (BLM) or the U.S. Forest Service (USFS). The BLM administers roughly 18,000 grazing permits and leases on nearly 155 million acres of public land in almost 22,000 grazing allotments.<sup>2</sup> Similarly, more than 95 million of the total 193 million acres managed by USFS are available

<sup>1</sup> Carol Hardy Vincent, "Federal Land Ownership: Overview and Data," Congressional Research Service, February 21, 2020, <https://www.crs.gov/Reports/R42346>.

<sup>2</sup> FY 2025 Bureau of Land Management Greenbook, U.S. Department of the Interior, accessed November 11, 2024, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>.

for grazing, and nearly 6,000 permits for livestock and horses cover USFS land.<sup>3</sup> In total, roughly 92 percent of the available grazing land managed by these agencies is utilized to graze livestock.<sup>4</sup>

Both agencies operate under multiple-use and sustained-yield mandates which explicitly acknowledge livestock grazing as an approved activity.<sup>5</sup> Because BLM and USFS are multiple-use agencies, lands available for livestock grazing are also generally available for, and compatible with, other purposes, like recreation and energy development. Science continues to demonstrate that grazing is not only compatible with rangeland management but also is vital to rangeland health. Earlier this year, for example, the U.S. Department of Agriculture released a study showing livestock grazing can limit both wildfire risk and invasive annual grasses.<sup>6</sup> Livestock grazing can modify the range to make it more fire resilient and the presence of livestock on federal land decreases fire probability and severity.<sup>7</sup>

Public lands grazing delivers considerable cost-savings to federal land management agencies while adding economic value to rural economies. In fiscal year (FY) 2022, on USFS land alone, the forage utilized by the permitted livestock contributed \$598,000 to the nation's gross domestic product and supported approximately 13,700 jobs.<sup>8</sup> Researchers found the ecological value of cattle grazing on federal lands is \$1,043.35 of ecosystem services per beef cow, including benefits to wildlife and forage production.<sup>9</sup> Additionally, apart from serving as great partners to the federal government, ranchers who engage in public lands grazing provide significant cost benefits. These ranchers pay a grazing fee and for land maintenance costs. They also frequently clear public trails, monitor recreation trends, observe wildlife movements, and respond first to wildfires and other natural disasters.<sup>10</sup> Their activity provides substantial assistance to agency field staff who are responsible for monitoring millions of acres of public land.

Despite the many proven benefits of grazing on public lands, BLM and USFS are often delayed in approving the permits necessary for grazing to occur. For example, as of November 2023, BLM had 10,845 unprocessed grazing permits.<sup>11</sup> BLM also processes permits at a rate slower than that at which they expire, meaning that BLM will never clear the backlog without policy changes.<sup>12</sup> In FY 2025, for instance, the BLM expects to process only 1,100 grazing permits and leases while about 1,445 permits are scheduled to expire.<sup>13</sup> To allow for continuity in grazing operations, Congress, in 2014, made permanent the automatic renewal of permits and leases that expire or are transferred while they are waiting for the evaluation process to be formally reissued.<sup>14</sup> The law provided that the issuance of a grazing permit “may” be categorically excluded from environmental review under the National Environmental Policy Act (NEPA) when certain conditions apply.<sup>15</sup> Several of the

<sup>3</sup> Carol Hardy Vincent, “Grazing Fees: Overview and Issues,” Congressional Research Service, March 4, 2019, <https://crs.gov/Reports/RS21232>. Fiscal Year 2025 Budget Justification, United States Department of Agriculture Forest Service, accessed November 12, 2024, <https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf>.

<sup>4</sup> Anna T. Maher et al., “An economic valuation of federal and private grazing land ecosystem services supported by beef cattle ranching in the United States,” <https://doi.org/10.1093/tas/txab054>.

<sup>5</sup> Carol Hardy Vincent, “Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress,” Congressional Research Service, February 24, 2023, <https://www.crs.gov/Reports/R43429>.

<sup>6</sup> Kirk W. Davies et al., “Ecological benefits of strategically applied livestock grazing in sagebrush communities,” *Ecosphere*; May 22, 2024, <https://doi.org/10.1002/ecs2.4859>.

<sup>7</sup> *Id.*

<sup>8</sup> Fiscal Year 2025 Budget Justification, United States Department of Agriculture Forest Service, accessed November 12, 2024, <https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf>.

<sup>9</sup> Anna T. Maher et al., “An economic valuation of federal and private grazing land ecosystem services supported by beef cattle ranching in the United States,” <https://doi.org/10.1093/tas/txab054>.

<sup>10</sup> Dave Daley, California Cattlemen’s Association, Testimony before the House Natural Resources Committee, August 11, 2023, [https://republicans-naturalresources.house.gov/UploadedFiles/Testimony\\_Daley.pdf](https://republicans-naturalresources.house.gov/UploadedFiles/Testimony_Daley.pdf).

<sup>11</sup> FY 2025 Bureau of Land Management Greenbook, U.S. Department of the Interior, accessed November 11, 2024, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> Public Law 113-291, Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015.

<sup>15</sup> *Id.*

bills featured in today’s hearing provide BLM and USFS with additional flexibility in administering grazing permits and leases.

**H.R. 6441 (Rep. Vasquez), “Ranching Without Red Tape Act of 2023”**

Ever-expanding regulatory requirements have increased the cost and complexity of ranching on federal lands. For example, if a rancher wants to make improvements to existing fences and fence lines, wells, water pipelines, or stock tanks, they will encounter a lengthy approval process from the authorizing federal agency. Many minor improvements ranchers want to make would benefit the wellbeing of their livestock and improve the rangeland, yet they are unable to do so due to bureaucratic red tape. To address this problem, Representatives Vasquez (D-NM-02) and Curtis (R-UT-03) introduced H.R. 6441 to minimize the disruptions of grazing livestock on federal land. H.R. 6441 would require BLM and USFS to streamline the procedures for authorizing minor range improvements carried out by grazing permittees. If BLM or USFS do not respond to a request to undertake minor improvements under a grazing permit within 30 days, the bill provides the permittee authority to move forward on those minor improvements. S. 3322, sponsored by Senator Barrasso (R-WY), is the companion bill in the Senate.<sup>16</sup>

**H.R. 7666 (Rep. LaMalfa), To require the Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction.**

Federal agencies must be equipped with all available tools to reduce wildfire risk, improve forest health, and minimize the vulnerability of communities in the wildland-urban interface. Targeted grazing is a proven method of reducing hazardous fuels and decreasing the speed and severity with which wildfires would otherwise rip through our forests and put vulnerable communities at risk. USFS consistently recognizes grazing as an effective tool for wildfire management and has listed grazing as a key aspect of the agency’s Wildfire Crisis Strategy.<sup>17</sup> Building on this progress, H.R. 7666 would direct USFS to expand the use of proactive, targeted grazing in fuels management programs to lower wildfire risk. Specifically, the bill would direct USFS to coordinate with grazing permittees to develop wildfire risk-reduction strategies, including proactive fuels reduction to prevent wildfire and the use of grazing as a post-fire recovery strategy. An identical provision was included in the House-passed “Fix Our Forests Act.”<sup>18</sup>

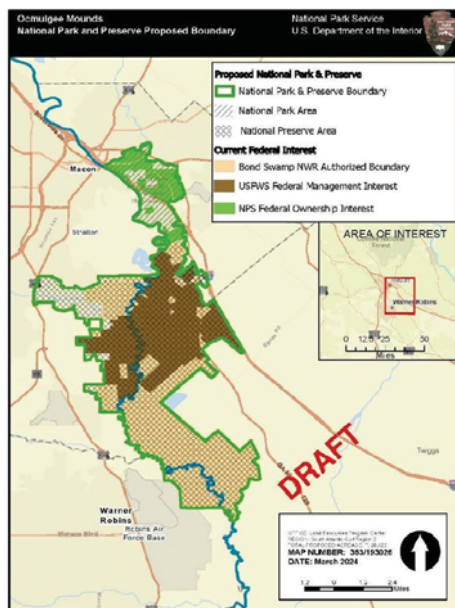
<sup>16</sup>S. 3322; <https://www.congress.gov/bill/118th-congress/senate-bill/3322>.

<sup>17</sup>Fiscal Year 2025 Budget Justification, United States Department of Agriculture Forest Service, accessed November 12, 2024, <https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf>.

<sup>18</sup>House Amendment 1205 to H.R. 8790, Representative LaMalfa, <https://www.congress.gov/amendment/118th-congress/house-amendment/1205>.



**H.R. 8182 (Rep. Austin Scott of Georgia), “Ocmulgee Mounds National Park and Preserve Establishment Act”**



Proposed Ocmulgee Mounds National Park and Preserve map. Source: NPS, 2024.

Few locations in the country rival the historical depth of the Ocmulgee River Corridor (Ocmulgee Mounds), located between Macon and Hawkinsville, Georgia. This area, which contains a mixture of lands managed by the National Park Service (NPS), U.S. Fish and Wildlife Service, U.S. Air Force, and state and private entities, contains important historical and archeological resources.<sup>19</sup> According to the National Park Foundation, the current Ocmulgee Mounds National Historical Park conserves a “continuous record of human life” and habitation dating back 17,000 years to Ice Age hunters in the Paleoindian period.<sup>20</sup> The area is notable for seven earthen mounds built by hand during the Mississippian Period (A.D. 900–1540).<sup>21</sup> Early Mississippian people constructed the mounds with the aid of water from nearby rivers and used the finished structures for a variety of purposes, including as funeral sites, residences, and official meeting places.<sup>22</sup> Later, the area was home to dozens of villages inhabited by the Muscogee (Creek) Nation until the mid-19th Century, when the Tribe was forcibly re-located to Oklahoma.<sup>23</sup> In the 1920s, artifacts and graves were uncovered in this area, leading to the largest archaeological dig in American history from 1933 to 1941.<sup>24</sup> During this period, archaeologists excavated more than three million items, such as pottery and tools.<sup>25</sup>

<sup>19</sup> National Park Service, “Ocmulgee River Corridor Special Resource Study,” 2023, <https://parkplanning.nps.gov/document.cfm?parkID=415&projectID=91276&documentID=132895>.

<sup>20</sup> *Id.* National Park Foundation, “Ocmulgee Mounds National Historical Park,” <https://www.nationalparks.org/explore/parks/ocmulgee-mounds-national-historical-park>.

<sup>21</sup> *Id.* National Geographic, “Could this be Georgia’s first national park?”, <https://www.nationalgeographic.com/travel/article/ocmulgee-native-american-site-georgia-first-national-park>.

<sup>22</sup> *Id.*  
<sup>23</sup> National Geographic, “Everything you need to know about Ocmulgee Mounds National Historic Park”, <https://www.nationalgeographic.com/travel/article/ocmulgee-mounds-national-historical-park>.

<sup>24</sup> National Geographic, “Could this be Georgia’s first national park?”, <https://www.nationalgeographic.com/travel/article/ocmulgee-native-american-site-georgia-first-national-park>.

<sup>25</sup> *Id.*

Following this unprecedented discovery, calls to conserve the site began to gain momentum, and President Franklin Delano Roosevelt established the approximately 2,000-acre Ocmulgee Mounds National Monument on December 23, 1936.<sup>26</sup> In 2019, the “John D. Dingell, Jr. Conservation, Management and Recreation Act” redesignated the area as a National Historic Park and authorized NPS to conduct a special resource study (SRS) determining the suitability and feasibility of designating the broader Ocmulgee River Corridor as a unit of the National Park System.<sup>27</sup> In 2023, NPS concluded in its final SRS that the area was nationally significant and suitable for inclusion in the National Park System because it contained cultural and natural resources not already adequately represented within the System.<sup>28</sup> Due to the large number of private parcels in the study area, however, NPS found that a broader designation would not be feasible and the study area did “not meet all of the established criteria for new national park system units.”<sup>29</sup> Subsequently, more than 70 organizations, including the Muscogee (Creek) Nation and the Georgia Department of Natural Resources, joined an effort to designate the Ocmulgee River Corridor as the Ocmulgee Mounds National Park and Preserve. Proponents argue this designation, which would create Georgia’s first national park, would elevate a popular area that attracts 150,000 visitors annually while protecting popular recreation activities such as hunting and fishing.<sup>30</sup> Proponents also contend that a redesignation “could attract up to 1.6 million annual visitors and create upwards of \$287 million dollars annually.”<sup>31</sup>

H.R. 8182 would re-designate the current 2,000-acre Ocmulgee Mounds National Historical Park as the Ocmulgee Mounds National Park and authorize the creation of Ocmulgee Mounds National Preserve on the date on which the Secretary of the Interior has acquired sufficient land to constitute a manageable unit. The bill creates a co-management system between NPS and the Muscogee (Creek) Nation for the National Park and Preserve, which would be a first-of-its-kind management system for units of the National Park System. Additionally, the bill sets up a 9-member advisory council, authorizes 126 acres of land to be held in trust for the Muscogee (Creek) Nation, establishes a hiring preference for Muscogee (Creek) Nation members, and contains provisions related to the continued use of military activities.

#### **H.R. 8517 (Rep. Gosar), “La Paz County Solar Energy and Job Creation Act”**

Approximately 95 percent of the land in La Paz County, Arizona, is under federal, state, or Tribal management, with only five percent of the land available for private ownership.<sup>32</sup> BLM is the largest single land manager in this rural county, controlling roughly 58 percent of the total land mass.<sup>33</sup> The county’s economy is primarily dependent on tourism and agriculture.<sup>34</sup> Like many other Western communities with large federal land footprints, La Paz County faces significant challenges in meeting the economic needs of its residents.

In an effort economically diversify and create additional employment opportunities, the County worked with Representative Gosar (R-AZ-09) to pursue a legislative conveyance of 5,935 acres of BLM land for the development of a large-scale solar farm. That legislation, the “La Paz County Land Conveyance Act,” was signed into law in 2019 as part of the “John D. Dingell, Jr. Conservation, Management and Recreation Act.”<sup>35</sup> After the bill’s passage, La Paz County executed development grants with 174 Power Global, a renewable energy company, and the solar project is currently underway.<sup>36</sup> The project, one of the largest in the United States, is

<sup>26</sup> *Id.* National Geographic, “Everything you need to know about Ocmulgee Mounds National Historic Park”, <https://www.nationalgeographic.com/travel/article/ocmulgee-mounds-national-historical-park>.

<sup>27</sup> Public Law 116-9.

<sup>28</sup> National Park Service, “Ocmulgee River Corridor Special Resource Study,” 2023, <https://parkplanning.nps.gov/document.cfm?parkID=415&projectID=91276&documentID=132895>.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.* Georgia Conservancy, “Ocmulgee National Park & Preserve Initiative,” <https://www.georgiaconservancy.org/ocmulgee-national-park>.

<sup>31</sup> Information based on a study conducted by the National Parks Conservation Association and the James L. Knight Foundation. “5 Under 40: Seth Clark,” *Macon Magazine*, August/September, 2022, <https://maconmagazine.com/5-under-40-seth-clark/>.

<sup>32</sup> Arizona Commerce Authority, “County Profile for La Paz County”, <https://www.azcommerce.com/a/profiles/ViewProfile/8/La+Paz+County/#:-:text=The%20U.S.%20Bureau%20of%20Land,owned%20privately%20or%20by%20corporations>.

<sup>33</sup> *Id.*

<sup>34</sup> Information provided by the Office of Congressman Gosar and available on the Committee’s website; [https://republicans-naturalresources.house.gov/UploadedFiles/The\\_La\\_Paz\\_County\\_Solar\\_Energy\\_and\\_Job\\_Creation\\_Act\\_-\\_One\\_Page.pdf](https://republicans-naturalresources.house.gov/UploadedFiles/The_La_Paz_County_Solar_Energy_and_Job_Creation_Act_-_One_Page.pdf).

<sup>35</sup> Public Law 116-9.

<sup>36</sup> *Id.*

expected to produce 1,000 megawatts of solar power, as well as hundreds of megawatts of battery storage.<sup>37</sup>

H.R. 8517 seeks to build on the success of this project by conveying an additional 3,400 acres of BLM land adjacent to the initial project site. This acreage was part of Representative Gosar's initial legislation but was ultimately removed in the final version of the bill that became law. While BLM is analyzing most of the proposed acres for renewable energy development, the County believes this additional land will provide important economic benefits and much-needed revenues to support its residents. Senator Sinema (I-AZ) is sponsoring S. 1657, companion legislation in the Senate.<sup>38</sup>

**H.R. 9062 (Rep. Curtis), “Operational Flexibility Grazing Management Program Act”**

Land conditions can change each year, but a grazing permit may not be sufficiently flexible to allow livestock grazing at the optimal time for the land and resources. Although grazing permits and leases are generally renewable after 10 years, prevailing range conditions may require certain changes such as adjustments to dates, stocking levels, or water sources, to be implemented much more frequently.<sup>39</sup> For example, the late snowpack and subsequent flooding in Utah in the spring of 2023 delayed many ranchers from accessing their grazing allotment at the permit date.<sup>40</sup> To ensure flexibility in these instances, Representative Curtis introduced H.R. 9062, the “Operational Flexibility Grazing Management Program Act.” H.R. 9062 would provide increased operational flexibility based on emerging landscape conditions so the permittee can continue to steward the land in the most responsible manner. Operational flexibility may include adjusting the season of use, modifying the beginning or ending date of a permit, or adding additional flexibility of the stocking level or water placement and transportation. S. 4454, sponsored by Senator Barrasso (R-WY), is the companion bill in the Senate.<sup>41</sup>

**H.R. 9165 (Rep. Maloy), “Public Land Search and Rescue Act”**



Source: Salt Lake County Sherriff's Search and Rescue Team, 2019.

<sup>37</sup> *Id.*

<sup>38</sup> S. 1657, 118th Congress, <https://www.congress.gov/bill/118th-congress/senate-bill/1657>.

<sup>39</sup> Carol Hardy Vincent, “Grazing Fees: Overview and Issues,” Congressional Research Service, March 4, 2019, <https://crs.gov/Reports/RS21232>.

<sup>40</sup> Farmers and Ranchers Throughout Utah Impacted by Flooding and Consequences of Long Winter, Utah Farm Bureau, May 10, 2023, <https://www.utahfarmbureau.org/Article/Farmers-and-Ranchers-Throughout-Utah-Impacted-by-Flooding-Consequences-of-Long-Winter>.

<sup>41</sup> S. 4454, 118th Congress, <https://www.congress.gov/bill/118th-congress/senate-bill/4454>.

Every year, thousands of visitors to federal lands require search and rescue (SAR) services.<sup>42</sup> These services typically require emergency response personnel to search vast areas of remote land and extract visitors who have been injured, lost, or killed. Each federal land management agency has the authority to carry out SAR activities on their lands. In practice, however, this responsibility frequently falls on local law enforcement entities. While SAR arrangements typically vary across agencies and locations, most agencies rely primarily on local law enforcement authorities to carry out SAR activities pursuant to a formal agreement.<sup>43</sup> This is particularly true of BLM and USFS, which usually take only a “lead or first responder role in SAR emergencies if an immediate and quick response will reduce suffering or save lives, or due to their presence in remote and rural areas.”<sup>44</sup> By contrast, NPS largely serves as the primary responder for SAR activities on lands under its jurisdiction.<sup>45</sup>

As visitation to our federal lands soars, SAR activities are becoming increasingly common and more costly for local governments. For example, NPS, the only land management agency that tracks SAR costs, reported spending \$21.6 million in SAR expenses between 2019 and 2023.<sup>46</sup> Local governments shouldering the SAR responsibilities for USFS and BLM lands expressed concerns with the financial burden of increased SAR activities. According to Kane County, Utah, Sheriff Tracy Glover:

*Western sheriffs are being tasked with higher call volumes for lost or injured visitors. Many of these frantic calls come from some of the most remote areas of federally managed lands . . . All too often, the most desirable areas [for] visitation are located in the most remote and sparsely populated areas leaving underfunded rural county sheriffs with the burden.*<sup>47</sup>

This problem is particularly pronounced in Western counties with large federal footprints since they do not have a traditional tax base to fund public services like law enforcement and experience high rates of visitation.<sup>48</sup>

H.R. 9165 would establish a grant program to assist with the cost of remote SAR activities on federal land. Entities carrying out SAR activities could use these grant funds to purchase necessary gear and equipment; maintain and repair SAR equipment; and reimburse remote SAR operations conducted on federal lands. Further, the bill specifies that grant recipients be prioritized in areas with a high ratio of visitors to residents (i.e. gateway communities). Proponents of the legislation argue this program will help support local law enforcement entities with strained budgets while improving the overall efficacy of SAR activities.

**H.R. 9528 (Rep. Pallone), To designate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.**

Paterson Great Falls National Historical Park (NHP) is a unit of the National Park System located in Paterson, New Jersey. The site is recognized for its contribution to American economic independence, first envisioned by Alexander Hamilton in 1792 when he sought “to create the world’s first planned city of innovation built around a hydropower system.”<sup>49</sup> H.R. 9528 would re-name two sites in the NHP, the Great Falls Scenic Overlook Trail Bridge and Overlook Park, after the late Congressman Bill Pascrell, Jr. Representative Pascrell was known as a plain-spoken New Jerseyan who served his country in the U.S. Army as well as in the House of Representatives for nearly three decades until his death earlier this year.<sup>50</sup> In 2009, Rep. Pascrell sponsored the legislation designating Paterson Great Falls as an NHP.<sup>51</sup> H.R. 9528 is a straightforward piece of legislation that honors the legacy

<sup>42</sup> Congressional Research Service, “Search and Rescue (SAR) Operations on Federal Lands”, Mark K. DeSantis, May 7, 2024, <https://crs.gov/Reports/IF12020?source=search>.

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> U.S. Congressman Celeste Maloy, “Rep. Maloy Introduces Bipartisan Search and Rescue Bill”, July 26, 2024, <https://maloy.house.gov/news/documentsingle.aspx?DocumentID=1243>.

<sup>48</sup> Tapper, Seth, “Volunteer Firefighters Struggle With Search And Rescue Costs On Federal Land,” SDPB, January 30, 2020, <https://www.sdpb.org/politics-public-policy/2020-01-30/volunteer-firefighters-struggle-with-search-and-rescue-costs-on-federal-land>.

<sup>49</sup> Visit New Jersey, “Paterson Great Falls National Historical Park”, <https://visitnj.org/paterson-great-falls-national-historical-park>.

<sup>50</sup> Browning-Forshey Funeral Home, “Official Obituary of William J. Pascrell, Jr.”, <https://www.browningforshey.com/obituaries/William-J-Pascrell-Jr?obId=32868567>.

<sup>51</sup> Public Law 111-11.

of former Congressman Pascrell and his pivotal role in establishing the NHP. This bipartisan bill is cosponsored by the entire New Jersey Congressional delegation.

**H.R. 10082 (Rep. Bentz), “Oregon Owyhee Wilderness and Community Protection Act”**

Malheur County, located in southeastern Oregon, encompasses roughly 10,000 square miles and boasts a population of just over 31,000 people.<sup>52</sup> This single county is larger than nine states, including Maryland and New Jersey.<sup>53</sup> The area is a rugged and beautiful region, sometimes referred to as “Oregon’s Grand Canyon.”<sup>54</sup> The county is over ninety percent rangeland, two-thirds of which is managed by the BLM.<sup>55</sup> Ranching and grazing cattle on federal land is extremely important to the residents of Malheur County, where cattle outnumber people by more than five to one.<sup>56</sup> Yet, since 2015, extreme activists have called for the President to designate 2.5 million acres, or roughly 40 percent, of Malheur County as a national monument through the Antiquities Act of 1906.<sup>57</sup> The pressure to designate this land as a national monument is only increasing. In August 2024, Democratic Oregon Governor Tina Kotek sent a letter to President Biden, calling on him to designate the Owyhee Canyonlands as a national monument.<sup>58</sup> Although President Biden has already unilaterally designated more than 3.8 million acres as national monuments since taking office, extreme environmentalists are calling on him to further abuse the Antiquities Act.<sup>59</sup> They are calling on the President to further ignore local communities and stakeholders by designating the Owyhee Canyonlands as a national monument during his final lame duck months in office, following the manner of the Obama-Biden administration.<sup>60</sup>

Local Malheur County residents, including ranchers, hunters, and recreationalists, strongly oppose a national monument designation for several reasons. First, a unilateral executive decision from the President fails to have the same buy-in and flexibility as Congressional action, which can more thoroughly encompass the particular needs of a community through legislation. Second, communities are worried that a unilateral designation would lock up millions of acres of land, restricting access to critically important activities like grazing. These concerns are well founded; recently, a national monument designation in Utah resulted in the closure of all target shooting ranges, nearly 600,000 acres to off-highway vehicle (OHV) access, and nearly 175,000 acres for livestock grazing.<sup>61</sup>

With the looming threat of a national monument designation, the residents of Malheur County rallied to develop a comprehensive and workable solution for the management and use of the public land. Representative Bentz (R-OR-02) has led initiatives in the House to prevent the designation of a national monument in Malheur County and recently introduced H.R. 10082, the “Oregon Owyhee Wilderness and Community Protection Act.” In the Senate, Senator Wyden (D-OR) introduced complementary legislation, the “Malheur Community Empowerment for the Owyhee Act.” These dual legislative efforts demonstrate that there is bipartisan, bicameral

<sup>52</sup> U.S. Census Bureau, “Malheur County, Oregon,” last accessed November 6, 2024, <https://data.census.gov/profile?q=Malheur%20County,%20Oregon%20Wiyot>.

<sup>53</sup> “National (U.S.) States: Size in Square Miles,” State Symbols USA, last accessed November 6, 2024, <https://statesymbolsusa.org/symbol-official-item/national-us/uncategorized/states-size>.

<sup>54</sup> Hagemeier, Heidi, “Wild Beauty in the Owyhee Canyonlands, Travel Oregon, July 25, 2022, <https://traveloregon.com/things-to-do/destinations/lakes-reservoirs/owyhee-canyonlands/>.

<sup>55</sup> “Welcome to Malheur County,” Malheur County Oregon, accessed November 6, 2024, <https://www.malheurco.org/welcome-to-malheur-county/#more-9>.

<sup>56</sup> “Census of Agriculture—Oregon,” United States Department of Agriculture National Agricultural Statistics Service, 2022, [https://www.nass.usda.gov/Publications/AgCensus/2022/FullReport/Volume\\_1\\_Chapter\\_2\\_County\\_Level/Oregon/](https://www.nass.usda.gov/Publications/AgCensus/2022/FullReport/Volume_1_Chapter_2_County_Level/Oregon/).

<sup>57</sup> To learn more about the Antiquities Act, see the Federal Lands Subcommittee Hearing Memo from March 20, 2024: [https://naturalresources.house.gov/uploadedfiles/hearing\\_memo\\_updated\\_-\\_sub\\_on\\_fl\\_leg\\_hrg\\_on\\_6\\_bills\\_03.20.24.pdf](https://naturalresources.house.gov/uploadedfiles/hearing_memo_updated_-_sub_on_fl_leg_hrg_on_6_bills_03.20.24.pdf). How We Got Here, Our Land Our Voice Our Future, accessed November 6, 2024, <https://ourlandourvoice.com/how-we-got-here>.

<sup>58</sup> Oregon Gov. Tina Kotek throws support behind Owyhee Canyonlands national monument, Statesman Journal, August 20, 2024, <https://www.statesmanjournal.com/story/news/local/oregon/2024/08/20/oregon-governor-tina-kotek-supports-owyhee-canyonlands-national-monument-push/74872002007/>.

<sup>59</sup> Hardy Vincent, Carol. National Monuments and the Antiquities Act, Congressional Research Service, May 10, 2024, <https://www.crs.gov/Reports/R41330>.

<sup>60</sup> Environment Oregon Research & Policy Center, “Swift action needed to protect the Owyhee Canyonlands,” November 12, 2024, <https://environmentamerica.org/oregon/center/updates/swift-action-needed-to-protect-the-owyhee-canyonlands/>.

<sup>61</sup> Notice of Availability of the Proposed Resource Management Plan and Final Environmental Impact Statement for Bears Ears National Monument in Utah, Federal Register Vol. 89, No. 193, published October 4, 2024, <https://www.federalregister.gov/d/2024-22760>.

interest in developing a legislative solution supported by all of the residents of Malheur County that will avoid a unilateral national monument designation, conserve the area's pristine natural resources, and support rural economies dependent on activities like grazing.

H.R. 10082 is the culmination of hundreds of hours of negotiation and collaboration by those who live, work, and recreate in Malheur County; the Burns Paiute Tribe, and environmental organizations. The bill provides several protections for ranchers and grazing permittees. First, the bill ensures continued grazing in any designated wilderness areas. Second, the legislation creates a voluntary grazing program to provide increased operational flexibility to grazing permittees and lessees for the purpose of improving the health of BLM land. Examples of voluntary, operational flexibility include adjusting beginning or ending date, pasture rotation dates, or placement of water structures under a grazing permit or lease. Additionally, the bill establishes the "Malheur C.E.O. Group" for the purpose of identifying projects that would address range management issues, invasive species, conservation of cultural sites, restoration of water infrastructure, and economic development opportunities.

This comprehensive and collaborative bill also balances the needs of multiple stakeholders through various land designations and releases. The legislation designates 926,588 acres of previously designated wilderness study areas (WSAs) as wilderness areas. To balance these designations, more than 1.6 million acres of BLM land currently under some form of restriction are redesignated and managed for multiple use. This includes the release of 601,295 acres of WSAs and 1,065,597 acres of lands with wilderness characteristics.<sup>62</sup> The bill also allows for continued motorized access on existing roads for tribal cultural activities, fire suppression, invasive species control, private landowners, and livestock grazing in wilderness areas. Additionally, the bill requires the Department of the Interior (DOI) to take 2,410 acres of land into trust on behalf of the Burns Paiute Tribe and establishes a 9,828-acre Castle Rock Co-Stewardship Area to be managed with the Tribe through a memorandum of understanding.

#### **H.R. 10084 (Rep. Clyburn), "Renewing the African American Civil Rights Network Act"**

In 2018, President Trump signed the "African American Civil Rights Network Act" into law, recognizing "the importance of the African American Civil Rights movement and the sacrifices made by the people who fought against discrimination."<sup>63</sup> Administered by NPS, this Network "is a collection of properties, facilities, and programs that offer a comprehensive overview of the people, places, and events associated with the African American civil rights movement."<sup>64</sup> Today, the Network includes more than 80 sites across the country that tell the story of communities and civic leaders who were integral to the fight for justice and societal progress from 1939 to 1968.<sup>65</sup> Like other NPS-administered networks, the African American Civil Rights Network helps connect geographically disparate sites to tell a cohesive national story under one unified program. Pursuant to the original law establishing the Network, NPS may also produce educational materials related to the African American civil rights movement and enter into cooperative agreements with non-federal entities to help enhance coordination of the Network. Under the original law, the Network is scheduled to sunset on January 8, 2025. H.R. 10084, the "Renewing the African American Civil Rights Network Act," reauthorizes the program for an additional 10 years. Reauthorizing the African American Civil Rights Network is a critical step to ensure the continuation of this successful program that honors the sacrifices and struggles of the African American civil rights movement.

<sup>62</sup> Acreage provided by the Bureau of Land Management on October 8, 2024. Data on file with Committee.

<sup>63</sup> Public Law No. 115-104; National Park Service, African American Civil Rights Network, "Application and Instructions," <https://www.nps.gov/subjects/civilrights/application-instructions.htm>.

<sup>64</sup> National Park Service, African American Civil Rights Network, <https://www.nps.gov/subjects/civilrights/african-american-civil-rights-network.htm>.

<sup>65</sup> National Park Service, Civil Rights, "Discover the Network", <https://www.nps.gov/subjects/civilrights/discover-the-network.htm>.

#### IV. MAJOR PROVISIONS & SECTION-BY-SECTION

##### H.R. 6441 (Rep. Vasquez), “*Ranching Without Red Tape Act of 2023*”

###### Section 2. Minor Range Improvements Under USFS Grazing Permits.

- Requires the Secretary of Agriculture to issue regulations within one year allowing a permittee to carry out minor range improvements if the permittee notifies the applicable USFS district ranger at least 30 days prior to carrying out improvement. Minor range improvements include improvements to existing fences and fence lines, wells, water pipelines, and stock tanks.
- Provides for the district ranger to approve the minor range improvement within 30 days. If the minor improvement is approved, the Secretary is directed to carry out the range improvement using any available administrative tools or authorities, including categorical exclusions.

###### Section 3. Minor Range Improvements Under BLM Grazing Permits.

- Requires the Secretary of the Interior to issue regulations within one year allowing a permittee to carry out minor range improvements if the permittee notifies the applicable district or field manager at least 30 days prior to carrying out improvement.
- Provides for the district or field manager to approve the minor range improvement within 30 days. If the minor improvement is approved, the Secretary is directed to carry out the range improvement using any available administrative tools or authorities, including categorical exclusions.

##### H.R. 7666 (Rep. LaMalfa), To require the Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction.

###### Section 1. Utilizing Grazing for Wildfire Risk Reduction.

- Authorizes the Secretary of Agriculture, acting through the Chief of USFS, to develop a strategy to increase opportunities to utilize livestock grazing as wildfire risk reduction strategy.
- Components of the strategy must include:
  - Completing environmental reviews to allow permitted grazing on vacant grazing allotments during instances of drought, wildfire or other natural disasters that disrupt grazing on allotments already permitted;
  - Increased use of targeted grazing;
  - Increased use of temporary permits to target fuels reduction and control of invasive grasses;
  - Supporting grazing as a post-fire recovery strategy; and
  - Utilizing existing statutory authorities.

##### H.R. 8182 (Rep. Austin Scott of Georgia), “*Ocmulgee Mounds National Park and Preserve Establishment Act*”

###### Section 3. Redesignation of Ocmulgee Mounds National Park and Establishment of Ocmulgee Mounds National Preserve.

- Redesignates the Ocmulgee Mounds National Historical Park as the “Ocmulgee Mounds National Park.”
- Allows the Secretary of the Interior to acquire land by purchase from a willing seller, donation, or exchange, and prevents the use of eminent domain to acquire land.
- Establishes the Ocmulgee Mounds National Preserve as a unit of the National Park System, effective on the date when the Secretary determines enough land has been acquired to constitute a new unit. Clarifies that the land acquired for inclusion in the Preserve must be made by purchase from a willing seller, donation, or exchange and prevents the use of eminent domain.
- Requires the Secretary of the Interior to file reports with the Senate Committee on Energy and Natural Resources and the House Committee on Natural Resources.

**Section 4. Administration of Ocmulgee Mounds National Park and Preserve.**

- Requires the Secretary of the Interior to enter into a co-management agreement with the Muscogee (Creek) Nation no later than one year following the receipt of recommendations from the Advisory Council.
- Clarifies that the Secretary of the Interior shall allow hunting and fishing within the boundaries of the Ocmulgee Mounds National Preserve in accordance with applicable Federal and State laws.
- Allows the Secretary to establish zones and periods that restrict hunting and fishing, after consultation with the State of Georgia, for reasons of public safety, administration, fish or wildlife management, or emergencies.
- Clarifies that nothing in the section prohibits hunting, fishing, or trapping on private land.
- Requires the Secretary to establish policies that allow for hiring preferences of members of the Muscogee (Creek) Nation.
- Allows the Muscogee (Creek) Nation to continue tribal practices on the Ocmulgee National Park and Preserve.
- Allows the U.S. Military to continue to utilize the Ocmulgee National Park and Preserve for certain military activities.

**Section 5. Advisory Council.**

- Establishes the Ocmulgee Mounds National Park and Preserve Advisory Council to advise the Secretary with respect to the preparation and implementation of a management plan and requires the Advisory Council to submit a report relating to the management of the Park and Preserve the role of the Muscogee (Creek) Nation.
- Outlines the requirements and responsibilities for members appointed the Advisory Council.

**Section 6. Land to be Held in Trust.**

- Requires approximately 126 acres of land in the Ocmulgee Mounds National Park and Preserve owned in fee by the Tribe to be taken into trust for the benefit of the Tribe.

**H.R. 8517 (Rep. Gosar), “La Paz County Solar Energy and Job Creation Act”**

**Section 3. Conveyance to LaPaz County Arizona**

- Directs the BLM, after receiving a request from La Paz County, Arizona, to convey approximately 3,400 acres of land to the County at fair market value, subject to valid existing rights and excluding any land with significant cultural or recreational resources.
- Conditions the conveyance on La Paz County, or any subsequent owner of the conveyed land:
  - making good faith efforts to avoid disturbing Tribal artifacts;
  - minimizing impacts on Tribal artifacts if they are disturbed;
  - coordinating with the Colorado River Indian Tribes Tribal Historic Preservation Office to identify artifacts of cultural and historic significance; and
  - allowing Tribal representatives to rebury unearthened artifacts at, or near, where they were discovered.
- Withdraws conveyed federal land from the operation of U.S. mining and mineral leasing laws.
- Sets stipulations regarding the availability of the map, costs associated with the conveyance, and proceeds from the sale of the land.



**H.R. 9062 (Rep. Curtis), “Operational Flexibility Grazing Management Program Act”**

**Section 2. Definitions.**

- Defines the term “operational flexibility” as changes to grazing management of an allotment or allotment area that are different from the grazing permit or lease, different from previous grazing management, or occur due to change landscape or producer needs.

**Section 3. Operational Flexibility Grazing Management Program.**

- Provides the Secretary of the Interior with the authority to carry out a voluntary grazing management program to provide increased flexibility to improve the long-term ecological health of rangeland.
- Requires consultation with authorized grazing permittee or lessee, federal and state agencies, Tribes, and other landowners or affected permittees in developing a flexible grazing use alternative.
- Allows flexibility to progress in meeting applicable Rangeland Health Standards and livestock management objectives in the land use plan.
- Requires annual reports on the effects of flexibility in grazing permits or leases.
- Provides protection for current grazing permits and privileges. Protects current grazing permits and leases by ensuring this management program does not affect the existence, renewal, or termination of a grazing permit or lease entered into under the program.

**H.R. 9165 (Rep. Maloy), “Public Land Search and Rescue Act”**

**Section 2. Grant Program for Remote Search and Rescue Activities**

- Directs the Secretary of the Interior to establish a grant program to provide resources to States or political subdivisions of a State authorized to conduct remote SAR activities on lands managed by the DOI or USFS.
- Requires the Secretary prioritize grants in areas with a high ratio of visitors to residents.
- Lists eligible projects for grants including the purchase of equipment and gear necessary for remote SAR, maintenance and repair of SAR equipment, and reimbursements to eligible recipients for SAR activities.
- Stipulates that the federal share of assistance under the program shall be 75 percent of the cost of an eligible project.

**H.R. 9528 (Rep. Pallone), To designate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.**

**Section 1. Redesignation of Paterson Great Falls NHP Facilities.**

- Re-designates the Great Falls Scenic Overlook Trail Bridge at Paterson Great Falls NHP as the “Congressman Bill Pascrell, Jr. Scenic Overlook Trail Bridge.”
- Re-designates the Overlook Park at Paterson Great Falls NHP as “Congressman Bill Pascrell, Jr. Overlook Park.”

**H.R. 10082 (Rep. Bentz), “Oregon Owyhee Wilderness and Community Protection Act”**

**Section 3. Malheur County Grazing Management Program.**

- Provides the Secretary of the Interior with authority to carry out a voluntary grazing management program to provide increased flexibility to improve the long-term ecological health.
- Allows flexibility in meeting applicable Rangeland Health Standards and livestock management objectives in the land use plan.
- Requires the Secretary to adopt a monitoring plan on any action taken to provide flexibility.

- Requires annual reports on the effects of flexibility in grazing permits or leases.
- Provides protection for current grazing permits and privileges.

#### **Section 4. Malheur C.E.O. Group.**

- Establishes the Malheur C.E.O. Group (Group) with eight voting members, to be appointed by the Secretary of the Interior with representatives of the grazing community, businesses or conservation organizations, and Tribes. Appointments are to be made within 180 days of enactment, and each member will serve for three years.
- Specifies the Group will determine the projects to be carried out on federal and non-federal land within the county relating to ecological restoration, range improvements, wildlife management, invasive species management, restoration of water infrastructure, conservation, economic development, or research.

#### **Section 5. Wilderness Designations and Other Land Designations and Related Management to Designations.**

- Designates approximately 926,588 acres of previously designated WSA land as wilderness in Malheur County, Oregon in 16 different areas.
- Requires the allowance of grazing livestock in the wilderness areas if established before the date of enactment of the bill, including any issued within the last 10 years.
- Allows the continuation of motorized used of roads in wilderness designated areas.
- Requires reasonable access to any private lands, state lands, or Tribal lands within the boundaries of any wilderness designated.
- Allows the use of mechanical equipment, including chainsaws, backhoe excavators, or tractors, for the purpose of wildfire suppression, invasive species control, or activities necessary for management of livestock present on the land under grazing permits.
- Provides authority for Secretary to manage or restore fish and wildlife populations in designated wilderness areas, including the use of motorized vehicles and aircraft.
- Releases a total of 601,295 acres of WSA land and 1,065,597 acres of lands with wilderness characteristics.
- Directs the Secretary of the Interior to update the resource management plan for this area after three years.
- Requires the Secretary of the Interior to publish a map of existing roads in the proposed wilderness designated areas.

#### **Section 6. Land Conveyances to Burns Paiute Tribe and Castle Rock Co-Stewardship Area.**

- Allows Secretary of the Interior to accept approximately 32,371 acres of land conveyed on behalf of the Burns Paiute Tribe to be held in trust by the United States for the benefit of the Tribe.
- Directs land exchanges with the state to acquire lands desired for Burns Paiute Tribe.
- Directs an additional 2,500 acres of land current in a WSA to be held in trust for the Burns Paitue Tribe.
- Requires BLM to allow grazing on the land held in trust for the Tribe and sets several stipulations for grazing.
- Directs the Secretary of the Interior to enter into a memorandum of understanding (MOU) with the Burns Paiute Tribe to develop the Castle Rock Co-Stewardship Area of approximately 7,000 acres. The MOU will address the consideration of Tribal interests, protection of cultural and archaeological resources, natural resources protection, and interests of grazing permittees.
- Allows for land exchanges to acquire private land from willing sellers in the new co-stewardship area.

- Withdraws the co-stewardship area from disposal under public land laws, mining laws, mineral and geothermal leasing.

**Section 7. Future Protection of Fire Suppression, Invasive Species Control, and Livestock Production Values on Federal Land in County.**

- Finds that protection against wildfire, invasive species, and livestock production are essential in the management of federal land.
- Provides the Secretary of the Interior the authority to take any and all actions to control wildfire and invasive species.
- Ensures continuation of livestock grazing on the land describe in this bill.

**H.R. 10084 (Rep. Clyburn), “Renewing the African American Civil Rights Network Act”**

**Section 2. Extension of Authorization.**

- Amends “African American Civil Rights Network Act” to reauthorize the program for 10 years following the enactment of the “Renewing the African American Civil Rights Network Act.”

**V. COST**

The Congressional Budget Office estimated the Senate companion for H.R. 8517 (Rep. Gosar) would increase net direct spending by \$2 million over the 2024–2034 period.”<sup>66</sup>

Formal cost estimates for the remaining pieces of legislation are not available at this time.

**VI. ADMINISTRATION POSITION**

In testimony before the Senate Energy and Natural Resources Committee, the following administration positions were offered:

- BLM testified in support of the intended goals of companion legislation to H.R. 8517 (Rep. Gosar), but also expressed their desire to address concerns regarding an existing utility corridor and ensuring conveyed lands are used for renewable energy.<sup>67</sup>
- Regarding companion legislation to H.R. 6441 (Rep. Vasquez), the administration supported the goal of the bill but offered to work on amendments addressing unintended consequences for wildlife.<sup>68</sup>
- BLM testified in support of companion legislation to H.R. 9062 (Rep. Curtis) and stated: “The Department supports the bill’s goal to provide the BLM with flexibility to restore the ecological health of public lands used for grazing and welcomes the opportunity to work with the Sponsor to ensure the use of operational flexibility does not result in unintended consequences.”<sup>69</sup>
- NPS expressed support for the companion to H.R. 8182 (Rep. Austin Scott of GA) with suggested amendments.

The administration’s position on the remaining bills on the agenda is unknown.

**VII. EFFECT ON CURRENT LAW (RAMSEYER)**

**H.R. 10084**

[https://naturalresources.house.gov/uploadedfiles/h.r.\\_10084\\_-\\_ramseyer.pdf](https://naturalresources.house.gov/uploadedfiles/h.r._10084_-_ramseyer.pdf)

<sup>66</sup> Congressional Budget Office, “S. 1657, La Paz County Solar Energy and Job Creation Act”, April 5, 2024, <https://www.cbo.gov/system/files/2024-04/s1657.pdf>.

<sup>67</sup> Statement of Thomas Heinlein before the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining, July 12, 2023, <https://www.blm.gov/sites/default/files/docs/2023-07/07.12.23%20SEN%20Hearing%20BLM%20Testimony.pdf>.

<sup>68</sup> Statement of Karen Kelleher before the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining, June 12, 2024, <https://www.doi.gov/ocl/pending-legislation-78>.

<sup>69</sup> See BLM testimony before the Senate Committee on Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining, June 12, 2024, <https://www.energy.senate.gov/services/files/C9B38B90-39FE-432A-8EC0-388F07FA1771>.



LEGISLATIVE HEARING ON H.R. 6441, TO ALLOW HOLDERS OF CERTAIN GRAZING PERMITS TO MAKE MINOR RANGE IMPROVEMENTS AND TO REQUIRE THAT THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF THE INTERIOR RESPOND TO REQUESTS FOR RANGE IMPROVEMENTS WITHIN 30 DAYS, AND FOR OTHER PURPOSES, “RANCHING WITHOUT RED TAPE ACT OF 2023”; H.R. 7666, TO REQUIRE THE SECRETARY OF AGRICULTURE TO DEVELOP A STRATEGY TO INCREASE OPPORTUNITIES TO UTILIZE LIVESTOCK GRAZING AS A MEANS OF WILDFIRE RISK REDUCTION; H.R. 8182, TO ESTABLISH THE OCMULGEE MOUNDS NATIONAL PARK AND PRESERVE IN THE STATE OF GEORGIA, AND FOR OTHER PURPOSES, “OCMULGEE MOUNDS NATIONAL PARK AND PRESERVE ESTABLISHMENT ACT”; H.R. 8517, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONVEY CERTAIN FEDERAL LAND IN ARIZONA TO LA PAZ COUNTY, ARIZONA, AND FOR OTHER PURPOSES, “LA PAZ COUNTY SOLAR ENERGY AND JOB CREATION ACT”; H.R. 9062, TO PROVIDE FOR THE ESTABLISHMENT OF AN OPERATIONAL FLEXIBILITY GRAZING MANAGEMENT PROGRAM ON LAND MANAGED BY THE BUREAU OF LAND MANAGEMENT, AND FOR OTHER PURPOSES, “OPERATIONAL FLEXIBILITY GRAZING MANAGEMENT PROGRAM ACT”; H.R. 9165, TO DIRECT THE SECRETARY OF THE INTERIOR TO ESTABLISH A GRANT PROGRAM TO ALLOCATE RESOURCES FOR REMOTE SEARCH AND RESCUE ACTIVITIES CONDUCTED ON FEDERAL LAND UNDER THE JURISDICTION OF THE SECRETARY OF THE INTERIOR OR THE SECRETARY OF AGRICULTURE, AND FOR OTHER PURPOSES, “PUBLIC LAND SEARCH AND RESCUE ACT”; H.R. 9528, TO REDESIGNATE CERTAIN FACILITIES AT PATERSON GREAT FALLS NATIONAL HISTORICAL PARK IN HONOR OF CONGRESSMAN BILL PASCRELL, JR.; H.R. 10082, TO PROVIDE FOR THE ESTABLISHMENT OF A GRAZING MANAGEMENT PROGRAM ON FEDERAL LAND IN MALHEUR COUNTY, OREGON, AND FOR OTHER PURPOSES, “OREGON OWYHEE WILDERNESS AND COMMUNITY PROTECTION ACT”; AND H.R. 10084, TO EXTEND THE AUTHORIZATION OF THE AFRICAN AMERICAN CIVIL RIGHTS NETWORK, “RENEWING THE AFRICAN AMERICAN CIVIL RIGHTS NETWORK ACT”

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**Tuesday, November 19, 2024**  
**U.S. House of Representatives**  
**Subcommittee on Federal Lands**  
**Committee on Natural Resources**  
**Washington, DC**

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The Subcommittee met, pursuant to notice, at 2:14 p.m. in Room 1324, Longworth House Office Building, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Tiffany, Fulcher, Stauber, Curtis, Bentz, Moylan; and Peltola.

Also present: Representatives Gosar, LaMalfa, Maloy, Scott of Georgia; Bishop, Clyburn, and Vasquez.

Mr. TIFFANY. The Subcommittee on Federal Lands will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to consider nine bills: H.R. 6441 by Representative Vasquez; H.R. 7666, Representative LaMalfa; H.R. 8182, Representative Scott; H.R. 8517, Representative Gosar; H.R. 9062, Representative Curtis; H.R. 9165, Representative Maloy; H.R. 9528, Representative Pallone; H.R. 10082, Representative Bentz; and H.R. 10084, you can tell we have been here a long time, we are getting to five digits, Representative Clyburn.

I ask unanimous consent that the following Members be allowed to participate in today's hearing from the dais: the gentleman from Arizona, Mr. Gosar; the gentleman from California, Mr. LaMalfa; the gentleman from New Jersey, Mr. Pallone; the gentleman from South Carolina, Mr. Clyburn; the gentlemen from Georgia, Mr. Scott and Mr. Sanford Bishop; the gentleman from New Mexico, Mr. Vasquez; and the gentlelady from Utah, Ms. Maloy.

Without objection, so ordered.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I, therefore, ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I will now recognize myself for an opening statement.

**STATEMENT OF THE HON. TOM TIFFANY, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. TIFFANY. Over the last 2 years, the Subcommittee on Federal Lands has taken Congress to the American people. From my home district in Wisconsin to Arizona and California, the message from our constituents has been overwhelmingly clear: It is time for change in how we manage our Federal lands.

At a moment when Americans across the country are concerned about the affordability of filling up their tanks at the gas station or putting food on the table for their families, the Biden-Harris administration has waged a systematic war against our Federal lands. Take, for example, the Bureau of Land Management's Public Lands Rule. While this misguided rule prompted widespread opposition, Western ranchers were particularly outspoken in explaining how the rule would upend the agency's multiple use mandate and lock up millions of acres of public lands from grazing.

Unfortunately, in its haste to finalize this rule, the Biden-Harris administration ignored repeated requests from governors and members of this Committee to hold additional listening sessions. Regrettably, this decision prevented many of the ranchers who were most likely to suffer under the rule from even having their voices heard.

Another sad example of the flagrant abuse of public land is President Biden's continued misuse of the Antiquities Act of 1906 to unilaterally designate national monuments. This opaque process

circumvents the voices of locals and sows discord and distrust between the Federal Government and states with large Federal footprints. In fact, one of the bills we will be considering today from Water, Wildlife and Fisheries Subcommittee Chair Bentz, is designed to avoid a unilateral monument designation.

If you need any indication of the stark differences in transparency afforded by the legislative process versus by unilateral administrative designations, look no further than to Secretary Haaland's empty seat at the witness table. Secretary Haaland's decision not to attend today's hearing may reflect this Administration's fear of answering questions about its lame duck national monument designations, or perhaps the Secretary is too accustomed to working from home like other Federal employees. Either way, it fits this Administration's pattern of consistently failing to show up to do their jobs.

Fortunately, change is brewing, and it begins now. Instead of ignoring local voices, we are ushering in a new era of land management that gives local communities the most say in deciding what happens in their backyards. We are starting today's hearing with several bills that would help support our nation's ranchers, who have endured 4 years of relentless attacks from this Administration.

Grazing on public lands is a key sector of many Western rural economies. Our nation's ranchers do much more than steward our public lands; they help feed America. At a time when Biden's inflation is jacking up prices at the grocery store, livestock grazed on public lands continues to provide affordable products.

The bills offered by Representatives Bentz, LaMalfa, Curtis, and Vasquez offer common-sense solutions that will give ranchers desperately-needed flexibility and cut through unnecessary bureaucratic red tape. By adopting these policies, we can encourage more targeted and innovative grazing techniques, such as using livestock to affordably reduce the flammable vegetation that can fuel catastrophic wildfires.

We will also consider legislation from Representative Scott to designate Georgia's first national park, the Ocmulgee Mounds National Park and Preserve. Earlier this year, I offered similar legislation to designate the Apostle Islands in my district as Wisconsin's first national park. While these name changes may seem small, they offer enormous economic and tourism-related opportunities to nearby gateway communities. While I have some concerns with Representative Scott's legislation as currently drafted, I appreciate Representative Scott and his staff for already working with the Subcommittee to address some of those concerns.

Next, we will consider Oversight and Investigations Subcommittee Chairman Gosar's La Paz County Solar Energy and Job Creation Act. This legislation is a win-win that will convey underused Federal land in Arizona, improving management and creating new jobs in the region. I would like to commend Representative Gosar for his continued leadership on this issue.

Finally, we will consider legislation from Representative Maloy to assist local law enforcement entities with remote search and rescue operations on Federal lands. When a lost hiker calls 911, they don't care whether it is a Federal or local law enforcement

coming to their aid. Unfortunately, most of the time this burden falls on local law enforcement without any type of reimbursement from the Federal Government.

Representative Maloy's legislation would create a grant program to help address the increasing costs of search and rescue activities, while also giving local governments the ability to upgrade and improve their search and rescue equipment.

I would like to thank all the witnesses for traveling to be here today. Your expertise is incredibly appreciated and highly valued by each member of this Subcommittee.

With that, I yield back and will now recognize our first panel, which consists of Members who are sponsoring today's legislation.

I now recognize Representative Bentz for 5 minutes on H.R. 10082.

**STATEMENT OF THE HON. CLIFF BENTZ, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF OREGON**

Mr. BENTZ. Thank you, Chair Tiffany, for hearing this important bill.

H.R. 10082 is the culmination of 5 years of work, hundreds of hours of discussion, argument, negotiation, community meetings, and ultimately collaboration between tribes, environmental groups, hunters, ranchers, county leaders, and Congress. This bill directly involves about 3 million of the 4 million acres of Federal land located in my home county, Malheur County, Oregon.

Malheur County is bordered by Idaho on the east and Nevada on the south. This is a high desert area. The only substantial stream in the south part of this county is the Owyhee River, which enters Oregon from Idaho and continues north across 150 miles of Malheur County. It flows in the bottom of very deep, rimrock-lined canyons through remote and isolated areas.

[Slide.]

Mr. BENTZ. It has been said that the only way a cow can reach this river is with a parachute. And as you can see from these pictures, there is a substantial truth to this statement.

Most of the length of that part of the Owyhee River in Oregon was designated Scenic and Wild in 1984. I share this to emphasize, contrary to the pearl-clutching testimony we will hear from a witness today, this area is already protected, over and over again, by layer upon layer of Federal law, including the Scenic River Act, the Taylor Grazing Act, the Endangered Species Act, FLPMA, the Archeological Resources Act, the Clean Water Act, the Clean Air Act, and NEPA, to mention not all of them.

But even with these protections, environmental groups and Portland-based recreational shoe and clothing companies began to lobby for a monument covering most of the southern third of the county, even though only a small fraction of this area contains the river.

[Slide.]

Mr. BENTZ. In 2015, the Obama administration seriously considered establishing a 2.5 million-acre monument, almost half of Malheur County. This concept was met with almost unanimous local opposition. Why? Because local people know that the Boise Valley with 900,000 people is immediately adjacent, and that such



a designation would attract thousands more people into that fragile environment. Local people know that a monument would not be as protective of the land as would be a wilderness designation.

Oregon people know, as they watch restrictive actions being taken on other monuments, such as Bears Ears and Cascade-Siskiyou, that the ability of local communities to take care of the land is dramatically reduced when the driving force is an executive action, rather than a collaborative, cooperative, carefully-designed, community-driven effort such as that which results in this bill.

[Slide.]

Mr. BENTZ. Thankfully, the monument designation did not occur. But in response to this unfortunate possibility, concerned citizens formed the Owyhee Basin Stewardship Council, a member of which joins us today, for the purpose of protecting the Owyhee Canyon area and local communities, and to improve management of the land. Five years ago this group reached out to Senator Wyden for help. Since that time, the Senator has been working closely with the Council, as have I.

[Slide.]

Mr. BENTZ. And consistent with shared goals, he introduced Senate Bill S. 1890, which was heard last December in the Senate Energy and Natural Resources Committee. The Senator's bill converts 1.2 million acres into permanent wilderness, releases WSA land not included into wilderness, and protects grazing.

[Slide.]

Mr. BENTZ. Complicating matters, however, as these discussions were ongoing, the BLM issued a new Resource Management Plan, which is reflected in this exhibit. It was anticipated by the Senator's negotiating team and the OBSC that the resource management plan would have to be redone if agreement was reached regarding creation of wilderness.

The bill we are discussing today incorporates provisions found in the Wyden bill, and is based upon dozens of conversations with members of the local group. If passed, my bill would do the following: designate some 924,000 acres of already restricted land and withdrawn land as permanent wilderness. It would designate an additional 41,000 acres and two special management areas, which would be managed as though wilderness. It would protect access to allow control of wildfire, suppression of weeds, and conduct of livestock operations. It would re-designate 1.3 million acres now designated in the Range Management Plan as land for other resources and WSA lands as multiple use lands. It would provide a means of grazing flexibility to reduce fire hazards. It would protect future access to and use of the lands for invasive species eradication, fire suppression, and livestock production. It would substantially avoid restrictions on those areas in the county that are known to contain vast amounts of lithium.

As this exhibit shows, following redesignation and enactment of this bill and the establishment of wilderness, the revised land management areas would look like the exhibit on my left. The bill is the creation of almost a million acres of permanent wilderness, while returning approximately 1.3 million acres of BLM lands to multiple use, furthers the BLM's mission, as defined in FLPMA, to

manage public lands for multiple uses while conserving natural, historical, and cultural resources.

This bill contains a conveyance of some 30,000 acres to the Burns Paiute Tribe and Trust, a portion of which is known as Castle Rock, an important cultural geographic feature to the tribe.

[Slide.]

Mr. BENTZ. Adding urgency to this bill is the fact that over the past year, many of the same groups that have wanted to impose a monument on this land have been lobbying Senator Wyden, and I assume the White House, for a presidential proclamation establishing in Malheur County at least a million-acre monument, similar to that considered by the Obama administration. Such an action would fly in the face of years of effort by the local community, would destroy the land transfers to the Burns Paiute Tribe, the considerable efforts of Senator Wyden, and the protections built into this legislation of land and communities. Such a result would be a travesty.

I thank you, and I would appreciate your positive consideration of this bill. Thank you, I yield back.

Mr. TIFFANY. Yes, thank you, Representative Bentz. And now I would like to recognize Representative LaMalfa for 5 minutes.

**STATEMENT OF THE HON. DOUG LAMALFA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. LAMALFA. Chairman Tiffany, thanks so much for the opportunity in the Committee here today.

I am presenting H.R. 7666, which would direct the Forest Service to expand the use of proactive, targeted animal grazing and fuels management programs to reduce wildfire risk. The bill is essential for especially Western states, where Federal land management policies have often contributed to issues like devastating wildfires and mismanaged resources. This will increase the use of grazing to reduce fine fuels, which make fires burn hotter, faster, and much more dangerously.

When fuels burn uncontrolled and so quickly from all the unmanaged fuels and underbrush, it is a big part of the equation that leads to huge mega-fires that destroy forests, towns, and people's lives, of which we have suffered with many in the West, and including a million-acre fire in my own district a couple of years ago, and in another 600,000-acre fire this summer in my own district and many other districts around the West, especially.

Utilizing livestock for fire fuel management is common sense. Cattle grazing on public lands provides valuable ecosystem benefits like food and water production, disease regulation, nutrient cycling, and crop pollination. They have been found time and again to be helpful in the cycling of the land, not the harm that is frequently overemphasized or even made up. It is an important tool that, unfortunately, isn't being utilized enough.

[Slide.]

Mr. LAMALFA. As those of us here know, the West continues to face a wildfire and a forest health crisis. In California, as I mentioned, we have seen firsthand what happens when we can't use every authority available to prevent wildfires. Unfortunately, this has been made especially apparent in so many recent fire seasons

in my district, Mr. Thompson's district, Mr. Huffman's district, and many, many more, such as, you will recall, the Camp Fire in Paradise, California, where 85 people lost their lives; the 2020 North Complex Fire started in Butte County, which reached over 600,000 acres; the Dixie Fires I kind of mentioned; the Park Fire I kind of mentioned; and now that most recent one, the Park Fire, is now the fifth largest fire in California's history.

So, nearly 7 million acres have burned across the West just this year, across many kinds of fire-prone areas.

Currently, agencies are limited in the scope of tools they can consider. And often the post-fire teams bear the burden of suggesting creative tools like livestock grazing for fuels reduction as pilot programs. Folks, these shouldn't be pilot programs. We know that they work. This isn't news to the West. It isn't news for the positive effects that grazing has. I mean, you can just see it in examples there, where a graze field next to an area that burned, the fire stops, it comes to a complete stop. So, it shouldn't be seen as a pilot or as a new idea. It is really something that is, as I mentioned, common sense.

This bill passes an amendment to the Fix Our Forests Act earlier this year and is in the forestry title of the bipartisan Agriculture Committee-passed farm bill. This bill clearly has broad support, and will help prevent more catastrophic, preventable wildfires by using every tool we have at our disposal.

Western states like California, Oregon, and others have experienced record-breaking wildfires, costing lives, property, and billions in recovery efforts and fire suppression. This bill potentially turns what is often an unfortunate, adversarial relationship between grazing permittees and the Forest Service into a potential partnership for mutual benefit and the protection of our Federal forests from the ravages of wildfire.

By prioritizing forest health and using every tool at our disposal, H.R. 7666 equips us with more tools and ability to tackle these issues more effectively, leading to safer, more resilient, healthier forests, and not nearly as much of the pollution to our air, to our water, and so much damage and destruction to our wildlife. And the positive effect of the economy with cattle grazing, making money off of that instead of having a net cost.

So, I am pleased to be able to present this, and I hope that we can get strong bipartisan support and move it along. I appreciate that and, Mr. Chairman, I will yield back to you.

Mr. TIFFANY. Thank you, Representative LaMalfa. I now recognize Representative Clyburn for 5 minutes.

**STATEMENT OF THE HON. JAMES E. CLYBURN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA**

Mr. CLYBURN. Thank you very much, Mr. Chairman, and thanks to the members of the Subcommittee. And I must acknowledge, in view of the type of legislation we are discussing here today, the Full Committee Chair, Mr. Westerman from Arkansas, and the Ranking Member because we are here today to ask your reauthorization of the National Park Service's African American Civil Rights Network.

“Network” is the operative word here. The importance of this legislation, which is scheduled to sunset come January 2025, is embodied in that one word. If I were to mention the name of Rosa Parks here today, most people would know who that was. But if I were to mention the name of Sarah Mae Flemming, I doubt that more than two or three people, if anybody, except maybe Dr. Donaldson, would recognize that name, though a year-and-a-half before Rosa Parks sat down on that bus in Montgomery. A year-and-a-half before, Sarah Mae Flemming, 6 days before her 21st birthday, sat down on a bus in Columbia, South Carolina, was ejected from the bus, filed a lawsuit, and the Supreme Court decided that she was entitled to ride in any seat in that bus.

So, if you were to look at the Rosa Parks case when it was decided by the Supreme Court, you will find that a footnote in that case says we do not have to decide that subject, we decided that in the case of *Sarah Mae Flemming v. South Carolina Electric and Gas*. Most people don’t know that.

That is the importance of this legislation, because in South Carolina, when I came here 32 years ago, our No. 1 industries were textiles and tobacco. I need not tell you what has happened to both of those. Today, our No. 1 industry is transportation and tourism, and the fastest-growing aspect of tourism is heritage tourism. So, this legislation is very, very important to my state because it involves a network of 27 other states in designating sites for visitation that will grow the economy most especially in rural communities. And I think that this legislation is deserving of reauthorization.

So, I introduced on December 1 with 27 other operators, and I said December of last year, the authorization of this legislation we hope that you will see your way clear to approve it.

Now, Dr. Donaldson, a long-time friend and Director of the University of South Carolina’s Civil Rights Center, is here and will be discussing this legislation a little later. So, as to give him ample time, I am going to relinquish the rest of my time so that he can have the time necessary to give you a more intellectual discussion of this legislation.

Thank you so much, and I will yield back.

Mr. TIFFANY. Thank you, Representative Clyburn, and I will not forget the name of Sarah Mae Flemming, yes.

I now recognize Representative Scott for 5 minutes on H.R. 8182.

**STATEMENT OF THE HON. AUSTIN SCOTT, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF GEORGIA**

Mr. SCOTT. Thank you, Mr. Chairman and members of the Committee. I am here on H.R. 8182, which would redesignate the Ocmulgee Mounds National Historic Park in Macon, Georgia as the Ocmulgee Mounds National Park and Preserve, the first national park in Georgia.

This is a bipartisan initiative that goes all the way back to 1934. My colleague, Congressman Bishop, and I, along with then-Senator Saxby Chambliss and Johnny Isakson, first authored the Ocmulgee Mounds National Historic Boundary Revision Act in 2014. It was passed in 2019, enacted into law, and it included a resource study

that was completed in 2023 and changed the name to the Ocmulgee Mounds National Historic Park.

I want you to know, as an avid sportsman, one of the things that I first requested was information from the Georgia Department of Natural Resources and a relationship with them to make sure that we were protecting and expanding the hunting and fishing access within the preserve boundaries. The language prioritizes public hunting and fishing access, while protecting the state's rights and regulation and private property rights in Middle Georgia.

As a member of the House Armed Services Committee, I also want you to know that this has the ability to help us with encroachment issues surrounding Robins Air Force Base in Middle Georgia.

Now, Georgia is composed of roughly 38 million acres, only about 5 percent of Georgia, our land, is in the Federal registry. So, it is a very small expansion of property in the state of Georgia in a state where we don't have much Federal land.

This land will also only be acquired through purchases from willing sellers, donations, or land exchange. No eminent domain is authorized in this piece of legislation.

This redesignation, a relatively small addition to the Federal Register, has the potential to have a significant economic impact for the Middle Georgia region, which Seth Clark will expand on in his testimony. I understand and acknowledge the very real challenges in states with high acreage of Federal land. This is different for those of us in Georgia, Middle Georgians' concerns lie with the potential commercial development of a pristine hunting and fishing land, the threat to national security and regional economic viability associated with not protecting the encroachment zones of Robins Air Force Base, and the loss of the irreplaceable Muscogee Creek cultural resources and sacred sites.

The Ocmulgee Mounds National Park and Preserve Establishment Act would create a historic opportunity to protect important natural and cultural resources, protect hunting and fishing for generations to come, and bring economic opportunities to Middle Georgia through the creation of Georgia's first national park.

Mr. Chairman, I would now like to yield the remainder of my time to my colleague, Congressman Bishop, who has also worked for many years tirelessly with me on this bipartisan effort.

Mr. TIFFANY. The gentleman yields to Mr. Bishop.

**STATEMENT OF THE HON. SANFORD D. BISHOP, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA**

Mr. BISHOP. Thank you very much, Mr. Chairman, and I thank members of the Committee for allowing Representative Scott and me to testify on behalf of our bill, the Ocmulgee Mounds National Park and Reserve Establishment Act.

Congressman Scott and I have a long history of working together in a bipartisan fashion to preserve and protect this special place in Middle Georgia, albeit not quite as long as Ocmulgee's 17,000-year history. Most recently, we worked together with then-Senator Saxby Chambliss and Johnny Isakson to change the name from Ocmulgee National Monument to Ocmulgee Mounds National Historical Park, to expand the boundaries from approximately 702

acres to over 2,800 acres, to provide protection to additional archeological resources, and to authorize a resources study to explore the possibility of expanding the park even further to include additional opportunities for hunting, camping, fishing, and other recreational activities. That legislation was signed into law in 2019.

Our bill today builds upon that resources study, which was released last year. It reflects key input from stakeholders at the Federal, state, and local levels, including the Muscogee Creek Nation, whose ancestral sites are located inside the proposed boundary. In fact, our legislation, which will create the first national park in the state of Georgia, establishes a path for a tribal-non-tribal co-management, similar to the co-management models of other national parks and preserves. If successful, Ocmulgee will be the first national park co-managed by one of the five tribes that was forced from their lands in 1836, a tragedy in our history known today as the Trail of Tears.

In addition to preserving significant historical and cultural resources, our bill will expand Ocmulgee's footprint to provide increased opportunities for visitors to enjoy abundant recreational activities the area has to offer, including, as I said earlier, hunting, camping, and fishing.

According to an analysis by the National Park Conservation Association, our legislation could increase visitors to Middle Georgia by sixfold over the next 15 years. It could bring in more than \$34 million in annual tax revenue to the region, as well as support over 3,000 jobs through visitor activity and tourism.

Finally, Representative Scott and I, as well as Georgia's current two Senators, have worked closely with Robins Air Force Base and Warner Robins to put land into conservation near the base along the Ocmulgee floodplain in order to maintain a buffer to prevent development that would encroach into the flight pattern areas. By protecting these lands, it will help Robins Air Force Base to continue to maintain its military readiness.

Again, I would like to thank the Subcommittee on Federal Lands for inviting Representative Scott and me to testify this afternoon, and we believe that our bill would strengthen the current Ocmulgee Mounds National Historic Park and bolster the economy and the cultural life of Georgia and beyond.

I urge your support, and I would be happy to answer any questions that you might have. I yield back, Mr. Chairman.

Mr. TIFFANY. The gentleman yields. I now recognize Representative Vasquez for 5 minutes on H.R. 6441.

**STATEMENT OF THE HON. GABE VASQUEZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO**

Mr. VASQUEZ. Thank you, Mr. Chairman, and thank you to the Committee for holding this important hearing to address the challenges facing cattle growers and other ranchers.

It is a privilege to present to you my bipartisan bill, the Ranching Without Red Tape Act. This bill would reduce unnecessary Federal regulatory burdens for public land grazers, and provide greater flexibility for ranchers who are working to overcome duplicative bureaucracy that slows down their operations and ultimately hurts American consumers and rural economies.

In my district, 9,000 ranchers raised over 1.2 million head of cattle and contribute over \$2 billion to the New Mexico economy. Those ranchers hold 2,200 grazing allotments across approximately 13.5 million acres of Federal public lands throughout the state. Currently, these folks who lease Federal grazing permits must undertake a complicated renegotiation process to make even the most minor improvements to their leased range lands. That includes building a stock tank, repairing a fence, or making minor road repairs and minor adjustments in the back country. These necessary changes help producers adjust to changing climate patterns and to new technologies, make necessary repairs, and ultimately help maintain healthy livestock and improve productivity and ecosystem health.

Unfortunately, the process for making these improvements in Federal lands is cumbersome and out of date. In my first month in office, a cattle grower in my district told me about his struggles with these straightforward improvements. When his pasture fence deteriorated, as they often do, he was forced to wait months, almost 9 months, for a response from the BLM for the approval to repair it. Since then, in my conversations with cattle growers and food producers throughout my district, I have heard this consistent message: the current Federal permitting process for minor range improvements is excessively burdensome and needs reform.

Growers who simply need to repair a fence or improve their waters are waiting months, sometimes even years, for new permit approvals. These delays cost time, money, and contribute to the rising costs of beef and other meat products in this country. My bipartisan Ranching Without Red Tape Act, led by Senator Barrasso in the Senate, would allow ranchers to make these essential minor improvements without going through a long and burdensome process.

It is also important to emphasize that this bill is not about taking shortcuts or sacrificing environmental oversight. Ranchers are deeply invested in protecting the lands that they rely on. Ranchers and environmentalists do not have to be at odds with each other on this issue. By eliminating unnecessary red tape, we can help some of the country's hardest-working producers and their ranch hands improve their operations, increase production, and strengthen our agricultural economy. This bipartisan solution is sensible for ranchers, it is good for public lands and the communities that we represent.

I am also proud to work with Representatives John Curtis of Utah and John Duarte of California to advance this bill and to support ranchers.

I look forward to working with this Committee to advance this legislation, increase production, and lower costs for consumers, and support ranching communities nationwide. Thank you, Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Representative Vasquez. I now recognize Representative Maloy for 5 minutes on H.R. 9165.

**STATEMENT OF THE HON. CELESTE MALOY, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH**

Ms. MALOY. Thank you, Mr. Chairman. I have to slide closer, I am about to get hypothermia up here too. I don't know who sets the temperature in here, but I am here to testify about my search and rescue bill, and I may need to be rescued by the end of it.

Utah is a beautiful place. Our scenery and our geology attract millions of visitors a year. I think last year, we had 15 million visitors coming to Utah to recreate on public land managed by the Federal Government. And sometimes the visitors who come to our state are not prepared for the high altitude, for the dry climate, or for our unpredictable weather, and they get themselves into trouble. And when that happens, we call on our sheriffs to provide search and rescue.

And in a state where the majority of the land is managed by the Federal Government, that means our sheriffs are doing search and rescue operations on millions of acres for which counties don't get any tax revenue. And I have spent a lot of time talking to the sheriffs about this, and they are happy to provide search and rescue services, they don't want to leave people stranded or let people be hurt, but it gets expensive.

In one of the counties in my district, Washington County, in the last year they have had 99 search and rescue operations; 74 percent of those were conducted on Federal land. And it cost them about \$160,000 from the sheriff's office budget and about \$140,000 worth of search and rescue volunteer time.

This bill provides for a grant program for sheriff's offices or states that are providing search and rescue on public land. It gives an advantage to counties that have a high percentage of public land and a high number of visitors to offset the costs that counties are bearing for the Federal Government by providing this service.

One of the things that happens is a lot of times people who come to recreate on public land have better equipment than our volunteers and our sheriffs do. And even if they don't have better equipment, a lot of times they get themselves into places that are really difficult to get them out of. So, the equipment that our volunteers and our sheriffs need to be able to get to where people are in trouble is outside of their budget. Because this is a problem caused by Federal land management, I think the Federal Government needs to step up and help with this.

So, H.R. 9165 provides a grant program to help offset the cost of equipment. I know that doesn't solve the whole problem, but it helps level the playing field a little bit between the people who do search and rescue and the people who recreate. And hopefully it tips the scales in favor of saving lives and rescuing people.

It is also a bipartisan bill, thanks to my colleague, Ed Case from Hawaii. That is also a tourism state. He understands what it is like to have a lot of people come recreate. He came to Utah, listened, saw the problem, and is willing to help us, and I want to thank him for that while I am doing that.

With that, Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Representative Maloy. We will now move on to our second panel.



Let me remind the witness that under Committee Rules, you must limit your oral statement to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, please press the "on" button on the microphone.

We use timing lights. When you begin, the light will turn green. At the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

I now want to recognize Mr. Steven Lohr, Director of Natural Resources for the National Forest System at the U.S. Forest Service.

Director Lohr, you are recognized for 5 minutes, and welcome to the Committee.

**STATEMENT OF STEVEN LOHR, DIRECTOR OF NATURAL RESOURCES, NATIONAL FOREST SYSTEM, USDA FOREST SERVICE, WASHINGTON, DC**

Mr. LOHR. Thank you, Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee. Thank you for inviting the Forest Service to discuss H.R. 6441, H.R. 7666, and H.R. 9165 concerning grazing on national forests and search and rescue activities by partners. My name is Steve Lohr, and I am the new National Director of Natural Resources for the U.S. Forest Service. I cover the timber, range, and wildlife programs for the agency.

Much of my 24-year career has been spent on field units, including 10 years as a district ranger in North Carolina, a forest supervisor in Alabama, and most recently a deputy regional forester in Colorado. It is my honor to help the agency actively manage our national forests for the benefit of all Americans.

America's forests support local economies through recreation, tourism, jobs, energy production, forest products, and livestock grazing.

Let me begin by sharing that livestock grazing is an important tool for managing our National Forest System lands, is permitted on over 73 million acres spread across 27 states. Grazing use on National Forest System lands is administered through a grazing permit system, and the Forest Service administers permits for nearly 6,000 permittees annually. In total, these permits authorize approximately 7 million head months of grazing by cattle, horses, sheep, and goats. The Forest Service manages livestock grazing with a \$6 million budget annually for everything beyond direct personnel costs, and we rely heavily on industry partners to help us deliver the program.

The Forest Service appreciates the opportunity to discuss the legislation pending before the Subcommittee.

H.R. 6441, the Ranching Without Red Tape Act, would require the agency to issue regulations within 1 year that would allow Forest Service grazing permittees to carry out minor range improvements with district ranger approval. Or if the district ranger does not respond within 30 days, the improvements are considered approved.

This bill would also establish a mechanism for permittees to submit requests to the Secretary for the Forest Service to construct new range land improvements. The bill would require the agency

to respond to those requests within 30 days and, when a request is approved, expedite the completion of the range land improvement.

The Forest Service acknowledges the need to be nimbler in responding to rangeland improvement needs, and strongly supports the intent of H.R. 6441. We would like to work with the Committee on refining the language to ensure time frames and expectations are achievable on streamlining our processes, and taking a nimbler adaptive management approach to expedite range land improvements.

H.R. 7666 requires the agency to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction. The USDA supports the bill and recognizes that livestock grazing can be used as a viable vegetation resource management tool, and we welcome the opportunity to look for ways to apply it more strategically on the landscape. The agency has existing flexibilities in law, regulation, and policy that allow us to authorize targeted grazing using a variety of instruments. The agency already employs targeted grazing to reduce fine fuels as part of hazardous fuels treatments, invasive species as a part of integrated pest management, and other land management needs.

H.R. 9165, the Public Lands Search and Rescue Act, establishes a grant program to reimburse up to 75 percent of applicable costs of conducting remote search and rescue operations on Department of the Interior and USDA lands. H.R. 9165 defines “eligible reimbursement activities” as those that include purchasing search and rescue equipment and gear, maintaining and repairing leased or owned equipment, and conducting remote search and rescue activities themselves.

The USDA recognizes the financial burden imposed upon states and rural counties in conducting remote search and rescue on National Forest System lands, and we appreciate our strong working relationship with states and counties who manage them. We would like to work with the bill’s sponsors and Committee to clarify USDA’s role and responsibilities regarding remote search and rescue conducted on Federal land.

USDA supports the goals of H.R. 9165 to reduce the financial burden on rural, state, and counties, but defers to DOI for their views on the proposed program.

That concludes my testimony. Again, I thank Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee for the opportunity to present USDA’s views on this proposed legislation. I would be happy to answer any questions you may have.

[The prepared statement of Mr. Lohr follows:]

PREPARED STATEMENT OF STEVE LOHR, DIRECTOR OF NATURAL RESOURCES,  
NATIONAL FOREST SYSTEM, U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE  
ON H.R. 6441, H.R. 7666, AND H.R. 9165

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for inviting the U.S. Department of Agriculture (USDA) Forest Service, to discuss H.R. 6441, H.R. 7666, and H.R. 9165.

**H.R. 6441, “Ranching Without Red Tape Act”**

Section 2(a) of H.R. 6441 would require the Agency to issue regulations within 1 year of enactment that would allow Forest Service grazing permittees to carry out

minor improvements after notifying the Agency. The bill would require the Agency to respond to those notifications within 30 days and if the Agency does not respond the permittee may carry out the improvements.

The Agency is concerned with the requirement to issue regulations within 1 year. There are mandatory processes required for agency rulemaking, including public review and comment, that would make it difficult to complete within 1 year.

Section 2(b) of H.R. 6441 would establish a mechanism for permittees to submit requests to the Secretary for the Forest Service to construct new rangeland improvements. The bill would require the Agency to respond to those requests within 30 days and, when a request is approved, expedite the completion of the rangeland improvement.

The agency's ability to expedite the construction of rangeland improvements associated with a covered request will depend upon staff capacity and funding, which may not meet the public's expectations. This could lead to unnecessarily denying a request as a result of insufficient time for review.

The Agency also has concerns with the 30-day deadline to approve or deny the request for constructing new rangeland improvements in Section 2(b). These new rangeland improvements may be subject to National Environmental Policy Act (NEPA) requirements, making meeting the 30-day approval deadline hard to meet, especially in situations which do not meet the criteria for use of a Categorical Exclusion (CE). Even actions falling within the scope of a CE may involve extraordinary circumstances, which could make the 30-day deadline hard to meet. Furthermore, depending on the nature and location of the proposed rangeland improvement, the Agency may need to comply with other statutory requirements, including under the Endangered Species Act and the National Historic Preservation Act, and to consult with affected Tribal Nations.

Similarly, it is unclear if the "minor range improvements" in section 2(a) could be subject to NEPA requirements, making that 30-day deadline difficult to meet as well. It could be helpful to narrow the scope of what would be considered a "minor range improvement" so that we can better understand how it fits into our NEPA framework and to provide more flexibility for the responsive deadline.

The Forest Service acknowledges the need to be nimbler in responding to rangeland improvement needs and strongly supports the intent of H.R. 6441 to help the agency do so. Although we do have concerns with H.R. 6441, we would like to work with the committee on refining the language to ensure timeframes and expectations are achievable and on streamlining our processes and taking a nimbler adaptive management approach to expedite rangeland improvements.

#### **H.R. 7666, "To require the Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction"**

H.R. 7666 would require the Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction. The agency has existing flexibilities in law, regulation and policy that allow us to authorize targeted grazing using a variety of instruments (e.g., livestock use permit and agreements,). The agency already employs targeted grazing to reduce fine fuels as part of hazardous fuels treatments, invasive species as part of integrated pest management and other land management needs.

USDA supports the bill and recognizes that livestock grazing can be used as a viable vegetation and resource management tool, and we welcome the opportunity to look for ways to apply it more strategically.

#### **H.R. 9165, "Public Land Search and Rescue Act"**

H.R. 9165 would require the Secretary of the Interior (DOI) to establish a grant program to fund applicable remote search and rescue (SAR) activities on DOI and USDA lands within one year after enactment. The bill would define remote SAR activity as involving the location or recovery of human remains in remote areas and locating, assisting, and removing lost, injured, stranded, or entrapped individuals in remote areas to safety. Under H.R. 9165, eligible recipients who are authorized by State or Federal law to conduct remote SARs on DOI or USDA lands could apply for reimbursement of up to 75 percent of the applicable remote SAR costs from the Federal Government. The bill would prioritize applications for reimbursement of costs for remote SARs conducted in areas with a high ratio of visitors to residents. Eligible reimbursement activities would include purchasing search and rescue equipment and gear; maintaining and repairing leased or owned equipment; and conducting remote SAR activities.

USDA recognizes the financial burden imposed on rural States and counties in conducting remote SARs on National Forest System lands. USDA renders assistance in cases involving persons lost or injured while visiting National Forest System lands. USDA may occasionally take the lead in conducting a remote SAR if an immediate response will reduce suffering or save lives. Once a State or county assumes responsibility, USDA serves in a supporting role and assists where requested.

USDA's primary role in connection with remote SARs conducted on National Forest System lands is developing and maintaining strong working relationships with States. States determine which State, county, or local agency has primary responsibility for conducting remote SARs on National Forest System lands within their State.

H.R. 9165 would authorize the Secretary of the Interior to establish the grant program, including receiving applications for reimbursement of costs, making determinations about cost share percentages, determine applicant eligibility, and prioritizing applications for reimbursement of costs for remote SARs conducted on both DOI and USDA lands. USDA supports the goal of reducing the financial burden imposed on rural States and counties in conducting remote SARs on Federal lands. We defer to DOI for their views on how H.R. 9165 would affect their programs.

That concludes my testimony. Again, I thank Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee for the opportunity to present USDA's views on this proposed legislation. I would be happy to answer any questions you may have.

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QUESTIONS SUBMITTED FOR THE RECORD TO MR. STEVEN LOHR, DIRECTOR OF  
NATURAL RESOURCES, NATIONAL FOREST SYSTEM, USDA FOREST SERVICE,  
WASHINGTON, DC

**Mr. Lohr did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.**

#### **Questions Submitted by Representative Westerman**

*Question 1. Regarding the Lake Wedington Recreation Area in the Ozark-St. Francis National Forest:*

*1a) Will you provide a status update on when the Lake Wedington Recreation Area will be open to the public again?*

*1b) Will the Forest Service be able to phase the opening of areas as updates are complete?*

*1c) Can you provide a summary of the funding needed to address the maintenance issues at the Lake Wedington Recreation Area?*

*1d) Is the Forest Service actively exploring concession agreements or historic leases to increase the services provided at the Lake Wedington Recreation Area?*

*1e) Will you provide an update on the status of moving forward with the Request for Expressions of Interest (RFEI) and the proposals received?*

*Question 2. Regarding the Blanchard Springs Caverns in the Ozark-St. Francis National Forest:*

*2a) Has the Chief of the U.S. Forest Service received a waiver request to allow seasonal extra help positions (1039 workers) at Blanchard Springs Caverns in the Ozark-St. Francis National Forest?*

*2b) How many waiver requests has the Chief of the U.S. Forest Service received to allow seasonal extra help positions (1039 workers) since September 17, 2024? Please provide the number of waiver requests that have been denied and have been granted.*

*2c) How many seasonal positions (1039 workers) have been offered each year for the past five fiscal years?*

*2d) Please provide the total salaries and expenses for the seasonal positions (1039 workers) at Blanchard Springs Caverns for each of the past five fiscal years.*

2e) *Has there ever been a concessioner(s) operate at Blanchard Springs Caverns?*  
 2f) *Has the Forest Service considered concessioners to operate at Blanchard Springs Caverns? If so, please describe what those considerations are. If no, please provide the barriers to allowing a concessioner(s) to operate.*

2g) *Please list the process and potential timeframe to have a concessioner operate on the property.*

*Question 3. Please describe how the U.S. Forest Service currently works with grazing permittees to utilize targeted grazing to reduce wildfire risk.*

*Question 4. Describe how the U.S. Forest Service works with local law enforcement when notified of a missing person on U.S. Forest Service land.*

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Mr. TIFFANY. Thank you for your testimony, Director Lohr, and now I hope the witness will take questions from our panel.

First, I would like to recognize the gentleman from Oregon, Mr. Bentz, for 5 minutes.

Mr. BENTZ. Thank you, Mr. Chair, and thank you, Mr. Lohr, for being here today.

I was raised on a cattle ranch, and we ran cattle on a Forest Service permit. I recall all too clearly being asked to take the 4.5-hour ride horseback up to drive cattle out of the riparian areas along Forest Service streams. And we did so because the idea was to protect those streams as best we could from over-grazing, and we got pretty good at it. But it is odd now, the situation is flipped. What we have is fires burning up the spaces where we used to run cattle.

I remember going back up to some of those streams where we would drive cattle out of, and I was astounded to see the amount of understory that had grown up. A cow couldn't fight its way down into the stream. And I am not joking. And if they did, they would never get out. I don't know what the Forest Service is doing to try to utilize a cow as a management tool, but it seems to me from your testimony that the Forest Service recognizes it is an option, it is a possibility.

Can you share with us? Have you seen cows being used in this fashion? Because I know they can be, I am just curious if it is actually happening.

Mr. LOHR. Yes. Thank you, Congressman, for the question.

Yes, I mean, the Forest Service recognizes grazing as a key management tool for the agency. It impacts more acres than any other management tool we use on National Forest System lands, and it plays a key role for us in reducing fine fuels.

And to your point, we have had a bigger problem with riparian areas burning up in recent years, so we completely recognize it is a tool. We understand that, in conjunction with other forest management activities like commercial thinning, that cattle grazing and livestock grazing in general can be a key component for how we reduce the risk of catastrophic wildfire.

Mr. BENTZ. Of course, since I am here on my own bill, and it is dealing more with sagebrush steppe as opposed to national forest, but the issue is the same. And through bureaucratic mismanagement or whatever you want to call it, we have layer, after layer, after layer of fine fuels building up over the years because there is a restriction on how much you can actually graze off each year.

So, instead of trying to reduce these fine fuels, they actually build up. And then, when the fire comes along, it burns super hot, encompassing all of the wrong things.

So, I would just hope that we can build on what this bill is suggesting, and not only in the forest, but, of course, out in the sagebrush areas of the Western United States, because it is absolutely essential we do something. The damage that is occurring as a result of these wildfires is insane. And we should start viewing cattle as a useful tool, and not as an impediment to range protection.

Thank you so much for being here today.

I yield back.

Mr. TIFFANY. The gentleman yields, I now recognize Representative LaMalfa for 5 minutes.

Mr. LAMALFA. Thank you again, Mr. Chairman and Mr. Lohr, for joining us here.

What do you see as the impediment for the Service to expediting what Mr. Bentz is talking about, what I am talking about, what Mr. Vasquez is talking about? What is really the difficulty on wanting to do something with these tools that are really effective?

Mr. LOHR. I mean, I don't think there are any impediments, really. We are expanding the use of targeted grazing for fuels reduction. In Fiscal Year 2023, we used hazard fuels reduction money to fund 75,000 acres worth of projects to the tune of about \$600,000 to do work in different parts of the country on it. And a couple of examples, on the Black Hills we used virtual fencing technology to maintain firebreaks, which was a successful effort.

Mr. LAMALFA. Would you describe virtual fencing for us?

Mr. LOHR. Yes, Congressman. Virtual fencing is a way for us to move cows around the landscape; it is sort of like your invisible fence for your dog. Essentially, we are able to move cows around. The cows wear collars, and we can remotely control where the cows can go using that virtual fence. And it is a really powerful tool for being able to effectively manage cows across the landscape.

And to the project in South Dakota, we were able to use that virtual fence to keep the cows focused on an area to use for fuels reduction to maintain a fuel break. We have also done it in Southern California, in chaparral habitat with goats, and we have a lot more projects in the hopper.

So, to your point, Congresswoman LaMalfa, I think we are expanding those uses, and this bill is going to help us focus that. Part of the bill is to develop a strategy around that, and I think it is overdue for us to have that strategy.

Mr. LAMALFA. Well, under the Forest Service purview, and now, you said you have 75,000 acres out this year on that?

Mr. LOHR. That was in Fiscal Year 2023. Those are stats from Fiscal Year 2023, right.

Mr. LAMALFA. Yes, 2023, right. Is it a higher number in 2024, would you guess?

Mr. LOHR. We are increasing that number, sir.

Mr. LAMALFA. OK. So, you have under your purview about 193 million acres nationally.

Mr. LOHR. Correct.

Mr. LAMALFA. How many acres would you say, just a rough guess, I am not going to hold you to it, could be grazed if you did 100 percent of them, do you think? I mean, how many have that kind of material on them that would be somehow grazeable?

Mr. LOHR. I would have to get back to you with specific numbers. I can tell you that we have active permits on about 73 million acres, and there are 95 million acres that are considered range lands on national forest lands which could be used in some form or fashion for these efforts.

Mr. LAMALFA. When you say 73 million acres of active permits, are they, in terms of active, because I hear a lot of frustration out there actually getting the grazing done on the ground. When you say they are active, are they all being utilized? Are they in play, or is there some other thing holding them up from actually getting cattle on these lands?

Mr. LOHR. No, the majority of those 73 million acres that are available for livestock grazing we do, I mean, there are exceptions. Like in cases where we have had challenges with water or with fires, we modify it. But in general, yes, those permits are active.

Mr. LAMALFA. OK. Because I do hear that leases are being lost and that fire can affect those leases, and there is conversation about being able to trade out leased areas that have been damaged by fire for those that haven't on a quick basis, instead of a long, long period of permitting and things like that. So, what would you say about those things?

Mr. LOHR. Yes, many units have reserve allotments that we are able to move livestock from, if they have been impacted by fire. Or if we have vacant allotments, we often use those vacant allotments for emergency situations where the permittees are unable to have forage due to a fire.

Mr. LAMALFA. And what do you see the trend as far as third parties like NGOs coming in and buying up grazing allotments and then not utilizing them, but just idling the land?

Mr. LOHR. Yes, it has happened in a number of occasions. I don't have the specific data for you. I don't know if it is an increasing trend or a decreasing trend, but it has happened.

Mr. LAMALFA. Do you see that as something that is helpful towards the goals of Forest Service or even the cattle ranchers?

Mr. LOHR. I think it depends on the situation. I mean, sometimes the allotments are in a situation where maybe there are a lack of improvements that are available, and the investment is not worth it to get the permit back up to standard. In other cases, it might be for a specific species that they are concerned about.

So, yes, there are a number of reasons for that.

Mr. LAMALFA. Is there a reason that getting the permit back up to standard is bureaucratic, or is it something else going on? Why would the rancher not want to get the permit back up to speed?

Mr. LOHR. It is about economics sometimes, Congressman LaMalfa.

Mr. LAMALFA. The economics of the cost of getting the permit—

Mr. LOHR. The cost of getting the improvements, getting them back up to standards so that we can graze livestock again.

Mr. LAMALFA. All right. We will delve into that later. Thank you.

Mr. LOHR. Yes, thank you.

Mr. LAMALFA. Thank you, Mr. Chairman.

Mr. TIFFANY. The gentleman yields, and I will recognize Representative Maloy for 5 minutes of questioning.

Ms. MALOY. I don't actually have a question, I just want to say thank you for recognizing the burden that is placed on the counties. I was glad to hear you say that. And thank you for expressing support for the goals of the Public Land Search and Rescue bill, and I will have my staff follow up with you on ways we can work together to get some of this done.

Mr. LOHR. Excellent. Thank you, Congresswoman.

Mr. TIFFANY. The gentlelady yields.

Mr. Lohr, what is the agency's current backlog of permits or leases related to grazing that are awaiting approval?

Mr. LOHR. I don't have a good answer for that for you, but I can get back to you on it.

Mr. TIFFANY. Yes. If you would, that would be terrific. And that is both the backlog on permits, as well as the leases, if you could do that.

Mr. LOHR. Right.

Mr. TIFFANY. What are some of the ways the Forest Service is working with ranchers across the West to ensure grazing leases are approved quickly?

Mr. LOHR. I mean, the challenge that we have, Chairman, is staffing levels. Again, our range program is not funded to the extent that we would like it to be, and again, we have a finite number of employees, and a lot of times the grazing programs might have just one or two employees per district that are trying to manage these. So, a lot of times it is a personnel limitation.

I will try to get some specific information for you. But there are a lot of competing interests on public lands. So, a lot of times this makes it challenging for us to be expeditious about how fast we can offer permits.

Mr. TIFFANY. Do you view this as a priority?

Mr. LOHR. Absolutely, we view it as a priority. But again, we have a lot of priorities that we are managing as an agency.

Mr. TIFFANY. So, should we be reallocating positions?

Mr. LOHR. I mean, that would be one approach to it, for sure.

Mr. TIFFANY. Can you reallocate positions administratively?

Mr. LOHR. We could make changes to our range workforce through reallocation, sure.

Mr. TIFFANY. So, you could get more manpower to this if you chose to.

Mr. LOHR. We could. But again, as we make sacrifices in one arena, we obviously have a void to fill in other areas. So, it is a matter of collectively we try to balance how we allocate employees across our needs.

Mr. TIFFANY. Is preventing wildfire a priority?

Mr. LOHR. Preventing wildfire is a priority, sir.

Mr. TIFFANY. So, if this is one of the more effective ways of preventing fire, wouldn't that move up the priority list pretty high?

Mr. LOHR. Yes, sir. I fully agree with you on that, and I think that we are. To the answers that Congressman LaMalfa had, we are doing a better job every year. Could we do better? Absolutely.



But I think we are starting to just understand how beneficial, when we target grazing in an area, it can be. So, we are working to improve that each year.

Mr. TIFFANY. I think you said you did an additional 75,000 acres this year. Is that right?

Mr. LOHR. That was in Fiscal Year 2023 we did 75,000 acres through targeted grazing. And we did fund it, actually, with fuels dollars to the tune of \$600,000.

Mr. TIFFANY. So, I was doing the math on this, and you said there are 73 million acres under active grazing allotments. Is that correct?

Mr. LOHR. That is correct.

Mr. TIFFANY. And there are 95 million total?

Mr. LOHR. Yes, of range lands, there are 90, 95 million.

Mr. TIFFANY. So, that leaves 22 million acres. Are you going to be able to get to all 22 million acres in the foreseeable future?

Mr. LOHR. Yes, there are reasons for some of those 22 million acres not having permits. It could be that some of it is not suited. There are a lot of reasons for the difference between those numbers.

Mr. TIFFANY. Do you guys have data on how many of those 22 million acres would be good range land that would be acceptable for grazing?

Mr. LOHR. Yes, I can get that information for you, for sure.

Mr. TIFFANY. Yes, if you could, get those numbers.

I heard that NGOs are buying up grazing allotments and then not using them. Is that correct, are there instances of them doing that?

Mr. LOHR. There are a few instances, yes.

Mr. TIFFANY. Can you rescind those allotments when they don't use them?

Mr. LOHR. Can we rescind them if an NGO has one?

Mr. TIFFANY. Yes.

Mr. LOHR. Yes. Most of the allotments, in my knowledge, that have been turned over to NGOs have been bighorn sheep allotments, where we know we have bighorn sheep and we graze sheep. So, there is a known challenge associated with mingling them. And those allotments are the ones that, in my knowledge, have been purchased by NGOs.

And is there a mechanism? Yes, as the allotment expires, the permit expires, we could renew in a different way.

Mr. TIFFANY. The Committee is very concerned by the prospect that President Biden may further abuse the Antiquities Act during the lame duck. Is the Forest Service aware of any potential national monuments the White House plans to designate between now and the end of the President's term?

Mr. LOHR. I would have to get back to you on that one. That is outside of my purview.

Mr. TIFFANY. You could get back to me in regards to that, if there are any that are being planned?

Mr. LOHR. Yes, sir.

Mr. TIFFANY. Has anybody in the White House or the Council on Environmental Quality asked the Forest Service to provide substantive or technical feedback on a potential national

monument designation, including by creating maps for such a designation?

Mr. LOHR. Yes, again, I will have to get back to you on that one.

Mr. TIFFANY. So, you have had no requests along those lines?

Mr. LOHR. I personally have not. But again, I cover the natural resources program, and that is more of a different—

Mr. TIFFANY. Have you heard from any of your colleagues? Have they had that request?

Mr. LOHR. I will have to ask them.

Mr. TIFFANY. Well, I appreciate you joining here, Mr. Lohr, and no further questions. Thank you for joining the Committee today.

Mr. LOHR. Thank you.

Mr. TIFFANY. And we are going to move on to our next panel.

While the Clerk resets our witness table, I will remind the witnesses that under Committee Rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

I would also like to remind our witnesses of the timing lights, which will turn red at the end of your 5-minute statement, and to please remember to turn on your microphone.

As with the second panel, I will allow all witnesses to testify before Member questioning. And we will get those nameplates up there, and I look forward to our third panel of witnesses joining us here.

[Pause.]

Mr. TIFFANY. I will now recognize Sheriff Tracy Glover, President of the Utah Sheriffs Association.

Sheriff Glover, welcome, and you have 5 minutes.

**STATEMENT OF THE HON. TRACY GLOVER, PRESIDENT, UTAH  
SHERIFFS' ASSOCIATION, KANAB, UTAH**

Mr. GLOVER. Thank you, Mr. Chairman and Committee members. Good afternoon. I appreciate the invitation to testify here with you today, and I appreciated your opening statement, Mr. Chairman.

I am the sheriff in Kane County, Utah, which is in southern Utah. And I am the President of the Utah Sheriffs Association, and a board member, executive board member, of the Western State Sheriffs Association. And I will be representing those sheriffs here today. I appreciate the opportunity to speak in favor of H.R. 9165, talk a little bit about the challenges of search and rescue on public lands.

As many of you know, and it has been stated before, sheriffs hold the responsibility for search and rescue on public lands, especially across the West. And we appreciate Congresswoman Maloy, the co-sponsors, and this Committee for bringing this issue forward.

To be direct, county sheriffs across the country are seeing increased visitation to public lands in general, and calls for rescues are increasing, as well. Travelers are constantly fed a barrage of awesome photographs in their social media feed that generate destination bucket list items, and they go and often get lost or injured.

I live in a unique part of the country. My county is 4,300 square miles. And from my county and the surrounding counties, visitors can access millions of acres of national monuments, national

forests, national parks, national recreation areas, and open BLM lands. My county has a population of less than 10,000 people, but we host over 5 million visitors each year. What used to be search and rescue teams that were a few guys with Jeeps and a thermos full of coffee has now turned into very technical teams that do mountain rescue with snowmobiles and snowcats, and technical rope rescue, underwater search and recovery with underwater robots and sonar units, as well as dangling from helicopters to hoist people to safety.

In the West, most of the land is owned and managed by the Federal Government. In my county, for example, that number is 85.5 percent of the land in my county is owned and managed by the Federal Government. That presents a bit of a challenge, and our search and rescue calls are a similar percentage. In the state of Utah we have seen a significant increase in helicopter rescues, and they are expensive. I provided some statistics in the packet, but the Utah sheriffs are looking at the possibility of requesting an additional helicopter in the state fleet to be able to service the needs for search and rescue in our state, at a cost of around \$10 million.

A couple of quick examples. A friend and colleague of mine in Hood River County, Oregon, Sheriff Matt English, had a unique rescue a few years ago where a young man deployed a firework on a trail in Eagle Creek off the Columbia River Gorge, and started a big forest fire. And the complication was that there were many hikers on that trail. And Sheriff English had to jump into action to deploy the resources to rescue 166 people that were caught on the wrong side of that fire. You can imagine that was a major undertaking. Hood River County has only about 24,000 residents, but with Mount Hood and the Columbia River Gorge, they have also a lot of visitors.

Similarly, in Kane County last year we had a rescue in the area of the Buckskin Gulch, which is known as the longest slot canyon in North America, where we had some unusual flooding and people were stuck in the canyon. We got in there to get them out, we got about 18 people out, rescued out to safety. But unfortunately, four people lost their lives in that canyon with those floods.

Also in the packet that I sent there are some pictures of a water rescue on Lake Powell, where a young man jumped off a cliff and didn't resurface, and we had to locate him with underwater search equipment and divers.

Just a few extreme examples of some of the things we deal with out there on public lands every day.

We get our funding from a number of sources: county funds, tourism tax dollars, a little bit of SRS funding or PILT funding. Like I said, property taxes and state search and rescue reimbursement funds and fees. This will be a good opportunity for a partnership with the Federal Government to try to keep up with the demand and the needs.

America's sheriffs are happy to work with Congress. We are excited to see this bill move forward, and we are thankful for that. And I look forward to answering any questions that you might have for me. Thank you.

[The prepared statement of Mr. Glover follows:]

PREPARED STATEMENT OF SHERIFF TRACY GLOVER  
ON H.R. 9165

Chairman Tiffany, Ranking Member Neguse and members of the subcommittee. My name is Tracy Glover. I am the sheriff of Kane County in Southern Utah.

I am the president of the Utah Sheriffs' Association and one of three sheriffs that serve by appointment to the Utah Search and Rescue (SAR) Advisory Board. I am an elected member of the executive board for the Western States Sheriffs' Association where I chair the Public Lands committee. I am here today with orders to represent the sheriffs within each of those organizations.

I appreciate the opportunity to speak in favor of H.R. 9165 and to the unique challenges of Search and Rescue operations on public lands. Across the west, it is generally the county sheriff that holds primary responsibility for Search and Rescue. America's western sheriffs appreciate Congresswoman Maloy and the co-sponsors for recognizing a growing problem and trying to help us fix it.

To be direct, county sheriffs are seeing significant increases in visitation to public lands. Calls for rescue are growing and getting more complex. Domestic and foreign travelers are continually seeing new photos of spectacular landscapes on social media platforms and adding them as bucket list destinations. H.R. 9165 will provide a mechanism for the federal government to provide financial support to county sheriffs through SAR grants to better serve visitors to our public lands.

I live in a unique and spectacular part of the country. From the 4,300 square miles in Kane County and the surrounding counties, visitors can access millions of acres of national parks, national recreation areas, national forests, wilderness areas and national monuments. Kane County has a population under 10,000 but is host to more than 5 million visitors each year.

When I started in law enforcement 28 years ago, Search and Rescue missions consisted of a jeep posse and a few people on horses riding out to find an occasional lost hunter. Over time, public lands have developed, been discovered and are managed for more recreation.

Sheriffs' teams are now spending most of our time with mountain rescue, technical rope rescue, underwater search and recovery and in helicopters hoisting people to safety. We have had to split our SAR teams up into separate disciplines and specialties that require unique training, equipment and expertise.

In the west, most of the land is owned and managed by the federal government. In Kane County for example, that federal ownership number is 85.5%. The statistics of our SAR missions is similar. Over 95% of our rescues are for visitors from out of our area. Over the past 10 years, our missions have significantly increased in both complexity and cost. As you can imagine, technical rescue including aviation, mountain snow rescue, water rescue, and recovery requires specialized equipment, expertise and significant financial commitment.

In the state of Utah, we have seen a significant increase in helicopter rescue missions. I have included some statistics for the record, but in short, the missions have more than doubled over the past few years. Utah's sheriffs are now petitioning the state legislature to add a 3rd rescue helicopter to meet SAR demands at a cost close to 10 million dollars.

In business and much of government, logistics and resources are programmed out based on historic probabilities. In Search and Rescue planning, we must organize our resources for possibilities rather than probabilities.

A couple of quick examples:

A few years ago, my colleague Sheriff Matt English from Hood River County Oregon was faced with a large rescue mission. On a warm summer day on the Eagle Creek Trail off the Columbia River Gorge, a teenage boy set off a firework that started a large fire. In what is thought to be the largest rescue effort in Oregon history, Sheriff English had to quickly jump into action to gather enough resources to rescue 166 hikers that were trapped by a large and rapidly growing fire and get them to safety.

This operation required cooperation on a local, state and federal level at significant cost. Hood River County has only 24,000 residents but hosts millions of visitors to Mount Hood and the trails surrounding the Columbia River Gorge.

Last year in Kane County, we had a series of unseasonable flash floods in a canyon called Buckskin Gulch which is known as the longest slot canyon in North America. The floods washed several hikers miles downstream and forced others to high ground. We were fortunate to be able to pull 18 cold and injured hikers out of the canyon alive but unfortunately, in two separate incidents, four of the hikers perished. At a moment's notice, well-trained and physically fit teams of water rescue

volunteers fought thigh deep quicksand with overhead air support from drones and helicopters to complete a very difficult task.

These are just a couple of extreme examples of how we as sheriffs must be prepared and ready for the possibility of what might happen on our public lands.

SAR is currently funded through a network of resources that combine to provide for the needs of sheriffs' SAR teams. In my county, county commissioners appropriate tourism tax money, PILT/SRS funds, general fund/property taxes, state SAR reimbursement funds, as well as donations to fund our operation.

As public land access, management, and visitation increases and becomes more complex, we must work together to find innovative ways to keep up. H.R. 9165 will provide a vehicle to get a more robust cooperative partnership moving between the federal land management agencies and qualifying sheriffs that are most heavily impacted by public lands rescues.

America's Sheriffs are happy to work with Congress and excited to see this bill move forward and to get a program in place that will achieve such an important objective. Thank you again for the opportunity to testify on such an important bill, I look forward to answering any questions you may have.

### **Utah DPS Aero Bureau**

#### **2020 Helicopter Rescue Statistics**

Total Missions: 284  
People Found: 149  
Hoists: 44

#### **2021 Helicopter Rescue Statistics**

Total Missions: 348  
People Found: 139  
Hoists: 50  
BLM Flight Hours 280.3  
USFS Flight Hours 280.6  
NPS Flight Hours 87.4

#### **2022 Helicopter Rescue Statistics**

Total Missions: 538  
People Found: 195  
Hoists: 120  
BLM Flight Hours 285.4  
USFS Flight Hours 183.0  
NPS Flight Hours 117.1

#### **2023 Helicopter Rescue Statistics**

Total Missions: 886  
People Found: 293  
Hoists: 131  
BLM Flight Hours 362.6  
USFS Flight Hours 172.9  
NPS Flight Hours 120.4

#### **2024 Helicopter Rescue Statistics**

Total Missions: 906  
People Found: 282  
Hoists: 156  
BLM Flight Hours 371.1  
USFS Flight Hours 189.6  
NPS Flight Hours 92.7



## WESTERN STATES SHERIFFS' ASSOCIATION

P.O. Box 825  
Stevenson, Washington 98648  
Telephone: 360-513-9500  
[www.westernsheriffs.org](http://www.westernsheriffs.org)

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Washington  
Sheriff Clay Myers  
Wyoming  
Sheriff Ken Blackburn

November 15, 2024

The Western States Sheriffs' Association is an organization representing over 1200 Sheriffs across the western United States. Our organization has a long history of advocating for appropriate levels of funding from the federal government to help in offsetting the burdening costs of emergency response to lands managed by the federal government.

The federal government currently has management responsibilities for over 600 million acres of land. Most of this land falls under the management of the United States Forest Service, Bureau of Land Management and National Park Service. The county Sheriff maintains the primary authority and jurisdiction for emergency response to most of these lands which have experienced a significant increase in use over the past 30 years.

The opposing trend to the increased use of these public lands is the decrease in federal funds to assist sheriffs in their statutory duty to provide search and rescue services as well as essential law enforcement response.

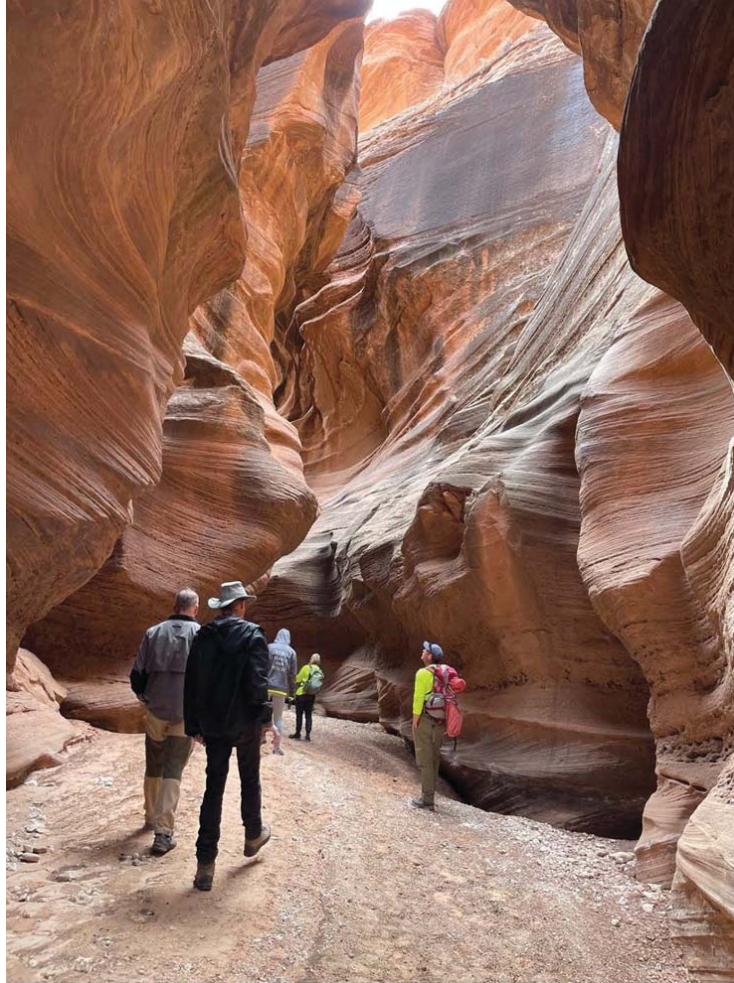
HR 9165 takes a small step toward recognizing the financial responsibility that the federal government has to the over 3000 counties across the country, but more specifically to the counties and Sheriffs of the western United States.

The Western States Sheriffs' Association supports the passage of HR 9165 and asks that congress work to find additional, more direct funding mechanisms for Sheriffs who are struggling to meet the basic public safety needs of their counties when faced with vast expanses of federally managed lands demanding even greater resources and technical response capabilities.

We stand ready to assist in long-term solutions to the funding issues facing America's western Sheriff and commit to work with congress and the land management agencies in moving toward an appropriate and sustainable level of funding.

Sincerely,

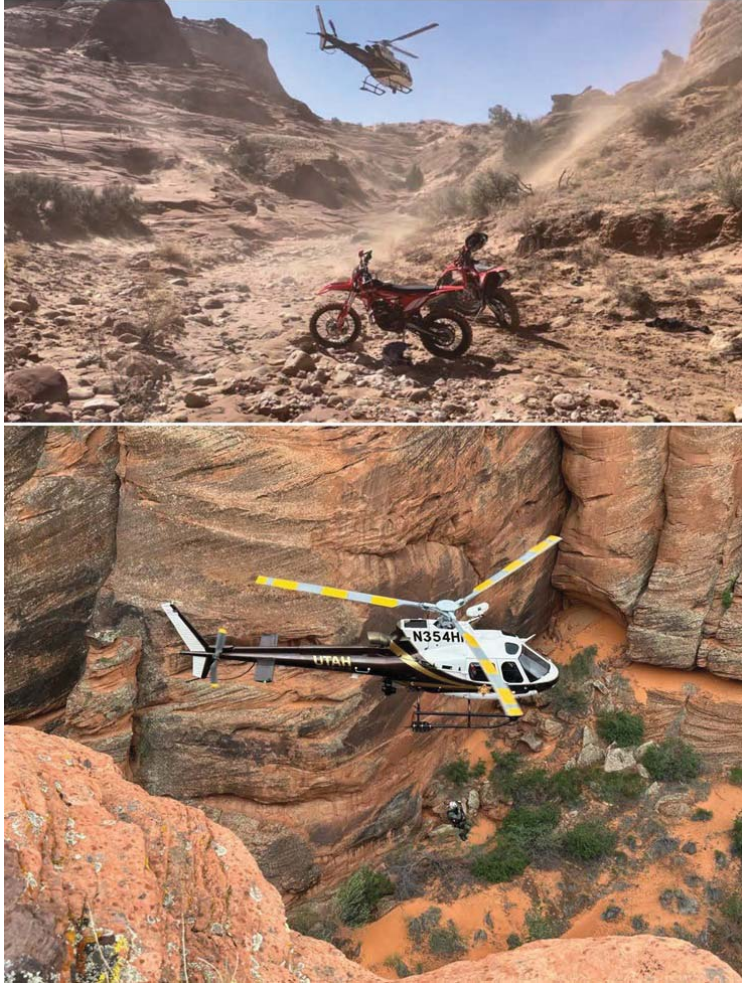
Gary Bettencourt, Sheriff  
Gilliam County, Oregon  
President, WSSA

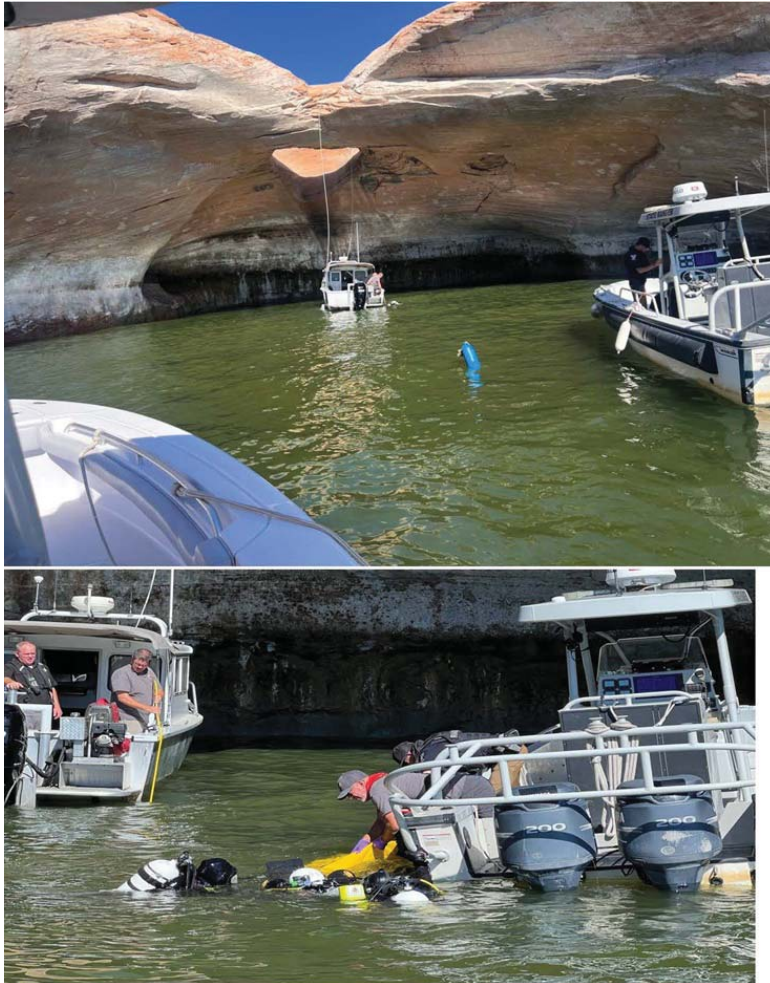












Mr. TIFFANY. Thank you, Sheriff Glover. I will now recognize Mr. Elias Eiguren, Treasurer of the Owyhee Basin Stewardship Coalition.

Mr. Eiguren, you are recognized for 5 minutes.

**STATEMENT OF ELIAS EIGUREN, TREASURER, OWYHEE BASIN STEWARDSHIP COALITION, JORDAN VALLEY**

Mr. EIGUREN. Thank you, Mr. Chairman. Good afternoon. My name is Elias Eiguren. I appear here today in support of H.R. 10082, with the understanding that this bill is a work in progress, subject to further change and negotiation.

I am a fourth-generation cattle rancher from Arock, Oregon, a small ranching community in southern Malheur County, 150 miles southwest of Boise, Idaho. My great grandfather, Pascual Eiguren,

left the Basque Country in Spain at the age of 12 to meet his uncle, who was already in the Owyhee region. Like most of the Basque people who have immigrated to America, my great-grandfather left to escape poverty and hunger. He purchased the sheep ranch in 1914, where 110 years later my wife and I ranch in partnership with my parents, continuing to raise livestock and our four children, who will hopefully be the next generation of agriculturalists that will feed our great nation.

Most ranching families in this area have a similar story, an ancestor fleeing from poverty and deprivation in another country to find a better life in the high desert of southeastern Oregon, which has led to a multi-generational agricultural operation. Achieving a history like this is a result of hard work and grit, but it also requires long-term vision. Had our ancestors made poor decisions based on short-term gain, this unforgiving landscape would have sent us elsewhere long ago.

Malheur County consists of approximately 6 million acres of land. Upwards of 4 million acres, so 2 out of 3, are federally managed. Agriculture is our economic foundation, with crop production in the north end and cattle production throughout. The 30,000 souls who live there are considered the poorest by capita by county in the state.

The Owyhee Basin Stewardship Coalition, the OBSC, was formed in early 2016 as a grassroots response in the county to the threat of a national monument designation, championed by NGOs and an outdoor apparel company, that would consist of 2.5 million acres. The OBSC consists of ranchers, sportsmen, business, and mining interests who all live, work, and recreate in Malheur County. I am one of the executive board members for the OBSC, and also serve as treasurer. Our campaign of “No Monument Without a Vote of Congress” was heard throughout our state and nation. We believe that a monument designation would injure our local economy by restricting or eliminating current agricultural practices on these lands, as well as overwhelm this landscape with tourists and recreationalists in detrimental ways.

Thankfully, President Obama left office choosing not to designate the proposed monument.

The main concerns of our membership are land health and certainty for our local economy. To this end, we are asking for protection from a monument designation which would attract greater attention from the neighboring Treasure Valley, which has exploded beyond 850,000 people in recent years; increased flexibility for the BLM in regard to grazing management to mitigate damage from wildfire and invasive weeds; sufficient transportation/access; and wilderness study area resolution with released land returning to multiple use.

The OBSC approached our senior Senator, Ron Wyden, to lead a collaborative effort to find a legislative solution to Federal land concerns in our county. Meetings began in spring of 2019 under the Senator’s guidance, and have resulted in Senate Bill 1890. The OBSC is grateful for the effort and leadership put forth by Senator Wyden and his staff.

We are also thankful to Congressman Bentz for constructing the bill before us today based on the OBSC’s direction, hours of

negotiations between Senator Wyden's office and Congressman Bentz's office, and the concerns of members of this Committee.

Movement of this bill will hopefully be the next step in a grand compromise intended to address the concerns of those who call the Owyhee region home and those who wish to visit.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Eiguren follows:]

PREPARED STATEMENT OF ELIAS EIGUREN, TREASURER, OWYHEE BASIN  
STEWARDSHIP COALITION

ON H.R. 10082

Good afternoon. My name is Elias Eiguren. I appear here today in support of H.R. 10082, with the understanding that this bill is a work in progress, subject to further change and negotiation. I am a fourth generation cattle rancher from Arock, OR, a small ranching community in southern Malheur County, 150 miles southwest of Boise, ID. My great grandfather, Pascual Eiguren, left the Basque Country in Spain at the age of 12 to meet his uncle who was already in the Owyhee region. Like most of the Basque people who have immigrated to America, my great grandfather left to escape poverty and hunger. He purchased the "Sheep Ranch" in 1914; where, 110 years later, my wife and I ranch in partnership with my parents, continuing to raise livestock and our four children who will hopefully be the next generation of agriculturalists that will feed our great nation.

Most ranching families in this area have a similar story. An ancestor fleeing from poverty and deprivation in another country to find a better life in the high desert of SouthEastern Oregon, which has led to a multi-generational agricultural operation. Achieving a history like this is a result of hard work and grit, but also requires a long term vision. Had our ancestors made poor decisions based on short term gain, this unforgiving landscape would have sent us elsewhere long ago.

Malheur County consists of approximately six million acres of land. Upwards of four million acres (two out of three) are federally managed. Agriculture is our economic foundation, with crop production in the north end and cattle production throughout. The thirty thousand souls who live there are considered the poorest per capita by county in the state.

The Owyhee Basin Stewardship Coalition (OBSC) was formed in early 2016 as a grassroots response in the county to the threat of a national monument designation championed by eNGO's and an outdoor apparel company that would consist of 2.5 million acres. The OBSC consists of ranchers, sportsmen, business and mining interests who all live, work and recreate in Malheur County. I am one of the executive board members for the OBSC and also serve as treasurer. Our campaign of "No Monument, without a Vote of Congress" was heard throughout our state and nation. We believe that a monument designation would injure our local economy by restricting or eliminating current agricultural practices on these lands, as well as overwhelm this landscape with tourists and recreationalists in detrimental ways. Thankfully, President Obama left office choosing not to designate the proposed monument.

The main concerns of our membership are land health and certainty for our local economy. To this end, we are asking for protection from a monument designation (which would attract greater attention from the neighboring Treasure Valley which has exploded beyond 850,000 people in recent years), increased flexibility for the BLM in regard to grazing management to mitigate damage from wildfire and invasive weeds, sufficient transportation/access, and Wilderness Study Area resolution with released land returning to multiple use. The OBSC approached our senior senator, Ron Wyden, to lead a collaborative effort to find a legislative solution to federal land concerns in our county. Meetings began in spring of 2019 under the Senator's guidance, and have resulted in S.B. 1890. The OBSC is grateful for the effort and leadership put forth by Senator Wyden and his staff.

We are also thankful to Congressman Bentz for constructing the bill before us today, based on the OBSC's direction, hours of negotiations between Senator Wyden's office and Congressman Bentz's office, and the concerns of members of this committee. Movement of this bill will hopefully be the next step in a grand compromise, intended to address the concerns of those who call the Owyhee region home and those who wish to visit.

Mr. TIFFANY. Thank you, Mr. Eiguren. Next, I would like to recognize Ms. Sherri Brennan, a member of the Public Lands Council.

Ms. Brennan, you are recognized for 5 minutes.

**STATEMENT OF SHERRI BRENNAN, MEMBER, PUBLIC LANDS COUNCIL, SONORA, CALIFORNIA**

Ms. BRENNAN. Thank you, Chairman Tiffany and members of the Subcommittee. Thank you for the opportunity to provide testimony on Congressman LaMalfa's bill, H.R. 7666. My name is Sherri Brennan, and I am from Sonora, California. I live and raise cattle in Tuolumne County, home to the Stanislaus National Forest, and we have held grazing permits there since 1985. Today, I am testifying on behalf of the Public Lands Council, the organization that represents the unique interests of cattle and sheep producers who hold Federal grazing permits. My testimony in support of H.R. 7666 draws from my experience as a permittee and from my experience as a County Supervisor for Tuolumne County District 1.

H.R. 7666 would direct the U.S. Forest Service to develop a strategy to more fully incorporate grazing as a fire reduction tool. While the agency can and should already include grazing as one of their management options, they often do not. The need is clear. The Forest Service's most recent strategy for confronting the wildfire crisis didn't mention grazing once, despite study after study showing that grazing in dangerous fuel has multiple benefits.

Each year, livestock grazing removes more than 11 billion pounds of fine fuels in California alone. The livestock are growing and benefiting from grazing the dried grasses that would be prime fuel for next year's fire. These grazing allotments are largely safe from the worst kind of fire conditions, except for those in dense, tall timber, as is the case for many Forest Service allotments. There you need to control fine fuels and the taller, denser shrubs to ensure fire does not have the opportunity to get into the tree canopy.

I know this from firsthand experience. The 2013 Rim Fire burned more than 250,000 acres in Tuolumne County. No one in my area was unaffected. We personally lost livestock, saw intense damage to our grazing allotments, lost infrastructure, and had to deal with compromised air and water quality. The Rim Fire dumped more than 15 million metric tons of carbon into the atmosphere during the fire. That is the equivalency of 3 million cars. The decay of the downed trees and other materials not salvaged after the fire have contributed to another 90 million metric tons over the last decade.

At the time, the Rim Fire was the second largest in California history. But every year, we seem to see larger and larger fires. The Dixie Complex, which my friend and neighbor, Dave Daly, discussed with this Committee last year, dwarfed the Rim Fire, burning more than 930,000 acres. For both the Rim Fire and the Dixie Complex, as well as fires across the country, the cause of the escalation from wildfire to catastrophic wildfire is clear: there is too much fuel on the landscape. The combination of reduced grazing and timber harvest and the lack of meaningful fuel breaks has made many parts of the West one long stretch of high fuel loads. Eight million acres have burned so far this year. What is worse is

that every year the percentage of total acres that experience the worst kind of fire, high intensity burns, continues to grow.

There is a way to fix this. Targeted grazing with the intention of fuels reduction can remove up to 1,000 pounds of fine fuels per acre. This means that if the area burns, the fires are likely to be shorter flames, under 4 feet tall, which means it is safe for fire responders and those in the area. Less fuel, cooler flames, and safer firefighters should be common objectives.

The agency should maintain use of regular permitted grazing, while being more intentional about using targeted grazing to create fuel breaks to change fire behavior and strategically reduce fire risk. Forest Service staff seem to think of grazing only as a use, a permitted activity, and often have a hard time realizing that it can be both a use and a tool. The Forest Service tends to focus on prescribed fire and herbicides as their primary tools for targeted fuels reduction, but have pulled back on the use of prescribed fire after the disaster in New Mexico, and herbicides continue to come under intense scrutiny.

Grazing is the perfect alternative, and one that must be utilized on more than a pilot basis. Representative LaMalfa's bill is the best way to show the Forest Service that they have everything to gain by putting an effective, easy-to-deploy tool in their toolbox. Now is the time to get ahead of the impending disasters of next year's season.

Thank you, Chairman Tiffany. I am happy to answer any questions the Committee has.

[The prepared statement of Ms. Brennan follows:]

PREPARED STATEMENT OF SHERRI BRENNAN, MEMBER, PUBLIC LANDS COUNCIL  
ON H.R. 7666

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to provide testimony on Congressman LaMalfa's bill, H.R. 7666. My name is Sherri Brennan, and I am from Sonora, California. I live and raise cattle in Tuolumne County, home to the Stanislaus National Forest and just adjacent to one of the world's most iconic national parks: Yosemite National Park. I am a public lands grazing permittee on the Stanislaus and have held a grazing permit since 1985.

Today, I'm testifying on behalf of the Public Lands Council (PLC), the organization that focuses solely on representing the cattle and sheep producers in this country who hold federal grazing permits. Founded in 1968, PLC sprung from the recognition that federal grazing permittees face unique and mounting challenges because they not only factor in the careful management of their private lands, but they are also engaged in a constant negotiation with the federal government on how best to graze and manage their public lands grazing allotments.

This balance is one I know well, both as a grazing permittee and Tuolumne County Supervisor for District One, which is why I am so pleased to support H.R. 7666, which would require development of a strategy to expand the use of targeted grazing in wildfire reduction strategies, resulting in a more fulsome incorporation of grazing in the agency's planning toolbox.

In California, effective land management is crucial since much of the forest and grazing land is owned or managed by the federal government. Sadly, fire is a constant part of our planning. Today, I will be sharing my experiences from the 2013 Rim Fire, which burned 257,171 acres in Tuolumne County as a prime example for why targeted grazing is absolutely crucial if we're going to make meaningful strides in reducing catastrophic wildfire risk. When the Rim Fire started, it was the largest fire in the Sierra Nevada Range and the 3rd largest wildland fire in California. Today it ranks 12th in size for California and is no longer ranked in the top 20 for the most destructive/costliest fires. The four biggest fires in California history—totaling more than 2.8 million acres—have all occurred in the last six years. Before



that, the Santiago Canyon Fire in 1889 was the largest fire in California history that burned 300,000 acres.<sup>1</sup>

We now regularly see fires that exceed 300,000 acres, and sadly this is not unique to California. This year alone, more than 8 million acres burned across the country,<sup>2</sup> with several record-breaking fire seasons for Western states. This number exceeds the 10-year average for both the number of fires and the number of acres burned, confirming a troubling trend in the West's expectations for worsening fire seasons.

This trend has clear roots in the land management decisions with which this Committee is intimately familiar. Decreasing timber harvests, reduced hazardous fuels reductions, and similarly harmful reductions in grazing on federal lands have resulted in millions of acres across the West being at higher risk from catastrophic wildfire than necessary. Over the last several decades, the number of livestock authorized to graze on federal lands has been significantly reduced. Today approximately 4,000 cow/calf pairs graze on 35 active allotments on the Stanislaus National Forest down from the peak of 19,500 animals in the 1950s.

The federal agencies have also significantly reduced the use of proven techniques for controlling fuels like timber harvests and salvage sales and have been limited in effective use of methods to control fine fuels, like prescribed fire and grazing. Some of these have been limited by dry summers and challenging weather conditions, but the agencies have been reticent to use tools like targeted grazing even when conditions are ideal for this kind of non-invasive fuels reduction.

Properly applied, prescribed grazing for vegetation management (also referred to as targeted grazing) is a climate-smart solution to removing flammable vegetation and altering fuel profiles to influence fire behavior and create defensible space.<sup>3,4</sup> It can replace other more energy-intensive fuels management techniques (like mowing and herbicide application) and, along with prescribed fire, is the only fuels management technique that removes fuel from the landscape, and simply does not rearrange it. At the end of this testimony, I have provided a map that demonstrates the complicated forest land use limitations that triggered the Rim Fire. This complex patchwork of land management designations is applicable on many forests throughout the West today, as grazing permittees and land managers face increasing demands to manage multiple use in challenging ecological conditions.

California's recent experience with catastrophic wildfire emphasizes the need to use all available tools, including livestock grazing, to adapt to changing conditions.<sup>5</sup> The Rim Fire set a new level of destruction for our community, industry, the environment and three local ranching families with USFS grazing allotments, within the Rim Fire perimeter. Aside from the soaring loss of dead cattle and physical infrastructure, the economic loss from the 3rd and 4th quarters on the tourism industry exceeded \$100 million, schools were closed for weeks, and 15,000 residents were under evacuation orders. Wildfire smoke, which contains nitrogen oxides, volatile organic compounds, and particulate matter, harmful impacts on human health were detected in two-thirds of the state of California, and a large portion of Nevada.

The fire also threatened the Hetch Hetchy reservoir, the main source of water for San Francisco. On August 26, the San Francisco Public Utilities Commission moved water away from Hetch Hetchy into downstream reservoirs located in San Mateo and Alameda Counties. Within the Rim Fire perimeter, 45 California Spotted owl nesting sites and 1/5 of the known Great Grey owl nesting sites in the state of California burned the majority within high severity burn zones.

The Rim Fire emitted an estimated 15 million metric tons of carbon, equivalent to three million cars and destroyed up to \$72 million dollars' worth of carbon storage on private lands. Roughly 75% of the private land or 75,000 acres were treated and have a thriving mixed conifer forest. It's also important to note that the 15 million metric tons of greenhouse gas that were emitted during the active fire period represent only 10–15% of the total Greenhouse gas emitted by the Rim Fire. Local estimates suggest that an additional 90 million metric tons will be emitted through the ongoing decay process over the next decade.

Grazing—or the lack of grazing—plays a significant role in fire behavior and what comes next after fire. The Eagle Meadow allotment is an example of an area that has seen extreme reductions each time the allotment has changed ownership. The

<sup>1</sup> Western Fire Chiefs Association, November 17, 2024.

<sup>2</sup> National Interagency Fire Center, November 17, 2024.

<sup>3</sup> Rouet-Leduc, J., et al. 2021. Effects of large herbivores on fire regimes and wildfire mitigation. *Journal of Applied Ecology*. 58:12 (2690–2702).

<sup>4</sup> Launchbaugh, K. and J. Walker. 2006. Targeted grazing handbook. University of Idaho. Accessed at <https://www.webpages.uidaho.edu/rx-grazing/handbook.htm>.

<sup>5</sup> Svejcar, T., et al. 2014. Western Land Managers will Need all Available Tools for Adapting to Climate Change, Including Grazing: A Critique of Beschta et al. *Environmental Management* 53 (1035–1038).

carrying capacity is 150 cow/calf pairs, but the average forage utilization rarely exceeds 20% with an allowable use of 40%. With the yearly compounding fuel load as a result of decreased grazing and timber management, the Donnell Fire in 2018 burned through the Eagle Meadow allotment at an extraordinary and abnormal rate for fire above 6,500 feet of elevation. Sadly, the Donnell Fire devastated the community of Dardanelle and destroyed more than 130 structures.

It's important to distinguish the value of traditional permitted livestock grazing from targeted grazing specifically for fire reduction. All grazing removes dangerous fuels from the landscape in a way that improves the impact of fire on the landscape while focusing on livestock growth and yield. High intensity grazing for a short time can reduce up to 42% of fuels on the landscape,<sup>6</sup> which not only reduces the intensity of fire but improves post-fire regrowth. Targeted grazing has similar fuel management benefits, but can be shaped and directed to make the best use of the grazing activity to remove the most amount of fuel from the highest risk locations. Targeted grazing is simply the adjustment of timing, frequency, duration and intensity of livestock grazing to achieve a specific ecological outcome.<sup>7</sup> This flexibility makes it a cost-effective, nimble tool, in contrast with other mechanical tools that cost double or triple the base cost of targeted grazing.<sup>8</sup>

A 2020 study from the University of California, Davis calculated that livestock in California removed more than 11 billion pounds of fine fuels that would have otherwise been dangerous tinder for wildfires, and targeted grazing could remove up to 1,000 pounds of fuels per acre which would reduce the flame height and flame speed to less than 4 feet;<sup>9</sup> this is important because 4 feet is typically the threshold where fire becomes too dangerous for firefighters to fight safely.

The need for immediate use of all available tools is clear. Representative LaMalfa knows this well, and H.R. 7666 takes immediate steps to ensure all tools—including grazing—are readily available for agency use. Immediate opportunities include:

1. **Maintenance of acres previously treated by mechanical fuel reduction work.** Grazing is an effective tool to maintain positive ecological conditions, particularly when the goals are retention of native grasses and prevention of woody shrub encroachment.
2. **Creation of natural fire/fuel breaks.** Because of the way livestock graze, they create a variable pattern of fuel densities. This change in fuel densities changes fire behavior, and reduces the risk of fire intensity, minimizing the percentage of high severity acres burned.
3. **Maintenance of areas post-fire to prevent adverse ecological outcomes from invasive plants and forbs.** After the Rim Fire, USFS excluded grazing from 3/5 of the burned area (150,000 acres) as a matter of “policy consistency”. That exclusion allowed invasive non-native grasses to take hold and encouraged conifer encroachment in the “open”, freshly-burned space. Grazing resumed more than a year later, but by that time it was too late. Three years after the fire, the area experienced a complete type conversion. What had previously been a mixed conifer stand was now predominantly a brush/oak landscape that decreases forage on the landscape for livestock and wildlife, increases water use, and creates dense stands that are more likely to burn again. Today, less than 20% of the public land has had any mechanical treatment.

One of the current barriers to use of targeted grazing is due in large part to USFS attitudes about targeted grazing. A recently published research brief released by researchers from University of Idaho<sup>10</sup> in coordination and cooperation with USFS personnel from Region 4 and 6 highlights many of the challenges and opportunities

<sup>6</sup>Davies, K., et al. 2022. Moderate grazing during the off-season (fall-winter) reduces exotic annual grasses in sagebrush-bunchgrass steppe. *Rangeland Ecology and Management*. 82 (51–57).

<sup>7</sup>Bailey, D., et. al. 2019. Synthesis paper: Targeted livestock grazing: Prescription for healthy rangelands. *Rangeland Ecology and Management*. 72:6 (865–877).

<sup>8</sup>Nader, G., et al. 2007. Planned herbivory in the management of wildfire fuels. *Rangelands*. 29(5): 18–24.

<sup>9</sup>Ratcliff, F.; Barry, S., et al. (2023). Cattle Grazing Moderates Greenhouse Gas and Particulate Matter Emissions from California Grassland Wildfires. *Sustainability*. 15:18.

<sup>10</sup>Katherine Wollstein, Ph.D., *Natural Resources*, 2022. Dissertation title: “Outcome-Based Management and Federal Rangeland Administration: Reframing Adaptive Management on a Complex Institutional Landscape.” Placement: Extension Assistant Professor at Oregon State University.



embedded within the culture of the agency with respect to utilizing targeted grazing on USFS lands.

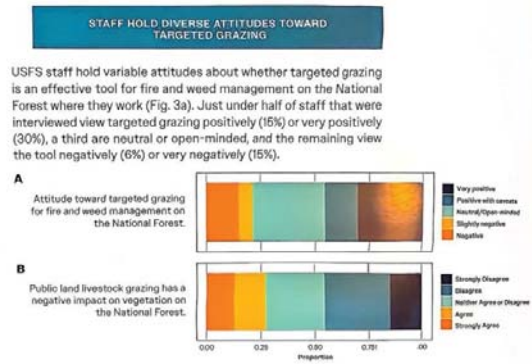
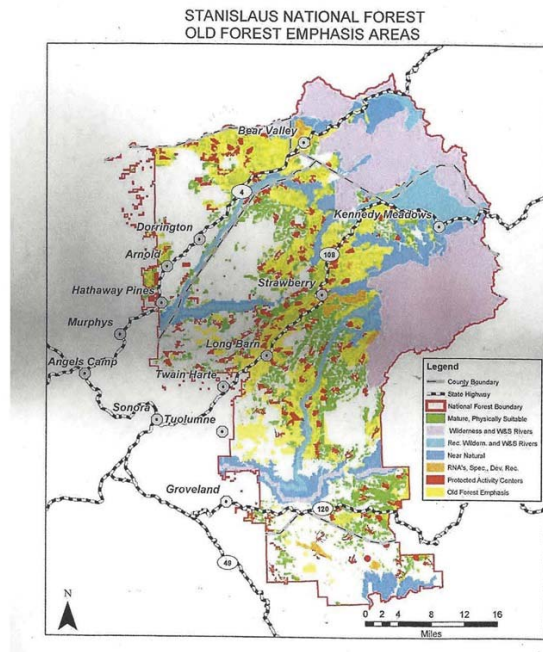


Figure 3. (A) Staff attitudes toward targeted grazing and (B) staff beliefs about the impact of livestock grazing on vegetation.

While USFS *may* consider targeted grazing, it often simply does not. Too often, USFS personnel are reluctant to use grazing as a tool to replace treatments like herbicide application or prescribed fire unless their range staff counterparts suggest grazing on a “pilot” basis. Because targeted grazing is largely treated like a one-off experiment despite the proven benefits, the need for H.R. 7666 is clear. Repeatedly in California, comments are submitted to forest plan revisions, like the California Cattlemen’s Association and the California Cattlemen’s Foundation comments submitted April 2024 on the Draft Environment Impact Statement (EIS) for SERAL 2.0; while there were significant grazing components included in the draft, the agency completely omitted grazing provisions in the final EIS. This trend, unfortunately, continues across the West. If enacted, H.R. 7666 would direct USFS to capitalize on the mutually inclusive benefits cattle ranchers do every day when they work to produce food and fiber, they are enhancing biodiversity and habitat, sequestering carbon, and protecting the myriad of ecosystem services society benefits from our public lands when we minimize the risk from catastrophic wildfires. Expanding the opportunity to apply targeted grazing will strengthen the protection of communities while expanding economic opportunities throughout the state.

Thank you, Representative LaMalfa, for listening to the needs of all of us in California and across the West and thank you to the Committee for inviting me to testify today.

### Appendix A: Stanislaus National Forest Management Complexities



Of the one million acres included in the Stanislaus National Forest, many areas have restricted management potential as a result of layered land management designations: Protected Activity Centers, Wilderness and Wild and Scenic Rivers, Resource Natural Areas, areas with Old Growth Emphasis, and more, all of which limit many kinds of mechanical treatments where targeted grazing can be a beneficial replacement.

Mr. TIFFANY. Thank you, Ms. Brennan.

Before I go to the next witness, I ask unanimous consent for the following letter from the American Farm Bureau Federation be added to the record for today's hearing. The letter supports H.R. 6441, H.R. 7666, and H.R. 9062. In part, it says, "Livestock grazing on Federal lands is critical to ranching operations across the United States, especially in the West. Ranchers, land users, and surrounding communities have been devastated by wildfires and depend on a new focus towards appropriate, proactive forest management, including grazing, to reduce wildfire risk."

Without objection, so ordered.

[The information follows:]

**American Farm Bureau Federation  
Washington, DC**

November 18, 2024

Hon. Tom Tiffany, Chairman  
Hon. Joe Neguse, Ranking Member  
House Natural Resources Committee  
Subcommittee on Federal Lands  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Tiffany and Ranking Member Neguse:

As the House Natural Resources Subcommittee on Federal Lands prepares to consider several pieces of legislation, the American Farm Bureau Federation would like to comment on provisions important to our farming, ranching and forestry members. The American Farm Bureau Federation is the nation's largest general farm organization, working together to build a sustainable future of safe and abundant food, fiber, timber and renewable fuel for our nation and the world.

As a general matter, we support the multiple-use concept of federal lands, oppose expansion of designated wilderness areas and the addition of more rivers and adjoining land to the National Wild and Scenic Rivers System, and support appropriate forest management and the reduction in size of currently designated national monuments and wilderness areas. Legislation that limits land and water use harms farmers and ranchers who rely on federal lands for economic and recreational opportunities. Livestock grazing on federal lands is critical to ranching operations across the United States, especially in the West. Ranchers, land users and surrounding communities have been devastated by wildfires and depend on a new focus toward appropriate and proactive forest management, including grazing, to reduce wildfire risk.

We appreciate the subcommittee's consideration of several bills to improve the management of public lands in the West through grazing. Farm Bureau supports H.R. 6441, the Ranching Without Red Tape Act of 2023, H.R. 7666, a bill to require the U.S. Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction, and H.R. 9062, the Operational Flexibility Grazing Management Program Act. These bills would address the need for more timely approval of minor range improvements; focus on the use of vacant allotments during disasters in other areas and increase the use of grazing for wildfire risk reduction; and provide authority for expanding the existing Bureau of Land Management operational flexibility pilot program.

Farmers, ranchers and foresters play an integral role in managing our shared public lands, and we urge the committee to move legislation that ensures these spaces can be safely used and enjoyed for generations to come.

Sincerely,

ZIPPY DUVALL,  
President

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Mr. TIFFANY. I now recognize Mr. Jeff Young, President of the Utah Cattlemen's Association.  
You have 5 minutes, Mr. Young.

**STATEMENT OF JEFF YOUNG, PRESIDENT, UTAH  
CATTLEMEN'S ASSOCIATION, HENEFER, UTAH**

Mr. YOUNG. Thank you, Chairman Tiffany and members of the Subcommittee, for the opportunity to provide testimony today on Congressman Curtis' bill, H.R. 9062, and Congressman Vasquez's bill, H.R. 6441.

My name is Jeff Young, and I am a rancher from Henefer, Utah. I serve as President of the Utah Cattlemen's Association, and I am

a member of the Public Lands Council and the National Cattlemen's Beef Association. My testimony stems from my experience as General Manager of the Ensign Ranches, where we graze on public lands in Utah, Idaho, and Wyoming. I have served in this role for 30 years, working with the BLM and U.S. Forest Service to manage our grazing lands. This experience is why I see such a clear need for the Operational Flexibility Grazing Management Act.

This bill provides much-needed flexibility to ensure land managers like me can be responsive to what the land needs, while also maintaining compliance with our grazing permits. Resource management shouldn't be static; it should be responsive and collaborative. This bill represents an updated, modernized way to manage land, understanding that you need flexibility to make things work from year to year.

Flexibility in grazing permits can be as simple as the ability to adjust timing, stocking rates, and grazing rotations based on real-time conditions. Sometimes we may need to put more cattle in a pasture because we got rain early and the grass grew faster than normal. Other times we may need to go on to an allotment later because we have had a bit of drought, but we still need to graze the allotment at the approved rate to reduce the risk of next year's fire.

Under the current structure, the terms of the permit and the details in NEPA prevent the permittee from taking this action. They have to choose whether to make the best choice for the land and water resources, or whether to remain in compliance with their permit and the law. Ensuring compliance with the law always wins. Allowing more flexibility and turnout or even placement of water troughs would benefit land health, native vegetation, and biodiversity, all while maintaining the ability of ranchers to do business and be in compliant with the science that supports their grazing management. These activities would still meet all the requirements of NEPA, FLPMA, and other laws.

In addition to Congressman Curtis' bill, H.R. 9062, I am glad to support Congressman Gabe Vasquez's legislation, the Ranching Without Red Tape Act. This bill is a common-sense approach to removing barriers to good range management. It would promote more effective management partnerships between grazing permittees and their agency partners.

As part of their grazing permits, ranchers are responsible for the construction and maintenance of range improvements. Range improvements can be structural or non-structural, and may have different requirements based on specific grazing permits. These are things like water troughs that benefit livestock and wildlife, water pipelines, and even things like seed treatments and other invasive species controls.

All range improvements are considered and analyzed under NEPA, but ultimate responsibility for construction and maintenance of these improvements lies with the permittee. It is my job to make sure water troughs work, water pipelines don't leak, and fences are well maintained. If a grazing permittee does not maintain these improvements to an adequate standard, they are in jeopardy of receiving a notice of non-compliance, which threatens their ability to hold their grazing permit in the future.

This legislation fixes a significant problem ranchers run into far too often: waiting for the agency to give them the green light to begin work, even though it is already provisionally approved as part of their permit. Often the agency is so backlogged or otherwise slow to respond that maintenance is delayed for months or years. The result is the permittee faces the burden of dealing with an unworkable range improvement or risks legal penalty that threatens their permit, even if the agency is the reason for the delay.

Chairman Tiffany and other Members, these bills would restore collaboration and establish an improved environment where producers and agency partners can come together to implement strong, adaptive management plans. Thank you for the opportunity to testify today, and I am happy to answer any questions the Committee may have.

[The prepared statement of Mr. Young follows:]

PREPARED STATEMENT OF JEFF YOUNG, PRESIDENT, UTAH CATTLEMEN'S ASSOCIATION  
ON H.R. 9062

Thank you, Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee. On behalf of America's livestock producers and federal lands grazing permittees, I appreciate the opportunity to testify today in support of a series of legislative measures that remove barriers to responsible, proactive resource management by both requiring and allowing federal agencies to support ranchers' good work.

Currently, I serve as President of the Utah Cattlemen's Association (UCA) and have long been a member of UCA the National Cattlemen's Beef Association (NCBA), and the Public Lands Council (PLC). I am the General Manager of Ensign Ranches whose cattle graze public lands in Utah, Idaho, and Wyoming. I have worked in this role for nearly thirty years. I have experience working with public land managers in six BLM field offices and five USFS district offices. Our cattle spend about 60 percent of the year grazing federal lands. We have worked closely with land managers to address problems resulting from wildfire, grasshopper and cricket infestation, drought, severe weather events, and management of two wild horse herds. We have invested heavily in the ranges on which we operate, installing and maintaining more than 200 miles of stock water systems that benefit wildlife, wild horses, as well as our livestock.

I draw experience from Utah, and from around the country. My active involvement with NCBA, the American cattle industry's oldest and largest national trade association, has given me access to the perspective of cattle producers from more than 44 state cattle associations with collective memberships numbering about 178,000 producers. Utah is also a leader in the national PLC, which represents every cattle and sheep producer in the West who holds federal grazing permits. The perspective I offer comes from detailed discussions of how the bills discussed today would improve the grazing industry and ranchers' ability to be more fulsome leaders in public land management.

In Utah, public lands play a significant role in the state's cattle and sheep industries. The federal government owns or manages approximately 68 percent of the state's lands—more than 37 million acres, which is larger than the state of Illinois.<sup>1</sup> There are some counties where the federal government, primarily the Bureau of Land Management (BLM), is the primary land holder; some of Utah's counties are comprised of more than 90 percent federal land. For us, this means that whether we are raising cattle or sheep, hunting, fishing, or simply traveling, the federal government has an immediate and visible impact on our daily lives.

This is particularly true for Utah's cattle producers, who raise more than 800,000<sup>2</sup> head on an annual basis and contribute to the Utah economy. Like our cattle, the vast majority of these livestock spend a significant portion of their lives grazing on federal lands. Utah's cattle industry contributes \$628 million to the state economy on an annual basis, but these strict contributions only tell part of the story. Across the West, federal lands grazing contributes an additional \$3.7 billion

<sup>1</sup> <https://publiclands.utah.gov/plr/>

<sup>2</sup> <https://www.utahbeef.org/ranchers>

in ecosystem services<sup>3</sup> on an annual basis in services like wildfire risk reduction, offsetting the need to conduct invasive annual grass treatments, infrastructure maintenance, protection of wildlife habitat, prevention of water and air contamination, and more.

Both the success of livestock operations and the value derived from these ecosystem services depend on a successful relationship between ranchers who hold grazing permits and their federal partners. In Utah, the BLM administers nearly 1,500 federal grazing permits, each of which authorizes grazing on a 10-year basis based on parameters set after analysis under the National Environmental Policy Act (NEPA) and the Federal Land Management and Policy Act (FLPMA). The performance under that grazing permit is evaluated on an annual basis. Grazing permittees and federal agencies conduct annual monitoring of range conditions and grazing conditions of the grazing permit are far too prescriptive. For the last several decades, the BLM has often been inclined to be as specific as possible in NEPA evaluations in order to avoid the risk of frivolous litigation—so often that many of the older NEPA evaluations assessed activities with specific dates. For example, a rancher’s “on” date—the date they turn livestock out onto an allotment—was identified in the NEPA evaluation as if it were fact. Over a 10-year period, however, that date (June 15, for example) may need to vary.

In Utah, precipitation is the most common factor in needing to adjust an “on” date or an “off” date. Take the Sevier Basin Valley for example: over the last six years, we have seen high water marks halved year to year. In 2018, the basin received approximately 17 inches of precipitation, which doubled in 2023.<sup>4</sup> This variability affects when grass grows, how quickly it grows, and is a factor in whether late-season grass growth will contribute to a more aggressive fire season the next year.

For ranchers, this requires annual management changes. One year, we may have an incredibly wet spring and need to turn livestock out early to make best use of the forage and optimize regrowth. In this scenario under current permit conditions, we would be unable to turn out early because the permit and NEPA doesn’t allow it. The next year, it may be a cold, dry spring and we may need to delay turnout a week or 10 days to ensure the livestock aren’t grazing the short grasses too close to the ground and stunting late spring/summer growth. In this scenario, current permit conditions would allow us to delay our turnout date, but we would still be required to adhere to the “off” date specified in the permit—even if we had not used the full forage allocation. While permittees are intensely focused and invested in landscape health, ranching is also a business, and many ranchers cannot afford to lose forage access that is crucial to their livestock’s growth. Having flexibility in these on and off dates on an annual basis would allow ranchers and their agency partners to make more responsive changes to landscape needs.

Flexibility in grazing permits and the ability to adjust timing, stocking rates, and grazing rotations based on real-time conditions allows ranchers to play an active role in improving the health of the land, including maintaining native vegetation, promoting biodiversity, and reducing the risk of catastrophic wildfire. A rigid system that doesn’t allow for flexibility undermines the collaborative spirit necessary to create sustainable, long-term solutions.

For thousands of permittees across the West, these changes are simply not possible if the agency and the permittee remain in strict compliance with their permit. Plainly put, sometimes the specificity of NEPA and the construction of the permit result in the permittee and the agency choosing whether to make the best choice for the land and water resources, or whether to remain in compliance with the law. It goes without saying that ensuring compliance with the law wins every time.

H.R. 9062 provides relief. The bill removes the false choice between legal compliance and landscape health. It would allow the agency and permittee to work together to determine the kind of flexibility in management needed to make best use of the allotment—and best use of grazing as a land management tool. The bill is modeled on flexibilities provided in the BLM’s Outcome Based Grazing pilot program authorized in 2018 that has proven its success over the last several years.

<sup>3</sup>Maher, A., Ashwell, N., Maczko, K., et al. (2021). An economic valuation of federal and private grazing land ecosystem services supported by beef cattle ranching in the United States.

<sup>4</sup><https://water.utah.gov/wp-content/uploads/PrecipitationGraphs/Sevier-River-Basin.pdf>

Wyoming rancher and former PLC President Niels Hansen volunteered his ranch to be an early adopter of the BLM's pilot program because he saw the opportunity to demonstrate the value of this flexibility, even if it took a little more work to navigate a new pilot program:

*We [the PH Ranch] are the Outcome Based Grazing ranch for Wyoming, with the flexibility written into our grazing permits we have been able to adopt to the changing weather patterns and the market pressures of the recent years.*

*We operate on approximately two hundred forty thousand (240,000) acres of mixed and intermingled BLM and private property. We have been practicing Joint Cooperative Monitoring on these lands for approximately 30 years during which we experienced a wide range of weather events ranging from severely dry summers followed by hard winters. We were able to take all of that into account during the development of our Outcome Based Grazing Permit so that we'd be able to adjust our cow herd and our grazing practices.*

*One example is that during these dry years we had been steadily reducing our cow herd and didn't know what was going to come next. During the summer of 2022 we operated at approximately thirty percent (30%) of our normal numbers. At this time, we advised BLM of our plans to liquidate the remainder of the herd if we didn't see a change in the weather, which means that we wouldn't meet the legal requirement of minimum numbers to hold our grazing permit. We also developed a plan to rebuild the herd over time with the knowledge that we'd get rain eventually so we'd need a way to manage the forage and resume operations. We explained that after several bad years we would need to diversify and over time build a new herd. Through the Outcome Based Grazing process, we were able to make plans for our cows and for the land to make sure it wouldn't suffer in the drought or after.*

*Use of our high desert land is most often dictated by the available water. Our operation has areas that lend itself to Short Duration High Intensity Grazing because it gets more precipitation, and other areas with limited water that need a lower number of cattle grazing for longer periods of time. By writing two grazing plans, one plan with our normal numbers and slightly expanded on and off dates, and the other with a drought management plan that allows us to graze using short duration and high intensity (higher cow or yearling numbers) as our preferred tool, we're able to meet the needs of both our cows and the land.*

*Since completing our Outcome permits, we have been able to quickly adapt our management to fit our range, weather and market conditions better which has made our ranch easier to manage and economically stronger for the future.*

Resource management shouldn't be static, it should be responsive. The best part is that it works. Mr. Hansen's management was recently recognized by the BLM as their 2024 awardee for the Rangeland Innovation Award, which recognizes the demonstrated use of beneficial management practices to restore, protect, or enhance rangeland resources while working with the BLM and other partners. The PH Ranch is just one of a number of ranches in the West that enrolled in the program, and use of these flexibilities should be available to every permittee.

While H.R. 9062 isn't a direct replica of the BLM's existing program, it provides the necessary flexibility for permittees and the agency to do what they need to do on an annual basis. Representative Curtis' bill allows for changes in on and off dates, changes in water placement that benefits both livestock and wildlife, and generally makes everyone more responsive to the needs of the landscape. All of these activities would still be compliant with NEPA, FLPMA, and all the other requirements currently in place for these activities.

#### **H.R. 6441, the Ranching Without Red Tape Act**

I also would like to thank Representative Vasquez for introducing the Ranching Without Red Tape Act. His bill occupies the same good-governance space as Representative Curtis' bill and promotes a more effective management partnership between grazing permittees and their agency partners.

As part of their grazing permits, ranchers are responsible for the construction and maintenance of range improvements. These range improvements can be structural and non-structural, and may have different requirements based on the specific grazing permit. All range improvements are considered and analyzed under NEPA, but ultimate responsibility for construction and maintenance of improvements lies with the permittee. Things like fences, water pipelines, wells, invasive species treatments, and other prescribed activities are examples of things that may be required of a grazing permittee. If a grazing permittee does not maintain these improvements

to an adequate standard, they are in jeopardy of the agency finding them in non-compliance which threatens their ability to hold a grazing permit.

H.R. 6441 fixes a significant problem. Even though a permittee is required to do construction or maintenance and the NEPA analysis already permits the work, they still need to obtain specific permission from the agency to actually begin the work. Often, the agency is so backlogged, or otherwise delayed, that maintenance is delayed months or years. The result is the permittee facing threats of noncompliance—even when the agency is the reason for the delay. Simply put, ranchers who are trying to be proactive and compliant should not be unfairly burdened because their agency partners are unable to respond in a reasonable time-frame. I appreciate Representative Vasquez's leadership in setting realistic time-frames on when work can begin if an agency partner fails to authorize the work in a timely manner.

In Utah, we often joke that if you don't like the weather, wait five minutes and you'll have something different. We need to be able to adjust quickly to keep our livestock, our families, and our communities safe. We need to be strategic in our management plans to make sure the future is more secure than the past. Both of the bills included in my testimony are progress in that direction, and I am so pleased to offer support for them today. I commend Representative Curtis and Representative Vasquez, and their staff, for the time they have taken to hear the concerns of ranchers and take steps to address those issues.

It is no secret that over the course of time, trust between our nation's ranchers and their federal partners has eroded—often because the processes that both parties must follow is not designed to be nimble and responsive has eroded. These bills restore collaboration and establish an improved environment where producers and agency partners can come together to implement strong management plans. By fostering flexibility in grazing management, we can help bolster the resilience of the landscape, protect our natural resources, and ensure that the ranching community continues to thrive for generations to come.

Thank you for the opportunity to testify today and I welcome the questions of the Committee.

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QUESTIONS SUBMITTED FOR THE RECORD TO JEFF YOUNG, PRESIDENT, UTAH  
CATTLEMEN'S ASSOCIATION

**Questions Submitted by Representative Vasquez**

*Question 1. In your experience, what are some types of range improvements that would trigger a lease renegotiation?*

Answer. For the vast majority of federal grazing permittees, range improvements are built into the agency's expectations for how the permittee manages and maintains the grazing allotment. These expectations are built into the "Terms and Conditions" (T&Cs) associated with the permit, and those Terms and Conditions must be met in order for a permittee to maintain their "good standing" status. The Terms and Conditions agreements are really the documents that guide how grazing is carried out on allotment—so while it's not the lease itself, it's the primary governing document.

When a permittee needs to do more extensive work—or install a new improvement—to improve the management condition of the allotment, it's often a lengthy negotiation process to change the Terms and Conditions of the permit. These T&Cs are usually negotiated and approved at the beginning of a grazing year, so waiting for new T&Cs is already a lengthy delay. In the event that the agency feels that the range improvement goes beyond the ability to include in updated T&Cs the following year, then the permittee may be required to go through cumbersome, extensive assessment processes and face a decreased functionality of their grazing allotment.

These can be things like a supplemental water line to bring water to a new part of the allotment during drought, or a new water tank for the same reason. It could be temporary fencing or a temporary corral to address a livestock movement need, or a culvert to address water runoff. These are things that a permittee needs to maintain on an allotment to maintain functionality and are required to maintain so they meet the requirements of their grazing permit.



*Question 2. What does it mean for a rancher's bottom line to wait nine months to repair a fence?*

Answer. In ranching, you need to act quickly to ensure your livestock, the wildlife, and the land and water resources stay safe and healthy. If I can't repair my fence for nine months, it means I can't use that pasture for nine months. I have to provide alternative feed for my cattle, I have to make sure no one else comes through that fence. It's a safety issue for my livestock and any neighboring livestock, but it also has a negative impact on my ability to manage the full acreage under my care in the most efficient way.

It's also worth noting that in a lot of cases, delayed repair of infrastructure like a fence or a water line makes the repair much more expensive. Constant upkeep on infrastructure reduces long-term repair and replacement costs. For things like fences and water infrastructure, it is especially important to have constant maintenance because without those things, grazing allotments become unusable for current and future permittees.

*Question 3. Would reducing the wait time when trying to make minor range improvements benefit ranchers in your community?*

Answer. Reduced wait times would not only benefit ranchers in my home state of Utah, but for ranchers in your district in New Mexico and across the West. Ranchers should have the ability to meet the Terms and Conditions (T&Cs) of their grazing permit without overly burdensome federal requirements—requirements that don't provide any benefit to the rangeland, our management, or the agency. This bill would make the entire process more efficient, saving government time and money in staffing and paperwork, saving ranchers time that could be spent reinvesting in to the landscape, and making the entire grazing allotment management system more responsive to on-the-ground needs.

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Mr. TIFFANY. Thank you, Mr. Young. Next, I will recognize Mr. D.L. Wilson, a Solar Projects Manager for La Paz County in Arizona.

Mr. Wilson, you have 5 minutes.

**STATEMENT OF D.L. WILSON, SOLAR PROJECTS MANAGER, LA PAZ COUNTY, PARKER, ARIZONA**

Mr. WILSON. Thank you, Mr. Chairman and members of the Subcommittee. I am D.L. Wilson, the Solar Projects Manager for La Paz County, and I am grateful for the opportunity to submit testimony in strong support of H.R. 8517, the La Paz County Solar Energy and Job Creation Act, which will allow La Paz County to purchase 3,400 acres of certain Federal lands to further its economic development and optimize the generation of additional renewable solar energy.

I served as the La Paz County Supervisor from 2013 to 2020. My primary reason for running for office was to find a way to provide financial stability for the county, to improve services to county residents and visitors without placing additional burdens on them. Having been involved in economic development in La Paz County since 1991, I was well aware of the barriers to development, including limited private land, lack of infrastructure, and the sensitivity to water-intensive development.

For many years prior to my becoming supervisor, renewable energy development in La Paz County was considered but was not feasible, as the high voltage transmission systems were fully committed with no capacity for growth. As the Bureau of Land Management and the Western Area Power Authority began discussions regarding the West-Wide Energy Corridors, including routes crossing La Paz County, and the Ten West Link was proposed,

linking Phoenix to Southern California, it became feasible to site utility-scale solar projects in La Paz County. The inherent low water use of photovoltaic and the new infrastructure addressed two of the three primary barriers to renewable solar projects.

For the county, the most financially advantageous option was determined to be to own property for lease to a developer. In 2016, we identified 8,800 acres of BLM lands considered to be the least impactful to residents, the environment, and cultural resources, and being adjacent to the proposed transmission corridors. Even though the county did not have site control, an RFP was issued to determine interest in the proposed site, with the understanding that development was contingent upon conveyance to the county through the legislative process, and 174 Power Global was selected as our partner in 2017. Support was expressed by the Colorado River Indian Tribes, and work began on the legislative conveyance. Legislation to convey 5,889 acres to the county at fair market value was passed in 2019, and conveyance occurred in May 2020.

So, where are we 4½ years later? As mentioned before, the key component of this project is the Ten West Link transmission line and the related Cielo Azul Switchyard to provide access to markets. The Ten West Link, which crosses the county property, was placed into operations in June 2024, 5 months ago. The switchyard, located on the county property, is scheduled to become operational in January 2025.

The plan for development on the county property includes four battery energy storage projects, four distinct photovoltaic projects, two substations, and areas reserved to provide transmission access to the switchyard for the four other renewable energy projects proposed on state and Federal lands adjacent to the county properties. Two of the battery projects are under construction. Two of the photovoltaic projects are well into the permitting process, as is the first substation. Agreements are in place with the Colorado River Indian Tribes to ensure any cultural resources and artifacts will be preserved according to their traditions during project development.

La Paz County's vision was to own about 9,000 acres for solar development. This was considered to provide adequate revenue to ensure long-term financial stability and improve services for our residents. While the previous conveyance was reduced to 6,000 acres, it has always been our plan to pursue purchase of the additional 3,000 acres. We have proven the ability to maintain a long-term relationship with our developer, with the Colorado River Indian Tribes, and the expertise to manage the process from concept to permitting and into construction.

Now is the time to enable La Paz County to fully realize this vision through passage of H.R. 8517. I would like to thank our Congressional Delegation for their leadership on this issue, especially Congressman Gosar for introducing H.R. 8517. Thank you to this Committee for their time today. And we ask that Congress enact the La Paz Solar Energy and Job Creation Act as soon as possible. Thank you.

[The prepared statement of Mr. Wilson follows:]

PREPARED STATEMENT OF D.L. WILSON, LA PAZ COUNTY, ARIZONA  
SOLAR PROJECTS MANAGER  
ON H.R. 8517

Dear Chairman Tiffany, Ranking Member Neguse, Congressman Gosar, and Members of the Subcommittee:

As La Paz County, Arizona's Solar Projects Manager and previous member of the Board of County Supervisors, I am grateful for the opportunity to submit testimony in strong support of H.R. 8517, the La Paz County Solar Energy and Job Creation Act. This legislation will allow La Paz County to purchase 3,400 acres of certain federal lands to further its economic development and optimize the generation of additional renewable solar energy.

La Paz County strongly supports the La Paz County Solar Energy and Job Creation Act (H.R. 8517). We are grateful to Congressman Gosar for his work and support of this important legislation. This bill builds on the successful passage of the La Paz County Land Conveyance Act of 2019 (P.L. 116-9), which conveyed land for fair market value to La Paz County to facilitate economic development. Because of that law, La Paz County has made remarkable progress in creating a large solar park adjacent to the Ten West Link transmission project through central Arizona. H.R. 8517 would allow La Paz County to purchase an additional 3,400 acres of certain federal lands to further optimize the generation of renewable solar energy adjacent to that park.

We remain grateful to the Colorado River Indian Tribes (CRIT) for their support of this legislation, as well. La Paz County has worked closely with the CRIT to implement the provisions included in P.L. 116-9 and has executed a robust agreement regarding the protection of Tribal artifacts that may be discovered during the construction of this important clean energy project. H.R. 8517 contains the same directive as in P.L. 116-9, which ensures that as the land is developed, the Tribe's Historic Preservation Office remains involved throughout the process. This statement has attached a letter of support from the CRIT for this legislation in the last Congress.

The Bureau of Land Management (BLM) is analyzing the same acres proposed in H.R. 8517 for renewable energy development. However, by conveying the lands to La Paz County for fair market value as directed in H.R. 8517, La Paz County will be able to obtain the full benefit of land ownership by being able to shape the creation of a vibrant and diverse local economy. The U.S. government will also be made whole through a fair market value transaction. Further, this legislation will allow the CRIT to be confident the development process and long-term treatment of cultural resources on the site will be managed in exact accordance with the Tribe's traditions and the local agreements CRIT has established with the County.

#### **Importance of Enhancing Economic Development in La Paz County**

La Paz County's top priority is to attract and share in the economic diversification that has occurred elsewhere in Arizona. Our county is 4,500 square miles of desert, with less than 6% of our land in private ownership, limiting our ability to attract new development. Currently, our economy is based primarily on agriculture and tourism, especially during the winter months when we welcome over one hundred thousand winter visitors that flock in their RVs and travel trailers to the banks of the Colorado River and to communities throughout the County to utilize our desert lands and enjoy our beautiful climate.

La Paz County's efforts to diversify its economy are driven by a real need to provide new, higher paying jobs for our community. According to the 2020 Census, the County's permanent resident population is approximately 16,000, a 19% drop from the 2010 Census. The unemployment rate is a full percent higher than the state-wide average. Our population is aging, with 38% over the age of 65, a 6% increase in just six years. Nearly 27% of our residents are Latino, many of whom work on local farming operations. Our community also includes members of the Colorado River Indian Tribes, which comprise 18% of our population.

Several years ago, the County pursued a strategic plan and public process to find a site and a developer whereby it would attract economic development focusing on solar renewable energy generation. The concept was like the successful solar development park just outside of Boulder City, Nevada, in the Eldorado Valley to our north. With the passage of the La Paz Land Conveyance Act, La Paz County successfully purchased 5,889 acres of BLM land and moved forward with its long-term plans for economic development. H.R. 8517 will allow the County to purchase an additional 3,400 acres adjacent to that area. Ownership of this land allows the County to control the type of economic development that happens in our community and

build a sustainable tax base that will enable us to provide services to our most vulnerable populations.

#### **Plans for Solar Energy and Job Creation in La Paz County**

To date, La Paz County has executed agreements with 174 Power Global to develop the nearly 6,000 acres that were purchased because of P.L. 116-9. Based in the United States, 174 Power Global is a solar/battery project developer with a highly skilled team of professionals focused exclusively on solar and storage project development. This company was selected by La Paz County because it has successfully developed, built, and operated over 2 GW of solar projects in the United States and Mexico, including 277 MWh of battery storage projects.

The plans for the La Paz Atlas Solar Project include a combined solar photovoltaic plus battery energy storage system project in La Paz County, which, when complete, would be among the largest projects in the U.S. The first phases of the project are underway on the 5,889 acres that were conveyed in PL 116-9. It is anticipated this first phase of the project will build 700 megawatts (MW) of solar generation and 1,000 megawatt-hours of battery storage on site. It will generate enough power to supply 105,000 homes and create 900 construction jobs plus 15 permanent jobs during operations. Commercial operations are anticipated to commence in the second quarter of 2025.

H.R. 8517 will allow access to additional federal land for the La Paz Atlas Solar Projects. This project will provide an additional 3,400 acres to develop a planned 500 MW of solar capacity and up to 900 MWh of battery storage, which is enough to power about 75,000 homes. In terms of jobs, this project will create 700 construction jobs and 10 permanent positions.

#### *Access and Proximity to Ten West Link Transmission and Other Critical Infrastructure*

The La Paz Atlas Solar Projects are uniquely positioned, given their proximity to the Ten West Link transmission line. 174 Power Global submitted the first interconnection request in April 2017 to the Ten West Link transmission project for a capacity of up to 3,200 MW of Solar and/or 1,920 MW/ 4-hour duration of battery storage. This means the project is well-positioned by being in the earliest queue to connect to and utilize the Ten West Link transmission facilities.

The Ten West Link transmission line (DCR Transmission LLC) is the 500 kV transmission connection between electrical substations in Tonopah, Arizona, and Blythe, California. The transmission project will create beneficial new transmission infrastructure that will improve transmission system efficiency and reliability while facilitating the development of new renewable energy and energy storage resources in Arizona and California. This will help both states achieve their renewable energy standards and carbon reduction goals. Ten West Link will also bring significant economic reliability and public policy benefits to the electric power grid serving the Desert Southwest—one of America's fastest growing regions.

The Final Environmental Impact Statement report was issued by BLM on September 13, 2019,<sup>1</sup> and a groundbreaking was held in January 2023.<sup>2</sup> The BLM Preferred Alternative for the Ten West Link spans 125 miles. The project utilizes the Department of Energy's energy and BLM-designated utility corridors and avoids the Kofa National Wildlife Refuge and all major population centers. The Project became operational in June 2024.

Project milestones are as follows:

- AUGUST 4, 2020—DCR Transmission, L.L.C. received the Right-of-Way for the Ten West Link transmission line project and the associated facilities over federal land through a grant from the U.S. Bureau of Land Management. Securing the Right-of-Way, which consists of 81.2 miles (65% of the Project length), marked a major milestone in the development phase of Ten West Link.
- APRIL 23, 2020—Environmental groups support Ten West Link. The Natural Resources Defense Council and National Audubon Society issued an endorsement letter, which has been attached to this testimony.
- MARCH 24, 2020—The Arizona Corporation Commission unanimously approved the Certificate of Occupancy.

<sup>1</sup>BLM EIS TEN WEST LINK: <https://www.blm.gov/press-release/blm-releases-final-environmental-impact-statement-proposed-ten-west-link-transmission>

<sup>2</sup>[https://www.parkerpioneer.net/news/article\\_c938b31e-9b5b-11ed-ac93-bf859fefb20e.html](https://www.parkerpioneer.net/news/article_c938b31e-9b5b-11ed-ac93-bf859fefb20e.html)

- OCTOBER 1, 2021—The California Public Utilities Commission issued its Notice of Proposed Decision to grant a Certificate of Public Convenience and Necessity for the Ten West Link and indicated this decision could be approved as early as November 4, 2021.
- JANUARY 19, 2023—Ten West Link Groundbreaking Ceremony was attended by Vice President Kamala Harris, U.S. Department of Interior Deb Haaland, U.S. Energy Secretary Jennifer Granholm, Arizona Governor Katie Hobbs, and Himanshu Saxena, CEO of Lotus Infrastructure (owners of Ten West Link).
- JUNE 12, 2024—Ten West Link turned over to the California Independent System Operator (CALISO) for operations.

Another critical infrastructure element is the Cielo Azul Switchyard, which is located on La Paz County property. This 500kV facility will provide the interconnection point for multiple solar projects in the vicinity to connect to the Ten West Link transmission line. Construction of the Cielo Azul Switchyard began on July 10, 2023, with an estimated in-service date in January 2025.

If enacted, H.R. 8517 will provide La Paz County with the tools to accomplish what our region has envisioned for solar development. More so, the proximity of the La Paz Atlas Solar Projects to the Ten West Link transmission line and the Cielo Azul Switchyard demonstrates the capability not only to build, but also to deliver, crucial renewable energy resources for our fast-growing region.

#### *Solar Development on Adjacent BLM and Arizona State School Trust Lands*

Copia Power is developing the Centennial Flats Solar Project immediately east of the La Paz Atlas Solar Project on approximately 4,785+ acres of State School Trust Land. Construction has begun on this solar photovoltaic energy production facility and a 250± MW battery energy storage system. In addition, there are two additional projects seeking approvals on adjacent BLM and State Trust Lands totaling more than 10,000 acres for solar generation, battery storage, and hydrogen production.

In 2020, La Paz County initiated and approved a Major Amendment to its Comprehensive Plan designating 52 square miles of BLM and State Trust lands as an “Employment Zone.”

This designation facilitates the permitting of solar projects, including the La Paz Atlas Solar Project (including the lands identified in H.R. 8517), the Centennial Flats Solar Project, and adjacent public lands suitable for solar development.

#### **Conclusion**

La Paz County’s future economic health is inextricably linked to the success of this renewable energy area in the County. H.R. 8517 will enhance our ability to be a part of a renewable energy economy while diversifying our local economy and providing sustainable and higher paying jobs for our community. On behalf of La Paz County, I would like to thank our Congressional delegation for their strong leadership on this issue. We remain grateful to Congressman Gosar for introducing H.R. 8517 and the House Natural Resources Subcommittee on Federal Lands for holding this hearing. We ask that Congress enact the La Paz Solar Energy and Job Creation Act as soon as possible.

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Mr. TIFFANY. Thank you, Mr. Wilson. I will now recognize Mr. Ryan Houston, Executive Director for the Oregon Natural Desert Association.

Mr. Houston, you have 5 minutes.

#### **STATEMENT OF RYAN HOUSTON, EXECUTIVE DIRECTOR, OREGON NATURAL DESERT ASSOCIATION, BEND, OREGON**

Mr. HOUSTON. Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for this opportunity to testify today. My name is Ryan Houston, Executive Director of the Oregon Natural Desert Association. We are a community-based group representing more than 25,000 members and supporters who promote public lands conservation in Oregon’s high desert.

For the reasons described in my written testimony, my organization opposes H.R. 10082. And as you will see in the record, our opposition is echoed by dozens of organizations representing millions of members nationwide.

Instead of moving this proposal, we encourage Congress to advance Senate Bill 1890, the version of the Owyhee Canyon Lands proposal developed by the local community with Senator Ron Wyden and co-sponsored by Senator Jeff Merkley. But before I offer my comments, let me first introduce you to Oregon's Owyhee Canyonlands.

The Owyhee is nestled in the far southeastern corner of Oregon, and extends into portions of Idaho and Nevada. The watershed spans more than 11,000 square miles dominated by deep, rugged canyons, expansive sagebrush plains, and some of the most remote wildlands in the Lower 48.

If you imagine for a moment climbing into a kayak high up in one of the tributary streams, you would be floating in a stream no wider than half the width of this table. You could float downstream for 2 weeks, flanked by 1,000-foot cliffs under the watchful gaze of bighorn and golden eagles, and past dozens of sacred sites reflecting the long history of the Northern Paiute, Shoshone, and Bannock peoples who have lived in this landscape since time immemorial. After 2 weeks of floating, as you approach the Owyhee Reservoir, you would be adrift on a river that has now grown to be twice the width of this room. And throughout this trip you would have pitched your tent below the blanket of the Milky Way, stretching from horizon to horizon across the darkest night skies in the country.

A shared love of this landscape is what brought so many diverse stakeholders together in 2019, when Senator Wyden first convened a group of ranchers, tribes, hunters, conservation groups, and others to develop a proposal for the protection and management of the Owyhee Canyonlands. I first met one of the other witnesses today, Mr. Elias Eiguren, at that table in 2019. I admire and respect Elias and other members of the Owyhee Basin Stewardship Coalition, as we have thoroughly debated tough issues but also enjoyed each other's company around the campfire on the banks of the Owyhee River. And I am proud that we have done this respectfully and with civility.

Through these conversations, there were two key places where our overlapping interests helped create the foundation for Senator Wyden's proposal. My organization is seeking permanent protection of the Owyhee. The ranchers also want to keep it as it is, provided those protections do not undermine their livelihood. The ranchers seek more flexibility in grazing to improve management. My organization also wants to improve management, provided it doesn't undermine existing law. And when Senator Wyden merged these elements with the interests of all the other equally important stakeholders involved, he arrived at a proposal that lands in the sweet spot where dozens of shared interests overlap. This is not easy to do, and I think this achievement is reflected in the fact that this bill was voted out of Committee in the Senate with bipartisan support, and it continues to receive broad support from the many people and organizations who sat at the table for so many years.

While H.R. 10082 does touch on some of the same topics as the Senate proposal, it misses that sweet spot in very significant ways, and consequently undermines the delicate balance negotiated in S. 1890. I believe this reflects the fact that H.R. 10082 was developed without the involvement of many key stakeholders.

When compared to the Senate bill, H.R. 10082 discards the ecological health framework; reduces science and accountability; replaces the stakeholder committee with a smaller, industry-dominated group; overrides a broadly-supported management plan for the Owyhee; establishes roads and promotes motor vehicle use in wilderness, resulting in the designation of something other than actual wilderness; and it burdens the Burns Paiute Tribe with unfair obligations and constraints.

I will conclude by again encouraging Congress to focus on Senate Bill 1890, and by sharing a quote from one of the ranchers' representatives, Mark Dunn. He was speaking for the ranchers, but he could have been speaking for many of us when he said in 2023, "We are still hopeful that Congress can pass the compromise that Wyden and Merkley have achieved."

Thank you again for the opportunity to testify today and I, of course, would be pleased to answer any questions you may have. Thank you.

[The prepared statement of Mr. Houston follows:]

PREPARED STATEMENT OF RYAN HOUSTON, EXECUTIVE DIRECTOR, OREGON NATURAL  
DESERT ASSOCIATION

ON H.R. 10082

My name is Ryan Houston, Executive Director of the Oregon Natural Desert Association (ONDA). We are a community-based organization representing more than 25,000 members and supporters who promote conservation of public lands, waters and wildlife on more than 12 million acres of high desert in central and eastern Oregon. We have been working to protect Oregon's Owyhee Canyonlands for decades and I appreciate the opportunity to testify today in support of permanently protecting, enhancing, and improving management in the Owyhee and surrounding areas.

ONDA opposes H.R. 10082 and instead encourages Congress to advance S. 1890, the Malheur Community Empowerment for the Owyhee Act, developed by Senator Ron Wyden and co-sponsored by Senator Jeff Merkley. To explain why we oppose H.R. 10082 but support S. 1890, the bill upon which H.R. 10082 is based, I will first describe how Oregonians have been working together over the past 5 years to develop a proposal that would improve protection and management of the Owyhee Canyonlands.

In sharing this story, I will describe the core principles that guided those conversations and how S. 1890 does—and H.R. 10082 does not—align with what was supported by the diverse array of stakeholders who invested thousands of hours over many years to develop S. 1890.

Although discussions about protecting the Owyhee Canyonlands began decades ago, the proposal encapsulated in S. 1890 began to take shape in 2019 when Senator Wyden convened a diversity of stakeholders in Ontario, Oregon, to explore the potential for a community-supported plan for the long-term protection and management of Oregon's Owyhee Canyonlands. Senator Wyden convened these stakeholders at the request of local ranchers who asked him to help bring resolution to the many years of disagreement and conflict surrounding public land protection and management.

The stakeholders included an array of ranchers, businesses, conservation organizations, Tribes, hunters, anglers, academics, recreational users, and others. In spite of their diverse and sometimes conflicting views, the group found common ground in a commitment to sustaining the "long-term ecological health" of the 4.5 million acres of public lands in Malheur County. This commitment became our guiding

principle as we discussed and debated various approaches to protecting, managing, and sustaining multiple uses in the Owyhee Canyonlands.

Of critical importance, Senator Wyden also established some key sideboards for these conversations and made several important commitments of his own, including respecting Tribal rights and sovereignty, relying on science to govern public land management, and ensuring that any new legislation would not undermine existing bedrock laws governing public lands management and conservation, such as the Federal Land Policy and Management Act (FLPMA), National Environmental Policy Act (NEPA), the Wilderness Act, Taylor Grazing Act, and others.

Following years of work, including dozens of meetings, hundreds of edits and thousands of hours of collective effort, S. 1890 achieved a significant milestone when it was voted out of the Senate Committee on Energy and Natural Resources with bipartisan support in December 2023. S. 1890 proposes:

- Designation of ~1.1 million acres of wilderness in the Owyhee Canyonlands and surrounding areas, connecting to adjacent wilderness areas designated in Idaho's Owyhee Canyonlands in 2009;
- Transfer of ~30,000 acres of land into trust for the Burns Paiute Tribe and promotion of Tribal co-stewardship on adjacent federal lands;
- Establishment of a flexible, science-based grazing management and monitoring program designed to improve the ecological health of 4.5 million acres of public lands in Malheur County; and
- Creation of a consensus-based, multi-stakeholder organization—the “Malheur CEO Group”—to develop, propose and fund restoration and management projects throughout the region.

H.R. 10082 includes some of these provisions and ONDA commends Representative Cliff Bentz for adopting these components. H.R. 10082 would designate more than 926,000 acres of wilderness, promote certain elements of the adaptive grazing management program, and convey approximately 30,000 acres of lands into trust for the Burns Paiute Tribe.

In spite of these similarities between H.R. 10082 and S. 1890, their specific approaches to public lands conservation, management, community involvement, Tribal rights, and respect for existing federal laws could not be more different. The two proposals diverge in very significant and problematic ways. Notably, H.R. 10082:

- Discards long-term ecological health as the core principle that held stakeholders together and became the driving principle for managing the Owyhee Canyonlands in the future.
- Eliminates the requirements for data collection, monitoring and adaptive management for livestock grazing, undermining the ability of ranchers, the Bureau of Land Management and the public to assess and manage the impacts, positive or negative, of adjustments to permitted livestock use. H.R. 10082 would also remove the requirement for Secretarial review, evaluation and, if necessary, adjustment of the grazing management program after 10 years, essentially making the program permanent before assessing and understanding its real world results.
- Modifies the consensus-based community group, morphing it into a much smaller, exclusive committee weighted in favor of industry and excluding other key constituencies.
- Undermines the recommendations of the Southeast Oregon Resource Advisory Council, the Bureau of Land Management, public process and federal law and policy by overriding the recently-adopted Southeastern Oregon Resource Management Plan Amendment, eliminating current and future conservation management on more than 3.5 million acres of public lands not designated as wilderness. This would include the release of nearly 375,000 acres of existing Wilderness Study Areas, a requirement that none of the 1.2 million acres of existing Lands with Wilderness Characteristics be managed to protect their wilderness values, and restrict potential future conservation of nearly 2 million additional acres of public lands in Malheur County.
- Undermines wilderness and the Wilderness Act by promoting motor vehicle access and roads into designated areas, resulting in the designation of something other than actual wilderness.
- Burdens the Burns Paiute Tribe with unjust financial obligations, requiring the Tribe to pay grazing permittees for adjusting grazing use to conserve



sacred lands, including paying for fencing to protect sacred lands from livestock. It further requires Tribal management to “protect the interests of those who hold livestock grazing permits,” thus tying the Tribe’s hands in how they manage their sacred lands.

In conclusion, ONDA supports legislation that honors the work of the local community by improving management and conservation of public lands, waters and wildlife, promoting stakeholder engagement, supporting local communities and economies, and elevating Tribal priorities in Oregon’s Owyhee Canyonlands. H.R. 10082 would not accomplish these goals but, instead undermine decades of federal law and policy governing public lands management; usurp the authority of the Bureau of Land Management; reduce the role of science, accountability and transparency in management; limit public participation; and burden the Burns Paiute Tribe with unnecessary constraints and requirements.

I close by again urging Congress to focus on advancing S. 1890, the Senate version of the Owyhee Canyonlands proposal developed by Senator Ron Wyden and co-sponsored by Senator Jeff Merkley.

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Mr. TIFFANY. Thank you, Mr. Houston. I now recognize Dr. Bobby Donaldson, the Executive Director of the Center for Civil Rights History and Research at the University of South Carolina. Dr. Donaldson, you have 5 minutes.

**STATEMENT OF BOBBY DONALDSON, EXECUTIVE DIRECTOR,  
CENTER FOR CIVIL RIGHTS HISTORY AND RESEARCH,  
COLUMBIA, SOUTH CAROLINA**

Dr. DONALDSON. Good afternoon. Thank you, Chairman Tiffany and members of the Subcommittee. I am Dr. Bobby Donaldson, Professor of History and Executive Director of the Center for Civil Rights History and Research at the University of South Carolina, Columbia campus. I am honored to testify today in support of H.R. 10084, which extends the authorization of the National Park Service’s African American Civil Rights Network for the next decade.

I want to thank Congressman James Clyburn for his unwavering commitment to preserving our nation’s history and for his advocacy of the network and of our center, which was founded in 2015.

Through a series of cooperative agreements with the network initiated in 2022, the Center for Civil Rights History and Research at the University of South Carolina has expanded its capacity to advance scholarly research, preservation projects, heritage tourism, walking tours, museum exhibits, academic initiatives, and community programming.

Programing like our “Where Do We Go From Here” biennial conference, done in partnership with the network, enabled us to connect civil rights veterans with educators, museum leaders, heritage tourism professionals, preservationists, academic scholars, and students from around the country.

As part of the center’s research and community engagement efforts, we are particularly proud of our partnership with the National Park Service and the network and local communities like Summerton, South Carolina, where we have worked to document and preserve stories and properties of national significance.

In September 2022, our center joined Congressman Clyburn and the National Park Service on the grounds of Scott’s Branch High School in Summerton. This site, now on the National Register of Historic Places, commemorates the courageous fight for equal

education that led to the *Briggs v. Elliott* lawsuit, one of the five cases consolidated into the 1954 *Brown v. Board of Education* decision.

This year, during a program marking the 70th anniversary of the Brown and Briggs ruling, we welcome Ms. Celestine Parson Lloyd, a Summerton native and a Scott's Branch graduate. As she remembered her family's sacrifices and the struggles of her community during and after the legal campaign, Ms. Lloyd called for a public recognition for the people of Summerton who helped secure this landmark Supreme Court victory.

As we consider Ms. Lloyd's request, and as we reflect upon the network's impact, I am reminded of Dr. Martin Luther King Jr.'s Nobel Peace Prize address delivered 60 years ago. In this message, Dr. King honored what he called the ground crew of the Civil Rights movement, individuals like Ms. Lloyd, individuals like Sarah Mae Flemming, individuals like Sergeant Isaac Woodard, whose sacrifices moved this country forward but often went unrecognized. Sixty years ago, Dr. King said this: "Most of these people will never make the headlines, and their names will not appear in Who's Who. Yet, when years have passed and the blazing truth is focused on this marvelous age in which we live, men and women will know and children will be taught that we have a finer land, a better people, a more noble civilization because these humble children of God were willing to suffer for righteousness' sake."

By renewing the African American Civil Rights Network through H.R. 10084, we all can fulfill Dr. King's vision and ensure that this marvelous age of the Civil Rights Movement is fully documented, preserved, and shared now and for generations to come.

Thank you, Mr. Chairman and members of the Committee, for your time today.

[The prepared statement of Dr. Donaldson follows:]

PREPARED STATEMENT OF DR. BOBBY J. DONALDSON, EXECUTIVE DIRECTOR, CENTER  
FOR CIVIL RIGHTS HISTORY AND RESEARCH, UNIVERSITY OF SOUTH CAROLINA  
ON H.R. 10084

Good afternoon, Chairman Tiffany, Ranking Member Neguse, and Members of this Subcommittee.

I am Dr. Bobby Donaldson, Professor of History and Founding Executive Director of the Center for Civil Rights History and Research at the University of South Carolina, Columbia campus. I also serve as Principal Historian for Columbia SC 63: Our Story Matters, a heritage tourism initiative that highlights our city's pivotal role in the Civil Rights Movement.

It is an honor to testify today in support of H.R. 10084, which extends the authorization of the National Park Service's African American Civil Rights Network (known as AACRN) for the next decade.

I want to express my appreciation to Congressman James E. Clyburn for his unwavering commitment to preserving our nation's history and for his advocacy of the African American Civil Rights Network.

The Network, established by Congress in 2017, brings together historic sites, museums, research centers, archival collections, and professional organizations, providing resources and support to preserve, document, and share the history of the Civil Rights Movement.

The Center for Civil Rights History and Research at the University of South Carolina was established in 2015 to investigate and promote our state's pivotal (and often overlooked) contributions to the struggle for civil and human rights in our nation.

Our Center and the University of South Carolina joined the Network in 2022. Through a series of cooperative agreements with the Network, our Center has

expanded its capacity to advance scholarly research, educational training, preservation projects, and public engagement through exhibitions, workshops, conferences, lectures, documentary films, and guided tours.

In addition to partnerships and programs, the cooperative agreements with the Network facilitate our ability to train a new generation of public historians who will continue this important work. We actively support and organize civil rights tours for undergraduate students, providing immersive, on-site experiences that connect them directly to the history and legacy of the Civil Rights Movement.

Through these tours, internships, post-doctoral fellowships, research grants, and collaborative projects with Historically Black Colleges and Universities, we are equipping students, emerging scholars, and educators with the tools to preserve, interpret, and disseminate the Movement's history.

Network-funded programs like our *Eyewitnesses to the Movement* series, *Women in the Movement* initiative, *Justice for All* exhibit, and our recent *Where Do We Go From Here?* conference, enable us to connect civil rights veterans, such as Minnijean Brown-Trickey of the Little Rock Nine and Dorris D. Wright of the Greenville Eight, with other activists, educators, museum leaders, heritage tourism professionals, preservationists, and historians from across the country, ensuring that our collective efforts will keep this history alive.

In September 2022, I had the privilege of standing with Congressman Clyburn, National Park Service Director Charles Sams, and Secretary of the Interior Deb Haaland on the campus of the Scott's Branch High School in Summerton, South Carolina. This site, now on the National Register of Historic Places, commemorates the extraordinary courage of ordinary citizens—farmers, maids, mechanics, returning World War II veterans, teachers, and preachers—whose determined fight for equal education led to the *Briggs v. Elliott* lawsuit. That case, one of five consolidated into the *Brown v. Board of Education* United States Supreme Court ruling in 1954, helped dismantle legal segregation in America's public schools. Sites in Summerton are now becoming a part of the Network and the *Brown v. Board of Education National Historical Park*.

This year, during the 70th-anniversary commemoration of *Brown v. Board* and *Briggs v. Elliott* in Columbia, the Center and the South Carolina Civil Rights Museum invited Mrs. Celestine Parson Lloyd, a student at Scott's Branch High School in the early 1950s. She returned to South Carolina from her current home in New York City and shared her family's painful sacrifices and struggles during and after the legal campaign. Her riveting oral history, now housed in our archives, underscores the Network's primary mission: identifying, preserving, amplifying, and connecting largely unknown or overlooked stories and experiences across our nation.

At a recent program organized by our Center, Dr. Cleveland Sellers, Jr., a South Carolina native and a member of the SNCC (Student Nonviolent Coordinating Committee) Legacy Project told an audience, "Please don't let our stories die with us." His statement reminds us that the youngest members of the Movement are in their twilight years and underscores the urgent need to preserve this vital history.

As we reflect on the impact of the Network and its enormous potential in the future, I am reminded of Dr. Martin Luther King Jr.'s Nobel Peace Prize address, delivered 60 years ago, on December 10, 1964, in Oslo.

Dr. King paid tribute to the "known pilots" and the "unknown ground crew," the individuals whose behind-the-scenes work propelled the Movement forward. He envisioned a future where their sacrifices would be properly recognized, documented, and publicized.

Dr. King concluded his remarks by stating:

Most of these people will never make the headlines, and their names will not appear in *Who's Who*. Yet when years have rolled past and when the blazing light of truth is focused on this marvelous age in which we live, men and women will know and children will be taught that we have a finer land, a better people, a more noble civilization because these humble children of God were willing to suffer for righteousness' sake.

Fortunately, through H.R. 10084 and the renewal of the African American Civil Rights Network Act, we have an opportunity to make Dr. King's vision of a fuller and more comprehensive history a reality.

By empowering communities to uncover and share their stories, safeguarding historic properties, and fostering programmatic partnerships, the African American Civil Rights Network ensures that the history of this "marvelous age" not only remains accessible but continues to inform and inspire future generations in the pursuit of "liberty and justice for all."

Again, I extend my tremendous gratitude to Congressman Clyburn for his leadership on this legislation. Mr. Chairman, I thank you and the committee for the opportunity to share my thoughts this afternoon.

I welcome any questions you may have.

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Mr. TIFFANY. Thank you, Dr. Donaldson. And finally, I would like to recognize Mr. Seth Clark, Executive Director for the Ocmulgee National Park and Preserve Initiative.

Mr. Clark, you are recognized for 5 minutes.

**STATEMENT OF SETH C. CLARK, EXECUTIVE DIRECTOR,  
OCMULGEE NATIONAL PARK AND PRESERVE INITIATIVE,  
MACON, GEORGIA**

Mr. CLARK. Good afternoon, Mr. Chairman and members of the Committee. Thank you for the opportunity to testify today in support of H.R. 8182. My name is Seth Clark, and it is the honor of my life to have been elected mayor pro tempore of Macon, Georgia, and to serve as the Executive Director of the Ocmulgee National Park and Preserve Initiative, the non-tribal-tribal partnership working on conservation-based economic development in Middle Georgia.

Today's hearing is the culmination of almost a century of civic efforts to designate the first and only national park and preserve in Georgia. These efforts began in 1934, when similar legislation to that which is before you today was proposed. After a century of successful public and private conservation and the leveraging of tens of millions of private and philanthropic dollars, it is our contention that we have met and exceeded congressional and departmental expectations in laying a foundation worthy of the designation we have sought for 90 years.

In short, we have done our part, invested our private resources, and are prepared to continue to do so. We are ready.

Over the course of the 20th century, Middle Georgians have argued the unique ecological and cultural assets of the region are invaluable to our identity, the identity of the state of Georgia, and that of the United States of America. We have leveraged these assets as means of responsible economic development through private and public conservation, resulting in increased access to and the protection of irreplaceable cultural assets, pristinely managed hunting and fishing land and wildlife habitat, and a burgeoning cultural and outdoor recreation-based economy.

The coalition of advocates who support this legislation is much broader than the traditional environmental-based groups I imagine this Committee has become accustomed to hearing. Our partners include an overwhelmingly bipartisan and bicameral contingent of legislative authors; the Macon and Georgia Chambers of Commerce; the sovereign nations that constitute the Intertribal Council of Removed Southeastern Tribes; the Muscogee Creek, Cherokee, Choctaw, Chickasaw, and Seminole Nation of Oklahoma; active and civilian leadership of Robins Air Force Base; all 20 municipalities that make up the Middle Georgia Regional Commission; the State Department of Natural Resources; national and local conservation organizations; and the Georgia Mining Association.

A recent economic study concluded that congressional redesignation could eventually result in an additional 1.3 million visitors to Middle Georgia annually. This could result in roughly \$233 million in additional annual private sector economic activity, spurring roughly \$34 million in additional tax revenue and the creation of as many as 3,100 new private sector jobs.

And due to the generosity of the John S. and James L. Knight Foundation, we are currently conducting a regional strategic plan to ensure the realization of those projections.

We are already seeing the effects of our efforts. Recent visitation increases have played a vital role in rolling back property taxes by 50 percent. You see, our tax portfolio is designed to require a roll-back of our residents' property taxes on pace with increased revenue from visitation. This congressional redesignation will continue to result in the ongoing largest property tax cut in Middle Georgia history.

It would also bolster our region's toughest economic engine in one of our nation's most vital installations in the pursuit of our national security: Robins Air Force Base. Their recent sustainability plan, conducted by the Department of Defense, recommended the passage of this legislation, stating, "The creation of a new national park and preserve adjacent to or near the installation could protect lands neighboring the installation, prevent encroachment, and preserve installation operational areas and neighboring land use compatibility."

Further, in the pursuit of responsible wildlife habitat and species management, this legislation constitutes one of the largest expansions of hunting and fishing access in Middle Georgia in my lifetime, while reasonably and effectively protecting the private property rights of Middle Georgians.

Lastly, and most importantly, I would like to express my gratitude to the Muscogee Creek Nation for their partnership in this effort. Ocmulgee is a mother ground of their ancestral homelands of which they were forcibly dispossessed. The Ocmulgee Corridor shows evidence of roughly 17,000 years of continuous human habitation, some of the longest in the continental United States of America. This partnership Middle Georgia enjoys with the Muskogee Creek Nation has given our region a path towards reconciliation, and the opportunity of shared stewardship is one fully supported by our community and deeply important to our region's identity.

As we have for generations, we stand fully prepared to further marshal private philanthropic resources to support the National Park Service and the stewardship of what the Department of the Interior has deemed some of the most nationally significant land in the United States of America. We just need your permission to do so, and it is for that we humbly ask.

Thank you, and I am happy to answer any questions.

[The prepared statement of Mr. Clark follows:]

PREPARED STATEMENT OF MAYOR PRO TEMPORE SETH C. CLARK, EXECUTIVE  
DIRECTOR, OCMULGEE NATIONAL PARK AND PRESERVE INITIATIVE  
ON H.R. 8182

Good afternoon Mr. Chairman and Members of the Committee.

Thank you for the opportunity to testify today. I'm Seth Clark, and it is the honor of my life to have been elected Mayor Pro Tempore of Macon, Georgia and to serve as the Executive Director of the Ocmulgee National Park and Preserve Initiative, the non-tribal + tribal partnership working on conservation-based economic development in middle Georgia.

Today's hearing is the culmination of almost a century of civic efforts to designate the first and only National Park and Preserve in Georgia. The efforts began in 1934, when similar legislation that is before you today was proposed. After a century of successful public and private conservation and the leveraging of tens of millions of private and philanthropic dollars, it is our contention that we have met and exceeded Congressional and Departmental expectations in laying a foundation worthy of the designation we have sought for 90 years. In short, we have done our part, invested our private resources and are prepared to continue to do so. We are ready.

Over the course of the 20th Century Middle Georgians' have argued the unique ecological and cultural assets of the region are invaluable to our identity, the identity of our state, and that of the United States. We've leveraged these assets as means of responsible economic development through private and public conservation, resulting in increased access to, and the protection of irreplaceable cultural assets, pristinely managed hunting and fishing land and wildlife habitat, and a burgeoning cultural and outdoor-recreation based economy.

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A recent economic study concluded that Congressional redesignation could eventually result in an additional 1.3 million visitors to middle Georgia annually. This could result in roughly 233 million dollars in additional annual private sector economic activity, spurring roughly 34 million dollars in additional annual tax revenue, and the creation of as many as 3,100 new private sector jobs.

And due to the generosity of John S. and James L. Knight foundation, we are currently conducting a regional strategic plan to ensure the realization of those projections. We are already seeing effects from our efforts. Recent visitation increases have played a vital role in Macon rolling back property taxes by 50%. You see, our tax portfolio is designed to require a roll back of our residents' property taxes on pace with increased revenue from visitation. This congressional re-designation will continue to result in the ongoing largest property tax cut in middle Georgia history.

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As we have for generations, we stand fully prepared to further marshal private philanthropic resources to support the National Park Service in the stewardship of what the Department of Interior has deemed some of the most nationally significant land in the United States. We just need your permission to do so. And it is for that, we humbly ask.

Thank you. And I'm happy to answer any questions.

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Letters of support for H.R. 8182 from the following organizations were submitted by Mr. Clark for the record.

Georgia Wildlife Federation	Georgia Conservancy
Southeast Tourism Society	Georgia Mining Association
Muscogee (Creek) Nation	Mayor Pro Tem Seth Clark
Grow Twiggs County	Inter-Tribal Council of the Five Civilized Tribes
Visit Macon	Greater Macon Chamber of Commerce
21st Century Partnership	MBCIA
Altamaha Riverkeeper	Middle Georgia Regional Commission
Georgia Department of Natural Resources	Newtown Macon
Houston County Board of Directors	The Nature Conservancy
Georgia Chamber of Commerce	Trust for Public Land

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All of the letters are available for viewing at:

<https://docs.house.gov/meetings/II/II10/20241119/117718/HMTG-118-II10-Wstate-ClarkS-20241119-SD001.pdf>

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Mr. TIFFANY. Thank you for your testimony, Mr. Clark. I am now going to recognize Members for up to 5 minutes for their questioning.

Mr. Fulcher from Idaho, you may start.

Mr. FULCHER. Thank you, Mr. Chairman, for your leadership in having these hearings today. I find them very informative and helpful. I have a question for Mr. Eiguren.

I have some friends with Basque heritage in the Boise area, and my guess is that there might be a relationship somewhere, but that is a conversation for another day.

In Idaho, over 60 percent of our land mass is federally managed. So, ranching and grazing are not just essential for our way of life, but it is also critical to our state's economy, just due to the sheer critical mass. Grazing on Federal lands is a vital component of Idaho's natural resource management, helping to support rural economies and reduce wildfire risks. I am a huge supporter of local stakeholder input in the management of those resources, and your

testimony struck a couple of chords with me that I would like to explore a little bit further.

First of all, how does your organization, the Owyhee Basin Stewardship Coalition, support ranchers and landowners in the region, particularly regarding local input with land management decisions?

Mr. EIGUREN. We have been the main voice, the grassroots effort, in attempting to stave off a monument during the Obama administration. That is where we began. From there, our interest has been finding final resolution.

So, after those final days of the Obama administration and our campaign of No Monument Without a Vote of Congress went away, we had town hall meetings throughout the county asking our membership and others involved in the conversation, including the irrigation districts, the farmers who rely on the Owyhee watershed for their livelihoods, and a multitude of folks, "What do you want to see resolved out here?"

WSAs were at the top of the list. Get rid of the monument is the next one, and try to get some flexibility within the BLM office to be able to do what we can in order to stave off wildfire.

Mr. FULCHER. Got it. Thank you for that. And you mentioned in your testimony, we were referring to H.R. 10082, you mentioned, I think, as a work in progress, and I appreciate that. Do you have counsel, or do you have feedback on some input that could be an addition or an amendment or a change to it that might have some improvements?

Mr. EIGUREN. Not at this time, sir. I am interested to see where this goes in the direction of the Committee with Congressman Bentz at the wheel, and see where we go from there. But thank you.

Mr. FULCHER. OK, thank you. One concern with the land designations like wilderness areas is their potential impact on grazing rights and ranching communities. How do you see this bill and this language in this bill ensuring ranchers and farmers in the Owyhee region of Oregon, Nevada, and Idaho can continue their operations without undue restrictions while still achieving conservation goals?

Mr. EIGUREN. That certainly is a consideration. Part of our thought has been we really don't know, under a national monument, whether we are going to be able to continue to graze or not. We know that, under wilderness, grazing is always a possibility. The question is, what do we have to do in order to continue to graze in terms of access, permit renewal, these types of things.

So, in that vein, we have striven to make sure that access is provided for all of the needs of agriculture on these lands, and also we have developed a relationship with Mr. Houston and other organizations like his to back one another up in terms of the collaborative effort on the Senate bill side. And I would hope that that would extend through whatever legislative product comes through this process.

Mr. FULCHER. Great. I would thank you for that. And I will just close with my own editorial comment.

For those who oppose this, and this effort, and what you are trying to do, and what I believe this legislation is trying to do, take some time and get on an airplane and spend a little bit of time in



the open Federal lands in Idaho, Nevada, Oregon, and get a feeling for what life in, and Utah, thank you, and Utah, absolutely, and get some understanding, and Arizona. OK, we are going to go down the list here. Not California, LaMalfa, I don't want to hear it.

[Laughter.]

Mr. FULCHER. Spend some time in Western Federal lands, and you will get an appreciation for what the people who live and work there and attempt to make a living there have to deal with on a regular basis.

Mr. Chairman, thank you, I yield back.

Mr. TIFFANY. The gentleman yields. I now recognize the gentleman from Utah, Mr. Curtis.

Mr. CURTIS. Thank you, Mr. Chairman, and I will just add my voice to my colleague from Idaho. I think it is very difficult to understand what this is like unless you are actually from one of these states.

I have counties that are upwards of 90 percent, 92 percent federally owned, and this is a big deal. So, thank you for making that point, and I share that with you.

Mr. Young, thank you for coming and representing the great state of Utah. Thank you for the work that you do on behalf of ranchers and farmers in the state of Utah. Today, you symbolically represent thousands and thousands of people from our state who deal with these issues, and I appreciate you being here. I would like to discuss two bills.

The Ranching Without Red Tape Act is designed to reduce regulatory burdens on ranchers and farmers by streamlining Federal management processes, making it easier for them to lease, graze, and manage on these public lands. I believe, and I think those who have this in their states would agree with me, that our ranchers are our best stewards of these lands. You have lived with these lands for generations. The productivity of these lands depends on your management, and I know that you are all highly motivated to take care of these lands and make sure they are there for generations, and you often know much better than we do here in Washington how to manage those. And when you need to make range improvements or repairs and bureaucracy gets in the way, that is a problem, and that is what this bill is about.

I want to thank my colleague, Representative Vasquez, for partnering with me on this important effort. This legislation will provide ranchers greater predictability and flexibility, and that is important.

I would also like to discuss the Operational Flexibility Grazing Management Program Act. It aims to enhance the efficiency and sustainability of grazing on public lands by improving the management of grazing permits, ensuring ranchers have more predictability, that would be nice in your life, I suspect, and longer-term access to these Federal lands. This bill streamlines the application and renewal process for granting permits, reduces administrative delays, and fosters better communication between ranchers and Federal agencies, all the while promoting more effective land stewardship.

Mr. Young, in just the couple of minutes that we have left, I am wondering if you could maybe share with this group some examples

of the delays you have experienced when you are trying to do range improvements and can't get the permits needed to do that.

Mr. YOUNG. First of all, I want to say that, for the most part, our local partners in the agencies, whether they are with the U.S. Forest Service or the BLM, they are great to work with. We have very few problems on the ground with those local folks. But we all understand what the rules are.

And we have a current situation in Box Elder County, Utah. We have wanted to extend some fences, mostly checkerboard ground. We have the fences on our private land, and a short little piece that would just connect it and control the grazing. We are talking about, we have built maybe 10 miles of fence and we need another half a mile, and then it would be connected. Several of these on one allotment, not just one little quarter mile, but maybe several. And we have paid for the cultural resources to be done, asked to see what would need to be done at the BLM, on their side, if there needs to be any NEPA work done, or an EIS, or anything like that.

And we just got word this week that we are clear to go. But it has been multiple years. It has not been months, it has been multiple years. And what we are asking to do is relatively small. And there is fencing all over the landscape. It is not like it is a new, new thing we are trying to create. And it just takes a very long time to do it.

Real quick, another situation. You have a pipeline that has been in for a long time, needs some work on it. This happened to be on Forest Service land, and it is a significant project to go and repair it, and it actually needed to be replaced, and eventually we got it done. But it shouldn't be as difficult as it is to fix something that is already there.

Mr. CURTIS. Yes.

Mr. YOUNG. And it too is multiple years. It is not a quick answer.

Mr. CURTIS. Yes. Your life is complicated enough, right? You shouldn't have to deal with that.

And I would also double down on your comments about our local people with the BLM and these other agencies, and it points out how important it is for these people to live in the community because they understand some of the things you have just described, where somebody 2,000 miles away has a hard time getting a grasp on that.

Once again, thanks for what you do, and for being here today. I yield my time.

Mr. TIFFANY. The gentleman yields. Thank you for your contributions to the Subcommittee, Mr. Curtis, we greatly appreciate it. And we know one thing in the U.S. Senate. Their sock selection is going to get much better.

Mr. CURTIS. It is terrible. We are going to work on that. We are going to stamp out boring socks in the Senate.

[Laughter.]

Mr. TIFFANY. I now recognize Mr. Bentz for 5 minutes.

Mr. BENTZ. Thank you, Mr. Chair.

Mr. Eiguren, I want to thank you for all the work you have done personally. And then, of course, the members of the stewardship coalition that formed up after the huge community scare, if you will, when it appeared that 2.5 million acres of Malheur County

were going to be suddenly designated as a monument with no concept whatsoever of what that would mean to the 200 permittees that run cattle out there. You avoided that, we avoided that. And thank you for the work you have done since to try to bring everybody together, and thank you for traveling all the way from Oregon out here this afternoon. We really, really appreciate it.

You mentioned something about a final resolution. And I think part of the problem or challenge that we are all facing in that part of the world is this kind of a designation of the lands that you are dealing with every day. And this, of course, is the Record of Decision that was slapped down on top of you while you were trying to negotiate this arrangement. And that ROD created another about a million-and-a-half acres of restrictions on the land in Malheur County, in addition to the million acres that has been contemplated as perhaps a wilderness.

So, your idea was let's have certainty so somehow we can plan ahead for the operations. You have been there for, what, 150 years? And am I correct? Were you struggling to try to achieve some degree of finality when it comes to what you are doing on the land and in the space you have grown up?

Mr. EIGUREN. Certainly, Congressman, that was our initial intention. And then, yes, in the midst of our negotiations the ROD came out. That changed the designation on the landscape, and that has built further consideration into where we are with the bill that you have proposed.

Mr. BENTZ. Yes, and the Wyden bill did not address the ROD that came out. Actually, it was after the Wyden bill was voted on and moved out of the committee last December. The ROD wasn't final until March of this year. So, in all fairness to Senator Wyden, who has been working with you diligently, we can't really expect him to foresee what did happen. But now, in our bill, we are trying to address this and get to some sense of finality. I am going to leave it there because I have short time, and I am going to turn my attention to Mr. Houston.

Mr. Houston, you say in the last part of your testimony, in conclusion, ONDA supports legislation that honors the work of local communities, and everybody getting together and singing Kumbaya, yet you don't support a ban on the monument, do you? You would not support us, including in our bill, a ban on an overlay of a monument. Or would you?

Mr. HOUSTON. Thank you, Congressman, I appreciate the question.

When we sat down at the table, what we were——

Mr. BENTZ. I don't have an hour and a half. I have, like, 2 minutes. A yes or a no will do, please.

Mr. HOUSTON. We haven't discussed a monument at the table as we have sat down together and talked about these issues——

Mr. BENTZ. OK, so you don't know. You might support a ban on a monument.

Mr. HOUSTON. My organization would not support a ban on——

Mr. BENTZ. OK, that is what I wanted to hear.

[Slide.]

Mr. BENTZ. You also say on Page 3, and it is very irksome, you say on your fourth bullet point that my bill would eliminate

current and future conservation management on more than 3.5 million acres of public lands not designated as wilderness, everything on this map up here that isn't salmon colored. That is not true, though, is it? That is not true at all. Why did you say it?

Mr. HOUSTON. Well, Congressman, what I understand is there are about 4.5 million acres of Federal public land in Malheur County. Your bill would designate approximately 926,000 acres of wilderness, and then ensure that the remaining portion of that, so roughly 3.5 million acres, 3.6 million acres—

Mr. BENTZ. Would be released to multiple use. So, you oppose multiple use, apparently. But releasing it to multiple use or redesignating it as such, that doesn't do away with all of those Federal laws I rattled off at the beginning of my testimony, does it?

Are you saying that somehow my bill wipes them out, does away with the Endangered Species Act? Is that what you are saying? Because it doesn't. So, why did you say it in your testimony?

Mr. HOUSTON. Thank you, Congressman. What I expressed in my testimony is that by reversing the Resource Management Plan and overriding the decisions that the BLM made, in part with the local resource advisory committee, that—

Mr. BENTZ. Would it surprise you if I shared with you that it was the plan of the OBSC to redesignate all the land that was not wilderness back to multiple use? Because that was the deal. And I am going to ask Mr. Eiguren that question in about a second. So, think carefully about your answer. Would it surprise you?

Mr. HOUSTON. That would not surprise me. We have had those kinds of conversations. And that is a big part of what has been so enjoyable about sitting down together and talking about these issues.

Mr. BENTZ. Then why would you object to my bill, which does exactly that?

Mr. HOUSTON. Pardon me, sir. I didn't hear your question.

Mr. BENTZ. Why are you objecting to my bill, which returns those lands that are not suggested as wilderness to multiple use?

Mr. HOUSTON. Yes, thank you Congressman. Our objection is to over-riding FLPMA and over-riding the authorities of the Bureau of Land Management to make the decisions that they made through a 20-year planning process, supported by resource—

Mr. BENTZ. Even though you agree on where we are going, which is to get back to multiple use.

I appreciate you being here, by the way.

Mr. HOUSTON. Sure, thank you.

Mr. BENTZ. And I appreciate your efforts even though I don't appreciate your testimony as written.

I yield back.

Mr. TIFFANY. The gentleman yields, and the Subcommittee now stands in recess, subject to the call of the Chair.

I think we will be back in about an hour. Yes, it will be about an hour. We will be back and we will have a few more questions for all of you if you can come back and join us. Unfortunately, we have to head for the Floor to vote. Thank you.

[Recess.]

Mr. TIFFANY. The Committee will come to order.

I now recognize the gentleman from Minnesota, Mr. Stauber, for 5 minutes of questioning. And thank you to our witnesses for bearing with us while we voted here. We know you made a long trip here, and we figured what is one more hour, right?

Mr. Stauber.

Mr. STAUBER. Thank you very much, Mr. Chair. I want to begin by thanking my colleague from Utah, Representative Maloy, for introducing H.R. 9165, the Public Land Search and Rescue Act.

Just like her home state of Utah, northern Minnesota is home to vast public lands, including the Superior National Forest, the Chippewa National Forest, and Voyageurs National Park. Northern Minnesota is home to vast public lands, including the forests that I just mentioned. Unfortunately, several times a year our local law enforcement units have to respond to search and rescue calls and other medical emergencies on these Federal lands, and our local residents and taxpayers cover the enormous cost.

Every year, some of these searches involve the tragic loss of life, unfortunately. Just this past May, two Minnesotans tragically lost their lives while canoeing in the Boundary Waters within the Superior National Forest. The brave men and women of the St. Louis County Search and Rescue Squad and other volunteer fire services in the area spent weeks on the search and recovery for these individuals. Ultimately, the cost of this search and rescue mission totaled around \$150,000.

According to the St. Louis County Rescue Squad, it burned through a huge chunk of their annual budget, which is only \$450,000 a year. That is \$450,000 annually to cover all costs for all calls throughout the entire county, whether they be on Federal lands or not. The St. Louis County Rescue Squad exhausted one-third of their annual budget on one single call, and it is ultimately St. Louis County taxpayers that had to cover these costs, and local taxpayers when their volunteer ambulance service or rescue squad goes out, as well.

Representative Maloy's legislation is an important step in ensuring communities like St. Louis County, which are ultimately responsible for search and rescue efforts on our Federal lands, are properly compensated and are insured that they will have the funds to continue their normal operations outside of these missions.

Sheriff Glover, I first want to thank you for your service and the work you do to keep the people of Kane County safe and all those who travel to Kane County. I, along with you, have worn the uniform, one of just a few in Congress.

Of the search and rescue missions your agency takes part in on Federal lands, what percentage of the incidents involved Kane County residents and taxpayers?

Mr. GLOVER. We have done some research on this lately, and I would say I can estimate it at estimated less than 5 percent.

Mr. STAUBER. OK. Do many of these incidents involve Utah residents, or rather individuals from out of state?

Mr. GLOVER. Both, and also foreign travelers on a fairly regular basis.

Mr. STAUBER. So, your taxpayers are paying for people inside and outside the county that need help, including the foreign visitors that are visiting the national parks. Would that be correct?

Mr. GLOVER. That is correct.

Mr. STAUBER. While all visitors to our Federal lands should be able to enjoy our vast public lands safely, and should be able to access emergency care in the unfortunate case that it is needed, I have concerns that the residents and taxpayers of these gateway communities are forced to cover the costs of these search and rescue missions.

What kind of impact does this have on local communities, and what kind of impact does it have on funding for other local essential services?

Mr. GLOVER. Yes, in a county like mine, where we have a lot of visitation from tourists, we like to take care of the tourists. We like for them to come to our area, we like to care for them while they are there.

Mr. STAUBER. Absolutely.

Mr. GLOVER. But the cost does get to be too much for local residents. As we tip into property taxes, for example, or sales tax funds that would normally fund other programs, it gets to be a burden that we just can't handle.

Mr. STAUBER. I think you said it well, you want it safe for every visitor, regardless, right? But I think what we are getting at, and Representative Maloy understands it, is we have to be able to help supplement or offset the cost to the local residents, because the only thing you can do, or one of the only things you can do is raise property taxes to cover those search and rescue missions.

I think it is an obligation under this piece of legislation that allows some financial assistance to recoup for the time those rescue squads and volunteer fire services in the remote areas are out there answering that call for duty and helping their citizens.

Mr. Chair, I am very happy about this piece of legislation. And just so you know, I also authored an amendment to the House Fiscal Year 2025 interior appropriations bill that does something very, very similar to this, to be able to make sure that we can get the coverage for those counties and those taxpayers that are paying for that.

But again, we want it safe for all. And I appreciate your service. Law enforcement is a noble and honorable profession. And thank you very much.

And Mr. Chair, I yield back.

Mr. TIFFANY. The gentleman yields. I now recognize the gentleman from Arizona for 5 minutes, Mr. Gosar.

Dr. GOSAR. Yes. Mr. Eiguren, I happen to be Basque, too. My mom's maiden name is Erramouspe, so I find it very interesting. There is something about the Basque blood, isn't there, something about that?

On grazing, I have a question for you. Have you ever thought about how the Taylor Grazing Act would affect grazing in your area?

Mr. EIGUREN. Yes, sir. But could you elaborate on that, I guess?

Dr. GOSAR. Yes, because the Taylor Grazing Act actually limits the size of monuments because the Taylor Grazing Act basically says that you must graze, and that grazing must be improved. You must elaborate on, if you have minerals, you have to utilize those minerals. If you have energy, you have to elaborate on those energy

aspects. And if the grazing acts are there, they have to be improved. And then, once again, timber sales have to be monitored so that you have a constant influx of dollars.

Now, why I say that is I think Mr. Houston, I think is his name, he brought up the FLPMA. Now, FLPMA, they took the Taylor Grazing Act in whole, and put it right inside FLPMA.

I know the agencies really detest this, but Congress really has the only authority over public lands. Anything over 5,000 acres, anything of duration over 2 years has to come from Congress. So, I think you are going to see a lot of stuff start to change a little bit because our area has to be put to work. These were meant to be done. And for the leasing of grazing, you had to improve it. And if you ever take the map of the Taylor Grazing Act applications, there is a lot of red out there. It is not being used. OK? So, I just want to allude that to you.

Supervisor Wilson, I have to say thank you very much for being here, flying all that way over. Can you tell us a little bit how, this is our second part of our land exchange, right? How did the first part go?

Mr. WILSON. Mr. Gosar, thank you for that question.

The original conveyance of 5,889 acres occurred in May 2020. We have been working with the developer since then and prior to that. But the big hold-up has been the Ten West Link transmission line. There was no point in building photovoltaic arrays until access to the market was there. The Ten West Link went operational in June 2024, about 5 months ago. The 500 kV switchyard is well under construction, anticipated to go into operation in January.

Right now, we have two battery energy storage projects of the four that are under construction. Two of the four photovoltaic distinct projects on the property are well into permitting, they will be moving into construction just after the first of the year. A substation to feed into the Cielo Azul Switchyard is in permitting also, and things are moving pretty fast.

On all of those projects there are contracts signed with the off-takers that have deadlines.

Dr. GOSAR. There is a new step in Parker, isn't there, in La Paz County, based upon this? There is a new step that people are excited about, aren't they?

Mr. WILSON. Yes. There are a number of other solar projects throughout the county that we feel that the area that we initiated with the conveyance is probably the most ideal location, and we are hoping to expand that through the H.R. 8517.

Dr. GOSAR. Now, I have other bills and I have a HERD Act. I have represented La Paz for quite some time. And one of our ideas has been to convey back to the people land that cannot be utilized. This is nothing new. Harry Reid did it out of Nevada. How do you think this would work for smaller acreages, giving them back the economic power like La Paz got by giving this acreage back? You had to buy it, but getting it back to you.

Mr. WILSON. I know there are areas in the Town of Quartzsite, areas in our upriver, north of the town of Parker, and areas like the Bouse corridor that are marked for designation. People are reluctant to initiate purchase of those or lease of those because of the

time constraints that it takes to get that through the process and be able to occupy the property.

Dr. GOSAR. Got you. I just have to cover one thing.

Mr. Young, being with the cattle growers, I am from Wyoming originally, and now in Arizona. Have you looked at the Taylor Grazing Act?

Mr. YOUNG. I am a little bit familiar with it. I know that it is the basis of FLPMA and the way we graze now.

Dr. GOSAR. OK, well, that would be my suggestion. Look at it very carefully.

I yield back.

Mr. TIFFANY. The gentleman yields.

I would encourage you also, besides the Taylor Grazing Act, I would be sure that you are studying the language in regards to coordination. Like your elected officials, Sheriff. And I think some of you were county board members.

But I would really look at the concept of coordination which is contained in Federal statute, including FLPMA, that requires the Federal Government to come and treat you as an equal at the table. It does not give you pre-eminence, but it requires you to be treated as an equal, and it also requires the Federal Government and its agencies to be consistent with your land use plans. If you have a strong land use plan, you can oftentimes protect yourself.

Now, you may need to put demands on the Federal Government, because oftentimes the agencies don't want to do that because it requires real work in order to accomplish it. But it is in Federal law, and there are very few local municipalities that understand the power of coordination and how it could be used.

I can tell you my home county, northern Wisconsin, is invoking that right now as they rewrite their land use plan after it expired. I think it was a 20-year expiration and renewal. And they are putting the coordination language in there, and there are people that are very knowledgeable about it.

So, besides that, what Representative Gosar is talking about, those people that created those original documents like FLPMA, NEPA, and others, they knew that the Federal Government could be overbearing, and they gave you some ability to be able to protect yourselves locally, and I would just encourage you to take a good look at that.

Dr. GOSAR. Mr. Chairman, there is also Chevron that has revolutionized the whole deal of rulemaking. And that is going to play a part in the future here too, as well. So, thank you.

Mr. TIFFANY. Yes, I would encourage you to be aggressive at the local level in making sure that the Federal agencies are working with you here as we go forward over the next 4 years.

Dr. Donaldson, the African American Civil Rights Network, which was established in law in 2017, correct, and we are looking at renewing it now and extending it, do you believe it has been successful, that legislation that was passed in, I believe it was 2017, isn't that correct, Dr. Donaldson?

Dr. DONALDSON. It has certainly been successful, from our perspective. We have been connected with it as a member since 2022.

Mr. TIFFANY. And give me the one item that comes to mind, that you think has been its greatest success.



Dr. DONALDSON. I think it is the growing education across the country. I am a professor of history, a Ph.D. in history, and it is amazing to me, the daily discoveries that emerge as we make these connections and collaborations with organizations and entities across the country, especially in rural areas where there have been some extraordinary civil rights events that have happened but never made the headlines. And I think this network is helping to amplify the work in these local areas and bringing due attention to those areas, as well.

Mr. TIFFANY. Sarah Mae Flemming.

Dr. DONALDSON. Most notably, yes.

Mr. TIFFANY. Yes, yes, for sure.

Mr. Houston, I think you said you had, what, 25,000 members in your organization?

Mr. HOUSTON. Yes, sir.

Mr. TIFFANY. How many of them live in Malheur County?

Mr. HOUSTON. I don't have that specific statistic. I would guess probably a couple hundred.

Mr. TIFFANY. Yes. So, that is one of the things that those of us that live in these sparsely populated areas in comparison to the big cities, we get really concerned. And it goes back to the coordination thing that we just talked about. We really want to make sure that those of us that live in these communities, that we are not being overrun by those that perceive us as not being good stewards of the land, that there needs to be more land taken out of productivity, that there is an ethos of preservation rather than management. That is a great concern of ours.

And since I made that statement, if you want to share some comments, you are welcome to.

Mr. HOUSTON. Thank you, Mr. Chair.

I think what you are speaking to really speaks to the importance of the local collaboration. And Elias and I spoke about each other in the testimony today, and I think what it really comes down to is we sat down to have conversations about exactly the things you are mentioning. How do we figure out how to balance conservation, long-term stewardship with the livelihood of the local ranching community? And how do we figure out a way to make that work over the long term?

And I think, for me personally, that is really the value of those local conversations. We come out of those conversations, we come down, we sit here before the testimony. We talk about how our daughters like to play piano. It builds human connection that helps us cross some of those barriers and ultimately break down some of those conflicts and figure out how to talk about moving forward together.

So, that is what we have learned, and that is ultimately, I think, what led to the proposal that Senator Wyden put together that I talk about hitting the sweet spot, because we did the work together to figure out exactly how to balance those things.

Mr. TIFFANY. Well, I can tell you that, as the Chairman of Federal Lands and really having spent so much more time in the West, coming from northern Wisconsin, and we largely have private property in our state, but seeing what has happened to the West, it really is of great concern. When we see the number of

sawmills that have closed across the West, I mean, the statistics when I was out in Yosemite a year ago, and you hear about the number of sawmills that have closed, the number of ranching operations that have closed, and you see what I would call the devastation that has gone on as a result of this preservationist mentality and big cities dictating to these rural communities, it really is of great concern, and we hate to see that. And we would like to see the expansion of our rural communities, and that is not what is happening at this point.

Ms. Brennan, I think you said something in regards to, or it was in some of our materials here today, that we could actually be using grazing rather than chemicals to be able to control the areas that are prone to wildfire.

Ms. BRENNAN. Absolutely, these animals can consume these grasses and actually remove the grasses instead of just, in my view, rearranging them.

And it is important to actually move this stuff off of the landscape. And it is not just grasses, but they are good with some of the small woody shrubs, especially post-fire.

Mr. TIFFANY. And is chemical treatment common?

Ms. BRENNAN. It is often litigated. When we see projects, some of our private forest timber companies are a little bit more effective at being able to utilize chemical applications. The agency, unfortunately, has some real challenges. It is really associated around litigation.

Mr. TIFFANY. So, it sounds like there is an organic alternative. Use cattle.

[Laughter.]

Ms. BRENNAN. Use cattle, absolutely.

Mr. TIFFANY. Yes, yes for sure.

Also in your testimony here you had something in regards to the Rim Fire took out 45 California spotted owl nesting sites.

Ms. BRENNAN. Yes.

Mr. TIFFANY. A fifth of the known gray owl nesting sites were burned out. Is that accurate?

Ms. BRENNAN. Yes, it is. It is very well documented.

Mr. TIFFANY. That is incredible, the devastation that it is doing to wildlife by allowing these massive fires. Is that accurate?

Ms. BRENNAN. Yes.

Mr. TIFFANY. And it says 90 million metric tons will be emitted through ongoing decay process. Could you describe that a little bit more?

I mean, you have the immediate emissions that happen that are so harmful to air quality, but it continues in the years that are following?

Ms. BRENNAN. Yes. It is really from two sources. In the Rim Fire, roughly 15 percent of the public lands had a treatment, so some form of harvest of the dead timber. The rest of it has fallen, and it has jack-strawed, and it is going through a decaying process. And those elements are being released into the atmosphere.

Mr. TIFFANY. You didn't have this in your testimony, but is it also accurate that sometimes these fires are so hot that it sterilizes the soil and it actually doesn't grow back? Is that accurate?

Ms. BRENNAN. Yes. You are correct, because I think that is the biggest problem that we have is the percentage of high severity burns which are completely altering the landscape. We are losing mixed conifer forests at a rapid rate, and they are turning to brush fields.

Mr. TIFFANY. Once again, not living in the West, not being as familiar as you folks that live there, the lack of management on our Federal lands in the West is an absolute travesty. I can't believe that this continues, and I can't believe that an administration would want to make more monument designations and lock up more lands to not manage it anymore.

It is very clear, what has happened over especially the last decade, I would say over the last couple decades, is that this lack of management is harming America in so many different ways. It is harming endangered species, it is harming the environment, and it is harming the economy of the Western United States. It is incredible that we allow this to continue to happen in this day and age, especially with the technology that we have to be able to stop fire. And the harm being done to families is just awful.

The war on rural America is real, and it is awful, and it is time that it changes.

I yield, and I would like to recognize Mr. Moylan for 5 minutes.

Mr. MOYLAN. Thank you, Mr. Chairman.

Sheriff Glover, thank you for your testimony there. And in your testimony, you mentioned something important to me. Your visitation rates are increasing in Utah. That is wonderful to hear. And given the popular tourism increase there, it is financially sustainable for the Federal land counties you represent to continue providing lifesaving service, search and rescue services. Or actually, is it financially stable for you to continue without this measure going forward?

And you came up with a few examples, but I would just like you to have some opportunity and some time just to explain some more examples of the impact or the financial burden that you are seeing without this measure moving forward, please.

Mr. GLOVER. Yes, thank you for the question, Congressman.

I would say this. Search and rescue missions range from a single deputy going out to pull someone out of the mud on a rainy day to complex rescue events that involve very serious and expensive equipment like helicopters, snowcats, boats, underwater robots, sonar, those kinds of things. It is the latter that becomes cost prohibitive to the average sheriff.

And like I said in my testimony, search and rescue used to be a Jeep posse and a few men on horses that would go out and find a lost hunter. Now it is a lot different. Now it is people that find their way into every crack and crevice in the Earth, and we are having to find experts in the field of rappelling and canyoneering and high angle rescue to be able to get to those people and get them out of those difficult situations.

So, the complexity of our calls has just really ballooned out of control, and the costs have gone with that.

Mr. MOYLAN. I appreciate it. And the measure you are in support of would answer that problem for you?

Mr. GLOVER. Yes, this bill would help the problem. It is really a combination of efforts, I would say. I mean, we are not going to get away from states and counties' taxpayer dollars funding search and rescue, and we shouldn't. It is the sheriff's responsibility to do that in most counties. But we need another partner. We need to be able to keep up with the changes in search and rescue. We need another partner. And on Federal lands, we would like for the Federal Government to be a partner, and I think this bill would help with that through grant funding.

Mr. MOYLAN. Sheriff, thank you for your great work.

Mr. Clark, in your testimony, you mentioned support from the Department of Defense for the establishment of a national preserve that includes land near the adjacent Robins Air Force Base. How have you collaborated with the Air Force base and your region, and how specifically would they benefit from this, please?

Mr. CLARK. Thank you for that question, Congressman.

The Robins Air Force Base is one of the largest economic engines not just in Middle Georgia, but in Georgia. There is no viability of Middle Georgia's economy without a robust, mission-ready base in Middle Georgia.

Over the past couple of years, we have advocated for the coordination between the Department of the Interior and the Department of Defense on conservation boundaries. The Department of Defense, they have stated that they have an interest in the encroachment zone, that they have developed a REPI boundary around the base. We advocated successfully that that REPI boundary overlap with the study area of the special resource study.

We then looked at the special resource study recommendations, and developed the boundary of this map to comport. We lowered it in scope almost in half, but intentionally kept that conservation boundary inside that REPI boundary so that we could make sure that we were supporting the conservation of that buffer zone to meet those needs of Robins Air Force Base.

But that resulted in the Department of Defense's sustainability plan recommending the creation of this national park and preserve. But they are one of our strongest partners in this project.

Mr. MOYLAN. It is good to hear, I appreciate it.

Thank you, everyone, for your testimony.

Mr. Chairman, I yield back. Thank you.

Mr. TIFFANY. The gentleman yields. I would like to thank all of you who made the long trek here to Washington, DC. Thank you so much for taking the time out of your week to be able to come here and share your testimony. It is appreciated more than you know. And I want to thank the Members for their questions.

Members of the Subcommittee may have some additional questions for you, and we will ask that you respond to those in writing. Under Committee Rule 3, members of the Subcommittee must submit questions to the Subcommittee Clerk by 5 p.m. on Friday, November 22, 2024.

The hearing record will be held open for 10 business days for those responses.

If there is no further business, without objection, the Subcommittee on Federal Lands stands adjourned.

[Whereupon, at 5:21 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

**Statement for the Record**  
**Bureau of Land Management**  
**U.S. Department of the Interior**  
**on H.R. 6441, H.R. 8517, H.R. 9062, and H.R. 10082**

**Introduction**

Thank you for the opportunity to provide a Statement for the Record on the bills on the hearing agenda related to Bureau of Land Management (BLM). The BLM manages approximately 245 million surface acres, located primarily in 12 western states, and approximately 700 million acres of subsurface mineral estate. The Federal Land Policy and Management Act (FLPMA) sets forth the BLM's multiple-use mission, directing that public lands generally be managed for a broad range of uses, such as renewable and conventional energy development, livestock grazing, timber production, hunting and fishing, recreation, wilderness, and conservation—including protecting cultural and historic resources. FLPMA also requires the BLM to manage public land resources on a sustained-yield basis for the benefit of current and future generations.

This multiple-use, sustained yield mission enables the BLM to make tremendous contributions to economic growth, job creation, and domestic energy production, while generating revenues for Federal and state treasuries and local economies and allowing for a thoughtful, science-based approach to management of our public lands and waters. Lands managed by the BLM also provide vital habitat for more than 3,000 species of wildlife and support fisheries of exceptional regional and national value. In addition, as recognized by the Biden-Harris Administration's America the Beautiful initiative, many uses of our lands and waters, including working lands, are consistent with the conservation of the nation's natural resources, contributing to the long-term health and sustainability of natural systems.

We appreciate the Sponsors' work on the bills under consideration today. A review of each of the bills follows.

**H.R. 6441, Ranching Without Red Tape**

H.R. 6441 would require the Department of the Interior (Department) to streamline the procedures for authorizing minor range improvements carried out by grazing permittees and the BLM. Minor range improvements are defined by the bill as improvements to existing fences and fence lines, wells, water pipelines, and stock tanks.

Under H.R. 6441, the Department (and the U.S. Department of Agriculture) would be directed to issue regulations that would allow for minor range improvements on permitted lands if the grazing permit holder requests the minor range improvements with 30 days prior notice and either receives agency approval or no response. Additionally, the bill requires the BLM to respond to requests by permittees for range improvements to be carried out by the BLM within 30 days. If the BLM agrees to carry out the requested range improvement, the agency is directed to provide notification to the state office serving the area and to expedite carrying out the range improvement using any available administrative tool, including categorical exclusions.

**Analysis**

The Department supports the goals of the bill to identify opportunities for increasing efficiency in public land grazing administration. We would like to work with the Sponsor and the Subcommittee to further these shared goals and ensure that any new regulations define minor range improvements in a manner that avoids unintended impacts to wildlife or adjacent resources. Structural improvements can often involve substantial disturbance to soils and vegetation, and all improvements may not be appropriately considered "minor." For example, improving water pipelines can involve burying pipe, which can require clearing trees and brush and create obstacles for wildlife. Accordingly, impacts from proposed range improvements to soils, vegetation, wildlife, and cultural resources are analyzed in compliance with the National Environmental Policy Act (NEPA) and other applicable laws, and can vary widely depending on the project design and the project location. Lastly, the Department recommends providing more than 30 days for the BLM to respond to requests for either the permittee or the BLM to carry out range

improvements. Additional time may be required to conduct reviews and surveys to comply with NEPA and other applicable laws and allow for the timeframes established for participation in grazing decision processes currently provided by the BLM's grazing regulations.

#### **H.R. 8517, La Paz County Solar Energy and Job Creation Act**

H.R. 8517 directs the Secretary of the Interior (Secretary) to convey approximately 3,400 acres of BLM-managed public lands to La Paz County, Arizona, as soon as practicable after receiving a request from the county to convey the land. Under the bill, the conveyance would be subject to valid existing rights and such terms and conditions as the Secretary determines to be necessary, and the sub-surface would be withdrawn from mineral entry. Any Federal lands with significant cultural, environmental, wildlife, or recreational resources would be excluded from the conveyance. La Paz County would be required to pay fair market value for the land based on an appraisal conducted using uniform appraisal standards, as well as all costs related to the conveyance, including all surveys, appraisals, and other administrative costs.

H.R. 8517 also specifies that as a condition of conveyance, La Paz County and any subsequent owner of the conveyed land are required to make good faith efforts to avoid disturbing Tribal artifacts. If Tribal artifacts are disturbed, La Paz County would be required to minimize impacts to the artifacts and allow Tribal representatives to rebury artifacts at or near where they were discovered. La Paz County is also required to coordinate with the Colorado River Indian Tribes Tribal Historic Preservation Office to identify artifacts of cultural and historic significance. Other than these conditions, the bill does not impose any further use, development, or disposal restrictions for the surface acres conveyed to the county.

Recognizing the urgency of the climate crisis, the Biden Administration has set a goal to achieve a carbon pollution-free power sector by 2035, and the Energy Act of 2020 has set a goal of permitting 25 gigawatts of renewable energy projects on public lands by 2025. The BLM is engaging our Tribal partners, industry, stakeholders, and the states to increase opportunities for renewable energy development on public lands. The BLM supports the Sponsors' stated goals of promoting solar energy development but has some concerns with the approach of the bill as discussed below.

#### ***Analysis***

La Paz County, located in western Arizona, is home to approximately 17,000 people. The county provides significant recreational opportunities due to its close proximity to the Colorado River; three National Wildlife Refuges; and has a number of cultural and historic sites, including old mines and ghost towns.

The John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116-9, Dingell Act) included provisions directing the conveyance to La Paz County of approximately 5,900 acres of BLM-managed public lands for economic development and renewable energy generation. The BLM announced the successful conveyance of this land to La Paz County on May 22, 2020. The approximately 3,400 acres of BLM-managed public land to be conveyed under H.R. 8517 are adjacent to the lands conveyed to La Paz County under the Dingell Act.

Currently, the lands proposed for conveyance under H.R. 8517 are primarily utilized for livestock grazing and include range improvements to facilitate grazing. The BLM is in the midst of processing a photovoltaic solar energy application on 3,495 acres within the proposed area to be conveyed, with a proposed capacity of 600 megawatts. The BLM released a final Environmental Impact Statement (EIS) for this project on November 15, 2024, and anticipates issuance of a final decision in the coming weeks. The lands have not been identified as potentially suitable for disposal in the Yuma Resource Management Plan, which the BLM completed in 2010.

The BLM recognizes the importance of efficiently deploying renewable energy projects on both public and private lands to meet the urgent demands of the climate crisis while empowering American workers and businesses to lead a clean energy revolution. We also recognize the Sponsor's effort in the bill to protect cultural and tribal resources, and the BLM is aware of public support for using these lands for solar energy development.

As noted above, the BLM is currently reviewing a solar energy project within the proposed conveyance area through a process that will ensure full protection for sensitive resources, including cultural resources, and gives full consideration to the cumulative impacts of the multiple solar projects in the area. If this legislation is enacted and some or all of the lands are conveyed, the BLM will not be able to approve the pending photovoltaic solar energy application.

Given the BLM's pending review of this project, we question whether the proposed land conveyance is necessary to advance responsible renewable energy development while protecting environmental and cultural resources and the interests of American taxpayers. Furthermore, as currently written, the bill does not guarantee that once the lands are conveyed, those lands would be used for renewable energy development. Should Congress decide to pursue the conveyance, the BLM would like to work with the Sponsor on modifications that would solidify the intended use of these lands for renewable energy development and ensure appropriate environmental reviews.

We appreciate the sponsors' inclusion of the Uniform Appraisal Standards for Federal Land Acquisition and Uniform Standards of Professional Appraisal Practice provisions and would welcome the opportunity to work with the bill Sponsor to ensure the responsibilities of each party to the conveyance are clear. The BLM notes that there are several actions that may be required before the BLM can convey public lands, such as environmental assessments and cultural, biological, and cadastral surveys. The BLM is also aware of possible range improvements in the proposed area that may need to be compensated for, in compliance with grazing laws and regulations, in addition to the assessment and survey work required for conveyance.

#### **H.R. 9062, Operational Flexibility Grazing Management Program Act**

H.R. 9062 aims to provide grazing permittees and leaseholders with increased operational flexibility based on emerging landscape conditions as a way to improve the long-term ecological health of Federal land. The Department supports the bill's goal to provide the BLM with flexibility to restore the ecological health of public lands used for grazing and welcomes the opportunity to work with the Sponsor to ensure the use of operational flexibility does not result in unintended consequences.

#### ***Analysis***

H.R. 9062 provides that the Secretary may carry out an Operational Flexibility Grazing Management Program. Under this program, at the request of an authorized grazing permittee or lessee when renewing a grazing permit or lease, the Secretary would be required to "develop and authorize at least [one] alternative to provide operational flexibility" to permittees and leaseholders to address changing conditions on the ground. Such alternatives would be developed in consultation with the authorized grazing permittee or lessee; affected Federal and state agencies; applicable Indian Tribes; and other landowners, permittees, or lessees in the affected allotment.

As currently written, the draft appears to require the BLM to not just consider but select and authorize an alternative that includes operational flexibility. Such a requirement may prevent the BLM from selecting the most appropriate management alternative to promote ecological health. The Department recommends that the bill require the BLM to develop and analyze at least one alternative that includes operational flexibility, but not require that the agency necessarily authorize that alternative. That approach provides the agency with flexibility to manage public lands to support ecological health.

The bill also directs the Secretary, if requested by the permittee or lessee, to use new and existing data to provide interim operational flexibility that may include an allowance to deviate from the 21 terms and conditions of the existing permit—for up to the remaining term of the permit—to address significant changes in weather or forage production or effects due to fire, drought, market conditions, or other temporary conditions. Management flexibility may include adjusting the season of use; the beginning or ending date, or both, of the period of use; the stocking level; water placement and transportation; and other operational actions. Under the bill, the season of use could be adjusted by up to 14 days before the beginning date specified in the permit or up to 14 days after the ending date of the permit, unless an allotment management plan or its equivalent would allow for an even greater adjustment.

As currently drafted, implementing interim operational flexibility outside the terms and conditions of the existing permit, for the duration of the permit, may not comply with the requirements of other state or Federal laws, including NEPA, and may cause unintended impacts to resources. The Department recommends that the bill specify that these adjustments cannot exceed the active use authorized by the permit or cause new surface disturbance.

Under the bill, permittees would also be required to provide the BLM with advance notice of two business days before utilizing the flexibility. The Department recommends defining the market conditions and other temporary reasons that would prompt the use of interim operational flexibility. The Department would also

like to work with the Sponsor to identify a more appropriate period for advanced notice before exercising flexibility to facilitate implementation.

Additionally, the Secretary would be required to develop cooperative rangeland monitoring plans, in coordination with grazing permittees and lessees, that comply with applicable monitoring requirements under FLPMA, applicable Federal grazing regulations, and rangeland health objectives to monitor and evaluate outcomes from the use of operational flexibilities under the program. Eight years after the date of enactment, the Secretary would be required to conduct a review of the use of operational flexibilities under the program, including a review of ecological and other relevant outcomes.

The Department recognizes that providing permittees with flexibility to adjust their grazing use will provide more timely and responsive adjustments to changing conditions in order to achieve identified resource and operational objectives. We recommend that allowances to depart from permit or lease terms and conditions for purposes of operational flexibility also include objectives that identify when adjustments are appropriate and provide for a monitoring plan that tracks how progress is measured toward achieving those objectives. Cooperative rangeland monitoring is a key component of implementing strategically sound grazing flexibility as part of the BLM's existing outcome based grazing program.

The Department appreciates the bill's inclusion of the requirement for cooperative rangeland monitoring plans and would like to work with the Sponsor to develop more stringent monitoring requirements to ensure that the use of operational flexibilities results in benefits to the health of public lands and does not result in unintended harm to wildlife and other resources. The success of the BLM's current outcome based grazing program is due, in part, to the program's cooperative monitoring plans, which include monitoring methods and protocols; a schedule for collecting data; identifying the responsible party for data collection and storage; an evaluation schedule; and a description of the anticipated use of the data (e.g., adjusting season-of-use, assessing habitat, and determining trends). The Department recommends that the monitoring plans contemplated by this bill also include these components and provisions for making any adjustments.

Finally, the bill prohibits the Secretary from terminating or failing to renew an applicable grazing permit or lease for violation if the use of an operational flexibility under the program violates the applicable permit or lease. It is unclear whether this prohibition could create tension with the BLM's obligations to enforce other applicable environmental protection and cultural resources laws, such as the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), and others. The Department would like to work with the Sponsor on this provision to ensure that the appropriate use of the operational flexibility complies with other applicable laws and does not result in the termination or failure to renew a grazing permit or lease.

#### **H.R. 10082, Oregon Owyhee Wilderness and Community Protection Act**

H.R. 10082 would designate approximately 926,000 acres of wilderness, modified to allow for certain uses generally prohibited by the Wilderness Act, while providing for increased grazing flexibility intended to meet rangeland health standards on public lands in Malheur County, Oregon. It would also release approximately 600,000 acres of existing wilderness study areas and direct that any lands in Malheur County not designated as wilderness no longer be inventoried for wilderness characteristics under section 201(a) of FLPMA or managed for "wilderness purposes." Further, the bill would transfer nearly 32,000 acres of BLM-managed, State-owned land, and create a Tribal Co-Stewardship Area overlapping the BLM's existing Castle Rock Wilderness Study Area, to be released by the bill, including approximately 2,500 acres of land to be held in trust.

Malheur County is located in the southeast corner of Oregon. It is the second largest county in the State, spanning 9,874 square miles or 6.3 million acres, and has a population of approximately 31,000 according to the United States Census Bureau. For many years, cattle ranching and agriculture have been the major economic enterprises in the county. Over 70 percent of the county is in public ownership, including 4.4 million acres of public lands managed by the BLM.

The BLM is committed to ensuring the long-term sustainability of healthy and productive lands, consistent with its multiple-use mandate under FLPMA. We believe partnerships and local public involvement are vital to managing sustainable, working public lands. This means respecting the ties that communities have to public lands, allowing state and local economies to prosper, and welcoming and valuing diverse views into our planning processes. As part of our commitment to healthy and productive landscapes, the BLM has recently amended the Resource Management Plan (RMP) for public lands within southeastern Oregon, including public lands managed by the BLM in Malheur County covered by H.R. 10082.



The BLM supports the designation of wilderness to conserve public lands and waters for future generations and efforts to improve the ecological health of working lands and to restore Tribal homelands to Tribal ownership, where appropriate. However, the BLM cannot support H.R. 10082 as written because it would erode the purpose of the Wilderness Act to preserve and protect natural ecosystems and provide opportunities for solitude and primitive recreation; invite inconsistent management of the National Wilderness Preservation System; and restrict the BLM's ability to manage public lands under FLPMA.

### **Analysis**

#### *Malheur County Grazing Management Program (Sec. 3)*

Section 3 of the bill authorizes the Secretary to carry out the "Malheur County Grazing Management Program" to provide grazing permittees and leaseholders with increased operational flexibility intended to improve rangeland health. Under the bill, when renewing a grazing permit or lease under the program, the Secretary would develop and analyze at least one alternative to provide operational flexibility to permittees and leaseholders to address changing conditions on the ground. The proposed operational flexibilities would be developed pursuant to NEPA.

The Secretary would be required to develop cooperative rangeland monitoring plans to assess natural resource conditions and evaluate the impact of permitted livestock use on rangeland health and livestock management objectives in the applicable land use plan. The BLM recommends the inclusion of language requiring all monitoring plans to identify the responsible party for data collection and storage.

Additionally, H.R. 10082 directs the Secretary to enact additional interim flexibilities, such as allowing a variance to the terms and conditions of the existing applicable grazing permits, adjusting the season of use by no more than 14 days, and modifying dates of pasture rotation by no more than 14 days. These adjustments would not extend the overall season of use but would allow the days permitted to be changed based on weather, forage production, or the effects of fire or drought. The BLM would like to work with the Sponsor on language providing the BLM with additional advance notice of the use of these flexibilities and to ensure the use of flexibilities does not exceed the amount of active use specified in the permit or lease.

Further, the bill allows the permittees to change the placement of water structures for livestock or wildlife, subject to water rights laws, but not within 100 yards of any existing roads. The BLM supports interim flexibilities to adjust season of use and pasture rotation, noting that the seasons of use will not be extended but altered in response to changing conditions on the ground. The BLM also welcomes the opportunity to work with the Sponsor on additional legislative text to ensure the proposed movement of water structures does not impact sensitive natural resources and complies with the requirements of other State and Federal laws, including section 106 of the NHPA, the Archeological Resources Protection Act, the ESA, and water rights concerns.

Our nation's rangelands provide and support a variety of goods, services, and values important to all Americans. In addition to being a key source of forage for livestock, healthy rangelands conserve soil, sequester carbon, store, and filter water, serve as a home for an abundance of wildlife, provide scenic beauty, and are the setting for many forms of outdoor recreation. We appreciate the Sponsor's effort to provide the BLM with the grazing flexibility outlined in H.R. 10082 for grazing to meet rangeland health standards and conserve resource values in the face of climate change and extreme drought. Further, the BLM appreciates the opportunity to continue working with the Sponsor to strengthen Tribal consultation and opportunities for Tribal participation in land management decisions and ensure the health of the public lands while still allowing them to be used for grazing, recreation, and other uses.

#### *Malheur C.E.O. Group (Sec. 4)*

Section 4 of H.R. 10082 establishes the Malheur C.E.O. Group that includes representatives appointed by the Secretary, based on recommendations from the BLM's Vale District Manager and the County commissioners, including county grazing permittees and lessees, businesses, conservation organizations, the Burns Paiute Tribe, and the Fort McDermott Tribe. Under the bill, the Malheur C.E.O. Group shall propose eligible projects to be carried out by the Malheur C.E.O. Group or a third party. Projects carried out on Federal land or using Federal funds must be approved by the head of the applicable Federal agency within 14 days. Lastly, the bill directs any Federal agency with authority and responsibility in the county to provide technical assistance to the Malheur C.E.O. Group on request of the Malheur C.E.O. Group.

The BLM notes that timeframes for approval of range improvement projects under BLM's regulations include time for protests and appeals that exceed the 14 days currently allotted. The BLM recommends extending the 14-day timeframe to ensure sufficient time to make a decision based on applicable law and science.

The BLM also notes that the Southeast Oregon Resource Advisory Committee (RAC) currently provides advice and recommendations on all aspects of public land management to the BLM's Burns and Vale District Offices, including lands in Malheur County. The bill assigns the Malheur C.E.O. Group a role that is dedicated to developing and funding restoration and management projects that could complement the efforts of the Southeast Oregon RAC, and as such, the BLM supports the creation of the Malheur C.E.O. Group, but welcomes the opportunity to work with the Sponsor to ensure that the Group's role is consistent with existing law and complements, rather than duplicates, the roles of other groups such as the Southeast Oregon RAC.

*Wilderness & Land Designations (Sec. 5)*

H.R. 10082 establishes more than 926,000 acres of wilderness (modified to allow for enumerated motorized and mechanical uses) and releases approximately 601,300 acres of wilderness study areas from non-impairment management under section 603 of FLPMA. The bill also directs that any lands not designated as wilderness, including approximately 1,065,600 acres of lands with wilderness characteristics, no longer be inventoried for the presence of wilderness characteristics under section 201(a) of FLPMA or managed to maintain, preserve, or protect those wilderness characteristics as part of the land use planning process under section 202 of FLPMA. The BLM recognizes that the wide-ranging lands of Malheur County encompass scenic canyons, volcanic rock formations, and rolling hills that serve as habitat for a diversity of plant and animal life and provide important opportunities for hiking, camping, horseback riding, and other forms of outdoor recreation.

As written, H.R. 10082 allows for the continuation of motorized use on certain routes in designated wilderness areas by the Burns Paiute Tribe for cultural purposes; the BLM for administrative purposes; grazing permittees, their agents, and invitees for road maintenance, weed control, fire suppression, and grazing-related activities; private landowners and their agents and invitees for access; and lastly County and State employees to access State land and county roads. Additionally, the bill allows for the use of mechanical equipment for wildfire suppression, invasive species control, and activities necessary for management of livestock.

The BLM notes that the Wilderness Act provides for valid existing rights in section 4(c), access to state and private inholdings in section 5(a), equipment use in the control of noxious weeds under conditions specified in section 4(c), and the use of motor vehicles and equipment by grazing permittees in section 4(d)(4)(2) and as further outlined in the Congressional Grazing Guidelines (Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress, H. Rept. 101-405 dated February 21, 1990). Given these provisions of the Wilderness Act accommodating access and administration of wilderness, the allowance of motorized and mechanized tools and transportation set forth in section 5 of H.R. 10082 is both overly broad and unnecessary. Further, the BLM has a well-established process to evaluate whether administrative action may be necessary in wilderness and guidance for determining the minimum technique, timing, or amount of a prohibited use necessary to address the wilderness stewardship issue. The bill's blanket allowance for motorized and mechanized tools and uses in section 5(b) is inconsistent with the intent of the Wilderness Act, and the BLM opposes these provisions.

Wilderness is a key component of conservation. The Biden-Harris Administration recognizes that wilderness is a fundamentally important part of the American landscape, not only for cultural, economic, and scientific values, but also for the beauty, majesty, and solitude it provides. The BLM would support the designation of the proposed wilderness areas in a manner consistent with the Wilderness Act.

Additionally, the BLM cannot support the bill's direction in section 5(c) that public lands in Malheur County that are not designated as wilderness will no longer be inventoried for the presence of wilderness characteristics or managed for the maintenance, preservation, or protection of those characteristics as part of the land use planning process. As noted above, this includes approximately 601,300 acres of existing wilderness study areas that would be released by the bill as well as approximately 1,065,600 acres of lands with wilderness characteristics and other public lands. Section 5(c) of H.R. 10082 provides that these lands be managed for principal and major uses as defined in section 103 of FLPMA and specifies that the lands be managed for values unrelated to wilderness. Section 201(a) of FLPMA requires the BLM to maintain an inventory of all public lands and their resources and

other values, which includes wilderness characteristics. The inventory of all public lands directed under section 201(a) of FLPMA is a critical underpinning of the land use planning process. It is the local planning process through which the BLM makes important decisions on management of these lands, including, among other things, mineral development, grazing, off-highway vehicle use, hunting, and the conservation of natural values. The BLM cannot support eliminating wilderness as a resource from the inventory of public lands that informs the land use planning process, particularly when over 1.6 million acres at issue are known to possess wilderness character. The BLM also notes that it is not aware of any precedent for legislation that directs the agency to avoid inventorying public lands for certain resources, and the Bureau believes that such direction would contravene FLPMA's mandate to manage the public lands based on science and reliable information.

Section 5(d) of H.R. 10082 requires the BLM to initiate a process to amend the Southeast Oregon RMP and include a Wilderness Plan and a Travel Management Plan. Further, this section directs the BLM to not restrict the use of motorized vehicles on certain roads for specific categories of users. The BLM's Comprehensive Travel and Transportation Management program aims to provide reasonable and varied transportation routes for access to the public lands and also provide areas for a wide variety of both motorized and non-motorized recreational activities. By improving trail and off highway vehicle management through land use planning, the BLM minimizes impacts to wildlife habitat; reduces the introduction and spread of invasive weeds; lessens conflicts among various motorized and non-motorized recreation users; and prevents damage to cultural resources resulting from the expansion of roads and trails on public lands. Legislating specific roads to remain open to certain uses indefinitely would prevent the BLM from adequately addressing changing conditions on the ground.

*Land Conveyance to the Burns Paiute Tribe (Sec. 6)*

Under section 6, approximately 21,000 acres of BLM-managed public lands, 6,686 acres of certain private land, and 4,137 acres of State land would be held in trust for the benefit of the Burns Paiute Tribe to protect and conserve cultural and natural values, and to be part of the reservation of the Burns Paiute Tribe. Additionally, the bill creates a Tribal Co-Stewardship Area overlapping the Castle Rock WSA.

The Department recognizes, through Secretarial Order 3403, *Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters*, which was signed jointly with the U.S. Department of Agriculture, that it is the policy of the United States to restore Tribal homelands to Tribal ownership and to promote Tribal stewardship and Tribal self-government. The Department supports consolidation of Tribal landholdings within reservations, including Tribal acquisition of Federal lands and private inholdings. The BLM has conducted an initial review of existing land uses on the lands affected by the provision and supports the proposed conveyance of lands to be held in trust for the Burns Paiute Tribe. The BLM would like to work with the Subcommittee and bill Sponsor on technical modifications to the land transfer provisions, and language addressing grazing, and standard conveyance language.

**Conclusion**

Thank you again for the opportunity to provide this Statement for the Record.

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**Statement for the Record**  
**National Park Service**  
**U.S. Department of the Interior**  
**on H.R. 8182, H.R. 9165, H.R. 9528, and H.R. 10084**

**H.R. 8182, To Establish the Ocmulgee Mounds National Park and Preserve in the State of Georgia, and for other purposes**

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 8182, a bill to establish the Ocmulgee Mounds National Park and Preserve in the State of Georgia, and for other purposes.

The Department supports the intent of H.R. 8182 to bring additional recognition, protection, and interpretation to the resources associated with the Ocmulgee Mounds and the Ocmulgee River Corridor but would like to work with the sponsor and the Committee on amendments that would improve the bill's implementation.

H.R. 8182 would redesignate Ocmulgee Mounds National Historical Park as Ocmulgee Mounds National Park and authorize the establishment of Ocmulgee Mounds National Preserve, subject to the acquisition of sufficient land to constitute a manageable park unit. The two components would collectively be designated as a single NPS unit called "Ocmulgee Mounds National Park and Preserve." Included in the boundary of the preserve would be the Bond Swamp National Wildlife Refuge, which would continue to be administered by the U.S. Fish and Wildlife Service (FWS). The bill would direct the Secretary of the Interior to enter into an agreement with the Muscogee (Creek) Nation to provide for the co-management of the park and preserve after receiving recommendations for that purpose from an Advisory Council that would be authorized to be established by the bill. The bill contains several other provisions.

The area proposed to be included in Ocmulgee Mounds National Park and Preserve would encompass traditional homelands of the Muscogee and other Indigenous peoples, numerous nationally significant archeological sites, diverse wildlife and vegetation communities, and provide expansive recreation and visitor opportunities. Ocmulgee Mounds National Historical Park, situated approximately three miles east of downtown Macon, Georgia, commemorates over 12,000 years of human habitation, spanning from the Paleo-Indian era through the Archaic, Woodland, and Lamar periods, to the historical presence of the Muscogee Creek people. The park's prominent features include Lamar and Mississippian period earth mounds, a colonial trading post, and Civil War earthworks. Bond Swamp National Wildlife Refuge (refuge), located ten miles southwest of Ocmulgee Mounds National Historical Park, conserves the ecosystem of the Ocmulgee River floodplain, featuring mixed hardwood and pine ridges, bottomland hardwood forests, swamp forests, and oxbow lakes. A large part of the area proposed for inclusion in the Ocmulgee Mounds National Preserve is currently under the administrative jurisdiction of the FWS or within the Bond Swamp National Wildlife Refuge's approved acquisition boundary.

Public Law 116-9, enacted in 2019, redesignated Ocmulgee National Monument as Ocmulgee Mounds National Historical Park. The designation of "national historical park" fits with the National Park Service's standard nomenclature for a park that primarily features historic resources. However, the Department understands the intent to expand the park's boundaries to conserve the area's diverse natural and cultural resources and rename the park as Ocmulgee Mounds National Park and Preserve.

Public Law 116-9 also authorized a special resource study of the Ocmulgee River corridor, which extends from Macon to Hawkinsville. The study, which the NPS transmitted to Congress in November 2023, found that the corridor met the special resource study criteria for national significance and suitability for inclusion in the National Park System. The study identified challenges associated with the potential acquisition of private property in the large area evaluated in the study, in part due to existing and expanding development, agricultural and mining activities, and timber harvesting.

The Department supports the intent of H.R. 8182, and we would like to work with the bill's sponsor and the Committee to ensure that the lands identified for inclusion in the proposed Ocmulgee Mounds National Park and Preserve are feasible for Federal acquisition and align with the distinct laws, regulations, and policies that govern the FWS and NPS. We also want to ensure that the prohibition on hunting for the Ocmulgee Mounds National Park section of the new unit is explicitly codified

in the legislation. Finally, we want to ensure that in addition to the Muskogee (Creek) Nation, all federally recognized Tribes who have a cultural affiliation with the Ocmulgee Mounds region have the opportunity to pursue co-management or co-stewardship agreements with the NPS. We would be pleased to provide amendments for these purposes.

Chairman Tiffany, Ranking Member Neguse, this concludes our statement.

#### **H.R. 9165, The Public Land Search And Rescue Act**

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 9165, the Public Land Search and Rescue Act.

The Department supports the goal of alleviating the financial burden experienced by state and local entities assisting in search and rescue operations on Federal land. We would like to work with the sponsor and the subcommittee to explore different ways, outside the establishment of the new grant program proposed by H.R. 9165, through which Federal land management agencies could better support our state and local partners who assist in these operations. The Department defers to the Department of Agriculture for their views regarding the effect of H.R. 9165 on the U.S. Forest Service.

H.R. 9165 would direct the Secretary of the Interior to establish a grant program to help pay for remote search and rescue operations on Federal land under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture. The bill would award grants to state and local entities as reimbursement for operations they have conducted on Federal land, and to purchase and maintain equipment used for remote search and rescue activities. Grants could cover up to 75 percent of the cost of these activities. Priority in applications for the grants would be given to state and local entities (or their designees) in areas that serve a high ratio of visitors to residents.

It is unclear what the source of funding would be for this grant program or how it would be administered. The Department has three primary land management bureaus—the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service—with which it would need to coordinate this program, but the Department would also need to coordinate with the U.S. Forest Service because the program would also be responsible for providing grants for activities on lands under the jurisdiction of the Secretary of the Agriculture.

The Department's team of dedicated, highly trained search and rescue personnel provide invaluable assistance to hundreds of visitors every year, and we are committed to making that process as safe and effective as possible. We greatly value the help we receive from state and local governments in serving the public in that capacity. Before acting on this bill, we would like to explore alternative ways to address the challenges faced by state and local governments in providing assistance, without creating a new multi-bureau grant program.

If the Committee moves forward with this bill, the Department recommends amending Section 2(a) of the bill to read "In General.—Not later than one year *after funding has been made available*, the Secretary shall establish a program to provide grants and allocate resources for remote search and rescue activities conducted on Federal land under the jurisdiction of the Secretary." Currently, the bill requires establishing the program within one year of enactment. This proposed amendment would ensure funding would be in place to support the program. We would also appreciate the opportunity to provide additional recommended amendments as we further analyze the potential impacts of the bill.

Chairman Tiffany, Ranking Member Neguse, this concludes our statement.

#### **H.R. 9528, To redesignate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.**

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 9528, to redesignate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.

H.R. 9528 would redesignate the Great Falls Scenic Overlook Trail Bridge and Overlook Park at Paterson Great Falls National Historical Park as the "Congressman Bill Pascrell, Jr. Scenic Overlook Trail Bridge" and "Congressman Bill Pascrell, Jr. Overlook Park" respectively.

The Great Falls of the Passaic River, with its natural chasm and 77-foot waterfall, provides an extraordinary scenic and geologic resource in the midst of an industrialized city and opportunities for relaxation, contemplation, and inspiration. Paterson Great Falls National Historical Park and the associated national historic landmark

district provide one of the best opportunities to view a complete hydropower system from its source above the Great Falls of the Passaic River to its transformation into power for the mills and the surrounding community.

Overlook Park is an approximately 2.5-acre natural and cultural landscape that serves as the primary destination for visitors to park, offering views of the Great Falls and orientation to the national historical park. The Scenic Overlook Trail Bridge is one of two year-round pedestrian footbridges that serve approximately 300,000 visitors per year and are on the primary walking route from the park visitor center across the Passaic River to the viewing platform over the Great Falls at Overlook Park.

Representative Pascrell, a former high school teacher and college professor and lifelong resident of Paterson, worked tirelessly over many years to seek formal designation of Paterson Great Falls National Historical Park to ensure its protection and interpretation for future generations of Americans. After sponsoring the legislation to establish the park, which was enacted in 2009, Representative Pascrell continued to be a champion for the park's successful operation and development.

The NPS generally discourages the naming of park features except when there is a compelling justification and at least five years have elapsed since the death of the person. However, we recognize that Congress may also specifically authorize the placement of such recognition. In this instance, the Department defers to Congress and does not object to H.R. 9528.

If the Committee moves forward with this bill, we recommend amending it to omit the title "Congressman" from the proposed name for the facilities, using only "Bill Pascrell, Jr."

Customarily, park facilities that are named in honor of a person do not include the person's title. Chairman Tiffany, this concludes our statement.

#### **H.R. 10084, a Bill to Extend the Authorization of the African American Civil Rights Network**

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 10084, a bill to extend the authorization of the African American Civil Rights Network.

The Department supports H.R. 10084 with an amendment.

H.R. 10084 would amend Section 308404 of title 54, United States Code, to extend the authorization of African American Civil Rights Network for an additional 10 years after enactment of this bill. The authority for this program is currently scheduled to expire on January 8, 2025.

Established by Public Law 115-104 in 2018, the African American Civil Rights Network (Network) is a collection of properties, facilities, and programs that offer a comprehensive overview of the people, places, and events associated with the African American civil rights movement. The Network provides an opportunity to ensure that the history of the civil rights movement and the sacrifices made by those who fought for its cause are remembered, shared, and commemorated. There are 189 members of the Network in 29 states and the District of Columbia, as well as nationwide facilities, organizations, and programs.

Inclusion in the Network is non-competitive and all properties, facilities, and programs that meet the criteria will be added to the Network. Properties will only be included with the consent of the property owner. Members may use the official African American Civil Rights Network logo and are eligible to receive technical assistance from the National Park Service (NPS). The NPS may also enter into cooperative agreements to carry out the program.

The Department recommends amending H.R. 10084 to include a provision that would expand the eligibility of NPS units and programs for inclusion in the Network. Currently, the statute specifies inclusion of NPS units and programs related to the civil rights movement during the period from 1939 through 1968. The non-NPS entities eligible for addition to the Network are not limited to this time period. Removing this time-period requirement would allow current and future NPS units and programs that have relevance to and interpret African American civil rights history before 1939 or after 1968 to be eligible for Network membership. We would be happy to provide recommended language for this amendment.

Chairman Tiffany, Ranking Member Neguse, this concludes our statement.

QUESTIONS SUBMITTED FOR THE RECORD TO THE HONORABLE DEB HAALAND,  
SECRETARY, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

**The Honorable Deb Haaland did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.**

**Questions Submitted by Representative Westerman**

*Question 1. Why did the Department not send a witness in person to testify at this hearing?*

*Question 2. Does the Department support grazing as a wildfire risk reduction strategy?*

*Question 3. Can you please provide information about DOI efforts to utilize targeted grazing as a part of your efforts to reduce hazardous fuels?*

*3a) Please identify states and DOI units where targeted grazing has been utilized.*

*Question 4. Please provide an update on the implementation of the Department's 5-year strategy to address wildfires.*

*Question 5. Has the BLM been approached with interest in a restoration or mitigation lease on any BLM land?*

*Question 6. Has the BLM discussed with any interested party a restoration or mitigation lease that would encompass current grazing allotments?*

*6a) If yes, please provide details about the relationship of grazing and restoration or mitigation leases.*

*Question 7. Has the BLM discussed with any interested party a restoration or mitigation lease that would encompass land with current solar panels or future plans for a solar panel development?*

*7a) If yes, please provide details about the relationship of the current solar projects and restoration or mitigation leases.*

*Question 8. Will the BLM commit to notifying the Committee of any restoration or mitigation lease that will be issued at least 24 hours before it is officially issued and publicly announced, whichever comes first?*

*Question 9. How many BLM acres have burned due to wildfire where there was a current grazing lease for each year for the past 10 years?*

*Question 10. How many BLM acres have burned due to wildfire where there was not a current grazing lease for each year for the past 10 years?*

*10a) How many of these acres were available or suitable for grazing as indicated in the appropriate Resource Management Plan?*

*Question 11. What is the BLM's current backlog of permits or leases related to grazing that are awaiting approval by the agency?*

*Question 12. How many grazing permits or leases did the BLM approve or reapprove in fiscal year (FY) 2024?*

*Question 13. How many grazing permits or leases does the BLM project it will review and make a decision on in FY 2025?*

*Question 14. Is the BLM currently facing any litigation on the issuance of a grazing permit or lease, the approval of a modification to a permit, or allowance of a minor range improvement (i.e. improvements to existing fences and fence lines, wells, water pipelines, and stock tanks)? If so, please provide a list of current court cases.*

*Question 15. How many requests did the BLM receive for minor range improvements, i.e. improvements to existing fences and fence lines, wells, water pipelines, and stock tanks, each year for the past five years?*

*15a) How many were approved within 30 days?*

*Question 16. Is there a categorical exclusion for minor range improvements, i.e. improvements to existing fences and fence lines, wells, water pipelines, and stock tanks? If so, please provide how many times the categorical exclusion was used in the last five years. If not, would the BLM support a categorical exclusion for this purpose?*

*Question 17. As of November 2023, the Bureau of Land Management (BLM) had 10,845 unprocessed grazing permits. Does BLM have specific plans to reduce this backlog?*

*17a) If yes, please provide a description of such plans and explain how they will improve upon existing practices.*

*17b) If no, please explain why not.*

*Question 18. In its Statement for the Record, the BLM explained that it supports H.R. 6441's goal of "increasing efficiency in public land grazing administration" but disagrees with the bill's definition of "minor range improvements."*

*18a) Does the BLM believe that any subset of "improvements to existing fences and fence lines, wells, water pipelines, and stock tanks" would qualify as minor? Please explain why or why not.*

*18b) Approximately what percentage of minor range improvements, as defined by H.R. 6441, are among those "structural improvements" that "involve substantial disturbance to soils and vegetation"?*

*18c) Please provide a definition of "minor range improvements" that the BLM would view as acceptable and that would still further H.R. 6441's goals (which BLM claims it supports).*

*Question 19. Why does the BLM believe it will take more than 30 days to respond to a request by an existing grazing permittee or lessee to conduct improvements to existing fences and fence lines, wells, water pipelines, or stock tanks?*

*Question 20. Does the BLM believe that most requests by ranchers to repair existing fences would "involve substantial disturbance to soils and vegetation"? Please explain why or why not.*

*Question 21. Does the BLM believe that ranchers are generally good stewards of the public lands out West? Why or why not?*

*Question 22. Regarding H.R. 9062, BLM has expressed a concern that increasing ranchers' operational flexibility under their leases could "result in unintended consequences." Yet in supporting the bill, Jeff Young, President of the Utah Cattlemen's Association, stated that ranchers often "have to choose whether to make the best choice for the land and water resources or whether to remain in compliance with their permit or law." According to Mr. Young, "ensuring compliance with the law always wins." Does the BLM not acknowledge, then, that its own grazing policies have the potential to create significant unintended consequences of their own?*

*Question 23. A goal of H.R. 9062 is to foster better communication between ranchers and the BLM. Does the BLM believe that its communication with ranchers could generally be improved?*

*23a) If yes, in which ways?*

*23b) If not, why not?*

*Question 24. In his testimony in support of H.R. 10082, Representative Cliff Bentz (R-OR-02) observed that large portions of the Owyhee River in Oregon are already protected by statutes such as the Wild and Scenic Rivers Act, the Taylor Grazing Act, the Endangered Species Act, the Federal Land Policy and Management Act, the Archaeological Resources Protection Act, the Clean Water Act, the Clean Air Act, and the National Environmental Policy Act. Given these multiple layers of federal protection, does the BLM believe that a national monument is necessary in the region? Why or why not?*

*Question 25. According to the Oregon Health Authority, Malheur County is the poorest county in the state. Local residents often point to extensive federal land ownership in the county as an impediment to pursuing economic opportunities. Does the BLM believe that it could be doing more to further economic development in Malheur County? Please explain either way.*

*Question 26. Does the BLM believe that the designated wildernesses and wilderness study areas in Malheur County could be modified to improve wildfire prevention activities? Please explain in detail.*

*Question 27. In the recently revised Malheur County Grazing Management Program, how did the BLM take into account input from the agriculture community in Southeastern Oregon?*



*Question 28. Is the BLM aware of any potential national monuments the White House plans to designate between now and the end of President Biden's term?*

*28a) If yes, on which potential national monuments was the BLM consulted?*

*Question 29. Has anybody in the White House or from the Council on Environmental Quality (CEQ) asked the BLM to provide substantive or technical feedback on a potential national monument designation, including by creating maps for such a designation?*

*29a) If yes, on which potential national monuments was the BLM consulted?*

*Question 30. Since January 2021, please provide a list of each national monument designation and how many acres available for grazing were either added or reduced in the designation.*

*Question 31. Since January 2021, please provide a list of each national monument designation and how many acres available for energy development were either added or reduced in the designation.*

*Question 32. Since January 2021, please provide a list of each national monument designation and how many acres available for recreational shooting were either added or reduced in the designation.*

*Question 33. In its Statement for the Record regarding H.R. 8517, the BLM stated that the agency "is currently reviewing a solar energy project within the proposed conveyance area."*

*33a) How long has this proposed project been under BLM review?*

*33b) When does the BLM anticipate making a final decision on this proposed project?*

*33c) Does the BLM believe that its review of the project is faster than La Paz County could have reviewed the same or similar projects?*

*Question 34. Approximately 95 percent of the land in La Paz County, Arizona, is under federal, state, or Tribal management, with only five percent of the land available for private ownership. BLM, alone, controls roughly 58 percent of the land in the county. Does the BLM acknowledge that large federal footprints can have adverse effects on the economic self-sufficiency of rural communities?*

*Question 35. How many Search and Rescue operations have occurred on DOI land in the last 5 years?*

*Question 36. Since 2020, how much has DOI spent on remote Search and Rescue search operations on Federal Land under its jurisdiction?*

*36a) Include the amount spent in each of the following Agencies: National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and Bureau of Reclamation.*

*36b) Include the amount spent in FY2020 through FY2024.*

*Question 37. Please list the total number of personnel employed by the Department of the Interior as of November 23, 2024, that conduct or assist with search and rescue missions on federal land under the jurisdiction of the Department of the Interior.*

*37a) Include the number of personnel in each of the following agencies: National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and the Bureau of Reclamation.*

*Question 38. What funding sources currently support the Department's Search and Rescue teams on federal land?*

*Question 39. How does the Department coordinate with local law enforcement agency when notified of a missing person on federal land?*

*Question 40. Does the Department believe that the program created by Rep. Maloy's bill will help improve public safety?*

*Question 41. How does the process of joining the African American Civil Rights Network differ between a site that is a unit or program of the NPS compared to a site that does not have any affiliation?*

*Question 42. What is the average length of time it takes an NPS affiliated site to join the African American Civil Rights Network compared to a non-NPS affiliated site?*

## Submissions for the Record by Rep. Westerman

PREPARED STATEMENT OF THE HON. BRUCE WESTERMAN, CHAIRMAN OF THE  
NATURAL RESOURCES COMMITTEE

Thank you, Chairman Tiffany. I'd like to take a moment to commend you for your leadership this Congress as the Chairman of this very important Subcommittee.

It is remarkable to think about all that we have accomplished this year to improve federal lands management, promote conservation, increase access, support innovation, and make agencies transparent and accountable to the American people.

In total, this Subcommittee has had process this Congress on more than 110 pieces of legislation from Republican and Democrat Members across the country. The Subcommittee has held more than 30 legislative and oversight hearings and supported numerous full Committee hearings. This includes two of the Committee's first ever outdoor field hearings in the Yosemite Valley and southern Utah.

True to its fashion, this Subcommittee has operated in an overwhelmingly bipartisan fashion. Today's hearing, like most of the others held this Congress, feature a ratio of Republican to Democrat bills that exceeds the standard 3-to-1 ratio.

The Subcommittee has also advanced two overwhelmingly bipartisan bills that I have had the privilege of championing, the "Fix Our Forests Act" and the "EXPLORE Act."

The "Fix Our Forests Act" is comprehensive, bipartisan forestry legislation I led with Congressman Scott Peters to improve the health of our nation's forests and bolster their resiliency to catastrophic wildfires, insects, disease, and drought. This bill gives land managers the tools they need to immediately start work on the ground by codifying emergency authorities, streamlining environmental reviews, and ending frivolous litigation.

The "EXPLORE Act," which is led by myself and full Committee Ranking Member Grijalva, supports the \$1.1 trillion outdoor recreation economy by improving access to our public lands and waters. Supported by more than 300 organizations, this bill passed the House unanimously earlier this year.

As we close out the remainder of this Congress, I look forward to working with my colleagues on both sides of the aisle and in the Senate to advance these pieces of legislation, along with many others, across the finish line. I believe we have a real opportunity to deliver enormous wins for Americans across the country by sending as many of the bills this Committee has worked on this Congress to the President's desk.

Moving to the bills on today's agenda, I am encouraged to see another full slate of legislation being considered by the Subcommittee on Federal Lands. I appreciate the bill sponsors leading these thoughtful bills before us today.

The bills before us improve public lands grazing, create economic opportunities through domestic renewable energy production, support local search and rescue activities on federal lands, establish the first National Park in Georgia, honor the Civil Rights Movement, and protect local residents in Malheur County, Oregon, through a series of public lands management provisions.

There is perhaps no greater steward of our federal lands than public lands ranchers. America's ranchers take great pride in protecting the lands they graze on. The ranching community has consistently demonstrated an unwavering commitment to leaving the land in a better condition for future generations. Ranchers are truly the embodiment of 'conservation versus preservation.'

Grazing on public lands is of course extremely important for rural economies and for providing food for the nation. Grazing is also an invaluable land management tool that provides immense conservation and ecosystem benefits.

I am pleased to see four bills before us today that offer innovative reforms and protections that will improve grazing policies and provide important flexibility for ranchers and the communities that rely on them.

I would like to highlight H.R. 7666, which is being led by Representative LaMalfa. This legislation would direct the Forest Service to expand the use of proactive, targeted grazing in fuels management programs to help combat the threat of wildfire.

As we have examined ways to combat our historically severe wildfire crisis, the importance of using all of the tools available in the toolbox has continued to be emphasized by the experts and stakeholders on the frontlines of this fight. Targeted grazing is one of those tools that has enormous potential to help mitigate catastrophic wildfire risk.

Through targeted grazing, livestock can eat grasses and shrubs that would otherwise serve as fuel for wildfire. This can create fuel breaks that can be strategically placed to help mitigate wildfire risk. I applaud Congressman LaMalfa's leadership

on this effort and was proud to also support this language as an amendment on the floor to the “Fix Our Forests Act.”

Additionally, I want to commend Congressman Clyburn for his leadership on H.R. 10084, the “Renewing the African American Civil Rights Network Act.” Signed into law in 2018, the African American Civil Rights Network recognizes the importance of the African American Civil Rights movement and the sacrifices made by the people who fought against discrimination. The Network includes more than 80 sites across the country that tell the story of communities and civic leaders who were vital in the struggle for justice and equality.

My home state of Arkansas is home to one of those sites. The Little Rock Central High School was among the first institutions to integrate following the *Brown v. Board of Education* ruling from the Supreme Court, which held that segregation of America’s public schools was unconstitutional. In 1957, the Little Rock Nine bravely stepped into the battle for civil rights as they became the first African Americans to desegregate Little Rock Central High school.

I’d also like to recognize Congressman Scott for his leadership on legislation that would create Georgia’s first national park, Congressman Curtis for his continued support of Utah’s ranchers, Congresswoman Maloy for her legislation supporting local law enforcement, Chairman Bentz for his leadership on resolving contentious land designation issues in his home district, and Chairman Gosar for offering legislation that will create new jobs and economic growth in Arizona.

I thank the bill sponsors for the bills being considered today. I also want to thank all the witnesses for being here to provide their expert testimony on these important topics. I look forward to hearing from each of you as we examine these proposals here before us.

In closing, the Natural Resources Committee has dedicated considerable time this Congress looking for ways to improve the management and stewardship of our federal lands. I’m pleased to report that we won’t be slowing down any time soon and look forward to working with the Trump administration in the 119th Congress on many of our nation’s most pressing natural resources issues.

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## Submissions for the Record by Rep. Tiffany

### Testimony in opposition to

#### H.R. 10082, the Oregon Owyhee Wilderness and Community Protection Act

Chair Tiffany, Ranking Member Neguse, and Members of the Subcommittee:

On behalf of our millions of members and supporters, we write to express our strong opposition to H.R. 10082, the Oregon Owyhee Wilderness and Community Protection Act. We support legislation that will improve management and conservation of public lands, waters and wildlife, promote community engagement, support local communities and economies, and elevate Tribal priorities in Oregon's Owyhee Canyonlands, but H.R. 10082 would not accomplish these goals. Rather, H.R. 10082 would undermine decades of federal law and policy governing public lands management; usurp the authority of the Bureau of Land Management; reduce the role of science, accountability and transparency in management; limit public participation in deciding the future of public lands; and burden the Burns Paiute Tribe's interest in reconnecting with the Owyhee Canyonlands with unnecessary constraints and insulting requirements.

To understand the effect of H.R. 10082, it is important to first consider its genesis in the context of the past five years. H.R. 10082 was developed by Oregon Representative Cliff Bentz as an alternative to S. 1890, the Malheur Community Empowerment for the Owyhee Act, co-sponsored by Oregon Senators Ron Wyden and Jeff Merkley and introduced in the Senate in June 2023. Although both H.R. 10082 and S. 1890 address the same landscape, their approach to public lands conservation, management, community involvement, Tribal rights, and respect for existing federal laws could not be more different and diverge in very significant and problematic ways.

S. 1890 began to take shape in 2019 when Senator Wyden convened a broad diversity of stakeholders in Ontario, Oregon, to explore the potential for a community-supported proposal for the long-term protection and management of Oregon's Owyhee Canyonlands. The stakeholders included a diverse array of ranchers, businesses, conservation groups, Tribes, hunters, anglers, academics, recreational interests, and others. Since 2019, the group has evolved to include additional community stakeholders and has met dozens of times to discuss, negotiate, develop and refine Senator Wyden's proposal.

In spite of the diverse and sometimes conflicting views, the group coalesced around a common commitment to protecting and managing the "long-term ecological health" of the 4.5 million acres of public lands in Malheur County. This commitment became a guiding principle for the group as they considered options to protect, manage, and sustain multiple uses in the Owyhee Canyonlands, ensuring that each provision was compatible with restoring and maintaining the long-term ecological health of the landscape as an outcome that would accrue benefits to all involved.

Of critical importance, in developing his proposal, Senator Wyden also established some key sideboards and made several important commitments of his own, including respecting Tribal rights and sovereignty, relying on science to govern public land management, and ensuring that his proposal would not undermine existing bedrock laws on public lands management and conservation.

Following dozens of meetings, thousands of hours of work and discussion by stakeholders, allies and partners over many years, S. 1890 was voted out of the Senate Committee on Energy and Natural Resources with bipartisan support in December 2023. S. 1890 includes the key components as agreed upon by community members, ranchers, the Burns Paiute Tribe and conservation interests:

- Designation of 1.1 million acres of wilderness in the Owyhee Canyonlands and surrounding areas, building upon 520,000 acres of adjacent wilderness designated in Idaho's Owyhee Canyonlands in 2009;
- Transfer of 730,000 acres of public and tribal land into federal trust for the Burns Paiute Tribe and promotion of Tribal co-stewardship on surrounding federal lands;
- Establishment of a flexible, science-based grazing management and monitoring program designed to improve the ecological health of 4.5 million acres of public lands in Malheur County; and
- Creation and funding of a consensus-based, multi-stakeholder organization—the "Malheur CEO Group"—to develop and fund restoration and management projects throughout the region.

Although H.R. 10082 is nominally based on S. 1890, H.R. 10082 would result in significantly different, harmful outcomes and negative precedents for public lands management. Key examples include:

- Section 2 would eliminate the definition of “long-term ecological health,” a core tenet the community supported to ensure sustainable management of public lands in Malheur County.
- Section 3 would eliminate the requirements for data collection, monitoring and adaptive management for livestock grazing, undermining the ability for ranchers, the Bureau of Land Management and the public to assess and manage the impacts, positive or negative, of adjustments to permitted livestock use. H.R. 10082 would also remove the requirement for Secretarial review, evaluation and, if necessary, adjustment of the grazing management program after 10 years, essentially making the program permanent before having any information about its efficacy.
- Section 4 would eliminate the consensus-based community group in favor of a much smaller committee weighted in favor of industry while excluding other key constituencies.
- Section 5 would undermine the recommendations of the Southeast Oregon Resource Advisory Committee, public process and federal law and policy by overriding the recently-adopted Southeastern Oregon Resource Management Plan Amendment, eliminating current and future conservation management on more than 3.5 million acres of public lands not designated as Wilderness. This would include the release of nearly 375,000 acres of existing Wilderness Study Areas and require that none of the 1.2 million acres of existing Lands with Wilderness Characteristics (LWCs) be managed to protect their wilderness values.
- Undermines wilderness and the Wilderness Act by establishing unnecessary roads and promoting motor vehicle access in protected areas, resulting in the designation of something other than actual wilderness.
- Section 6 would burden the Burns Paiute Tribe with financial obligations, requiring the Tribe to pay ranchers for adjusting grazing use to conserve their sacred lands, including paying for fencing to protect sacred sites from livestock. It further requires Tribal management to “protect the interests of those who hold livestock grazing permits,” thus tying the Tribe’s hands in how they manage their sacred lands.

We strongly oppose H.R. 10082, urge the Committee to vote “NO” on this bill should it move forward, and encourage Congress to focus on advancing Senator Wyden’s thoroughly vetted, community-supported proposal for protecting the Owyhee Canyonlands that has already advanced to the Senate floor with bipartisan support.

Sincerely,

American Bird Conservancy	Kettle Range Conservation Group
Center for Biological Diversity	Klamath Forest Alliance
Central/Eastern Oregon Bitterbrush Chapter, Great Old Broads for Wilderness	Love is King
Conservation Lands Foundation	Oregon League of Conservation Voters
Endangered Species Coalition	Oregon Natural Desert Association

Environment Oregon	Project Eleven Hundred
Environmental Protection Information Center—EPIC	Sierra Club
Friends of the Owyhee	Southern Utah Wilderness Alliance
Great Old Broads for Wilderness	The Wilderness Society
GreenLatinos	Vet Voice Foundation
Intentional Hiking	WildEarth Guardians

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United States House of Representatives  
Committee on Natural Resources  
Subcommittee on Federal Lands

Re: November 19, 2024 Legislative Hearing

Chair Tiffany, Ranking Member Neguse, and Members of the Subcommittee:

Our organizations represent hundreds of thousands of hunters and anglers nationwide and in Oregon who share in a collective belief that healthy public lands are essential to sustaining our hunting and angling traditions. On behalf of these hunters and anglers, we write to express our opposition to H.R. 10082, the Oregon Owyhee Wilderness and Community Protection Act.

We believe the Owyhee Canyonlands is a landscape that should be safeguarded for future generations of American sportsmen and women. The Owyhee is an integral part of the sagebrush steppe landscape that supports more than 350 species of fish and wildlife, including California bighorn sheep, pronghorn, elk, mule deer, sage grouse, brown trout, and native interior redband trout. Our organizations support the multiple uses of public land in this region and recognize good stewardship means sustainable ranching, fish and wildlife habitat management, public access and meaningful resource conservation.

In 2019, Senators Ron Wyden and Jeff Merkley first introduced the Malheur Community Empowerment for the Owyhee Act—a bill that would designate 1.1 million acres of the Owyhee as wilderness, establish a flexible, science-based grazing and monitoring program, create and fund a “Malheur CEO Group” made up of multiple stakeholders, and transfer 30,000 acres of public and tribal land into federal trust for the Burns Paiute Tribe. Part of this five-year legislative process included the founding of a “legislative table team” made up of tribes, local ranchers, environmental organizations, and hook and bullet groups. These stakeholders, along with Senator Wyden, reached consensus and then developed a refined version of the Owyhee Act. In June of 2023, Senator Wyden reintroduced the legislation as Senate Bill 1890.

S. 1890 provides a balanced management approach that protects and preserves exceptional fish and wildlife habitat as well as the high quality of life and economic benefits the area provides to local communities, Tribes, and ranchers. It would also honor the rights of Tribal Nations, recognize the area’s rich fishing and hunting heritage, and allow multiple-use activities, like livestock grazing, to continue.

While we appreciate that Congressman Bentz is involved in this endeavor, our organizations are concerned that H.R. 10082 would compromise key components of S. 1890 that were agreed to by local community members, hunters and anglers, ranchers, the Burns Paiute Tribe and conservation groups. H.R. 10082 would undermine the protection of fish and wildlife habitat and set poor precedents for management of our public lands. Some examples of this include:

- Elimination of the definition of “long-term ecological health”, a principle agreed upon by stakeholders to ensure sustainable and responsible management of federal public lands in Malheur County. (Section 2)
- Removal of the livestock grazing monitoring program that would allow ranchers, the Bureau of Land Management, and members of the public to make adaptive management decisions to livestock grazing in Malheur County. H.R. 10082 ultimately makes the flexible grazing program permanent by eliminating the requirement for Secretarial review, evaluation, and possible adjustment of the program after 10 years. (Section 3)
- Changes the makeup of the “Malheur CEO Group” from broad representation of community members, businesses, ranchers, Tribes, environmental groups, and hunters and anglers to a smaller group weighed in favor of industry. (Section 4)
- Overrides the community-driven Southeastern Oregon Resource Management Plan Amendment adopted in 2024 by preventing conservation management on over 3.5 million acres of public lands and eliminating protections on 1.6 million acres of the most ecologically important public lands. (Section 5)
- Undermines the Wilderness Act by promoting the use of heavy equipment in Wilderness areas. (Section 5)
- Unilaterally creates the precedent for permanent release of wilderness study areas and prevents wilderness review of all federal lands in Malheur County and requires said lands to be managed for non-wilderness values. (Section 5)

We thank you for the opportunity to share our concerns about H.R. 10082 and respectfully ask the Committee to vote "NO" on this bill should it advance. We encourage Congress to pass Senator Wyden's locally driven legislation, S. 1890. As one of the premier destinations for sportsmen and women in Oregon, the Owyhee Canyonlands demand permanent protection of our hunting, angling, and outdoor recreation heritage. We remain committed to working with Congress to ensure that the Owyhee Canyonlands and the region's fish and wildlife habitat are protected this year.

Sincerely,

Backcountry Hunters & Anglers

Northwest Sportfishing Industry  
Association

National Wildlife Federation

Trout Unlimited

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**NATIONAL PARKS CONSERVATION ASSOCIATION**  
**Washington, DC**

November 19, 2024

House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, DC 20515

Re: NPCA Position on Legislation before the Committee on Natural Resources

Dear Representative:

Since 1919, National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our 1.6 million members and supporters nationwide, we write to share our thoughts on select legislation ahead of a hearing in the Committee on Natural Resources Subcommittee on Federal Lands scheduled for November 19, 2024.

H.R. 8182—Ocmulgee Mounds National Park and Preserve Establishment Act: NPCA **conditionally supports** this legislation to establish the Ocmulgee Mounds National Park and Preserve in the State of Georgia. NPCA strongly believes that the current Ocmulgee Mounds National Historical Park is worthy of expansion and elevation to National Park status. However, we would like to work with the bill's sponsors and the Committee on several specific issues in the legislation as written.

Congressional approval of this designation would allow for co-management of a National Park System unit by a historically removed Tribe. At the same time, we acknowledge the lack of inclusion of other Tribes with a connection to this site. Given the significance of this proposed management structure, NPCA urges amendment of this bill to strengthen the Advisory Council (Section 5) by the addition of at least two members to include: 1) the President of the College of the Muscogee Nation—to advise on the training and development of tribal members to fulfill the hiring preference provision of the legislation (Section 4d)—and 2) the Assistant to the Director of the National Park Service, Native American Affairs Liaison—to incorporate high-level agency expertise on emerging co-management practices. NPCA would further urge that one of the Advisory Council seats dedicated to the U.S. Fish and Wildlife Service should similarly reflect high-level agency expertise on emerging co-management practices within the National Wildlife Refuge System.

While the Advisory Council is tasked with producing recommendations to the Secretary of the Interior on the creation of a co-management plan, we believe the bill should have a separate provision for the development of a co-management agreement between applicable tribes and the Park Service. Further, the bill should ensure opportunities for the public and interested organizations to comment on a draft management plan and a co-management agreement before they are finalized. Additionally, we are concerned about the provision in the bill requiring the Park Service to implement cultural resource interpretation at Bond Swamp National Wildlife Refuge as this approach may not comport with the Park Service's duties and mission. We are also concerned about the various provisions on military activities including allowing "tactical ground parties" and how this may conflict with visitor experience in the park unit. Lastly, NPCA recognizes and supports the desire of Twiggs, Houston, and Bibb Counties to fully participate in the establishment of the new unit.

Thank you for considering our views.

Sincerely,

CHRISTINA HAZARD,  
*Legislative Director*

**Public Lands Council • National Cattlemen's Beef Association •  
American Sheep Industry Association**

November 18, 2024

Hon. Tom Tiffany, Chairman  
Hon. Joe Neguse, Ranking Member  
Committee on Natural Resources  
Subcommittee on Federal Lands  
1324 Longworth House Office Building  
Washington, DC 20515

Chairman Tiffany and Ranking Member Neguse:

We write to express our strong support for H.R. 6441, the "Ranching Without Red Tape Act of 2023" and urge the Committee's swift consideration of the bill. Introduced by Representatives Gabe Vasquez (D-NM) and John Curtis (R-UT), this bill represents a commonsense improvement to administration of grazing permits that allows cattle and sheep producers to be responsive to on-the-ground conditions without unnecessary bureaucratic delays. This bill, together with its Senate companion (S. 3322) introduced by Senator John Barrasso (R-WY), is both good governance and responsible land management policy.

The Public Lands Council (PLC) is the national association dedicated to representing the unique rights and interests of cattle and sheep producers who hold approximately 22,000 federal grazing permits on public lands across the West. Together with our state and national affiliates, including the National Cattlemen's Beef Association (NCBA) and the American Sheep Industry Association (ASI), we engage in a wide variety of policy discussions that seek to ensure grazing activities are not only maintained on public lands, but used to support and create positive land management outcomes. NCBA is the nation's oldest and largest trade association representing American cattle producers, representing nearly 150,000 cattle producer-members through both direct membership and 44 state affiliate associations is dedicated to supporting the needs and rights of ranchers across the country. ASI represents more than 100,000 sheep ranchers across the United States who produce lamb and wool.

Across the country, livestock producers are engaged in careful stewardship of natural resources, not only because their businesses depend upon it, but also because today's work is a continuation of a generations of responsible, proactive conservation. In the West, this ethos extends to ranchers' management of public grazing lands, encompassing millions of acres that thrive under the watchful eye of experienced ranchers.

The current regulatory framework imposes significant requirements on grazing permittees, and these management requirements are often hampered by inefficient agency processes. As partners to federal land management agencies like the Bureau of Land Management (BLM) and U.S. Forest Service (USFS), grazing permittees need to be able to take immediate action to address challenges as they arise, rather than waiting for an often lengthy approval process. This is especially true when it comes to making necessary range improvements. These improvements, such as fixing fences, maintaining wells, and upgrading water pipelines, are incorporated as permittees' responsibilities as part of their grazing permit. All too often, however, approval of that basic work is delayed by agency process.

H.R. 6441 addresses this issue by allowing permit holders to make minor range improvements without the need for renegotiation of their underlying permit, provided they notify the appropriate USFS or BLM official. If the appropriate official does not respond within 30 days, the permittee can move forward with the necessary work. Additionally, the bill requires the Secretary of Agriculture and the Secretary of the Interior to respond to larger improvement requests within a similarly expedited timeframe, utilizing all available administrative tools to facilitate the necessary work.

By setting expectations for timely response to permittees, this bill supports permittees' role as stewards of these Western landscapes and ensures the agencies don't stand in the way of important range management. We urge the Committee to move swiftly to consider and pass H.R. 6441.

Thank you for your attention to this critical matter. We appreciate your support for America's grazing permittees and their generational investments in our nation's public lands.

Sincerely,

Public Lands Council

National Cattlemen's Beef  
Association

American Sheep Industry  
Association

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**Public Lands Council • National Cattlemen's Beef Association •  
American Sheep Industry Association**

November 18, 2024

Hon. Tom Tiffany, Chairman  
Hon. Joe Neguse, Ranking Member  
Committee on Natural Resources  
Subcommittee on Federal Lands  
1324 Longworth House Office Building  
Washington, DC 20515

Chairman Tiffany and Ranking Member Neguse:

We write to express our full support for Representative LaMalfa's bill, H.R. 7666, that would emphasize the use of livestock grazing to reduce the significant risk of catastrophic wildfire. As we reach the end of another significant fire year, now is the time to provide meaningful direction to federal agencies to utilize all tools and partnerships to mitigate the damage that wildfire imposes on the landscape.

The Public Lands Council (PLC) represents cattle and sheep producers across the West who hold approximately 22,000 grazing permits on federal lands. Together with our 14 state affiliates and three national affiliates, PLC is dedicated to the historically-proven application of grazing as a land management and wildfire mitigation tool. The National Cattlemen's Beef Association (NCBA) represents nearly 26,000 direct members and 44 state cattle associations, totaling about 178,000 collective members across the country. Together, we urge the Committee's support of the bill and swift action to address the ever-looming threat of next year's fire season.

Over the last several years, the United States has experienced several of the most severe wildfire seasons on record. Year after year, the West sees fires burn hotter, longer, and more intensely as a result of repeated misuse of available tools and poor prioritization of strategic assets. While the U.S. Forest Service (USFS) manages most of the acres most affected by the worst fires, the agency has repeatedly failed to meaningfully incorporate strategic grazing to improve fuel breaks, reduce fine fuels at scale, and target some of the most at-risk ecosystems. Even in USFS's most recent Wildfire Crisis Strategy from 2022, the agency makes no mention of the role grazing can—and should—play in the larger effort to restore a more reasonable fire matrix on federal lands.

The 2020 North Complex fire in California devastated more than 300,000 acres and produced more pollutants than all of the vehicles in California would produce in a full year. In 2021, the Dixie Fire burned a million acres in California. In 2022, an ill-fated prescribed burn in New Mexico triggered a nationwide reevaluation on the use of prescribed fire because more often than not, USFS lands are so densely vegetated that the risk of using good fire to prevent bad fire is unpredictable, at best.

In 2023, the country got a bit of a reprieve from fire as a result of favorable weather conditions, but states across the West fared poorly in 2024. More than 782,000 acres burned in Wyoming, 1.9 million acres burned in Oregon, and nearly a million acres burned in California. To date, more than 8 million acres have burned across the West and even in early November, more than 480,000 acres are currently on fire.

This ongoing trend underscores the need to do things differently. Currently, USFS considers use of grazing as a fuels management tool only if rangeland and grazing program staff suggest grazing on a pilot basis. By contrast, the agency regularly considers mowing, prescribed burns, and other mechanical treatments as "first line" tools to reduce the risk from fuels. This disconnect means the agency is missing out on the opportunity to remove billions of pounds of fine fuels that put these landscapes into the high-risk category.

A 2022 study from the University of California-Davis confirmed the scope of the positive impacts grazing can have: grazing—regardless of livestock species (cattle, sheep, goats), is an effective tool to reduce the grasses that dry and become wildlife fuel. Because of the way livestock graze, they also provide a variable pattern of fuels densities. This creates a natural fire break that changes fire behavior and makes fires less intense and the resulting damage less severe. Cattle grazing has the unique additional advantage of slowing woody shrub and tree encroachment into grassland ecosystems, which has a host of benefits not only for mitigating future fire risk posed by dense shrub stands.

H.R. 7666 also addresses the benefits of applying grazing to the landscape after fire burns. Generally, USFS and the Bureau of Land Management are reluctant to resume grazing activities or use grazing as a management tool after fire, because they take a hands-off approach in most fire scenarios. All uses are precluded from the burned area with the goal of allowing the land time to recover, but unfortunately this approach has contributed to the widespread establishment of invasive annual grasses and lost opportunity to turn over topsoil and incorporate important organic matter. The bulk of scientific literature demonstrates that recovery of burned rangeland is not adversely affected by grazing. Likewise for grasslands, deferment of grazing for one or two years was not supported by science, as the grassland recovery occurred at the same rate through managed grazing and careful monitoring of timing.

Over the last 50 years, the number of livestock authorized to graze on federal lands has been significantly diminished, while the size, intensity, and frequency of fires has continued to increase. Ensuring that land management agencies and local communities have all available tools at their disposal—particularly tools that are proven to be successful—is key if we are ever going to truly stem the tide of fire devastation.

Just last year, Dr. Dave Daley, a respected leader within the California Cattlemen's Association, Public Lands Council, and National Cattlemen's Beef Association, emphasized the critical role of grazing in bolstering wildfire resilience during his testimony before your committee. His plea highlights the urgent need for comprehensive land management approaches, prioritizing post-fire operations, fuel breaks, and rectifying past mismanagement. As Dr. Daley aptly stated:

*“ . . . wildfire resilience practices such as livestock grazing work, and confronted with the very real threat of worsening wildfire conditions, there ought to be bipartisan consensus endorsing these effective tools.”*

We wholeheartedly support this bill and urge its swift passage. Thank you for your attention to this matter, and we look forward to seeing progress on this important issue.

Sincerely,

Public Lands Council

National Cattlemen's Beef  
Association

American Sheep Industry  
Association

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**Public Lands Council • National Cattlemen's Beef Association •  
American Sheep Industry Association**

November 18, 2024

Hon. Tom Tiffany, Chairman  
Hon. Joe Neguse, Ranking Member  
Committee on Natural Resources  
Subcommittee on Federal Lands  
1324 Longworth House Office Building  
Washington, DC 20515

Chairman Tiffany and Ranking Member Neguse:

We write to express our full support for Representative Curtis's bill, the Operational Flexibility Grazing Management Program Act (H.R. 9062). Livestock grazing permittees are the lynchpin of public land management and play a pivotal role in the stability of rural economies. Public lands grazing permittees pay careful attention to the ecosystem health and needs of the resources when they manage their cattle and sheep, and apply the same attention and care to management of their public lands grazing allotments. The Public Lands Council (PLC) is the national association dedicated to representing these permittees, dedicated to promoting the unique rights and interests of cattle and sheep producers who hold the approximately 22,000 federal grazing permits on public lands across the West.

Together with the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS), cattle and sheep permittees manage more than 200 million acres across the West. Their presence on the landscape and attentive management has created grazing lands that are resilient to drought, wildfire, pests, and able to withstand increasing demands from varied multiple uses. In some cases, however, this attentive management is inappropriately constrained by a long list of federal requirements that while originally well-intentioned, have become barriers to good management practices.

Livestock grazing on federal land is highly regulated under the National Environmental Policy Act (NEPA), Federal Land Policy and Management Act (FLPMA), Endangered Species Act, Clean Water Act, and many other regulations and guidance documents that together form the litany of regulatory requirements to which livestock producers must adhere. Permittees' management is evaluated on an annual basis as part of complying with the terms of their grazing permits and often, management adjustments are made to ensure that grazing activities support healthy rangelands and ecological conditions.

Unfortunately, sometimes permittees' ability to make these adjustments swiftly, or at all, is limited by the permits themselves. In some cases, permits have been drafted to include overly prescriptive language about on/off dates to allotments, timing and utilization of pasture and forage resources, and other details that should be addressed in the annual use planning discussions that occur between the permittee and their agency partner. Making adjustments to any of these factors currently requires incredibly onerous NEPA, changes to grazing permits that often require lengthy FLPMA processes, and result in permits that are equally restrictive to a new set of stringent management requirements.

This bill would provide a facility for permittees and their agency partners to act much more quickly when the need to make changes inevitably arises. This bill will allow for permittees to adjust grazing rotations across pastures that may have received differing levels of precipitation. Language in this bill would provide for an extension—or reduction—in the number of days grazed on an allotment if there was too much or not enough forage. Permittees need the flexibility to make prompt management decisions to mitigate conflicts with recreation, fire, drought, and all kinds of factors. H.R. 9062 will provide them that flexibility and enshrines in law the need for adaptive management to be viewed favorably by the law.

Permittees should be encouraged to be proactive in making management changes for the benefit of the resource and overall land management—and supported by their federal agency partners in doing so. Federal requirements should not be a barrier to making the best of their management goals. Equally, Federal agencies have been plagued by regulatory barriers to updating their own regulations to provide this flexibility, so we thank Congressman John Curtis for introducing this bill and emphasizing permittees' ability to be leaders in land health. Permittees are dedicated to the landscapes they manage this bill gives the agencies the ability to be

better partners to ranchers to allow both parts of the partnership to work toward the same goal: optimized landscape health and resiliency.

Representative Curtis and other grazing stakeholders see the incredible opportunity to provide the kind of long-term flexibility and adaptive management that so often is constrained by unnecessary bureaucratic process. We thank Representative Curtis for his support and urge swift passage of H.R. 9062.

Sincerely,

Public Lands Council

National Cattlemen's Beef  
Association

American Sheep Industry  
Association

