

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

Regarding

**H.R. 6441 – “Ranching Without Red Tape Act”
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. 9165, “Public Land Search and Rescue Act”**

November 19, 2024

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.