

Statement of Frank R. Beum
Acting Associate Deputy Chief, National Forest System
U.S. Forest Service, United States Department of Agriculture
Before the
House Committee on Natural Resources
Subcommittee on National Parks, Forests and Public Lands
Concerning

H.R. 2199 – Central Coast Heritage Protection Act
July 10, 2019

Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R. 2199, the “Central Coast Heritage Protection Act.”

We recognize and appreciate the ongoing multi-year efforts of the sponsor and subcommittee toward improving the manageability of the multiple areas identified in this legislation. The bill designates certain National Forest System (NFS) lands on the Los Padres National Forest in California as wilderness, creates additions to existing wildernesses, and designates Potential Wilderness Areas, Scenic Areas, and a National Scenic Trail. The legislation directs the Forest Service to study the feasibility of connecting the northern and southern portions of the Los Padres National Forest using a trail corridor, the feasibility of opening a new trail to an existing off-highway vehicle trail system, and the possibility of improving non-motorized recreation trail opportunities on certain lands. Finally, the bill includes a provision to ensure Tribes have access to wilderness, scenic areas, and potential wilderness areas for traditional cultural and religious purposes.

Specifically, the bill includes additions to eight designated wilderness areas and one new wilderness designation for a total of 182,940 acres of NFS lands; provisions for two Potential Wilderness areas that would convert to two additions to designated wilderness areas within 20 years for a total of 41,937 acres. Of the wilderness proposals in the bill, only three were recommended for designation through the agency’s land management planning process: Chumash, Dick Smith and Matilija. The bill also includes additions to three existing wild and scenic rivers and designation of three new wild and scenic rivers, adding a total of 159 miles to the National Wild and Scenic Rivers System. Finally, the bill contains provisions creating the Condor Ridge and Black Mountain Scenic Areas comprising 34,882 acres and creates the Condor National Scenic Trail.

USDA supports designation of wilderness areas if they have been recommended for designation through the agency’s land management planning process, which includes local engagement and

public input. USDA would like to work with the subcommittee on minor technical corrections required to ensure that the acres listed in the legislation match the acres shown on the maps referenced in the bill. Also, USDA would like to ensure a consistent and deliberate approach to mapping the areas proposed for wilderness to maximize effective management of the wilderness areas, including forest health and resiliency.

Sections 4(b) and 7(b) require maps and legal descriptions for the boundaries of the potential wilderness areas, and Sections 4(g) and 7(g) require updated maps and legal descriptions when the trail(s) have been reconstructed, realigned or rerouted. USDA would like to work with the Committee to ensure that correct and accurate maps and legal descriptions underpin this legislation.

Sections 5(b)(1) and 5(b)(2) address fire and fuels management, fire funding and agency approval procedures in wilderness areas or wilderness additions designated by this legislation. USDA would like to work with the subcommittee to refine the potential wilderness boundaries to permit possible fuel treatments around the periphery of the boundaries, and better management of the areas. USDA notes that Section 4(d)(1) of the Wilderness Act allows for control of fire, insect, and disease.

USDA supports designation of wild and scenic rivers if they have been analyzed and designated as suitable through the land management planning process, which includes local engagement and public input. The Los Padres National Forest has determined that portions of Sespe Creek and Piru Creek are suitable for designation. USDA would be happy to share more details on this suitability, eligibility, and classification information with the bill sponsor and the subcommittee.

We want to ensure that any new designations are properly integrated into the National Wild and Scenic Rivers System with reasonable time to develop comprehensive river management plans and to establish detailed boundaries in cooperation with interested public. The agency would like to highlight the challenges associated with the short completion timeframes identified under Section 3(d) of the Wild and Scenic Rivers Act, and to suggest exemption from this requirement to ensure the river management plans for any new designations align with future scheduled revisions of land and resource management plans of the applicable national forests.

The Department would also like to clarify the intent of the bill sponsor as to whether mechanized equipment and motorized transport will be allowed on the Condor National Scenic Trail in the non-wilderness segments, including use of mechanical/motorized tools to maintain the trail such as chainsaws.

Section 12(b) would require the Secretary to ensure that Tribes have access to wilderness areas for traditional, cultural, and religious purposes. In carrying out this provision, the Secretary

would be authorized, upon request of an Indian tribe, to temporarily close to the general public portions of areas designated by the bill to protect the privacy of tribal traditional cultural and religious activities in the area. USDA understands that implementation of this provision is at the discretion of the Secretary to determine whether a closure request is appropriate, and that access would be provided to the extent practicable in order to maintain the wilderness character and access for recreation.

Thank you for the opportunity to testify on this bill, and I welcome any questions.

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H.R.2250 - Northwest California Wilderness, Recreation, and Working Forests Act

Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to present the views of the United States Department of Agriculture (USDA) regarding H.R. 2250, the “Northwest California Wilderness, Recreation, and Working Forests Act.”

H.R. 2250 is a comprehensive bill that addresses restoration needs, recreation, and land conservation on federal lands in California. The bill accomplishes these goals through forest restoration activities, authorizing new partnerships for various activities, and requiring that fire management planning be incorporated into the land management plan revision process. The bill also adds or potentially modifies recreation trail systems, designates new wilderness areas, creates additions to existing wildernesses, and designates certain rivers in California as wild and scenic rivers.

The USDA understands the overarching intent of this legislation is to recognize the importance of wilderness areas, recreation, and wild and scenic rivers, but has a number of concerns. The agency would like to work with the Committee and sponsor of this bill to ensure that these proposals are crafted in a way that best supports the intent of this bill.

In this testimony, we address proposed designations on lands administered by the Forest Service. We defer to the Department of the Interior regarding the designations on the lands and interests administered by the Bureau of Land Management and the National Park Service.

Title I

A number of sections in Title I would be challenging to reconcile and implement with the agency’s existing land management plans. For example, Section 101 includes a level of detail on management activities such as details on shaded fuel breaks, trail management, and special area designations, that would be better resolved through our planning process. Section 103 would establish the Northern California Public Lands Remediation Partnership for the purpose of providing for the remediation of the specified National Forest System lands and Bureau of Land Management lands in northern California affected by illegal marijuana cultivation or other illegal activities. Section 103 could be viewed as authorizing the Partnership, in place of the agencies, to carry out remediation on the federal lands, rather than functioning strictly as a collaborative entity.

Changing how the agency revises the land management plans for Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests would also create challenges. For example, Section 106 would require the agency to include comprehensive fire management plans for the wilderness areas and wilderness additions established in Section 301, when revising the land management plans for the Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests. The Forest Service does not use the land management plan revision process to conduct fire management planning. To avoid adding unnecessary complexity while still meeting the overall goals of the section, the agency recommends amending Section 106(a) to maintain the current practice of conducting comprehensive fire management planning separately from the land management plan revision process.

Title II

The Forest Service supports creating trail systems that enhance connections to communities and welcomes working with the Committee, sponsor, local governments, and stakeholders to provide new recreation opportunities. The agency already has the authority to designate trails described in Sections 202 through 206. The authority in Section 207 is also duplicative because the agency already has the partnership authorities outlined in this provision.

Title III

This title would establish new wilderness areas, as well as potential wilderness areas, expand existing wilderness areas and designate certain rivers in Northwest California as wild and scenic rivers. The agency has some technical concerns and clarifications that we would like to work with the Committee and the sponsor of this bill to address. My testimony pertains only to the designations proposed on National Forest System (NFS) lands.

USDA supports designation of wild and scenic rivers if they have been analyzed and designated as suitable through the land management planning process, which includes local engagement and public input. Of the 37 rivers proposed for wild and scenic river designation in the bill, 17 are in areas managed by the Forest Service. Of these, portions of five of these rivers (the North Fork Trinity River, South Fork Trinity River, Hayfork Creek, Canyon Creek, and Middle Eel River) were previously supported for designation through the agency's land management planning process. A portion of one additional river (Red Mountain Creek) was previously found eligible but a suitability study has not been completed.

In addition, we want to ensure that any new designations are properly integrated into the National Wild and Scenic Rivers System with enough time to develop comprehensive river management plans and to establish detailed boundaries in cooperation with interested public stakeholders. The agency would like to highlight that the short completion timeframes identified under Section 3(d) of the Wild and Scenic Rivers Act are challenging to meet and suggest exemption from this requirement to ensure the river management plans for any new designations align with future scheduled revisions of land and resource management plans of the applicable national forests.

USDA supports designation of wilderness areas if they have been recommended for designation through the agency's land management planning process, which includes local engagement and public input. Title III includes additions to eight existing wildernesses, designates six new wilderness areas and six potential wilderness areas on NFS lands. These additions were not recommended for designation through the agency's land management planning process. Several proposed areas for "Potential Wilderness" designations have a variety of non-conforming uses or conditions affecting wilderness character, including previously-harvested areas as well as roads.

The Forest Service is committed to collaborating with Congress, Tribes and all members of the interested public during our land management planning process to identify and propose appropriate parcels of land or river segments within the National Forest System in California for designation as wilderness or wild and scenic rivers and to manage those parcels responsibly when designated. We look forward to working with the sponsors of this bill to address the concerns outlined above.

Thank you for the opportunity to testify on this bill, and I welcome any questions.

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H.R. 2546 – Colorado Wilderness Act of 2019
July 10, 2019

Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R. 2546, the “Colorado Wilderness Act of 2019.”

Sections 2 and 3 of H.R. 2546 would designate parcels of federal land in Colorado, comprising approximately 740,000 acres, as components of the National Wilderness Preservation System, including parcels that include National Forest System (NFS) lands. Most of the lands addressed by the Act are managed by the Bureau of Land Management (BLM). My testimony only pertains to designations proposed on NFS lands.

USDA supports designation of wilderness areas if they have been recommended for designation through the agency’s land management planning process, which includes local engagement and public input. These areas include the portions of the Flat Tops Addition Proposed Wilderness and the Assignment Ridge Proposed Wilderness. Several proposed areas in the Act have a variety of non-conforming uses or conditions affecting wilderness character and were not recommended for wilderness designation in the forests’ respective land management plans. With respect to the Flat Tops Addition and Assignment Ridge Proposed Wilderness, we would like to work with the committee and sponsors of this bill on boundary modifications and technical concerns.

Section 4 of the bill addresses water rights for wilderness purposes and water resource facilities in wilderness areas. The Forest Service recognizes the important role states play in managing water rights. We have concerns with this provision and would like to work with relevant state and Federal agencies, water rights holders, and this Committee to address these issues.

Section 4 also addresses water resource facilities and prohibit the President’s authority under section 4(d)(4) of the Wilderness Act to authorize water resource facilities in wilderness areas designated by this Act. USDA has concerns that these provisions limit the Forest Service’s discretion to apply its land management authorities in a manner best suited to the landscape, may lead to inconsistent administration of wilderness areas and present other management challenges. We would like to work with the Committee and sponsors of this bill to address these concerns.

The Forest Service is committed to collaborating with Congress, Tribes and all members of the interested public during our land management planning process to identify and propose appropriate parcels of land within the National Forest System in Colorado for designation as wilderness and to manage those parcels responsibly when designated. We look forward to working with the sponsors of this bill to address the concerns outlined above.

Thank you for the opportunity to testify on this bill, and I welcome any questions.

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H.R. 2642 Wild Olympics Wilderness and Wild and Scenic Rivers Act
July 10, 2019

Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R. 2642, the “Wild Olympics Wilderness and Wild and Scenic Rivers Act.”

H.R. 2642 would designate new and expand existing wilderness areas, potential wilderness areas, and certain rivers in the Olympic National Forest and Olympic National Park as wild and scenic rivers. The USDA Forest Service recognizes the importance of wilderness areas and wild and scenic rivers, but has some technical concerns we would like to work with the committee and the sponsors of this bill to address. My testimony pertains only to the designations proposed on the Olympic National Forest. We defer to the Department of the Interior on portions of the bill pertaining to the Olympic National Park.

USDA supports designation of wild and scenic rivers if they have been analyzed and designated as suitable through the land management planning process, which includes local engagement and public input. Of the nineteen rivers proposed for wild and scenic river designation in the bill, thirteen are in areas managed by the Forest Service. Two of these rivers (the Duckabush River and the Dungeness River, which is comprised of the Dungeness and Dungeness-Gray Wolf Rivers) were previously recommended for designation through the agency’s land management planning process. The Department would like to work with the Committee and bill sponsor to identify potential locations for future restoration or habitat improvement work to ensure that the designations appropriately support fisheries and water quality management activities.

In addition, we want to ensure that any new designations are properly integrated into the National Wild and Scenic Rivers System with reasonable time to develop comprehensive river management plans and to establish detailed boundaries in cooperation with interested public. Therefore, the Forest Service would like to highlight that the short completion timeframes identified under Section 3(d) of the Wild and Scenic Rivers Act are challenging to meet and suggest exemption from this requirement to ensure the river management plans for any new designations align with future scheduled revisions of land and resource management plans of the applicable national forests.

Two of the nineteen rivers proposed for wild and scenic river designation in the bill (the Big Quilcene and the South Fork Calawah) were previously found, through the agency's land management planning process, to be ineligible for inclusion in the National Wild and Scenic Rivers System because no outstandingly remarkable wild and scenic river values could be identified.

USDA looks forward to working with the subcommittee and bill sponsor on wilderness boundary modifications. Our experience is that boundaries that follow topographic features like contour lines, creeks, and ridgetops are more manageable than boundaries based on age-class differences in timber stands, which can be difficult to describe and survey. Additionally, the bill includes previously-harvested areas and roadways within "Potential Wilderness" designations.

The Forest Service embraces its mission to steward and safeguard wilderness character in wilderness areas, and free flowing rivers with their outstandingly remarkable values. We are committed to collaborating with Congress, Tribes, and all members of the interested public during our land management planning process to identify and propose appropriate parcels of land and segments of river within the National Forest System and the Olympic National Forest for designation as wilderness and wild and scenic rivers and to manage those parcels responsibly when designated. We look forward to working with the sponsors of this bill to address the concerns outlined above.

Thank you for the opportunity to testify on this bill, and I welcome any questions.

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H.R. 1475 – Letting Outdoor Tourism Thrive for Every Recreation Yearly Act
July 10, 2019

Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) on H.R. 1475, “Letting Outdoor Tourism Thrive for Every Recreation Yearly Act.”

Recreation.gov

The USDA Forest Service and fellow land management agencies, such as the National Park Service and Fish and Wildlife Service, use a national reservation system, known as Recreation.gov. The platform serves as a one-stop service for trip ideas, travel planning tools, and reservation services for about 3,700 recreation areas across the entire spectrum of federal land and water recreation opportunities for 12 agencies. With over 100,000 individual sites the public can reserve for camping, backpacking, ranger-led tours and much more, Recreation.gov processes about 4.7 million transactions every year.

Beginning in 2018, the USDA Forest Service began the process of modernizing the Recreation.gov website and made improvements. These improvements include search and navigation tools that more intuitively provide access to information and the ability to return results based on a map search or areas of interest. The internal management system is completely new and provides recreation area managers with the ability to directly communicate with staff and visitors, run operational and trend reports, and update facility information and details, among many other tasks that help them manage visitation.

Boundary Waters Canoe Area Wilderness Reservations

The Superior National Forest had historically used a lottery system to distribute permits for all entry points to the Boundary Waters Canoe Area Wilderness (BWCAW). In 2012, the Superior National Forest discontinued using a lottery except for five entry points on Moose and Fall Lakes.

Our goal is to distribute the quota of permits to the public in an equitable manner either through a cooperator, an outfitted or guided trip, or individuals applying on their own. The national reservation system creates reservations instantly and allows users to check the availability of their desired entry point and date, thus eliminating the need to pay for and submit multiple

lottery applications in an attempt to obtain a permit.

Following a careful analysis, the new version of Recreation.gov did not use a lottery system for the remaining five entry points in the BWCAW. A letter was sent to over 1,500 lottery participants September 2017, letting previous applicants know the lottery would be discontinued after the 2018 quota permit season. Another letter was sent to lottery participants in September 2018 explaining the new process for permits on Moose and Fall Lakes.

On Wednesday, January 30, 2019, permits for BWCAW went on sale to the public on Recreation.gov. Soon after the sale opened, many users were not able to access the reservation process. The Recreation.gov team discovered a problem with how the servers were managing the traffic to the site, compromising the capacity of the system unevenly across the country. Several applicants were successful in making reservations for permits, while others could not access the site at all. Because access to the site was not distributed fairly, the Superior National Forest made the decision to interrupt the sale.

We deeply regret the delay caused as a result of the permit system upgrade. The interruption of the sale this winter caused serious challenges and created economic uncertainty for local citizens, communities, and cooperators who rely on the BWCAW for their livelihood and recreation opportunities.

The Forest Service worked diligently to bring the reservation system online to sell permits as quickly as possible. We were able to re-open the sale of 2019 permits on March 4th. We are grateful to local cooperators who have helped us test the new system and identify specific issues, which were addressed before the March 4th launch date. We are confident that system issues are now resolved and that issuance of permits in 2020 will run smoothly.

H.R. 1475

H.R. 1475 would require that the Forest Service return to using a lottery system to issue permits for the use of motorized or non-motorized boats in the BWCAW. The bill would require the use of the lottery for all permits, although since 2012 the lottery was only used for a small number of popular entry points to the wilderness.

Reinstating the previous lottery system would cause management challenges. Most notably, following our transition to a new Recreation.gov vendor, we no longer have access to the previous Recreation.gov version that supported a lottery system for the BWCAW. We have made significant investments to improve customer service and customize the current system to serve the specific permitting needs and outdoor experiences of the BWCAW. It remains our goal to provide the best possible customer service by implementing a stable, reliable reservation system that provides a fair and open service to citizens and local businesses. The Forest Service believes the new first-come-first-serve reservation system provides the best opportunity for

members of the public to obtain day-use motor permits at the five entry points previously under the lottery system.

Conclusion

We recognize that the BWCAW is a treasured place for many people and access is highly valued. Cooperators and businesses have long provided essential benefits to the American people in providing opportunities for visitors to access this wilderness. We look forward to working with the sponsor of this bill as we continue to improve the permitting system for the BWCAW.

Thank you for the opportunity to testify on this issue, and I welcome any questions.

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H.R. 2215 – San Gabriel Mountains Foothills and River Protection Act
July 10, 2019

Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R. 2215, the “San Gabriel Mountains Foothills and River Protection Act.”

Title II of H.R. 2215 would expand the boundaries of the San Gabriel Mountains National Monument to include an additional 109,143 acres of National Forest System (NFS) lands, as well as designate approximately 29,042 acres in four areas as components of the National Wilderness Preservation System on the Angeles National Forest, and 45.5 miles of four rivers as components of the National Wild and Scenic River System. We defer to the Department of the Interior for a position on Title 1 of H.R. 2215, which would establish the San Gabriel National Recreation Area.

USDA has not analyzed a proposed expansion of the San Gabriel Mountains National Monument. USDA supports designation of wild and scenic rivers if they have been analyzed and designated as suitable through the land management planning process, which includes local engagement and public input. All four rivers proposed for wild and scenic river designation in the bill are in areas managed by the Forest Service. While three of these rivers (the East Fork, North Fork, and West Fork of the San Gabriel River) were previously found to be eligible, a suitability study has not been completed. One of the four rivers proposed for Wild and Scenic River designation in the bill (Little Rock Creek) is not currently identified by the Forest Service as eligible or suitable for designation.

We want to ensure that any new designations are properly integrated into the National Wild and Scenic Rivers System with reasonable time to develop comprehensive river management plans, and to establish detailed boundaries in cooperation with interested public stakeholders. Therefore, the agency would like to highlight that the short completion timeframes identified under Section 3(d) of the Wild and Scenic Rivers Act are challenging to meet and suggest exemption from this requirement to ensure the river management plans for any new designations align with future scheduled revisions of land and resource management plans of the applicable national forests.

The bill also includes two wilderness additions and designation of two new wilderness areas on NFS lands. USDA supports designation of wilderness areas if they have been recommended for designation through the agency's land management planning process, which includes local engagement and public input. Only one of the proposed wilderness areas (Sheep Mountain) in the bill was recommended for designation through the agency's land management planning process.

The Forest Service is committed to collaborating with Congress, Tribes and all members of the interested public during our land management planning process to identify and propose appropriate parcels of land or river segments within the National Forest System in California for designation as wilderness or wild and scenic rivers and to manage those parcels responsibly when designated.

Thank you for the opportunity to testify on this bill, and I welcome any questions.