STATEMENT OF
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FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE FORESTS AND FOREST HEALTH
COMMITTEE ON RESOURCES

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CONCERNING

H.R. 822 – Wild Sky Wilderness Act of 2003
H.R. 4806 – Pine Springs Land Exchange Act
H.R. 4838 – Healthy Forest Youth Conservation Corps Act of 2004

Mr. Chairman: Thank you for the opportunity to appear before you today to provide the Department's view on H.R. 822 to enhance ecosystem protection and the range of outdoor opportunities protected by law in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness; H.R. 4806 to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico; and H.R. 4838 to permit young adults to perform projects to prevent and suppress fires, and provide disaster relief on public land through a Healthy Forest Youth Conservation Corps.

H.R. 822 – Wild Sky Wilderness Act of 2003

H.R. 822 would designate approximately 106,000 acres of additional wilderness on the Mt. Baker-Snoqualmie National Forest in the State of Washington. It directs the Secretary to assure adequate access to private in-holdings within the Wild Sky Wilderness and establish a trail plan within and adjacent to the wilderness. The bill authorizes the use of helicopter access to construct and maintain a joint Forest Service and Snohomish County repeater site to provide improved communication for safety, health, and emergency services.

H.R. 822 also requires the Secretary to exchange specified lands and interest in land with the Chelan County Public Utility District. If the District offers to the Secretary approximately 371.8 acres within the Mt. Baker-Snoqualmie National Forest, in exchange for a permanent easement, and the Secretary accepts title, the Secretary must

convey to the District a permanent easement including helicopter access, consistent with such levels as used as of the date of this bill's enactment, to maintain an existing snowtel site on 1.82 acres on the Wenatchee National Forest. The snowtel site is currently used to monitor the snow pack for calculating expected runoff into hydroelectric projects. If, after the exchange occurs, Chelan County notifies the Secretary that they no longer need to maintain the snotel site, the easement will be extinguished and all rights conveyed pursuant to the easement would revert to the United States.

The Department does not oppose the designation of the Wild Sky Wilderness as a component of the National Wilderness Preservation System. We recognize and commend the delegation for its collaborative approach and local involvement that contribute to bipartisan support for this bill. However, the Department would like to work with the Committee to improve H.R. 822.

While the vast majority of the lands described in H.R. 822 are appropriate for wilderness designation, the Department has significant concerns with approximately 16,000 acres. These acres would not be considered suitable for wilderness designation under the provisions of the 1964 Wilderness Act or under existing Forest Service regulations and planning direction. The Department believes that the current allocation of these lands under the Mt. Baker-Snoqualmie Forest Plan continues to be the most suitable designation for these acres.

The lands that we believe are appropriate for designation under the Wilderness Act, approximately 90,000 acres, consist of all of the Eagle Rock Roadless Area and portions of Glacier Peak A, B, K, and L. These areas retain their undeveloped character and are largely without permanent improvements or human habitation. Limiting the wilderness designation to these lands would address many of the Department's concerns.

The areas we propose for exclusion from wilderness designation include low elevation forests that have been utilized for timber harvest and mining over the last 80 years, still showing visible evidence of road building, logging and mining activities. The areas also include approximately 27 miles of existing roads, some of which are all weather, drivable, and graveled. Several of the roads receive significant visitor use associated with recreation opportunities. The Rapid River Road is such a travel way and we recommend excluding it, in its entirety, from wilderness designation. The types of recreation experiences enjoyed by users along the Rapid River Road corridor include driving for pleasure, nature photography, fishing, picnicking and dispersed camping at a number of pull-off sites along the road. In the winter snowmobiles use this road as a part of the snowmobile trail system, traveling to its end point.

Another concern lies with roads, both outside and adjacent to the proposed wilderness boundary that have narrow corridors subject to landslide and river bank erosion. This situation poses significant public access and resource management issues, as the proximity of the proposed boundary could result in constraints related to necessary repairs and road reconstruction work. We would like to work with the Committee on more appropriate boundaries.

Further, we propose the exclusion of most of the approximately 2,400 acres of private patented mining claims and private timberlands. A boundary adjustment in the Silver Creek drainage would remove most of the private lands from the proposed Wilderness.

Finally, the approach to naming these disconnected areas of land collectively as the Wild Sky Wilderness may cause public confusion, particularly since some of the areas proposed for designation are immediately adjacent to the existing Henry M. Jackson Wilderness. In order to minimize administrative costs and reduce public confusion, the Department suggests designating only Eagle Rock Roadless Area as Wild Sky Wilderness. The Glacier Peak Roadless Areas A,B,K, and L should become additions to the adjacent Henry M. Jackson Wilderness.

The Department supports the administrative provisions in the bill, particularly provisions for a repeater site to provide improved communications for safety and health purposes. The Department also supports the provisions for land exchange in the Glacier Peak Wilderness and provisions for management of the existing snowtel site in that wilderness.

H.R. 4806 – Pine Springs Land Exchange

H.R. 4806 would authorize the Secretary of Agriculture to exchange with the Lubbock Christian University all right, title and interest in approximately 80 acres of National Forest System land within the Lincoln National Forest, New Mexico upon receipt of acceptable title approximately to 80 acres of non-federal land. The University has operated a summer camp in the Lincoln National Forest on 40 acres that it owns for over 40 years. The University seeks to exchange 80 acres that it owns elsewhere in the Forest for 80 acres immediately adjacent to its existing camp. The bill directs that the exchange be equal in value, that the appraisal conform to federal appraisal standards and that the proponent of the exchange and the United States share the costs of the exchange equally. The bill authorizes cash equalization payments in excess of 25% of the value of the federal land and reduction in the amount of land offered by the United States to equalize values.

The Forest Service and Lubbock Christian University have discussed an administrative land exchange since 2001, roughly comprising the lands described in the bill. While the Department is not opposed to the exchange, we would like to work with the committee and the bill's sponsor on amendments to insure potential issues related to floodplains, wetlands, threatened and endangered species, water rights and outstanding mineral rights are adequately addressed.

H.R. 4838 – Healthy Forest Youth Conservation Corps Act of 2004

H.R. 4838 would establish a Healthy Forest Youth Conservation Corps and would authorize the Secretary of Agriculture and the Secretary of the Interior to enter into contracts or cooperative agreements with existing state, local, non-profit conservation

corps, or Indian Tribe or state natural resources, agriculture, or forestry departments, to carry out projects to prevent fire and suppress fires, rehabilitate public land affected or altered by fires, and provide disaster relief. The bill directs the Secretaries to give priority to certain projects, including those that will: (1) reduce hazardous fuels on public lands; (2) restore public land affected or imminently threatened by disease or insect infestation; (3) rehabilitate public land affected or altered by fires; (4) assess windthrown public land at a high risk of reburn; and (5) work to address public land located near a municipal watershed and municipal water supply.

As to H.R. 4838, I am testifying on behalf of both the Department of Agriculture and the Department of the Interior today. The Departments are supportive of the concepts embodied by H.R. 4838, particularly the recognition of the importance of the work conducted by state natural resources, agriculture, and forestry departments, and we recognize the values associated with providing opportunities for youth corps to be more proactive in healthy forest work. We would however, like to bring to the Committee some issues the Department has identified with H.R. 4838 that may require further consideration by the Committee.

In many respects, with the exception of including youth aged 16 and 17, the goals of H.R. 4838 are consistent with already existing authorities that the Department has supported, including the Healthy Forests Restoration Act (HFRA) [P.L.108-208], Public Land Corps Act of 1993, P. L. 103-82 Title II, and the Youth Conservation Corps Act of 1970, P. L. 91-378.

However, we have significant concerns, with the inclusion of youth aged 16 and 17 in the programs authorized by H.R. 4838. Wildland fire suppression or forest and watershed restoration work authorized under H.R. 4838 pose threats to their safety that cannot be mitigated. The Administration has concerns about the Committee's expectation regarding the authorization of specific appropriations contained in the bill given current and future funding constraints.

As you are well aware, firefighting is an arduous and dangerous job that requires a certain amount of maturity, decision-making capability, and perspective in order to perform safely. Federal fire agencies recognize that this level of maturity cannot be expected of 16- and 17-year-old individuals and, through policy, will not place these individuals in hazardous roles.

While some states allow individuals under the age of 18 to perform hazardous fire suppression duties on the fire line, this practice is not allowed by federal fire agency policy. In August 2003, the Forest Service and the Department of the Interior each established the policy that persons under the age of 18 years old will not perform hazardous or arduous duties during wildland fire management operations on federal jurisdictions, even if the minors are supervised by states or other entities. While legal minors are not to be employed in hazardous fire-line positions, the policy does allow them to perform fire prevention, support, logistical, or other duties away from the fire-

line—activities which, if performed under agreements with existing state, local, and non-profit youth conservation corps, are consistent with H.R. 4838.

Similarly, hazardous fuels reduction treatments or restoration activities require operating power equipment such as chainsaws, brushsaws, or using prescribed fire. This is extremely hazardous work, frequently on steep terrain in dense forest environments. We do not support an authorization for 16 and 17 year olds to use chainsaws or other power equipment in such hazardous situations.

This concludes my statement, I would be happy to answer any questions that you may have.