

**STATEMENT OF
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FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES
SUBCOMMITTEE ON FORESTS AND FOREST HEALTH
CONCERNING
H.R. 5025, THE MOUNT HOOD STEWARDSHIP LEGACY ACT
APRIL 5, 2006**

Mr. Chairman, thank you for the opportunity to present the Administration's view on this legislation. H.R. 5025 would give direction for numerous management aspects of the Mt. Hood region including the Mt. Hood National Forest. The bill would expand the National Wilderness Preservation System, add segments to the National Wild and Scenic Rivers System, and designate a special resources management unit. The bill would also provide for the retention of fees from recreation and other special uses and establish a recreational advisory council. In addition, the bill would direct the Secretary to work with the State of Oregon to develop an integrated transportation plan, and study the feasibility of establishing a gondola connection and a multi-modal transportation center. H.R. 5025 would also require the Secretary to develop a Forest Stewardship Plan to address forest health in certain areas, and would authorize the secretary to establish MOUs for watershed management between the Forest Service and irrigation districts or municipalities. The bill would direct the secretary to establish priority-use areas for the gathering of first foods by members of Indian tribes with treaty-reserved gathering rights. Finally, the bill would require the Secretary to enter into specified land exchanges with private landowners.

The Administration recognizes that the bill sponsors have conducted a considerable amount of outreach and worked with a number of communities of interest including local and state governmental entities, tribes, profit and non-profit organizations and individuals in the development of H.R. 5025. Mr. Chairman, I applaud you and Mr. Blumenauer for your tireless energy and personal commitment in addressing management of the Mt. Hood area, and in developing this legislation.

H.R. 5025 emphasizes collaborative working relationships among certain stakeholders to achieve management goals in the Mt. Hood region. The Administration's support for these types of efforts is reflected in Executive Order 13352, Facilitation of Cooperative Conservation, which calls for collaborative activity among Federal, State, local, and tribal governments, private for-

profit and nonprofit institutions, other nongovernmental entities and individuals. Last summer, the Department of Agriculture participated in the White House Conference on Cooperative Conservation, which convened stakeholders from around the nation and from all walks of life to discuss ways of facilitating collaborative work. With its focus on partnerships, advisory councils, and innovative ways to integrate resource management, H.R. 5025 represents a desirable cooperative conservation framework for the Forest Service. Other aspects of the bill are more prescriptive and limiting, and we believe, could benefit from additional collaboration among all stakeholders before specific provisions are finalized. In addition, while we strongly support the concept of public involvement and community collaboration, the concept of legislating management direction may be problematic. In this spirit, we would like to work with the Committee to ensure that existing legal and cooperative frameworks for decision-making continue to be honored as we seek to meet the goals of the legislation.

Analysis

I will address each title in order; but in summary the Administration supports many of the concepts and provisions of the bill including wilderness and wild and scenic river designation, and focusing attention on recreation, watershed, forest health and transportation issues.

We have concerns regarding other parts of H.R. 5025, including the special use fee retention, the establishment of a recreation advisory council, the Crystal Springs Watershed Management Unit, and the requirement for a below market land exchange. We would like to work with the committee and sponsors to resolve these concerns.

Title I. Wilderness

The administration supports the wilderness designation for areas consistent with the Wilderness Act of 1964, including the Bull of the Woods additions, Mount Hood additions, Roaring River and Salmon-Huckleberry additions wilderness areas. We would like to suggest some language changes that would help clarify boundary locations, maps and legal descriptions for these areas.

We have specific concerns with the proposed wilderness designation for the Big Bottom and Cooper Spur areas. These areas are currently managed for values and uses that are inconsistent with wilderness designation, including motorized access. We would like to work with the Committee to explore alternatives that could meet the intent of protecting these areas for future generations.

The proposed Gorge Ridgeline wilderness area is within the boundary of the Columbia River Gorge National Scenic Area (CRGNSA) designated by Congress in 1986. The CRGNSA designation has been highly successful in protecting and enhancing the scenic, cultural, natural and recreation resources of the area while allowing future economic development consistent with these purposes. Most of the area within the CRGNSA covered under the bill is adjacent to urbanized areas and significant infrastructure (i.e. Hood River, Bonneville, and Cascade Locks, the unincorporated communities of Dodson and Warrendale, Bonneville Power Administration's high voltage power lines that traverse and transect the Gorge, Interstate 84, and the Union Pacific Rail Line). We believe that adjacent land uses, in conjunction with special provisions for existing rights such as the Corps of Engineer permit related to Bonneville Dam, could potentially conflict with and compromise the wilderness character of the proposed Gorge Ridgeline Wilderness. We would like to work with the Committee to address the issues and ensure the

designation will not preclude needed management activities to protect these current and future uses, such as planned hazardous fuels reduction projects, which would be more difficult to accomplish under a wilderness designation.

Title II. Wild & Scenic River Designations

The administration supports the waterway segments as additions to the Wild and Scenic Rivers Act. However, we would like to work with the Committee to clarify technical aspects of this title.

Title III. Recreation

We recognize the importance of outdoor recreation to the social and economic well-being of the Mt. Hood region today and into the future. While we share the sponsors' concerns with the challenges of managing complex and often conflicting recreation values and uses, the new fee retention authority for the Mount Hood National Forest as specified in Title III is unnecessary. Currently, the Secretary has the authority to offset concession fees for Federally-owned concessions and the authority to retain fees for outfitting and guiding, recreation events, commercial filming and organizational camp permits. The Forest Service already has fee retention authority under the Federal Lands Recreation Enhancement Act (FLREA) of 2004. The inclusion of new spending authority through the retention of additional land use fees, as provided for in Title III, would result in a loss of Treasury receipts which are used to fund ongoing programs.

Title III would provide for the establishment of a Mt. Hood National Forest Recreation Advisory Council (RAC). The FLREA already requires the creation of a similar council, with similar membership. We believe creation of any additional advisory council would be administratively burdensome and costly and would like to work with the Committee to develop a means to address the objectives of this provision.

The bill requires the Secretary to determine whether decommissioned roads not yet closed should be converted to recreational uses. It also requires the Secretary to consider recreation uses as an alternative for any future road closures. If enacted, this provision would require the Forest Service to utilize existing funds and displace other ongoing work.

The Administration could support Title III if it is amended to address these concerns.

Title IV. Transportation

The Administration is supportive of collaboratively participating with the State of Oregon, local governments, and federal departments in the development of a comprehensive, multi-modal transportation strategy for the Mt. Hood region. Under Title IV, the bill would require funding for the preparation of the transportation plan to be made available to the State of Oregon under section 1117 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)(P.L. 109-59). Implementation of the multi-modal transportation plan in the bill would require coordination with the other appropriate Federal agencies, including the Department of Transportation.

In addition to the transportation plan, the bill would require the Secretary to conduct a study of the feasibility of establishing a gondola connection and an inter-modal transportation center. I would point out that a gondola feasibility study was conducted with funding from the Department of Transportation's Federal Highway Administration in 2001. This Federal Highway Administration study found that the cost estimate to construct a gondola from Government Camp to Timberline Lodge ranged from \$21 to \$26 million, and the estimated cost of the Gondola from Government Camp to Mt. Hood Meadows ranged from \$37 to \$56 million. We do not believe another study of this issue would be needed and we would recommend including the completed study as part of the regional transportation planning process.

Title V. Forest & Watershed Stewardship

We believe the objectives of the Forest Stewardship Plan in Title V are being met through the implementation of the National Forest Management Act and the National Fire Plan. The Forest Service is currently developing an integrated vegetation management approach similar to the approach in Title V. We would like to work with the Committee on amendments to further develop this forest stewardship plan concept consistent with other agency efforts, including public involvement activities, that do not displace other available funds to conduct ongoing priority activities within the National Forest System. Further, because the legislation requires compulsory implementation of the stewardship plan, if enacted, the Forest Service would be required to utilize existing funds and displace other ongoing work. Again, we would like to work with the Committee on amendments that address this concern.

We support the concept of assessing the amount of long-term sustainable biomass available in the Mt. Hood National Forest. We have already begun a study as part of a recent memorandum of understanding signed by the Confederated tribes of Warm Springs, the Forest Service, and others to analyze the supply of biomass for a tribal co-generation plant.

Title VI. Crystal Springs Watershed Management Unit

We have concerns about the detailed, prescriptive nature of Title VI, which would establish a special resources management unit for Crystal Springs. The bill as written would place burdensome limitations on fuel reduction and forest health management activities, and prohibit the Secretary from transferring ownership of land within the Management Unit. The Forest Service currently has a number of memoranda of understanding in place with other municipalities nationally and within the Mt. Hood National Forest regarding the management of municipal watersheds. These are developed within the framework of our existing authorities, including land and resource management plans. We would like to work with the Committee on alternative language, and better utilize existing authorities for developing memorandums of understanding as needed.

Title VII. Local and Tribal Relations

The bill would encourage the Secretary of Agriculture to cooperate with the Tribes, Federal and State entities, and local communities to identify common ground and coordinate planning efforts. We support the general direction of this Title and would like to work with the Committee on language to afford the Forest discretion to work with the relevant Tribes on identified specific uses.

Title VIII. Land Conveyances

We appreciate the sponsors' efforts to resolve several long-standing conflicts on Mount Hood with these land exchange proposals. However, we have a number of suggestions for improving the land exchange proposals. First, we recommend an assessment of the requirement that the Forest Service would take possession of an aging infrastructure and solicit a new concessionaire, both of which could be problematic. Second, we recommend a review of whether the valuation supplied in the previously completed appraisal reflects market value. Third, we recommend an evaluation of the unique resource implications of privatizing the two parcels of land at Government Camp. We also have concerns of less significance for the proposed conveyance in the Columbia River Gorge National Scenic Area to the Port of Cascade Locks. We would like to work with the Committee on language regarding the possibility of an exchange feasibility analysis, so that all parties will have a full understanding of the implications of the exchange proposals and proceed appropriately from there. In addition, we recommend the deletion of section 803(e) since it would result in a loss of Treasury receipts which are used to fund ongoing programs. The Administration could support Title VIII if it is amended to address these concerns.

Summary

In summary Mr. Chairman we are encouraged by your efforts on behalf of the Mt. Hood region, much of which includes the Mt. Hood National Forest. We see a great potential, working with the many stakeholders of the region and beyond, to meet the objectives of H.R. 5025 to protect for future generations the recreation opportunities and resource values of the Mt. Hood National Forest. We believe we can accomplish these objectives using existing authorities as well as some of the provisions of the bill. The Administration would genuinely like to work with the Committee to build on our mutual interests and resolve our concerns.

Thank you for the opportunity to discuss this bill. I look forward to working with you in the future on this proposal and am happy to answer any questions that you have at this time.