

**STATEMENT OF CHUCK MYERS  
UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE  
HOUSE NATURAL RESOURCES COMMITTEE  
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS**

**JULY 15, 2008**

**CONCERNING**

**H.R. 2297 – Arizona National Scenic Trail Act  
and  
H.R. 5671 - Whiskeytown-Shasta-Trinity National Recreation Area and Columbia  
River Gorge National Scenic Area Fee Retention  
and  
H.R. 6159 – Deafy Glade Land Exchange Act**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the Administration's views on H.R. 2297, a bill to amend the National Trails System Act to designate the Arizona Trail as a National Scenic Trail; H.R. 5671, a bill to allow the Forest Service to retain and spend land use fees paid in connection with the establishment or operation of marinas in the Whiskeytown-Shasta-Trinity National Recreation area and operation of the Multnomah Falls Lodge in the Columbia River Gorge National Scenic Area; and H.R. 6159, a bill to provide for a land exchange involving certain lands in the Mendocino National Forest.

H.R. 2297

The Administration does not object to H.R. 2297. While the Administration typically does not support the designation of a National Scenic Trail without the completion of a feasibility study, we recognize that the Arizona Trail presents a unique situation.

All but one of the National Scenic Trails designated subsequent to the enactment of the National Trails System Act have undergone a feasibility study prior to enactment. The Arizona Trail designation would be unique because it is located primarily on public land, it is already established for much of its length, it has strong local, regional and state

advocates, and it offers outstanding recreational opportunities. For these reasons we do not object to the expedited process in the bill that would lead directly to designation. We do, however, plan to continue efforts to engage the public in the management of the trail, especially to private land owners that may be affected by the designation.

In addition, the Administration would be unlikely to support future legislation to designate National Scenic Trails that bypass requirements under the national Trails System Act to conduct feasibility studies. A feasibility study allows the public to have a comprehensive look at the effects of designated national scenic trails and provides the public with the opportunity to comment on all aspects of the trail. Information provided by the public during this review adds value and is useful for the future management of the scenic trail. A study would also review and recommend the most effective and efficient management of the trail.

Approximately 85% of the trail crosses federal land, 10% crosses State lands, and the remainder of the trail crosses private, municipal or county lands. The trail was established as a primitive long-distance hiking, horseback, and mountain biking trail that links all of Arizona's major physiographic zones (the mountains, canyons, deserts, forests, historic sites, and mesas) to local communities and Arizona's major metropolitan areas. The Arizona Trail's significance is found in the diversity of resources, landscapes and recreational opportunities that it represents.

The Arizona Trail was conceived in 1985 as a continuous non-motorized trail from Mexico to Utah. The Arizona Trail connects Arizona's north and south borders across mountain ranges and deserts for approximately 807 miles. In 1993, the U.S. Forest Service, National Park Service, Bureau of Land Management, and Arizona State Parks developed a cooperative agreement to work together to develop this non-motorized trail. Since then more than 750 miles of trail have been opened to the public, maps and trail resource information have been developed, and routine trail maintenance has been carried out, while efforts continue to open the remaining 57 miles of trail. An important characteristic of all National Trails is the partnerships they generate. The Arizona Trail

already has strong regional, state and local advocates, all of whom have worked hard at creating and maintaining a trail featuring the incredible natural and cultural diversity of the State of Arizona. In 1994, the non-profit Arizona Trail Association (ATA) was founded "to coordinate the planning, development, management, and promotion of the Arizona Trail for the recreational and educational experiences of non-motorized trail users." If designated by Congress as a National Scenic Trail, the Arizona trail would be administered by the U.S. Forest Service in close coordination with the Arizona Trail Association and any relevant State and local agencies that may wish to help with the Trail. The bill states the map will be on file in the appropriate offices of the Bureau of Land Management. Since the Arizona trail would be administered by the Forest Service, the bill should specify that the map will be available in the appropriate offices of the Forest Service.

#### H.R. 5671

The Administration generally supports the use of receipts from user fees to offset the costs of recreation activities as highlighted in this bill, but does have some concerns about H.R. 5671. This bill would authorize the Secretary of Agriculture to retain and utilize land use fees collected in connection with the establishment or operation of a marina in the Whiskeytown-Shasta-Trinity National Recreation Area and the operation of the Multnomah Falls Lodge in the Columbia River Gorge National Scenic Area.

Prior to the enactment of the Federal Lands Recreation Enhancement Act (REA), the Forest Service collected and retained land use fees from marinas in the Whiskeytown-Shasta-Trinity National Recreation Area under the Recreational Fee Demonstration Program authority. After enactment of REA, which repealed the Recreational Fee Demonstration Program and further defined qualifying criteria, the Forest Service reviewed all recreation fee projects for compliance with REA. The agency determined that the fee retention for long-term marina permits was not authorized under the new Act. We understand that the funds will be put to beneficial use on these sites. Nevertheless, we would like to have the opportunity to study and address the fee retention needs at

similar kinds of sites across the country so we can develop consistent and appropriate policy.

The bill would amend the Act of November 8, 1965 (16 U.S.C. 460q-8) to provide for land use fees collected for marinas in the Whiskeytown-Shasta-Trinity National Recreation Area to be deposited into an existing special account in the Treasury established for the Secretary for recreation management purposes. Annual land use fees for the Whiskeytown-Shasta-Trinity National Recreation Area are estimated to be approximately \$1.2 million.

The bill also would amend section 16 of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544n) to provide for land use fees for the Multnomah Falls Lodge in the Columbia River Gorge National Scenic Area to be deposited into the same account.

Annual land use fees for the Multnomah Falls Lodge are estimated at \$125,000.

The Secretary could expend funds from this account for a variety of recreation services, as well as operation, maintenance, and enhancement of facilities related to visitor enjoyment and access.

The bill also would authorize expenditure of funds from the Treasury account to cover costs associated with issuance of special use permits in the Whiskeytown-Shasta-Trinity National Recreation Area and the Columbia River Gorge National Scenic Area. The Administration recommends removing this language from the bill, as it is no longer necessary now that the Forest Service has promulgated cost recovery regulations. In addition, having separate accounts for cost recovery purposes could cause confusion from an accounting standpoint.

The bill would direct that the land use fees collected for marinas in the Whiskeytown-Shasta-Trinity National Recreation Area be expended in the recreation area, and that the land use fees collected for the Multnomah Falls Lodge in the Columbia River Gorge Scenic Area be expended in the scenic area. However, the bill allows up to 20 percent of the funds collected to be made available to other units or areas of the National Forest