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STATEMENT OF

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**SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS**

S.3148 Oregon Caves National Monument Boundary Modification

July 30, 2008

Thank you for inviting me to testify on S.3148 the Oregon Caves National Monument Boundary Modification. The intent of the legislation is to enhance protection of resources associated with the Monument and to increase public recreation opportunities. To achieve these goals the bill would transfer approximately 4,070 acres of land from the Rogue River-Siskiyou National Forest to the Oregon Caves National Monument; it would designate six segments of rivers within the boundaries of the proposed transfer as part of the National Wild and Scenic Rivers system; and it would provide for possible termination of grazing use on a Forest Service-managed grazing allotment, a portion of which is located within the proposed boundary of the Monument.

The Department of Agriculture (USDA) does not believe that either of the bill's primary purposes, enhanced protection of resources or increased public recreation opportunities, would be effectively achieved by its enactment. We believe that interagency coordination is the best and most effective means not only to enhance resource protection and recreational opportunities but also, and perhaps more importantly in the long run, to increase the participation of local communities, governments, and interest groups in Federal land and resource planning activities. To that end, we request that the committee defer action on this proposal pending further coordination between the Forest Service and the National Park Service.

By way of background, the Oregon Caves National Monument is comprised of an area of approximately 480 acres located in the Siskiyou Mountains of southern Oregon. S. 3148 would expand the Monument boundary, through a land transfer to the Secretary of the Interior, to

include approximately 4,070 acres of land that are currently in the Rogue River-Siskiyou National Forest.

In order to better illustrate the Department's position, I would like to take this opportunity to discuss in greater detail a number of the bill's specific proposals as well as the current status of cooperative and mutually supportive management between the Rogue River-Siskiyou National Forest and the Oregon Caves National Monument.

Expansion Proposal

Section 4 of the bill would direct the Secretary of Agriculture to transfer the proposed expansion area to the Secretary of the Interior, and to adjust the boundary of the Rogue River-Siskiyou National Forest to exclude the transferred land. The 1998 Oregon Caves National Monument General Management Plan, developed through the public NEPA process, recommended a similar boundary expansion. No coordinated study or formal dialogue between the Departments (beyond that provided under NEPA during development of the 1998 plan) has taken place in the intervening period.

The longstanding policy of USDA and DOI is to avoid unilateral proposals to change the status of lands. Instead if land change status is to be considered, the Departments' approach has been to conduct joint study, fully open to public participation. Moreover, longstanding direction has been for mutual support and cooperation in management of lands under each jurisdiction. The U.S. Forest Service is fully committed to cooperative and mutually supportive management across our respective jurisdictions.

Protection of Resources

The land managers of the Rogue River-Siskiyou National Forest and the Oregon Caves National Monument currently work very closely together on areas of mutual interest. The Forest Service and National Park Service managers mutually support the following three specific goals:

1. Maintaining and protecting cave resources, hydrologic resources, watersheds, and view sheds. Critical landscapes, including cave resources and watersheds, are managed by

interagency collaboration. These resources, and the need to manage them in a cooperative manner, not only extend beyond the current Monument boundary but also extend well beyond the proposed expansion area. Mere expansion of the Monument boundary would do little to further enhance resource protection of these landscapes and resources.

2. Improving forest health by addressing hazardous fuels. The majority of the proposed expansion area is designated as “Late-Successional Reserve” (LSR) as defined under the Northwest Forest Plan. These areas are intended to serve as habitat for late-successional and old-growth related species. A majority of the LSR landscape within this watershed, and the larger surrounding landscape managed by the Forest Service, is in fire condition class 3—high risk of damaging, perhaps catastrophic, wildfire. Currently the Rogue River-Siskiyou National Forest is using commercial harvest in a coordinated, multi-year effort to reduce fuels, both around the immediate vicinity of the Monument and across the larger watershed and landscape. The Rogue River-Siskiyou National Forest plans for approximately 1550 acres of fuels treatment projects within the proposed expansion area. Four hundred and forty acres will be treated over the next several years. Of those acres, approximately 100 acres will be treated by commercial harvest with volume estimated at 560 thousand board feet and an appraised value of approximately \$168,000. The remainder will be treated non-commercially. These treatments are designed and implemented to help restore the historic role of fire in this ecosystem and will help ensure that the forest attributes intended for the LSR, including bigger, older, more fire resistant trees, remain intact. To that end, we fully endorse the intent of section 6 of the proposed legislation to have forest restoration activities continue on the proposed expansion area. The hazardous fuel challenge in this region -and the danger of catastrophic fire- crosses all jurisdictions and is one we all must work together to address.

3. Minimizing any potential impacts from harvest, grazing, mining, and road construction. The Forest Service is fully committed to its multiple-use mission on National Forest System lands. Sustainable timber harvesting, grazing, and special forest products harvesting, as well as providing for a diversity of recreation opportunities, including hunting and fishing, help support the local economy. Returned receipts to states from commercial activities on

National Forest lands play an important role supporting local public infrastructure, including schools and roads¹.

On the National Forest lands that surround the Monument, timber harvesting, grazing and special forest product harvesting (i.e. bear grass, firewood, mushrooms, etc.) are allowed only if they meet resource objectives, as described above. Road management is limited to maintenance and reconstruction activities; no new roads are planned to be built within the area. Moreover, interagency collaboration provides additional oversight of these types of multiple-use activities.

Expanding and improving tourism and recreational opportunities

Current recreation on the portion of the National Forest proposed to be transferred includes horseback riding, hunting and fishing, gathering, camping, backpacking, and hiking. Interagency coordination maintains access to a full range of recreational opportunities which enhances the experience of both Monument and National Forest visitors. Executive Order 13443, issued in August 2007, directs the managers of national parks, forests, and other public lands, consistent with agency missions, to “facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.” If the bill is enacted, we understand from the National Park Service that hunting would be prohibited from the 4070 acre proposed expansion area. The Forest Service is fully committed to working with the National Park Service and the local community to provide for and to enhance a full spectrum of public outdoor recreational opportunities.

Relinquishment and Retirement of Grazing Permits

Section 7 of the proposed legislation would direct the Secretary of Agriculture to accept any "donation" of a grazing permit by the permit holder for grazing on the Forest Service managed Big Grayback grazing allotment, and if such a donation is received, ensure an end to grazing on the entire allotment. Under this legislation, only a small portion of the Big Grayback allotment

¹ 16 U.S.C. 500 directs 25% of receipts from a National Forest to be returned to the state where the National Forest is located; the state then distributes to the county where the National Forest is situated for public schools and roads as the state may prescribe.

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would become part of the Monument, and it is not clear how permanently ending grazing on a large area of land outside the Monument will further the legislation's purposes of enhancing resource protection and recreation opportunities on the Monument.

The Forest Service believes that grazing is an environmentally compatible use within this portion of the Rogue River-Siskiyou National Forest. Livestock grazing on public rangelands has been and continues to be an important and appropriate use of our public lands and is important to the economic vitality and cultural identity of many communities. We recognize that most ranchers are good stewards of the land, and that they are essential contributors to retaining rangelands as open space and working lands across the Nation. The United States is losing important working rangelands to development all across the Nation. The loss of open space results in fragmentation of the rangelands into smaller, more isolated patches. The loss of open space affects our air, water, and vegetation, and degrades wildlife habitat; increasingly these former rangelands are developed into part of the wildland/urban interface. Development of open space is driven by a multitude of social and economic factors, some of which are beyond the mission or ability of the Forest Service to address. However, for our part, we want to ensure that Forest Service policies help to keep working ranches in operation and the land whole, in the best tradition of conservation.

The permit holder's family has historically held permits on this allotment since 1937. The current permit was issued 2002 and will expire in 2012. A revised management plan for the allotment was issued in February, 2008 following an Environmental Assessment that was completed in October, 2007. The revised plan has not yet been issued, pending an appeal resolution under the National Environmental Policy Act (NEPA).

Absent a voluntary waiver of the permit by the permit holder, the Forest Service generally only retires grazing permits through the public land use planning processes. The current permit holder may waive the permit at any time. If the permittee waives the permit back, the Rogue River-Siskiyou National Forest currently has the discretion to utilize the land within the parameters of the Forest's Land Management Plan. Options for use of the land include issuing the permit to a new holder if the base acres requirement is met, holding the allotment vacant, or retiring the allotment. We note that if the legislation is enacted and the permit is not waived, the permit on the National

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Forest portion of the allotment, beyond the proposed expansion area, would continue as a valid use. Further, the Forest Service would not be responsible for enforcement of livestock exclusion, including fence construction and range improvements, on the portion of the allotment in the proposed expansion area, since that land would be transferred to the Secretary of the Interior.

We have other concerns with section 7. For example, section 7 does not indicate how the allotment would be managed should the permittee opt not to relinquish the permit, or in what order the transfer of the land and the waiver of the permit would occur. In addition, while section 7(a) would require a permanent end to grazing on the allotment if the permit is "donated," section 7(b) indicates that a portion of a grazing permit could be donated. We also have concerns with some of the terminology in section 7. For instance, one example is the use of the term "donation", a concept that is not applicable to Forest Service grazing permits. The Forest Service uses the term "waiver" to describe a permittee's voluntary relinquishment of a grazing permit.

Consequently, the Forest Service opposes this provision. However, the Forest Service also recognizes the value of working cooperatively and collaboratively with local stakeholders to fulfill its multiple use mission on Forest Service lands.

Wild and Scenic Rivers

Section 5 of the proposed legislation provides for the addition of six river segments to the National Wild and Scenic Rivers System (NWSRS). The Siskiyou National Forest analyzed all tributaries to the Illinois River on National Forest System lands for eligibility for inclusion in the NWSRS as part of a 1989 settlement agreement to an appeal of the Land and Resource Management Plan. None of the four rivers included partly or entirely in the current Monument expansion proposal were found to meet the criteria for eligibility at that time. The Forest Service would suggest that, at minimum, the segments within the proposed expansion area be re-evaluated for their eligibility for the NWSRS.

Thank you for the opportunity to testify on this legislation. I would be pleased to answer any questions you may have.