

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

FEBRUARY 3, 2012

CONCERNING

S. 271: the Wallowa Forest Service Compound Conveyance Act.

H.R. 491 – Cibola National Forest Boundary Expansion

H.R. 3685, to amend the Herger-Feinstein QLG Forest Recovery Act to extend and expand the scope of the pilot forest management project required by that Act

Mr. Chairman and members of the Subcommittee, I am Leslie Weldon, Deputy Chief of the National Forest System. Thank you for the opportunity to appear before you today to provide the Department of Agriculture's views on S. 271, which would require the Secretary of Agriculture to convey land, the Wallowa Ranger Station, to the City of Wallowa, Oregon.

S. 271 would require the Secretary of Agriculture, to convey to the City of Wallowa, Oregon, at the request of the City, all right, title, and interest in the Wallowa Forest Service Compound, approximately 1.11 acres located within the City, subject to valid existing rights and to such terms and conditions as the Secretary may require. The bill provides that, as conditions of the conveyance, the City shall use the compound as a historical and cultural interpretation and education center, shall ensure that the compound is managed by a nonprofit entity, and shall manage the compound with due consideration for its historic values.

It is long standing policy that the United States receive market value for the sale, exchange, or use of NFS land. This policy is well established in law, including the Independent Offices Appropriation Act (31 U.S.C. 9701), section 102(9) of FLPMA, as well as numerous land exchange authorities. The parcels have value to the United States for their potential to be used to facilitate future land conveyance.

Our preference would be to convey the compound to the City under existing authorities. The Forest Service has identified the Wallowa Compound as a site to be sold under the Forest Service Facility Realignment and Enhancement Act (FSFREA). Disposition under FSFREA would allow the proceeds from the sale to be used to address other administrative site needs. In the past 3 years, the Forest Service has expended funds to prepare the compound for disposal and hopes to derive benefit on behalf of the public from the sale by re-investing proceeds from the sale in other deteriorating infrastructure on the Wallowa-Whitman National Forest as provided for under FSFREA.

However, because of special circumstances, we do not object to the conveyance to the City of Wallowa under the bill. The City actually donated the parcels to the United States in 1936.

We recommend, however, that the bill should provide that the City of Wallowa be responsible for bearing all administrative costs associated with the conveyance. Additionally, the legislation would provide for the reversion of the property to the United

States, at the election of the Secretary, if the conditions under subsections 2(c) or 2(d) are violated. We would like to work with the Committee to address concerns with S. 271, including the reversionary language.

H.R. 491 – Cibola National Forest Boundary Expansion

H.R. 491, a bill to modify the boundary of the Cibola National Forest by approximately 900 acres including three parcels of privately-owned land and to transfer the administrative jurisdiction of an approximately 917-acre parcel of public land managed by the Bureau of Land Management (BLM) from the Secretary of the Interior to the Secretary of Agriculture. The Forest Service has no objection to the transfer of administrative jurisdiction as presented in H.R. 491.

The 917-acre parcel is adjacent to the North end of the Sandia Ranger District and is known as the “Crest of Montezuma.” The “Crest of Montezuma” is a small mountain adjoining and jutting north from the main body of the Sandia Ranger District. This parcel of land could be successfully managed by the Cibola National Forest in conformance with the existing land management plan.

We recommend a more recent map be used in the description of this property. We would like to work with the Subcommittee and the bill sponsor to ensure the map described in the bill is referenced and dated properly.

The 917-acre parcel includes within its boundaries three parcels of land owned by private entities. The bill would modify the boundaries of the Cibola National Forest to include the 917-acre parcel, including these three private parcels. It should be noted that the BLM was unsuccessful in previous attempts to purchase those properties for appraised market value. It is anticipated that the same valuation issue would exist if the Forest

Service attempted to purchase these properties. In addition, with limited funding, these private parcels may be a lesser priority than other potential acquisitions.

Section 1(d)(1) will confer “Weeks Act “status to the transferred parcels. Since the Weeks Act withdraws those lands from mineral entry, under the mining laws the withdrawal of the lands provided in Section 1(d)(2) is redundant.

H.R. 3685, to amend the Herger-Feinstein QLG Forest Recovery Act to extend and expand the scope of the pilot forest management project required by that Act

In 1993, the Quincy Library Group, a citizen group interested in collaborative management of National Forest lands, developed the “Community Stability Proposal.” In October of 1998 the passage of the Forest Recovery Act authorized the implementation of a Pilot Project in the northern Sierra. The Act was extended in 2003 and again in December 2007. The Pilot Project authority is scheduled to conclude in September, 2012; H.R. 3685 would extend the Pilot Project for another ten years.

The Plumas and Lassen National Forests along with the Sierraville Ranger District of the Tahoe National Forest have been working under the management direction of the HFQLG Pilot Project since 1998. The primary purpose of the original Pilot Project was to implement and demonstrate the effectiveness of resource management activities proposed by the Quincy Library Group to promote local economic stability; create healthy, fire-resilient forests that maintain ecological integrity; and construct a strategic network of fuel breaks (Defensible Fuel Profile Zones or DFPZs) that provides for safe and effective fire suppression.

We have accomplished a tremendous amount of work since the inception of the Pilot Project, and are currently utilizing the lessons learned during the 13 years of the project throughout the Sierra Nevada. This was a challenging pilot and successful because of the tremendous efforts of many people including the Quincy Library Group and the local governments surrounding the Plumas and Lassen National Forest and the Sierraville Ranger District of the Tahoe National Forest. The Forest Service has incorporated many of the lessons-learned over the past 13 years to the national forests of throughout the

Sierra Nevadas. Therefore, we would appreciate the opportunity to work with the Committee to address the following concerns we have with the 10 year extension of the Pilot Project and expanding the Pilot Project's area by approximately 12.5 million acres.

Leadership Intent for Ecological Restoration: Over the last couple of years, the Regional Forester for the Pacific Southwest Region has worked extensively with many partners and employees in the development of a Leadership Intent for Ecological Restoration¹ that focuses our activities on the National Forests around the concepts of restoring healthy and resilient landscapes.

The Pacific Southwest Research Station's General Technical Report 220 (GTR-220), which is a synthesis of current science that provides guidance on how to achieve our ecological restoration goals throughout the Sierra Nevada, has received positive bipartisan support. Collectively, the management recommendations in GTR-220 emphasize the ecological role of fire, changing climate conditions, sensitive wildlife habitat, and the importance of forest structure heterogeneity (a variation in the environment over space and time). Using this approach allows the Forest Service more flexibility to use a variety of scientifically appropriate treatments than currently allowed under HFQLG's more narrow parameters.

Sierra Nevada Forest Plan Amendment (2004 Framework): All non-QLG forests in the Sierra Nevada are managed under the 2004 Framework. Under the Framework, and within the guidance outlined in GTR-220, many of the objectives identified in the Pilot

¹ <http://www.fs.fed.us/r5/EcologicalRestoration/>

Project are being accomplished through projects designed to reduce fuels for community wildfire protection and provide support to rural economies.

Adaptive Management: The original intent of the Pilot Project was to utilize adaptive management processes to learn from projects implemented under the Pilot Project and to apply that knowledge to future projects and management direction. Lessons learned from the 13 years of the Pilot Project are currently being utilized in project design on the HFQLG forests. Also, the Pacific Southwest Research Station in 2009 has published PSW-GTR-220 An Ecosystem Management Strategy for Sierran Mixed-Conifer Forests, which is widely accepted by the public and industry users of the Sierran Provenance National Forests.

Collaboration: There is growing support for management under our Leadership Intent for Ecological Restoration, particularly through prescriptions developed under the guidance of GTR-220. We believe we can get more work done utilizing the guidelines included in GTR-220 and the goals outlined in our Leadership Intent for Ecological Restoration because of the likelihood of fewer challenges, appeals and litigation. An example is the Dinkey Collaborative Forest Landscape Restoration Act Project approved in 2010 for the Sierra National Forest which is utilizing the concepts recommended in GTR 220 to determine the on-the-ground prescriptions to implement fuels reduction and restorations objectives.

Forest Plan Revisions: The Region has a focused strategy to implement the new planning rule. Eight early adopter national forests across the country will start the plan revision process once the new planning rule is issued, and within California, the Inyo,

Sequoia and Sierra National Forests are designated as early adopters. The Pacific Southwest Region intends to revise the plans for forests in the Sierra Nevada over the next several years as funding allows. As part of this, the Forest Service would like to transition the HFQLG forests to the regular planning process. Legislation that would direct us to prioritize the QLG forests over other forests in the Region would disrupt the Pacific Southwest Region's current strategy.

Expansion of the Pilot Project Area: We appreciate the discretion incorporated in the bill for expanding the HFQLG pilot to cover the entire Sierra Nevada Province including Western Nevada with similar expectations for land management treatments and accomplishments. With respect to decreasing budgets, it would be extremely difficult to meet the expectations of the original Act. Expanding the HFQLG without incorporating new science and application of this science to restoration activities would ignore demonstrated successes in other parts of the Sierra Nevada national forests.

Group Selection Requirement: Specific direction requiring a group selection prescription, with specific acreage goals, does not necessarily meet our ecological restoration objectives. There are many other prescriptions that would prove to be the most ecologically appropriate, efficient and cost effective based upon site-specific conditions. In addition, to date, we have not been successful in accomplishing the group selection acreage goals outlined in the Act. There are many factors that have contributed to this, such as economic inefficiencies and operational challenges. Additionally, implementation of this prescription has attracted controversy and litigation.

Finally, the Department shares the desire of the bill sponsors to promote local economic stability, create fire-resilient forests that maintain ecological integrity, and provide for

safe and effective fire suppression – the principle goals of the original HFQLG Act. We are open to a short term extension of the existing act to learn from other collaborative models; complete the final report and complete lessons learned from 13 years of project implementation. This will allow us to transition the QLG forests. In closing, we would like the opportunity to work with the bill sponsors and the Committee to ensure that we can incorporate the good work of the Pilot Project into current management direction throughout the Sierra Nevada, including the 2004 Framework and guided by the recommendations outlined GTR-220.

This concludes my statement and I would be happy to answer any questions you might have.