

**STATEMENT OF
LESLIE A. C. WELDON**

**DEPUTY CHIEF NATIONAL FOREST SYSTEM UNITED STATES FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE**

BEFORE THE

COMMITTEE ON NATURAL RESOURCES

**SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS
UNITED STATES HOUSE OF REPRESENTATIVES**

March 29, 2012

CONCERNING

H.R. 1818- Mt. Andrea Lawrence Designation Act of 2012

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture on H.R. 1818, the Mt. Andrea Lawrence Designation Act of 2012. We have consulted with the U. S. Department of the Interior – National Park Service in the preparation of this statement.

H.R. 1818 – Mt. Andrea Lawrence Designation Act of 2012

This legislation directs the designation of an unnamed 12,240 foot peak, located on the boundary between Ansel Adams Wilderness Area and Yosemite National Park approximately six tenths miles (0.6) northeast of Donahue Peak, as “Mt. Andrea Lawrence.” The management of the proposed Mt. Andrea Lawrence is shared between the Inyo National Forest and Yosemite National Park.

Ms. Lawrence was a successful Olympic athlete and a committed public servant, having served 16-years on the Mono County Board of Supervisors and founded the Andrea Lawrence Institute for Mountains and Rivers. She was a strong supporter of the work of the Inyo National Forest and Yosemite National Park. She worked tirelessly to protect the health and vitality of the environment and economies in the Eastern Sierra and the Sierra Nevada Region as a whole. Ms. Lawrence passed away at the age of 76 on March 31, 2009.

The Department has no objection to the enactment of H.R. 1818 and notes that it would have no adverse impact to the management of the Inyo National Forest, or the Ansel Adams Wilderness.

However, the Board on Geographic Names was created by Congress in 1947 to establish and maintain uniform geographic name usage throughout the Federal Government. It is Board policy not to consider names that commemorate living persons. In addition, a person must be deceased at least 5-years before a commemorative proposal will be considered. In accordance with the

Board's interpretation of Wilderness Act of 1964, the Board on Geographic Names discourages naming features in congressionally designated wilderness areas unless an overriding need can be demonstrated. Although the Department does not have any objections to the enactment of HR 1818, maintaining consistency with the longstanding policies of the Board on Geographic Names is recommended.

The Department recognizes the contributions of Ms. Lawrence to both the United States and California, and concurs with the principles embodied in the legislation. Should the legislation be enacted, the Forest Service would work to ensure that our visitor information maps reflect the new designation, and understand that the National Park Service would do the same when their maps, signs, and other informational materials are replaced or updated

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

**STATEMENT OF LESLIE A. C. WELDON
DEPUTY CHIEF NATIONAL FOREST SYSTEM
U. S. FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE**

**BEFORE THE
HOUSE NATURAL RESOURCE COMMITTEE
NATIONAL PARKS, FORESTS AND PUBLIC LANDS SUBCOMMITTEE
MARCH 29, 2012**

CONCERNING:

H.R. 4234, GRAZING IMPROVEMENT ACT OF 2012

The Department appreciates the opportunity to provide its views on H.R. 4234, the “Grazing Improvement Act of 2012”. The Forest Service enjoys a cooperative relationship with the vast majority of the over 6,800 individuals who hold permits for grazing authorizing at total of approximately 8.3 million animal unit months on over 94 million acres of National Forests and Grasslands. Grazing permittees have helped provide for the effective stewardship of our public lands for many decades. The Forest Service’s grazing program not only helps support the economies of rural communities across the west, but it also helps maintain open space on private lands. Most permittees utilize and need both public and private lands to graze livestock economically. The loss of grazing on public lands can result in the loss of grazing on private lands that may lead to the conversion of private open space to other uses such as subdivision development.

The Department understands and shares the Committee’s desire for increasing administrative efficiencies for both the Forest Service and the permittee and while the Department supports certain provisions, we cannot support H.R. 4234 as written. Specifically, the Department has concerns with: requirements and definitions in the use of categorical exclusions, suspension of agency decisions until appeals are resolved and use of a different appeals process than is currently being developed. The Department is willing to work with the Committee to see if these differences can be resolved.

H.R. 4234 would revise the permitting process for grazing in the Federal Land Policy and Management Act of 1976. Specifically, the bill would extend the duration of the permit from 10 years to 20 years. It is intended to make permanent the language used in annual appropriation riders which has required expiring permits to be renewed with existing terms and conditions if NEPA has not been completed on allotments associated with the permit. It would establish and require the use of legislated categorical exclusions from the requirement to prepare an

environmental analysis under the National Environmental Policy Act (NEPA). The categorical exclusions would be used if the decision continues the current grazing management on the allotment and if only minor modifications are needed to the permit. Consistent with the appropriations rider, the bill also would provide the Secretary with the sole discretion to determine the priority and timing for completing the environmental analysis of a grazing allotment, notwithstanding the schedule in section 504 of the Rescissions Act. Finally it would create a new process for appealing Forest Service decisions relating to grazing permits.

The Department understands and shares the Committee's desire for increasing administrative efficiencies for both the Forest Service and the permittee. The Department supports the concept of having the flexibility to issue a longer term permit where allotments are meeting Forest Plan standards. The Department also supports making the annual appropriations language permanent so that permittees will be allowed to continue their use uninterrupted, while the Forest Service proceeds to complete NEPA per the Rescissions Act Schedule. While we support providing the line officer with the option to use a categorical exclusion category where the parameters of what constitutes a minor adjustment are narrowly defined, we do not support requiring use of categorical exclusions. We would appreciate the opportunity to work with the Committee on specific language regarding what constitutes minor modifications that would qualify for categorical exclusions. We have completed NEPA analyses on three-fourths of our grazing allotments and would note that whether we ultimately utilize a categorical exclusion or an environmental assessment, the upfront analysis work in determining the conditions of the range, is similar.

The Department does not support the language in H.R. 4234 that provides for a new appeal process. The Forest Service is currently completing the revision of appeal regulations in an effort to provide for a more streamlined and efficient process (36 CFR 251, subpart C, "Appeal of Decisions Related to Occupancy and Use of National Forest System Land"). We are in the process of incorporating public comments received. We believe these regulations, which will be designated 36 CFR 214 will provide for the most appropriate and effective means to address administrative decisions. We would also like to work with the Committee to consider language which would increase the responsibility of the permittees to ensure some level of self-monitoring of allotments to assist in ensuring the long-term health of these watersheds and landscapes.

The Forest Service is also concerned that H.R. 4234 would require the Forest Service to suspend a decision, if a permittee appeals a grazing permit or lease decision, until the appeal is resolved. While there are situations which can wait for the conclusion of the appeals process, there are others that may require more immediate action; e.g., unauthorized use of an allotment, significant impacts to other allotments, non-payment, unacceptable resource damage, etc. The Department cannot support the language that requires categorical exclusions for crossing or trailing permits as the Forest Service completes the required environmental analyses for these situations during the allotment NEPA process.

While the Department does not support the bill as written, the Department supports the intent of the bill and would like to work with the Committee on specific language and concerns as noted. We do not want to increase efficiencies at the expense of good land stewardship. While the

majority of the grazing permittees are excellent stewards in caring for the range resource, we also have examples where permittees need to take action to improve range conditions.

We welcome the opportunity to work with the Committee on the legislation to develop a bill that both increases efficiencies and protects the long-term health of our National Forests and Grasslands.

Thank you for the opportunity to appear before you today and would be happy to answer any questions you may have.