

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

**November 9, 2021**

**Concerning**

**H.R. 980 – Southwestern Oregon Watershed and Salmon Protection Act of 2021**

**H.R. 2551 – Bonneville Shoreline Trail Advancement Act**

**H.R. 5118 – Continental Divide Trail Completion Act**

Chairman Neguse, Ranking Member Fulcher, and Members of the Subcommittee, thank you for the opportunity to appear before you today to discuss the views of the U.S. Department of Agriculture (USDA) on several bills under the jurisdiction of the U.S. Forest Service (Forest Service).

**H.R. – 980 Southwestern Oregon Watershed and Salmon Protection Act of 2021**

H.R. 980 will permanently withdraw 101,021 acres of federal lands with exceptionally high conservation values from new mining claims, mineral leasing, and geothermal leasing. A total of 95,806 of the affected acres are located within the National Forest System on the Rogue River-Siskiyou National Forest (RRS). The remaining 5,215 acres are located on Department of the Interior Bureau of Land Management (BLM) land.

On December 30, 2016, these lands were administratively withdrawn for 20 years by Public Land Order 7859 for the purpose of protecting the lands while Congress considered a permanent legislative withdrawal. This public land order withdrew, subject to valid existing rights, those National Forest System lands from settlement, sale, location and entry under the public land laws; location and entry under the United States mining laws; and operation of the mineral and geothermal leasing laws. The current administrative withdrawal protects all valid existing rights, including those under the United States mining laws. Existing mining claims may be developed if a mineral validity examination shows that there was a valid existing right in the minerals at the time of the withdrawal and at the time of the mineral exam.

The Department of Agriculture supports the Southwestern Oregon Watershed and Salmon Protection Act of 2021.

## **H.R. – 2551 Bonneville Shoreline Trail Advancement Act**

USDA supports H.R. 2551, which would designate parcels of National Forest System lands on the Uinta-Wasatch-Cache National Forest (Forest) in Utah as components of the National Wilderness Preservation System and makes boundary adjustments to existing wilderness areas on the Forest, thereby removing these components from the National Wilderness Preservation System.

Section 2 of the bill would add approximately 326 acres of National Forest System lands to the Mount Olympus Wilderness. While the acres included in the proposed additions to the Mount Olympus Wilderness have not yet been evaluated for wilderness characteristics through the land management planning process, the Forest Service finds that these additions contain wilderness attributes and will not detract from existing wilderness areas.

Section 3 of H.R. 2551 makes boundary adjustments to existing wilderness components on the Forest, identifying approximately 326 acres for removal from the National Wilderness Preservation System. The bill stipulates that acres removed from the National Wilderness Preservation System shall be managed as part of the Forest. As depicted on the “Bonneville Shoreline Trail Legislative Map” dated July 9, 2020, the bill makes the following adjustments: approximately 10 acres are removed from Twin Peaks Wilderness; approximately 108 acres are removed from Lone Peak Wilderness; approximately 11 acres are removed from Mount Naomi Wilderness; and approximately 197 acres are removed from Mount Olympus Wilderness.

The proposed removal of these parcels from the National Wilderness Preservation System will advance completion of the Bonneville Shoreline Trail.

## **H.R. – 5118 Continental Divide Trail Completion Act**

Designated in 1978, the Continental Divide National Scenic Trail stretches 3,100 miles from the deserts of New Mexico to the alpine peaks of the northern Rockies and through stunning and diverse landscapes of the central United States; a ribbon that ties together many of the defining moments and movements in our nation’s history along the spine of the continent. Nearly 2,200 miles of the Continental Divide Scenic Trail traverse lands administered by the Forest Service; the remainder of the trail is split among lands administered by the Bureau of Land Management, the National Park Service, and held by states, tribes, and private landowners.

### **Section 2(a). COMPLETION OF TRAIL**

This section requires the Secretaries of Agriculture and Interior to substantially complete the land acquisition program necessary to ensure completion by the 50<sup>th</sup> anniversary (November 10, 2028) of the designation of the Continental Divide National Scenic Trail (CDNST). The intended acquisitions in this bill would focus on meeting the purposes of the CDNST which are to provide for high quality scenic, primitive hiking and horseback riding opportunities and to conserve natural, historic, and cultural resources along the CDNST corridor. No additional funding is authorized to achieve this goal.

The Administration supports the need to complete the CDNST but has concerns with meeting the proposed timeline to “substantially complete” the CDNST by its 50<sup>th</sup> anniversary. Progress towards this goal is, in large part, determined by private landowners’ willingness to sell their property or put it under a conservation easement. Currently, approximately 95% of the CDNST is protected on lands in public or tribal ownership, or through easements across private lands. The 5% of the trail that is considered incomplete, and on which this bill is focused, is primarily co-located on major highways or secondary roads that do not provide for the safety of hikers or the desired nature and purposes of the CDNST. Completion of this work has not happened to date due to lack of dedicated staff and funding needed to carry it out, as well as a lack of willing sellers in some areas. Once the optimal location review is completed, we expect to have a better idea of the workload for land acquisition and could then establish a manageable timeline for completion.

#### **Section 2(b). LAND ACQUISITION TEAM**

This section establishes an interagency land acquisition team to work in coordination with the Trail Administrator to facilitate completion and optimization of the Trail. The Administration supports establishment of an interagency (USDA Forest Service and the Department of Interior’s Bureau of Land Management) team to work on land conveyances as described in Sec. 2.b.(2)(B). However, work described in Sec. 2.b(2)(A) and (C) under Duties of the Team would be best suited to the Trail Administrator and specialists with skills such as geographic information system (GIS) mapping, landscape architecture, and natural resource management, and to key partners including the Continental Divide Trail Coalition. This work is already underway and the USDA Forest Service plans to have a draft optimal location review document in 2022. Administrative support for relocation work described in Sec. 2.b(2)(D) would not typically involve land acquisition; rather, it would include environmental analysis under the National Environmental Policy Act, if necessary.

#### **Section 2(c). ACQUISITION PLAN**

This section requires the Secretary of Agriculture in consultation with other affected agencies, tribes, states, and partners, to submit a comprehensive acquisition or protection plan within three years that identifies incomplete segments or gaps and general and site-specific development plans, including anticipated costs.

USDA supports the acquisition or protection plan but has concerns with the site-specific development plans, which would be difficult to complete in the required timeframe due to the need for interagency and partner coordination and anticipated environmental reviews.

#### **Section 2(d). METHOD OF ACQUISITION**

This section identifies methods of acquisition. USDA supports these methods of acquisition from willing sellers or lessees.

#### **Section 2(e). MAINTAINING EXISTING PARTNERSHIPS**

This section requires the Secretary and the land acquisition team to maintain and develop working partnerships with volunteer and nonprofit organizations that assist with development, maintenance, and management of the CDNST. USDA supports this section, although it is redundant with the requirements of the National Trails System Act.

**Section 2(f). REPORTS**

This section requires the Secretary to submit an annual report to Congress until the acquisition program is complete. It also requires the Continental Divide Trail Coalition to submit an annual report to Congress on the progress of the Secretary.

USDA supports an annual progress report from the Secretary to Congress. We are unaware of provisions like this where a partner organization is legislatively given an oversight role, and we are concerned with the precedent this may set as well as dynamics it may cause in our partnering relationship.

USDA supports the goals of this bill and would like to work with the Subcommittee and bill sponsors to address the concerns we have identified. Completing acquisition of the Continental Divide Trail meets Congress's aspirational intent in designating the National Scenic Trail in 1978. The Agency is committed to working with our partners to achieve this goal.

That concludes my testimony. Thank you again for the opportunity to testify on these bills, and I welcome any questions.