

**TESTIMONY of
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UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
BEFORE THE HOUSE COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON FEDERAL LANDS
on
H.R 5718 THE CENTRAL WASATCH NATIONAL CONSERVATION AND
RECREATION ACT**

NOVEMBER 15, 2016

Chairman McClintock and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Forest Service regarding H.R. 5718, the Central Wasatch National Conservation and Recreation Act. This legislation is a result of a collaborative effort of a broad spectrum of stakeholders in Utah, including representatives of the environmental community, elected officials, Utah Department of Transportation, Utah Transit Authority, various recreation groups, and the ski industry. The bill seeks to balance the need to protect critical watershed and drinking water for Wasatch Front communities, preserve recreational opportunities, enhance access, and accommodate future population growth in a large, metropolitan area.

The Department of Agriculture generally supports H.R. 5718, with some technical edits. H.R. 5718 would designate approximately 80,000 acres of National Forest System lands on the Uinta-Wasatch-Cache National Forest as a National Conservation and Recreation Area (NCRA). Within this area, approximately 1,800 acres would be designated as a Special Management Area and approximately 8,000 acres of wilderness would also be designated. The legislation would adjust existing wilderness boundaries to accommodate the Bonneville Shoreline Trail and future transportation improvements. This bill would also provide for land exchanges between the Forest Service and the four ski resorts within the two Cottonwood Canyons, pending an administrative review and public involvement process.

As a general matter, the Forest Service welcomes legislation that encourages collaboration with local stakeholders. We recognize the overall support of the stakeholders that collaborated on the bill. However, there are a few concerns that we will highlight in this testimony.

The bill requires the Forest Service to develop a management plan for the NCRA within three years, give priority to actions associated with a significant transportation infrastructure analysis, analyze three ski area permit boundary expansion proposals, and conduct a complex land exchange analysis. The Forest Service looks forward to implementing the intent of the bill, but we are concerned with our ability to be responsive to all aspects of the legislation within the timeframes identified for implementation.

The Forest Service can submit technical edit recommendations to address our concerns in response to Congressmen Chaffetz's request and appreciates an opportunity to work with the Subcommittee to provide additional technical edits to meet the objectives of the bill.

Transportation

The foundation of this legislation is rooted in the Mountain Accord Agreement. The Mountain Accord Agreement represents the commitment of more than 20 local organizations who, through a voluntary, multi-year, planning process agreed to proceed with a suite of actions designed to ensure that future generations can enjoy the Central Wasatch Mountains, while protecting the municipal watershed and natural resources. Support for this bill by many Accord members is dependent on transportation solutions to address the congestion within the two Cottonwood Canyons. The Forest Service acknowledges the challenges associated with the local transportation system given current and predicted use levels and looks forward to working with local elected officials, stakeholders, and communities to honor the intent of the Mountain Accord. The Forest Service supports bill language that authorizes consideration of all future transportation alternatives identified in the Mountain Accord Agreement, as long as those alternatives are consistent with the bill's purposes and all applicable laws.

National Conservation and Recreation Area (NCRA)

We appreciate the bill's acknowledgement under section 3 that there are existing designations within the NCRA, such as ski areas under permit and wilderness. These areas will need to be continued to be managed under their existing permits and the Wilderness Act. The bill would designate areas within the Uinta-Wasatch-Cache National Forest as wilderness under section 4 and as the White Pine Special Management Area under section 5. While these areas are in name part of the "greater" NCRA, the Forest Service recommends that the bill be amended to provide that they be managed exclusively in accordance with sections 4 and 5 and not under the provisions in section 3 that relate to remaining portions of NCRA. That is, although the designated wilderness and Special Management Area are part of the NCRA, they would be managed under different authorities. Likewise, the ski area resorts within the NCRA should be managed exclusively under the authorizing ski area permit and applicable Forest Service policy.

Wilderness

H.R. 5718 will result in a net wilderness increase of approximately 8,000 acres. While the Forest Service typically does not support a decrease in wilderness areas, roughly 120 acres of boundary adjustments reducing existing wilderness are needed to accommodate existing and proposed mountain bike trails.

The Forest Service recommends that boundaries for wilderness areas, and other special designations, be mapped to identify features on the ground to assist the public and land managers in recognizing different designations. We also recommend that proposed boundaries be vetted at the field level to confirm practicality of the management of these special designations, in accordance with legislative intent. Of special concern is the adjustment of existing wilderness boundary to accommodate the Bonneville Shore Trail, which serves as a highly supported interface between the urban area and public lands along the Wasatch Front. Several sections of the Bonneville Shoreline Trail have not been constructed. The existing conceptual design may require adjustments based on topography and private land easement constraints. Therefore, adjusting the wilderness boundaries, as identified on the map referred to in the bill, may limit the Forest Service's ability to meet the intent of the Accord. Specifically, the Forest Service may not be able to construct the Bonneville Shore Trail entirely outside of wilderness to accommodate mountain biking if the existing wilderness is adjusted according to the current proposal.

Land Exchange

The map referred to in the bill incorporates the best information available. However, it is conceptual at this time. The data is not based on legal land surveys and does not represent precise depictions of ownership boundaries. The configuration and location of all the identified parcels is subject to change, as the Forest Service and ski resorts complete their due diligence, conduct surveys, and verify ownership. The bill should provide that the Forest Service and ski resorts may correct, update, modify, or replace the geospatial data displayed on the map as they proceed through the land exchange due diligence process. In addition, land transfers should be required to meet all CERCLA section 120(h) requirements, not only the notice requirements in section 120(h)(1).

Conclusion

The Forest Service appreciates the collaborative efforts behind this legislation and welcomes the opportunity to continue to work with the bill sponsors and this Subcommittee to address any concerns.

Thank you for the opportunity to testify before you today. I would like, at this time, to address any questions you have.