

**STATEMENT  
JOEL HOLTROP  
DEPUTY CHIEF, NATIONAL FOREST SYSTEM  
FOREST SERVICE  
UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE  
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
UNITED STATES SENATE  
OCTOBER 29, 2009**

**CONCERNING**

**S. 555, SUGAR LOAF FIRE PROTECTION DISTRICT LAND EXCHANGE ACT  
OF 2009**

Mr. Chairman, Ranking Member Barrasso, and Members of the Subcommittee, I appreciate the opportunity to appear before you today to provide the Department's views on S. 555, regarding the exchange of certain lands in the Arapaho National Forest.

S.555 would provide for the exchange or sale of two federal parcels within the boundaries of the Arapaho National Forest in Colorado to the Sugar Loaf Fire Protection District (SLFPD). A portion of one parcel is under special-use permit for a fire station. The other was under a similar permit that has expired. The bill allows the SLFPD to make modifications to the permitted area in the interim period between enactment and conveyance without further authorization by the Secretary of Agriculture.

The Department supports S. 555, but would like to work with bill sponsors and the Committee on some minor modifications to the bill. The Department supports the work of the SLFPD and its efforts to improve facilities to more effectively deliver services. The federal lands proposed for conveyance have lost their national forest character due to past permitted activities and are better suited to private ownership. The lands proposed for conveyance to the United States have suitable national forest character and could contribute to increased management efficiency.

However, we are concerned that the 120-day timeline is not adequate to ensure compliance with all statutory requirements, including National Environmental Policy Act, the Endangered Species Act, the Antiquities Act of 1906, and myriad other laws requiring compliance prior to conveyance of federal lands. We suggest that a year is a realistic timeframe to complete all requirements.

The Department does not support the provisions of Sec. 4 (e), which allow the SLFPD to modify the fire stations located on federal lands during the period between enactment of the Act and completion of the land exchange without any additional authorization from the Department. We are confident that given a reasonable timeframe for completion of a

conveyance, the Forest Service can work with the SLFPD to accommodate any confirmed construction plans, negating the need for this provision.

Mr. Chairman and Members of the Subcommittee, this concludes my prepared statement. I am happy to answer any questions that you or Members of the Committee may have.

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**CONCERNING**

**S. 607, TO AMEND THE NATIONAL FOREST SKI AREA PERMIT ACT OF  
1986**

Chairman Wyden and Members of the Subcommittee, thank you for inviting the U.S. Department of Agriculture to appear before you today to present our views on S. 607, the “Ski Area Recreational Opportunity Enhancement Act of 2009.” The Administration supports this legislation with technical amendments. We would appreciate the opportunity to work with the Committee to refine the bill to provide the appropriate natural resource-based experience for visitors to the National Forests while ensuring the protection of the natural environment.

The bill would amend the National Forest Ski Area Permit Act of 1986 to authorize the Secretary to permit seasonal and year-round natural resource-based, outdoor-developed recreational activities and associated facilities at ski areas, in addition to those that support Nordic and alpine skiing and other snow sports that are currently authorized by the Act.

The Act authorizes issuance of permits for Nordic and alpine ski operations and appropriate ancillary facilities(16 U.S.C. 497b(b)(3)). Congress intended the term “appropriate ancillary facilities to include “only those facilities directly necessary for the operation and support of a winter sports facility...” ( S. Rep. No. 99-449, 99<sup>th</sup> Cong., 2d Sess. 5 (1986)).

The additional seasonal and year-round recreational activities and associated facilities authorized by the bill would encourage outdoor recreation and have to harmonize with the natural environment. The bill would make clear that the primary purpose of the authorized use and occupancy would continue to be skiing and other snow sports.

**Background and Need for Legislation**

Current law does not authorize activities other than Nordic and alpine skiing, snow sports, and their ancillary facilities at ski areas. Ski areas serve as portals to national

forest recreation. There are 121 ski areas operating under permit on national forests. These ski areas occupy a fraction of 1 percent of the total National Forest System land base. Nevertheless, about one-fifth of all recreation on national forests occurs at these ski areas. For many Americans, ski areas are gateways to our national forests and a means to greater appreciation of the natural world. Further, these recreational opportunities provide a great avenue for visitors to reconnect to the land, a core tenant of Secretary Vilsack's vision for forests.

We have become concerned about trends showing a decline in appreciation and understanding of the natural environment among our youth. However, we still see strong visitation by youth and families at ski areas. The Forest Service has developed strong partnerships with many ski area operators that enhance visitors' understanding and appreciation of the environment through interpretive signing, programs, and exhibits. Expanding opportunities for year-round use will encourage more of the public to experience and appreciate the national forests. Ski areas introduce the national forests to our increasingly urban population.

Ski areas are some of the most developed sites on the national forests. Focusing more of the developed outdoor recreational activities in these areas could reduce negative impacts in other areas of the national forests. One example of a popular developed outdoor recreational activity is freestyle mountain biking. By focusing this activity at ski areas, ski area operators would be able to increase utilization of existing infrastructure, and the impacts on surrounding National Forest System lands caused by freestyle biking may be minimized.

Across the country we have received numerous proposals by ski areas to add off-season recreational activities. Some we have approved, perhaps without fully understanding the current limitations of the 1986 Ski Area Permit Act, while others we have denied, or not acted upon. We're aware that summer activities at a number of ski areas that operate summer facilities on non-National Forest Service land are very popular. Whistler-Blackcomb Ski Area in British Columbia has become a very popular destination for biking. In the Northeast, Bretton Woods Ski area offers an array of summer activities which reportedly "sell out" at times. We believe we'd see the most interest for summer uses at ski areas that are either located near large population centers or are near communities with large hotel capacities that tend to be underutilized in the summer.

Because of longer summers and higher temperatures due to climate change, it is possible that ski areas in some locations may see somewhat shorter winter operating seasons. Increasing the scope of activities and facilities that may be authorized under a ski area permit, where appropriate and in conformance with environmental law, could help ski areas remain economically viable by more fully utilizing their significant investment in infrastructure, such as ski lifts, in the off-season or year-round.

### **Recommended Changes to S.607**

We would like to work with the committee to develop amendments in two areas:

- While we support allowing additional activities and infrastructure for year-round activities, activities should be appropriate to the natural resource setting and

should contrast with an urban environment. Excluding facilities such as amusement and water parks, golf courses, tennis courts, and skateboard parks is consistent with Forest Service policy.

- Ski area boundaries should continue to encompass only the acreage the Secretary deems sufficient and appropriate to accommodate the permit holder's needs for snow sports and appropriate ancillary facilities for winter operations. Permit boundaries should not be expanded to accommodate recreational activities and facilities that are not related to skiing and snow sports, which are the primary purpose of these resorts.

In addition, consistent with the discretion afforded the Secretary in the bill, we would develop directives that would establish criteria for implementing the expanded authority, based on case-specific review of proposals from ski areas in accordance with applicable regulations and environmental law. The criteria would likely include (1) availability and suitability of private lands as alternative sites for the activities; (2) the proposed location within the permitted area, including proximity to existing areas of concentrated development; (3) consistency with the applicable land management plan and applicable federal, state, and local law; (4) impacts on soil, water, wildlife, aesthetics, and other national forest resources; (5) effects on the primary purpose of the resort for alpine and Nordic skiing; (6) tribal interests; and (7) visitor safety.

If the bill is enacted, we would envision that more highly developed summer facilities would be focused in areas which already support extensive resort infrastructure, while lesser developed parts of ski areas would primarily be for hiking, mountain biking, and other activities that require more limited facilities.

The legislation does not provide a blanket approval for any particular summer facility or use. Proposals would be subject to the Agency's requirements for site-specific environmental review and public involvement. In those environmental reviews we would look very carefully at the sometimes sensitive nature of high elevation ecologic conditions before approving a proposal. While we might approve an activity or facility at one location at a given ski area, we might not at a different location at another ski area or even at a different location within the same ski area.

In summary, this legislation would concentrate highly developed recreation in those areas that are currently the most developed sites on the national forests and enhance the long term viability of these ski areas and the adjoining rural economies. For these reasons, the legislation is a positive step and one which the Administration supports, with the suggested clarifications.

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**CONCERNING**

**S. 721, TO EXPAND THE ALPINE LAKES WILDERNESS IN THE STATE OF  
WASHINGTON, TO DESIGNATE THE MIDDLE FORK SNOQUALMIE RIVER AND  
PRATT RIVER AS WILD AND SCENIC RIVERS, AND FOR OTHER PURPOSES**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide the views of the Department of Agriculture on S. 721.

This legislation would designate approximately 22,100 acres as a component of the National Wilderness System and approximately 37 miles of river as components the National Wild and Scenic Rivers System on the Mt. Baker-Snoqualmie National Forest in the State of Washington. The Department supports this legislation in concept and we would like to work with the Committee to address some technical issues as outlined below. We would also like the committee to be aware however, while we have completed suitability studies for the wild and scenic rivers, we have not completed a wilderness evaluation of the area designated under this bill. For the area that would be designated wilderness, management direction under the Land and Resource Management Plan is aligned with wilderness values with the majority of the land being managed as Late Successional Reserve under the Northwest Forest Plan. We thank the delegation for its collaborative approach and local involvement that have contributed to this bill.

**Alpine Lakes Wilderness**

The proposed additions to the Alpine Lakes Wilderness lie in the valleys of the Pratt River, the Middle and South Forks of the Snoqualmie River. The existing 394,000 acre Alpine Lakes Wilderness is one of the jewels of our wilderness system, encompassing rugged ice carved peaks, over 700 lakes, and tumbling rivers. The lower valleys include stands of old growth forest next to winding rivers with native fish populations. The area is located within minutes of the Seattle metro area. Trails accessing the area are among the most heavily used in the Northwest as they lead to some exceptionally accessible and beautiful destinations. The proposed additions to the Alpine Lakes Wilderness would expand this area to include the entire heavily forested Pratt River valley and trail approaches to lakes in the wilderness area in the Interstate 90 corridor.

We would like to work with the subcommittee to address some technical aspects of the bill. These include:

- The Middle Fork Snoqualmie River Trail #1003 is popular among mountain bicyclists. The Department's concern is that the trail is immediately adjacent to the proposed wilderness, not allowing sufficient room for reconstruction or relocation if needed as a result of likely future events such as flooding or landslides. We suggest a modification of the proposed wilderness boundary to allow for reconstruction or for relocation.
- The entire Pratt River Trail #1035 is included within the boundary of the proposed wilderness. The first mile of this trail currently is used by large numbers of people and groups. The trail, which would be a primary access corridor for the newly designated wilderness, is scheduled for major reconstruction work beginning this fiscal year. The Department suggests that the wilderness boundary be drawn to exclude approximately three miles of this trail to allow this continued recreation opportunity and future reconstruction if needed. This change would not alter the wilderness proposal significantly, but would allow the current recreation opportunity for high-use and large groups along this stretch of the Middle Fork Snoqualmie. This adjustment would also reduce operation and maintenance costs along this segment of the Pratt River Trail as motorized equipment could be used in its maintenance.
- The northwestern boundary of the wilderness proposal includes two segments of Washington State Department of Natural Resources lands totaling about 300 acres. We recommend that the boundary of the proposed wilderness be adjusted so that only National Forest System lands are included.

## **Wild and Scenic Rivers**

This legislation would also designate two rivers as additions to the National Wild and Scenic Rivers System: approximately 9.5 miles of the Pratt River from its headwaters to its confluence with the Middle Fork Snoqualmie River; and approximately 27.4 miles of the Middle Fork Snoqualmie River from its headwaters to within ½ mile of the Mt. Baker-Snoqualmie National Forest boundary. Each river was studied in the Mt. Baker-Snoqualmie National Forest Plan and determined to be a suitable addition to the National Wild and Scenic Rivers System.

The Pratt River has outstandingly remarkable recreation, fisheries, wildlife and ecological values. The corridor provides important hiking and fishing opportunities in an undeveloped setting. The river supports resident cutthroat trout and its corridor contains extensive deer and mountain goat winter range and excellent riparian habitat. Its corridor retains a diverse riparian forest, including remnant stands of low-elevation old-growth.

The Middle Fork Snoqualmie River also has outstandingly remarkable recreation, wildlife and fisheries values. The river is within an easy driving distance from Seattle and attracts many visitors. It provides important whitewater boating, fishing, hiking and dispersed recreation opportunities. The river corridor contains extensive deer winter range and excellent riparian

habitat for numerous wildlife species. This is the premier recreational inland-fishing location on the National Forest due to its high-quality resident cutthroat and rainbow trout populations. Adding these rivers to the National Wild and Scenic Rivers System will protect their free-flowing condition, water quality and outstandingly remarkable values. Designation also promotes partnerships among landowners, river users, tribal nations and all levels of government to provide for their stewardship. We therefore support the designation of these rivers into the National Wild and Scenic River System.

The Department has one concern with the wild and scenic river designations relating to the management of the Middle Fork Snoqualmie River Road. We are currently in the process of improving this road and feel that this work is needed to protect the wild and scenic values associated with this river while improving visitor safety and watershed health. Approximately 20 years ago, the U.S. Forest Service submitted the Middle Fork Road to the Federal Highway Administration for reconstruction via their enhancement program. The project has been approved, design work is approximately 15% complete, and construction is planned for 2011 or 2012. The Federal Highway Administration has already expended approximately \$3 million to date on the project. We would like to work with the committee to ensure timely completion of the project.

This concludes my prepared statement and I would be pleased to answer any questions you may have.



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**CONCERNING**

**S. 1122, TO AUTHORIZE THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF  
INTERIOR TO ENTER INTO COOPERATIVE AGREEMENTS WITH STATE FORESTERS  
AUTHORIZING STATE FORESTERS TO PROVIDE CERTAIN FOREST, RANGELAND, AND  
WATERSHED RESTORATION AND PROTECTION SERVICES**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide the views of the Department of Agriculture on S. 1122.

S.1122 would authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements or contracts with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services in states west of the 100<sup>th</sup> meridian. Activities that could be undertaken using this authority include: (1) activities to treat insect infected trees; (2) activities to reduce hazardous fuels; and (3) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat. The bill authorizes the states to act as agents for the Secretary and provides that states may subcontract for activities accomplished using this authority. The bill ensures federal retention of responsibilities for compliance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321et seq.). The authority would expire on September 30, 2018.

We support Good Neighbor Authority (GNA) and believe our Nation's forests face forest health challenges that must be addressed across diverse land ownerships. In these times of limited resources, it is important to leverage workforce and technical capacities and develop partnerships for forest restoration across all lands, while ensuring compliance with existing applicable laws and regulations. We believe further study and analysis is needed to better understand the interplay of needs, state and federal contracting and labor law and regulation before expansion of the authority is authorized. We look forward to working with the committee, States, and federal agencies to develop a better understanding of the issues and make suggestions to improve the bill in a manner that meets the needs of key stakeholders.

**How we use the current Good Neighbor Authority:**

The Forest Service has gained valuable experience using GNA in Colorado and Utah pilot programs over the past several years. We have completed 53 projects in Colorado and Utah at a cost to the federal government of about \$1.4 million. Colorado Good Neighbor projects have

focused on fuel reduction activities, such as tree thinning, mostly in the Colorado wildland-urban interface and have resulted in about 2,700 acres of treatment. In Utah, Good Neighbor projects focused on the repair of fire-damaged trails and watershed protection and restoration. The GNA was the subject of a Government Accounting Office report in February of 2009 (GAO-09-277). The report summarizes our experiences and makes suggestions for improving use of the authority.

Since its inception, the authority has been successfully used on over 35 projects in Colorado to treat approximately 2,700 acres, primarily on the Arapaho-Roosevelt and Pike-San Isabel National Forests. In Utah, the authority has been used on the Dixie National Forest to enhance watersheds, particularly during the rehabilitation and recovery of a burned area. Almost all of the projects in Colorado included some form of hazardous fuels reduction within the wildland-urban interface, including the creation of defensible space around subdivisions and private residences, the creation of shaded fuelbreaks, treatment and salvage of insect-infested trees, creation of evacuation routes, and thinning.

For example, Shadow Mountain Estates is a large subdivision (several hundred acres) that directly borders National Forest System (NFS) lands on the Arapaho National Forest in Colorado. In 2006, Shadow Mountain Estates contracted the Colorado State Forest Service (CSFS) to remove dead trees from within the neighborhood to reduce fire risk, and in 2007 they requested that the Forest Service treat the adjoining public lands to complement their fire prevention efforts. As a result of this request, the Forest Service entered into the Green Ridge Good Neighbor Agreement with the CSFS to remove hazardous fuels and create a defensible space on federal lands in this wildland urban interface.

The contract to remove the trees from both private and federal lands was prepared, advertised and administered by the CSFS, and resulted in the treatment of 135 acres of NFS land. The project was completed in June of 2008. Shadow Mountain Estates is satisfied with the result as the treated area is aesthetically pleasing and contributes to reduced wildfire damage risk to the neighborhood.

### **Benefits to the land and relationships**

The GAO report found that the GNA has facilitated cross boundary watershed restoration and hazardous fuel removal activities. The authority has resulted in the accomplishment of more restoration and protection treatments than would have otherwise been accomplished, particularly within the wildland urban interface. On the ground experience from Colorado and Utah indicates there is increased efficiency for both state and federal agencies because all project work is done at one time, with one contract, making implementation more consistent. Further, the authority enhances our ability to work with private landowners through the State Forester to remove hazardous fuels on adjacent NFS lands and, perhaps most importantly, it builds greater cooperation among stakeholders.

### **What we've learned**

The GAO report on GNA found that the Forest Service and Colorado State Forest Service (CSFS) developed timber operating procedures in 2007, in response to some confusion over the requirements governing timber sales. When GNA was first being used, general operating procedures were contained in the master agreements, but no specific operating procedures existed and some CSFS officials were unsure about certain requirements that needed to be followed as part of conducting a timber sale on federal land. The Forest Service and CSFS are drafting additional timber procedures that identify federal and state roles in GNA timber sales from the initial NEPA documentation through the sale and subsequent harvesting of national forest timber. Project task orders for timber sale contracts will clearly specify special Forest Service contract requirements that are the responsibility of the state, which in turn holds the contractor accountable for meeting those requirements.

The GAO recommended the Secretaries of Agriculture and the Interior (1) require that the U.S. Forest Service in Utah, Bureau of Land Management in Colorado and any agencies that receive the authority in other states develop written procedures for Good Neighbor timber sales before conducting any future sales and (2) direct the agencies to better document their experiences using the authority. The Forest Service will continue its review of the findings and recommendations and continue to improve its use of the authority.

This concludes my prepared statement and I would be pleased to answer any questions you may have.

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**CONCERNING**

**S. 1328, SHASTA-TRINITY NATIONAL FOREST ADMINISTRATIVE  
JURISDICTION TRANSFER ACT**

Mr. Chairman, Ranking Member Barrasso, and Members of the Subcommittee, I appreciate the opportunity to appear before you today to provide the Department of Agriculture's views on S. 1328, regarding the interchange of certain Federal lands between the Forest Service (FS) and the Bureau of Land Management (BLM). The Shasta-Trinity National Forest has worked closely with the Redding, California Field Office (BLM) to identify the appropriate lands for inclusion in the administrative jurisdiction transfer.

The Department supports this bill, which provides a seamless recreation experience and improved management of the Shasta-Chappie Off Highway Vehicle (OHV) Area as well as enabling the Forest Service to consolidate key landholdings, including the BLM's portion of the Trinity Alps Wilderness. We note that many of the same goals of this act could be achieved administratively through Service First Authority (PL 106-291), an authority available to both Departments to more efficiently and effectively manage the Federal estate. We would appreciate the opportunity to work with the Subcommittee and the BLM to address technical changes to the lands involved in the interchange.

Just 10 miles northwest of Redding, the Chappie-Shasta Off-Highway area offers 200 miles of roads and trails over 52,000 acres for off-road enthusiasts. The Chappie-Shasta area is conducive for mountain biking, camping, fishing, hiking, backpacking, and horseback riding, and hunting, in addition to the off-highway vehicle use.

S. 1328 transfers to the BLM administrative jurisdiction for approximately 11,760 acres of National Forest System lands located within the Chappie-Shasta OHV Area. In return, the bill transfers to the FS administrative jurisdiction for approximately 5,000 acres in three parcels of public land currently managed by the BLM in Trinity, Shasta, Humboldt, and Siskiyou Counties. The BLM lands include approximately 4,830 acres of the Tunnel Ridge portion of the Trinity Alps Wilderness of which the FS manages approximately 517,000 acres. The other two parcels are approximately 217 acres adjacent to Shasta Lake and approximately 44 acres along California Highway 89.

The Shasta-Trinity National Forest currently issues four to six Special Use Permits per year for OHV race events within the Chappie-Shasta OHV Area. The OHV staging area is currently on National Forest System lands within the Whiskeytown-Shasta-Trinity National Recreation Area. However, large portions of the trails are on private and other federal lands administered by the FS, BLM, the Bureau of Recreation and the National Park Service.

The Shasta-Trinity National Forest and the Bureau of Land Management have a long history of working together in the development and management of the Chappie-Shasta Off-Highway Vehicle Area. However, the different permitting and administrative processes of the two agencies have caused difficulties for recreational users. In addition, each agency has been separately applying for grant funding for the OHV area, which is both inefficient and redundant.

Thank you for the opportunity to testify on S. 1328. I welcome any questions you may have.

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CONCERNING**

**S. 1442, THE PUBLIC LANDS SERVICE CORPS ACT OF 2009,  
AMENDING THE PUBLIC LANDS CORPS ACT OF 1993**

Good afternoon Mr. Chairman, Ranking Member Barrasso and members of the Subcommittee, thank you for the opportunity to testify before you today on S. 1442, the Public Lands Service Corps Act of 2009.

**INTRODUCTION**

On April 2, 2009, the Department testified in strong support of H.R. 1612 at a hearing on the House of Representative version of the current bill. The Department strongly supports S. 1442. This bill would strengthen and facilitate the use of the Public Lands Corps program, helping to fulfill the vision that Secretary Vilsack has for reconnecting people to the land by promoting ways to engage youth across America to serve their community and their country. We have much work to do in restoring our forests, some of which can be achieved through the robust partnerships that this bill creates.

**PUBLIC LANDS SERVICE CORPS ACT OF 2009**

S. 1442 would strengthen and improve the Public Land Corps Act by making several administrative and programmatic changes that would encourage broader agency use of the program, as well as foster opportunities that are more varied for young men and women. The amendment would also enhance participant support for Corps enrollees during and after their service. Appropriately, S. 1442 would change the program's name to Public Lands *Service* Corps, reflecting an emphasis on "service."

Most projects implemented by the Forest Service's Volunteer<sup>1</sup>, Youth<sup>2</sup> and Hosted Programs<sup>3</sup> in the national forests and grasslands are designed to address needs for maintenance and ecological restoration, while providing a service-learning opportunity for the enrolled youth. We fully expect those types of projects would continue to be

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<sup>1</sup> Youth aged 15 to 18 e.g. YCC

<sup>2</sup> Domestic and international

<sup>3</sup> Conservation partnerships with non-governmental organizations

completed under S. 1442. However, this amendment specifies a broader range of potential projects, making it likely that Corps members would become involved with the varied activities of the Forest Service mission including the Deputy Areas for Forestry Research and Development, National Forest Systems, State and Private Forestry and Business Operations.

## **FOREST SERVICE HISTORY AND INVOLVEMENT WITH CORPS AND YOUTH**

Beginning in 1933 with Camp Roosevelt, the first Civilian Conservation Corps (CCC) camp located on the George Washington National Forest, the Forest Service has had a long and robust association with youth and young adult conservation corps. Indeed, the Forest Service Job Corps Program, authorized by Congress in 1964, is modeled after the CCC of the 1930(s). The Forest Service operates this program pursuant to an agreement with the Secretary of Labor.<sup>4</sup> Since enactment of the Youth Conservation Corps Act of 1970 (Public Law 91-378), the Forest Service has sponsored the Youth Conservation Corps for young men and women age 16 through 18, who complete service-learning projects on National Forest System lands. Many current agency employees, inspired by their service-learning and association with the Forest Service, initiated their career aspirations through involvement with the Youth Conservation Corps.

The Department regards the Public Land Corps program as an important and successful example of civic engagement and conservation service for the Nation's youth. National Forest System lands are a place for Public Lands Service Corps participants to learn and practice an array of conservation, preservation, interpretation and cultural resource skills. Indeed, in forty two states and Puerto Rico the Forest Service has already benefited greatly over the years from the service and volunteer work on National Forest System lands.

One example, the Rocky Mountain Youth Corps (RMYC), headquartered in Taos, NM, annually enrolls nearly 150 at-risk youth and has a long-standing partnership with the Carson National Forest. Through the Collaborative Forest Restoration Program (CFRP), authorized by Public Law 106-393, and designed to involve citizens and youth in the management and care of national forests and grasslands, 30 RMYC Corps members recently completed a three-year thinning project on the Carson National Forest. The purpose of the project was to reduce the risk of catastrophic wildfire, thereby making the area safer for homes and people. Throughout the project, Corps members' received tangible training and experience. Many of the enrollees could go on to careers in forestry, wildlife and natural resource management.

Our second example is from the summer of 2009. The Wyoming Conservation Corps (WCC), housed within the University of Wyoming's School of Environment and Natural Resources, engaged more than 40 young people to clear dead trees from trails and

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<sup>4</sup> Under the authority of the Title I-C of the Workforce Investment Act (WIA), which generally authorizes the Job Corps program, the Department of Labor transfers funds to the Forest Service to operate its Job Corps Centers.

campgrounds on the Medicine Bow National Forest. The service work was performed to make trails and campgrounds safer for visitor use and enjoyment. Following their experience with WCC, many of these young people expressed an interest in pursuing careers in land and natural resource management.

A third example is the Northwest Youth Corps. For over 20-years, the non-profit, community-based organization in Eugene, OR, has been a partner with the Forest Service, Bureau of Land Management, and other natural resource and land management agencies. This collaboration has provided service-learning opportunities for over 10,000 youth.

### **IMPLEMENTATION AND EXPERTISE**

S. 1442 would grant the Secretary the discretion to establish residential conservation centers to include housing, food service, medical care, transportation, and other services associated with residential living arrangements. The Forest Service is uniquely situated to play a key role in the coordination and management of the residential conservation centers for the Public Lands Service Corps through its Job Corps Program. The Forest Service Job Corps Program would likely be the coordinating office for Public Lands Service Corps residential conservation centers in the Forest Service.

The Forest Service Job Corps Program has the institutional capacity to operate residential facilities successfully. However, there are a number of implementation issues that need to be considered in establishing new residential conservation centers. These include the costs of operating and maintaining the facilities, potential liability issues, and questions about the impact on contract and labor laws and the need for a structured behavior management program to ensure the health and safety of students and staff. In implementing the residential living centers authorized by the act, we intend to work closely with the Department of Labor to ensure that any new responsibilities and activities undertaken by the Forest Service Job Corps Program will neither divert Job Corps resources nor detract from carrying out the existing Job Corps program mission. In addition, we would appreciate the opportunity to work with the sponsors and the Subcommittee to address these implementation issues in the bill.

### **CONCLUSION**

In conclusion, the Department of Agriculture welcomes S. 1442, which would increase the opportunity for Public Lands Service Corps members to leverage their education and work experience in obtaining permanent, full-time employment with Federal agencies. By completing service-learning projects in the Public Lands Corps, a skilled cadre of young and diverse natural resource professionals would be available to meet some of the staffing needs of agencies. Mr. Chairman and Members of the Committee this concludes my prepared statement. I am happy to answer any questions that you or Members of the Committee may have.



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**CONCERNING**

**H.R. 129, THE CONVEYANCE OF LANDS  
IN THE LOS PADRES NATIONAL FOREST TO THE WHITE LOTUS  
FOUNDATION**

Mr. Chairman, Ranking Member Barrasso, and Members of the Subcommittee, I appreciate the opportunity to appear before you today to provide the Department's views on H.R. 129, regarding conveyance with consideration of National Forest System lands located in the Los Padres National Forest.

This legislation would authorize the Secretary to convey, subject to valid existing rights with consideration, all right, title, and interest in National Forest System land up to 5 acres within the Los Padres National Forest located in Santa Barbara County, California. The Department appreciates this Committee's efforts to resolve this issue; however, we do not support H.R. 129 because there would be limited benefit to the public from this conveyance. This legislation would serve only a small, select group of citizens, the White Lotus Foundation. In addition, the conveyance would legitimize the Foundation's long-standing encroachments on lands in the Los Padres National Forest by allowing the Foundation to acquire them through legislation for the Foundation's private use and enjoyment.

Adjacent landowners with similar long-standing encroachments on National Forest System lands in the Los Padres National Forest would not receive a remedy. These landowners are following H.R. 129 with interest, as the model for resolving their encroachment cases. Resolving the White Lotus Foundation encroachments through H.R. 129 would therefore set a precedent for resolution of other encroachment cases through case-specific legislation.

Mr. Chairman and Members of the Subcommittee, this concludes my prepared statement. I am happy to answer any questions that you or Members of the Committee may have.