

Statement of
Leslie Weldon
Deputy Chief National Forest System
Forest Service
U.S. Department of Agriculture

Before the
United States House of Representatives
Committee on Natural Resources
Subcommittee on Federal Lands

June 16, 2015

Concerning
H.R.1138, the ‘Sawtooth National Recreation Area and Jerry Peak Wilderness
Additions Act.’

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R.1138, the Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act. To Representative Simpson and other members of the Idaho delegation, we wish to thank you for your work on this bill.

The Department supports the bill as it applies to lands managed by the Forest Service. We have included recommendations for your consideration, and we have also included concerns with the Bill that we would like to work with the Committee and sponsor to address. We defer to the Department of the Interior for matters concerning land administered by the Bureau of Land Management.

Title I Wilderness Designations

Section 101 would add additional areas in central Idaho to the National Wilderness Preservation System – 68,000 acres in the Sawtooth and Challis National Forests to be known as the “Hemingway-Boulders Wilderness”; 90,777 acres in the Sawtooth and Challis National Forests to be known as the “White Clouds Wilderness”; and approximately 120,148 acres in the Salmon-Challis National Forest and Challis District of the Bureau of Land Management to be known as the “Jim McClure-Jerry Peak Wilderness.”

The Department supports designation of the Hemingway-Boulders, White Clouds and Jim McClure-Jerry Peak Wildernesses as depicted on the maps referenced in the Bill. Most of the National Forest System acres that would be designated as wilderness by the bill were recommended for wilderness designation in their respective forest plan. The National Forest System acres that would be designated as wilderness by the bill that were not recommended for wilderness in their plan are either inventoried roadless areas or their current management direction is compatible with wilderness designation.

We recommend that language be added to the bill that would authorize the agency to maintain historical structures that may exist in the designated wilderness areas. The agency has language that we would be happy to share with you.

Section 102(e)(1) addresses livestock grazing on the lands designated as wilderness. The Department supports the language requiring the continuation of existing livestock grazing within designated wilderness in accordance with the 1964 Wilderness Act and House Report 96-617, also known as the “Congressional Grazing Guidelines.” We also support the proposal by the Idaho delegation in section 102(e)(2) to allow voluntary and permanent reductions in grazing in the designated areas. We would like to work with the sponsor and Committee on technical issues with the language of section 102(e)(2) regarding the donation of grazing permits. The Department also has minor technical corrections regarding references to provisions of the Wilderness Act in Section 102 of the Bill that we would be happy to share with the Committee.

The Department has concerns with section 103(b). The President’s discretion under the Wilderness Act to review and approve any potential water resource facilities that is deemed in the national interest should not be limited.

Title II – Land Conveyances for Public Purposes

Section 202 requires either conveyance or issuance of a special use authorization of a one acre parcel to Blaine County, Idaho for a school bus turnaround. Recently, Blaine County commissioners informed the Forest Service that they are no longer interested in developing a turnaround at this location. We recommend removing this section.

Section 203(d) requires the conveyance, without consideration, of the Forest Service road that passes through the parcel of National Forest System land, to the City of Stanley, Idaho, under section 206. The Department has concerns with conveying the road because the Forest Service currently manages the parcel that the road accesses. In addition, the Department believes the public should be appropriately compensated for its resources.

Section 206 requires the Secretary of Agriculture to convey an approximately four-acre parcel to the City of Stanley, Idaho for workforce housing. The City of Stanley is iconic on the central Idaho landscape. It is also a Designated Community under the Private Land Regulation and intrinsic to the Sawtooth National Recreation Area. The Department recognizes that the need for local workforce housing is a challenging concern for the City. We share that concern as the lack of housing can result in unauthorized use of National Forest System lands. However, the Department has concerns with section 206 as currently drafted and would like to work with the Committee to resolve these concerns.

The bill directs conveyance of the parcel for no consideration. Our consistently-held position is that the public must be compensated for its resources. Additionally, the bill requires removal of Forest Service improvements that are currently being used at the public’s expense. The identified parcel is physically separated from the City of Stanley and surrounded by Federal land. We would welcome the opportunity to work with the sponsors and the City to identify a parcel that is

potentially better suited for private development, including a Federal parcel within the developed area of Stanley and adjacent to existing infrastructure.

This concludes my remarks. Thank you for the opportunity to testify.

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Concerning
H.R. 1554 the 'Elkhorn Ranch and White River National Forest Conveyance Act
of 2015'

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R. 1554, the Elkhorn Ranch and White River National Forest Conveyance Act of 2015.

The bill directs the conveyance of a 148 acre parcel of National Forest System land to the Gordman-Leverich Partnership. The parcel is located within the White River National Forest.

While the Administration has serious reservations about the use of public lands to compensate a private landowner, acknowledging the unusual circumstances in this specific case, the Department does not oppose H.R. 1554. The bill would resolve a long standing title issue associated with the property.

A dependent resurvey in 1949 established a property monument approximately 2,100 feet from the corner relied upon by the original homesteaders. 43 U.S.C. 772, enacted in 1909, provided for such resurveys and guarantees that the bona fide rights of landowners will be protected. The 1949 resurvey was reviewed, accepted, and filed in the Federal Government system of official surveys. The BLM Director determined that the resurvey protected the bona fide rights of the property owner by recognizing recovered corners of the original survey, even if relying on them produced oddly configured sections. The resurvey has not been protested.

Potentially conflicting and erroneous subsequent land surveys suggest that the historic occupation lines should define the area that should have been protected. However, the Gordman-Leverich Partnership's administrative appeal options have been exhausted and the Department is without administrative authority to convey such lands. The parcel has never been managed as National Forest, with land survey issues only coming to light within the past 15 years. Resolution of this title issue will result in improved utilization of resources for the White River National Forest.

This concludes my remarks. I would be happy to answer any questions. Thank you for the opportunity to testify.

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Concerning
H.R. 2223 the ‘Craggs, Colorado Land Exchange Act of 2015’

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding H.R. 2223, the Craggs, Colorado Land Exchange Act of 2015.

The bill would direct completion of a land exchange between the United States and Broadmoor Hotel, Inc. The United States would convey an 83 acre tract National Forest System Land in exchange for a 320 acre privately owned parcel and a permanent trail easement for a section of the Barr trail. Both exchange parcels are located within the Pike National Forest.

The Department generally supports H.R. 2223, but would like to work with the committee on a couple of concerns with the bill. We would like to help develop language that would ensure the northern boundary of the land conveyed is located to provide adequate space for Forest Service road maintenance and administration. We would also like to work with the committee on the time allowed for completion of the exchange. The administrative processing requirements of the exchange would make it difficult to be complete in the time allocated in the bill.

The exchange would provide for conveyance of a National Forest parcel that has long been encumbered with significant resort improvements managed under special use authorization. In return the United States would receive a high priority isolated inholding, which has significant recreational values and provides additional access for the public to the National Forest.

The exchange will also eliminate potentially significant development in a sensitive area in exchange for conveying Federal land where development impacts have already occurred. In addition, The United States would secure legal access on a segment of the very popular Barr trail. This trail provides an important recreational access to the Pike National Forest.

This concludes my remarks. I would be happy to answer any questions. Thank you for the opportunity to testify.