

**H.R. 1038, H.R. 1237, H.R. 2157,
H.R. 2490, H.R. 2504, H.R. 2745,
H.R. 2947, H.R. 3222, H.R. 3452
AND S. 684**

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS
AND PUBLIC LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

Friday, December 2, 2011

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LEGISLATIVE HEARING ON H.R. 1038, TO AUTHORIZE THE CONVEYANCE OF TWO SMALL PARCELS OF LAND WITHIN THE BOUNDARIES OF THE COCONINO NATIONAL FOREST CONTAINING PRIVATE IMPROVEMENTS THAT WERE DEVELOPED BASED UPON THE RELIANCE OF THE LANDOWNERS IN AN ERRONEOUS SURVEY CONDUCTED IN MAY 1960; H.R. 1237, TO PROVIDE FOR A LAND EXCHANGE WITH THE TRINITY PUBLIC UTILITIES DISTRICT OF TRINITY COUNTY, CALIFORNIA, INVOLVING THE TRANSFER OF LAND TO THE BUREAU OF LAND MANAGEMENT AND THE SIX RIVERS NATIONAL FOREST IN EXCHANGE FOR NATIONAL FOREST SYSTEM LAND IN THE SHASTA-TRINITY NATIONAL FOREST, AND FOR OTHER PURPOSES; H.R. 2157, TO FACILITATE A LAND EXCHANGE INVOLVING CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE INYO NATIONAL FOREST, AND FOR OTHER PURPOSES; H.R. 2490, TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO PROVIDE FOR A STUDY OF THE CASCADIA MARINE TRAIL; H.R. 2504, TO ESTABLISH COLTSVILLE NATIONAL HISTORICAL PARK IN THE STATE OF CONNECTICUT, AND FOR OTHER PURPOSES. "COLTSVILLE NATIONAL HISTORICAL PARK ACT"; H.R. 2745, TO AMEND THE MESQUITE LANDS ACT OF 1986 TO FACILITATE IMPLEMENTATION OF A MULTISPECIES HABITAT CONSERVATION PLAN FOR THE VIRGIN RIVER IN CLARK COUNTY, NEVADA; H.R. 2947, TO PROVIDE FOR THE RELEASE OF THE REVERSIONARY INTEREST HELD BY THE UNITED STATES IN CERTAIN LAND CONVEYED BY THE UNITED STATES IN 1950 FOR THE ESTABLISHMENT OF AN AIRPORT IN COOK COUNTY, MINNESOTA; H.R. 3222, TO DESIGNATE CERTAIN NATIONAL PARK SYSTEM LAND IN OLYMPIC NATIONAL PARK AS WILDERNESS OR POTENTIAL WILDERNESS, AND FOR OTHER PURPOSES; H.R. 3452, TO PROVIDE FOR THE SALE OF APPROXIMATELY 30 ACRES OF FEDERAL LAND IN UINTA-WASATCH-CACHE NATIONAL FOREST IN SALT LAKE COUNTY, UTAH, TO PERMIT THE ESTABLISHMENT OF A MINIMALLY INVASIVE TRANSPORTATION ALTERNATIVE FOR SKIERS, CALLED 'SKILINK', TO CONNECT TWO SKI RESORTS IN THE WASATCH MOUNTAINS, AND FOR OTHER PURPOSES. "WASATCH RANGE RECREATION ACCESS ENHANCEMENT ACT"; AND S. 684, A BILL TO PROVIDE FOR THE CONVEYANCE OF CERTAIN PARCELS OF LAND TO THE TOWN OF ALTA, UTAH.

Friday, December 2, 2011
U.S. House of Representatives
Subcommittee on National Parks, Forests and Public Lands
Committee on Natural Resources
Washington, D.C.

The Subcommittee met, pursuant to call, at 10:31 a.m. in Room 1302, Longworth House Office Building, Hon. Rob Bishop [Chairman of the Subcommittee] presiding.

Present: Representatives Bishop, Amodei, Grijalva, Kildee, and Garamendi.

Also present: Representatives Gosar and Herger.

Mr. BISHOP. All right. We are happy to have you all here. This hearing will now come to order. The Chair notes the presence of a quorum. The Subcommittee on National Parks, Forests and Public Lands is meeting today to hear testimony on eight bills.

Under the rules, opening statements are limited to the Chairman and Ranking Member. However, I ask unanimous consent to include any Member's opening statement in the hearing record if

they are submitted by the close of business today. Hearing no objection, so ordered.

I also ask unanimous consent that any Members who will be testifying who would like to participate may be able to join us here on the dais. So ordered.

I want to thank our colleagues and the witnesses who have agreed to testify today on this agenda. As I said, we have eight bills that will be here that we will talk about. They all address unique land management issues.

And with that, I am going to make any public statements I have on the two bills with which I am related here when we turn to the first panel, and I will turn to the Ranking Member for any opening statement he may have.

**STATEMENT OF HON. RAÚL M. GRIJALVA, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF ARIZONA**

Mr. GRIJALVA. Thank you, Mr. Chairman. I am going to submit my opening statement for the record so that we can expedite the meeting. Thank you. I yield back.

[The prepared statement of Mr. Grijalva follows:]

**Statement of The Honorable Raúl M. Grijalva, Ranking Member,
Subcommittee on National Parks, Forests and Public Lands**

Mr. Chairman, while the scheduling of today's meeting was not ideal, we do appreciate the inclusion of several measures sponsored by our Democratic colleagues.

Mr. Inslee's legislation to authorize a study of the Cascadia Marine Trail is a popular proposal that passed the House last Congress by voice vote.

Mr. Larson's legislation regarding the fascinating history of the Colt Arms manufacturing site has raised concerns in the past but there appear to be changed circumstances that will resolve those concerns. We look forward to hearing more about these developments.

Mr. Dicks' wilderness bill has already been the subject of a hearing in this subcommittee as part of our consideration of H.R. 1162.

This wilderness proposal in Olympic National Park has been introduced as a stand-alone bill at the suggestion of Subcommittee Chairman Bishop and Chairman Hastings and it is our hope the Committee can approve this measure quickly.

Lastly, I should note that the legislation sponsored by Chairman Bishop, H.R. 3452, has raised some concern. We stand ready to work with you on this bill, Mr. Chairman, in hopes that the concerns raised by Mayor Becker and others can be addressed.

We appreciate our colleagues and the other witnesses being here and look forward to their testimony. Thank you.

Mr. BISHOP. Thank you. Great. I appreciate that. All right. Since most of our first panel is on their way and aren't here yet, we are going to start eventually Congressman Herger and Congressman McKeon. The gentleman from Minnesota and it looks like the gentleman from Nevada will be here. Representative Gosar, who is a Member of our Committee, has a bill that will be introduced, and I have two I wish to speak to.

So what we will do is let me say a couple of things very briefly about the two bills that I have. Then we will turn to Representative Larson for your testimony. Once again, if you would like to stay with us, we would be happy to have you here. No one has ever taken me up on that offer, but whatever works well. And then we will turn to Representative Gosar.

**STATEMENT OF HON. ROB BISHOP, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF UTAH**

Mr. BISHOP. I would just like to mention two things. We have two bills here with which I am related. First is Senator Lee's bill, 684. This is one of those simple bills that the City of Alta, which is up in the mountains, wants two acres of Federal land to build necessary public accommodations that they have up there.

It is two acres, and, like the usual bureaucratic mess that we have around here, it has taken four years to get Congress to agree to give them two acres to build their municipal buildings. But it has finally cleared the Senate. Eventually I hope we can actually expedite that and have it clear the House as well.

I also have another bill that is here, which is H.R. 3452, that is co-sponsored by other Members of the Utah delegation and a like bill that is also over in the Senate. This is a bill that would actually add 30 acres of Federal ground to enhance the recreation aspects in two of our mountain ski resorts by putting a SkiLink in the form of a gondola type situation to go from one resort to the other.

It has the opportunity of enhancing our tourism aspect, adding more tourists but at the same time hopefully not adding more vehicle traffic going up the canyons to these two resorts. This bill is also introduced in the Senate, and this starts our public comment period on this particular bill.

As I have said before, as this bill moves its way through, I as well as the other co-sponsors on this and the Senate bill will be more than happy to look at any ideas we can to improve this bill and make it more compatible. Already we have made some adjustments to it on the recommendations of some Members of Congress. I will continue to look at those in the future, but I appreciate that. We will be hearing more from it.

Mr. BISHOP. If I could take just a personal privilege right now, unfortunately I am going to have to leave. I have another meeting at 11:00, so I am going to turn this over, but I have three constituents who are here to testify. If I can do this totally out of order, I would just like those three to stand so I can formally introduce them even though they are going to be on the second panel and I probably won't be here at that time, for which I once again apologize. It is my bad.

First of all, Mike Jensen, who is a firefighter by profession, but he is also a member of the Salt Lake County Council. I appreciate him being here. Mike Goar, who is the Managing Director of the Canyons Resort, which is one of the terminuses of this potential link, and Mayor Ralph Becker, who is the Mayor of Salt Lake City. I appreciate those three. A couple of them are actually constituents. Mike, you are not, but who knows? Someday. Someday. I appreciate you all for coming here and being here, and I appreciate you participating in the second panel.

All right. With that, we will also turn to the panel here. Representative Larson, I promised you could go first because you came here first. If you would like to testify to your bill, we would be happy to hear it now.

**STATEMENT OF HON. JOHN LARSON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CONNECTICUT**

Mr. LARSON. Well, I thank the distinguished Chairman and Ranking Member Grijalva—

[Microphone out for 26 seconds.]

Mr. LARSON.—and I am pleased to be joined today by the Mayor of the City of Hartford, who will be testifying in the second panel, and also Peggy O'Dell from the National Park Service, who will be testifying in favor of the bill as well. We were fortunate to have Secretary Salazar out at the site this past September. The Mayor of Hartford will be addressing some of the very economic concerns that Chairman Bishop raised.

What is unique about this and historic has already been well established in studies, but just briefly what I would like to say is that this was of course, as many of you know, Coltsville is where Samuel Colt and Elizabeth Colt manufactured—one of the leading manufacturers at the time—the gun that won the West. But in fact it was a gun that was used during the Civil War, and Colt Manufacturing is still in existence and still making guns and has done so for the United States military from the Civil War to Afghanistan.

The unique history that is provided here is not just the manufacturing, and this was central in this region to manufacturing, but the whole concept of interchangeable parts in a revolver and even more so that Samuel Colt dies and a woman takes charge and runs Colt Manufacturing for the next 40 years. So indeed it was a woman that was in charge of a company. She could not vote at the time, and it would have been what we would call one of the top Fortune 5 companies at that time in the United States.

It was a place where people came to learn about interchangeable parts and assembly line manufacturing. And whether it was Henry Ford or Pratt & Whitney, both in automobiles and aerospace, but it also spawned the bicycle, the typewriter and the automobile in terms of its manufacturing significance and its process. Colt Manufacturing was the first manufacturer to actually have a plant overseas, the first American plant of its kind to do so, because of its unique assembly line and interchangeable parts concept and of course because of the legacy of the Colt revolver and gun itself.

Many of you on this Committee come from states where the entire State of Connecticut could fit into just one of your national parks, and what we are calling for is 10,000 square feet. And what is unique about this, and I want to emphasize this, is the collective enterprise that is involved in putting this together. By collective enterprise I mean this: From the grassroots up, the local community has bought into this because of not only its historic significance but its significance to its neighborhood and community.

You will hear from the Mayor of Hartford talking about the economic value, more than \$150 million of economic value and 1,000 jobs created by this visitors center that will highlight the great treasures of the Colt Museum, many of which are stored and out of sight in our state library.

The collaboration between the local grassroots people, the municipal government and the City of Hartford, the State of Connecticut, who has bought into this, and of course our National Park Service

all are vitally important, as well as the private sector and the commercial sector, who have joined in making sure that this becomes an incredible unique experience.

But what I want to leave you with today is what this means is validation. Having been to a number of our national parks and knowing the pride and prestige that happens when you walk by the person garbed with that hat and that uniform, it validates for people of the City of Hartford and the State of Connecticut that sends far more to the Federal Government in terms of revenue than what it is asking in return.

And for this small piece of history, it is not the Grand Canyon, but it is a grand vision that envelops all the people in the area. It is history in your backyard that not only by preserving it enhances that future for everybody else but also brings a community together. So I ask the Committee to view this favorably.

I know you are going to hear from the Mayor and the National Park Service as well, and I thank you for the opportunity to make the case. Again, we will submit extraneous testimony in people from the Chamber of Commerce to the State of Connecticut to various historical groups, again testifying to the validity of the program and its historic significance and economic impact for the region.

And with that, I thank you.

Mr. BISHOP. Thank you, Representative Larson. John, you are welcome to stay here and answer questions at the end or stay here and join us, but I also realize you have a schedule and a life to live, so whatever you wish to do. I feel for you.

Mr. LARSON. I thank the Chairman. As much as I would like to stay with him, like him, I also have another meeting that I have to go to. I apologize because I indeed otherwise would have taken you up on the offer.

Mr. BISHOP. Well, both Raúl and I are taking this personal, but it is OK.

[Laughter.]

Mr. BISHOP. I actually turn to Representative Herger right now. Wally, if you would like to speak to introduce your piece of legislation, and then the same thing will apply to you. If you would like to stay with us on the dais, we have already done a UC that would allow it.

STATEMENT OF HON. WALLY HERGER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. HERGER. Thank you very much, Chairman Bishop, for holding this hearing and inviting me to participate.

In the Northern California congressional district I represent, the Federal Government owns an enormous amount of the land with it reaching as high as 75 percent in Trinity County. The Trinity County Public Utilities District, TPUD, owns property surrounded by land administered by the Bureau of Land Management and the Forest Service. TPUD seeks to economically improve one parcel near the Weaverville Airport, but it currently cannot do so because it is landlocked by the Forest Service.

I introduced H.R. 1237 to provide for an exchange of certain TPUD parcels for a portion of the Federal land that is around the

District property near the airport. My legislation would transfer 47 acres of the District's property near the Trinity River known as Sky Ranch to the Bureau of Land Management and 150 acres within Six Rivers National Forest, known as Van Duzen, to the Forest Service. TPUD would receive a parcel of equal value from the Shasta-Trinity National Forest that surrounds their site at the airport.

This land exchange would benefit the Federal Government by consolidating BLM and Forest Service holdings and increase the efficiency of managing the land. This would allow TPUD to develop the property and enhance economic opportunity for the community. Trinity County faces significant challenges attracting businesses because the Federal Government owns 75 percent of the available land, over 1.5 million acres, limiting the availability of land for commercial use.

The county also faces significant economic challenges because government mismanagement and lawsuits from fringe groups have shut down responsible stewardship and management of the county's vast timber resources. This decline in management has been devastating to the timber industry and had a multiplier effect throughout the county's economy with severe impacts on schools, infrastructure and small retail businesses.

I have received letters of support of this legislation from the Trinity County Board of Supervisors, the Trinity County Resource District, the Weaverville Community Forest and the Rotary Club of Hayfork. I would like to submit them into the record.

[NOTE: The letters submitted for the record by Mr. Herger have been retained in the Committee's official files.]

Mr. HERGER. In closing, I strongly believe that these resources belong to the people and local needs should drive their management. Common-sense land exchanges like the one my legislation would implement would have the twofold benefit of making Federal land management more efficient while providing local communities with greater access to their natural resources.

I look forward to working with the Committee to pass this common-sense land exchange bill and again thank you.

[The prepared statement of Mr. Herger follows:]

**Statement submitted for the record by The Honorable Wally Herger,
a Representative in Congress from the State of California**

Thank you Chairman Bishop for holding this hearing and inviting me to participate. In the Northern California Congressional District I represent, the federal government owns an enormous amount of the land, with it reaching as high as 75% in Trinity County. The Trinity County Public Utilities District, TPUD, owns property surrounded by land administered by the Bureau of Land Management and the Forest Service. TPUD seeks to economically improve one parcel near the Weaverville Airport, but it currently cannot do so because it is landlocked by the Forest Service. I introduced H.R. 1237 to provide for an exchange of certain TPUD parcels for a portion of the federal land that surround the district's property near the airport.

My legislation would transfer 47 acres of the district's property near the Trinity River, known as "Sky Ranch," to the Bureau of Land Management and 150 acres within Six Rivers National Forest, known as "Van Duzen," to the Forest Service. TPUD would receive a parcel of equal value from the Shasta-Trinity National Forest that surrounds their site at the airport.

This land exchange would benefit the federal government by consolidating BLM and Forest Service holdings and increase the efficiency of managing the land. This would allow TPUD to develop the property and enhance economic opportunities for the community.

Trinity County faces significant challenges attracting businesses because the federal government owns 75% of the available land, over one and a half million acres, limiting the availability of land for commercial use. The county also faces significant economic challenges because government mismanagement and lawsuits from fringe groups has shut down responsible stewardship and management of the county's vast timber resources. This decline in management has been devastating to the timber industry and had a multiplier effect throughout the county's economy with severe impacts on schools, infrastructure and small retail businesses. I have received letters of support of this legislation from the Trinity County Board of Supervisors, the Trinity County Resource District, the Weaverville Community Forest and the Rotary Club of Hayfork. I would like to submit them into the record.

In closing, I strongly believe that these resources belong to the people, and local needs should drive their management. Common-sense land exchanges like the one my legislation would implement would have the two-fold benefit of making federal land management more efficient while providing local communities with greater access to their natural resources. I look forward to working with the committee to pass this common-sense land exchange bill.

Mr. BISHOP. Thank you, Representative. Once again, feel free to stay with us if you would like to.

Mr. HERGER. Thank you.

Mr. BISHOP. The gentleman from Minnesota, Chip—we always call you Chip because I am really not sure how to pronounce your name properly. Is it Cravaack? Cravaack?

Mr. CRAVAACK. Cravaack, Cravaack. I answer to a lot of different ones.

Mr. BISHOP. Congressman, you are up.

Mr. CRAVAACK. Thank you, sir.

Mr. BISHOP. If you would introduce your bill, we would appreciate it.

STATEMENT OF HON. CHIP CRAVAACK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

Mr. CRAVAACK. Thank you, Chairman Bishop and Ranking Member Grijalva, for holding today's important legislation and hearing and thank you for kindly inviting me to come testify on my bill, H.R. 2947. This is an issue of great importance to the men and women of the 8th District of Minnesota.

Mr. Chairman, in July of 1950, the Department of Agriculture initiated a land transfer with Cook County in northeastern Minnesota. The land was given with sole expectation that it would be used for the sole purpose of building the Cook County Airport. A clause was placed in the deed that should the land be used for anything other than an airport-related development, the deal would become void and the property would revert back to the Department of Agriculture.

Currently, the Cook County Highway Department is trying to finish construction of a road that would require usage of a 100-foot easement of land currently in possession by the Cook County Airport. While both the Cook County Highway Department and the Cook County Airport are in favor of building on the 100-foot easement, the land in question is part of the original 1950 land procurement made between the Department of Agriculture and the State of Minnesota.

Cook County officials contacted the Federal Aviation Administration about the matter. The FAA informed them that an Act of Congress was needed to resolve the issue. Therefore, I sit here today

attempting to solve this unforeseen dilemma. My legislation would instruct the Secretary of Agriculture to execute and file a deed of release, other appropriate instruments reflecting the release of the reversionary interest and changing the conditions of the agreement.

H.R. 2947 does not seek an appropriation of Federal funds. It is only a purpose to remove a clause placed in the deed when the land was originally granted. Members of the Committee, this piece of legislation has wide support back home in Minnesota and in my district and, quite frankly, just makes sense.

The Cook County Board is planning to consider a resolution of support in its upcoming December 13 meeting. With me today I have a letter from the Cook County Highway Department offering its full support of H.R. 2947. Mr. Chairman, I respectfully request that the letter be inserted in the hearing for record.

[NOTE: The letter submitted for the record by Mr. Cravaack has been retained in the Committee's official files.]

Mr. CRAVAACK. Additionally, my staff has reached out to the United States Forest Service and they have no objections and support this legislation moving forward. I am hopeful the House Natural Resources Committee will next report this bill out of the full Committee, making it ready for the Floor for consideration.

Again, thank you, Chairman Bishop and Ranking Member and all Members of the Subcommittee, for allowing me to have this opportunity to testify, and I yield back my time.

[The prepared statement of Mr. Cravaack follows:]

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on S. 684, To provide for the conveyance of certain parcels of land to the Town of Alta, Utah

Thank you Chairman Bishop and Ranking Member Grijalva for holding today's important legislative hearing, and thank you for kindly inviting me to come testify on my bill, H.R. 2947. This is an issue of great importance to me and my constituents back in the 8th District of Minnesota.

Mr. Chairman, in July of 1950 the Department of Agriculture initiated a land transfer with Cook County in northeastern Minnesota. The land was given with the expectation that it would be used for the sole purpose of building the Cook County Airport. A clause was placed in the deed that should the land be used for anything other than airport related development, the deal would become void and the property would revert back to the Department of Agriculture.

Currently, the Cook County Highway Department is trying to finish construction of a road that would require the usage of a 100 foot easement of land currently in possession of the Cook County Airport. While both the Cook County Highway Department and the Cook County Airport are in favor of building on the 100 foot easement, the land in question is part of the original 1950 land procurement made between the Department of Agriculture and the State of Minnesota.

Our local county officials contacted the Federal Aviation Administration (FAA) about the matter. The FAA official they spoke to said an act of Congress was needed to resolve the issue.

Therefore, I sit here today attempting to solve this unforeseen dilemma. My legislation would instruct the Secretary of Agriculture to execute and file a deed of release, other appropriate instruments reflecting the release of the reversionary interest, and changing the conditions of the agreement. H.R. 2947 does not seek any appropriation of federal funds; its only purpose is to remove a clause placed in the deed when the land was granted.

Members of the committee, this piece of legislation has wide support back home in my District. The Cook County Board is planning to consider a resolution of support in its upcoming December 13th meeting.

With me today I have a letter from the Cook County Highway Department offering its full support for the H.R. 2947. I would respectfully request that the letter be inserted into the Hearing Record.

Additionally, my staff has reached out to the United States Forest Service and they have responded by saying that they have no objections and support this legislation moving forward.

I'm hopeful the House Natural Resources Committee will next report this bill out of the full committee, making it ready for floor consideration.

Again, thank you Chairman Bishop, Ranking Member Grijalva, and all members of the subcommittee for allowing me the opportunity to testify today.

Mr. BISHOP. Thank you, Representative Cravaack. As I said, you are welcome to stay here if you would like to.

Mr. CRAVAACK. Thank you, sir.

Mr. BISHOP. We will next turn to Representative Heck. The same thing, if you would like to introduce the piece of legislation you have, and once again, if you would like to stay afterwards to join us on the dais, you are invited to.

**STATEMENT OF HON. JOSEPH HECK, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEVADA**

Mr. HECK. Thank you, Chairman Bishop and Ranking Member Grijalva. Thank you for inviting me to testify before the Subcommittee on H.R. 2745, legislation that amends the Mesquite Lands Act of 1986.

The original Mesquite Lands Act was passed in 1986 and provided the City of Mesquite the exclusive right to purchase at fair market value certain Federal land under the control of the Bureau of Land Management. As the city is landlocked by public lands and was the fastest growing city in the country for much of the 1990s, this legislation was amended in 1996 to allow the city to purchase additional Federal lands to ensure Mesquite could continue to grow and prosper in a positive manner.

In 1999, Congress passed the latest Mesquite Lands Act amendment with the specific purpose of providing land to construct a commercial airport and to provide more room for commercial and industrial development to again meet future demands for its citizens and a rapidly growing tourism industry.

In 2002, the U.S. Fish and Wildlife Service issued a Mesquite Lands Act biological opinion to the BLM which promulgated certain terms and conditions associated with the land sale. A key term contained in the biological opinion is a mandate that the city participate in the development and implementation of a habitat conservation and recovery plan and a hydrologic monitoring and mitigation plan along the Virgin River.

In response to the Mesquite Lands Act biological opinion, Congress made a technical amendment to the Act within the Clark County Conservation of Public Land and Natural Resources Act of 2002 that set aside a portion of the proceeds from the sale of each parcel for the development of these plans. However, language allowing for the implementation of these plans was inadvertently omitted from this amendment.

Other Nevada land Acts, such as the Southern Nevada Public Lands Management Act and the Lincoln and White Pine County Lands Acts, clearly state that funds shall be expended on development and implementation of multispecies habitat conservation plans that are associated with new development. I believe that the same process should be applied to the Mesquite Lands Act.

The City of Mesquite has instituted an interim fee for each acre of land disturbed by development estimated to generate up to \$10 million over the life of the recovery plan. Another \$9 million has been committed to the program from the Southern Nevada Water Authority, and the Virgin Valley Water District is contemplating a mitigation fee for each new service hookup that will generate up to \$19 million.

However, costs for the mitigation and recovery efforts could reach \$63 million, making the implementation language clarification of utmost importance. It is estimated that this would provide an additional \$4.8 million to this effort, which is the balance of the special fund currently held by the U.S. Department of the Interior.

Again, H.R. 2745 is just a legislative clarification regarding the special funds, allowing for the development and implementation of the conservation and recovery plans. This is consistent with other habitat conservation plans in Nevada, and the same process should be applied to the City of Mesquite.

In addition to this clarification, there is an issue regarding the timing of the land sales identified in the 1999 amendment to the Lands Act which is also addressed in H.R. 2745. The legislation gives the city the exclusive right to purchase at fair market value the land identified in the Lands Act from BLM for a period of 12 years from the date of enactment.

However, due to the severe economic conditions that continue to plague southern Nevada and a delay of the environmental impact statement for the airport site, the city is not in a position to purchase the final sections of property at this time and therefore was not able to make this deadline. The City of Mesquite remains committed to ensure that it continues to grow in a positive manner and needs an extension of time to allow economic conditions to improve.

In closing, I would like to again thank Chairman Bishop and Ranking Member Grijalva as well as the other Members of the Subcommittee for holding a hearing on H.R. 2745. A letter of support from the BLM has been provided for the record.

[The letter submitted for the record by Mr. Heck has been retained in the Committee's official files.]

Mr. HECK. I look forward to answering any questions the Subcommittee might have. I yield back the balance of my time.

[The prepared statement of Mr. Heck follows:]

Statement of The Honorable Joe Heck, a Representative in Congress from the State of Nevada, on H.R. 2745, Amending the Mesquite Lands Act of 1986

Chairman Bishop and Ranking Member Grijalva, thank you for inviting me to testify before the Subcommittee on H.R. 2745, legislation that I introduced on August 4th of this year that amends the Mesquite Lands Act of 1986.

The original Mesquite Lands Act was passed in 1986 and provided the City of Mesquite the exclusive right to purchase, at fair market value, certain federal land under the control of the Bureau of Land Management (BLM). As the City is landlocked by public lands and was the fastest growing city in the country for much of the 1990's, this legislation was amended in 1996 to allow the City to purchase additional federal lands to ensure Mesquite could continue to grow and prosper in a positive manner. In 1999, Congress passed the latest Mesquite Lands Act amendment with the specific purpose of providing land to construct a commercial airport and to provide more room for commercial and industrial development to again meet future demands for its citizens and a rapidly growing tourism industry.

In 2002, The U.S. Fish and Wildlife Service issued a Mesquite Lands Act Biological Opinion to the BLM which promulgated certain terms and conditions associated with the land sale. A key term contained in the Biological Opinion is a mandate that the City participate in the development and implementation of a Habitat Conservation and Recovery Plan (VRHCRP) and a Hydrologic Monitoring and Mitigation Plan (HMMP) along the Virgin River.

In response to the Mesquite Lands Act Biological Opinion, Congress made a technical amendment to the Act within The Clark County Conservation of Public Land and Natural Resources Act of 2002 that set aside a portion of the proceeds from the sale of each parcel for the “development” of the Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. It is apparent that, during this process, language allowing for the “implementation” of these plans was inadvertently omitted from this amendment. Other land acts, such as Southern Nevada Public Lands Management Act and the Lincoln and White Pine County Lands Acts, clearly state that funds shall be expended on development and implementation of multi-species habitat conservation plans that are associated with new development in their respective areas. I believe that the same process should be applied to the Mesquite Lands Act.

The Habitat Conservation and Recovery Plan was established to provide a mechanism for federal and non-federal entities to work collaboratively to protect and conserve imperiled species in the Lower Virgin River Basin. The Hydrologic Monitoring and Mitigation Plan provides for monitoring to assure the Virgin River is not adversely affected by the extraction of groundwater for new development. Additionally, an important function of the Conservation and Recovery Plan will be to provide a forum to coordinate ongoing aquatic and riparian species conservation and recovery efforts within the basin. In concert with habitat plan development, the U.S. Fish and Wildlife Service has notably allowed development to continue in Mesquite, with the understanding that the plan would be implemented upon adoption. The unique process merges a habitat conservation planning process with a recovery plan.

The City of Mesquite has instituted an interim fee for each acre of land disturbed by development, estimated to generate up to \$10 million over the life of the Habitat Conservation and Recovery Plan. Another \$9 million has been committed to the program from the Southern Nevada Water Authority and The Virgin Valley Water District is contemplating a mitigation fee for each new service hookup that will generate up to \$19,000,000. However, costs for the mitigation and recovery efforts could reach \$63 million, making the “implementation” language clarification of utmost importance. It is estimated that this would provide an additional \$4.8 million to this effort, which is the balance of the special fund being held by the U.S. Department of Interior.

H.R. 2745 is a legislative clarification regarding the special funds allowing for the **development and implementation** of the Habitat Conservation and Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. This is consistent with other Habitat Conservation Plans in Nevada and the same process should be applied to the City of Mesquite.

In addition to the clarification for the Habitat Conservation and Recovery Plan, there is an issue regarding the timing of the land sales identified in the 1999 amendment to the Mesquite Lands Act that is also addressed in H.R. 2745. The legislation gives the City the exclusive right to purchase, at fair market value, the land identified in the Mesquite Lands Act from the Bureau of Land Management for a period of 12 years from the date of enactment of the Land Act. Due to the severe economic conditions that continue to plague Southern Nevada and a delay of the Environmental Impact Statement for the Airport site, the City is not in a position to purchase the final sections of property at this time and, therefore, was not able to make this deadline. The City of Mesquite remains committed to ensure that it continues to grow in a positive manner, and needs an extension of time to allow economic conditions to improve.

In closing, I would like to again thank Chairman Bishop and Ranking Member Grijalva, as well as the other members of the Subcommittee, for holding a hearing on H.R. 2745. As the tourism industry continues to grow and prosper, a greater capacity for air carrier service will be required to meet the needs of the region. In addition, the City of Mesquite is land locked by public land, much of which has been identified as Areas of Critical Environmental Concern by the Bureau of Land Management and the Fish and Wildlife Service. This legislation will allow the City to continue to control the path of its future expansion and develop new commercial air service, as well as correct a previous oversight to allow for both the development and implementation of the Habitat Conservation and Recovery Plan and the Hydrologic Monitoring and Mitigation Plan, making it consistent with other Habitat Conservation Plans in Nevada. I look forward to answering any questions the Subcommittee might have.

Mr. BISHOP. Thank you, Joe. I appreciate it.

For those who are going to participate in the second panel, I will just let you know this is unfortunate. It is not supposed to happen this way, but on Fridays it sometimes does. We are now scheduled to have votes sometime around 11:00, so we are going to finish this first panel here and then probably take a break for the votes and then come back.

So if I could just ask you to simply mill around and waste your time while we get done. We will be back here eventually, sometime hopefully around 11:30-ish, give or take a half hour.

So, with that, Representative Gosar, you have been kind enough to wait, but you are on the Committee, so you will stay here anyway. I would ask you to introduce your bill if you would.

**STATEMENT OF HON. PAUL GOSAR, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF ARIZONA**

Dr. GOSAR. Thank you, Chairman Bishop, Ranking Member Grjalva. Thank you very much for considering this important bill, H.R. 1038. My bill will provide long-awaited relief to the residents of Mountainaie Subdivision in Coconino County, Arizona. An incorrect BLM survey in the 1960s mistakenly identified between two and a half and three acres of Forest Service land as private property. As a result, 27 property owners are facing questions and difficulties over their own properties and their own homes.

But don't take my word for it. What we did is we asked to involve the people back home, and if you will turn your attention to the monitors and if we could get the lights dimmed, they will tell you their story. Hopefully it is going to work.

Mr. BISHOP. The technology doesn't work because we are in the Ag room. If we were in our own room, this would work perfectly, right?

[Video shown.]

Dr. GOSAR. Well, unfortunately we ran through this several times yesterday and it actually worked very, very well. I apologize. You know, when something goes wrong, it will go wrong.

But what I want to really say is that what you are seeing is a piece of property where people are victims of the situation here. What the BLM did was a survey in the 1960s. Houses—families were reared—were built, and people all of a sudden discovered when we have new technology to show that their properties weren't actually where they actually were. They were actually on the Forest Service.

This involves two and a half acres, two and a half to three acres, and what we are looking at is trying to purchase that. So H.R. 1038 simply authorizes the Secretary of Agriculture to convey the parcels of land under dispute to a legal entity representing the majority of the landowners affected in this matter.

The community of Mountainaie stands ready to raise the \$20,000 required to buy the parcels back from the Secretary. In other words, my legislation presents a solution where all parties have skin in the game and everybody wins. I am also pleased to see the Administration testifying today in support of this legislation. This is common sense. This is getting people back to solution

processes where they actually are empowered to make their own solutions.

I thank the Committee for considering the legislation today, and I look forward to my colleagues to support this strong, common-sense measure to achieve justice for all parties. Thank you.

Mr. AMODEI [presiding]. As you can tell, I have got a lot of experience on this. I was also the guy in charge of your tape, so don't worry about that.

[Laughter.]

Mr. AMODEI. Is there anything else that any of my colleagues on this particular panel want to do before we go into recess for the votes?

[No response.]

Mr. AMODEI. Is there any objection to voting on the senior Member of the Republican membership from Nevada's bill right now since I am the junior one and he is the senior one? OK. Not much appetite for that, Joe.

So we are going to be in recess until the conclusion of votes when we will come right back and start with the next panel. Thank you.

[Recess.]

Dr. GOSAR [presiding]. This Committee will come back to order. If I could convene the second panel? Thank you very much. Sorry for the delay.

First of all, I would like to introduce Mr. Gregory Smith, the Acting Deputy Chief of Staff of the U.S. Forest Service, five minute testimony. If you see the little light, if you get yellow, that means to speed it up, and red means to wind it down. So, with that, I will turn it over to Mr. Smith.

STATEMENT OF GREGORY SMITH, ACTING DEPUTY CHIEF OF STAFF, U.S. FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. SMITH. Thank you, Mr. Chairman. I am here to testify on six bills, and I will try to be brief about them.

H.R. 1038. The Department supports H.R. 1038, a bill designated to correct an erroneous private survey on the Coconino National Forest in Arizona. Because of the erroneous survey, approximately 19 acres, totaling about 2.67 acres of National Forest System lands, now have structures built on them.

Although the Forest Service has administrative authority to sell the land, the bill would provide a more quick and efficient resolution to the issue with all property owners at the same time. To ensure that approximate compensation and appropriate compensation of the land to be conveyed is recovered on behalf of the American taxpayers, an appraisal should be done consistent with Federal appraisal standards, and the homeowners would pay the appraised value.

H.R. 1237. H.R. 1237 directs the Secretary to convey to the Trinity Public Utilities District of Trinity County, California, approximately 100 acres of land in the Shasta-Trinity National Forest near Weaverville Airport in Trinity County in exchange for approximately 150 acres of private land known as the Van Duzen parcel within the boundaries of the Six Rivers National Forest. Additionally, to equalize the exchange, the utility district would also

convey approximately 47 acres known as Sky Ranch parcel to the Bureau of Land Management.

While we are supportive of the utilities district's desire to facilitate access to the Weaver Airport, the Department does not support H.R. 1237 as written because the Van Duzen parcel does not contain any unique or high quality recreational resource values. The acquisition would also create a private inholding within the Six Rivers National Forest containing a waste transfer station. Because there are other private parcels interspersed in the general area, the consolidation resulting from this exchange would not produce a manageable forest management benefit.

Although the Department does not fully support the bill as written, we appreciate Congressman Herger's hard work and fully support his efforts to help the utility district. Therefore, we would like to work with the Committee, the Congressman and the utility district to identify parcels located within the boundaries of the Shasta-Trinity in hopes of assisting the utility district in meeting its needs.

H.R. 2157. The Department supports H.R. 2157, which allows the Secretary through land exchange involving the conveyance of approximately 20 acres of intensely developed National Forest land located on the Inyo National Forest to accept acquisition of certain non-Federal lands in California lying outside the boundaries of the Inyo National Forest if those lands are determined to be desirable for National Forest purposes. In addition, the bill would allow the Secretary to accept cash equalization in excess of 25 percent because of the high value of the Federal parcels.

H.R. 2947. The Department supports H.R. 2947, which would direct the Secretary to release the deeds and conditions of reversionary interest imposed on the use of approximately 25 acres of National Forest System lands within the Superior National Forest. The land parcel is actually being used by Cook County as a seaplane base. Cook County Highway 8 also crosses parcels and provides public access to the airport as well as to the National Forest land.

In the interest of working with our county partner, we support the release of the deed restrictions and reversionary interests in this case to resolve the county's technical contract issue so that maintenance can be performed on the portion of the county road that crosses the 25-acre land parcel to improve public safety.

H.R. 3452. H.R. 3452 would direct the Secretary to sell at market value approximately 30 acres of National Forest System lands in the Uinta-Wasatch-Cache National Forest in Salt Lake City County to permit the construction of a ski lift to serve as a public access transportation interconnection between Solitude Mountain Resort and Canyon Ski Resort in the Wasatch Mountains.

We recognize the importance of managing transportation along the Wasatch Front and we appreciate the efforts of the bill's proponents to address these issues. However, the Department does not support H.R. 3452 for several reasons: The SkiLink would pass through an inventory roadless area. Selling the parcel would create private inholdings in the National Forest. Furthermore, the watershed protection and other considerations, such as visual resources for the area, would be diminished.

Also, if the land had not been used for 10 years alone, it would automatically revert back to the U.S. At a minimum, we would like the discretion for the Secretary in that we would not have an automatic trigger. In addition, several transportation studies earlier have been completed and there are several underway that might shed some light on a more suitable option to address this capacity concerning the Wasatch Front.

Senate Bill 684. 684 would direct the Secretary of Agriculture to convey without consideration certain parcels of National Forest System land comprising two acres located within Uinta-Wasatch-Cache National Forest to the Town of Alta, Utah, for public purposes.

While we are supportive of the town's desire to consolidate its municipal resources, the Department does not support it as written. However, again we are willing to work with the bill's sponsors, the Town of Alta and the Committee in hopes of assisting the town in achieving its desired consolidation of its multiple resources.

Mr. Chairman, just to conclude my statement, I will be happy to answer any questions.

[The prepared statements of Mr. Smith follow:]

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on H.R. 1038, To Authorize the Conveyance of Two Small Parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960

Mr. Chairman Bishop and members of the Subcommittee, thank you for the opportunity to appear before you today to provide the Department of Agriculture's view on H.R. 1038, a bill designed to correct an erroneous, private survey on the Coconino National Forest in Arizona. I am Gregory Smith, Acting Deputy Chief of Staff of the United States Forest Service. The Department supports this bill.

In 1960-61, privately contracted surveyors surveyed two sections of land in what is now known as the Mountainaire Subdivision, which largely abuts the Coconino National Forest. Both surveys were found to be inaccurate when the Bureau of Land Management conducted a survey in 2007. The BLM survey correctly re-established the boundary of the National Forest System lands.

Because of the erroneous private surveys, approximately 19 parcels totaling 2.67 acres of National Forest System land now have structures built on them. Although the Forest Service has authority under the Small Tracts Act (Public Law 97-465) to sell this land to the homeowners, H.R. 1038 would more quickly and efficiently resolve the issue with all property owners at the same time.

Section 1(c) of the bill would provide for consideration in a fixed amount of \$20,000. To ensure that appropriate compensation for the land to be conveyed is recovered on behalf of the American taxpayer, an appraisal should be done consistent with Federal appraisal standards and the homeowner would pay the appraised value. The bill should also provide that the homeowner should bear other administrative costs associated with the conveyance.

I would be happy to answer any questions you may have.

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on H.R. 1237, To provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes.

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today and provide the Department of Agriculture's views regarding H.R. 1237. The bill would provide for a land exchange with the Trinity Public Utilities District (TPUD) of Trinity County, California, involving the transfer of land to the Department of the Interior, Bureau of Land Management (BLM) and the

Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes.

H.R. 1237 directs the Secretary of Agriculture to convey to the TPUD certain parcels of National Forest System (NFS) land comprising approximately 100 acres in the Shasta-Trinity National Forest near the Weaverville Airport in Trinity County, in exchange for approximately 150 acres of private land, known as the Van Duzen parcel, within the boundaries of the Six Rivers National Forest. Additionally, to equalize the exchange, the TPUD also would convey approximately 47 acres, known as the Sky Ranch parcel, to the Bureau of Land Management.

While supportive of the TPUD's desire to facilitate access to the Weaverville Airport, the Department does not support H.R. 1237 because the land to be conveyed to the Secretary of Agriculture does not possess any recreation or natural resources values that would contribute to the management of the NFS. The consolidation resulting from this Federal acquisition will not produce measurable forest management benefits as there are other private parcels interspersed in the general area. In addition, the Van Duzen parcel is directly adjacent to a private parcel that is currently operated as a waste transfer station. There is no provision in the legislation to ensure that any hazardous conditions associated with these lands or other activities could be identified and remediated if discovered before the United States would acquire the Van Duzen parcel.

The Department would like to work with TPUD and the committee to identify parcels located within the boundaries of the Shasta-Trinity National Forest that would provide for the needs of the TPUD as well as the needs of the Shasta-Trinity National Forest.

For example, the Mt Eddy parcels located near the summit of Mt. Eddy, the highest point in Trinity County, the highest point in the Klamath Ranges, and the ninth most prominent peak in the State of California more appropriately meet the needs of the Shasta-Trinity National Forest. The summit of Mt. Eddy offers one of the most scenic views in northern California, looking east to Mt. Shasta, west to the Trinity Alps and north across Shasta Valley to Oregon. Several high elevation alpine lakes and numerous alpine meadows are included with this proposed acquisition. The Mt. Eddy parcels have a number of unique geologic features and opportunities for study and public education. The possibility of acquisition presents an opportunity to preserve the high quality visual character of this area, protect critical wildlife and plant habitat by consolidating ecosystems, protect critical watersheds and provide outstanding recreation opportunities.

Currently, the Mt. Eddy parcels create ownership fragmentation within the boundary of the Shasta-Trinity National Forest. There is a highly motivated and willing seller and a partner, the Trust for Public Land (TPL) that is working with the seller to secure this property until funding is available. These parcels have been identified in the Shasta-Trinity National Forest Land and Resource Management Plan as a high priority to acquire, and would provide the opportunity to increase the efficiency and effectiveness of natural resource management efforts and enhance recreation experiences by consolidating lands within the forest boundary.

In addition to the land acquisition, the Department also recommends a provision in the legislation for the reservation of easements for all roads and trails across the 100-acre parcel of NFS lands to be conveyed that the Secretary considers necessary or desirable to provide for administrative purposes and to ensure public access to adjacent NFS lands.

The BLM has advised the Forest Service that they would welcome the approximately 47 acres of Trinity County property as it would promote public access to the Trinity Wild and Scenic River (WSR) for recreation purposes, and restoration of riparian habitat along the WSR corridor. The parcel, known as the Sky Ranch parcel, lies between State Highway 299 and BLM-managed land on the Trinity Wild and Scenic River. This area has been identified for acquisition in the Redding Resource Management Plan.

Although the Department does not support H.R. 1237 as written, we are willing to work with the bill sponsors, the TPUD, the TPL, and the Committee, in hopes of assisting the TPUD in meeting its needs, as well as the needs of the Shasta-Trinity National Forest to improve recreation opportunities and provide further protection of valuable natural resources.

I am happy to answer any questions you might have.

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on H.R. 2157, To facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to provide the Department of Agriculture's views regarding H.R. 2157, a bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

H.R. 2157 would allow the Secretary of Agriculture, in a proposed land exchange involving the conveyance of certain National Forest System land located within the boundaries of the Inyo National Forest, to accept for acquisition certain non-Federal lands in California lying outside the boundaries of the Inyo National Forest, if the Secretary determines that the acquisition of the non-Federal lands is desirable for National Forest System purposes. In addition, H.R. 2157 would allow the Secretary of Agriculture to accept a cash equalization payment in excess of 25 percent, which shall be deposited into the account in the Treasury of the United States, as established by the Sisk Act, to be made available to the Secretary for acquisition of land for addition to the National Forest System.

The Department supports H.R. 2157 as it will facilitate the land exchange process by authorizing a cash equalization payment in excess of 25 percent, while not exempting the land exchange from all requirements and regulations of a land-for-land exchange, including provisions of the National Environmental Policy Act (NEPA).

Mammoth Mountain Lodge Redevelopment LLC, commonly known as Mammoth Mountain Ski Area (MMSA), wishes to acquire 20 acres of National Forest System land in the Main Lodge area, currently managed as part of a Ski Area Term Special Use Permit, so it can redevelop aging lodging facilities, increase capacity, and develop employee housing and whole and fractional ownership condominiums. These latter plans are inconsistent with its Ski Area Term Special Use Permit.

MMSA, with the assistance of Western Lands Group, has acquired or optioned 11 non-Federal parcels suitable for acquisition in the Inyo, Stanislaus, Plumas, and Eldorado National Forests for the proposed exchange. These parcels were selected by the respective National Forests based on priorities identified in their Forest's Land Acquisition Plans. At the request of the Inyo National Forest, MMSA optioned two Los Angeles Department of Water and Power (LADWP) parcels that are leased by the Forest Service as administrative sites. The southern parcel houses the Inter-agency Visitor Center near Lone Pine, California. The northern parcel is adjacent to the White Mountain Ranger Station in Bishop, California, and serves as a storage area for construction materials, recreation supplies and larger maintenance trucks. Legislation is needed to acquire the LADWP parcels because they are located outside the declared boundary of the Inyo National Forest.

In addition, because of the expected high value of the Federal parcel, estimated to range from \$10—\$20 million, the value of the Federal and non-Federal lands are not equal, so legislation is needed to authorize the Forest Service to accept cash equalization in excess of the limit of 25 percent of the value of the Federal land as provided in the Federal Land Policy and Management Act (FLPMA). The Department recommends, however, the legislation be modified to clarify that funds deposited in the Sisk Act account be made available to the Secretary without further appropriation to acquire land in the State of California as additions to the National Forest System.

I am happy to answer any questions you might have.

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on H.R. 2947, a bill to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to provide the Department of Agriculture's views regarding H.R. 2947, a bill to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

H.R. 2947 would direct the Secretary of Agriculture to release, without consideration, and through deed, the conditions imposed on the use of approximately 25.51 acres of land on Devil Track Lake within the Superior National Forest. The parcel was conveyed to the State of Minnesota in 1950 on the conditions that it be used for the establishment of a public airport in Cook County, Minnesota (the County).

The bill would release the reversionary interest held by the United States pursuant to the original conveyance in 1950, which states that if the land is no longer used for a public airport, it will revert back to the United States.

The Department supports H.R. 2947. The land parcel is currently included in the County's Airport Layout Plan (ALP) and is actively being used as a seaplane base. Cook County Highway 8 (Devil Track Road) crosses the parcel and provides public access to the airport as well as to National Forest System land. The road requires maintenance and improvement for public safety purposes due to increased traffic in the area. Because of State law relating to contract maintenance, the County currently cannot perform significant maintenance on this portion of the County road without clear title to the land. In the interest of working with our County partner, we support the release of the deed restrictions and reversionary interest in this case to resolve the County's technical contract issue so that maintenance can be performed on the portion of Devil Track Road that crosses the 25.51 acre land parcel to improve public safety.

We understand that the County plans to continue use of the land parcel in its ALP for use as a seaplane base. Therefore, we believe that if the bill is enacted, future use of the land parcel and management of the area surrounding the parcel would not change.

I am happy to answer any questions you may have.

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on H.R. 3452, Wasatch Range Recreation Enhancement Act

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to provide the Department of Agriculture's views regarding H.R. 3452, the Wasatch Range Recreation Enhancement Act.

Section 3(a) of H.R. 3452 would direct the Secretary of Agriculture to sell, at market value, approximately 30 acres of National Forest System (NFS) land in the Uinta-Wasatch-Cache National Forest in Salt Lake County, Utah. The purpose of the sale is to permit the construction of a ski-lift, gondola or tramway to serve as a public access transportation interconnection between Solitude Mountain Resort and the Canyons Ski Resort in the Wasatch Mountains. Solitude Mountain Resort is built on NFS land and operates under a 40-year special use permit. The transportation alternative is called the "SkiLink."

The land sale would be subject to compliance with the National Environmental Policy Act (NEPA) and other applicable laws. However, once conveyed, the owner could make any use of the land and would not be subject to any restrictions on use. Proponents cite a report asserting that the SkiLink will cut down on ski-season vehicle traffic between the two resorts by as much as 18,000 vehicles. The Forest Service has been unable to view the report on the SkiLink proposal and its conclusions are in dispute among local interested parties.

While we appreciate the desire of the bill's proponents to reduce traffic between the two resorts, the Department does not support H.R. 3452. The SkiLink would pass through an inventoried roadless area. Selling the parcel will create a private inholding in the National Forest between two resorts, one of which is built on public land, which is inconsistent with efforts to consolidate ownership within forest boundaries. Furthermore, watershed protection and other considerations, such as the visual resources for the area would be diminished.

Section 3(c) of the bill would require an appraisal to be completed no later than six months after enactment of the Act. Six months is not enough time to complete an appraisal to Federal standards. Even when expedited, appraisals take 12 to 18 months. Section 3(d) provides for the return of the sold land to the Forest Service if the land has not been used for a period of 10 years or longer. Section 3(d) would provide the Secretary with the option to revert the land back to the United States if the land is not used for the purpose of the conveyance. Reversionary interest in conveyed land puts the agency in the position of policing the use of private land. At a minimum, any reversion should be at the discretion of the Secretary and not automatically triggered after 10 years.

Section 3 (e) of the bill would direct the Secretary to complete all actions that may be required under various laws, including NEPA. However, since the legislation requires the Secretary to convey the land by sale, the extent to which NEPA would apply is unclear. NEPA only applies to those matters over which the agency exercises discretion. NEPA may apply, for example, if the Forest Service has discretion to determine the precise area to be conveyed or to establish terms and conditions for use of the property.

I am happy to answer any questions you may have.

Statement of Gregory Smith, Acting Deputy Chief of Staff, United States Department of Agriculture, on S. 684, To provide for the conveyance of certain parcels of land to the Town of Alta, Utah

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today and provide the Department of Agriculture's views regarding S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah. S. 684 would direct the Secretary of Agriculture to convey, without consideration, certain parcels of National Forest System (NFS) land comprising approximately two acres located in the Uinta-Wasatch-Cache National Forest to the Town of Alta, Utah, for public purposes. While supportive of the Town's desire to consolidate its municipal resources, the Department does not support S. 684.

The Forest Service can convey the parcel under current authorities through the Townsite Act of July 31, 1958 (16 U.S.C. 478a). The Townsite Act authorizes communities to acquire up to 640 acres of NFS land in order to serve community objectives, and requires payment to the United States of the market value of the federal land. Similarly, the lands could be made available by exchange for equal value consideration.

It is longstanding policy that the United States receive market value for the sale, exchange, or use of NFS land. This policy is well established in law, including the Independent Offices Appropriation Act (31 U.S.C. 9701), section 102(9) of the Federal Land Policy and Management Act (43 U.S.C. 1701), as well as numerous land exchange authorities. Based on recent land sales in the Alta area, we estimate the value of the lands proposed to be conveyed under S. 684 to be approximately \$500,000 per acre.

Finally, S. 684 would require the Town of Alta to cover the Federal land survey costs associated with the proposed conveyance. It also should provide that the Town should bear other administrative costs associated with the conveyance.

Although the Department does not support S. 684 as written, we are willing to work with the bill sponsors, the Town of Alta, and the Committee, in hopes of assisting the Town in achieving its desired consolidation of municipal resources.

This concludes my statement and I would be happy to answer any questions you might have.

Dr. GOSAR. Mr. Smith, that was amazing that you got through all those in that timeframe.

I would like to introduce our next guest, Ms. Peggy O'Dell, the Deputy Director from the National Park Service. Ms. O'Dell?

STATEMENT OF PEGGY O'DELL, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Ms. O'DELL. Thank you, Mr. Chairman and Mr. Ranking Member Grijalva. Thank you for the opportunity to appear before your Subcommittee today to present the Department of the Interior's views on four bills on today's agenda. Three of these are National Park Service bills and one is a Bureau of Land Management bill.

Accompanying me today is Mr. Bill Falsey, Deputy Chief of Staff for the Bureau of Land Management. He is available to answer any questions that you might have on H.R. 2745. I would like to submit our full statement on these bills for the record and summarize the Department's position here.

H.R. 2490 would direct the Secretary of the Interior to conduct a study of the Cascadia Marine Trail in Puget Sound, Washington, for potential addition to the National Trails System. The Department supports the bill with one amendment. The Cascadia Marine Trail is a nonmotorized water route approximately 2,500 miles long with small campsites placed on public lands. The trail begins near

San Juan Island National Historical Park and passes through many coves and waterways south to Olympia, Washington.

A study would look at the national significance and eligibility of the trail as well as the feasibility and suitability of designating it as a unit of the National Trails System. The study would focus on exploring recreational opportunities, defining historical aspects and establishing a working relationship with partners in order to identify land-based facilities as required by the bill.

H.R. 2504 would authorize the Secretary of the Interior to establish Coltsville National Historical Park in Hartford, Connecticut, after certain conditions are met. This park unit would preserve and interpret the important contributions to manufacturing technology by Samuel Colt and the industrial enterprise he founded in 1855. The Department supports the enactment of this legislation.

Under H.R. 2504, the park unit could not be established until the Secretary is satisfied that adequate public access to the site and its financial viability are assured. The authority to review the financial resources of public and private property owners associated with the project is unprecedented in similar park establishment legislation. We believe that these conditions will assure the park is established only when the development is moving forward and the public will have the ability to learn about the manufacturing process that took place at the site.

H.R. 2745 would amend the Mesquite Lands Act of 1986 in order to renew the exclusive right of the City of Mesquite, Nevada, to purchase certain public lands for development and allows for proceeds from land sales to be used to implement a habitat conservation plan for the Virgin River, also in Mesquite. The Department supports the goals of H.R. 2745, recognizing that it seeks to provide for the economic development needs of this community.

H.R. 3222 would designate approximately 4,100 acres of land currently within the boundary of Olympic National Park as an addition to the existing Olympic wilderness. It would also designate approximately 11 acres of parkland as potential wilderness. Designation of these lands as wilderness and potential wilderness was included in the introduced version of H.R. 1162, a bill to provide the Quileute Indian Tribe tsunami and flood protection and for other purposes. Designation was intended to offset the removal of other lands from the wilderness preservation system in an agreement among all involved parties, including the Quileute tribe.

During markup, the language now introduced as H.R. 3222 was removed from H.R. 1162. At that time, Members of this Subcommittee expressed both concern for its removal and a willingness to consider the wilderness provision as a standalone bill. The Department supports H.R. 3222.

Mr. Chairman, this concludes my statement. I will be pleased to answer any questions.

[The prepared statements of Ms. O'Dell follow:]

Statement of Peggy O'Dell, Deputy Director, National Park Service, U.S. Department of the Interior, on H.R. 2490, a Bill to Amend the National Trails System Act to Provide for a Study of the Cascadia Marine Trail

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today and present the Department of the Interior view's on

H.R. 2490, a bill to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail.

The Department supports H.R. 2490 with one amendment. However, we feel that priority should be given to the 37 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to Congress.

H.R. 2490 would amend Section 5(c) of the National Trails System Act by directing the Secretary of the Interior (Secretary) to conduct a study of the Cascadia Marine Trail for consideration for inclusion in the National Trails System. As a part of the study, the Secretary would be required to coordinate with State and local governments and private entities in the preparation of the study of the Cascadia Marine Trail and to look at nearby sites of recreational, scenic, or historic significance that are not connected by the Cascadia Marine Trail. We estimate the cost of this study to be approximately \$400,000.

The Cascadia Marine Trail is a non-motorized water route within the Puget Sound in the State of Washington. The trail is approximately 2,500 miles long with 55 small campsites placed on public lands. The trail begins near San Juan Island National Historical Park and passes through many coves and waterways south to Olympia, Washington. The Cascadia Marine Trail has been used for over five thousand years by Native Americans, early explorers and today's wind and hand-propelled watercraft enthusiasts. The Puget Sound is the second largest estuary in the continental United States and is home to populations of seals, bald eagles, orca whales and nearly 4 million humans living in the surrounding watershed area.

The Cascadia Marine Trail has a long and significant history in the state of Washington with its designation as a National Recreation Trail in 1994; as a National Millennium Trail in 1999; and as an American Canoe Association Recommended Water Trail in 2005.

A study produced by the National Park Service would not only look at the national significance and eligibility of the trail, but also its feasibility and suitability as a unit of the National Trails System. We envision the Cascadia Marine Trail study to focus on exploring recreational opportunities, defining historical aspects of the trail, and establishing methods for a working relationship with partners in order to identify facilities on adjacent lands that would contribute to the purposes of the trail.

We recommend one amendment. The bill language states that the NPS may study connections to nearby sites of recreational, scenic or historic significance that are not connected by the Trail. We believe those sites should be evaluated as part of this study. Therefore, we propose the bill be amended on page 2, line 8, by striking "may" and inserting "shall."

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions you or other members of the subcommittee may have.

Statement of Peggy O'Dell, Deputy Director, National Park Service, U.S. Department of the Interior, on H.R. 2504, To Establish Coltsville National Historical Park in the State of Connecticut, and for Other Purposes.

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior regarding H.R. 2504, a bill to establish Coltsville National Historical Park in Hartford, Connecticut, and for other purposes.

The Department supports enactment of H.R. 2504.

H.R. 2504 would authorize the establishment of a new unit of the National Park System at Coltsville in Hartford, Connecticut. The bill would provide for several conditions to be met before the Secretary of the Interior (Secretary) may establish the park:

1. Donations of land or interests in land within the boundary of the park have been accepted;
2. A written agreement donating at least 10,000 square feet of space in the East Armory;
3. A written agreement ensuring future uses of land within the historic district are compatible with the park; and
4. Financial resources of the owners of private and public property within the boundary park are reviewed to ensure viability.

The legislation also authorizes agreements with other organizations for access to Colt-related artifacts to be displayed at the park and cooperative agreements with owners of properties within the historic district for interpretation, restoration, reha-

bilitation and technical assistance for preservation. It provides that any federal financial assistance would be matched on a one-to-one basis by non-federal funds.

H.R. 2504 also provides for the establishment of a commission to advise the Secretary on the development and implementation of a general management plan for the unit. The advisory commission would terminate ten years after the date of enactment of the legislation unless extended for another ten years by the Secretary.

The Secretary designated Coltsville Historic District a National Historic Landmark on July 22, 2008. The manufacturing complex and associated resources constitute the site of nationally important contributions to manufacturing technology by Samuel Colt and the industrial enterprise he founded in 1855—Colt's Patent Firearms Manufacturing Company. It includes, among other resources, the armories where firearms and other products were made, the home of Samuel and Elizabeth Colt, Colt Park, and housing used by factory workers.

Samuel Colt is most renowned for developing a revolver design which revolutionized personal firearms. The Colt Peacemaker, a six-shot revolver, became known as "the gun that won the West." Colt was a major innovator in the "American System" of precision manufacturing, replacing the practice of individually crafting each component of a product with the use of interchangeable parts. After his death in 1862, his wife Elizabeth owned and directed the manufacturing complex for 39 years, becoming a major entrepreneur in an age when women rarely occupied positions of importance in manufacturing.

During both World War I and World War II, the Colt Firearms Company was one of the nation's leading small arms producers and made vital contributions to U.S. war efforts. The company applied its interchangeable-parts techniques to a wide variety of consumer products and the Colt complex became an "incubator" facility for other inventors and entrepreneurs. Coltsville is also noteworthy as a fully integrated industrial community that includes manufacturing facilities, employee housing, community buildings, and landscape features that were built largely under the personal direction of Samuel and Elizabeth Colt. Colt, whose labor practices were advanced for their time, attracted highly skilled laborers to his manufacturing enterprise.

Pursuant to Public Law 108-94, the Coltsville Study Act of 2003, the National Park Service (NPS) conducted a special resource study of the resources associated with the Coltsville Historic District. Based on Coltsville's National Historic Landmark designation in 2008, the study concluded that Coltsville meets the national significance criterion. An analysis of comparability to other units of the national park system and resources protected by others demonstrated that Coltsville is suitable for designation as a unit of the national park system. The study was unable, however, to conclude that Coltsville was feasible to administer at that time due to the lengthy duration of financial issues surrounding the site. In concert with the lack of feasibility, the study was also unable to determine the need for NPS management, or specifically what the NPS would manage.

H.R. 2504 addresses concerns the Department expressed concerning financial issues and questions involving ownership and financing of the Coltsville properties. The special resource study did not conclude that the site absolutely failed to meet feasibility criteria or require NPS management, but rather that it did not meet the feasibility criterion with the circumstances present at the time of the study and that it was impossible to determine, at that time, the need for NPS management of the site. In both cases, the uncertainty of public access and financial viability of the developer of the privately owned portion of the site were at issue.

Since the time of the study, much progress has occurred at Coltsville that holds significant promise for the future of the site and preservation of the resources. During a recent visit to the Coltsville property, the Secretary noted the progress made in the area since the study was completed, while stating that, "Coltsville again promises to be an economic engine, producing jobs and spurring growth in the Hartford area." Significant re-development has already begun. Several of the buildings have been rehabilitated and are occupied as educational facilities, residential housing, and businesses. Negotiations are underway between the developer and the city on an agreement for the East Armory building, which would serve as the focal point for park visitors. We have been advised the plan has designated benchmarks for the project as well as projected funding for the development.

Under H.R. 2504, the park unit could not be established until the Secretary is satisfied that adequate public access to the site and its financial viability are assured. The authority to review the financial resources of public and private property owners associated with the project is unprecedented in similar park establishment legislation. We believe that these conditions will assure the park is established only when the development is moving forward and the public will have the ability to learn about the manufacturing process that took place at the site. A 2008 Visitor

Experience Study developed a range of visitor service alternatives identifying potential operating costs for a very minimal operation estimated at \$720,000 to a more robust operation of \$9.3 million. If a park were established, a comprehensive planning process would assess the actual needs for visitor services and staffing, further defining the park's operational budget. In addition, there could be significant Federal costs in providing financial assistance to restore or rehabilitate the properties, as authorized in Section 4(c)(1). All funding would be subject to NPS priorities and the availability of appropriations.

Mr. Chairman, this concludes my testimony. I would be glad to answer any questions that you or other members of the subcommittee may have.

Statement submitted for the record by the Bureau of Land Management, U.S. Department of the Interior, on H.R. 2745, To Amend the Mesquite Lands Act of 1986

Thank you for the opportunity to present the views of the Department of the Interior on H.R. 2745, which amends the Mesquite Lands Act of 1986 in order to renew the exclusive right of the City of Mesquite, Nevada, to purchase certain public lands for development, and allows for proceeds from land sales to be used to implement a habitat conservation plan for the Virgin River and any associated groundwater monitoring plan. The Department of the Interior supports the goals of the bill, however, we believe we can achieve the purposes of the bill administratively, such as through sales under the Federal Land Policy Management Act (FLPMA) or the issuance of an airport lease.

Background

The Mesquite Lands Act of 1986 (PL 99-548) as amended by PL 104-208, PL 106-113 and PL 107-282, has provided the City of Mesquite, a community located in eastern Clark County, Nevada, between Las Vegas and St. George, Utah, the exclusive right to purchase lands to its west for a replacement airport and related development. To date, the city has acquired approximately 7,700 acres of public lands from the BLM. These authorities expired on November 29, 2011.

In addition to identifying lands for sale, the Mesquite Lands Act, as amended, provides that a portion of the proceeds from the sale of certain parcels be deposited in an account established under the Southern Nevada Public Land Management Act of 1998 (SNPLMA). It also provides that these funds would be available to pay for, among other things, the BLM's costs to convey land to the City of Mesquite and the development of a multispecies habitat conservation plan for the Virgin River, also in Clark County. The U.S. Fish and Wildlife Service, in cooperation with the BLM, has begun work on the plans for the Virgin River. These authorities also expired on November 29, 2011.

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H.R. 2745 renews until November 29, 2020, the City of Mesquite's exclusive right to purchase parcels of public lands identified in the PL 106-113 amendment to the Mesquite Lands Act, which are near lands already acquired by the City. It also allows for the proceeds from previous land sales to Mesquite to be used to implement a multispecies habitat conservation plan for the Virgin River in Clark County and any associated groundwater monitoring plan. It also extends the withdrawal of the lands from all forms of location, entry and appropriation under the public land laws, including mining laws, and from operation of mineral leasing and geothermal leasing laws, subject to valid existing rights.

The BLM supports the bill and its goal of providing for the economic development needs of Mesquite, Nevada. Some of the lands that may be acquired through enactment of the bill have been identified for a proposed replacement airport and related development. The legislation will provide additional time for the Federal Aviation Administration (FAA) to complete an environmental evaluation under the National Environmental Policy Act for the replacement airport and to identify mitigation measures, if necessary. The BLM is working with the FAA and the Nevada State Historic Preservation Office to develop appropriate measures to mitigate potential impacts to the Old Spanish National Historic Trail as a result of the proposed replacement airport. The additional time provided by this legislation will aid this effort.

Conclusion

That concludes our prepared testimony in support of H.R. 2745. We would be glad to answer your questions.

Statement of Peggy O'Dell, Deputy Director, National Park Service, U.S. Department of the Interior, on H.R. 3222, a Bill to Designate Certain National Park System Land in Olympic National Park as Wilderness or Potential Wilderness, and for Other Purposes.

Mr. Chairman, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 3222, a bill to designate certain National Park System land in Olympic National Park as wilderness or potential wilderness, and for other purposes.

The Department supports H.R. 3222. The legislation would designate approximately 4,100 acres of land currently within the boundary of Olympic National Park as additions to the existing Olympic Wilderness. It would also designate approximately 11 acres as potential wilderness.

On October 5, 2011, the Committee on Natural Resources reported H.R. 1162, a bill to provide the Quileute Indian Tribe tsunami and flood protection, with an amendment that deleted the wilderness designation section of the legislation. The wilderness designation proposed by H.R. 3222 is the same wilderness designation that was originally found in H.R. 1162. While the Department is very supportive of the need for providing the Quileute Tribe with land to relocate its housing, offices, and school outside of the tsunami and flood zones, the deletion of the wilderness provisions of the carefully balanced agreement in H.R. 1162 was unfortunate.

On September 15, 2011, the Department expressed its support for H.R. 1162 at a Subcommittee on National Parks, Forests and Public Lands hearing. We noted that the Olympic National Park lands to be transferred to the Tribe are 275 acres of elevated "uplands", of which approximately 220 acres are designated as wilderness, and are located in the park but adjacent to the current reservation's southern boundary. The lands would be transferred in trust to the United States for the benefit of the Quileute Tribe and the boundaries of the reservation and the park would be changed to accommodate the transfer. This transferred upland tract would allow for relocation of tribal buildings outside of the tsunami and flood zones. However, this loss of prime wilderness land was to have been offset by the designation of other lands as wilderness in an agreement among all involved parties including the tribe.

H.R. 3222 would designate approximately 4,100 acres along Lake Crescent as wilderness. The wilderness boundary along the lake would be set back a sufficient distance to allow management of the historic World War I Spruce Railroad grade as the Olympic Discovery Trail, and to allow for operation and maintenance of the existing county road. Another parcel of approximately 11 acres in Boulder Creek would be designated as potential wilderness. When conditions in the Boulder Creek Addition are no longer incompatible with the Wilderness Act, and notification of such has been published in the *Federal Register*, the potential wilderness will become designated wilderness. The Department agrees that tsunami and flood protection for the Quileute tribe is an important goal, as is resolution of its long-standing boundary concerns. Wilderness protection is also an important goal. This bill, together with H.R. 1162, represents an appropriate way to accomplish these objectives.

Mr. Chairman, this concludes my statement. I would be pleased to respond to any questions you or the other members of the subcommittee may have.

Dr. GOSAR. Thank you very, very much.

I would like to introduce now Mr. Michael Jensen, a councilman from Salt Lake County Council. Thank you.

**STATEMENT OF MICHAEL JENSEN,
COUNCILMAN, SALT LAKE COUNTY COUNCIL**

Mr. JENSEN. Thank you, Mr. Chairman, Mr. Ranking Member. It is an honor to be here. You have my written testimony that I would like to have for the record.

I am here representing myself as a member of the Salt Lake County Council. As a government entity, it has long been the responsibility of the county for Big and Little Cottonwood Canyons relating to their governance, planning and zoning and permitting. Salt Lake County has long sought to protect and preserve those canyons and the other canyons in the county.

We all can agree that we need to protect and help preserve the canyons in the watershed. The differences are a matter of perspective of how we go about doing the protecting and preserving. I think we can do it in a reasonable, responsible and practical manner.

There is a study that was concluded in September of 2010, Mr. Chair, that I would like to put into the record as well that was conducted by Salt Lake County, along with others, the State of Utah, Salt Lake City, the Town of Alta, the Forest Service, the Utah Department of Transportation, the Utah Transit Authority and Envision Utah. It was completed and did a visioning process and published the results in this 64-page study that was called Wasatch Canyons Tomorrow.

[The study submitted for the record by Mr. Jensen has been retained in the Committee's official files.]

Mr. JENSEN. A few points that I would like to make from that study and cite. On page 1, it talks about how the Uinta-Wasatch-Cache National Forest is among the five most visited forests in the nation. On page 5, it discusses that the recreation visits to the Wasatch Mountains will likely double in the next 30 to 40 years.

Page 32 discusses a scenario, which they call Scenario E, in which aerial trams would connect Big Cottonwood Canyon, Little Cottonwood Canyon and Park City, and 58 percent of the respondents that participated in the study were favorable to those aerial trams. On page 45, Big and Little Cottonwood Canyons are home to four world-class ski areas. Future transportation plans should embrace these critical economic drivers. Transportation approaches that harm these businesses negatively impact the state's economy and its quality of life.

Page 45. While private vehicle access is convenient, the impacts on our reliance on single-occupant vehicles is beginning to take its toll, especially in the canyons. Consider this. Many canyon roads are near capacity. The canyons offer limited parking. Runoff of oil and other automotive fluids degrade the streams. There are frequent collisions between automobiles and wildlife. Bicycle/car conflicts are growing, and the air quality along the Wasatch Front is among the worst in the Nation during the winter months. A balanced transportation study is needed to help maintain and preserve the character of the canyons.

All of those were from the study called the Wasatch Canyons Tomorrow. So from this we can derive that the canyons are already being used at high levels, they are projected to double the recreational visits over the next 30 to 40 years, the existing transportation systems up there are taxed, future transportation plans need to be balanced and look at alternative modes, we need to embrace the transportation needs of the canyon ski resorts, all while trying to protect and preserve the character of the canyons.

After looking at this study, I think that the SkiLink proposal which H.R. 3452 would enable can reasonably and responsibly and practically address the concerns and the needs that were addressed in the study. The study even offered the Scenario E, which is connecting the canyons with trams.

From my perspective, there are three things. What this does, this proposal helps efficiently and effectively maximize the existing de-

velopment of the ski areas. We are not putting in new runs. We are not building a road. We are not building a trail. What they propose to do is do a transportation connection between two resorts.

This bill would enable them to do that. It would take vehicles off the road, and then we have the private sector help us with our funding problems of transportation long-term. You guys don't have money. The state doesn't have money. The local county and cities don't have the money to continuously upgrade the transportation infrastructure. This would be done by private means, and so I would urge your support of H.R. 3452, sir.

[The prepared statement of Mr. Jensen follows:]

Statement of Michael H. Jensen, Salt Lake County Council, on H.R. 3452, Wasatch Range Recreation Access Enhancement Act

Chairman Bishop, Congressman Grijalva, and members of the subcommittee, thank you for the opportunity to testify in support of *the Wasatch Range Recreation Access Enhancement Act (H.R. 3452)*. I am Michael H. Jensen and have served as a member of the Salt Lake County Council since first elected in 2000. Representing Salt Lake County Council District Two, I have served three terms as Chairman of the Salt Lake County Council. I also serve on the following boards; the Salt Lake County Redevelopment Agency, the Central Utah Water Conservancy District, the Salt Lake County Council of Governments and the Wasatch Front Regional Council. On the Wasatch Front Regional Council as well as on the Central Utah Water Conservancy District, I serve as the Chair of the Board of Trustees.

The Wasatch Range Recreation Access Enhancement Act would facilitate the construction of a two-mile gondola known as "SkiLink" connecting the Canyons Ski Resort in Park City, Utah with the Solitude Mountain Resort in Big Cottonwood Canyon. The linkage of the Wasatch Front to the Wasatch Back will enable skiers and snowboarders to have access to 6,000 acres of existing ski terrain making the Utah ski experience the most unique and diverse in the United States.

According to the 2010 Utah Economic Report to the Governor, Utah's skiing opportunities have attracted 4 million skier visits annually since 2005, despite the economic downturn. The Utah Ski industry is an economic driver that has a positive ripple effect across multiple industries and regions in Utah. It is anticipated that the SkiLink project will build on that popularity and add dollars to the economy, create new jobs and increase tax revenue. According to a recent economic study, SkiLink will infuse \$ 51 million into the Utah economy in its first year and provide \$3,000,000 in increased tax revenue. When it opens, SkiLink is expected to attract 75,000 people. To date, out-of-state skiers add around \$1.3 billion to the Utah economy supporting around 20,000 jobs. The addition of SkiLink will only enhance economic opportunities by adding 500 more jobs in Utah, something badly needed during recessionary times.

It is imperative that we balance Utah's transportation and environmental needs with the growth of Utah's tourism industry. **H.R. 3452** provides a unique solution and immediate benefit to our transportation issues. The Wasatch Front population is expected to double in the next 30 years and skier visits are expected to continue to grow by at least two percent per year. This will require more than just increasing capacity on canyon roadways. As a county council member, I share with my colleagues the responsibility to improve transportation in our county canyons. Ski Link is not a final solution but it is a right first step. SkiLink will help to improve the air quality and transportation challenges we face as Utah continues to grow.

Some might argue that SkiLink should be put on hold until a comprehensive, holistic study has been made of the broader transportation issues facing all of Utah's ski resorts. There have already been several studies of ski resort interconnections and transportation alternatives. These Interconnect and Canyon transportation studies date back over two decades starting with a final report of a Governor's task force from 1986. There are other solutions, in addition to SkiLink that also deserve review including a cog rail line proposed by the Utah Transit Authority to Snowbird and Alta up Little Cottonwood Canyon. Because of great cost, these solutions are far into the future.

There have already been multiple studies...over three decades. It's time to do something.

Some argue that there will be a negative environmental impact to the surrounding land and watershed environment. The actual design of SkiLink as a gon-

dola or tram is the least environmentally invasive option while maintaining the natural landscape. During construction, Utah's ski resorts deploy the best management practices (BMP) so there is no impact to the surrounding watershed environment. Water quality records clearly show that lifts have been successfully developed in adjacent areas with similar slope, soil and vegetation with no adverse impact to water quality. To further insure that these protections are followed, the SkiLink project will be subject to compliance with appropriate federal, state and local permitting requirements.

This legislation provides numerous economic, transportation and environmental benefits. I appreciate the opportunity to testify in support of **H.R. 3452** and will be happy to answer any questions.

Dr. GOSAR. Thank you. And the report will be noted into the record.

Mr. JENSEN. Thank you.

Dr. GOSAR. I would like now to introduce Mr. Michael Goar, Managing Director for the Canyons Resort. Mr. Goar?

**STATEMENT OF MIKE GOAR, MANAGING DIRECTOR,
THE CANYONS RESORT**

Mr. GOAR. Thank you, Chairman, Ranking Member Grijalva. Thank you very much for the opportunity. I would also like to thank Chairman Bishop and Congressman Chaffetz for introduction of the Wasatch Range Recreation Access Enhancement Act. I also want to thank Utah Senators Hatch and Lee for sponsoring companion legislation in the U.S. Senate.

As noted, I work for Canyons Resort. We employ 2,000 workers in the State of Utah. We are the largest ski and snowboard resort in Utah and one of the four largest in the United States. Our proposal to connect the resorts is for the purpose of economic growth and transportation. The studies that we have done to date demonstrate that there is significant economic growth opportunity.

Tourism for the State of Utah is one of our strongest growth sectors. It is an opportunity for us to develop increased winter tourism with minimal impact. Many of the opponents to SkiLink will speak about water quality, watershed. There are challenges to a number of the reports that we have submitted by those that oppose SkiLink. What I would like to say about the water quality and watershed issue is it should be of utmost importance. It is. It is what we all are focused on.

SkiLink can be built without any degradation to water quality or the watershed. There are four resorts in the very watershed that we are talking about that have been developing lifts and other infrastructure for over 60 years with no degradation to water quality. In fact, over that period of time water quality has improved.

The economic opportunity as well is quite significant. The first year of operation of SkiLink will create 500 permanent jobs through winter tourism in the businesses and services that support winter tourism, \$50 million in additional revenue to winter tourism, which already operates at \$1.25 billion of annual revenue to our state, and it is a tremendous opportunity, one that we certainly should not miss.

On the other environmental issues, one issue that certainly has come to the forefront from the beginning of this proposal, and that is the impact to other users, specifically back country skiers. This lift by its design would not add any users to the back country. The

termination points of the gondola is at Solitude Mountain Resort and Canyons Resort, with no intermediate exit points, no impact to the back country skiers, no additional users into the back country.

And finally on the transportation issue I would like to say that it seems unusual that a gondola would not be considered transportation. Roads and the impacts of roads, tunnels, trains, all meaningful and important modes of transportation in our community and someday in our canyons perhaps, but this is a tremendous first step in creating alternative transportation modes for the users in Big and Little Cottonwood Canyon.

Gondolas are used all over the world for transportation, and I can think of no better application than this one. It will take cars off the road. There is no question. The debate may be how many cars can be taken off the road, but whether it is 100 or 1,000, every car we take off the road is a benefit and is a win for all of us.

I thank you for the opportunity to speak today, and I am available for any questions.

[The prepared statement of Mr. Goar follows:]

Statement of Michael Goar, Managing Director, The Canyons Ski Resort, Park City, Utah, on H.R. 3452, Wasatch Range Recreation Access Enhancement Act

Chairman Bishop, Congressman Grijalva, and members of the subcommittee, my name is Mike Goar and I serve as the Managing Director of Canyons Ski Resort (Canyons). Canyons is the largest single ski and snowboard resort in Utah and is one of the five largest ski resorts in the United States. Canyons is owned by Talisker Corp., which employs 2,000 people in its Utah operations. I want to thank Chairman Bishop and Cong. Chaffetz for introducing *the Wasatch Range Recreation Access Enhancement Act (H.R. 3452)*. I also want to thank Utah's Senators Hatch and Lee for sponsoring companion legislation in the United States Senate.

Thank you for giving me the opportunity to express my support for the bill and explain its purposes before this Subcommittee.

The Wasatch Range Recreation Access Enhancement Act would allow Canyons to purchase for fair market value 30.3 acres of federally owned land that is managed by the Forest Service. That purchase will enable the construction of a two-mile, 8-passenger gondola or tram known as "SkiLink." This legislation offers an exciting addition to Utah's ski experience as it connects the Wasatch Front with the Wasatch back ski resorts. Specifically SkiLink is a direct transportation-only option for skiers between Canyons and Solitude Mountain Resorts. The gondola would not deposit skiers on the high ridge and would not in any way interfere with dispersed recreation like backcountry skiing, hiking and mountain biking.

The two-mile corridor alignment, which the bill authorizes for sale, has the least impact on the surrounding land and watershed environment. Currently, the 30.3 acres of Forest Service land identified in the bill is sandwiched between several much larger private land parcels that are already owned by Canyons and Solitude. The 30.3 acres have not been identified by the Forest Service as proposed wilderness or as needing special federal protection. SkiLink would be constructed using the best management practices (BMP) so there is a low impact to the surrounding watershed environment. The use of helicopters for concrete placement and tower installations creates a minimally invasive construction technique. Canyons would use the very latest, proven design and construction mitigation methods. Intelligent phasing and logistics to minimize use of ground-based equipment will be utilized and management and operating procedures will tread lightly on the natural landscape. Finally, the riparian corridor along Big Cottonwood Creek will be protected through established design, permitting and best construction practices to avoid, minimize, or mitigate any anticipated impacts on wetland or stream functions. Over the past two construction seasons, the Canyons has built three separate lifts on private lands using these best practices method of construction. We know how to do it right.

H.R. 3452 will produce numerous regional transportation and environmental benefits by connecting these two resorts in Summit County and Big Cottonwood Canyon. On busy ski days, there are 43,200 skiers at the Wasatch Front ski areas;

53 percent are visitors to the Wasatch Front and Back. Generally, visitors ski at the resort where they are staying, but about 20 percent of the time, they "roam" to other resorts. SkiLink would reduce the need for "roaming" skiers to travel on canyon roadways.

SkiLink is not intended to be the comprehensive transportation solution to the problem of ski resort access, but it does offer immediate traffic benefits. The idea of connecting all of Utah's major ski resorts with trains or high-alpine roads has been discussed and studied for decades. The larger transportation options, are very costly and have significant environmental and permitting hurdles to overcome. SkiLink is a unique and simplified approach. On its own, this project is expected to decrease traffic by as much as 10% on a peak ski day which translates to 18,000 cars per year. Approximately 1 million fewer miles will be driven per year between Summit and Salt Lake Counties. Also, 1 million fewer pounds of greenhouse gases would be realized.

This bill will create the most unique interconnected ski network in the United States and enhance the economic opportunities for the tourism and hospitality industries in Utah. I appreciate the opportunity to testify in support of this bill. I am submitting for the record letters of support from Ski Utah and three reports that outline the environmental, economic, and transportation benefits of SkiLink. Again, I thank you for the opportunity to be here today and will be happy to answer any questions.

Dr. GOSAR. Thank you, Mr. Goar.

And I apologize, Mayor, but we are going to put you in the role of closer from this triad. So I would like to introduce Mayor Ralph Becker from Salt Lake City, Utah. Mayor?

**STATEMENT OF RALPH BECKER, MAYOR,
SALT LAKE CITY, UTAH**

Mr. BECKER. Thank you, Mr. Chairman. Mr. Chairman, thank you, Ranking Member Grijalva, Members of the Committee. Just by way of background, I am a planner and a lawyer. I was a consultant for more than 20 years and continually through that work as a consultant worked for all levels of government, all sectors really in the economy, in this very area of the Wasatch Canyons before I was elected mayor.

The Wasatch Canyons as we call them or Wasatch Mountains east of Salt Lake City are of crucial, critical importance to those of us on the Wasatch Front both for watershed where Salt Lake City's primary responsibility is to provide water supply to more than half of the million people who live in the Salt Lake Valley and for a multitude of users summer and winter. It is also, as has been mentioned, one of the most heavily used areas of the National Forest System. It has the most unique element of being immediately proximate to a major urban area. It is a fragile environment and has amazingly provided for coexistence of many users now for decades.

Wasatch Canyons is also a place where there has been close cooperation and public engagement on decisions for decades. The Forest Service has long time been a partner with Salt Lake County and with ski areas and environmental groups and the multiple users. Like Salt Lake City, you have heard from the Forest Service, and Salt Lake County oppose this legislation. We are the entities of primary jurisdiction here.

This legislative proposal would sell public land to the benefit of one user to the exclusion of the public. It would bypass a public process and meaningful vetted environmental analysis. It would set precedent that public land long dedicated and used by the public

and for drinking water supply can be sold. It would override local interests and policies in the Wasatch Canyons as they exist today, and it would prevent any opportunity to make decisions carefully, with full public participation and with a goal of reaching a consensus for all of the users and for protection of the resources.

It is of enormous concern to those of us who have responsibility for the Wasatch Canyons for water supply, to look out for the many users and to protect a very fragile environment, given the amount of use, that we not bypass the environmental reviews that need to be done, the public participation that needs to be done and the ability for all of us who are responsible locally, whether that is the Forest Service local offices or those of us in local government, to participate and really to try to reach consensus on decisions.

I recognize and appreciate, Congressman Bishop, that this is a hearing and we are at the very first stage of a proposed piece of legislation, and regardless of the alarm that this legislation has set off in my community and among many along the Wasatch Front, Congressman Bishop reminded me how early we are in this process and that he would include us in a conversation about the future of this legislation.

I very much look forward to working with all of you on the Committee and Congressman Bishop as well as Congressman Matheson, who represents this area where the land would be sold and opposes it, to find a solution that reflects a consensus that protects our critical environmental needs and watershed needs in these canyons, that recognizes the needs of the various users and balances them and that protects these canyons and these mountains today and for future generations as has been passed on to us. Thank you.

[The prepared statement of Mr. Becker follows:]

**Statement of The Honorable Ralph Becker, Mayor, Salt Lake City, Utah,
on H.R. 3452, Wasatch Range Recreation Enhancement Act**

Chairman Bishop, Ranking Member Grijalva and Members of the Subcommittee: Thank you for the opportunity to testify regarding the Wasatch Range Recreation Access Enhancement Act. I provide this written testimony as Mayor of Salt Lake City, and as a previous member of an environmental planning firm that conducted NEPA and planning work in the Wasatch Mountains.

I would like to recognize Congressman Rob Bishop for his dedication to our state and for his role as Chairman of this Subcommittee. In addition, I would like to recognize Congressman Raúl Grijalva, Ranking Member of this Subcommittee. Finally, I would also like to express my appreciation to Congressman Jim Matheson for his work and leadership.

The Wasatch Range Recreation Access Enhancement Act (H.R. 3452) seeks to convey federal land in Big Cottonwood Canyon, a critical Salt Lake City municipal watershed, to Talisker Corporation for the express purpose of ski resort-related development, known as SkiLink.

Last year, I had an opportunity to testify before this Subcommittee on another important piece of legislation proposed for the Wasatch Canyons, Congressman Matheson's Wasatch Wilderness and Watershed Protection Act of 2010, H.R. 5009. In my testimony last year I described the characteristics of the Wasatch Canyons and the important history of planning, policy and development there. I noted: "The Salt Lake Valley is unique in its natural setting and public lands. We have a population of 1,000,000 with a backyard, literally, of immediately accessible peaks that jut 7,000 feet above the Valley floor. We can walk out our doors and within 10 minutes be in downtown or be in spectacular mountain terrain. The landscape is unmatched; the pressures to develop are unmatched."

Unlike most rural areas where wilderness legislation is considered, the vast majority of Salt Lake Valley residents support strong protections in the Wasatch Canyons to preserve the land and protect our vital watershed. This is most recently reflected in a 2010 visioning document created with extensive public involvement,

Wasatch Canyons Tomorrow. The Uinta-Wasatch-Cache National Forest is one of the most heavily visited National Forests in the nation.

Our Wasatch Canyons history and the central place for water supply and watershed protection is instructive. Since the Salt Lake Valley was settled by Mormon Pioneers in the mid-1800's, surface water runoff from the Wasatch Mountains has been the primary source of water for the valley communities. These mountains rise to more than 11,000 feet above mean sea level (7,000 feet above the Valley floor), and act as a catcher's mitt for the storm systems that cross the dry desert to the west, blanketing them with hundreds of inches of snow each winter. This mountain snowpack is the primary storage for 60 percent of the drinking water supply to Salt Lake City and several other Salt Lake Valley communities.

The importance of these watersheds to arid Salt Lake City and other Salt Lake Valley communities cannot be underestimated. The runoff is high quality and requires minimal treatment before it is distributed. The sustainment of high quality water minimizes public health risks of water contamination, making our communities more secure. In addition, high quality water keeps water affordable by minimizing treatment costs associated with chemical and energy use.

Of particular significance to western water supplies, the water sources from the Wasatch Mountain watersheds are in close proximity to the communities that rely on the water. This benefits us by minimizing energy use in the transmission of water to the public, minimizing the embedded energy in our water supply. Sustainment of our local water sources improves our community's resiliency and security, especially as we consider the challenges associated with climate change impacts on western water supplies relied upon regionally, such as the Colorado River, and extended drought periods that have marked our history, and have a high likelihood of recurring.

As our population continues to grow, our demand for water will continue to grow. The Utah Governor's Office of Planning and Budget projects that Salt Lake County's population of about 1 million people will increase by an additional 400,000 by 2030, and will almost double by 2060. The proximity of clean water from the Wasatch watersheds to the Salt Lake Valley facilitated the county's development and is critical in accommodating the significant projection of population growth.

For decades, Salt Lake City Public Utilities has been a steward of about 200 square miles of watershed and has conducted studies and adopted protective policies and regulations in order to sustain high quality water to more than 500,000 people in Salt Lake City and several Salt Lake County communities that comprise its service area. In addition, the populations of other Salt Lake Valley communities outside Salt Lake City's water service area, such as Sandy City and areas served by the Jordan Valley Water Conservancy District, depend on the reliability and proximity of high quality water from the Wasatch Mountain watersheds.

Salt Lake City's stewardship relies on a partnership with the U.S. Forest Service that has spanned more than a century. About 80 percent of the Salt Lake City watershed area is federal land managed by the Uinta-Wasatch-Cache National Forest. These lands were reserved into the National Forest System in 1904. In 1905, Chief Forester Gifford Pinchot met with Salt Lake City officials to stress the importance of the partnership between the U.S. Forest Service and Salt Lake City to protect the City's watershed areas. In addition, Mr. Pinchot also visited the Big Cottonwood Canyon watershed in 1905, promising federal aid and restoration for watershed protection. The most current Forest Plan (2003) for this area specifically prescribes protective watershed management. For more than 100 years, Salt Lake City and the Uinta-Wasatch-Cache National Forest have collaborated on numerous programs and plans, including watershed stewardship and education programs, construction and maintenance of sanitary facilities, and trail planning and maintenance.

I am supportive of our State's thriving ski industry. However, I have significant concerns with the substance and precedence of H.R. 3452 as proposed. I am also concerned with the way in which this legislative process essentially removes our local citizens' valued and time-honored engagement in planning and decision-making for the present and future of the Wasatch Mountains.

For decades, we who cherish the Wasatch Canyons have worked together through intensive public engagement with all jurisdictions, private interests (including the ski industry) and the public, to arrive at proposals that balance those interests and achieve some consensus. This proposal has failed to engage local interests; I, as mayor of Salt Lake City, with responsibility for protecting the watershed interests of our Valley, only learned of this legislative proposal through a news report. Unlike the Wilderness Bill that this Committee heard a year ago and was the subject of one year of intensive involvement and negotiation by all major parties, H.R. 3452 has circumvented our tradition of engaging our community. And, passage of this legislation as proposed would bypass the planning and NEPA processes that has en-

abled Salt Lake City and other jurisdictions to protect our watershed and other uses, and still provide for a wide range of uses.

Because of this, I cannot support this legislation in its current form, but appreciate your willingness, Mr. Chairman, to listen to our concerns and work with us to address the desires, needs, and future of the Wasatch Canyons. I accept that invitation and look forward to that process.

While H.R. 3452 appears to serve growth interests of two of Utah's respected ski resorts, Canyons and Solitude, I do not believe it addresses the interest of the general public. Studies have been produced on behalf of Talisker and Canyons Ski Resort to promote alleged benefits of SkiLink. Each of these studies claim public benefit, such as reduction in traffic and vehicle miles traveled, and economic benefits such as additional jobs. Close inspection of the assumptions and facts reported in these studies show the studies' conclusions are not well supported and the public's interest in protection of its municipal watersheds, habitat, and diverse recreation is not considered.

Public Representation Concerns and Conflict with Local Laws, Plans and Policies

The Wasatch Mountains surrounding the communities of the Salt Lake Valley sustain our quality of life and serve as a constant reminder of our stewardship over our remarkable natural resources in Utah. They provide clean drinking water, clean air, diverse recreational opportunities, and habitat protection. Salt Lake City's health, security, and economic prosperity are dependent upon this mountain range, and it is our obligation, as a community with extraordinary local interests, to protect these values for current and future generations.

I am concerned that H.R. 3452 circumvents the expressed interests of the majority of our local citizens in favor of this development project. Salt Lake City and our neighboring communities collaborated in numerous local, State, and federal planning efforts over the last several decades regarding land use within the Wasatch Mountains. It is clear that the public land conveyance described in H.R. 3452 does not adequately recognize the local collaborative planning and decision-making processes embraced by our community. For example, H.R. 3452 is in direct conflict with the 1989 Salt Lake County Canyons Master Plan, the 1999 Salt Lake City Watershed Management Plan, and the recent 2003 Revised Wasatch-Cache National Forest Plan.

The 1989 Salt Lake County Canyons Master Plan (County Master Plan), developed through an exhaustive public process, sets forth numerous policies with which H.R. 3452 conflicts, including watershed protection, ski area expansion, land acquisition and conservation, criteria for determining mountain transportation systems and aesthetics. Salt Lake City's 1999 Watershed Management Plan supports many of the policies of the County Master Plan. Its stated goal is to "emphasize water quality first and multiple use of the watershed second."

The 2003 Revised Wasatch-Cache National Forest Plan (Forest Plan) underlying management premise for the Central Wasatch Mountains is the need to provide long-term, high-quality culinary water to the large urban population of the Salt Lake Valley. The Forest Plan prohibits expansion of the existing four ski resorts outside of their permit boundaries. The Forest Plan also prescribes Standards and Guidelines for defined geographical regions. The area that is the subject of the Proposed Act maintains a prescription in which the emphasis is on maintaining or improving quality of watershed conditions. The Standard employed in this prescription does not allow "timber harvest, road construction, and new recreation facility development." Both in regards to policy and standards, H.R. 3452 is directly in conflict with the Forest Plan.

The 2010 Wasatch Canyons Tomorrow public engagement visioning process conducted by Envision Utah further validates the public's desire to ensure watershed and environmental protection by strengthening land use regulations, limiting development, and continued opportunities for a high level of public engagement.

It is also important to note that in 1934 both Congress and Salt Lake City had a mutual understanding of the importance of protection of municipal watersheds from degradation. This resulted in the passage of Public Law No. 259, "An Act for the Protection of the Public Water Supply of the City of Salt Lake City, State of Utah." This Act recognized the need to ensure sustainable water supplies emanating from National Forest lands, and directed control in Salt Lake City's watershed areas over activities like mining and timber harvesting. As such, H.R. 3452 likely conflicts with that intention and direction.

Inadequate Project Analyses

The analyses conducted in support of SkiLink, and partially referenced in H.R. 3452's Findings Section, are inadequate to support their conclusions, and do not present a balanced view of public benefits.

The proposed development's traffic analysis fails to recognize possible negative impacts to Big Cottonwood Canyon traffic given projections of tens of thousands of additional skiers visiting Canyons and Solitude Ski Resorts due to the presence of the SkiLink interconnect chairlift. The traffic study also based its benefits from the limited perspective of skiers who travel between Canyons and Solitude Ski Resorts, a dataset that was derived, in part, by "local knowledge" and anecdotal evidence that would be difficult to replicate or reference.

The Economic Impact Analysis for the project formed its basis on the direct and indirect economic impacts of additional skier visits, ranging from initial to maximum capacity projections of 75,000 to 400,000 additional annual skier visits, and based solely on data provided by the resort. Even assuming that the Canyon's skier visitation projection data is correct and unbiased, the study did not consider whether public costs in additional future land management, infrastructure, watershed management, or additional water treatment due to overuse and watershed degradation would have a negative economic impact, particularly to Salt Lake Valley residents. The analysis is also unclear as to whether the overall net economic impact derived from additional skier visits is positive, as there is a good possibility that the increase in skier days projected by Canyons Ski Resort will come at the expense of the other ski resorts in the area. The analysis also does not take into account any negative impact to Utah's economically significant outdoor recreation industry.

The project's Preliminary Environmental Analysis makes a broad assumption that because no significant water quality events have been identified in Salt Lake City watersheds where ski areas exist, the addition of the SkiLink project would not have water quality or watershed impacts. This main assumption in the environmental analysis is too narrow to support the studies' conclusions. It is also in conflict with development-related water quality events observed by Salt Lake City, specifically in the Big Cottonwood Canyon watershed, associated with both ski resort and private property development activity. The U.S. Forest Service recently conducted a systematic Watershed Condition Framework Classification effort to classify the level of watershed function and prioritize restoration activities. The Big Cottonwood Canyon watershed is classified as "Functioning at Risk" due to the presence of development and roads. The development facilitated by H.R. 3452 threatens to exacerbate the conditions that give the Big Cottonwood Canyon watershed an "at risk" rating; the implication of additional development on the Watershed Condition Classification was not assessed.

The environmental analysis is also primarily focused on environmental regulatory hurdles affecting the development of SkiLink, and should not be confused with rigorous analysis under the National Environmental Policy Act. And finally, the environmental analysis failed to consider likely overuse impacts of the 75,000 to 400,000 additional visitors, as estimated in the Economic Analysis, to the sensitive environment of the Big Cottonwood Canyon watershed.

Precedence Concerns

H.R. 3452 sets precedence for legislatively bypassing collaborative and balanced local decision-making in Salt Lake City's critical municipal watersheds, and for eroding the publicly supported protections of our Wasatch Mountains. Presently the pressure for more development in our watersheds is significant and threatens their health and integrity. For example, SkiLink appears to be the first step in a broader ski resort expansion plan. Over the last year, Salt Lake City has become aware of plans by numerous ski resorts to build at least eight new chairlifts in the Big and Little Cottonwood Canyon watersheds. In addition to SkiLink, these proposed new chairlifts would expand commercial skiing to include additional, and presently intact, public lands outside of the existing U.S. Forest Service ski area permit boundaries, contrary to the Forest Plan and our local land use management plans. By our estimates and mapping, these new chairlifts could cumulatively result in ski area expansions that double the combined 6,294 acres of commercial ski area in two of our most critical watersheds.

These new resort expansions would present negative cumulative impacts to our watersheds, significantly increasing our vulnerability to serious water supply degradation. Cumulative watershed impacts of the new ski area developments will result in significant water quality and water supply degradation, as well as affect surface water runoff and timing patterns. These new land developments would impact our watersheds by (1) contributing to more use of the canyons, (2) pressuring existing infrastructure such as roads, sewer, water, and parking, and (3) leading to cu-

mulative and incremental increases of the development footprint in the watersheds, including the increase of hard, impermeable surfaces.

The precedence set by H.R. 3452 of selling public lands for commercial development in our community's watersheds is not a good one given that, from our perspective, others will follow suit with this strategy rather than engage the local community. In addition, while I have presented concerns of precedence impacting the Wasatch Mountains, I am also well aware that other communities across the nation, especially those who rely on water and other ecosystem services emanating from public lands, would be affected by the precedence of the Proposed Act.

A Commitment to Collaboration

I am committed to collaborative processes that engage the public and stakeholders in transparent management and decision making. With respect to the Wasatch Mountains, I am eager to take a holistic approach to plan for the future of these treasured places. The pressures for more use, recreation, and development of these critical watersheds seem to be colliding with environmental stressors, our increased population projections and a resulting increased demand of clean, reliable and affordable water. All of these pressures are creating unprecedented conflict. The desire for the land conveyance in the Wasatch Range Recreation Enhancement Act is both a symptom of the conflict and a departure for public engagement and careful consideration of our resources and many users of the Wasatch Canyons.

As we move in a direction to resolve this conflict, I hope we can engage our citizens, governments, businesses, non-governmental organizations and leaders, including our Congressional delegation, in an inclusive and collaborative process to give us better tools to adapt to this increasingly complex mix of pressures and stressors in the Wasatch Canyons.

Again, thank you for the opportunity to provide this testimony regarding the Wasatch Range Recreation Enhancement Act.

Dr. GOSAR. Thank you, Mr. Mayor.

Now it is my pleasure to introduce one of my colleagues and friends from Coconino County, Supervisor Matt Ryan.

STATEMENT OF MATT RYAN, SUPERVISOR, COCONINO COUNTY, ARIZONA

Mr. RYAN. Thank you, Acting Chair Gosar, Chairman Bishop and Ranking Member, and a special hello to Ranking Member Grijalva. It is nice to see you, sir.

Members of the Committee, the Subcommittee on National Parks, Forests and Public Lands, I appreciate the opportunity to provide testimony on H.R. 1038, legislation to address a boundary correction in the Mountainaire Subdivision in Coconino National Forest, Arizona. My name is Matt Ryan, and I serve on the Coconino County Board of Supervisors representing District 3. I am here today representing my district and the Coconino County Board of Supervisors.

Coconino County would like to thank the Subcommittee for the consideration of H.R. 1038. On behalf of Coconino County and the residents of District 3, we would also like to thank Congressman Paul Gosar for introducing the legislation to address this important issue. H.R. 1038 will provide a much needed relief to homeowners of Mountainaire Subdivision.

As background, in November 2007, the United States Bureau of Land Management completed a land survey in the Mountainaire Subdivision in Coconino National Forest. During the 2007 survey, the BLM determined that an erroneous privately contracted survey of Mountainaire Unit 1, which was completed in 1960 and 1961, misidentified several acres of the United States Forest Service land as private property.

Since this time the surveyors have passed away, and the homeowners are faced with a situation of living on land owned by the Forest Service. On some of the developed parcels, the revised boundary goes through portions of the landowners' residences. Furthermore, several of these residents have maintained these parcels and developed them as their own for years and in some cases for decades.

It is important to point out that these homeowners purchased their property legally based on the results of the original survey. These homeowners acted within the law and acquired this property through proper channels. The boundary discrepancy impacts 26 lots and 27 property owners in the Mountainaire Subdivision. The entire encroachment for all lots involved is a total area of two and a half to three acres.

Since 2007, a number of property owners in this area have attempted to sell their property and have difficulty in doing so due to questions associated with land ownership. As you are well aware, the Forest Service has limited ability to convey land to private property owners. Under the Small Tracts Act, Public Law 97-465, the Forest Service is authorized to sell or exchange small parcels of Federal land that meet certain criteria. The Small Tracts Act requires the Forest Service to work with individual landowners to convey the property at fair market value. This option, however, would prove costly to the landowners and the Federal Government and could potentially take several years to complete.

Following discussions with the Forest Service, Coconino County and the impacted homeowners, it was determined that pursuing legislation to correct the boundary discrepancy would be the most viable option. A legislative option was raised to provide the Forest Service the authority needed to convey the property to the landowners without any consideration from the landowners. Under this option, the cost to the Forest Service and landowners would be minimal and the amount of time to correct the discrepancy significantly reduced. Representative Paul Gosar introduced H.R. 1038 as a result of these discussions.

It is important to point out that this conveyance will have a cost to the county and the homeowners. Both groups will pay an additional survey of each individual parcel, the cost to create a legal entity to receive the property, as well as the \$20,000 included in the consideration of the legislation. We believe this is a small price to grant these homeowners the peace of mind knowing the property they live on is their own.

Thank you for the opportunity to address your Committee. The County Board of Supervisors would extend our gratitude to Chairman Bishop, to Congressman Gosar and the Committee for the continued efforts to address the Mountainaire boundary discrepancy.

[The prepared statement of Mr. Ryan follows:]

**Statement of Supervisor Matt Ryan,
Coconino County Board of Supervisors, on H.R. 1038**

Chairman Bishop and members of the Subcommittee on National Parks, Forests and Public Lands, I appreciate the opportunity to provide testimony on H.R. 1038, legislation to address a boundary correction in the Mountainaire Subdivision in the Coconino National Forest in Coconino County, Arizona. My name is Matt Ryan and I serve on the Coconino County Board of Supervisors representing District Three.

I am here today representing my district and the Coconino County Board of Supervisors.

Coconino County would like to thank the Subcommittee for considering H.R. 1038. On behalf of Coconino County and the residents of District Three, we would also like to thank Congressman Paul Gosar for introducing legislation to address this important issue. H.R. 1038 will provide much-needed relief to homeowners of the Mountaineer Subdivision.

As background, in November 2007, the United States Bureau of Land Management (BLM) completed a land survey in the Mountaineer Subdivision in the Coconino National Forest. During the 2007 survey, the BLM determined that an erroneous privately contracted survey of Mountaineer Unit I, which was completed between 1960 and 1961, misidentified several acres of United States Forest Service (USFS) land as private property. Since this time, the surveyors have passed away and the homeowners are faced with a situation of living on land owned by the USFS.

On some of the developed parcels, the revised boundary goes through portions of the landowner's residence. Furthermore, several of these residents have maintained these parcels and developed them as their own for years, and in some cases decades.

The boundary discrepancy impacts 26 lots and 27 property owners in the Mountaineer Subdivision. The entire encroachment for all lots involves a total land area of 2.5 to 3 acres. Since 2007, a number of the property owners in this area have attempted to sell their properties and are having a difficult time doing so, due to questions associated with the land ownership.

As you are well aware, the USFS has limited ability to convey land to private landowners. Under the Small Tracts Act, Public Law 97-465, the USFS is authorized to sell or exchange small parcels of federal land that meet certain criteria. The Small Tracts Act requires the USFS to work with the individual landowners to convey the property at fair market value. This option, however, would prove costly to the landowners and federal government, and could potentially take several years to complete.

Following discussions with the USFS, Coconino County and the impacted homeowners, it was determined that pursuing legislation to correct the boundary discrepancy would be the most viable option. A legislative option was raised to provide the USFS the authority needed to convey the property to the landowners without any consideration from the landowners. Under this option, the cost to the USFS and landowners would be minimal and the amount of time to correct the discrepancy significantly reduced. Representative Paul Gosar introduced H.R. 1038 as a result of these discussions.

It's important to point out that this conveyance will have a cost to the county and homeowners. Both groups will pay for an additional survey of each individual parcel, the cost to create a legal entity to receive the property, as well as the \$20,000 included as consideration in the legislation. We believe this is a small price to pay to grant these homeowners the peace of mind of knowing the property they live on is their own.

Thank you for the opportunity to address the House Natural Resources Subcommittee on National Parks, Forests and Public Land. The Coconino County Board of Supervisors would like to extend our gratitude to Chairman Bishop, Congressman Gosar and the Committee for their continued efforts to address the Mountaineer boundary discrepancy.

Dr. GOSAR. Thank you, Supervisor Ryan.

And our next guest is Mr. Rusty Gregory, the Chairman and CEO of Mammoth Mountain. You may proceed.

**STATEMENT OF RUSTY GREGORY, CHAIRMAN AND CEO,
MAMMOTH MOUNTAIN**

Mr. GREGORY. Mr. Chairman, Acting Chair, Ranking Member Grijalva, thank you for the opportunity to speak to the Subcommittee Members today on H.R. 2157.

My company, Mammoth Mountain Ski Area, has been working on a trade since 1998, and recently signed an agreement to initiate this land trade with the Forest Service for 21 acres at the base of Mammoth Mountain. Mammoth Mountain is one of the three most frequented ski resorts in the nation, along with Vail and

Breckenridge, and we have been a permit holder for approximately 60 years with the United States Forest Service.

We are located in a very small town of four-and-a-half square miles, 7,000 people. We employ 3,000 of those local citizens, which represent 30 percent of the total employment of Mono County. The 21-acre land trade in question is directly across the street from our main ski lodge. It is the gateway to skiing but also to the national monument, Red's Meadows and Devils Postpile National Monument, and it is the site of a 50-year-old hotel.

We inherited this hotel from the original developer that built the hotel in the 1950s, and we took ownership over in the 1980s because they were totally unprepared to deal with the 50 to 60 feet of snow that occurs on that site typically on its 9,000-foot elevation. The hotel, the Mammoth Mountain Inn, was incredibly poorly constructed by a developer from the beach area in southern California, and we have been struggling with the infrastructure ever since the 1980s when we took over. Most notably, it has an open air sewer pond out in the pristine forest out behind the hotel. It is quite a mess.

The hotel is a nonpermitted but grandfathered use under our ski area special use permit. As old as it is, the Mammoth Mountain Inn is very important to our small, local community. It has 400 employees, provides \$1 million of transient occupancy tax, which represents about 60 percent of the local municipal budget, which is a total of \$12 million, so a big portion of our local tax base.

So the trade, this 21-acre trade makes the replacement of the Mammoth Mountain Inn possible by virtue of the ownership of the underlying land which is necessary to finance what will be a phased \$500 million replacement project of this facility. The trade parcel for the 21 acres includes 10 parcels of land, 1,700 acres of very high resource value land around Mammoth Mountain and the Owens Valley in California that includes, for instance, a 100-acre Mono Lake scenic area, land that we purchased four years ago in anticipation of this trade to avoid development above the environmentally sensitive Mono Lake area at the bottom of Tioga Pass, which is the entrance into Yosemite National Park.

H.R. 2157, however, is not a legislative land trade. It doesn't alter what is and should be the rigorous approval process for this ongoing land trade. We are in the process of a NEPA environmental assessment and a number of other factors that we need to achieve to culminate the trade.

We do agree with our partners, the Forest Service, that insufficient high resource land beyond the land that we have already secured for the trade isn't available today to complete this trade within the FLPMA cash equalization limits of 25 percent. H.R. 2157 will allow the Forest Service to accept cash in addition to the funds that come from the trade land to provide value equal to the 21 acres, the Mammoth Mountain Inn site that I spoke about before.

So I request that you support H.R. 2157 so we can move forward with the trade and this significant investment of approximately half a billion dollars in our very small, local community. This will add 400 additional jobs to the community on top of the 400 that

come from the Mammoth Mountain Inn today, and an additional \$1 million of transient occupancy tax will be provided as well.

Thank you for the opportunity to speak with you.
[The prepared statement of Mr. Gregory follows:]

**Statement of Rusty Gregory, Chairman & Chief Executive Officer,
Mammoth Mountain Ski Area, on H.R. 2157**

Mammoth Main Lodge Redevelopment LLC, a related company to Mammoth Mountain Ski Area, LLC, (“MMSA”), and the United States, by and through the United States Forest Service, U.S. Department of Agriculture, (“USFS”) have signed an Agreement to Initiate for a land-for-land exchange (“Land Exchange”) for approximately 21-acres at the base of Mammoth Mountain Ski Area, Mammoth Lakes, Mono, California.

MMSA owns and operates Mammoth Mountain Ski Area, which operates under a Ski Area Term Special Use Permit (“SUP”) issued by the USFS. Mammoth Mountain is located in the spectacular Eastern Sierra Nevada region of California, and consists of approximately 3200 ski-able acres. Mammoth Mountain Ski Area began operations in 1953, and has grown to be one of the most visited ski areas in the United States. Mammoth Mountain has been the site of many important developments in ski area operations, and has been a faithful partner of the USFS for nearly sixty years. This year, Mammoth Mountain provided winter outdoor recreation opportunity to 1.3 million public land visitors. Depending on seasonal variability, MMSA generates between ten and thirty percent of total employment in Mono County, and MMSA’s services bring the recreation visitors who fill the hotels and restaurants and buy the goods and services of businesses located up and down the Owens Valley. MMSA takes seriously its role as the economic engine of the region.

The Land Exchange was first initiated in 1998, and has recently gained significant momentum. The primary reason for pursuing the Land Exchange is to provide a better experience to the public at this very highly used portal to public lands. This will primarily be accomplished by replacing the aging and rapidly dilapidating Mammoth Mountain Inn, providing higher levels of guest service and better amenities, all enhancing visitor experience and creating increased capacity for skier visits at the main base area of Mammoth Mountain. The Inn, constructed in the late 1950s, is a “grandfathered” non-compliant use under the Ski Area Term Permit Act. Since purchasing the Inn, MMSA has made extensive efforts to arrest the Inn’s decay, and has sought to mitigate the growing health and safety hazards presented by using a rapidly decaying, inefficient building. MMSA strongly desires to demolish the Inn complex, and replace it with modern, efficient development. However, obtaining the financing required to redevelop the Inn cannot be readily achieved while the Inn sits on public land.

Carrying out the Land Exchange will make it possible to address the following inadequacies:

- The Mammoth Mountain Inn, a 217-unit/475-bed hotel, is over 50 years old and requires significant upgrades due to construction quality, deterioration, and deferred maintenance (In fact, due to the outdated construction, the most efficient and cost effective redevelopment of the current buildings is demolition and building new facilities);
- Antiquated design, layout, and circulation of Main Lodge building; pedestrian circulation through Main Lodge Area is random and not intuitive;
- The Main Lodge building is also nearly 50 years old and requires significant upgrades due to construction quality, deterioration, and deferred maintenance;
- Inefficient lift line queuing, restricted skier staging areas, and skier traffic conflicts between lifts;
- Inefficient and conflicting traffic and pedestrian circulation and parking;
- Limited beginner, teaching terrain;
- Unsightly back-of-house operations which are guest-facing and create less than optimal first impressions (e.g., loading dock and trash removal);
- Lack of quality hotel rooms, suites, and transient rentals;
- Underprovided amenities and non-ski activities; and
- Lack of employee housing on-site.

Many of these inadequacies could possibly be corrected under the existing SUP. However, there are a number of disadvantages that make this option risky and potentially infeasible:

- Rehabilitation and redevelopment of existing ski and recreation base facilities is permitted under the SUP, but the development of new lodging facilities at MMSA may be prohibited by the terms of the Ski Area Permit Act of 1986;
- No vesting rights and no long-term assurance of entitlement;
- Limitations on construction and permanent financing due to the lease nature of the SUP and its short term—only 40 years; and
- Limitations on for-sale product and owner financing.

Therefore, to facilitate and implement the redevelopment of the Mammoth Mountain Inn and Main Lodge Area in an economically feasible, modern, efficient, and environmentally responsible manner, MMSA believes the best results would be achieved by completing the Land Exchange with the Forest Service. By obtaining fee title to the land at the Mammoth Mountain Inn and Main Lodge Area, MMSA will be able to:

- Utilize traditional infrastructure financing sources to redevelop the Mammoth Mountain Inn and Main Lodge Area;
- Utilize state of the art technologies to maximize guest services while minimizing environmental footprint;
- Provide the public a better on-hill experience through more efficient queuing and staging areas, more efficient skier flow between lifts, and increased teaching terrain;
- Provide the public with a better arrival experience through a new base lodge that has intuitive circulation and pedestrian flow from skiers services to the lifts, more efficient parking and transportation circulation and layout, and reduced traffic;
- Support an increase in the number of skiers;
- Vest its rights in fee ownership and increase its asset base;
- Increase transient bed base, which will in turn increase transient occupancy tax revenues for the Town of Mammoth Lakes;
- Allow for the potential of for-sale products to help minimize cash flow contributions for non-income producing amenities and facilities, and provide a higher level of demand for on-site amenities;
- Provide a variety of public amenities such as restaurants, shops, spa, entertainment, activities, conference facilities, and gathering areas;
- Provide employee housing;
- Take advantage of the recently enacted Ski Area Recreational Opportunity Enhancement Act by expanding summer recreation facilities; and
- Increase the year round utilization of facilities and services.

In exchange for the approximately 21 acres of National Forest land under permit to MMSA (the “Federal land”), we have worked closely with the Forest Service to identify, acquire or option over 1,729 acres of high resource value lands for the public within the Inyo, Plumas, Stanislaus, and Eldorado National Forests in California (the “non-Federal lands”). Included within these non-Federal lands are the historic Mono Lake-Cunningham parcel, which MMSA purchased at the request of the Inyo National Forest and the late Olympic great and noted environmentalist Andrea Lawrence. MMSA’s purchase staved off the threat of pending development in the heart of the Mono Basin National Forest Scenic Area.

The package of offered non-Federal lands also includes two parcels owned by the Los Angeles Department of Water and Power, located just outside the proclaimed boundaries of the Inyo National Forest. These parcels represent less than one percent (1%) of the land to be traded to the United States, but serve important public functions, including housing the Interagency Visitors Center in Lone Pine, a facility annually used by tens of thousands of people as an interpretive gateway to the public lands in the Eastern Sierra region. Provided the Land Exchange is ultimately approved by the Forest Service, H.R. 2157 is needed to allow the Forest Service to acquire these two parcels because they are located outside the Forest boundary.

H.R. 2157 also authorizes the Forest Service to accept, into what is known as a Sisk Act account, the funds necessary to complete an equal value exchange. The deposited funds will be used by the Forest Service to acquire additional high resource value lands in the future. We believe this approach strikes just the right balance, because despite all of the high resource value land (and the addition of the small administrative parcels) being traded to the United States, the Forest Service has concluded there is nevertheless insufficient high resource value land currently available in California to create an equal value land exchange. The approach therefore avoids the unintended and potentially problematic consequences which might result from removing currently available low resource value lands from private ownership and placing them into public ownership just to serve the purpose of balancing the Land Exchange.

Moreover, we believe this provision is appropriate due to the complexity and size of the Land Exchange. The amount of funds necessary to complete the equal value exchange will be determined by appraisals of the Federal and non-Federal exchange parcels. The appraisals will be prepared in accordance with appropriate Federal appraisal regulations and processes. While appraisals have not been completed, it is anticipated that the necessary equalization funds could exceed 25% of the value of the Federal land to be exchanged. H.R. 2157 will authorize the Forest Service to accept whatever amount of funds are necessary to ensure the public receives equal value for the 21 acres at the base of Mammoth Mountain. Such provisions have been included in numerous other Congressional actions authorizing previous land exchanges.

What H.R. 2157 does not do is direct the Forest Service to complete the Land Exchange, nor does it relieve the Forest Service or MMSA from completing the Land Exchange in full compliance with all other laws and regulations, including the National Environmental Policy Act (NEPA). At present, the Forest Service is in the process of working on the environmental review of the Land Exchange, as required under NEPA. The process includes early and continuous public involvement. We expect the NEPA process to conclude that there are no detrimental environmental or socioeconomic impacts, and indeed we believe the NEPA process will reveal that the Land Exchange provides significant environmental and socioeconomic benefits. For these reasons, the Land Exchange, including the elements which require the passage of H.R. 2157, have received support from the premier environmental groups in the region, including the Mono Lake Committee, the Friends of the Inyo, and the Eastern Sierra Land Trust, who have each provided letters of support.

We are hopeful that this legislation will be enacted, and that the Forest Service will proceed, after completion of the NEPA process, to execute an Exchange Agreement with MMSA, thereby enabling the completion of the Land Exchange. Upon completion of the Land Exchange, MMSA will begin the next step, which is to seek approval of development plans from the local jurisdiction. Such approval will require significant additional review, including compliance with local ordinances, and thorough review under the California Environmental Quality Act.

We thank you for your time and consideration, and urge you to recommend the passage of H.R. 2157.

Dr. GOSAR. Thank you, Mr. Gregory.

Our next guest is Mr. Pedro Segarra, the Mayor of Hartford, Connecticut.

**STATEMENT OF PEDRO SEGARRA,
MAYOR, HARTFORD, CONNECTICUT**

Mr. SEGARRA. Thank you. Good afternoon, Mr. Acting Chair, Chairman Bishop, Ranking Minority Member Grijalva and distinguished Members of the Subcommittee on National Parks, Forests and Public Lands.

On behalf of the City of Hartford, which recently celebrated its 375th anniversary, I appear before you today in support of H.R. 2504, the designation of Coltsville Historic District as a national park. I want to thank Congressman John Larson and Senators Lieberman and Blumenthal for their tireless support of this critical and important initiative.

This effort, which also has broad support of the city's business community, institutions and organizations, is critical to the revitalization of Connecticut's capital city and will become a centerpiece in the city's effort to increase its focus on heritage tourism. It would also stand as a model to the future of innovation.

The Colt Manufacturing facility and surrounding structures played a critical, if not essential, role in the national defense, defining the direction of the United States during a time of great exploration and innovation. It not only changed the face of national and international business and commerce but also enhanced and fur-

ther promoted the spirit of American business ingenuity and its role in the local community.

It is symbolic that we are now again presented with a monumental decision that, if approved, will help shape and encourage an ongoing renaissance of the City of Hartford and further promote the historic art and the necessary investment, which our Governor, Governor Dannel Malloy, has made to restore funding designated to promote Connecticut's cultural and tourism destinations.

The City of Hartford, the State of Connecticut and the collaborative of associated public and private entities is deeply invested in the Coltsville neighborhood. The city has already rebuilt two schools and improved housing stock in the immediate area and has committed almost \$3 million in matching funds to improve surrounding streets in ways that will redefine space, improve visuals, increase safety and enhance the overall vibrancy of the area. We are also standing ready to assist the other elements, such as a greater scope and definition, which are added to the revitalizations of America's first and arguably most prominent industrial zones.

A commitment has also been made by local businesses, property owners and management such as the Colt Gateway Riverfront Recapture and the Capital Region Education Council to preserve, maintain and manage their properties in accordance with the National Park Service and historic preservation guide. A national park at Coltsville will only require the Park Service to manage the 10,000 square feet designated in the East Armory. All other areas will be interpreted externally on an agreement with the National Park Service and will be established during the evaluation period outlined in the legislation.

It is important to briefly recognize the number of jobs this effort will create and the overall impact to the economy. Not only will the trades benefit through an intense construction effort, but long-term growth for the region across this entire job spectrum, not only the direct benefits to the leisure and hospitality sector but also those critical indirect and secondary job markets that will be added and supported as well.

With an intense focus on commitment in these areas, the region has already seen over 1,000 new jobs created and the infusion of \$175 million into the regional economy. This designation, critical to the further restoration of the Colt Manufacturing plant, has been independently estimated to generate an additional \$150 million to the regional economy and create 1,000 additional jobs over the next five years. If no further development occurs, it would only yield \$30 million and 229 jobs.

I thank you for your time and consideration and do hope that you will move this resolution forward not only because this recognition is long past due but, because many positive outcomes will no doubt result from Coltsville being designated a national park. I ask that this testimony be made part of the record, and I will answer any questions that you might have.

[The prepared statement of Mr. Segarra follows:]

**Statement of The Honorable Pedro E. Segarra, Mayor,
City of Hartford, Connecticut, in Support of H.R. 2504**

Chairman Bishop, Ranking Minority Member Grijalva, and Distinguished Members of the Subcommittee on National Parks, Forests and Public Lands:

On behalf of the City of Hartford, which recently celebrated its 375th Anniversary, I appear before you today in support of *H.R. 2504*, the designation of the Coltsville Historic District as a National Park. I want to thank Congressman John Larson and Senators Lieberman and Blumenthal for their tireless support of this critical and important initiative. This effort, which also has the broad support of the City's business community, institutions, and organizations, is critical to the revitalization of Connecticut's Capital City, and will become a centerpiece of the City's effort to increase its focus on heritage tourism. It will also stand as model for future innovation.

The Colt Manufacturing facility, and surrounding structures, played a critical—if not essential—role in our national defense, defining the direction of the United States during a time of great exploration and innovation. It not only changed the face of national and international business and commerce, but also enhanced and further promoted the spirit of American business ingenuity, and its role in local community. It is symbolic that we are now again presented with a monumental decision that, if approved, will help to shape and encourage an ongoing renaissance in the City of Hartford and further promote the historic and necessary investment that Governor Dannel Malloy has made to restore funding designed to promote Connecticut's culture and tourism destinations.

The City of Hartford, State of Connecticut, and the collaborative of associated public and private entities, is deeply invested in the Coltsville neighborhood. The City has already rebuilt two schools and improved housing stock in the immediate area, and has committed almost \$3 million dollars in matching funds to improve surrounding streets in ways that will redefine space, improve visuals, increase safety and enhance the overall vibrancy of the area. We also stand ready to assist with other elements as greater scope and definition are added to the revitalization of one of America's first, and arguably most preeminent, industrial zones. A commitment has also been made by local businesses, property owners, and managers, such as the Colt Gateway, Riverfront Recapture and the Capitol Region Education Council, to preserve, maintain and manage their properties in accordance with the National Park Service and Historic Preservation Guide. A National Park at Coltsville will only require the Park Service to manage the 10,000 square feet designated in the East Armory. All other areas will be interpreted externally or an agreement with the National Parks Service will be established during the evaluation period outlined in the legislation.

It is important to briefly recognize the number of jobs this effort will create and the overall impact to the economy. Not only will the trades benefit through an intense construction effort, but long term job growth for the region across the entire job spectrum; not only in direct benefits to the leisure and hospitality sector, but also those critical indirect and secondary job markets that will be added and supported as well. With an intense focus and commitment in these areas, the region has already seen over 1,000 new jobs created and the infusion of \$175M into the regional economy. This designation, critical to the further restoration of Colt Manufacturing, has been independently estimated to generate an additional \$150M for the regional economy and create 1,000 additional jobs over the next five years. If no further development occurs, it will only yield \$30M and 229 jobs.

I thank you for your time and consideration and do hope that you will move this resolution forward, not only because this recognition is long past due, but because of the many positive outcomes that will no doubt result from Coltsville being designated as a National Park.

Dr. GOSAR. So asked. Will be done. Thank you, Mayor.

As is the protocol with the Chair, I will wait until the very end and abdicate to Mr. Bishop first. Mr. Herger?

Mr. HERGER. Thank you. Thank you, Mr. Chairman.

Mr. Smith, with respect to H.R. 1237, you stated in your written testimony that you do not support this legislation because the land to be acquired by the agency does not possess any "recreational or natural resources values that would contribute to the management of the National Forest System". Could you define recreation or natural resource values?

Mr. SMITH. Basically, when we acquire a piece of land or exchange it or something like that, there is a set of criteria that we use to see whether it is in the public benefit. And based on the

analysis that they have done, the analysis came back that there wasn't really much of a public benefit to make that exchange there. Usually you are looking at high-quality recreation activities, something that you are going to do in a recreation area. Sometimes you are looking at a resource area that will improve or protect. And based on the analysis from the research, nothing came back that was significant.

Mr. HERGER. You also say that the consolidation resulting from this bill will not produce "measurable forest management benefits". Isn't it within the agency's best interest to consolidate land within forest boundaries when it can?

Mr. SMITH. I think that is what they are saying here. Here, in this case, we would end up with an inholding, and we don't think this consolidation will create an inholding. That wouldn't serve the benefit of the Forest Service and it wouldn't be a public benefit. That is why we are interested in looking at other parcels that we can still do what needs to be done in this area, but the consolidation would just create an inholding.

Mr. HERGER. And while I appreciate the Forest Service suggestion regarding this acquisition of more desirable parcels, this legislation was introduced to allow the TPUD to convey these parcels and consolidate Federal holdings in exchange for one five-thousandths of a percent of the Shasta-Trinity National Forest to benefit the local community and to avoid a convoluted and bureaucratic purchase and exchange process that local managers have been reluctant to work on.

My question, Mr. Smith, is based on those simple terms. Why can't the agency support this legislation on this principle, and why does it feel that it should be entitled to get something out of it beyond an equal value exchange for the Federal Government?

Mr. SMITH. I don't think that is what that is saying. I think what it is saying is that we looked at all the resource values, and going back to the consolidation point that you made, if we could find parcels that we did not create an inholding, that we could do the consolidation and then serve those purposes, we would be interested. But we think that creating this big inholding would not serve those purposes, and I think that is the point where we come down on.

Mr. HERGER. Well, Mr. Smith, I have to tell you that we are very concerned in the community. As you know, the unemployment is over 20 percent. The tax base is very limited. The Federal Government owns approximately 75 percent of this county. It is a very poor county.

There is a great concern in the community certainly among the elected officials that the Federal Government has not been working with them, and I would certainly hope that somehow we could turn that impression around and that you could work with us more to help us solve the problems we have there.

Mr. SMITH. I think that is certainly my intention. As I stated in my testimony, we are willing to work with the Committee, the congressmen and yourself, and I think we will be able to find some solutions, but we want to take a look at some other parcels and look at some other options.

Mr. HERGER. Thank you. Thank you, Mr. Chairman.

Dr. GOSAR. Thank you. At this time, I would like to introduce the Ranking Member, Congressman Grijalva.

Mr. GRIJALVA. Thank you very much. Let me begin, Mayor Segarra. This piece of legislation is something that I have supported in the past and continue to do so. It is a good piece, and I hope that the Committee sees fit to move it on and so I appreciate your being here.

Supervisor Ryan, it is good to see you. I will be discussing with Congressman Gosar the only issue that I have that probably needs clarification and more explanation is the fixed amount of \$20,000 versus some other mechanism to arrive at that amount, but we will pursue that. It is a good fix, but that remains a question for me that I will be glad to work with my colleague on.

Other than that, Supervisor, this is a piece of legislation that I really can't argue with Mr. Gosar about, and since we enjoy arguing so much with each other you have robbed us of an opportunity to do that today and for that I am not terribly pleased, but that is OK.

[Laughter.]

Mr. GRIJALVA. Deputy Smith, H.R. 3452. Enactment of this legislation would create a private inholding, as you mentioned in your testimony, within the forest. Is this checkerboard pattern of land ownership the kind of resource management or management idea that is a good one?

Mr. SMITH. No. As you know, in terms of consolidation, what we like to do is try to get rid of the checkerboard pattern.

Mr. GRIJALVA. And roadless areas? Elaborate a little bit. Roadless areas in forests in general protect water quality. What impact might a major construction project within this area that we are talking about under H.R. 3452 have on water quality for Salt Lake City and the surrounding area?

Mr. SMITH. That is correct. That is one of the things we are concerned about is the watershed protection and also just building the corridor in that there are other resources there, and there is also private land going across there.

So we think that we would like to look at other options and work with the Committee, as well as with the county, to see if we can do something a little different there.

Mr. GRIJALVA. In legislation like H.R. 3452, does the Forest Service solicit and respond to public input in making this resource management decision regarding the construction of a major project like this one, and does this legislation, as far as you can tell, afford you that similar public involvement opportunity?

Mr. SMITH. We always will go through the public process and an environmental analysis in particular in something like this. We think this legislation would limit us in that opportunity to do that.

Mr. GRIJALVA. Mayor Becker, thank you and welcome. Your testimony indicated that the construction of this project is not supported by the local community. Could you elaborate? What is the opposition based on? How serious is that opposition and just on the issue of how people are reacting to the proposal.

Mr. BECKER. This proposal has created an uproar as great against a proposal as I have seen for a number of years in the Wasatch Mountains. Part of it is the proposal itself, and part of it

is what it represents, the precedent that it sets. I can certainly speak on behalf of Salt Lake County, and you received a statement as well from the Mayor of Salt Lake, of Salt Lake City. You received a statement as well from the Mayor of Salt Lake County.

We have watershed responsibilities in these canyons, and for many decades, really now going well over a century, we have invested enormous resources to protect those watersheds and to still allow for a wide variety of uses. We have been able to do that by very carefully considering proposals.

Mr. GRIJALVA. Some of the other witnesses have mentioned studies that the projections or the claims are it will create jobs, lower traffic congestion. How do you feel about the reliability of those studies?

Mr. BECKER. The analysis that our folks have done today does not place much credence in them both in terms of the quality of the studies and in terms of the breadth of the studies that are needed for a proposal like this.

Mr. GRIJALVA. Thank you. Thank you, Mayor. I just want to say that the Chairman of this Committee, Doc Hastings, always admonishes us about the fact that if the congressman of that particular district where the project is, that they should have significant input as to what that project is or isn't. He asks that question consistently, and you pointed out that Mr. Matheson is opposed to the project and it is in his district. Let me thank you and yield back, Mr. Chairman.

Dr. GOSAR. I thank the Ranking Member. I would like to acknowledge the Chairman for the Subcommittee, Mr. Bishop.

Mr. BISHOP. Thank you. I appreciate that, and I appreciate all of you taking the time to come here.

Mr. Smith, it is good to see you again. I believe I met you out in California already. I appreciate that testimony at the same time. I have got a whole bunch of things here. Let me try and just go through this. First of all, Mr. Smith, if I could, you said one of the things that the Park Service tries to do is to make sure that they get market value for land in which they convey or sell. Do you know how much you paid for the land in Alta in the first place?

Mr. SMITH. No, I don't know that. I can certainly find out, Mr. Chairman.

Mr. BISHOP. There will probably be another bill that will come through very quickly and as well may be on the Floor that talks about paying for costs, for administrative costs for land transfer. I suppose if you had to pay \$1 for that land transfer, I expect the fair market value would be \$1 coming back at you?

Mr. SMITH. That is about right. I mean, typically under the Federal rules, FLPMA, we are required to get fair market value and so basically based on the Federal appraisal standards that is how we come up with that value.

Mr. BISHOP. Come on. If you paid \$1 for it, shouldn't you get \$1 back?

Mr. SMITH. Congressman, we don't make the rules.

Mr. BISHOP. Yes, but you are becoming a good capitalist at the same time. Thank you for having a monopoly and then charging for it.

Let me ask you one other thing too, in particular the SkiLink bill for example. You said you opposed the bill because it would create a 30-acre inholding, yet in Mr. Herger's bill it eliminates a 150-acre inholding in that Six River National Forest, and you said that eliminating that inholding would have no measurable benefit for the management of the forest. So giving up 30 acres or two acres in Alta, I am assuming by the same logic it would have no measurable impact on the management?

Mr. SMITH. I don't have those figures in front of me. I can just tell you, Congressman, that I will certainly look into that.

Mr. BISHOP. All right. I am giving you a logic train. You don't necessarily have to have figures for it. That is OK. We have dealt with the Forest Service before.

Can I ask some questions of Ms. O'Dell if I could about the Connecticut project here? Because originally you said the proposal did not meet the feasibility criteria for the project, yet I believe you have said there have been new decisions to public access and financial viability of the developer that has caused a change in that opinion. So let me go through maybe three or four very quick ones. Has the Park Service made any positive finding related to public access to the structures in Coltsville?

Ms. O'DELL. I believe the town, the community, has made a lot of progress in bringing some buildings back to life and put schools in some of the buildings and cleaned up and developed some and so we are—

Mr. BISHOP. OK. But public access. Have you changed the findings on that?

Ms. O'DELL. We have not changed the special resource study at all yet, sir.

Mr. BISHOP. All right. So, has the Park Service determined whether or not there is a need for Park Service management of Coltsville? Do you have an official change on that one?

Ms. O'DELL. Again, the study has not officially been changed, but our testimony says that the National Park Service could serve an important role here as the National Park unit.

Mr. BISHOP. This is a project that I personally like. I would like to make it work somehow if we could. But are the private property owners aware—are the property owners aware—that in this legislation it provides for the Secretary of the Interior the right to inspect their finances?

Ms. O'DELL. I am sorry, sir. I don't know if the developer is aware of that yet. I am imagining he is because there has been a very good, strong dialogue between the City of Hartford and the National Park Service.

Mr. BISHOP. But you and the Park Service were aware that that language is in this bill?

Ms. O'DELL. Yes, sir, we are.

Mr. BISHOP. So, have the owners of the properties consented to having them be included in the park boundaries? Let us just go through a couple. Have the owners of East Armory consented to be included in the boundaries?

Ms. O'DELL. I am not sure if the owners are, sir. The City of Hartford—

Mr. BISHOP. Just the owners. The Church of the Good Shepherd?

Ms. O'DELL. I am unaware, sir.

Mr. BISHOP. Colt Park?

Ms. O'DELL. I am unaware.

Mr. BISHOP. Potsdam Cottages?

Ms. O'DELL. I personally am unaware.

Mr. BISHOP. OK. So, if I keep going through these property owners, I am going to get the same answer, aren't I?

Ms. O'DELL. That is correct, sir.

Mr. BISHOP. All right. I am not saying that it is necessarily a criticism—yes, I am saying it is a criticism, but not one that is not overcomeable—but it is a concern for me that we give the Secretary of the Interior the right to inspect finances within the legislation, and it is a concern that the property owners need to have an up/down, yes/no. They need to be conformed with that, and I expect the Park Service to take the forefront in accomplishing those and giving a definitive answer at some point in the process as we go through with this particular bill.

Ms. O'DELL. We will be happy to do that, sir.

Mr. BISHOP. I have no clue—

Mr. SEGARRA. If I may, Mr. Chair?

Mr. BISHOP. We need our timer back from our old committee so I know. I know I have less than a minute, but if you would like to take that less than a minute? I have some other questions. Please, sir. Thank you, Mr. Mayor.

Mr. SEGARRA. Yes, Mr. Chairman. Thank you. As mayor I can tell you that the level of cooperation between the local stakeholders has been incredible. We recently met with the Governor to try to get some additional state support for this park. The current owners of Coltsville are very invested in making this happen, as are the parks. We have boosted up our resources for Colt Park in terms of repairs and improvements, so we are all very committed.

Mr. BISHOP. I appreciate that. My time is up this time. But you have heard my concerns. They need to be fixed in this bill.

Mr. SEGARRA. Absolutely.

Mr. BISHOP. There is some power given to the Secretary of the Interior that is unprecedented and ought not to be there, and I want to make sure those property owners have had a clear chance of understanding exactly what it is and have a chance to go yes/no. So I appreciate you working with them to make sure they actually do it.

Mr. SEGARRA. Absolutely.

Mr. BISHOP. Thank you. I will yield back for this round.

Dr. GOSAR. At this time, I would like to acknowledge Mr. Kildee for his questioning.

Mr. KILDEE. Thank you, Mr. Chairman.

Your Honor, the mayor, Mr. Segarra, I come from Flint, Michigan, which is the birthplace of General Motors. It is where David Buick lived for a while and Louis Chevrolet and Walter Chrysler and Charles Nash. And my dad came there to work in the new industry of building mobility for people using the interchangeable parts system, and it revolutionized America. Henry Ford was doing a little bit down in Detroit too, but Flint claims more of that. But it is very interesting and very important that we remember the

roots, the very basic roots of our manufacturing process in this country, which built the economy of this country.

We have done that in Flint, Michigan, when we were a little more affluent. Flint is going through some difficult times now, but we have the Sloan Museum dedicated to the auto industry. We have the Buick Special Museum where they have a 1904 Buick fully restored. As a matter of fact, they have a 1904 Buick engine they found tearing down a wooden wall at the Buick plant one time. They found a Buick engine that had only been fired up to see whether it worked or not and put away.

But people come from all over to see how this country's industrial base was built. Now a Colt is different than a Buick, but the principle of the interchangeable part, we have to keep that in mind and let people know that these things just didn't happen. It took the genius of men and the genius of this country. So I am not speaking too much who should have control over this, but I think what you are after does generate jobs. It has generated jobs in Flint.

Might I ask just one question? You gave some estimates as to the jobs it might create. How did you arrive at those estimates? Did you have some firm to look at that—

Mr. SEGARRA. Yes.

Mr. KILDEE.—and look at other such similar programs?

Mr. SEGARRA. Yes. There has been two independent economic analyses that have been done of what this National Park designation would mean in terms of the local economy and the regional economy. We can submit those to be part of the record if they are not already in the record.

But I think, Congressman, what is really important here is that at a time when many are doubting America's ability to be a center of innovation and manufacturing, if we draw a reference to Samuel Colt and what he did in Hartford and how that translated to so many other industries, I think that is something that could add to the portfolio of cultural resources that we have in this country that will not only make our city and our state proud and our region but also give visitors an ability to witness firsthand how the genius of this man and all the components that are around the armory, around the arms factory, are incredible, to how this enterprise zone was created so early in the mid-1800s by Samuel Colt.

It is amazing. The architecture is beautiful architecture at both of the churches. The architecture even at Colt is incredible. It is a place I think that could make not only our state proud but would make this country proud.

Mr. KILDEE. You mentioned Mrs. Colt.

Mr. SEGARRA. Yes.

Mr. KILDEE. It is interesting. We can't leave out the women.

Mr. SEGARRA. Absolutely.

Mr. KILDEE. Right there in Flint there were women who worked particularly at what we called then the AC Sparkplug plant. They played a role in design and they played a role in investment. So the men and women of this country really built this industry that made us a great industrial power, so good that within a matter of less than two months my dad quit making Buick engines and started building Pratt Whitney engines for our Air Force, and that is the alacrity of also American industry. And I really thank you for

representing your city so well, and I encourage you to really help people remember where we came from.

Mr. SEGARRA. We are trying to do that, sir. Mrs. Colt is still helping women to this day. She left quite a bit of an endowment to service the wives, widows, of Episcopalian ministers, so her works live on through today.

Mr. KILDEE. Thank you very much. Thank you, Your Honor.

Dr. GOSAR. Thank you very much, Mr. Kildee.

The Chair will recognize himself. And the first question, Mr. Ryan, I know you answered most of these questions, but I really want to highlight them. What do you think the best remedy for the homeowners and the county is in this unfortunate situation in Mountaineer?

Mr. RYAN. Thank you, Congressman Gosar. As you know, many of these people are going through difficult times. We heard it tonight. We see it throughout the country. This adds an additional challenge for them. It is a method of transfer at least cost for these property owners. They are willing to pay the \$20,000. They would support paying less quite frankly. But we do know also that the Forest Service and the Federal Government need to have some level of reimbursement. They understand that, and they are willing to pay.

Dr. GOSAR. Now, for the record, these homeowners have all been paying their taxes, right, for this parcel of land?

Mr. RYAN. They have been, Congressman Gosar. They have been paying their taxes since the inception or since the first sales occurred with the subdivision itself.

It is important to note that they have also been treating it as their private land, and the county and the property owners had no idea this survey was erroneous. What they had done they had done legally. They used a correct process based on what was supposed to be an accurate survey.

Dr. GOSAR. I also last want to finish up with highlighting why the Small Tracts Act doesn't really work in this case and why it is prohibitive versus this kind of common-sense protocol.

Mr. RYAN. Thank you, Congressman Gosar. The Small Tracts Act takes a long time. The Forest Service has to work with each property individually, which would be all of these properties handled individually. It is not necessarily the most cost-effective mechanism for the Forest Service as well as the property owners. The costs go up related to that. It would require an appraised value associated with the properties, and in essence the property owners, who already paid for these lands out and out with higher assessed values, would have to pay again. This alternative is quick and efficient both for the Forest Service as well as the property owners.

Dr. GOSAR. And I think this is so apropos because this was a community that was driven together for a common solution, and this is a common solution that they all fittingly are part of. That is why I want to commend them for doing this.

Tell them I am very sorry that the IT failed us today, but we will post it. What the magic of this was allowing them to be part of that solution empowering people to be part of that, and they willingly did this. It shows you just a beautiful part of my district that I am spoiled with. So I would hope that we could move this thing fast

and move it forward appropriately for these people so that they can celebrate owning their own home and property. So, Mr. Ryan, thank you so very much.

At this point in time, I am going to yield the balance of my time to the Chairman. Mr Bishop?

Mr. BISHOP. Don't I get my own time? OK. We will work it out somehow.

First of all, Mr. Smith, I was just looking at a map, and I hope I got the right one there that deals with Mr. Herger's piece of legislation. The 150 acres as I understand it is an L-shaped piece of property that has the Forest Service bounding it on all three sides going around the L and back again. Am I accurate in that picture?

Mr. SMITH. I think so. I think I remember seeing that parcel.

Mr. BISHOP. All right. Thank you. I appreciate that.

Mr. Goar, if I could ask you a question? When using the construction techniques that you described in your testimony on the three other lifts, were there any water quality impacts that took place?

Mr. GOAR. Excuse me, Chairman. No, there were not.

Mr. BISHOP. Well, OK. Let me go to Mike. Councilman Jensen, some say this proposal has not received enough public review. We will continue that review process. But how long has this project or similar projects been talked about in the Salt Lake area?

Mr. JENSEN. This particular project has been talked about for about a year and a half, but there are studies that go back that talk about connecting the canyons clear back to 1989. There was a study done by MAG, Mountainlands Association of Governments, which is Utah County, Wasatch County and Summit County, where they talked about connecting them together back in 1990. So this has been on the topic of discussion since the late 1980s, early 1990s, Mr. Chair.

Mr. BISHOP. Well, then can I also ask you, you said in your written testimony that this project, which is a start—maybe not the conclusion to everything you need, but it is a start—is the least environmentally invasive option. Does that mean that there have been some horrendous options out there that have a greater impact than this would have been? What do you mean by that statement?

Mr. JENSEN. When you look at, especially in this new study, the Wasatch Canyons Tomorrow, it talks about in there, but when you go up the mountains there is just not a lot of room to expand the roads, and so if you are going to talk about adding capacity up the canyons, that would have a lot greater impact than it would doing the tram, the SkiLink, over from the Canyons to Solitude because there is nobody who gets on and off. The terminus points of both are at existing infrastructure where there already is development.

Mr. BISHOP. All right.

Mr. JENSEN. The only impact would be a visual impact.

Mr. BISHOP. OK. So that is what you mean by least invasive?

Mr. JENSEN. Yes.

Mr. BISHOP. All right. Mr. Goar, can I then ask the other question here because obviously transportation is one of the questions involved in this particular situation. In your experience managing the Canyons, can you simply elaborate how you came up with the concept that this will improve the overall flow of traffic and maybe

even why you expect the visitors' experience to be enhanced by this?

Mr. GOAR. Certainly. Probably the best example, every day of the ski season skiers and snowboarders travel between our resort and Solitude Mountain Resort I-80, Wasatch Boulevard and the Big Cottonwood Canyon Highway. They go in both directions. We know that those users, and they are a significant number, would utilize aerial transportation.

The experience is extraordinary, like nothing else in the United States. There are no other resorts that are connected in this fashion. It would be a terrific alternative to getting in a car and driving the 45 miles between the two resorts. It is simple transportation. As the Chief mentioned, it is from existing infrastructure of one resort to the other.

Mr. BISHOP. So your assumption is this would be an increase in tourism, a tourism magnet of some kind?

Mr. GOAR. Yes, sir, that is correct.

Mr. BISHOP. And the assumption, and correct me if I am wrong here, was something like 18,000 cars that could be eliminated from going up either one canyon or the other?

Mr. GOAR. That is correct. Initially 18,000—

Mr. BISHOP. Based on what?

Mr. GOAR.—cars that would utilize aerial transportation versus driving the road, and that equates to a million miles a year and a million pounds of emissions.

Mr. BISHOP. Do you know how you came up with that number?

Mr. GOAR. Yes. We did a number of studies, both economic, environmental and traffic studies. Interplan, a local traffic consulting firm who has done work for the State of Utah for years, has done traffic analysis in this very area, in the Cottonwood Canyons and in Park City, did an analysis, and these are the findings that Interplan found through that study.

Mr. BISHOP. OK. Mayor, if I could ask you? And, by the way, congratulations on your recent reelection to a second term there in Salt Lake City.

Mr. BECKER. Thank you.

Mr. BISHOP. It is nice to have you home here again too. I was given is it the CIRA study, if I pronounced that properly?

Mr. BECKER. That is correct.

Mr. BISHOP. That did a preliminary environmental review of this area, and it talked in there about how the Big Cottonwood Canyon since 1936 when Brighton was opened and then Solitude around the mid-1970s, sometime in that area, have been opened and they have increased obviously in capacity as well as in visitation, but it said that in Big Cottonwood Canyon the forest boundaries indicates the water qualities remained stable.

And then they also said, and I am quoting from the report, "The city concerns over the proposed SkiLink would be primarily focused on water quality impacts, including potential E. Coli and sediment contributions to the stream channels. The proposed SkiLink does not appear to have the potential for this type of impact based on water quality records." Do you have additional records that would contradict this preliminary report finding?

Mr. BECKER. No. We are certainly aware of that study. There have been studies. We monitor the water quality in that creek on a daily basis. We do intensive studies on a regular basis of Big Cottonwood Canyon, as all of our watershed canyons on a regular basis.

What we see has not been addressed as part of the study, just one of the things that have not been addressed as part of that particular study, are not only the direct effects of putting in one lift and moving skiers from point to point but the indirect effects and the cumulative effects.

The long-term effects when you look at this proposal in conjunction with the other proposals would be to double the area of ski area, ski area development in the Wasatch Canyons, in these two canyons in particular, and that is of great concern to us not only in terms of water quality and bringing in a lot of additional people that need to be studied carefully but also in terms of the many other users in the canyons.

Mr. BISHOP. All right. I can just finish up here real briefly if you want me to. Does the city intend to do some studies of their own in the near future that could be added to this?

Mr. BECKER. We would hope to be able to contribute to the information as it relates to this specific proposal and others, and we have just begun—this is something that has just emerged in terms of the specific proposal. We have just begun looking into what those studies should look like and certainly would want to look very carefully at the impacts.

Mr. BISHOP. Do you dispute the traffic analysis that has been given?

Mr. BECKER. Our folks who have taken an initial look at this traffic study feel it is badly inadequate.

Mr. BISHOP. To all of you, and I am hoping you have all had a chance to see it, I am assuming that Section 3 of this Act clearly states that all environmental policies and laws will be adhered to. Sorry, that is a preposition. We will adhere to those policies in all of these as we are going through. Nothing is going to be waived as far as the process. That seems clear?

Mr. BECKER. Yes. We understand that.

Mr. BISHOP. That is what I think am seeing reading into it.

Mr. Jensen, let me ask you the last question. Can you elaborate on what kind of agencies have been involved with the proposals that we are talking about here?

Mr. JENSEN. Well, in the Wasatch Canyons Tomorrow study the three lead agencies were Salt Lake County, Salt Lake City and the State of Utah, but we included the Transportation Department, the UTA, the Town of Alta, as well as Envision Utah, Wasatch Front on our plan for transportation. We deal with this on a daily basis. As you know, funding is tight and so anytime you are going to add projects it poses a problem.

MAG, the Association of Governments for Wasatch, Summit and Utah Counties, has also dealt with this in numerous studies over the past couple decades. So I think there has been a discussion about this for the past decades. Now this specific proposal only for the past year.

Mr. BISHOP. I want to thank all of you for being here before I yield my time to you, Mr. Acting Chair, for the Administration witnesses for coming here, for my three friends from Utah for making the four-hour flight out here. I appreciate you doing that. To the mayor. I think I have illustrated what concerns I do have in the proposal, and I would hope we could work those through very much.

Mr. SEGARRA. Yes, sir.

Mr. BISHOP. And to Mr. Ryan and Mr. Gregory, I apologize for not giving you any questions. How are you?

Mr. RYAN. Doing well, sir.

Mr. BISHOP. OK. Good. Thank you for being here. I will yield back.

Dr. GOSAR. Thank you. Thank you, Chairman. I just want to say once again, Matt, on behalf of me I just want to say thank you to all the people in Mountaineer for how they orchestrated themselves, how they conducted business on behalf of themselves, coalescing, the County Board of Supervisors and how they came together with another idea. I just want to applaud that because that is the way things ought to work.

Mr. RYAN. Thank you, Congressman Gosar. Appreciate that.

Dr. GOSAR. If there are no further questions, I want to thank the witnesses and the Members and the staff for their participation and preparation.

Members of the Subcommittee may have additional questions for the witnesses, and they can ask you to respond to these in writing. The hearing record will be open for 10 days to receive these responses.

If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 1:37 p.m., the Subcommittee was adjourned.]

[Additional material submitted for the record follows:]

Statement of The Honorable Howard P. "Buck" McKeon, a Representative in Congress from the State of California, on H.R. 2157

Chairman Bishop, Ranking Member Grijalva, and Members of the Subcommittee, Thank you for allowing me the opportunity to testify on behalf of my legislation, H.R. 2157, and thank you for giving it a fair hearing. I also want to thank Rusty Gregory, Chairman and CEO of Mammoth Mountain, for making the trip to Washington, D.C. to testify on behalf of the bill.

Mr. Chairman, the Mammoth Mountain Ski Area is located in the northern half of my district, in the Eastern Sierra. Mammoth provides between ten and thirty percent of the total employment in Mono County and is a premier recreation destination for tourists all throughout California and the U.S. Each winter, Mammoth sees an average of 1.3 million visitors. These visitors pump vital money into the local economy by populating hotels, restaurants, and stores throughout the region. Tourism is the life-blood of the Eastern Sierra.

Mammoth has operated on a Special Use Permit from the U.S. Forest Service since 1953. The base area of the mountain is aging rapidly and is in need of renovation and redevelopment in order to provide a safer, more enjoyable experience for visitors to Mammoth Mountain. However, these renovations are difficult to achieve under the terms of the Special Use Permit.

Since 1998, Mammoth Mountain has been working with the Forest Service to complete a land exchange between their main base parcel and other desired Forest Service acquisitions. These acquisitions include high resource value lands in the Inyo, El Dorado, Stanislaus, and Plumas National Forests. The exchange would allow the main base to undergo significant and needed renovations.

My legislation is meant to supplement and codify this agreement. It is needed for two reasons:

- 1) Two parcels that the Forest Service wants are outside Inyo National Forest boundaries. Both parcels are currently leased by the Inyo National Forest from the Los Angeles Department of Water and Power.
- 2) There is more value in the Mammoth Mountain parcel than all the land parcels exchanged in total, so Mammoth needs legislation for permission to pay a cash equalization to the federal government that will be used for future forest acquisition.

The agreement is widely supported by the local community because residents, business owners, and local governments understand the great value of having Mammoth Mountain in their community. Besides jobs and recreation, Mammoth supports a significant portion of the tax base, providing needed revenue throughout the region. We have received numerous letters of support from community members, including those from: Duane Hazard, Chair of the Mono County Board of Supervisors; Vikki Bauer, member of the Mono County Board of Supervisors; the Mono Lake Committee; the Eastern Sierra Land Trust; and the Mammoth Lakes Town Council.

Mr. Chairman, thank you again for holding this hearing. Mammoth Mountain has been a good steward of the environment, a solid partner in economic vitality for the region, and an honest party in negotiations with the Forest Service. This land exchange will be mutually beneficial for all parties involved and I urge the subcommittee to move forward to markup the legislation during the 112th Congress. I look forward to answering any questions you may have about H.R. 2157 and thank you for your time.

Statement submitted for the record by the Citizens' Committee to Save Our Canyons on H.R. 3452 The Wasatch Range Recreation Access Enhancement Act

We are writing to you today to voice our **strong** opposition to the sale of public lands within the boundaries of the Salt Lake City Municipal Watershed and managed by the U.S. Forest Service. This legislation sets a disturbing precedent that goes against the wishes not only of a public who rely upon these lands for drinking water, but also for those who chose to move their families and businesses to the Salt Lake Valley for access to public lands which enhance their quality of life. Furthermore, this legislation is a blatant attempt to help one corporation turn a profit at the expense of millions of visitors and is contrary to the 2003 Wasatch-Cache Forest Plan and other more recently concluded public processes. It is disheartening to us that the very representatives who require a county by county process dealing with public lands issues, turn on this very process, which they established, and cater to the demands of a foreign corporation.

The ski industry in Utah is an important sector of our economy generating \$1.1 billion in 2010 (approx. 1% of State GDP), but protecting our natural resources, preserving intact ecosystems, offering unmarred alpine vistas, and access to what the U.S. Forest Plan calls "highly valued" public lands, are huge factors in the generation of these dollars. In 2010, Utah brought in \$6.53 billion from tourism, a figure Gov. Gary Herbert attributed earlier this week to Utah's unmatched natural beauty. Millions of people every year travel to this area to recreate both at resorts and on the adjacent Forest Service lands.

The SkiLink proposal and the Wasatch Range Recreation Access Enhancement Act are going against recommendations which came out of the Wasatch Canyons Tomorrow process conducted by Envision Utah. A process which included the input of citizens and regional leaders to outline a vision for the Wasatch Canyons. That vision does not support the expansion of ski infrastructure into the untouched areas of the Wasatch Range. Moreover, one of the goals of the Envision process was the reduction of developable lands in the canyons in effort to establish a more cohesive land management pattern. Currently, community leaders, governmental entities and other interested stakeholders are working proactively in effort to ensure for the long term protection of watershed and public land resources in this area. H.R. 3452 sets a dangerous precedent for taking lands in the public domain and transferring them into the private domain, specifically for the purposes of development.

We do not disagree with the concerns of the ski industry as they pertain to transportation issues in these canyons. That is why we have not only been participating in local processes, but have contributed financially to them to underscore our commitment to finding real solutions. Our plea is for you to drop this bill and allow the public processes to play out honestly. There are solutions out there that will reduce traffic in our watershed, move resort patrons from point to point, but also pro-

tect areas of the Wasatch that bring business to the valley and give us the quality of life we seek as a community. We already have a lot of infrastructure in our canyons and in the valley's, we need to utilize this and come up with a solution that works for all.

This bill puts a stop to honest public processes and is not the way transportation planning should be done. This legislation also conflicts directly with the Wilderness Legislation that stakeholders from the ski industry, local governments and environmental groups worked on arriving at a consensus bill, taking over two years.

The future of the Wasatch lies in maintaining a balance, a balance between development and undeveloped lands, between resorts and backcountry, but also ensure that our water resources are not degraded and that the costs of that degradation are not passed onto the public who relies upon the quality of life these mountains provide to us. This legislation tips this delicate balance in favor of development and establishes a precedent to continue doing so for the other six resorts in the Central Wasatch, and seven other resorts across the state that have their eyes on expanding onto additional public lands. Getting people out visiting resorts, enjoying the mountain air is important, but so to is protecting lands, leaving them intact and pristine for the benefit of future generations.

Thank you for the opportunity to provide this statement. Sincerely,

Carl Fisher, Executive Director, Save Our Canyons

Statement submitted for the record by The Honorable Mark Wier, Mayor, City of Mesquite, Nevada, on H.R. 2745, Amending the Mesquite Lands Act of 1986

Chairman Bishop, Ranking Member Grijalva and members of the Subcommittee, thank you for holding this hearing today and allowing me to testify on behalf of H.R. 2745, a bill will make technical amendments to the Mesquite Lands Act of 1986. I would also like to thank Congressman Joe Heck for introducing this important piece of legislation and Congressman Mark Amodei for being a cosponsor.

The City of Mesquite is a progressive city of 20,400 residents located in Southern Nevada along the Arizona boarder. For the past two decades, Mesquite has been one of the fastest growing small cities in the country due to an excellent quality of life, favorable business environment and an abundance of outdoor recreational opportunities. All of these factors led to a phenomenal growth rate, which stretched the city to its boundaries and created a need to expand the City's existing airport in order to maximize our economic potential. As the City of Mesquite is landlocked by publicly owned land, Congress enacted two amendments to the original Mesquite Lands Act of 1986 to allow the City to continue to grow and prosper in a positive manner. In 1999 Congress passed the latest Mesquite Lands Act amendment with the specific purpose of providing land to construct a commercial airport and to provide more room for commercial and industrial development to meet future demands for its citizens and a rapidly growing tourism industry.

In 2002, The U.S. Fish and Wildlife Service (FWS) issued a Mesquite Lands Act Biological Opinion (MLA BO) to the BLM, which, among other things, mandated that the City participate in the development and implementation of the Virgin River Habitat Conservation and Recovery Plan (VRHCRP) and a Hydrologic Monitoring and Mitigation Plan (HMMP). The VRHCRP was established to provide a mechanism for federal and non-federal entities to work collaboratively to protect and conserve imperiled species in the Lower Virgin River Basin and to ensure that the Virgin River is not adversely impacted by the extraction of groundwater from new development. In concert with habitat plan development, the U.S. Fish and Wildlife Service has notably allowed development to continue in Mesquite, with the understanding that the plan would be implemented upon adoption.

Subsequent to the MLA BO, Congress made a technical amendment to the Mesquite Lands Act that set aside a portion of the proceeds from the sale of each parcel for the "development" of the VRHCRP and the HMMP. For some reason, language allowing for the "implementation" of these plans was omitted from this amendment. Other land acts, such as Southern Nevada Public Lands Management Act (Section 4 (e)(3)(A) iii) and the Lincoln and White Pine County Lands Acts, clearly state that funds shall be expended on development and implementation of multi-species habitat conservation plans that are associated with new development in their respective areas, it is the City's position that the same process should be applied to the Mesquite Lands Act.

The City of Mesquite, the Southern Nevada Water Authority and the Virgin Valley Water District have committed, through various mitigation and hookup fees, a

significant amount of funding over the life of the VRHCRP. However, costs for the mitigation and recovery efforts could reach \$63 million, which would place a significant financial burden on the City and our local water district. Allowing these special funds to be used for "implementation" of the VRHCRP would provide an additional \$4.8 million to this effort.

In addition to the clarification for the VRHCRP, there is an issue regarding the timing of the land sales identified in the 1999 amendment to the MLA that is also addressed in H.R. 2745. The 1999 amendment gives the City the exclusive right to purchase, at fair market value, the land identified in the MLA from the Bureau of Land Management for a period of 12 years from the date of enactment of the Land Act. Due to the severe economic conditions that continue to plague Southern Nevada and a delay of the Environmental Impact Statement for the Airport site, the City is not in a position to purchase the final sections of property at this time and, therefore, was not able to make this deadline. The City of Mesquite remains committed to ensure that it continues to grow in a positive manner, and needs an extension of time to allow economic conditions to improve.

Mr. Chairman, thank you again for allowing me the opportunity to testify on behalf of H.R. 2745. I sincerely appreciate your interest in this legislation and ask that it be given favorable consideration as it is reported out of this subcommittee. I will be happy to address any questions that you may have.

