AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. HRG. 117–453

PENDING LEGISLATION

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS, FORESTS, AND MINING

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

ON

S. 180	**S. 1459**	**S. 1631**
S. 528	**S. 1493**	**S. 2130**
S. 607	**S. 1538**	**S. 2433**
S. 1214	**S. 1583**	**S. 2524**
S. 1411	**S. 1589**	

OCTOBER 19, 2021

Printed for the use of the
Committee on Energy and Natural Resources

PENDING LEGISLATION

S. HRG. 117–453

PENDING LEGISLATION

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS, FORESTS, AND MINING

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

ON

S. 180	**S. 1459**	**S. 1631**
S. 528	**S. 1493**	**S. 2130**
S. 607	**S. 1538**	**S. 2433**
S. 1214	**S. 1583**	**S. 2524**
S. 1411	**S. 1589**	

OCTOBER 19, 2021

Printed for the use of the
Committee on Energy and Natural Resources

Available via the World Wide Web: http://www.govinfo.gov

U.S. GOVERNMENT PUBLISHING OFFICE

46–060 WASHINGTON : 2023

COMMITTEE ON ENERGY AND NATURAL RESOURCES

JOE MANCHIN III, West Virginia, *Chairman*

RON WYDEN, Oregon
MARIA CANTWELL, Washington
BERNARD SANDERS, Vermont
MARTIN HEINRICH, New Mexico
MAZIE K. HIRONO, Hawaii
ANGUS S. KING, JR., Maine
CATHERINE CORTEZ MASTO, Nevada
MARK KELLY, Arizona
JOHN W. HICKENLOOPER, Colorado

JOHN BARRASSO, Wyoming
JAMES E. RISCH, Idaho
MIKE LEE, Utah
STEVE DAINES, Montana
LISA MURKOWSKI, Alaska
JOHN HOEVEN, North Dakota
JAMES LANKFORD, Oklahoma
BILL CASSIDY, Louisiana
CINDY HYDE-SMITH, Mississippi
ROGER MARSHALL, Kansas

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

CATHERINE CORTEZ MASTO, *Chair*

RON WYDEN
MARTIN HEINRICH
MAZIE K. HIRONO
ANGUS S. KING, JR.
MARK KELLY
JOHN W. HICKENLOOPER

MIKE LEE
JAMES E. RISCH
STEVE DAINES
LISA MURKOWSKI
JAMES LANKFORD
BILL CASSIDY
CINDY HYDE-SMITH

RENAE BLACK, *Staff Director*
SAM E. FOWLER, *Chief Counsel*
DAVID BROOKS, *General Counsel*
PETER STAHLEY, *Professional Staff Member*
RICHARD M. RUSSELL, *Republican Staff Director*
MATTHEW H. LEGGETT, *Republican Chief Counsel*
JOHN TANNER, *Republican Deputy Staff Director for Lands*

CONTENTS

OPENING STATEMENTS

Page

Cortez Masto, Hon. Catherine, Subcommittee Chair and a U.S. Senator from Nevada 1
Lee, Hon. Mike, Subcommittee Ranking Member and a U.S. Senator from Utah 4
Heinrich, Hon. Martin, a U.S. Senator from New Mexico 5
Cassidy, Hon. Bill, a U.S. Senator from Louisiana 6
Hyde-Smith, Hon. Cindy, a U.S. Senator from Mississippi 70

WITNESSES

Panel I

Whitehouse, Hon. Sheldon, a U.S. Senator from Rhode Island 70
Padilla, Hon. Alex, a U.S. Senator from California 74

Panel II

Feldgus, Dr. Steve, Deputy Assistant Secretary for Lands and Minerals Management, U.S. Department of the Interior 75
French, Chris, Deputy Chief, National Forest System, U.S. Forest Service 107

ALPHABETICAL LISTING AND APPENDIX MATERIAL SUBMITTED

Allain, R.L. "Bret":
Letter for the Record 8
American Canoe Association:
Letter for the Record 186
American Canoe Association et al.:
Letter for the Record 187
American Forest Resource Council:
Letter for the Record 189
American Rivers:
Letter for the Record 193
American Sportfishing Association et al.:
Letter for the Record 10
American Whitewater:
Letter for the Record 194
Arizona Cattle Growers' Association:
Letter for the Record 200
Arizona Farm Bureau Federation:
Letter for the Record 201
Association of O&C Counties:
Letter for the Record 202
Assumption Parish Police Jury:
Resolution in support of the RISEE Act, dated March 10, 2021 12
Back Country Horsemen of Missoula:
Letter for the Record 337
Backcountry Hunters & Anglers (Montana Chapter):
Letter for the Record 205
Backcountry Hunters & Anglers (Oregon Chapter):
Letter for the Record 207
Backcountry Sled Patriots:
Letter for the Record 209

Page

Bayou Industrial Group:
Letter for the Record 13
Bayou Lafourche Fresh Water District:
Letter for the Record 15
Big Blackfoot Chapter of Trout Unlimited:
Letter for the Record 210
Big Rock Community Services District:
Letter for the Record 160
Blackfoot Clearwater Stewardship Project Steering Committee:
Letter for the Record 212
BlueRibbon Coalition/ShareTrails:
Letter for the Record 214
Boice, Court:
Letter for the Record 216
Bosco, Hon. Douglas H.:
Letter for the Record 217
Bourriaque, Ryan:
Letter for the Record 16
Brock Smith, David:
Letter for the Record dated September 23, 2015 157
Letter for the Record dated November 2, 2021 395
Business for Montana's Outdoors:
Letter for the Record 222
California State Senate and California State Assembly:
Senate Joint Resolution No. 3, dated July 6, 2015 132
California Trout:
Letter for the Record 224
Cameron Parish Police Jury:
Letter for the Record 20
Cameron Parish Port, Harbor and Terminal District:
Letter for the Record 21
Capital Trail Vehicle Association:
Letter for the Record 226
Cassidy, Hon. Bill:
Opening Statement 6
Cave Junction (OR) City Council:
Letter for the Record 168
Chenier Plain Coastal Restoration and Protection Authority:
Letter for the Record 23
Chugach Alaska Corporation:
Statement for the Record 220
Citizens for Balanced Use:
Letter of opposition to S. 1493 227
Letter for the Record dated August 19, 2020 228
Citizens for Responsible Energy Solutions:
Letter for the Record 24
(The) 'Club':
Letter for the Record 398
Clune, Jay, President of Nicholls State University:
Letter for the Record 49
Coalition to Restore Coastal Louisiana:
Letter for the Record 25
Coastal States Organization:
Letter for the Record 26
Colorado River Indian Tribes:
Letter for the Record 173
(The) Confederated Salish and Kootenai Tribes of the Flathead Nation:
Letter for the Record 230
Confederated Tribes of Siletz Indians:
Letter for the Record 149
(The) Conservation Alliance:
Letter for the Record 231
Conservation Lands Foundation:
Letter for the Record 233
Cortez Masto, Hon. Catherine:
Opening Statement 1

Page

Crescent City-Del Norte (CA) Chamber of Commerce:
Letter for the Record dated September 28, 2015 163
Letter for the Record dated October 15, 2021 234
Del Norte County Board of Supervisors:
Letter for the Record 151
Doyon, Limited:
Letter for the Record 236
Dufrechou, Carlton:
Letter for the Record 28
Elk Valley Rancheria, California:
Letter for the Record dated August 7, 2015 147
Letter for the Record dated June 1, 2021 237
Eventgroove:
Letter for the Record 239
Feldgus, Steve:
Opening Statement 75
Written Testimony 78
Responses to Questions for the Record 179
Forest Access for All:
Letter for the Record 240
French, Chris:
Opening Statement 107
Written Testimony 109
Responses to Questions for the Record 183
Friede, Curtis S.:
Letter for the Record 241
Friends of Nevada Wilderness:
Statement for the Record 242
Fugro USA, Inc.:
Letter for the Record 29
Gasquet Community Services District:
Letter for the Record dated September 21, 2015 162
Letter for the Record dated October 11, 2021 245
Gastineau, Ron:
Letter for the Record 159
Gold Beach (OR) City Council:
Letter for the Record dated May 20, 2016 153
Resolution R1516–16, dated June 13, 2016 166
Greater Lafourche Port Commission:
Letter for the Record 30
Greater New Orleans, Inc. and the Coalition for Coastal Resilience and Economy:
Letter for the Record 32
Heinrich, Hon. Martin:
Opening Statement 5
Hellgate Hunters & Anglers:
Letter for the Record 246
Henson, Paul:
Letter for the Record 139
Hewitt, Sharon et al.:
Letter for the Record 51
High Divide Collaborative:
Letter for the Record 247
Hopkins, Mike:
Letter for the Record 249
Hyde-Smith, Hon. Cindy:
Opening Statement 70
International Mountain Bicycling Association et al.:
Letter for the Record 250
Jackson County (OR) Board of Commissioners:
Letter for the Record 252
Jefferson Chamber:
Letter for the Record 33

Page

Kalmiopsis Audubon Society:
Letter for the Record 257
Packet of letters and resolutions in support of the Southwestern Oregon Mineral Withdrawal 261
Kalmiopsis Audubon Society et al.:
Letter for the Record 254
Keith, Robert:
Letter for the Record 307
Klamath-Siskiyou Wildlands Center:
Letter for the Record dated October 18, 2021 308
Letter for the Record dated October 29, 2021 311
Koniag:
Letter for the Record 317
LA 1 Coalition:
Letter for the Record 34
Lafourche Chamber of Commerce:
Letter for the Record 35
Lafourche Parish Government:
Letter for the Record 36
Lake Charles Harbor and Terminal District:
Letter for the Record 37
Lander County (NV) Building Department:
Letter for the Record 318
La Paz County (AZ):
Statement for the Record 170
League of Women Voters of California:
Letter for the Record 319
League of Women Voters of Oregon:
Letter for the Record 321
Lee, Hon. Mike:
Opening Statement 4
Lewis and Clark County (MT) Board of Supervisors:
Letter for the Record 322
Louisiana Coastal Protection and Restoration Authority Board:
Letter for the Record 38
Louisiana Mid-Continent Oil and Gas Association:
Letter for the Record 40
Love, Tim G.:
Letter for the Record 324
Magee, Tanner D.:
Letter for the Record 42
Malek, Sue:
Letter for the Record 327
Manji, Neil:
Letter for the Record 143
McClaran, Mitchel P.:
Statement for the Record 328
McGuire, Mike:
Letter for the Record dated September 25, 2015 134
Letter for the Record dated October 18, 2021 with attached resolution 332
McInnis, Guy S.:
Letter for the Record 44
McKee, Hon. Daniel J. and Hon. Charles Baker:
Letter for the Record 73
Missoula Area Chamber of Commerce:
Letter for the Record 336
Missoula County (MT) Board of Commissioners:
Letter for the Record 339
Montana Association of Christians:
Letter for the Record 340
Montana Fish and Wildlife Commission:
Resolution on the Blackfoot Clearwater Stewardship Project, dated May 12, 2016 341
Montana Forest Collaboration Network:
Letter for the Record 343
Montana Mountain Bike Alliance:
Letter for the Record 345

Page

Montana Outfitters and Guides Association:
Letter for the Record 348
Montana Snowmobile Association:
Letter for the Record 349
Montana Trout Unlimited:
Letter for the Record dated September 15, 2020 351
Letter for the Record dated October 15, 2021 353
Montana Wildlife Federation:
Letter for the Record 355
Montana Wool Growers Association:
Letter for the Record 357
Morgan City Harbor and Terminal District:
Letter for the Record 45
Morganza Action Coalition:
Letter for the Record 46
Murkowski, Hon. Lisa:
Statement for the Record 359
National Marine Manufacturers Association:
Letter for the Record 47
Native Fish Society:
Letter for the Record 360
Nordhagen, Daren:
Letter for the Record 361
North Coast Regional Water Control Board:
Letter for the Record 145
North Lafourche Levee District:
Letter for the Record 50
Old Harbor Native Corporation:
Letter for the Record 363
Oregon Department of Fish and Wildlife:
Letter for the Record 141
Outdoor Alliance:
Statement for the Record 365
Pacific Coast Federation of Fishermen's Associations:
Letter for the Record dated September 28, 2015 155
Letter for the Record dated October 15, 2021 381
Padilla, Hon. Alex:
Opening Statement 74
Parish Presidents of Louisiana Association and Parishes Advocating for Coastal Endurance:
Letter for the Record 52
Pew Charitable Trusts:
Statement for the Record 382
Plaquemines Association of Business and Industry:
Letter for the Record 53
Ports Association of Louisiana:
Letter for the Record 54
Powell County (MT) Board of Commissioners:
Letter for the Record 385
Professional Wilderness Outfitters Association:
Letter for the Record 386
Prokop, Stephen:
Letter for the Record 136
Ravalli County (MT) Collaborative:
Letter for the Record 387
Restore or Retreat, Inc.:
Letter for the Record 55
Restore the Mississippi River Delta Coalition:
Letter for the Record 56
Richard, M. Larry:
Letter for the Record 58
River Region Chamber of Commerce:
Letter for the Record 59
Rocky Mountain Elk Foundation:
Letter for the Record 389
Rosen, Hon. Jacky:
Statement for the Record 3

Page

Sanders County (MT) Board of Commissioners:
Letter for the Record 391
Save the Redwoods League:
Letter for the Record 392
Seeley Lake Community Council:
Letter for the Record 393
Seeley Lake Driftriders:
Letter for the Record 394
Smith River Alliance:
Letter for the Record 396
Response to USFS comments, dated October 19, 2021 397
South Central Industrial Association:
Letter for the Record 60
Stegmaier, John:
Letter for the Record 358
St. John the Baptist Parish:
Letter for the Record 61
St. Tammany Chamber of Commerce:
Letter for the Record 62
St. Tammany Corporation/St. Tammany Parish Development District:
Letter for the Record 63
St. Tammany Parish Council:
Resolution No. C–6499, dated August 5, 2021 64
St. Tammany Parish Government:
Letter for the Record 66
Terrebonne Parish Consolidated Government:
Letter for the Record 67
Thompson, David A.:
Letter for the Record 219
Trout Unlimited:
Statement for the Record 399
U.S. Department of the Interior, Office of the Assistant Secretary—Indian Affairs:
Statement for the Record 235
White, Tim:
Letter for the Record 405
Whitehouse, Hon. Sheldon:
Opening Statement 70
Wild and Scenic Rivers:
Letter for the Record 406
(The) Wilderness Society:
Statement for the Record 417
Wild Montana:
Statement for the Record 407
Wild Rivers, Wild Brews Coalition:
Letter for the Record 164
Winter Wildlands Alliance:
Letter for the Record 423
Yavapai Cattle Growers Association:
Letter for the Record 424
Zeringue, Jerome “Zee”:
Letter for the Record 69

The text for each of the bills that were addressed in this hearing can be found on the Committee's website at: https://www.energy.senate.gov/hearings/2021/10/public-lands-forests-mining-subcommittee-legislative-hearing

PENDING LEGISLATION

TUESDAY, OCTOBER 19, 2021

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:41 p.m. in Room SD–366, Dirksen Senate Office Building, Hon. Catherine Cortez Masto, Chair of the Subcommittee, presiding.

OPENING STATEMENT OF HON. CATHERINE CORTEZ MASTO, U.S. SENATOR FROM NEVADA

Senator CORTEZ MASTO [presiding]. This hearing will come to order. We have a full agenda this afternoon with 14 bills. The agenda before us represents priorities of members on both sides of the aisle, including several members of the Committee. Some of these bills address broad policy issues, such as oil and gas leasing policy and grazing management, while others are state-specific, including several conservation designations and land conveyances to local governments. Those of us who have worked on large public land bills understand the challenges of trying to balance the many different priorities for use of our public lands. I understand that many of these proposals have been under discussion for years.

After members of the Committee have an opportunity to provide opening statements, we will hear from Senators Whitehouse and Padilla about their bills on the agenda. After their statements, we will then hear from representatives of the Department of the Interior and Forest Service, who will provide the Administration's position on these bills. I hope to use this hearing to get information from the federal agencies and other affected stakeholders so that we can work with the bill sponsors and other members of the Committee to make any necessary adjustments and get these bills ready for full committee markup.

I am the sponsor of two of the bills on today's agenda—S. 607, the End Speculative Oil and Gas Leasing Act and S. 1583, a bill to extend the authorization of the Lake Tahoe Restoration Act.

Regarding S. 607, the End Speculative Oil and Gas Leasing Act, this bill establishes a process by which the Bureau of Land Management (BLM) shall assess federal land parcels' oil and gas development potential before offering those lands for lease. They will assess that before offering the lands for lease and then prohibit leasing on any lands determined to have low or no potential development. The bill does not apply to existing leases and applies only to future leasing decisions. As a result, this bill would benefit the

management of our public lands by accomplishing the following: by excluding lands with no potential from leasing, it would largely end the practice of speculative leasing by encouraging both BLM and oil and gas companies to focus exploration and drilling activities on lands with higher development potential. It allows the BLM to prioritize areas without development potential for other uses, such as conservation, grazing, mining, recreation, or renewable energy development, and it reduces costs associated with preparing low-potential lands for auctions and then issuing and monitoring those non-producing leases. This bill is a common-sense, middle-of-the-ground approach, as it allows lands to be periodically reassessed for their development potential should new data or technologies prove an area's development viability.

Now, regarding S. 1583, this bill simply extends the existing programs under the Lake Tahoe Restoration Act for ten more years. This bill does not make any new authorizations or modifications from when the act was last reauthorized. The programs under the Lake Tahoe Restoration Act are crucial to preserving the lake's pristine environmental qualities. It includes programs for wildfire risk reduction and forest management, aquatic invasive species control, storm water management, erosion projects, and for the Lahontan Cutthroat Trout Recovery program.

I am also a sponsor of S. 1411. This is Senator Rosen's Lander County lands bill. This bill conveys certain federal lands to Lander County to improve local airports, provide access to water resources, and establish local tourism and economic development opportunities. It also releases certain wilderness study area acreage while designating just over 14,000 acres of wilderness. Senator Rosen is attending another hearing right now, so she will be unable to attend, but we will include her statement in the hearing for the record.

[The prepared statement of Senator Rosen follows:]

Senator Jacky Rosen Statement for the Record
Senate Energy & Natural Resources Committee
Public Lands, Forests, & Mining Subcommittee
October 19, 2021 Legislative Hearing

Chair Cortez Masto, Ranking Member Lee, and Members of the Subcommittee, thank you for organizing today's hearing to consider several bills, including my Lander County Land Management and Conservation Act (S. 1411). Thank you especially to Chair Cortez Masto, who is an original cosponsor of this legislation that will protect wilderness and improve public safety and tourism opportunities in Lander County, Nevada.

This proposal reflects years of efforts to identify a select number of parcels for the county to manage and use for various public purposes, from recreation to economic development, while prioritizing conservation and environmental stewardship. The bill also will help the county better address natural disasters.

Wildland fires are common throughout the area, and the County currently works with the Bureau of Land Management and US Forest Service on management. This bill would convey land to Lander County to expand and improve its three airports, allowing for better fire-fighting capabilities.

The County also has difficulties accessing some of the water and sewer systems. This bill would convey land to the County for water resource management, better positioning the county to provide improved services to their constituents.

In order to support the county's tourism and economic development, this bill would convey land for a museum and historical society. This bill also would encourage the continued success of the World Human Powered Speed Challenge (WHPSC) that has been a fixture of the outdoor tourism season in Battle Mountain every year since 2000. This not for profit endeavor started as a small invitational gathering of speed bike enthusiasts attempting to break the stop speed record has now grown into an international open with at least nine countries represented annually. The legislation would help provide for a dedicated park committed to protecting and managing the road would allow the WHPSC and other World Record attempts to advance to the next level of competition.

Finally, the legislation resolves the status of two Wilderness Study Areas (WSAs) in Lander County by designating over 14,000 acres of wilderness and releasing over 11,000 acres of WSAs. The Desatoya Mountain Wilderness Area hosts beautiful riparian areas and aspen forests and includes the historic Pony Express Trail looped around the base. The Cain Mountain Wilderness Area would protect the high country of this stunning mountain range of the eastern flank within Lander County, where there are unique marine fossils and other natural wonders.

The Lander County Land Management and Conservation Act will help improve management of Nevada's public lands and water resources, defend against wildfires, protect thousands of acres of pristine wilderness, and support local tourism and economic development.

Thank you again for holding this hearing, and I hope my colleagues will support this important bill.

Senator CORTEZ MASTO. At this time, I would like to recognize Senator Lee for his opening statement.

OPENING STATEMENT OF HON. MIKE LEE,
U.S. SENATOR FROM UTAH

Senator LEE. Thank you, Madam Chair. This has long been an active Subcommittee, and I appreciate your diligence in reviewing pending legislation.

Today, my bill, the State Grazing Management Authority Act, will be heard, and I would like to speak to the impetus and to the potential impact of this important legislation. The Federal Government owns 47 percent of all the land in the western United States. In the state of Utah, where I live, and the state I represent, it is closer to 67 percent. It is about two-thirds. However, Utah's most productive lands in terms of forage, production, and agricultural value happen to be owned by private individuals. Many attribute the lower productivity levels that we see on federal lands to the structure of grazing permit regulations and NEPA regulations that simply do not allow for agile changes to be made based on conditions on the ground as they change. Often, the permittees are required to graze forage the same way, year after year, without the ability to alter the season of use. This is something that one would ordinarily do, but because of the way the federal system works, it is difficult to impossible for it to run this way. That has an impact, and it is not a positive one. In fact, this can have detrimental impacts on the plant life that we rely on for providing protection from erosion and preserving rangelands and preserving riparian areas.

These inflexible regulations and other requirements imposed by the Federal Government often outcompete the good intentions of federal employees who are tasked with managing the land. However, in Rich County, located in southeastern Utah, we have seen some pretty impressive results from alternative methods of management. Most grazing lands in the area are managed by the Bureau of Land Management and the Forest Service. As with most grazing permits, the lands are grazed typically from May through September. Adjacent to these lands is the Deseret Land and Livestock, or DLL, Ranch. Since the 1980's, this ranch has used a prescriptive grazing strategy of "rest-rotation." Under the system, up to 20 percent of the pastures receive a full year of rest, allowing for greater forage recovery. And here is the kicker—the stocking rate on these private lands is nearly double that of other nearby allotments. Essentially, that means that the land can sustain double the number of animals. This innovation, brought about by local ingenuity, has increased economic output and also the health of the rangeland.

This work and these results led to a massive collaboration between 38 producers on 10 neighboring allotments combining to create Three Creeks Grazing, LLC. This group has worked to improve private, federal, and state lands by implementing similar grazing techniques, techniques that would never be possible if they were operating on federal land alone. Beyond this, the improved range conditions have led to a greater presence of wild game and fish, while preserving multiple-use mandates and protections. So as demonstrated here by this example, our rangelands are capable of

so much more. We simply need to allow the flexibilities for innovation to spring up from where the work is actually done, and my bill would do just that. The State Grazing Management Authority Act would pilot a program to study how states might produce a healthier range, increase the interest that is out there on federal land, and better meet the needs of livestock producers, based on the way they actually operate. This legislation would be a win for the agricultural community, it would be a win for the Federal Government, and it would be a win for the environment.

So thanks again, Senator Cortez Masto, for chairing this hearing, and I thank the witnesses for their presence today and look forward to hearing from them. Thanks.

Senator CORTEZ MASTO. Thank you, Senator Lee.

Now we will allow our opening statements for any Committee members.

Senator Heinrich, do you have an opening statement?

OPENING STATEMENT OF HON. MARTIN HEINRICH, U.S. SENATOR FROM NEW MEXICO

Senator HEINRICH. Thank you, Chair Cortez Masto, for holding today's legislative hearing and for including a longstanding issue of importance to many New Mexicans.

The Buffalo Tract Protection Act would permanently withdraw four small parcels of BLM land near Placitas, New Mexico from mineral development. For more than a decade, the BLM has considered a gravel mine on a piece of land called the Buffalo Tract. This area has seen rapid residential growth and an increasing need for outdoor recreational space. The land in question also serves as a critical corridor for wildlife moving between the region's mountain ranges. This region is already home to three other active gravel mines, and local opposition to a new mine is unified. The two neighboring pueblos, the Pueblo of Santa Ana and the Pueblo of San Felipe, along with the county, the nearest municipality, the neighborhood in question—which this is actually quite surrounded by residential neighborhood and homeowners' associations as well as local residents—all oppose new mineral development in the neighborhood. In fact, I am not aware of any subdivision of local government that supports gravel mining in this location.

This is clearly just the wrong place for additional gravel development. We need to permanently protect this area for the benefit of wildlife, recreational opportunity, and public health, and it is time to put an end to this years-long fight and withdraw these small parcels from any future mineral development.

Thank you to Chair Cortez Masto and the entire Subcommittee for holding this important hearing, and I yield back the balance of my time.

Senator CORTEZ MASTO. Thank you.

Any other Committee members want to do an opening?

Senator Cassidy.

OPENING STATEMENT OF HON. BILL CASSIDY, U.S. SENATOR FROM LOUISIANA

Senator CASSIDY. Madam Chair, thank you for the hearing and for including S. 2130 on the agenda—protecting and increasing revenues under the Gulf of Mexico Energy Security Act, or GOMESA, that is available to Louisiana and that other Gulf States share for coastal restoration and hurricane and flood protection, which is essential to restore our eroding coast. A coastline, by the way, eroding in part due to levees built along the Mississippi for the benefit of inland ports in other states. And we bear the brunt.

According to the Department of the Interior, from Fiscal Year 2016 through Fiscal Year 2020, Interior collected almost $21 billion in offshore receipts from royalties, rents, bonus bids, inspection fees, and other revenues. During that time, $757 million was shared with Gulf States, which is just 3.6 percent of offshore revenues generated. This is not equitable, certainly not in comparison with what states get for onshore revenue, and does not acknowledge the national significance of the Gulf region meeting the nation's energy needs. Bipartisan legislation introduced by Senator Sheldon Whitehouse and me fixes this inequity and improves the existing revenue sharing program for states producing offshore energy revenue. The bill also creates a new national revenue sharing program from offshore wind energy generation and provides dedicated, sustainable funding to the National Oceans and Coastal Security Fund (NOCSF).

I thank Senators Hyde-Smith, Heinrich, and King, who are all co-sponsors of the bill, and several of our Senate colleagues not on this Committee have also endorsed.

Specifically, S. 2130, or the RISEE Act, removes an existing cap authorized in GOMESA on the amount of dollars shared among four Gulf States as well as the cap on funds available for the Land and Water Conservation Fund's State Side Assistance Program. It increases the percentage of offshore revenue shared by the Gulf States. It protects offshore revenue from sequestration and makes additional leases eligible for revenue sharing in the future. And the reason I think Senator Whitehouse is in favor, in part, the bill also creates a fourth GOMESA equity to provide immediate funding to the National Oceans and Coastal Security Fund and as previously mentioned, creates a new national revenue sharing program for states hosting offshore wind energy generation. The bill is supported by more than 50 national, state, and local organizations, from local chambers to levee districts, environmental organizations such as the National Wildlife Federation, the Environmental Defense Fund, the Audubon Society, sporting groups such as the Congressional Sportsmen's Foundation, the Theodore Roosevelt Conservation Partnership, the American Sports Fishing Association, and Ducks Unlimited, along with associations representing all forms of energy production, as well as 25 Louisiana state legislators and parish leaders and governors, including Governor Edwards from Louisiana, Governor Baker from Massachusetts, and Governor McKee from Rhode Island.

In a letter I received from those environmental groups mentioned above, they say, "By investing coastal energy revenues in coastal protection, restoration, and resilience, the RISEE Act will bring

vital resources to mitigate the mounting hazards, risks, and impacts coastal communities face."

By the way, I ask that unanimous consent be given to enter these letters into the record.

Senator CORTEZ MASTO. Without objection.

[The letters referred to follow:]

LOUISIANA STATE SENATE

SENATE DISTRICT OFFICE
600 Main Street
Suite 1
Franklin, LA 70538
Office: (337) 828-9107
Office: (985) 850-2738
Fax: (337) 828-9108

R. L. "BRET" ALLAIN II
Senator - District 21

COMMITTEES
~~Revenue and Fiscal Affairs~~, Chairman
Agriculture, Forestry, Aquaculture and Rural Development
Natural Resources
Senate and Governmental Affairs
Finance, Ex-Officio
Joint Legislative Committee on the Budget
Joint Legislative Committee on Capital Outlay

March 1, 2021

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cassidy:

I am in support of increasing the share of the Gulf of Mexico Energy Security Act (GOMESA) revenues for Louisiana and other energy producing Gulf Coast States. I ask that you make this a top priority in Congress. I understand that legislation called the Great American Outdoors Act, which permanently funds the Land and Water Conservation Fund at $900 million annually, and provides $9.5 billion over 5 years for national park maintenance both mainly from Outer Continental Shelf (OCS) oil and gas revenues passed the Senate without including a provision to increase Louisiana's share of this same OCS revenue. I urge you to support efforts in Congress to commit to removing the cap on GOMESA revenue sharing to provide a full 37.5% of GOMESA revenues for gulf coast states. It is very important to our state that our delegation work towards achieving our fair share of the roughly $5 billion produced off our shores every year.

A large portion of the energy resources enjoyed by our country are dependent on the health of Gulf Coast ecosystem that provide access to those resources and related infrastructure and protection for communities that house its workforce. Louisiana is home to 30% of the nation's wetlands, and alarmingly, 90% of its wetlands loss is a crisis that impacts communities, ecosystems, and the very economic engines that contribute to the nation's energy security. Yet, the federal government's current revenue sharing approach severely shortchanges coastal states affected by federal offshore energy production compared to the treatment of states that host onshore federal mineral production. The state impacts of this federal activity are the same in both cases.

The federal government is not sharing the responsibility for preserving and conserving our vital coastal wetlands, which their federal offshore activities are harming. For my state, the GOMESA revenue stream is the only recurring source of federal revenue that allows us to address our protection and restoration needs. Our communities, our parishes and the coastal producing states have been doing everything we can to address the onshore impacts of this federal offshore activity, but we are in dire need of a reliable federal partner.

The Louisiana legislature has asked Congress to act swiftly to increase federal revenue sharing for Louisiana and other coastal energy states. Under current federal law, 50% of all mineral revenue generated on federal land onshore is shared with the state in which the federal land is located. No cap applies to this revenue sharing. By comparison, the four GOMESA states (Louisiana, Alabama, Mississippi, and Texas) share only 37.5% of only certain qualified leases in the gulf, capped at $375 million a year to be shared by the four states. Any legislation enacted by Congress to allocate OCS revenues to any federal program must also increase the OCS revenue shared with the GOMESA states.

I ask that you make this issue one of your highest priorities. The future of our coastal wetlands and the safety of our coastal communities may very well depend on your success on this issue.

Respectfully,

R.L. "Bret" Allain II
State Senator
District 21

October 18, 2021

Senator Catherine Cortez Masto
Chair
Senate Subcommittee on Public Lands, Forests & Mining
516 Hart Senate Building
Washington, DC 20510

Senator Mike Lee
Ranking Member
Senate Subcommittee on Public Lands, Forests & Mining
361A Russell Senate Building
Washington, DC 20510

Dear Chair Cortez Masto and Ranking Member Lee,

The undersigned organizations write in support of the Reinvesting in America's Shoreline Economies & Ecosystems Act (RISEE Act, S. 2130) and thank the Senate Public Lands, Forests, & Mining Subcommittee for including this bill in the October 19, 2021 legislative hearing.

Outdoor recreation is a powerful force in the American economy. Prior to the pandemic, the outdoor industry, led by hunting, fishing, and boating generated $778 billion in economic output, comprised 2.2 percent of U.S. Gross Domestic Product and supported 5.2 million jobs. Additionally, a new joint report by the Bureau of Economic Analysis and the National Oceanic and Atmospheric Administration found that recreation and tourism are the top contributors to the significant economic footprint of the nation's oceans and Great Lakes. Throughout the ongoing Covid-19 pandemic, Americans have turned to recreational boating, angling, and hunting with renewed enthusiasm. Sales of boats, tackle, gear, and licenses have all been on the rise, and to keep this recreation economic engine churning, the time is right for investments in coastal restoration and resiliency-building activities.

As coastal communities continue to endure stronger and more frequent natural disasters, we cannot stress enough the importance of healthy, hardened coastlines and protected aquatic ecosystems towards growing the outdoor recreation sector and making our nation and economy more resilient in the face of disaster.

Our organizations support the RISEE Act to diversify federal conservation funding by dedicating a portion of offshore wind revenue to coastal resiliency investments. These funds would be directed to adjacent states to be used for projects such as coastal resiliency, wetland restoration, hurricane protection, and infrastructure improvements to protect fish, wildlife, and other natural resources. Small businesses in rural, vulnerable areas often face the brunt of natural disasters and depend on robust, resilient infrastructure to be able to make a living. According to the Federal Emergency Management Agency, roughly 40-60 percent of small businesses never reopen following a disaster. The damages from natural disasters on businesses and vulnerable communities shine a light on the need to utilize untapped resources, such as the nation's vast offshore wind energy development revenues, to supplement federal and state efforts to protect coastal economies and natural resources.

Our organizations also support amending the Gulf of Mexico Security Act of 2006 (GOMESA) to dedicate more of the existing offshore energy production revenue from the Gulf to support coastal restoration and resiliency. Specifically, we support lifting the cap on currently shared revenues and changing the formula for revenue distribution to ensure that Gulf States receive 50% of generated revenue as well as lifting the $125 million state-side funding cap on the Land and Water Conservation Fund. These changes allow for more equitable resource sharing between the states and federal conservation programs and make the offshore revenue sharing program consistent with the onshore revenue sharing program. This additional funding would facilitate critical investments in environmental protections and resilient infrastructure projects in vulnerable communities threatened by sea level rise, coastal erosion, and flooding. It is more important now than ever before to ensure communities are prepared and well equipped to bounce back from extreme weather events as their homes, businesses, and lives lay in the path of increasingly dangerous and costly storms.

We urge the committee to favorably report this important legislation that will ensure critical environmental protections and infrastructure needs are met to better prepare and protect the nation's coastlines from the effects of our rapidly changing environment. Thank you for your consideration.

Sincerely,

American Sportfishing Association
Congressional Sportsmen's Foundation
National Marine Manufacturers Association
Theodore Roosevelt Conservation Partnership

Cc: The Honorable Sheldon Whitehouse
The Honorable Bill Cassidy

ASSUMPTION PARISH POLICE JURY

PATRICK JOHNSON– PRESIDENT
WARD 4
IRVING COMEAUX – VICE PRESIDENT
WARD 3

4813 HIGHWAY 1
P. O. BOX 520
NAPOLEONVILLE, LA 70390

PHONE: (985) 369-7435
FAX: (985) 369-2972

TDD Available
800-846-5277

RON ALCORN
WARD 1
JEFF "BIG DADDY" NAQUIN
WARD 2
MICHAEL DIAS
WARD 5
CHRIS CARTER
WARD 6
LEROY BLANCHARD
WARD 7
JAMIE PONVILLE
WARD 8
MYRON MATHERNE
WARD 9
KIM M. TORRES
SECRETARY-TREASURER

On a motion by Mr. Irving Comeaux, seconded by Mr. Chris Carter, the following resolution was adopted:

RESOLUTION

BE IT RESOLVED that the Assumption Parish Police Jury does hereby approve and support the introduction and creation of the Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act. The proposal creates a new, separate revenue sharing program from future offshore wind development in federal waters.

Upon being placed to a vote, the above resolution was adopted as follows:

Yeas: 9
Nays: 0
Absent: 0

CERTIFICATE

I, Kim M. Torres, Secretary-Treasurer of the Assumption Parish Police Jury, do hereby certify that the above is a true and correct copy of a resolution adopted by said Police Jury during a Regular meeting held on the 10th day of March, 2021, In accordance with the laws of The State of Louisiana and the Parish of Assumption. GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 11th day March, 20 21.

SEAL

Kim M. Torres
Secretary-Treasurer

"Equal opportunity employer/program"
Auxiliary aids and services are available
upon request to individuals with disabilities.

B.I.G.
Bayou Industrial Group

P.O. Box 712 Thibodaux, LA 70302
www.BayouIndustrialGroup.com

March 1, 2021

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, DC 20510

Re: Support for RISEE Act of 2021

Dear Senator Cassidy,

Bayou Industrial Group (BIG) represents 150 businesses, advocacy groups and governmental organizations in Lafourche, Terrebonne, St. Mary, and Assumption Parishes, a region that proudly considers itself "America's working coast." Here, our coastal communities play a vital role in supporting Gulf of Mexico oil and gas production that fuels America and our bountiful coastal wetlands produce seafood that feeds our nation and protects our homes and critical infrastructure.

Local residents and business owners like our members clearly understand the inextricable link between vigorous offshore energy production and a robust coastal restoration and protection program. As such, BIG supports your RISEE Act of 2021 provisions and other efforts that would provide more equitable sharing of GOMESA royalty revenue for Louisiana, including elimination of the GOMESA state revenue sharing cap and expanding the list of eligible oil and gas leases for future GOMESA payments. We also support the bill's revenue sharing model that would provide a fair share of offshore wind revenue to adjacent states where offshore wind farms are developed.

As Louisiana continues its fight to fortify our coast and protect coastal communities, a more equitable royalty revenue-sharing formula that brings a greater share of revenues generated off our coast to the State of Louisiana and coastal parishes is vital to our success. The dedicated revenue will build more levees and floodgates, nourish our barrier islands and coastal wetlands, and strengthen the resiliency of our irreplaceable coastal communities.

The revenue-sharing provisions in the RISEE Act provide us with this valuable opportunity, but a healthy and productive offshore oil and gas industry is required to generate the royalty revenue needed if we are to succeed in fulfilling Louisiana's Coastal Master Plan. In that light, BIG strongly supports mandatory lease sales in the central and western Gulf of Mexico (GOM) and opposes any efforts to further stifle our offshore energy industry and its contributions to our coastal restoration and protection efforts.

Bayou Industrial Group thanks you for your work to sustain our precious Bayou Region – our coast, our jobs, our homes, our economy, and our culture. We support the RISEE Act of 2021 and also request your help in ensuring the continuation of GOM lease sales to make expanded GOMESA revenue for coastal projects possible.

Thank you,

Jennifer B. Armand

Jennifer Armand,
Executive Director

Bayou Industrial Group Executive Committee: Henri Boulet/President, Jodie Arceneaux/Executive Vice President, Ben Malbrough/Vice President, Eddie Callais/Secretary/Treasurer, Lori LeBlanc/Past President

BAYOU LAFOURCHE FRESH WATER DISTRICT

1016 ST. MARY STREET
THIBODAUX, LA 70301

PHONE: (985) 447-7155
FAX: (985) 447-6307

March 16, 2021

HUGH CAFFERY, CHAIRMAN
GENE HARRELL, VICE-CHAIRMAN
GREGORY NOLAN, SR., SECRETARY-TREASURER
FRANCIS RICHARD, COMMISSIONER
DALE DENNIS, COMMISSIONER
JACOB GIARDINA, SR., COMMISSIONER
SCOTT LEBLANC, COMMISSIONER
DONALD SCHWAB, COMMISSIONER
LANCE AUTHEMENT, COMMISSIONER
CHRISTOPHER DOMANGUE, COMMISSIONER
RAY MAYET, COMMISSIONER
BARRY SOUDELIER, COMMISSIONER
BEN MALBROUGH, EXECUTIVE DIRECTOR

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Re: Reinvesting in America's Shoreline Economic & Ecosystems Act (RISEE)

Senator Cassidy,

Please accept this letter of support on behalf of the Bayou Lafourche Fresh Water District (BLFWD) for the Reinvesting in America's Shoreline Economic & Ecosystems Act (RISEE) being introduced by yourself and Senator Whitehouse.

BLFWD fully supports your efforts to create a revenue sharing model for offshore wind revenues that would provide long-term dedicated funding to coastal states, to be used exclusively for coastal infrastructure and resiliency. Additionally, BLFWD supports reforming the Gulf of Mexico Energy Security Act (GOMESA), allowing for a more equitable distribution of funds between the gulf producing states and federal conservation programs.

BLFWD understands all too well how critical offshore energy revenue sharing programs are when it comes to funding critical coastal restoration and hurricane protection projects in Louisiana. Since 2012 BLWD has utilized over $80 million dollars from offshore energy revenue sharing programs to fund components of the Mississippi River Reintroduction into Bayou Lafourche Project (MRRBL). MRRBL, a project aimed to combat saltwater intrusion and reduce resulting land loss in the estuaries of Lafourche and Terrebonne Parishes, was first developed in the early 1990s, but lack of funding continued to stymie any momentum to move the project into the construction phase. It was not until two offshore energy revenue sharing programs, Coastal Impact Assistance Program (CIAP) and GOMESA, came on board did the project gain enough momentum to move toward full implementation. Simply put, capturing long-term dedicated funding sources such as offshore energy revenue sharing programs is a matter of survival for us in south Louisiana.

BLFWD stands ready to support your efforts to move this critical piece of legislation forward, and we look forward to any opportunity to showcase the work that has been completed with offshore energy revenue sharing funding. Should you have any questions or concerns, please do not hesitate to contact me at 985-447-7155 or ben.malbrough@blfwd.org.

Sincerely,

Benjamin J. Malbrough
Executive Director

LOUISIANA HOUSE OF REPRESENTATIVES

122 North State Street, Suite 100
Abbeville, LA 70510
Email: hse47@legis.la.gov
Phone: 337.893.5035
Fax: 337.740.5035

Natural Resources and Environment, Vice Chair
Agriculture, Ways and Means
House Executive Committee
Joint Committee on Capital Outlay
House Select Leadership Committee

Ryan J. Bourriaque
State Representative ~ District 47

March 2, 2021

Senator Bill Cassidy
520 Hart Senate Office Building
Washington DC 20510

RISEE Legislation-Letter of Support

Dear Senator Cassidy,

On behalf of the citizens of Louisiana House District 47, I would like to thank you for allowing me to comment on your proposed legislation dealing with coastal protection and restoration investments in the Chenier Plain region of Louisiana. I feel that it is only fitting when seeking this adjustment in funding to briefly review what Cameron and Vermilion parishes have been able to accomplish with current levels of GOMESA funds.

As you know, Hurricanes Laura and Delta struck the Cameron Parish coastline in August and October of 2020, respectively. These storms made landfall within fifteen miles of each other in the communities of Cameron and Creole. One major point of fact that may be lost to some in the aftermath of these storms is that Cameron Parish utilized a portion of their GOMESA dollars to fortify its shoreline in this very area. Cameron Parish was the first parish/county in the country to bond out its GOMESA allocation. This effort was done to expedite the benefits of having protection on the ground today versus a decade later once funds were sufficient enough to construct a project.

Because of efforts of our federal delegation, the Cameron Parish Police Jury, the Vermilion Parish Police Jury, the Louisiana Coastal Protection & Restoration Authority, and the Chenier Plain Coastal Restoration and Protection Authority, local projects have moved in fairly short order. Original allocations were received by the parishes in 2018. Some two short years later, projects have been constructed and are providing the protection we so desperately sought.

I could write a mini-thesis on the benefits of these dollars and the projects funded therewith; however, I hope pictures will speak louder than the words I write in this letter of support. The first effort I want to highlight is in Cameron Parish. The Rutherford Beach Shoreline Protection Project was a continuation of efforts with CWPPRA and the Louisiana Department of Wildlife & Fisheries as part of the Rockefeller Gulf Shoreline Protection Project.

The Rutherford Beach project was fully funded with Cameron Parish GOMESA dollars. Figure 1 below is a photo of the project post-Hurricanes Laura and Delta. The impacts were from two direct hits by hurricanes of Category 4 and Category 2 strength some six weeks apart. One can only imagine what the shoreline would have resembled had this structural protection not been in place prior to the storm events.

Figure-1 Rutherford Beach Shoreline Protection Project

Due to favorable bids being received for the Rutherford Beach Project, Cameron Parish was also able to construct shoreline protection in the Long Beach area located between Holly Beach and Johnson Bayou in western Cameron Parish. In the photo below, one can clearly see the previous shoreline protection efforts near the homes in the photo. The shoreline had seen drastic erosion rates over the previous fifteen years. This project was constructed in November 2020.

Today, you can see that the GOMESA-funded protection has developed land immediately behind the structure. This provides hope to homeowners who were being threatened by the waves of the Gulf of Mexico. In a short 90-day timeframe, the coastline has re-established itself further into the Gulf. These land gains in such a short time span are incredible and significant. We need to capitalize on the science developed here and continue these improvements now. This legislation assists in expanding the capacity to construct these critical coastal features in a timely fashion.

Figure-2 Long Beach Shoreline Protection Project

To the east of Cameron is Vermilion Parish. The Vermilion Parish Police Jury also prioritized getting projects constructed with its GOMESA dollars. Coastal protection projects have been identified as part of its bonding effort.

One such project is a shoreline protection project aimed at fortifying coastal areas in Vermilion Bay at Southwest Pass. This project has been fast-tracked through the bid process and is ready to commence construction activities. Considering permitting timelines required for such a project, as well as the bonding process, this effort will be providing protection in short order.

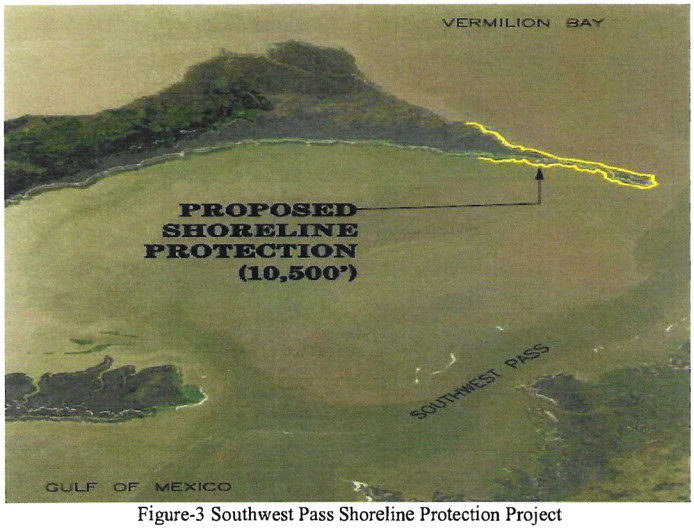


Figure-3 Southwest Pass Shoreline Protection Project

Senator, I want to thank you for providing District 47 and the Chenier Plain region of Louisiana with the opportunity to elevate these discussions to a nationwide audience. Hopefully, these efforts highlight the ability of our local partners to implement the very project features so desired when the GOMESA process began nearly fifteen years ago.

Please thank your colleagues for their consideration of future generations living, working, and recreating in coastal Louisiana while at the same time energizing the globe.

Sincerely,

Ryan Bourriaque
Louisiana State Representative
District 47

SCOTT TRAHAN
PRESIDENT

THOMAS MCDANIEL
VICE PRESIDENT

KATIE ARMENTOR
ADMINISTRATOR

MARY CARROLL
SECRETARY

KAYLA JOHNSON
TREASURER

P.O. BOX 1280
CAMERON, LA 70631
(337) 775-5718
(337) 775-5567 FAX
www.CAMERONPJ.ORG

DISTRICT 1
MAGNUS MCGEE
DISTRICT 2
CURTIS FOUNTAIN
DISTRICT 3
KIRK QUINN
DISTRICT 4
THOMAS MCDANIEL
DISTRICT 5
SCOTT TRAHAN
DISTRICT 6
JOE DUPONT
DISTRICT 7
MCKINLEY GUIDRY
DISTRICT 8
LAWRENCE FAULK, JR.

March 10, 2021

RE: Reinvesting in America's Shoreline Economies & Ecosystems Act (RISEE)

I write on behalf of the Cameron Parish Police Jury in support of U.S. Senators Bill Cassidy (R-LA) and Sheldon Whitehouse (D-RI)'s legislation regarding Reinvesting in America's Shoreline Economies & Ecosystems Act (RISEE).

The recent storms of 2020 devastated our area and Southwest Louisiana, and funding is needed more than ever to restore our coastal shorelines and preserve the marshes of Southwest Louisiana. But this also brings an intimate knowledge of what it takes to rebuild and increase our resilience in the process. The RISEE Act provides a huge benefit for coastal Louisiana and its focus on reducing the impact of coastal erosion, storm surge, and restoring the natural beauty of the Louisiana coast.

The Cameron Parish Police Jury looks forward to Congress' favorable approval of the RISEE Act. Your continued efforts are appreciated as we work to achieve GOMESA improvements for coastal Louisiana both economically and environmentally.

Sincerely,

SCOTT TRAHAN, PRESIDENT
CAMERON PARISH POLICE JURY

JIMMY BROWN
VICE PRESIDENT
SHEILA MILLER
SECRETARY
DWIGHT SAVOIE
TREASURER

CAMERON PARISH
Port, Harbor & Terminal District

RICKY POOLE
HOWARD ROME
TIMOTHY DUPONT
JENNIFER PICOU
WENDELL WILKERSON
ALFRED DEVALL II

180 HENRY STREET, P O BOX 1271, CAMERON, LA 70631
337-775-5206-PHONE, 337-775-5222-FAX
WWW.CAMERONPARISHPORT.COM

March 5, 2021

PDF via email

U.S. Senator Bill Cassidy

RE: Support of RISEE Act of 2021

As the director of the Cameron Parish Port, Harbor & Terminal District I am faced daily with the gravity of coastal land loss and restoration challenges facing Cameron Parish, our economy and our future. It is with the greatest urgency that our nation address and rectify the circumstances facing our Louisiana coastline, as our country's energy independence depends upon a healthy, thriving coast. The Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act would establish several dedicated streams of funding for coastal infrastructure and resiliency.

If enacted, the RISEE Act would:

Create a revenue sharing model for offshore wind revenues. Unlike other forms of energy where royalties are shared with adjacent states and conservation programs, current law requires that all revenues generated from offshore wind leases and production beyond state waters are returned to the U.S. Treasury.

- Like existing revenue sharing structures, sends 37.5% of offshore wind revenue to the adjacent states where offshore wind farms are developed.
- The state share is based on a formula developed by the Secretary of Interior inversely proportional to the distance from the wind farms.

- The state funds can be used for many activities including coastal restoration, hurricane protection, or infrastructure improvements. Funding can also be used to mitigate damage to fish, wildlife, and other natural resources due to activities in the development areas. Finally, funds can be used for implementation of a federally approved marine, coastal, or comprehensive conservation management plans.
- Similar to existing revenue sharing structures, this bill dedicates funding for coastal resiliency. 37.5% of offshore wind revenues would serve as a dedicated funding source for the National Oceans and Coastal Security Fund. This Fund provides grants to coastal and Great Lake communities to respond to coastal erosion and sea level rise, restore coastal habitat, and make improvements to coastal infrastructure.

Reform the Gulf of Mexico Energy Security Act (GOMESA). This section allow for a more equitable resource sharing between the states and federal conservation programs. If enacted the bill would:

- Eliminates the GOMESA state revenue sharing cap, currently at $375M.
- Maintains the Land & Water Conservation Fund's state side cap, currently at $125 million. Funding which exceeds $125 million shall be deposited in the National Ocean and Coastal Security Fund.
- Makes oil and gas leases from 2000-2006 eligible for future GOMESA payments to Gulf coast states. EIA reports 11 new oil and gas fields in the Gulf of Mexico that will contribute to the overall growth in U.S. production are GOMESA eligible under current law. Another eight would also qualify under this proposed change.
- Protects GOMESA revenues from sequestration.

Our Port District understands that without The Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act the dedicated streams of funding so desperately needed for coastal infrastructure and resiliency may not be realized in time to save, in my opintion, our nation's most precious resource.

Humbly yours,

Clair Hebert Marceaux

Clair Hebert Marceaux, PCED
Director, Cameron Parish Port, Harbor & Terminal District

CHENIER PLAIN
Coastal Restoration & Protection Authority
www.cpcrpa.org

BOARD OF COMMISSIONERS

Ralph Libersat
President, Vermilion

David Minton
Vice-President, Calcasieu

Tina Horn
Secretary, Cameron

Kay Barnett
Treasurer, Calcasieu

Mike Dever
Past President, Calcasieu

Phillip Trosclair
Cameron

Jake McCain
Cameron

Earl Landry
Vermilion

Trevor Hair
Vermilion

RESTORING & PROTECTING CALCASIEU, CAMERON, & VERMILION PARISHES

March 10, 2021

Senator Bill Cassidy, M.D.
Senator Sheldon Whitehouse
520 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cassidy:

The Chenier Plain Coastal Restoration and Protection Authority supports U.S. Senators Bill Cassidy (R-LA) and Sheldon Whitehouse (D-RI)'s legislation regarding Reinvesting in America's Shoreline Economies & Ecosystems Act (RISEE).

The recent storms of 2020 devastated Southwest Louisiana and funding is needed more than ever to restore our shorelines and preserve the marshes of Southwest LA. The Chenier Plain Authority strongly encourages the approval of the RISEE Act.

Thank you for your support and we look forward to Congress' favorable approval of the RISEE Act. Your continued efforts are appreciated as we work to achieve GOMESA improvements for coastal Louisiana.

Sincerely,

Ralph Libersat,
President Chenier Plain Coastal Protection & Restoration Authority

CITIZENS FOR RESPONSIBLE ENERGY SOLUTIONS

March 4, 2021

The Honorable Bill Cassidy
520 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
530 Hart Senate Office Building
Washington, D.C. 20510

Dear Senators Cassidy and Whitehouse:

On behalf of the Citizens for Responsible Energy Solutions (CRES), I am writing to express our support for the bipartisan ***Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act,*** which addresses offshore leases and establishes several dedicated streams of funding for coastal infrastructure and resiliency, as well as provides funds to the U.S. Treasury.

As a right-of-center organization, CRES supports clean, responsible energy solutions that advance our nation's energy, economic, and environmental security while increasing America's competitive edge. This legislation will do just that by promoting all-of-the-above energy solutions—including offshore wind—and existing oil and gas leases in the Gulf of Mexico, while also providing funds to help mitigate the impacts of climate change on coastal communities dealing with erosion and sea level rise.

We applaud your leadership to work together to find commonsense, market-based solutions to promote our energy independence while also restoring our coastal habitats and improving our country's infrastructure.

Sincerely,

Heather Reams

Heather Reams
Executive Director

Coalition To Restore Coastal Louisiana
3801 Canal Street, Suite 400, New Orleans, LA 70119 • 504.264.6812 • 225.767.4181

The Honorable Bill Cassidy
United States Senator
530 Hart Senate Office Building
Washington, DC 20510

The Honorable Sheldon Whitehouse
United States Senator
520 Hart Senate Office Building
Washington, DC 20510

Oct. 19, 2021

Dear Senators Cassidy and Whitehouse,

We are writing today to express our strong support for the Reinvesting in Shoreline Economic and Ecosystems Act of 2021. The act, introduced by Sen. Bill Cassidy, R-La., and Sen. Sheldon Whitehouse, D-R.I., proposes reforming the Gulf of Mexico Energy Security Act of 2006 (more commonly known as GOMESA) by eliminating the state revenue sharing limit, protecting revenues from sequestration and making oil and gas leases from 2000-06 eligible for future GOMESA payments to Gulf Coast states.

The act also would maintain the Land & Water Conservation Fund's state side cap, which is currently $125 million. It also would create a revenue-sharing model for offshore wind revenues. Currently, any revenues generated from offshore wind leases are returned to the federal treasury.

These changes would result in more money being directed to Louisiana to use on critically needed storm protection and environmental restoration projects. Additionally, the act would create an incentive for the state to develop offshore wind in the future.

"We are rapidly losing land in coastal Louisiana as ever-increasing climate risks create more frequent and intense storm and flooding events," said CRCL Policy Director Emily Vuxton in support of the RISEE Act. "We must use all the resources at our disposal to acquire new funds to rebuild and protect our coast. This act will help us rebuild our coast as well as provide incentive for a future in which we will develop wind energy off the coast of Louisiana. We urge Congress to pass the Reinvesting in Shoreline Economic and Ecosystems (RISEE) Act of 2021 as quickly as possible. Our coast cannot wait."

The Coalition to Restore Coastal Louisiana is a nonprofit organization whose mission is to drive bold, science-based action to sustain a dynamic coastal Louisiana through engagement and advocacy.

Incorporated in 1988, CRCL represents a unique mix of businesses, local governments, industries, scientific communities, national and local conservation groups, hunters, anglers and a broad spectrum of concerned citizens who all share a common vision and commitment to the sustainability of coastal Louisiana. The common vision of these varied and diverse interests is the driving strength of CRCL, the most effective and recognized coastal advocacy organization in the state.

Sincerely,

Kimberly Davis Reyher
Executive Director

COASTAL STATES ORGANIZATION

50 F Street NW, Suite 570, Washington, D.C. 20001
Tel: (202) 800-0580 - www.coastalstates.org

June 15, 2021

The Honorable Sheldon Whitehouse
United States Senate
530 Hart Senate Office Building
Washington, DC 20510

The Honorable Bill Cassidy
United States Senate
520 Hart Senate Office Building
Washington, DC 20510

Dear Senator Whitehouse and Senator Cassidy,

On behalf of the Coastal States Organization (CSO) delegates representing the nation's coastal States, Territories, and Commonwealths on coastal management issues, I am writing to thank you for your leadership in supporting investments in coastal and ocean conservation and restoration through offshore energy revenue sharing. **We are pleased to support the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act of 2021.**

CSO has long supported sharing revenues from outer continental shelf (OCS) energy development with the coastal states to advance the goals of improved ocean and coastal management, restoration, conservation, preservation, mitigation, research, and education. CSO supported the passage of the Gulf of Mexico Energy Security Act of 2006 (GOMESA) and its framework of balancing OCS revenue sharing across the Federal Treasury, the coastal states, and an ocean fund. CSO also supported the 1978 amendments to the Outer Continental Shelf Lands Act (OCSLA) providing for OCS revenue sharing with coastal states. Our nation's coastlines are home to diverse cultures, economies, and ecosystems. As experts in the needs and dynamics of their coastal zones, the individual states are best suited for managing the activities along their coastline in accordance with the Coastal Zone Management Act and have an active role in the environmental studies, planning, development, monitoring, and management guiding OCS energy development. In addition, CSO recognizes that there are unmet needs in ocean and coastal management, protection, and understanding of the natural resources along our nation's coasts, and so CSO supports the additional investment in the National Oceans and Coastal Security Act (NOCSA) Fund from revenues from OCS activities,

CSO supports the objectives of the RISEE Act in expanding OCS revenue sharing under OCSLA to include revenues from offshore wind energy development as it provides an overall increase in resources for ocean and coastal management, restoration, conservation, preservation, mitigation, research, and education. As the Biden Administration seeks to expand offshore wind energy, it is critical to ensure that these revenue sharing provisions are established. The States and Territories, and particularly the State and Territory Coastal Zone Management (CZM) Programs, play a critical role in both the management and approval process for OCS energy development and the comprehensive management of the coastal zone. As such, we strongly encourage the direct involvement of the CZM programs within the States and Territories for the implementation of the authorized purposes for the funds.

We support the additional resources for addressing ocean and coastal restoration, conservation, and mitigation through the NOCSA Fund. The Fund provides real benefits to the

overall goal of better managing our nation's coasts. We greatly appreciate that the RISEE Act implements a requirement to allocate funding directly to the States under NOCSA § 906(b) while also securing stable and increased investments in the competitive grants under § 906(c).

Further we support the rebalancing of the allocation between the Federal, State, and NOCSA Fund to increase the share allocated to both the States and the NOCSA Fund under OCSLA and GOMESA as well as the removal of the cap on revenue sharing under GOMESA. These changes will result in significant increases in investments in coastal resilience efforts and ensure that our nation's coasts are effectively managed for current and future generations.

Overall, CSO is pleased with the positive steps that RISEE Act takes to expand opportunities for OCS energy development revenues to addressing ocean and coastal issues and supports this bill. Thank you again for your leadership in this important area. For any questions, please contact Rachel Keylon, CSO Federal Affairs Director, at (202) 800-0747 or rkeylon@coastalstates.org.

Sincerely,

Derek Brockbank
Executive Director

GREATER NEW ORLEANS EXPRESSWAY COMMISSION
P.O. BOX 7656 • METAIRIE, LOUISIANA 70010
TELEPHONE 504-835-3118 • FAX 504-835-2518
www.thecauseway.us

February 26, 2021

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cassidy:

I hope you are well.

On behalf of all of us who call southeast Louisiana home, thank you very much for your steadfast support to improve the health of the Lake Pontchartrain Basin and your ongoing efforts to save Louisiana's coast.

As someone who has dedicated decades working to save our coast, I heartily support your proposed Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act. Funding such as proposed in RISEE is imperative to preserve/save what remains of our coasts. The potential benefits from RISEE are much more than just saving our coast. Most significant will be the long term sustainability/resiliency of many coastal cities/communities, industries, infrastructure, and economies.

Whenever I may be of assistance, please let me know.

Sincerely,

Carlton Dufrechou
Chair, Pontchartrain Restoration Program

Cc: PRP Executive Committee

FUGRO
6100 Hillcroft Avenue
Houston, TX 77081
USA

July 01, 2021

The Honorable Sheldon Whitehouse
United States Senate
530 Hart Senate Office Building
Washington, DC 20510

The Honorable Bill Cassidy
United States Senate
520 Hart Senate Office Building
Washington, DC 20510

RE: Statement of Support - Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act

Dear Senators Whitehouse and Cassidy:

I am writing to express Fugro's strong support for the Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act. By increasing coastal restoration funding generated by GOMESA and implementing a similar revenue source for Offshore Wind development, we believe the Act will contribute to more secure and sustainable coastal communities.

Fugro is the world's leading Geo-data specialist collecting and analyzing comprehensive information about the Earth and the structures built upon it. In the United States, our services and expertise are applied to many critical markets, including energy (traditional and renewables), infrastructure, coastal restoration/resiliency, and flood protection. In recent years, we have benefited significantly from the tremendous growth in the offshore wind sector, which provides economic benefits and increased energy security while also helping to combat climate change, an issue that greatly impacts the coastal areas in which much of our staff work and live.

Fugro's presence in the coastal US spans many decades, and we look forward to continuing our work there with both public and private sector stakeholders. With the current growth in renewable energy, as well as the continued need for funding to facilitate the kinds of sustainable solutions that will protect and preserve the nation's coastal infrastructure, communities, and ecosystems, the RISEE Act will help to ensure that these goals are accomplished.

We appreciate your leadership on this important legislation and your efforts to support resilient, sustainable, and prosperous coastal communities throughout the US.

Sincerely,

Edward J. Saade
President, Fugro USA, Inc.

Fugro | With operating companies throughout the world

T +1-225-292-5084 | **F** +1 225-800-5421 | **W** fugro.com

FOURCHON

READY TODAY.
READY FOR TOMORROW

March 3, 2021

The Honorable
Bill Cassidy
United States Senate
520 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cassidy:

On behalf of the Greater Lafourche Port Commission, I wanted to express our strong support and appreciation for your continued efforts and those of our Louisiana Congressional Delegation in addressing Louisiana coastal restoration issues, including seeking an equitable increase of GOMESA revenues for Louisiana and adjacent Gulf states.

As you know, Port Fourchon and numerous communities throughout the Louisiana Gulf Coast live at the epicenter of the coastal issues that your legislative efforts seek to address. Our "working coast" supports many thousands of jobs and contributes substantially to the revenues of local, state and federal governments through the oil and gas activity located alongside and on the Outer Continental Shelf, in addition to the commercial and recreational fishing and other tourism activities as well. At the same time, our communities increasingly face disaster from coastal land loss. We need only to look at the storm season in 2020, and the monetary damages and interruption of economic activities that were caused by the series of storms, some of which were relatively minor, as examples of why Louisiana's coastal restoration efforts are imperative.

As you know, GOMESA funding is the primary source of revenue for Louisiana's Coastal Master Plan. The Master Plan is administered by the Louisiana Coastal Protection and Restoration Authority, largely with GOMESA funding. However, every community in coastal Louisiana is a partner with CPRA in a variety of restoration activities. This includes the contribution by local governments, NGOs and private sector businesses providing funding and in-kind contributions to coastal restoration activities. For instance, Port Fourchon recently received Congressional authorization for the Corps of Engineers to dredge the federal channels at our Port, to accommodate the offshore service vessels utilizing our Port. In planning this project, Port Fourchon worked closely with CPRA, federal and state resource agencies, and NGO's in developing a dredge material disposal plan to utilize the dredge material for beneficial use disposal. 100% of the dredge material generated from our project will be utilized for coastal restoration projects in the Coastal Master Plan. While the use of our dredge material is significant in providing benefits to our immediate area, it is only one piece of a patchwork of proposed projects throughout coastal Louisiana

Port Fourchon Operations Center
180 A.O. Rappelet Road
Port Fourchon, LA 70357
Phone: (985) 396-2750

Greater Lafourche Port Commission Administration Office
16829 East Main Street
Cut Off, LA 70345
Phone: (985) 632-6701
Fax: (985) 632-6703
Email: glpc@portfourchon.com

GAO - South Lafourche Leonard Miller, Jr. Airport
149 King Air Drive
Galliano, LA 70354
Phone: (985) 475-6701

www.portfourchon.com

that are included in or consistent with the Coastal Master Plan. The linchpin for all of this activity is GOMESA funding, which not only provides direct funding for these activities, but also induces significant local contributions for coastal restoration. While the current level of GOMESA funding was hard-earned by the Louisiana Congressional Delegation over many years, there still remains a disparity in revenues derived from energy activities on federal lands as between on-shore and off-shore development. Louisiana has been disadvantaged by this disparity, and thus your legislative efforts are both timely and even more critical.

Finally, you know very well the significance of offshore energy development to our local, state and national economies. But we who live along the Gulf Coast and earn our living from and build our lives around offshore energy development do not live in a vacuum. We understand the importance of focusing on climate matters, and we understand that human activities play a role in climate change. As I said earlier, one need to look only at the series of storms in the second half of 2020 to realize our vulnerability to climate change, irrespective of the causes. But a balanced approach to developing a long-term national energy strategy that includes increases from the renewable energy sources must necessarily include the realities of our Nation's continued need for fossil fuel development, from the standpoint of industrial and consumer use of fossil fuels for the foreseeable future, and for the economic benefits that energy development provides in the form of employment and tax revenues. Moreover, as you know, the legislation enacted into law last year – the Great American Outdoors Act, provides a direct nexus of revenues from offshore energy development to increased conservation funding, via contributions to the Land and Water Conservation Fund. Thus, the need to maintain consistent offshore energy development of all types has increased in its importance to our Nation's economic and environmental goals.

In conclusion, the Greater Lafourche Port Commission and our surrounding community remains steadfast in our commitment to continue to work as a partner with our elected leaders at the federal, state and local levels, as well as the conservation community and private sector, to address the challenges and achieve the objectives that have been set forth to maintain our community's and Nation's economic, environmental and livability standards. We appreciate your efforts in these and other matter on behalf of Louisiana.

Sincerely yours,

Chett Chiasson
Executive Director
Greater Lafourche Port Commission

GREATER NEW ORLEANS INC
REGIONAL ECONOMIC DEVELOPMENT

February 25, 2021

Senator Bill Cassidy
520 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Senator Cassidy:

On behalf of Greater New Orleans, Inc. and our Coalition for Coastal Resilience and Economy (CCRE), we are writing today to offer support for your efforts on behalf of Louisiana as we seek parity in revenue sharing from our national resources. We are in support of the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which seeks to reform the Gulf of Mexico Energy Securitization Act (GOMESA) and create a revenue sharing program from future offshore wind development in federal waters. As a longtime supporter and champion of GOMESA and offshore wind, we celebrate your efforts to achieve a more equitable resource sharing between the states and federal conservation programs, while simultaneously fighting to capture the revenues generated from offshore wind leases and production. We believe that there is no better time to ensure parity for Louisiana and increased funds for our coastal restoration and hurricane protection projects and infrastructure improvements.

As economic development and business leaders in Southeast Louisiana, we are deeply invested in measures that create more revenue for the sustainability of vital aspects of our economy, such as coastal resiliency. GOMESA is a critical funding source for Louisiana's comprehensive Coastal Master Plan, which we advance as a mechanism to protect existing and future investment in Louisiana and develop an exportable knowledge-based industry and specialized workforce. Additionally, the Gulf of Mexico represents one of the largest offshore wind markets in the nation so it is critical that our state is positioned to economically benefit from the production and leases yielded from offshore wind. Accordingly, we support the passage of the RISEE legislation, as its current posture truly captures present and future opportunities to foster economic development through offshore wind and coastal restoration and protection.

We sincerely appreciate your ongoing efforts to work in the best interest of the State of Louisiana. If we can be of further assistance, please do not hesitate to ask.

Sincerely,

Michael Hecht
President and CEO, GNO, Inc.

Brandon Nelson
Senior Vice President, Hancock Whitney Bank
CCRE Chairman

JEFFERSON CHAMBER
IMPROVING BUSINESS.
IMPROVING LIVES.

March 1, 2021

Senator Bill Cassidy
520 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Senator Cassidy:

On behalf of the Jefferson Chamber which represents business interests in the largest parish in the New Orleans Region, I write to you today to offer support for your efforts on behalf of Louisiana as we seek parity in revenue sharing from our national resources. We are in support of the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which seeks to reform the Gulf of Mexico Energy Securitization Act (GOMESA) and create a revenue sharing program from future offshore wind development in federal waters. As a longtime supporter of GOMESA, we celebrate your efforts to achieve a more equitable resource sharing between the states and federal conservation programs, while simultaneously fighting to capture the revenues generated from offshore wind leases and production. We believe that there is no better time to ensure parity for Louisiana and increased funds for our coastal restoration and hurricane protection projects and infrastructure improvements.

As a regional leader in business and economic growth, we are deeply invested in measures that create more revenue for the sustainability of vital aspects of our economy, such as coastal resiliency. GOMESA is a critical funding source for Louisiana's comprehensive Coastal Master Plan, which we advance as a mechanism to protect existing and future investment in Louisiana and develop an exportable knowledge-based industry and specialized workforce. Additionally, the Gulf of Mexico represents one of the largest offshore wind markets in the nation, so it is critical that our state is positioned to economically benefit from the production and leases yielded from offshore wind. Accordingly, we support the passage of the RISEE legislation, as its current posture truly captures present and future opportunities to foster economic development through offshore wind and coastal restoration and protection.

We sincerely appreciate your ongoing efforts to work in the best interest of the State of Louisiana. If we can be of further assistance, please do not hesitate to ask.

With best regards,

Todd P. Murphy
President

3421 N Causeway Blvd., Suite 203 Metairie, Louisiana 70002 p. (504) 835-3880 f. (504) 835-3828 www.jeffersonchamber.org

LA 1 COALITION

Henri Boulet
Executive Director

BOARD OF DIRECTORS

Larry J. Picciola, P.E.
Engineer
Angelette-Picciola LLC

Charlotte A. Bollinger
Executive Vice President
Bollinger Shipyards, LLC

Wynn L. Radford IV
Government Affairs LA
BP America, Inc.

Matt Carmichael
State Government Affairs Representative
Eastern Region
Chevron U.S.A., Inc.

Garret H. "Hank" Danos
Chairman
Danos

Roger T. White, III
Senior Vice President
Edison Chouest Offshore, LLC

Kevin Bruce
Director, Government & Public Affairs
Fieldwood Energy LLC

Chett Chiasson
Executive Director
Greater Lafource Port Commission

Larry Griffin
Commissioner
Greater Lafourche Port Commission

Loulan J. Pitre, Jr.
Partner in Charge
Kelly Hart Pitre

Archie P. Chaisson, III
President
Lafourche Parish Council

Terry Coleman
President
LOOP, LLC

Pat Brady
Chairman
Pat and Kate Brady Family Foundation

Joseph C. Picciola, III, P.E.
President
Picciola & Associates, Inc.

Simone Maloz
Executive Director
Restore or Retreat

Joni Tuck
External Relations Advisor
Shell Exploration and Production Co.

The Honorable Bill Cassidy
United States Senator
520 Hart Senate Office Building
Washington, DC 20510

March 2, 2021

Dear Senator Cassidy:

The LA 1 Coalition appreciates you and Senator Whitehouse introducing the RISEE Act later this week. Maintaining the 37.5 percent of royalty sharing for coastal states, eliminating the sharing cap of $375M, and growing out eligibility of additional GOM leases to contribute to revenue sharing is vital for Louisiana's efforts to make our coastal communities more resilient to hurricane threats, subsidence and sea-level rise.

As you are aware, Louisiana utilizes these dollars to fund our state's Comprehensive Coastal Master Plan, with projects in the plan already performing a huge role in making our coastal infrastructure like Louisiana Highway #1(LA 1) more resilient. A sample of this is the significant investment in the Caminada Headlands Project, which provides a first line of defense for LA 1 as it makes its way to Louisiana's only inhabited barrier island of Grand Isle. With LA 1's continued service to Grand Isle and Port Fourchon, our sector economies in energy, commercial fisheries, eco-tourism, coastal restoration and recreational fisheries will continue to furnish jobs for our community, and with that, our unique Southeast Louisiana culture has better chances of surviving.

Besides the benefits to several important sector economies in Louisiana, growing leases which contribute to revenue sharing, whether from oil & gas revenues or from wind-energy producing revenues, benefit our federal government because it will provide funds to the U.S. Treasury and it will protect national assets of our country's most productive seafood estuaries.

Please let me know if the Coalition can do anything to further support your and Senator Whitehouse's efforts of the RISEE Act.

Sincerely,

Henri Boulet
Executive Director

P.O. Box 2048 • Nicholls State University • Thibodaux, LA 70310
(985) 448-4485 • Fax: (985) 448-4486 • Email: henri.boulet@nicholls.edu • la1coalition.org

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
The United States Senate
Washington, D.C. 20510

March 17, 2021

Dear Senator Cassidy:

The Lafourche Chamber of Commerce is a membership-driven organization dedicated to building a quality business community, and today we are writing in support of the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act which would establish several dedicated streams of funding for coastal infrastructure and resiliency. Establishing investments like those outlined in the RISEE Act is foundational to implementing Louisiana's Comprehensive Coastal Master Plan for a Sustainable Coast, which aims to protect over two million people, dynamic wildlife habitat, a strong natural resources workforce and a vibrant culture.

Our diverse membership feeds and fuels our working coast. From higher education to healthcare, from our shipyards to our sugarcane fields, from Nicholls State to Port Fourchon, and all the business in between... we depend on our coast, we exist because of our coast, and our future depends on a healthy coast. RISEE would allow us to continue to work, live and play in this place we call home, and would allow us to continue to thrive.

Thank you for your time and consideration.

Sincerely,

Lin J. Kiger
President & CEO

P.O. Box 1462 Larose, Louisiana 70373-1462 (985) 693-6700 Fax: (985) 693-6702
www.lafourchechamber.com admin@lafourchechamber.com

402 GREEN STREET • THIBODAUX, LA 70301
P.O. DRAWER 5548 • THIBODAUX, LA 70302
985.446.8427 • 800.834.8832 • FAX 985.492.6006

www.lafourchegov.org

Archie Chaisson, III, Parish President

Coastal Zone Management

March 15, 2021

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
The United States Senate
Washington, D.C. 20510

RE: REINVESTING IN SHORELINE ECONOMIES AND ECOSYSTEMS (RISEE) ACT

Dear Senator Cassidy:

Lafourche Parish would like to express support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which would ensure that our state and local parishes would have a funding stream to implement crucial coastal restoration, infrastructure, and protection projects.

To date, Lafourche Parish has been able to strategically leverage and utilize the past GOMESA funds it received to partner with and fund several major projects in our parish, such as the Grand Bayou Freshwater Reintroduction, the Fourchon Beach Restoration and Resiliency project, and the LA Hwy 1 Improvement Project Phase 2, to name a few. The passage of the RISEE Act would not only ensure that our region would be able to continue the necessary work that is being done through current projects through its existing funding stream, but it would allow us to expand the work that we are doing. The RISEE Act also allows for the potential to develop an even greater opportunity in establishing new investments through offshore wind leases, which this region could explore if this Act is passed.

Our parish is committed to responsibly using the ensuring that any funds dedicated to implementing critical coastal projects aimed at enhancing and protecting our valuable environment and communities, and we are always looking for ways to get these projects implemented efficiently and with the greatest benefit possible. We appreciate the opportunity to express our support of the RISEE Act and look forward to continuing the conversation around this important issue.

Sincerely,

Archie P. Chaisson, III
Parish President
Lafourche Parish Government

ARCHIE CHAISSON, III — PARISH PRESIDENT
JERRY JONES — DISTRICT 1
WILLIAM "T-BOO" ADAMS — DISTRICT 2
MICHAEL GROS — DISTRICT 3
AARON "BO" MELVIN — DISTRICT 4
JIM WENDELL — DISTRICT 5
BOBBY GRABERT — DISTRICT 6
ARMAND AUTIN — DISTRICT 7
D'LYNN CHIASSON — DISTRICT 8
DANIEL LORRAINE — DISTRICT 9

March 2, 2021

Senator Bill Cassidy
703 Hart Senate Office Building
Washington, D C 20510

Re: RISEE Act of 2021

Dear Senator Cassidy:

The Port of Lake Charles strongly supports the RISEE Act to establish funding for further coastal infrastructure and resiliency.

As you know, the Port of Lake Charles works diligently with the Corps of Engineers to support improvements to coastal wetlands, erosion and conservation. Whenever possible, funding permitting, the Port and Corps partner to use material dredged from the Calcasieu Ship Channel to rebuild, restore or nourish wetlands in southwest Louisiana. The most recent example of this is the 400 plus acres of wetland built in the Sabine National Wildlife Refuge. An additional 200 plus acres is planned to be built when the lower reach of the Channel is dredged in the next cycle.

Sharing wind energy revenues with adjacent states and conservation programs, as is currently done through GOMESA, is a fair and equitable way to provide additional funding for wetland protection and creation. The proposed reforms to GOMESA will similarly increase the dedicated streams of funding to increase the resiliency of the nation's coastal infrastructure.

Sincerely,

Richert L. Self,
Executive Director

RLS/kmb

Lake Charles Harbor & Terminal District

Post Office Box 3753
Lake Charles, LA 70602
Phone 337-439-3661
Facsimile 337-493-3523

State of Louisiana JOHN BEL EDWARDS
GOVERNOR

March 10, 2021

Senator Bill Cassidy
United States Senate
520 Hart Senate Office Building
Washington, DC 20510

Senator Sheldon Whitehouse
United States Senate
530 Hart Senate Office Building
Washington, DC 20510

Senators Cassidy and Whitehouse,

As Chairman of the Louisiana Coastal Protection and Restoration Authority (CPRA) Board, I am pleased to learn of your plan to introduce the Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act in the 117th Congress. This bill is of significant importance to the immediate and long-term success of Louisiana's coastal program, and the CPRA Board supports your efforts to get this bill enacted into law.

Since the 1930s, Louisiana has lost around 2,000 square miles of coastal wetlands, which has also increased hurricane vulnerability for coastal communities, infrastructure, and industrial facilities and activities. In the aftermath of Hurricanes Katrina and Rita in 2005, the CPRA was formed to develop and implement a comprehensive coastal protection and restoration master plan that integrates management of hurricane risk and the ongoing land loss problem. The coastal master plan is both a strategic plan and also an implementation plan driving investments every year that can reduce flood risk and restore coastal ecosystems.

The CPRA has been leading the charge to conserve and rebuild Louisiana's coastal habitats and protect its coastal communities from storms and rising seas. In state fiscal year 2022, the CPRA proposes to expend nearly $900 million on 110 active projects aimed at restoring or protecting our state and coast. While significant, those funds are not sufficient to fully address Louisiana's coastal crisis. Louisiana needs more consistent yearly funding to move forward with high-value projects in the proactive manner that make Louisiana's coastal master plan the largest climate change adaptation plan currently underway in the nation.

The RISEE Act would provide a mechanism for us to do more to protect and restore coastal Louisiana, both short and long term. Specifically, the legislation would increase the level of impact assistance that Gulf Producing States (Texas, Louisiana, Mississippi and Alabama) receive under the Gulf of Mexico Energy Security Act of 2006 (GOMESA), and it would create a revenue sharing structure for future offshore wind development. As you may know, GOMESA is only one of two reoccurring revenue streams that the CPRA receives for coastal investment. GOMESA is crucial for the multiyear planning required for large-scale coastal protection and restoration projects. Louisiana has constitutionally dedicated its GOMESA funds to coastal protection and restoration.

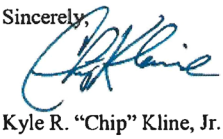
In addition to increasing Louisiana's coastal protection and restoration funding in the near-term, the RISEE Act would also diversify coastal protection and restoration funding in the long-term

Post Office Box 94004 • Baton Rouge, Louisiana 70804-9004 • 1051 North 3rd Street, Ste. 138 • Capitol Annex Building
• Baton Rouge, Louisiana
(225) 342-7669 • Fax (225) 342-1991 • http://www.coastal.la.gov
An Equal Opportunity Employer

through revenue sharing from future offshore wind development. As the global energy economy transitions to reduce GHG emissions and avoid catastrophic climate change, funding for the coastal master plan must be diversified. Upon Gov. Edwards's request in October 2020, the Bureau of Ocean Energy Management has established an Intergovernmental Task Force to evaluate the siting of future renewable energy leases in the federal waters of the northern Gulf of Mexico. The RISEE Act additionally provides long term benefits to our state in the event we are able to support the production of wind-energy off our shore.

Now more than ever, Louisiana is at a critical point in reinvesting in ourselves and in our coast; we thank you for your leadership in putting this legislation forward that allows us to do just that, and you have our full support in moving this endeavor forward.

Sincerely,



Kyle R. "Chip" Kline, Jr.
Chairman
Louisiana Coastal Protection and Restoration Authority Board

LMOGA
Louisiana Mid-Continent Oil & Gas Association

May 6, 2021

The Honorable Bill Cassidy
U.S. Senator
520 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cassidy:

Thank you for your introduction of the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act to increase dedicated revenue for coastal restoration in Gulf states. LMOGA represents the entire oil and gas industry in Louisiana and throughout the Gulf of Mexico. Oil and gas production supports 1 in 9 jobs in Louisiana, 26% of the state's Gross Domestic Product, and the intricate web of energy infrastructure that has sustained an outsized portion, 20% today, of our nation's energy demand for decades. Importantly, our energy production in the GOM directly funds our state's coastal programs to combat our coastal land loss and harden our communities from catastrophic hurricanes, a benefit strengthened under the RISEE Act.

All of these benefits depend on a predictable and reliable leasing schedule and responsible permitting programs in the Outer Continental Shelf that are now at risk under the Biden Administration's pause in oil and gas leasing and comprehensive review. Therefore, we support the RISEE Act and urge you to simultaneously advance legislation to continue predictable and reliable lease sales and permitting in the Gulf of Mexico, similar to the Conservation Funding Protection Act which you support.

Louisiana has pioneered innovative technologies that have made the Gulf of Mexico basin one of the lowest greenhouse gas emitting basins in the world. Our energy infrastructure and our workforce are poised to support the next generation of energy development, including advancing offshore wind production in our waters, but must have the right federal policies in place. As the state attempts to meet its goal of investing $50 billion in its Coastal Master Plan over the next 50 years, a predictable and reliable oil and gas leasing schedule is an integral piece of meeting that goal. Offshore energy development funded $353 million in revenue under the Gulf of Mexico Energy Security Act (GOMESA) in 2019 alone; and, according to Louisiana's Coastal Protection and Restoration Authority, combined with GOMESA dollars, oil and gas production funds 90% of our state's coastal programs. Clearly, a sustainable offshore energy sector is directly linked to our coastal restoration and hurricane preparedness efforts and must remain so.

Coastal land loss is a national catastrophe whose threats many of us face every single day firsthand. Each year we face catastrophic flooding and storm damage that destroys our homes,

LMOGA
Louisiana Mid-Continent Oil & Gas Association

businesses and communities. However, we have also seen firsthand the protection predictable revenue through offshore leasing and the GOMESA program provides to combat these threats. Last year, the Gulf of Mexico combatted a record number of storms. While some places were devastated, many more communities were spared directly due to the updated levee protection systems and wetlands restoration work funded by offshore revenues. According to the Governor's Office of Coastal Activities, for every two miles of wetlands, storm surge can be reduced by a foot or more. Clearly, predictable offshore revenue is integral to protect our communities.

We understand the complexities and challenges you face in the legislative process and hope to work with you to advance the RISEE Act to modernize the GOMESA program while also ensuring oil and gas production can sustain coastal programs for years to come through predictable leasing. Thank you for your continued leadership on energy and coastal issues for Louisiana. Please do not hesitate to contact me if you have any questions.

Sincerely,

Tyler Gray
President & General Counsel

LOUISIANA HOUSE OF REPRESENTATIVES

TANNER D. MAGEE
State Representative ~ District 53
Speaker Pro Tempore

District 53 Office
P.O. Box 2365
Houma, LA 70361
Phone: 985.858.2970
Fax 985.858.2972
Email: mageet@legis.la.gov

Speaker Pro Tempore Office
900 N. 3rd Street, Room 182
Baton Rouge, LA 70802
Phone (225) 342-7263

Committees:
Appropriations
Joint Legislative Committee on the Budget
House and Governmental Affairs
House Executive Committee

March 2, 2021

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Re: RISEE Act of 2021

Dear Senator Cassidy:

I would like to express my strong support of the RISEE Act of 2021 to establish dedicated funding for coastal infrastructure and resiliency.

This amendment to the GOMESA legislation if enacted, would:
Create a revenue sharing model for offshore wind revenues.
Unlike other forms of energy where royalties are shared with adjacent states and conservation programs, current law requires that all revenues generated from offshore wind leases and production beyond state waters are returned to the U.S. Treasury.

- Like existing revenue sharing structures, sends 37.5% of offshore wind revenue to the adjacent states where offshore wind farms are developed.
- The state share is based on a formula developed by the Secretary of Interior inversely proportional to the distance from the wind farms.
- The state funds can be used for many activities including coastal restoration, hurricane protection, or infrastructure improvements. Funding can also be used to mitigate damage to fish, wildlife, and other natural resources due to activities in the development areas. Finally, funds can be used for implementation of a federally approved marine, coastal, or comprehensive conservation management plans.
- Similar to existing revenue sharing structures, this bill dedicates funding for coastal resiliency. 37.5% of offshore wind revenues would serve as a dedicated funding source for the National Oceans and Coastal Security Fund. This Fund provides grants to coastal and Great Lake communities to respond to coastal erosion and sea level rise, restore coastal habitat, and make improvements to coastal infrastructure.

Reform the Gulf of Mexico Energy Security Act (GOMESA).
This section allows for a more equitable resource sharing between the states and federal conservation programs. If enacted the bill would:

- Eliminates the GOMESA state revenue sharing cap, currently at $375M.
- Maintains the Land & Water Conservation Fund's state side cap, currently at $125 million. Funding which exceeds $125 million shall be deposited in the National Ocean and Coastal Security Fund.
- Makes oil and gas leases from 2000-2006 eligible for future GOMESA payments to Gulf coast states. EIA reports 11 new oil and gas fields in the Gulf of Mexico that will contribute to the overall growth in U.S. production are GOMESA eligible under current law. Another eight would also qualify under this proposed change.
- Protects GOMESA revenues from sequestration.

For all of these reason and because of the impact it would have not only to my district/parish but our entire state, I whole heartedly support this legislation.

Should you have any questions or care to further discuss, please feel free to call me at 985-858-2970 or on cell at 985-226-9033.

Sincerely,

Tanner D. Magee
Speaker Pro Tempore
House of Representative, Dist. 53

/val

St. Bernard Parish Government
8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4227 Fax (504) 278-4330
www.sbpg.net

Guy McInnis
Parish President

The Honorable Bill Cassidy MD
United States Senator (LA)
520 Hart Office Building
Washington, DC 20510

Dear Senator Cassidy:

This letter is to express support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act legislation you are working to pass.

The RISEE Act would provide states, and through them vulnerable coastal communities, with the resources needed to further enhance coastal infrastructure and resiliency by eliminating the current $370,000,000 GOMESA state revenue sharing cap and make oil and gas leases from 2000-2006 eligible for future GOMESA payments to states bordering the Gulf of Mexico.

The RISEE Act would also protect GOMESA payments used for hurricane protection, coastal management plans, and the mitigation of certain damage to fisheries from sequestration, providing funding stability to ensure that work on coastal sustainability continues unimpeded.

Thank you for your advocacy and leadership on this important funding matter for Louisiana, St. Bernard Parish, and other affected states and communities that would benefit from the RISEE Act's passage.

Sincerely,

Guy S. McInnis

Parish President

MORGAN CITY HARBOR AND TERMINAL DISTRICT
7327 Highway 182 . P. O. Box 1460 . Morgan City, LA 70381
TELEPHONE (985) 384-0850 . FAX (985) 385-1931
Email: office@portofmc.com . www.portofmc.com

March 1, 2021

U. S. Senator Bill Cassidy, M.D.
520 Hart SOB
Washington, DC 20510

Dear Senator Cassidy,

It is our understanding that the RISEE Act that you and Senator Whitehouse are planning to introduce this week proposes to send 37.5% of offshore wind revenue to the adjacent states where offshore wind farms are developed and to reform the Gulf of Mexico Energy Security Act (GOMESA) by providing more equitable resource sharing between the states and federal conservation programs.

South Louisiana communities need strong coastal restoration and hurricane protection programs with the funding to back those programs in order to respond to coastal erosion and sea level rise, to restore coastal habitat and to make improvements to coastal infrastructure. The RISEE Act will provide for these needs.

On behalf of the Morgan City Harbor & Terminal District, I would like to express our support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act of 2021 which will establish much needed dedicated streams of funding for coastal infrastructure and resiliency.

We appreciate your dedication to provide a better coast for our residents.

Very truly yours,
MORGAN CITY HARBOR AND TERMINAL DISTRICT

Raymond "Mac" Wade, CPE
Executive Director

President Joseph Cain *Vice-President Peter Orlando* *Treasurer Deborah Garber* *Secretary Tim Matthews, Sr.*

Commissioners: · **Ben Adams · Adam Mayon · Troy Lombardo · Steven Cornes**

Raymond "Mac" Wade, CPE
Executive Director

Morganza Action Coalition

The Honorable Bill Cassidy
United States Senator
520 Hart Senate Office Building
Washington, DC 20510

March 3, 2021

Dear Senator Cassidy:

The Morganza Action Coalition appreciates you and Senator Whitehouse introducing the RISEE Act later this week. Maintaining the 37.5 percent of royalty sharing for coastal states, eliminating the sharing cap of $375M, and growing out eligibility of additional GOM leases to contribute to revenue sharing is vital for Louisiana's efforts to make our coastal communities more resilient to hurricane threats, subsidence and sea-level rise.

As you are aware, Louisiana utilizes these dollars to fund our state's Comprehensive Coastal Master Plan, with projects in the plan already performing a huge role in making our coastal communities more resilient. A sample of this is the significant Louisiana State investment in the Morganza-to-the-Gulf Levee System, which provides flood protection for 250,000 residents and businesses in the sector economies in energy, commercial fisheries, eco-tourism, coastal restoration and recreational fisheries. The state monies have in large part come from the GOMESA offshore revenues sharing program. With these funds and the protection they provide, our coastal communities will continue to furnish jobs for our community, and our unique Southeast Louisiana culture has better chances of surviving.

Besides the benefits to several important sector economies in Louisiana, growing leases which contribute to revenue sharing, whether from oil & gas revenues or from wind-energy producing revenues, benefit our federal government because it will provide funds to the U.S. Treasury and it will protect national assets of our country's most productive seafood estuaries.

Please let me know if the Coalition can do anything to further support your and Senator Whitehouse's efforts of the RISEE Act.

Sincerely,

Henri Boulet

Henri Boulet
Executive Director

March 17, 2020

The Honorable Bill Cassidy
United States Senate
520 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
United States Senate
530 Hart Senate Office Building
Washington, D.C. 20510

Dear Senators Cassidy and Whitehouse,

On behalf of the National Marine Manufacturers Association (NMMA), I write to thank you for your leadership in championing the Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act to dedicate additional revenue streams towards funding coastal infrastructure and resiliency.

Outdoor recreation is a powerful force in the American economy. Prior to the pandemic, the outdoor industry, led by hunting, fishing, and boating generated $788 billion in economic output, comprised 2.1 percent of U.S. Gross Domestic Product and supported 5.2 million jobs. Additionally, a new joint report by the Bureau of Economic Analysis (BEA) and the National Oceanic and Atmospheric Administration (NOAA) found that recreation and tourism are the top contributors to the significant economic footprint of the nation's oceans and Great Lakes. Moreover, the role of recreational boating in our economy has only grown more significant as Americans flocked to new outdoor activities amidst the COVID-19 pandemic. The significant spike in demand drove a surge in new powerboats sales in the U.S. that increased last year by an estimated 12% compared to 2019, reaching a 13-year high. Over 44,000 new boat buyers entered the market between March and June, representing 10% year-over-year growth.

While the rise has showcased the popularity of such activities as a safe and fun way to spend time with loved ones, it has also illuminated one of the most pressing issues facing the industry: the need to strengthen the infrastructure and resiliency in coastal and inland waterway communities to make boating access and regional economies more resilient in the face of disaster.

As coastal communities continue to endure stronger and more frequent natural disasters, we cannot stress enough the importance of healthy, hardened coastlines and protected aquatic ecosystems towards growing and safeguarding access and the recreation economy.

Specifically, NMMA supports the RISEE Act proposal to diversify federal conservation funding by dedicating a portion of offshore wind revenue to coastal resiliency investments. These funds would be directed to adjacent states to be used for projects such as coastal restoration, hurricane protection, infrastructure improvements, and to protect fish, wildlife, and other natural resources. Small businesses in rural, vulnerable areas often face the brunt of natural disasters and depend on robust, resilient infrastructure to be able to make a living. According to the Federal Emergency Management Agency (FEMA), roughly 40-60 percent of small businesses never reopen following a disaster. As the nation works to rebuild from the catastrophic impacts of the coronavirus pandemic, the added damages from natural disasters on already struggling businesses and vulnerable communities shines a light on the need to utilize untapped resources, such as the nation's vast offshore wind energy development revenues, to supplement federal and state efforts to protect coastal economies and natural resources.

NMMA also supports the RISEE Act proposal to amend the Gulf of Mexico Security Act (GOMESA) of 2006 to dedicate more of existing and future offshore energy production revenue from the Gulf to support coastal restoration and resiliency. Lifting the $500 million cap on currently shared revenues would make additional funding available to facilitate critical investments in environmental protections and resilient infrastructure projects in vulnerable communities threatened by sea level rise, coastal erosion, and flooding. It is more important now than ever before to ensure communities are prepared and well equipped to bounce back from extreme weather events as their homes, businesses, and lives lay in the path of increasingly dangerous and costly storms.

NMMA stands ready to work with you to advance this important piece of legislation that will ensure critical environmental protections and infrastructure needs are met to better prepare and protect the nation's coastlines from the effects of our rapidly changing environment.

Sincerely,

Nicole Vasilaros
Senior Vice President of Government Relations and Legal Affairs
National Marine Manufacturers Association

Nicholls State University
Office of the President
P.O. Box 2001 | Thibodaux, LA 70310 | 985.448.4003 | 985.448.4920 [F]

March 3, 2021 ***Via Electronic Transmittal Only (Kathy_Stuart@Cassidy.Senate.Gov)***

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Dear Sen. Bill Cassidy:

Nicholls State University was 50 miles away from the Gulf of Mexico when the university first opened its doors in 1948. Today, we are 24 miles away. I want to commend you for spearheading this effort to increase funding for coastal restoration and conservation.

It is not overstating the matter to say that the Coastal Louisiana community is fighting for their livelihood. Louisiana loses a football field of coastal islands and wetlands every 100 minutes and has experienced more coastal land loss than any other state in the nation since 1930, with over 1,800 square miles turned to open water. The Terrebonne Basin alone has lost over 30,000 acres of wetlands since 1932, the highest rate of coastal land loss in Louisiana.

As a university that represents eight coastal parishes, it is imperative that we get involved. We have partnered with the CPRA to build the Coastal Center to conduct and distribute coastal research throughout the state. Thanks to a grant from BOEM, we are developing a federal coastal research database that will allow scientists from all over to share and access information that can help save our coast. Our Bayou Region Incubator will foster entrepreneurship to help enact coastal projects and rebuild our coastal economy. We are facing one of the most important environmental challenges in the country today, but Colonels never retreat.

We are thankful for the funds received from GOMESA, but I fear they are not enough. The RISEE Act of 2021 is crucial for Coastal Louisiana. By eliminating the GOMESA cap and protecting it from sequestration, this would ensure a steady stream of federal dollars to aid our efforts to restore and protect our coast. This money funds the state's Coastal Master Plan, the most ambitious effort to curb coastal erosion. Additionally, the 37.5 percent of offshore wind revenues would help to protect our natural resources that help give Louisiana much of its unique identity.

I understand Congress has many legislative priorities, but I would encourage the body to recognize the gravity of this legislation. Nicholls, the Bayou Region and the state of Louisiana will continue to fight for our coast, but we will be severely handicapped without significant federal help.

On behalf of the Nicholls campus, thank you for your leadership, and keep fighting the good fight.

Sincerely,

Jay Clune
President

NLLD
North Lafourche Levee District
Protecting People, Property & Our Way of Life

PRESIDENT:
Cory Kief

EXECUTIVE DIRECTOR:
Dwayne Bourgeois

COMMISSIONERS:
Timothy Allen
Louis Andolsek, Jr.
Rodney Foret
Percy Gasery, Jr.
Cory Kief
Darcy Kiffe
Kenney Matherne
Adley Peltier
Elmo Pitre, III
Robert Pitre
Susan Testroet-Bergeron

March 3, 2021

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cassidy:

I am writing to thank you for introducing the **REINVESTING IN SHORELINE ECONOMIES AND ECOSYSTEMS (RISEE) ACT** and your continued leadership in seeking to expand OCS revenue opportunities for Texas, Louisiana, Mississippi, and Alabama, which are vital to sustaining our future along the Gulf coast.

The North Lafourche Levee District in Lafourche Parish depends on OCS Revenues to provide hurricane flood protection for the numerous families and businesses in Southeastern Louisiana. The State of Louisiana also relies heavily on OCS revenues through the GOMESA to fund its State Coastal Master Plan. With sea-level rise and an increase in hurricanes predicted to threaten our coast, now is a critical time to ensure the Gulf States receive their fair share of OCS funding. GOMESA reform and offshore wind revenue sharing opportunities in the **RISEE ACT** would supply the funds that allow our region and state to continue building levee projects, drainage systems and wetland restoration projects in order to preserve our coast, communities, and culture for generations to come.

We support the **RISEE ACT** and urge you to continue fighting for a fair share of OCS revenues and offshore wind revenue sharing opportunities. Louisiana maintains current infrastructure that supports our ecotourism, migratory bird habitat, fisheries, current energy production and is willing to produce and adapt to the resources necessary for future clean wind energy developments and other renewables. Rightfully so, the revenues derived from all energy sources should be invested into coastal protection and wetland restoration and preservation for the Gulf Coast's long-term existence. Please, contact me if the North Lafourche Levee District, through experience in flood management and resiliency, can assist you in your efforts.

Sincerely,

Dwayne Bourgeois
Executive Director
North Lafourche Levee District

Mailing address: P.O. Box 309, Thibodaux, LA 70302-0309
Physical address: 3862 Hwy 1, Raceland, LA
info@NorthLafourcheLevee.com
Phone: 985-537-2244
Fax: 877-272-4021
www.NorthLafourcheLevee.com

Northshore Legislative Delegation

March 2, 2021

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Senator Cassidy,

The Louisiana Northshore Delegation would like to thank you for your leadership on coastal restoration funding and to share our support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which would create a revenue-sharing model for offshore wind revenues and reform the Gulf of Mexico Energy Security Act (GOMESA).

GOMESA funding is the primary recurring source of revenue for the Louisiana's Coastal Master Plan, an ambitious but critical plan that sets forth coastal protection and restoration efforts to combat coastal loss. Despite Louisiana's disproportionately large impact on the country's energy needs, the state receives a small share relative to what inland state receive from onshore oil production.

We support your commitment and efforts to remove the cap on GOMESA revenue sharing to provide a full 37.5% of GOMESA revenue for Gulf Coast states. It is important to our coastal residents that our delegation work towards achieving our fair share of the roughly $5 billion produced off our shores every year.

Thank you for your continued dedication to the citizens of the Northshore parishes and the great state of Louisiana.

Sincerely,

Senator Sharon Hewitt
LA Senate District No. 1

Senator Patrick McMath
LA Senate District No. 11

Senate President Pro-Temp Senator Beth Mizell
LA Senate District No. 12

Senator J. Rogers Pope
LA Senate District No. 13

Senator Mack "Bodi" White
LA Senate District No. 6

Representative Robby Carter
LA House District No. 72

Representative Mary DuBuisson
House District No. 90

Representative Larry Frieman
LA House District No. 74

Representative Paul Hollis
LA House District No. 104

Representative Nicholas Muscarello
LA House District No. 86

Representative Richard Nelson
LA House District No. 89

Representative Bob Owen
LA House District No. 76

Representative Bill Wheat
LA House District No. 73

Representative Malinda White
LA House District No. 75

Representative Mark Wright
LA House District No. 77

PARISH PRESIDENTS OF LOUISIANA ASSOCIATION

Parishes Advocating for Coastal Endurance

March 8, 2021

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Senator Cassidy,

The Parish Presidents of Louisiana Association and Parishes Advocating for Coastal Endurance members would like to thank you for your leadership on coastal restoration funding and to share our support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which would create a revenue-sharing model for offshore wind revenues and reform the Gulf of Mexico Energy Security Act (GOMESA).

GOMESA funding is the primary recurring source of revenue for the Louisiana's Coastal Master Plan, an ambitious but critical plan that sets forth coastal protection and restoration efforts to combat coastal loss. Despite Louisiana's disproportionately large impact on the country's energy needs, the state receives a small share relative to what inland state receive from onshore oil production.

We support your commitment and efforts to remove the cap on GOMESA revenue sharing to provide a full 37.5% of GOMESA revenue for Gulf Coast states. It is important to our coastal residents that our delegation work towards achieving our fair share of the roughly $5 billion produced off our shores every year.

Thank you for your continued dedication to the citizens of the coastal parishes and the great state of Louisiana.

Sincerely,

Chairman Robby Miller, PPOL
Tangipahoa Parish President

Chairman Matt Jewell, PA E
St. Charles Parish President

Vice-Chairman Guy McInnis, PPOL
St. Bernard Parish President

Vice-Chairman Archie Chaisson, PACE
Lafourche Parish President

President Cynthia Lee Sheng
Jefferson Parish

Scott Trahan, Council President
Cameron Parish Police Jury

President David Hanagriff
St. Mary Parish

President Jaclyn Hotard
St. John the Baptist Parish

Mayor-President Sharon Weston-Broome
East Baton Rouge Parish

President Kirk Lepine
Plaquemines Parish

Mayor-President LaToya Cantrell
Orleans Parish

President Mike Cooper
St. Tammany Parish

President J. Mitchell Oursø, Jr.
Iberville Parish

President M. Larry Richard
Iberia Parish

Louisiana's federal delegation worked for many years to create the Gulf of Mexico Energy Security Act (GOMESA). These funds are vital to the coastal restoration efforts of Louisiana and coastal parishes like Plaquemines. Funds are needed to maintain Louisiana's working coast where much of the nation's energy and seafood originate. The Plaquemines Association of Business and Industry (PABI) encourages the continuation of a fair and equitable 37.5 percent of the lease revenues being shared with the state, as is being advocated by Senators Bill Cassidy and Sheldon Whitehouse.

Robert L. Thomas,
Executive Director
PABI - Plaquemines Association of Business & Industry

(c) 504-458-6167
(o) 504-393-2999

P. O. Box 908 - 8207 Hwy 23
Belle Chasse, LA 70037

P.O. Box 82880, Baton Rouge, LA 70884
Phone: 225-572-1916

March 11, 2021

United States Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cassidy:

On behalf of the 32 port members of the Ports Association of Louisiana (PAL), I write you today expressing our support of the RISEE Act of 2021.

As we understand the proposed legislation, it would correct two major deficiencies in current law:
Create a revenue sharing model for offshore wind revenues.
Unlike other forms of energy where royalties are shared with adjacent states and conservation programs, current law requires that all revenues generated from offshore wind leases and production beyond state waters are returned to the U.S. Treasury.

- Like existing revenue sharing structures, sends 37.5% of offshore wind revenue to the adjacent states where offshore wind farms are developed.
- The state funds can be used for many activities including coastal restoration, hurricane protection, or infrastructure improvements. Funding can also be used to mitigate damage to fish, wildlife, and other natural resources due to activities in the development areas. Finally, funds can be used for implementation of a federally approved marine, coastal, or comprehensive conservation management plans.
- Similar to existing revenue sharing structures, this bill dedicates funding for coastal resiliency. 37.5% of offshore wind revenues would serve as a dedicated funding source for the National Oceans and Coastal Security Fund. This Fund provides grants to coastal communities to respond to coastal erosion and sea level rise, restore coastal habitat, and make improvements to coastal infrastructure.

Reform the Gulf of Mexico Energy Security Act (GOMESA).
This section allows for a more equitable resource sharing between the states and federal conservation programs.

- Eliminates the GOMESA state revenue sharing cap, currently at $375M.
- Maintains the Land & Water Conservation Fund's state side funding, currently at $125 million.
- Makes oil and gas leases from 2000-2006 eligible for future GOMESA payments to Gulf coast states.
- Protects GOMESA revenues from sequestration.

PAL understands that without The Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act the dedicated streams of funding so desperately needed for coastal infrastructure and resiliency may not be realized in time to save our nation's most precious resource.

Sincerely,

Jennifer L. Marusak,
Ports Association of Louisiana
Executive Director

P.O. Box 2048-NSU · Thibodaux, Louisiana 70310 · (985) 448-4485 · Fax (985) 448-4486
victoria.bourque@nicholls.edu · www.restoreorretreat.org

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
The United States Senate
Washington, D.C. 20510

October 18, 2021

Dear Senator Cassidy:

We are writing in support of the **Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act** which would establish several dedicated streams of funding for coastal infrastructure and resiliency. Establishing investments like those outlined in the RISEE Act is foundational to implementing Louisiana's Comprehensive Coastal Master Plan for a Sustainable Coast, which aims to protect over two million people, dynamic wildlife habitat, a strong natural resources workforce and a vibrant culture.

As a non-profit coastal advocacy organization, we work daily to implement long term restoration solutions for Louisiana's coast, which loses up to a football field of land every 100 minutes. This has been our mission since we were established over 20 years ago, and our diverse memberships supports sustainable coastal investments along our coast to protect our coast, community and culture. To safeguard these coastal investments, through overwhelming support of the voters of Louisiana, Louisiana requires revenues derived from traditional energy sources be spent to restore and protection our coastal and coastal infrastructure, and RISEE would allow us to not only increase our current coastal investments, but also have a greater stake in establishing new investments through offshore wind leases, which we are well suited to design, build, and maintain here in the Bayou Region.

We stand ready, willing, and able to assist with finding a way to balance both the economy and environment of our working coast through sustainable coastal investments—please let us know how we can be of assistance and thank you for allowing us an opportunity to comment on this important issue.

Sincerely,
Restore or Retreat, Inc.

Victoria Sagrera Bourque
Executive Director

Executive Committee
Mike Plaisance – **President** (Plaisance Dragline and Dredging.) · Chett Chiasson– **Vice-President** (Greater Lafourche Port Commission) · Henri Boulet – **Secretary** (LA 1 Coalition, Inc.) · Robert Naquin – **Treasurer** (Latter and Blum)
Tim Allen (Apache Louisiana Minerals) · David Duplantis (DDG)
C. Berwick Duval II (Duval, Funderburk, Sundbery, Richard & Watkins)

The Honorable Bill Cassidy
United States Senator
530 Hart Senate Office Building
Washington, DC 20510

The Honorable Sheldon Whitehouse
United States Senator
520 Hart Senate Office Building
Washington, DC 20510

June 15, 2021

Dear Senators Cassidy and Whitehouse,

We are writing to offer our strong, unqualified endorsement of the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act. This important legislation will significantly expand vital coastal restoration and protection efforts across America and along the Gulf coast, providing critical funding to foster community and natural resource resilience in the face of accelerating sea level rise, extreme weather events, hurricane and flood damage, and other climate-related threats.

Recognizing that these challenges increasingly imperil coastal lands, lives, and livelihoods all across the country, they are particularly acute in coastal Louisiana, where a wetland area the size of a football field disappears into the Gulf of Mexico every 100 minutes. This existential land loss crisis poses unacceptable risks to area residents; to a uniquely important ecosystem recognized around the world for its natural, recreational, and wildlife resources; and to our nation's economy. The Louisiana coast is home to five of America's largest ports, represents nearly one-third of all commercial fisheries in the U.S., is a major destination for tourists and sportsmen, and produces fully 90 percent of the nation's offshore energy. Restore the Mississippi River Delta Coalition has worked for decades with local communities, federal and state agencies, and a broad national constituency to support policies and programs to protect and enhance these irreplaceable natural, economic, and community assets.

The RISEE Act will deliver substantial additional resources to foster resilience here and in other at-risk coastal communities and landscapes. We are particularly encouraged by the inclusion of provisions to increase the share of offshore energy revenues to Louisiana and other states under the Gulf of Mexico Energy Security Act (GOMESA). As you know, the State of Louisiana, through a constitutional amendment, has committed these revenues to restoration and resilience efforts, and the state's outstanding Coastal Master Plan ensures that the much-needed funding from your legislation will be put to work on well-vetted priority projects. With no time to lose in the battle against coastal land loss, these additional GOMESA revenues will be vital to continue and expand upon the essential work this funding stream has enabled.

We also appreciate the dedicated funding your legislation will provide for the National Oceans and Coastal Security Fund, through both GOMESA and through future revenues from offshore wind energy. By ensuring reliable annual funding for this account and facilitating nature-based climate solutions, the RISEE Act will enhance critical community and infrastructure resilience, protect and restore key habitats and natural systems, and provide for crucial monitoring of diverse impacts on coastal and marine resources. These and other funds provided in the bill will provide a considerable, necessary boost for coastal communities and states working to safeguard their residents, economies, and coastlines.

By reinvesting coastal energy revenues in coastal protection, restoration, and resilience, the RISEE Act will bring vital resources to mitigate the mounting hazards, risks, and impacts coastal communities face. We support your efforts to advance this important bill, and we look forward to working with you to see it enacted in the 117th Congress.

Sincerely,

Restore the Mississippi River Delta Coalition

Steve Cochran
Campaign Director, Restore the MRD/
Associate Vice President, Coastal Resilience
Environmental Defense Fund

Kimberly Davis Reyher
Executive Director
Coalition to Restore Coastal Louisiana

Kristi Trail
Executive Director
Pontchartrain Conservancy

Brian Moore
Vice President, Gulf of Mexico Policy
National Audubon Society

David Muth
Director, Gulf Restoration Program
National Wildlife Federation

Natalie Snider
Senior Director, Coastal Resilience
Environmental Defense Fund

IBERIA PARISH GOVERNMENT
Courthouse Building, Suite 400
300 Iberia Street • New Iberia, LA 70560-4543
(337)365-8246 • Fax (337)369-4490
www.iberiaparishgovernment.com

M. Larry Richard
Parish President

March 3, 2021

RE: RISEE (Reinvesting in Shoreline Economies and Ecosystems) Act of 2021

To Whom It May Concern:

Please accept this letter as acknowledgement and support of the RISEE Act, introduced by Senator Cassidy and Senator Whitehouse.

As everyone knows, Louisiana's coast is a critical region of our country and its restoration, protection, and preservation are essential to its communities, economies, and ecosystems. Despite its value, the viability of Louisiana's coast is threatened by a land loss crisis and growing hurricane vulnerability. Thanks to the Gulf of Mexico Energy Security Act (GOMESA) our state and our parish have dedicated revenues to invest in its longevity.

Using GOMESA funding, Louisiana is able to invest in hurricane protection projects and ecosystem restoration projects that pre-emptively protect our communities and ensure the longevity of our coastal ecosystems and coastal industries. Under the RISEE Act the ability of our state and our parish to make these investments would be enhanced and so would the resilience of our coast.

Whether drawing from existing energy sources like oil and gas production or future renewable energy generation, it is only right that the communities that host and support that energy development share in revenues they create. The RISEE Act recognizes that relationship and in so doing provides Louisiana and Iberia Parish with funding to adapt to the changes needs of our changing coast.

Louisiana and Iberia Parish are committed to the protection and restoration of our coast and strongly support the RISEE Act and its contributions to that essential cause.

Sincerely,

M. Larry Richard, Iberia Parish President

RIVER REGION CHAMBER OF COMMERCE

March 3, 2021

Senator Bill Cassidy
520 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Senator Cassidy:

The River Region Chamber of Commerce, representing over 350 businesses, serves as the voice of business for the River Parishes. With a mission to "Grow, Strengthen and Unify business in St. James, St. John, and St. Charles Parishes, we write to respectfully offer support for your efforts to seek parity in revenue sharing from our natural resources. We are in support of the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, as well as Reform of the Gulf of Mexico Energy Security Act (GOMESA). We acknowledge the timeliness of these efforts as it will help increase funds for our coastal restoration and hurricane protection projects in our great state.

As we continue to be supportive of local economic development efforts, we strongly believe in protecting existing and future investments within our region and beyond. The Gulf of Mexico is truly an asset as it represents one of the largest offshore wind markets in the nation. We believe RISEE allows an opportunity to foster growth and prosperity to economic development through offshore wind and coastal restoration and protection.

Sincerest thanks for your ongoing representation of our best interest of Louisiana. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Chassity McComack
Executive Director

Bub Millet
2021 Public Policy Chair

390 Belle Terre Blvd., LaPlace, LA 70068
PH: 985-359-9777 FAX: 985-359-9778
www.riverregionchamber.org

Officers & Directors

Stuart Faucheux
President
Express Supply & Steel

Mitch Marmande
Executive Vice President
Delta Coast Consultants

Joni Tuck
Vice President
Shell

Charles Theriot
Treasurer
Charles C. Theriot & Co. CPA's

Eric Bollinger
Secretary
Bollinger Shipyards

JJ Buquet
Director
Buquet Distributing

Dean Cheramie
Director
D & S Marine Service and Beacon NDT Services

Matthew Newchurch
Duplantis Design Group
Director

Kristine Strickland
Director
Fletcher Technical Community College

Chett Chiasson
Past President
Greater Lafourche Port Commission
Port Fourchon

Christy Naquin
SCIA Executive Director

Kathy Doiron
SCIA Assistant Director

March 8, 2021

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
The United States Senate
Washington, D.C. 20510

Dear Senator Cassidy:

The South Central Industrial Association (SCIA), our 225 member companies and their 240,000 employees, are directly involved in the oil, gas, marine and energy service industries. They are the economic driver of the state and are powering American energy production in the US Gulf of Mexico. SCIA advocates on their behalf for levee protection, infrastructure, regulatory issues, workforce development, coastal preservation, and coastal restoration, all of which are funded through the oil and gas revenues. Additionally, a growing segment of our membership are employed in the water management and coastal restoration industries. Both of seemingly disparate economic clusters have a great common denominator – they are both powered by robust offshore energy exploration and production and the existing revenues directed to coastal restoration and protection via GOMESA.

Today we write in support of the **Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act** which would establish several dedicated streams of funding for coastal infrastructure and resiliency derived from offshore energy production of all types of sources including traditional oil and gas as well as offshore wind. Establishing investments like those outlined in the RISEE Act is foundational to implementing Louisiana's Comprehensive Coastal Master Plan for a Sustainable Coast, which aims to protect our communities, businesses, and vibrant culture.

Louisiana's Bayou Region is the home of deepwater oil and gas business because of our innovative people and our unique coastal landscape providing the geography, assets, and base of development for oil and natural gas exploration, production, and refining. This extensive network of people, places and infrastructure also positions Louisiana's Bayou Region as the natural place to serve as a hub of offshore wind and renewable energy production as well, and our people and businesses stand ready to foster and support the development of this new industry.

It is only appropriate that SCIA and our members support the RISEE Act's efforts to ensure the revenues generated off our coast from all sources are shared equitably in ways that allow us to continue to fund the infrastructure required to protect our communities and working coast.

We stand ready, willing, and able to assist with finding a way to balance both the economy and environment of our working coast through sustainable coastal investments—please let us know how we can be of assistance and thank you for allowing us an opportunity to comment on this important issue.

Sincerely,

Christy Alley Zeringue
Executive Director

ST. JOHN THE BAPTIST PARISH

From the Office of Parish President Jaclyn Hotard

March 10, 2021

The Honorable Bill Cassidy, M.D.
United States Senator for Louisiana
520 Hart SOB
United States Senate
Washington, D.C., 20510

Dear Senator Cassidy:

On behalf of St. John the Baptist Parish, I am pleased to support the GOMESA revenue sharing components of your proposed Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act. This creative policy action is an outstanding opportunity to leverage offshore energy activities into protection and restoration for Louisiana's coast, and you have my full support.

St. John the Baptist Parish is intent on aligning with the goals of Louisiana's Master Plan for a Sustainable Coast by protecting its residents through coastal preservation and restoration measures. The Parish is home to nearly 100 thousand acres of forested wetlands (71% of our total land area) that act as both a buffer to storm surge and a retention area for flood waters. The Parish has utilized its allocated GOMESA funds to contract the design and construction of a shoreline protection structure that will better preserve a vulnerable portion of these wetlands. I firmly believe that successful adoption of the RISEE Act will help St. John the Baptist Parish and its coastal neighbors better protect and preserve more natural resources in the future.

I strongly support the Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act for increased protection of Louisiana's critical coastline. Please let me know if I can provide any additional support for this exciting endeavor.

Sincerely,

Jaclyn Hotard, Parish President
St. John the Baptist Parish

1811 West Airline Highway | LaPlace, Louisiana 70068 | 985-652-9569 | Fax 985-652-4131 | www.sjbparish.com

ST. TAMMANY CHAMBER OF COMMERCE

The Honorable Bill Cassidy
520 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

March 2, 2021

Dear Senator Cassidy,

On behalf of the St Tammany Chamber of Commerce, I would like to thank you for your leadership on coastal restoration funding and to share our support for Congressional action to achieve an increased share of Outer Continental Shelf (OCS) revenue for Louisiana and it's coastal parishes through the Gulf of Mexico Energy Security Act of 2006 (GOMESA).

GOMESA funding is the primary recurring source of revenue for Louisiana's Coastal Master Plan, an ambitious but critical plan that sets forth coastal protection and restoration efforts to combat coastal loss. Despite Louisiana's disproportionately large impact on the country's energy needs, the state receives a small share relative to what inland states receive from onshore oil production. Under GOMESA, Alabama, Louisiana, Mississippi, and Texas together share 37.5% of the revenue generated from oil and gas production offshore in the Gulf of Mexico, capped at $375 million shared between the four states annually, and with restrictions on which OCS leases are eligible for GOMESA revenue-sharing. Meanwhile, under the Mineral Lands Leasing Act of 1920, oil and gas revenues generated onshore on federal lands are shared at 50% with inland states without any caps on the revenue. We understand that in 2018 New Mexico alone received a little over $630 million, and Wyoming received approximately $560 million. By contrast, in 2018 only 4.97% of federal Gulf of Mexico oil and gas revenues were shared with Louisiana, Texas, Mississippi, Alabama combined-approximately $188 million for all four states.

We were encouraged to see two recently introduced bills to help rectify this discrepancy, one of which you introduced: S. 2418, Conservation of America's Shoreline Terrain and Aquatic Life (COASTAL) Act, introduced by you along with Senator Murkowski and cosponsored by Senators Kennedy Wicker, Jones, and Sullivan; and H.R. 3814, Domestic Offshore Energy Reinvestment Act of 2019, introduced by Congressmen Richmond and Graves. Thank you, Senator Cassidy, for your leadership on this critical issue for Louisiana.

We are proud to serve as the Chamber of Commerce for St. Tammany Parish, and, with our partner organizations, to represent a region the contributes so much energy security of the nation. Because Louisiana is home to 30% of the nation's wetlands and 90% of its wetland loss-a crisis that impacts communities, ecosystems, and the very economic engines that contribute to the nation's energy security- we believe strongly that any legislation directing federal mineral revenues must not do so at the expense of Louisiana's coastal funding. Rather, Congress should ensure the Louisiana receives its fair share of GOMESA funds. We fully support S. 2418 and H.R. 3814, and wish to thank you for your continued work to fight for Louisiana's coast and people.

Sincerely,

Lacey Osborne

Lacey Osborne
President & CEO
St. Tammany Chamber of Commerce

Our Business is Your Success!

610 Hollycrest Boulevard | Covington, LA 70433
2220 Carey Street| Slidell, LA 70458
985-892-3216 | fax 985-893-4244 | www.sttammanychamber.org

ST. TAMMANY PARISH DEVELOPMENT DISTRICT

BOARD OF COMMISSIONERS
Marty Mayer, *President*
Mike Tillman, *Vice President*
Michael Gambrell, *Secretary/Treasurer*
Scott Biggers
Joan Coffman
Scott Day
Al Hamauei
Oscar Hernandez
Bruce Javery
Bill Newton
Dr. William Wainwright

CHIEF EXECUTIVE OFFICER
Christopher A. Masingill

21489 Koop Drive, Suite 7
Mandeville, LA 70471
985.809.7874

sttammanycorp.org

March 3, 2021

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Senator Cassidy,

On behalf of St. Tammany Corporation/St. Tammany Parish Development District, we are writing today to express our support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which seeks to reform the Gulf of Mexico Energy Securitization Act (GOMESA) and create a revenue sharing program from future offshore wind development in federal waters. We support and champion GOMESA and offshore wind, and we celebrate your efforts to achieve a more equitable resource sharing between the states and federal conservation programs while simultaneously fighting to capture the revenues generated from offshore wind leases and production. We believe that there is no better time to ensure parity for Louisiana and increased funds for our coastal restoration and hurricane protection projects and infrastructure improvements.

As the lead economic development organization for St. Tammany Parish, we are deeply invested in measures that create more revenue for the sustainability of vital aspects of our economy, such as coastal resiliency. GOMESA is a critical funding source for Louisiana's comprehensive Coastal Master Plan, which we advance as a mechanism to protect existing and future investment in Louisiana and develop an exportable knowledge-based industry and specialized workforce. Additionally, the Gulf of Mexico represents one of the largest offshore wind markets in the nation, so it is critical that our state is positioned to economically benefit from the production and leases yielded from offshore wind. Accordingly, we support the passage of the RISEE legislation, as its current posture truly captures present and future opportunities to foster economic development through offshore wind and coastal restoration and protection.

We sincerely appreciate your ongoing efforts to work in the best interest of the State of Louisiana. If we can be of further assistance, please do not hesitate to ask.

Sincerely,

Chris Masingill
Chief Executive Officer

Marty Mayer
President

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-6499

COUNCIL SPONSOR: LORINO/AIREY PROVIDED BY: COUNCIL OFFICE

RESOLUTION IN SUPPORT OF THE RISEE ACT OF 2021 BY SENATOR CASSIDY (R-LA) & SENATOR WHITEHOUSE (D-RI).

WHEREAS, many of the energy resources enjoyed by the entire United States are dependent upon the health of Gulf Coast ecosystems which provide access to those resources and related infrastructure and protection for communities that house its workforce; and

WHEREAS, the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act would establish several dedicated streams of funding for coastal infrastructure and resiliency in order to protect vulnerable communities and businesses most impacted by sea level rise and coastal erosion; and

WHEREAS, the RISEE Act creates a new revenue sharing model from future offshore wind development in federal water adjacent to coastal states; and

WHEREAS, unlike for other forms of energy for which royalties are shared with adjacent states and conservation programs, current law requires that all revenues generated from offshore wind leases and production beyond state-adjacent waters be returned to the U.S. Treasury; and

WHEREAS, the RISEE Act would send 50% of offshore wind revenue to the adjacent states, based on a formula developed by the Secretary of Interior inversely proportional to the distance from the wind farms; allow state funds to support coastal restoration, hurricane protection, or infrastructure improvements; mitigate damage to fish, wildlife, and other natural resources, including through fisheries science and research; implement federally approved marine, coastal, or comprehensive conservation management plans; and protect the state revenues from sequestration; and

WHEREAS, the RISEE Act makes improvements to the National Oceans and Coastal Security Fund (NOCSF), and also dedicates a portion of wind energy revenues to the NOCSF; and

WHEREAS, the RISEE Act will also lift the cap on the state-side portion of the Land & Water Conservation Fund (LWCF) and directs a portion of funds to NOCSF; and

WHEREAS, all coastal and Great Lake States would benefit as a result of the RISEE Act's enactment; and

WHEREAS, the RISEE Act makes needed improvements to the Gulf of Mexico Energy Security Act (GOMESA) of 2006 and allows for a more equitable resource sharing between the states and federal conservation programs; and

WHEREAS, the RISEE Act eliminates states' GOMESA revenue sharing cap, currently at $ 375 million; increases the amount of GOMESA revenue shared with states from 37.5 percent to 50%; lifts the LWCF's state side funding cap of $ 125 million; makes oil and gas leases from 2000-2006 eligible for future GOMESA payments of Gulf coast states; protects GOMESA revenues from sequestration; and

WHEREAS, the RISEE Act does not incentivize or mandate energy production. Rather, for the first time, creates parity in revenue sharing with states and establishes revenue sharing for offshore wind in federal waters. States with onshore oil and gas drilling have benefitted from generous revenue sharing policy for decades, while GOMESA states lack the same treatment. Under the RISEE Act, improvements to revenue sharing policy provides robust, dedicated reinvestment into the ecosystems and communities that support energy production; and

WHEREAS, for Louisiana coastal parishes, the GOMESA revenue stream is a critical recurring source of revenue that allows us to address our coastal protection and restoration needs. The State of Louisiana has been a great partner in addressing some of our needs, but the funds that are allocated

directly to the parishes have allowed us to have a seat at the table when discussing future coastal protection and restoration projects.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the Parish Council fully supports the Reinvesting in Shoreline Economies and Ecosystems Act, which would establish several dedicated streams of funding for coastal infrastructure and resiliency in order to protect vulnerable communities and businesses most impacted by sea level rise and coastal erosion.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: MR. DAVIS SECONDED BY: MR. FITZGERALD

YEAS: DEAN, FITZGERALD, CAZAUBON, LORINO, TANNER, DAVIS, M. SMITH, O'BRIEN, STEFANICK, AIREY, T. SMITH (11)

NAYS: (0)

ABSTAIN: (0)

ABSENT: TOLEDANO, CANULETTE, BINDER (3)

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 5 DAY OF AUGUST , 2021, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

ST. TAMMANY PARISH
MICHAEL B. COOPER
PARISH PRESIDENT

March 2, 2021

U.S. Senator Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cassidy:

On behalf of St. Tammany Parish Government, we would like to thank you for your leadership and offer our full support for the Reinvesting in Shoreline Economies and Ecosystems (RISEE) Act, which would create a revenue-sharing model for offshore wind revenues and reform the Gulf of Mexico Energy Security Act (GOMESA).

We support your commitment and efforts to remove the cap on GOMESA revenue sharing to provide a full 37.5% of GOMESA revenue for Gulf Coast states. It is important to the residents of Louisiana and St. Tammany Parish that our delegation work towards achieving our fair share of the roughly $5 billion produced off our shores every year.

In addition, we support your commitment and efforts to increase revenue to the National Oceans and Coastal Security Fund to provide 37.5% of offshore wind revenues to the Fund, which will benefit all coastal and Great Lake states.

Thank you for your continued dedication to the citizens of St. Tammany Parish and the State of Louisiana.

Regards,

MICHAEL B. COOPER
Parish President

MBC/bc

OFFICE OF THE PARISH PRESIDENT
P.O. BOX 628 | COVINGTON, LOUISIANA | 70434 | MCOOPER@STPGOV.ORG | 985 898-2362
WWW.STPGOV.ORG

OFFICE OF THE PARISH PRESIDENT
TERREBONNE PARISH CONSOLIDATED GOVERNMENT
P.O. BOX 6097
HOUMA, LOUISIANA 70361-6097

GORDON E. DOVE
PARISH PRESIDENT

(985) 873-6401
FAX: (985) 873-6409
E-MAIL: gdove@tpcg.org

March 1, 2021

The Honorable Bill Cassidy, M.D.
520 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cassidy:

On behalf of Terrebonne Parish Consolidated Government, I want to thank you for understanding the dire coastal issues facing Louisiana, and in particular Terrebonne Parish. Obviously, your understanding of these issues has led you to introduce S. 2418, CONSERVATION OF AMERICA'S SHORELINE TERRAIN AND AQUATIC LIFE (COASTAL) ACT. If passed, this bill will increase OCS revenues to the Gulf coast and provide Louisiana and its coastal parishes with additional revenue to restore and preserve our coastal resources.

As you know, only a small portion of OCS leases active since 2006 are eligible for revenue sharing with the Gulf states under the Gulf of Mexico Energy Security Act (GOMESA). Currently under GOMESA, the Gulf states and their political subdivisions receive 37.5 percent, far short of the needed 50%, of such federal revenue. In addition, the states receiving these funds are capped at a total of $375 million of revenue sharing annually. Recently, his resulted in only 4.97 percent of these offshore mineral revenues shared with Louisiana, Texas, Mississippi, and Alabama combined.

There is no question that Louisiana's ambitious, but vital coastal protection and restoration program needs more, not less, federal OCS mineral revenue sharing. Legislation directing federal mineral revenues to be allocated automatically and annually to non-coastal related federal programs or other causes should not do so at the expense of Louisiana's coastal program nor should such allocations limit the increased revenue sharing that Louisiana should receive under GOMESA.

For Terrebonne Parish, as well as for all Louisiana coastal parishes, the GOMESA revenue stream is a critical recurring source of revenue that allows us to address our coastal restoration and protection needs. To be sure, the State of Louisiana has been a great partner in addressing some of our needs, but the funds that are allocated directly to the parishes have allowed us to have a seat at the table when discussing future coastal restoration needs.

Please know that Terrebonne Parish fully supports Senate Bill 2418 and its House companion Bill 3814 which seek to increase GOMESA revenue sharing with the Gulf Coast States to a level that is comparable to the revenue sharing formula enjoyed by onshore mineral production states.

Senator Cassidy, I encourage you to continue your fight for a fair share of OCS revenue dedicated to the Gulf Coast.

Do not hesitate to contact me if Terrebonne Parish or me personally can be of assistance in your efforts.

Respectfully,

Gordon E. Dove, Parish President

Cc: Parish Council.

LOUISIANA HOUSE OF REPRESENTATIVES

March 3, 2021

The Honorable Bill Cassidy
520 Hart Senate Office Building
United States Senate
Washington, DC 20510

Re: Letter of Support for Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act

Dear Honorable Bill Cassidy,

Please accept this my letter of support for your Reinvesting in America's Shoreline Economies & Ecosystems (RISEE) Act. I appreciate all you do to protect Louisiana's Shoreline.

With kindest regards, I remain,

Sincerely,

Jerome "Zee" Zeringue
Appropriations Chairman
State Representative, District 52

Senator CASSIDY. In the last two years, Louisiana has been hit by several hurricanes and tropical storms, including Hurricane Laura, which was the most powerful storm to make landfall in Louisiana, and most recently Hurricane Ida, with recorded wind gusts of more than 220 miles per hour. These storms exacerbate a land-loss crisis that threatens ecosystems, communities, local economies, ways of life, and increases the risk of flooding. Coastal communities use the resources from offshore revenue sharing to restore our coastlines. By the way, the Louisiana State Constitution requires that this money be used to rebuild these coastlines.

This is good legislation that I encourage my colleagues to support. Thank you for holding the hearing, and I yield.

Senator CORTEZ MASTO. Senator Hyde-Smith.

OPENING STATEMENT OF HON. CINDY HYDE-SMITH, U.S. SENATOR FROM MISSISSIPPI

Senator HYDE-SMITH. Thank you, Madam Chairman.

As a member from a Gulf Coast State, I am thankful to have the opportunity to talk about this very important bill that would benefit not just my state, but all Gulf Coast States that are currently recovering from recent disasters such as Hurricane Ida. As my colleague just mentioned, Senate 2130, or the RISEE Act, would establish several dedicated streams of funding for coastal infrastructure and resiliency in order to protect vulnerable communities and businesses most affected by sea-level rise and coastal erosion. The bill makes improvements to the National Oceans and Coastal Security Fund, and also dedicates a portion of wind energy revenues to that fund. This bill also provides important reforms to the Gulf of Mexico Energy Security Act, GOMESA, to allow for a greater state share of revenue from Gulf energy production. It also lifts the caps on the State Side portion of the Land and Water Conservation Fund and directs a portion of funds to the NOCSF.

I look forward to hearing from our witnesses and urge my colleagues to support this important bipartisan legislation, and I certainly appreciate the work that has been done on this. It is really needed in our Gulf States.

Senator CORTEZ MASTO. Thank you.

Now we will turn to Senators Sheldon Whitehouse and Alex Padilla. Welcome to the Committee.

Senator Whitehouse, you are invited to make your statement.

OPENING STATEMENT OF HON. SHELDON WHITEHOUSE, U.S. SENATOR FROM RHODE ISLAND

Senator WHITEHOUSE. Thank you, Chairman. I am delighted to have the chance to be here before the Subcommittee, and I am delighted to be recommending this legislation developed with your member and my friend, Senator Cassidy.

As I think the entire Committee knows, the Biden Administration has pledged to develop 30 gigawatts of offshore wind, and almost all of that development is going to take place along the northern Atlantic coast. So states like Rhode Island, and frankly from Maine all the way down through the Carolinas, have a very strong interest in making sure that as this proceeds, there is fairness and revenue to the host states that will be supporting this offshore

wind development. At the moment, if we were to develop an oil and gas fixture offshore, we would fit into an existing, robust, well-established revenue template for the revenues associated with that facility. When it is offshore wind, it is new. And so we are at a very distinct disadvantage as those neighboring states, as offshore wind develops, compared to the states that have oil and gas facilities offshore. So point one is that we need to provide that fairness and that revenue to the adjoining states.

Point two is that coasts and oceans are going to be the focus of much of our attention in the years ahead as enormous changes come to oceans and coasts, primarily because of climate change. I am a big fan of the Land and Water Conservation Fund, but my friend Senator Heinrich has been with me on the Floor, and Senator Cassidy has been very active on this as well. The Land and Water Conservation Fund is very good for upland projects and it is very good for freshwater projects. It is not helpful or rarely helpful for coastal or offshore preservation. That is really overlooked. And so what we do with some of this new funding is to try to stand oceans and coasts to a place that is more even with upland and freshwater through the Land and Water Conservation Fund, and that is by growing the National OCSF, the Oceans and Coast Security Fund. So this will do that by sending 37.5 percent of offshore wind revenues to that fund, but that is going to take a while to stand up, and in the meantime we also add 12.5 percent of GOMESA funds to that fund.

The third thing that this does, consistent with the desire to develop more clean, renewable offshore wind, is that it would remove a really bleak disincentive that Gulf States would face. By bringing the two funding platforms level, a Gulf State can say, "Well, I can license offshore wind and I can license the existing oil and gas and I can make that decision on the merits because the dollars are the same." Absent this bill, those states will get 37.5 percent for oil and gas development and they will get completely skunked for offshore wind. It is completely inconsistent with President Biden's goals to have that disincentive persist.

The last thing is that the Gulf Coast—this is a bipartisan bill and we want to keep it a bipartisan bill—and the Gulf Coast gets some value out of this. It gets lifts in the caps that otherwise would stop the formula money that goes to various uses. It lifts from 37.5 to 50 percent, the amount of money that goes to the states as it would for the offshore wind. They stay in parity. And as the troubles that we all know we are facing—the oil and gas industry—come at us, I think it is important for these states to get this additional revenue to help them deal with the transition. So I support those programs as an important part of the deal. We need to help these states stabilize revenues that will fall and we need to help these states, including mine in this case, fund coastal needs that will rise.

So I am very grateful to Senator Cassidy for his work on all of this. I think we have a terrific compromise here, and I think it solves two really vital problems that are environmental problems. One, it is really hard to get offshore wind going in the Gulf if you are giving those states zero while you are still rewarding oil and gas development. And two, it is really hard to deal with the coastal

and oceans issues that are so pressing right now without robbing from the Land and Water Conservation Fund, which already is fully subscribed, and that is why you need the funding to go to this new vehicle. And I want to thank Senator Heinrich for joining us in all of this. I know his state is much squarer than mine and has no coast, but he does love the oceans too and he understands the importance of this.

Thank you, Madam Chair.

Senator CORTEZ MASTO. Thank you.

Senator Padilla.

Senator WHITEHOUSE. Oh, may I ask unanimous consent that a letter from my Governor and from the Governor of the State of Massachusetts be included in the record?

Senator CORTEZ MASTO. Without objection.

[The letter mentioned by Senator Whitehouse follows:]

October 18, 2021

The Honorable Joe Manchin, III
Chair, Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

The Honorable John Barrasso
Ranking Member, Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

RE: S.2130 - RISEE Act of 2021

Dear Congressional Leaders:

We write to offer our strong support of Senate Bill 2130, Reinvesting in Shoreline Economies and Ecosystems Act (RISEE) of 2021.

With 8.6 million Americans living in areas susceptible to coastal flooding and more than $1 trillion in homes and other structures that sit within feet of the current waterline, we need a serious program to combat rising sea levels in our communities.

Current law requires all revenue generated from offshore wind leases and production beyond state waters to be returned to the U.S. Treasury. Senate Bill 2130 establishes dedicated streams of revenue to be distributed to states to invest in projects that address coastal restoration, hurricane protection, infrastructure improvements and mitigation of damage to fish, wildlife, and other natural resources.

While our states would surely benefit from this legislation, it should be noted that all coastal and Great Lakes states would benefit as a result of its enactment. We were pleased to see Senator Whitehouse introduce the RISEE Act with strong bipartisan support as it demonstrates the shared interest of lawmakers from all corners of the country.

Americans living in many of our coastal states are already seeing the effects of climate change. We urge you to pass the RISEE Act of 2021 and give states the resources they need. We look forward to working with you as legislation progresses to address this issue and support our coastal communities.

Sincerely,

Daniel J. McKee
Governor

Charles Baker
Governor

CC: The Honorable Members of the Senate Committee on Energy & Natural Resources
The Honorable Senator Sheldon Whitehouse

OPENING STATEMENT OF HON. ALEX PADILLA, U.S. SENATOR FROM CALIFORNIA

Senator PADILLA. Thank you, Chair Cortez Masto and Ranking Member Lee, for allowing me to join you today to testify on my bill, the PUBLIC Lands Act, which would expand protections for over one million acres of federal public lands in California. This is one of the first bills I introduced upon joining the U.S. Senate. The public lands and natural spaces in California, I am sure, on your prior visits, you would agree, are some of the greatest national treasures, from the San Gabriel Mountains in southern California, to the Carrizo Plain in central California, to the northern California Redwoods. These lands are not just precious for their beauty, but also for their biodiversity and the role that they play in keeping our environment a healthy one.

The four points I want to make today speak to science, equity, natural disasters, and local support. First, the science. The science is clear. To adequately address the climate crisis, we must protect natural spaces. The PUBLIC Lands Act will help California and the nation meet our stated benchmark goals of conserving 30 percent of lands and 30 percent of waters by the year 2030. Protected lands are our best natural weapon for capturing carbon from the atmosphere, reducing emissions, and ensuring clean air for all. With the new wilderness designations called for in this bill, we can restore forests and rivers that are home to many endangered species while also helping species adapt to our changing climate.

Second, as we protect the environment, this bill will also promote equity. Public lands are exactly that—they belong to the public. But as we all know, too many children, too many families, especially in communities of color, grow up without sufficient access to outdoor spaces and opportunities. Nationwide, nearly three-quarters of people of color live in nature-deprived communities. I'll give the biggest example of them all—Los Angeles County, the most populous county in America, and one of the most densely populated regions of the country, has one of the lowest rates of park access at only 3.3 acres of park space per 1,000 people. That is half of the median in other high-density cities. We need to create improved recreational access for the more than 17 million people who live in the greater Los Angeles area and for them to share in our state's incredible natural surroundings. The PUBLIC Lands Act would expand protections for public lands and rivers near communities that have limited access to parks and the outdoors. I'll give you another specific example in the bill. This legislation would support recreation along the urban section of the San Gabriel River, which runs through the heart of the park-poor San Gabriel Valley. On the Central Coast, this bill would increase accessibility to world-class nature for the communities of Santa Maria, Fillmore, and others nearby that have limited access to the outdoors.

Third, this legislation would increase the Federal Government's support for wildfire management. We know how critical that is. And for drinking water conservation, and we know how critical that is throughout the West, not just in California. This summer alone—you saw the news—too many families were forced to flee their homes or breathe in smoke and ash because of yet another year of record wildfires. Wildfire mitigation and healthy forest

management have always been of critical importance to Californians, but they are even more important today, given our changing climate. That is why this bill has deeply considered the issue of fire and includes provisions to improve wildfire management. No provision of this legislation undermines or prohibits appropriate fuels management by the appropriate federal agencies. I also want to highlight that fire suppression is allowed in every designation type in this bill.

Severe droughts are also threatening our water supply, and the PUBLIC Lands Act would permanently safeguard critical water sources statewide. The bill would protect over 500 miles of free-flowing rivers and streams, and it would expand protections for critical watersheds such as the Angeles National Forest, which provides a full third of Los Angeles County's drinking water—again, a full third of the drinking water for the most populous county in America. And climate change is the reason we face these extreme weather events and natural disasters more severely and more frequently. This bill would help us fight the underlying causes of climate change and address the challenges that we are facing today.

Finally, I want to highlight the local support for this bill in California. In fact, this measure is the result of years of community engagement and enjoys the support of hundreds of local advocates, business leaders, and community groups who have developed these proposals from the ground up. Communities in California are asking us to preserve their backyards for future generations. We need this investment to support a sustainable future in California, and I look forward to working with this Committee to swiftly advance this measure to the full Senate for consideration. Now is the time to protect California's wild spaces for generations to come.

Thank you again for allowing me to address you today.

Senator CORTEZ MASTO. Thank you. Thank you, both.

Now we will move to the witness panel to receive their testimony on the bills before us today.

First, we will hear from Dr. Steve Feldgus, the Deputy Assistant Secretary for Lands and Minerals Management at the U.S. Department of the Interior, and then after Dr. Feldgus, we will hear from Mr. Christopher French, the Deputy Chief for the National Forest System at the U.S. Forest Service.

Dr. Feldgus.

OPENING STATEMENT OF DR. STEVE FELDGUS, DEPUTY ASSISTANT SECRETARY, LAND AND MINERALS MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR

Dr. FELDGUS. Thank you, Chairwoman Cortez Masto, Ranking Member Lee, and members of the Subcommittee. My name is Steve Feldgus. I am the Deputy Assistant Secretary for Land and Minerals Management at the Department of the Interior. Thank you for the opportunity to discuss the legislation before us today. Several of these bills include provisions that align with important Administration priorities, and we look forward to continuing to work with the sponsors and the Subcommittee on these bills. I will briefly touch on the ten bills on the agenda concerning the Department of the Interior.

S. 180, the Buffalo Tract Protection Act, would withdraw about 4,200 acres of BLM land near Placitas, New Mexico from mineral development. S. 180 aligns with the Administration's conservation goals and the Department supports the bill.

S. 528, the La Paz County Solar Energy and Job Creation Act, proposes to convey approximately 4,800 acres of BLM-managed land to La Paz County, Arizona at fair market value. The Department supports the sponsor's stated goals of promoting solar energy development, but has some concerns with the approach of the bill. We would welcome the opportunity to work with the sponsors on a few modifications, including the exclusion of an important electric transmission corridor from the conveyance.

S. 607, the End Speculative Oil and Gas Leasing Act, generally prohibits the BLM from leasing oil and gas resources on lands that have been identified as having low or no oil and gas potential in the BLM and Forest Service land-use planning process. The bill also establishes a process to review and update future oil and gas resource projections. The Department supports the bill's goals to update the federal onshore oil and gas leasing program, and in short, it is serving in the best interest of the American taxpayer. We would appreciate the opportunity to work with the sponsor on a number of technical modifications to aid in the bill's implementation.

S. 1214, the State Grazing Management Authority Act, requires the Secretary of the Interior to enter into cooperative agreements with states to administer grazing allotment management plans on federal lands. The Department shares the sponsor's interest in identifying opportunities for increasing efficiencies in grazing administration. However, the Department cannot support S. 1214, as it unduly limits the Federal Government's authority and ability to ensure appropriate stewardship of our nation's public lands.

S. 1411, the Lander County Land Management and Conservation Act, conveys approximately 21,000 acres of federal lands to Lander County, Nevada. It also designates over 14,000 acres of wilderness and releases approximately 12,000 acres from wilderness study area status. The Department supports the conservation goals of S. 1411, and we would like to work with the sponsors on some modifications, including certain changes to the bill's conveyance provisions.

S. 1459, the Protecting Unique and Beautiful Landscapes by Investing in California Lands Act, or the PUBLIC Lands Act, designates nearly 600,000 acres of wilderness, including over 97,000 acres of land managed by the Bureau of Land Management and 31,000 acres of land managed by the National Park Service. The bill also would designate over 500 miles of wild and scenic rivers. S. 1459 aligns with the Administration's goal to conserve America's lands and waters. The Department of the Interior supports the bill.

S. 1589, the Oregon Recreation Enhancement Act, would establish two new recreation areas encompassing nearly 130,000 acres of BLM-managed public lands and expand the Wild Rogue Wilderness by adding approximately 60,000 acres of BLM-managed lands in western Oregon. The bill would also withdraw from mining approximately 101,000 acres of federal lands. The Department sup-

ports the sponsor's efforts to promote outdoor recreation, designate wilderness, and protect the Southwest Oregon watershed.

S. 2130, the Reinvesting in Shoreline Economies and Ecosystems Act, dedicates a percentage of offshore wind revenues to the National Oceans and Coastal Security Fund, eliminates the cap on state revenue sharing under the Gulf of Mexico Energy Security Act, and increases the percentage of revenues shared with states. The Department supports efforts to advance offshore wind development as well as funding programs for increasing coastal adaptation and resilience to climate change. However, the Department would like to work with the Committee to address the impacts from diverting revenues necessary to carry out authorized activities.

S. 2433, the Federal Land Asset Inventory Reform Act, or FLAIR Act, directs the Department to develop a multipurpose register of all federal real property assets and eliminate duplicative data systems across the Federal Government. The Department is working to update and modernize our land ownership information systems, and we support the provisions of the bill that align with those efforts.

S. 2524—the Department has submitted a statement for the record on S. 2524, which would amend the Alaska Native Claims Settlement Act concerning eligibility for certain need-based federal programs.

The Department looks forward to continuing to work with the Committee and the Congress on the important public lands issues addressed in these bills. Thank you again for the opportunity to be here today. I look forward to your questions.

[The prepared statement of Dr. Feldgus follows:]

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
S. 180, Buffalo Tract Protection Act

October 19, 2021

Thank you for the opportunity to testify on S. 180, the Buffalo Tract Protection Act. The bill would withdraw about 4,200 acres contained in four parcels of public land managed by the Bureau of Land Management (BLM) near Placitas, New Mexico, from location, entry, and patent under the mining laws; and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials. S. 180 aligns with the Administration's conservation goals, and the BLM supports the bill.

Background

The lands proposed for withdrawal are located in close proximity to Placitas, New Mexico, which is an unincorporated area of Sandoval County, just north of Albuquerque. The population of the region has grown significantly in recent years, raising community concerns about the potential impacts of additional gravel mining in the area. The area is used for a variety of recreation activities.

S. 180 identifies the four parcels for withdrawal as tracts A (3,127 acres), B (903 acres), C (201 acres), and D (57 acres). Tract A is referred to as the "Buffalo Tract" and is used for hiking, off-highway vehicles (OHVs), and recreational shooting. The Buffalo Tract contains sand and gravel ridges and arroyos with juniper trees, shrubs, and grasses. Approximately 25 percent of tract A has been mined and reclaimed to date. Tract B is known as the "Crest of Montezuma" and is characterized by moderately steep slopes with pinyon and juniper trees intermixed with shrubs and sparse grasses. Tract C, which does not have a specific name, is similar in topography to the Buffalo Tract and is a common hiking area for local community members. Tract D, referred to as "San Francisco," is named after the arroyo that runs through it, and has terrain similar to that of the Buffalo Tract.

S. 180, Buffalo Tract Protection Act

S. 180, the Buffalo Tract Protection Act, would, subject to valid existing rights, withdraw four tracts totaling approximately 4,200 acres of Federal mineral estate near Placitas, New Mexico, from all forms of mineral development under all laws pertaining to locatable minerals, mineral leasing, or mineral materials. The bill specifies that nothing in the act would prevent future conveyance of the surface of the withdrawn lands, although the mineral estate would be retained by the Federal government.

The BLM recognizes the importance of locally crafted recreation and conservation areas on public lands and waters and believes they can yield immense economic benefits. The BLM believes the most effective and enduring conservation strategies are those reflecting the priorities, needs, and perspectives of the families and communities that know, live, work, and care for the lands and waters. The BLM is aware that local communities, including a Pueblo and residents from Placitas and unincorporated Sandoval County, support protection of these tracts from future mineral development. The BLM is in the process of updating the Rio Puerco Proposed Resource Management Plan that has jurisdiction over these covered lands, and is committed to ensuring Native American and Hispanic community voices are represented in the process.

Conclusion

The BLM appreciates the efforts of the sponsor and the Subcommittee in advancing this important conservation initiative. Thank you again for the opportunity to provide testimony in support of S. 180.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
S. 528, the La Paz County Solar Energy and Job Creation Act

October 19, 2021

Thank you for the opportunity to testify on S. 528, the La Paz County Solar Energy and Job Creation Act. The bill proposes to convey to La Paz County, Arizona, at fair market value, approximately 4,800 acres of public lands managed by the Bureau of Land Management (BLM). According to the bill's sponsors, La Paz County intends to use the lands for additional solar opportunities in the county.

Recognizing the urgency of the climate crisis, the Biden Administration has set a goal to achieve a carbon pollution-free power sector by 2035 and the Energy Act of 2020 has set a goal of permitting 25 gigawatts of renewable energy projects on public lands by 2025. The BLM is engaging our Tribal partners, industry, stakeholders, and the states to increase opportunities for renewable energy development on public lands. The BLM supports the sponsors' stated goals of promoting solar energy development, but has some concerns with the approach of the bill as discussed below.

Background
La Paz County, located in western Arizona, is home to approximately 20,000 people. The county is home to significant recreational opportunities due to its close proximity to the Colorado River; three National Wildlife Refuges; and a number of cultural and historic sites, including old mines and ghost towns.

The John D. Dingell Jr. Conservation, Management, and Recreation Act (P.L. 116-9) included provisions directing the conveyance to La Paz County of approximately 5,900 acres of BLM-managed public lands for economic development and renewable energy generation. The BLM announced the successful conveyance of this land to La Paz County on May 22, 2020. The approximately 4,800 acres of BLM-managed public land to be conveyed under S. 528 are adjacent to the lands conveyed to La Paz County under the Dingell Act.

Currently, the lands proposed for conveyance are primarily utilized for livestock grazing and include range improvements to facilitate grazing. The BLM is in the midst of processing a photovoltaic solar energy application on 4,654 acres within the 4,800 acres proposed to be conveyed, with a proposed capacity of 800 megawatts, and has nearly completed the initial variance process as identified in the BLM's Western Solar Plan (2012). There is also a BLM-designated energy transmission right-of-way corridor in the proposed conveyance

parcel. The lands have not been identified as potentially suitable for disposal in the Yuma Resource Management Plan, which the BLM completed in 2010.

S. 528

S. 528 directs the Secretary of the Interior to convey approximately 4,800 acres of BLM-managed land to La Paz County as soon as practicable after receiving a request from the county to convey the land. Under the bill, the conveyance would be subject to valid existing rights and such terms and conditions as the Secretary determines to be necessary, and the subsurface would be withdrawn from mineral entry. Any Federal lands with significant cultural, environmental, wildlife, or recreational resources would be excluded from the conveyance. La Paz County would be required to pay fair market value for the land based on an appraisal conducted using uniform appraisal standards, as well as all costs related to the conveyance, including all surveys, appraisals, and other administrative costs.

S. 528 also specifies that as a condition of conveyance, La Paz County and any subsequent owner of the conveyed land are required to make good faith efforts to avoid disturbing tribal artifacts. If tribal artifacts are disturbed, La Paz County would be required to minimize impacts to the artifacts and allow tribal representatives to rebury artifacts at or near where they were discovered. La Paz County is also required to coordinate with the Colorado River Indian Tribes Tribal Historic Preservation Office to identify artifacts of cultural and historic significance. Other than these conditions, the bill does not impose any further use, development, or disposal restrictions for the surface acres conveyed to the county.

Analysis

The BLM recognizes the importance of efficiently deploying renewable energy projects on both public and private lands to meet the urgent demands of the climate crisis while empowering American workers and businesses to lead a clean energy revolution. We also recognize the sponsors' effort in the bill to protect cultural and tribal resources, and the BLM is aware of public support for using these lands for solar energy development.

The BLM notes that it is currently reviewing a solar energy project within the proposed conveyance area through a process that will ensure full protection for sensitive resources, including cultural resources, and gives full consideration to the cumulative impacts of the multiple solar projects in the area.

Given the BLM's pending review of this project, we question whether the proposed land conveyance is necessary to advance responsible renewable energy development while protecting environmental and cultural resources and the interests of American taxpayers. Furthermore, as currently written, the bill does not guarantee that once the lands are conveyed, those lands would be used for renewable energy development. Should Congress decide to pursue the conveyance, the BLM would like to work with the sponsors on modifications that would solidify the intended use of these lands for renewable energy development and ensure appropriate environmental reviews.

We appreciate the sponsors' inclusion of the Uniform Appraisal Standards for Federal Land Acquisition and Uniform Standards of Professional Appraisal Practice provision and would

welcome an opportunity to work with the bill sponsors to ensure the responsibilities of each party to the conveyance are clear. The BLM notes that there are several actions that may be required before the BLM can convey public lands, such as environmental assessments and cultural, biological, and cadastral surveys. The BLM is also aware of possible range improvements in the proposed area that may need to be compensated for, in compliance with grazing laws and regulations, in addition to the assessment and survey work required for conveyance. In addition, the BLM would like to work with the sponsors to develop a new official legislative map of the proposed conveyance to La Paz County, including land status, to be referenced in S. 528.

The BLM notes that if this legislation is enacted and some or all of the lands are conveyed, the BLM will not be able to approve the pending photovoltaic solar energy application that the bureau is currently processing. Additionally, the BLM would like to work with the sponsor to exclude from the proposal an important electric transmission corridor. Approximately 1,100 acres of the proposal overlap a BLM-designated right-of-way corridor providing critical east-west capacity for electric transmission and infrastructure between the Phoenix area and Southern California, including the existing Palo Verde to Devers 500 kilovolt transmission line. The BLM recommends this corridor is maintained to facilitate the orderly administration of other proposed renewable energy projects in this region and advance the goal of 25,000 megawatts on public land as required under the Energy Act of 2020.

Conclusion

Thank you for the opportunity to testify on S. 528. We look forward to continuing to work with the Sponsors and the Subcommittee on this important issue.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
S. 607, End Speculative Oil and Gas Leasing Act

October 19, 2021

Thank you for the opportunity to testify on S. 607, the End Speculative Leasing Act, which generally prohibits the Bureau of Land Management (BLM) from leasing oil and gas resources on lands that have been identified as having low or no oil or gas potential in the BLM and U.S. Forest Service (USFS) land use planning process. The bill also establishes a process to review and update future oil and gas resource projections.

The Department supports the bill's goal to update the Federal onshore oil and gas leasing program in a manner that would ensure Federal lands offered for leasing are those that have the highest oil and gas resource potential and therefore serve the best interests of the American taxpayer. We believe that the oil and gas program must be managed with careful consideration of the multiple uses that occur on BLM-managed lands and recognize that offering low potential land for oil and gas development encourages speculation, creates uncertainty in nearby communities, and hinders the management of our public lands. As part of the Department's oil and gas program review, we are specifically considering whether leasing in low potential areas provides a fair return to the American taxpayer and appreciate the sponsor's attention to this very important issue.

Federal Onshore Oil & Gas Program

The BLM manages approximately 245 million surface acres, located primarily in 12 western states, and over 700 million acres of subsurface Federal mineral estate. As of today, the BLM manages 35,871 Federal oil and gas leases covering 24.9 million acres. Federal onshore oil and gas production accounts for approximately seven percent of domestically produced oil and eight percent of domestically produced natural gas. In fiscal year 2020, Federal onshore oil and gas development provided over $2.4 billion in revenues, including $2.27 billion in royalties, $92.9 million in bonus bids, and $23 million in rentals, meaning less than one percent of revenues came from rentals on non-producing leases, and less than four percent came from sales of new leases.

Oil & Gas Leasing on Federal Lands

The BLM's land use planning process, through the creation of Resource Management Plans (RMPs), provides a standardized procedure for integrating public input and government-to-government consultation with Native American Tribes with scientific analyses of natural

resource values and potential conflicts to develop a comprehensive blueprint for appropriate uses of our public lands, while ensuring that development is done in a way that minimizes environmental impacts and considers the public interest. Reasonably Foreseeable Development (RFD) scenarios, usually developed during the RMP process, project fluid mineral development potential (ranging from no potential to high potential) for the planning area. For purposes of determining availability for oil and gas leasing and gas development, lands within a planning area are identified as fitting into one of three categories: lands open under standard lease terms, lands open with restrictions, and lands closed to leasing.

While the RMPs identify appropriate uses of public lands, generally it is industry that nominates lands for leasing in the form of an Expression of Interest (EOI). Upon receipt of an EOI, the BLM determines whether lands are available for leasing under the governing RMP. After required environmental reviews and opportunities for public comment, the BLM holds competitive lease sales on eligible lands in accordance with applicable laws and regulations. If a lease receives no bids during the sale, it is available non-competitively to the first applicant who pays the first year's rental and an administrative fee. After a lease is issued, an operator may then submit a permit application to drill on their lease and begin working with the BLM on final surface use and downhole drilling plans.

In managing the Federal mineral estate underlying USFS lands, the BLM cooperates with the USFS to ensure that mutual management goals and objectives for surface protection and development activities are achieved. The BLM is responsible for providing the RFD for oil and gas leasing on USFS lands during the USFS land use planning process, and issues and administers oil and gas leases only after the USFS authorizes leasing for specific lands.

S. 607, End Speculative Leasing Act

S. 607 prohibits leasing lands that are not included in an RFD or have been identified as low or no oil and gas potential lands under an RFD. The BLM is required to ensure there is an RFD for all planning areas, as well to update existing RFDs and publish maps depicting the development scenario potential for all lands. The bill outlines specific criteria to be considered in a new RFD, including the existence of past and present exploration, the types of leases in the vicinity, the geological and geophysical information of the Federal lands, and the economic viability of the oil and gas resources. The bill defines Federal lands to include BLM-managed and USFS lands.

In addition, the bill requires the public be offered the opportunity to participate during the development of these RFDs, requires the Secretaries of the Interior and Agriculture to review and update all RFDs every 15 years, and prohibits leasing in areas where an RFD is older than 15 years. Finally, in circumstances where drainage of Federal oil and gas resources may occur from development on adjacent lands, the bill allows for leasing to prevent the substantial loss of those resources.

The BLM strongly supports the goal of improving the Federal onshore oil and gas leasing process and understands the benefits of offering for lease BLM–managed lands that are the most suitable for oil and gas development. The BLM recognizes that in the past fossil fuel

development has often been prioritized above other uses of our public lands, resulting in presumptions that all lands should be offered for leasing unless they were specifically placed off-limits through Congressional or administrative action. In one of his first actions, President Biden issued Executive Order (EO) 14008, *Tackling the Climate Crisis at Home and Abroad*, directing the Secretary to pause new oil and gas leasing on public lands and in offshore waters pending the completion of a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices. As part of our ongoing oil and gas program review, we are exploring which factors make lands better suited to being open to oil and gas leasing and included in future lease sales, as well as how to discourage speculation and ensure a fair return to taxpayers.

We believe it is important to consider the impact of oil and gas leasing on other important uses of public lands, including outdoor recreation, wildlife habitat, and landscape conservation. We also note that the presence of existing oil and gas leases, whether developed or not, can lead to the exclusion of other land uses, including certain recreation and conservation designations, during the planning process.

Further, over the years, the Government Accountability Office (GAO) has identified the Federal oil and gas program as "high risk" to fraud, waste, abuse, and mismanagement. One study from the GAO reported that noncompetitive leases, which would be expected to be more common on lands identified as having low oil and gas potential, rarely result in oil and gas production: only 1.2 percent of noncompetitive leases analyzed by GAO generated royalties during their primary terms. Given that BLM bears the full expense of analyzing and preparing nominated parcels for lease sales, and that onshore rental rates have not been adjusted in over 30 years, this raises the question whether leasing in low potential areas provides a fair return to the American taxpayer. As part of our review, we will be looking for improvements to the oil and gas program that ensure the public is receiving a fair return for the use of the public lands.

We would appreciate the opportunity to work with the sponsor on a number of technical modifications to clarify and aid in the bill's implementation. For example, the BLM appreciates the bill's provision that allows for the BLM to address instances where Federal resources require protection due to drainage from adjacent producing wells, and we would recommend the sponsor utilize the drainage definition included in the BLM's current regulations (43 CFR §3160.0-5). The BLM and USFS would also appreciate the opportunity to work with the sponsor on the scope of the RFD reviews in coordination of other Federal land management planning policies. Finally, we would like to work with the sponsor to clarify the variance process outlined in Section 7.

Conclusion

Thank you for the opportunity to provide this testimony in support of modernizing the Federal oil and gas program to strike the right balance for lands offered for leasing and fulfill our obligations to taxpayers.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
S. 1214, State Grazing Management Authority Act

October 19, 2021

Thank you for the opportunity to testify on S. 1214, the State Grazing Management Authority Act. S. 1214 requires the Secretary of the Interior to enter into cooperative agreements with states to administer grazing allotment management plans on Federal lands.

The Bureau of Land Management (BLM) is dedicated to a broad range of stewardship goals in support of the BLM's multiple-use and sustained yield mission set forth by the Federal Land Policy and Management Act of 1976 (FLPMA). This multiple-use mission advances the President's priorities of protecting public lands and the environment, while also emphasizing the interconnection between people, public lands, and the local economies the BLM supports.

Livestock grazing is an integral part of the BLM's multiple-use mission. Our nation's rangelands provide and support a variety of goods, services, and values important to all Americans. In addition to being an important source of forage for livestock, healthy rangelands conserve soil, sequester carbon, store and filter water, provide a home for an abundance of wildlife, provide scenic beauty, and are the setting for many forms of outdoor recreation.

The Department shares the sponsor's interest in identifying opportunities for increasing efficiencies in public land grazing administration. The BLM would like to work with the sponsor and the Committee to further these shared goals. However, the Department cannot support S. 1214 as introduced as it unduly limits the Federal government's authority and ability to ensure appropriate stewardship of our shared public lands and healthy rangelands. Further, it is inconsistent with the BLM's multiple use and sustained yield mission and ignores critical public participation components of the land use planning process, including FLPMA, the National Environmental Policy Act of 1969 (NEPA), and other laws. The Department looks forward to continuing a dialogue with the Congress on these important matters.

Background

The BLM supports grazing administration on approximately 155 million acres of public land. This includes improving rangelands through grazing management, vegetation restoration treatments, and development of grazing management structures; as well as inventorying, controlling, and managing noxious weeds and invasive species. In fiscal year (FY) 2020, the BLM permitted 12.3 million animal unit months (AUMs) for ranchers who graze their livestock,

which are mostly cattle and sheep, on public lands. The BLM manages nearly 18,000 permits and leases held by ranchers who graze their livestock at least part of the year on more than 21,000 allotments. The permits and leases administered by the BLM generally cover a 10-year period and are renewable if the terms and conditions of the expiring permit or lease are being met.

S. 1214, State Grazing Management Authority Act

S. 1214 would amend the FLPMA to direct the Secretary of the Interior or the Secretary of Agriculture, at the request of a state, to enter into cooperative agreements with that state to manage grazing allotments under an allotment management plan (AMP). With respect to the responsibilities for NEPA review of the AMPs, the proposed cooperative agreements may either assign those to the state or to the relevant Federal agency. Further, S. 1214 provides for several new categorical exclusions for numerous vegetation restoration projects, changes to the type and number of livestock, installation and maintenance of fencing, water infrastructure improvements, and other actions.

Assigning various aspects of the oversight of livestock grazing on public lands to a state would limit the agencies' ability to ensure grazing permit decisions conform with NEPA requirements, public involvement processes, Federal land use plans, and consultation requirements. Additionally, the Department has technical concerns regarding the applicability of NEPA in certain circumstances of limited Federal involvement.

Authorization of Cooperative Agreements

Cooperative agreements under S. 1214 would remain in effect for a term of 30 years, and may be renewed for additional 30-year terms upon the state's request if the state has satisfied all conditions of the agreement and the applicable state commission determines that monitoring during the period has shown positive outcomes. S. 1214 prohibits the Secretary from imposing any additional requirements or conditions for the renewal of a cooperative agreement.

The Department notes that changes in resource conditions, land use planning, laws, and regulations over the course of a 30-year term are likely to warrant changes in the requirements or conditions of the cooperative agreements. The Department does not support the use of these cooperative agreements, nor their 30-year duration as authorized by the bill, as they would limit the Secretary's ability to manage for healthy rangeland ecosystems across public lands.

Permits & Leases

Under S. 1214, permits or leases for domestic livestock grazing on land covered by a cooperative agreement would be issued by the state for a term of 30 years – triple the 10-year standard terms provided for in FLPMA – running concurrently with the term of the cooperative agreement or renewal. Further, the permits would contain only the terms and conditions included in the AMP adopted or approved by the applicable state commission. The state commission proposed by S. 1214 is comprised of 14 members, 11 appointed by the Governor and three appointed by the Secretary of Agriculture and/or the Secretary of the Interior. Ten members constitute a quorum, which could allow for decisions affecting Federal lands to be made without any representatives from Federal agencies present.

Under the current process, terms and conditions are developed following extensive evaluation including an on-the-ground assessment, environmental analysis, and public involvement ensuring that multiple uses and perspectives are considered. The BLM evaluates the health of the rangelands based on standards and guidelines developed with extensive input from the ranching community, as well as from scientists, conservationists, and other Federal and state agencies. The BLM collects monitoring and assessment data to compare current conditions with the standards and land use plan objectives. This information is used to develop alternative management actions, and to modify grazing management as needed. This robust strategy allows the BLM to address a wide array of multiple uses and critical resource management issues. Authorizing the proposed state commission to approve grazing permit conditions restricts the public from providing input on public resources and could create barriers to accessing public lands. Consequently, the decisions being made would fail to account for the full spectrum of the Nation's use of, and interest in, our public lands.

Categorical Exclusions

S. 1214 creates numerous and loosely defined categorical exclusions under NEPA for certain actions taken under AMPs. For instance, the bill establishes categorical exclusions for vegetation restoration projects, pinyon or juniper treatments, and water infrastructure improvements made by any method that the applicable state commission considers to be appropriate. Authorizing the state commission to determine the application of categorical exclusions on a case-by-case basis would likely create uncertainty and inconsistency in how the proposed categorical exclusions are interpreted and applied. The Department cannot support provisions that could result in uneven application of the laws governing the public lands. Further, a categorical exclusion for activities described under the bill would only apply to grazing allotments covered under a cooperative agreement, creating disparities in implementing NEPA across public lands, even within the same state.

Grazing Fees

The bill directs grazing fees to continue to be based on the formula in Executive Order 12548, *Grazing Fees*. However, the cooperative agreements are to include a provision for revenue sharing between the state and the Secretary concerned in proportion to the services that each party provides. The Taylor Grazing Act (43 USC § 315(i) and § 315(j)) and FLPMA (43 USC § 1751(b)(1)) direct the distribution of fees collected from livestock grazing. One-half of grazing receipts are currently returned to the Treasury to be appropriated and made available for range betterment. The Department notes that deviation from the prescribed distribution would require amending these authorities as well. The bill would also allow for states to charge their own separate fee for the use of grazing on public lands under the AMPs. Under the bill, the state would retain full proceeds from this secondary fee. The Department does not support this provision as it would not provide a fair return to American taxpayers for the use of the public lands.

Conclusion

Thank you for the opportunity to present testimony on S. 1214. The Department is committed to collaborating with states to sustain the health, diversity, and productivity of our public lands for the benefit of present and future generations, and we look forward to working with the Congress to increase efficiencies in managing livestock grazing on our nation's public lands.

Statement of
Steve Feldgus, Ph. D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests and Mining
S. 1411, Lander County Land Management and Conservation Act

October 19, 2021

Thank you for the opportunity to testify on S. 1411, the Lander County Land Management and Conservation Act. The bill conveys approximately 21,000 acres of Federal lands to Lander County, Nevada, designates over 14,000 acres of wilderness, and releases approximately 12,000 acres from Wilderness Study Area (WSA) status.

On January 27, 2021, President Biden signed Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, which launched a government-wide effort to confront climate change and restore balance on public lands and waters. The President's directive recognizes the opportunities America's lands and waters offer and outlines a historic and ambitious challenge to the nation to conserve at least 30 percent of our lands and waters by 2030. The President's America the Beautiful initiative specifically emphasizes the value of conserving the nation's natural resources, recognizing multiple uses of our lands and waters, including its working lands, can be consistent with the long-term health and sustainability of natural systems.

The Department supports the conservation goals of S. 1411 that align with these important Administration priorities. We would also welcome the opportunity to work with the sponsors and the Subcommittee on modifications to the bill, including certain changes to the bill's conveyance provisions, and creating new legislative maps for the proposal. The Department defers to the Department of Agriculture regarding provisions in the bill concerning the lands and interests administered by the U.S Forest Service (USFS).

Background

Lander County, located in northern Nevada, is home to approximately 5,800 people.
The Bureau of Land Management (BLM) manages over 2.6 million acres of public lands within Lander County for a wide range of multiple uses. These include various recreational activities, such as hiking, camping, horseback riding, and off-highway vehicle riding; renewable energy projects; rights-of-ways for utilities; and mineral development. The county includes BLM recreation and conservation areas – such as the Mill Creek Campground, Hickison Petroglyph Recreation Area, and the Shoshone OHV Trail system – and significant historic, cultural, and paleontological treasures. The County is also home to Ormat's McGinness Hills Geothermal Plant, which is the top producing geothermal plant on public lands.

Public Land Sales

Under the 1976 Federal Land Policy and Management Act (FLPMA), the BLM's mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. Under FLPMA, the BLM retains management of most public lands; however, Section 203 of FLPMA also authorizes the sale of certain public lands when the sales are in the public interest and consistent with publicly approved land use plans. Land sales conducted under FLPMA occur at the discretion of the Secretary and are made at fair market value in accordance with Federal law.

Public Purpose Land Conveyances
The BLM regularly leases and conveys lands to local governments and nonprofit entities for a variety of public purposes. These leases and conveyances are typically accomplished under the provisions of the Recreation and Public Purposes (R&PP) Act or through direction supplied by specific Acts of Congress. Such direction allows the BLM to help states, local communities, and nonprofit organizations obtain lands at nominal cost. As a matter of policy, the BLM generally supports these legislative conveyances at nominal cost if the lands are appropriate for disposal, will be used for public purposes consistent with the R&PP Act, and if the conveyances include reversionary clauses to enforce this requirement.

S. 1411

Public Land Conveyances (Title I)
Title I of S. 1411 directs the Secretary to make several conveyances of BLM-managed lands to Lander County, Nevada, upon request. These conveyances are to be used for public purposes and include a reversionary clause requiring the lands to be used for their intended public purposes or they will revert to the Department. The conveyances are for use by the county for watershed protection, recreation, parks, and to improve the Kingston airport and related infrastructure. Under the bill, these conveyances to the county also include the mineral rights, subject to valid and existing rights.

The BLM would like to work with the sponsors on language ensuring consistency with the R&PP Act. We would also like to work with the sponsors on several technical modifications or boundary adjustments to the bill, as some of the lands identified to be conveyed to the county may have title or mineral conflicts that could prevent them from being used for their intended purposes. The BLM notes that under public purpose conveyances, which occur at little or no cost, the mineral rights are not usually included, and we recommend the bill be modified accordingly. The BLM would also like to work with the sponsors to ensure cultural and historic resources are preserved on lands identified for conveyance. Finally, the BLM notes that the lands underlying the Kingston Airport are already patented to the county and the BLM has the ability to administratively convey any additional land to the county if an expansion is needed.

Wilderness (Title II)
Title II of S. 1411 designates approximately 14,000 acres of new wilderness on BLM-managed lands. This title would create the Cain Mountain Wilderness and the Desatoya Mountains Wilderness in western Lander County, Nevada. Title II also releases approximately 12,000 acres from WSA status, allowing these lands to be managed according to the existing land use plans of the area. This title also allows for the continuation of any existing livestock grazing that occurred

prior to designation within the boundaries of the new wilderness areas. Finally, Title II would allow for the Secretary to authorize the installation and maintenance of hydrologic, meteorologic, or climatological data collection devices if the Secretary determines that these facilities are essential to flood warning, flood control, or water reservoir operations.

The Department supports these wilderness designations as the lands generally serve as habitat for a diversity of plant and animal life and provide important opportunities for hiking, hunting, rock climbing, camping, horsepacking, and other forms of outdoor recreation in the Nevada desert. The Department would like to work with the sponsors on minor technical amendments to this section to allow for enhanced manageability.

Conclusion

Thank you for the opportunity to present testimony on S. 1411. The Department supports the conservation efforts of the bill, which align with the Administration's priorities, and we look forward to working with the sponsors and the Committee on the bill as it moves forward.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California Lands Act
October 19, 2021

Thank you for the opportunity to testify on S. 1459, the Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act. The bill would designate nearly 600,000 acres of wilderness, including over 97,000 acres of land managed by the Bureau of Land Management (BLM), 31,000 acres of land managed by the National Park Service (NPS), and over 470,000 acres of land managed by the U.S. Forest Service (USFS). S. 1459 would designate over 500 miles of wild and scenic rivers (WSR) spread among lands managed by the BLM, NPS and USFS. The bill also expands the San Gabriel Mountains National Monument to include approximately 109,000 acres of additional National Forest System land.

On January 27, 2021, President Biden signed Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, which launched a government-wide effort to confront climate change and restore balance on public lands and waters. The President's directive recognizes the opportunities America's lands and waters offer to be part of the climate solution and outlines a historic and ambitious challenge to the nation to conserve them. The Biden Administration's America the Beautiful initiative calls for collaborative, locally-led conservation efforts of diverse landscapes and waterways that are vital in so many ways, providing habitat for fish and wildlife, holding resources that sustain our own lives, counteracting the damaging impacts of climate change, and underpinning our global economy. S. 1459 aligns with the Administration's conservation goals and the Department of the Interior supports the bill.

We defer to the U.S. Department of Agriculture (USDA) regarding provisions in the bill concerning lands and interests managed by the USFS.

Title I, Northwest California Wilderness, Recreation, and Working Forests

Title I provides direction for future management of Federal lands in Del Norte, Humboldt, Mendocino, Tehama, Siskiyou, and Trinity counties, California, and Josephine County, Oregon. Title I establishes the South Fork Trinity-Mad River Restoration Area, creates or expands 17 wilderness areas, designates seven new potential wilderness areas, and designates new wild, scenic, and recreational rivers on lands managed by the BLM, NPS, and USFS). Of the approximately 313,000 acres of new wilderness that would be designated by this title, approximately 246,000 acres are on USFS-managed lands while approximately 36,000 are on BLM-managed public lands and the remaining 31,000 are NPS-managed lands.

Title I also designates the Horse Mountain Special Management Area and Sanhedrin Conservation Management Area on lands managed by the USFS and authorizes the designation or study of three new recreation trails on lands primarily managed by the USFS, with a small portion of one of the trails traversing BLM-managed public lands. Finally, the bill incudes language to facilitate the restoration of the Redwood National and State Parks, to authorize the Northwest California Public Lands Remediation Partnership, and to establish two visitor centers.

Restoration & Economic Development (Subtitle A)
Subtitle A creates the approximately 730,000-acre South Fork Trinity-Mad River Restoration Area for the purpose of establishing, restoring, and maintaining fire-resilient forest structures, reducing wildfire risk, protecting and restoring aquatic habitat and fisheries, and protecting the quality of water resources. The vast majority of the lands within this proposed area are managed by the USFS, while 1,291 acres are managed by the BLM.

The subtitle also authorizes the formation of a Northwest California Public Lands Remediation Partnership among multiple entities to remediate impacts from illegal marijuana cultivation on public lands. The BLM currently partners with Federal, state, tribal, county, and local partners to support a number of anti-marijuana cultivation initiatives and task forces, including the White House Office of National Drug Policy High Intensity Drug Trafficking Area Initiatives, the California Department of Justice Campaign Against Marijuana Planting Task Force, and the North State Major Investigative Team. The Department supports efforts to combat the deleterious effects of illegal marijuana cultivation on public lands.

Subtitle A authorizes initiatives to restore degraded redwood forest ecosystems in Redwood National and State Parks. The Department recognizes the need to rehabilitate degraded landscapes in Redwood National and State Parks and notes that the NPS is currently engaged with state and nonprofit partners, through existing authorities, in an effort to implement forest restoration treatments on approximately 39,500 acres in the parks.

Subtitle A also authorizes the establishment of a visitor center in Del Norte County, California, to assist in fulfilling the purposes of Redwood National and State Parks and the Smith River National Recreation Area. Currently, the NPS cooperates with state and nonprofit partners to operate existing visitor facilities in the county. Additionally, the NPS has formed a Visitor Center Futures working group to thoughtfully examine how to best meet visitor needs within the context of a park's larger portfolio of assets. The NPS would engage in careful planning to make the best choices for long-term fiscal and operational sustainability for the park and any potential visitor center.

Subtitle A authorizes a study to evaluate the feasibility and suitability of establishing overnight accommodations on Federal land at the southern and northern boundaries of Redwood National and State Parks, or on land within 20 miles of their boundaries. If found to be suitable and feasible, the bill further authorizes the establishment of agreements with private and nonprofit organizations for the development, operation, and maintenance of overnight accommodations. The Department recommends that the study be completed before Congress decides whether to authorize new partnerships for the purpose of offering overnight accommodations at Redwood National and State Parks.

Recreation (Subtitle B)
Among other provisions affecting the USFS, Subtitle B authorizes a study for the Bigfoot National Recreation Trail. The proposed trail route is primarily on USFS-managed lands, with less than three trail miles crossing BLM-managed public lands. The Department concurs that the USFS should be the lead agency in assessing the feasibility of the trail and ultimately administering it.

Subtitle B authorizes the establishment of agreements with qualified private and nonprofit organizations to undertake trail and campground maintenance, public education, visitor contacts, outreach, and visitor center staffing on Federal lands in Mendocino, Humboldt, Trinity, and Del Norte counties in California. The Secretary currently exercises existing authorities to work with private and nonprofit entities for these functions. We would appreciate the opportunity to work the Subcommittee to refine this section to ensure it does not conflict or overlap with existing law.

Conservation (Subtitle C)
Subtitle C creates or expands 17 wilderness areas and creates seven potential wilderness areas on over 313,000 acres of Federal land in northwestern California. These designations are on lands managed primarily by the USFS (approximately 246,000 acres), BLM (approximately 36,000 acres), and the NPS (approximately 31,000 acres). The BLM-managed public lands proposed for wilderness designation by Subtitle C serve as habitat for a diversity of plant and animal life and provide important opportunities for hiking, hunting, rock climbing, horseback riding, and other forms of outdoor recreation in northwestern California.

The Department notes creation of the proposed Headwaters Forest Wilderness in Subtitle C may create a conflict of law between the enabling legislation of the Headwaters Forest Reserve (P.L. 105-83), the associated management plan, and the less restrictive Wilderness Act. In 1997, Congress authorized the Headwaters Forest Ecological Reserve managed in partnership with the California Department of Fish and Wildlife (CDFW). In 2003, supplementary rules were published for the Reserve, which prohibit horse use, direct hikers to use only established trails, and disallow camping. Horseback riding, hiking, and camping are permitted by the Wilderness Act. These more restrictive visitor management and recreation rules, intended to preserve and restore old growth forest ecosystems, could result in uncertainty among the public about what uses are permitted. The and the Department would like the opportunity to work with the sponsor to clarify intended management of the proposed wilderness.

The Department notes some of the proposed wilderness boundaries include portions of Wilderness Study Areas (WSAs). The Department would like to work with the sponsor on a few boundary modifications to include full rather than partial portions of WSAs. Further, the Department welcomes the opportunity to review the proposed wilderness boundaries with the sponsor to evaluate areas that currently contain roads used by private landowners, grazing lessees, CalFire, and the BLM for administrative use.

Subtitle C would also designate approximately 379 miles of new Wild and Scenic Rivers (WSRs) under theWild and Scenic Rivers Act. Over 35 creeks and rivers are impacted by the

bill, including 20 that cross BLM-managed public lands and three that cross NPS-managed public lands. The BLM notes many of the proposed river segments have recently been evaluated and found eligible and suitable for WSR designation. The BLM recommends adjusting the proposed river classifications to include additional WSR designations that would align with the BLM's Wild and Scenic River Eligibility Report. Additionally, the BLM and NPS would like to work with the sponsor on language in the legislation that would make certain WSR designations contingent upon land acquisitions. WSR segments that cross private lands can be managed for their outstanding natural, cultural, and recreational values through voluntary partnerships, in accordance with the WSR Act and agency policy.

Finally, Title III designates approximately 31,000 acres of Redwood National Park as potential wilderness and directs the potential wilderness area to be managed as wilderness. The bill further requires a report to Congress every three years on the status of ecological restoration within the potential wilderness area and the area's progress toward eventual wilderness designation. The designation is to occur within 10 years or upon completion of restoration work that would be incompatible with a wilderness designation. The Department notes these lands are in need of extensive and long-term ecological restoration. The Department appreciates the flexibilities provided to continue ecological activities in the potential wilderness area and would like to work with the sponsor to ensure NPS has adequate time to rehabilitate forested watersheds throughout Redwood National and State Parks before a wilderness designation.

Title II, Central Coast Heritage Protection

Title II would designate three wilderness areas within the Carrizo Plain National Monument managed by the BLM. Title II would also establish the Black Mountain Scenic Area on lands managed by the BLM and the USFS, and designate or expand nine wilderness areas within the Los Padres National Forest, two of which would include some BLM-managed public lands. Finally, Title II designates the Condor National Recreation Trail across the Los Padres National Forest and small portions of BLM-managed public lands.

The Carrizo Plain National Monument, which includes over 206,000 acres of public lands, was designated in 2001. The monument, located only a few hours from Los Angeles in San Luis Obispo and Kern Counties, California, features the white alkali flats of Soda Lake, the pictographs of Painted Rock, open grasslands, and a broad plain rimmed by mountains. When conditions are right, numerous wildflowers can carpet the valley floor. In addition, the Chumash, Salinian, and Yokuts Tribes have called this area home for at least the last 10,000 years. Lands within the monument boundary are cooperatively managed by the BLM, CDFW, and The Nature Conservancy through a Memorandum of Understanding established to ensure the three entities manage their respective lands in a complementary fashion.

Under the monument's 2010 Resource Management Plan (RMP), the BLM currently manages approximately 44,500 acres of public lands for the protection of wilderness characteristics. The decision to manage these public lands for wilderness characteristics under the RMP occurred as part of a 10-year collaborative planning effort with strong public support. Within the monument, the BLM also manages the approximately 17,984-acre Caliente WSA in a manner that does not

impair its suitability for potential future preservation by Congress as wilderness, as required by the Federal Land Policy and Management Act of 1976.

Wilderness (Sections 203-204, 206)
The three new wilderness areas proposed for designation within the Carrizo Plain National Monument include the Caliente Mountain Wilderness (approximately 35,600 acres), the Soda Lake Wilderness (approximately 13,300 acres), and the Temblor Range Wilderness (approximately 12,500 acres). Each of these areas generally serves as habitat for a variety of plant and animal life, including tule elk, upland game birds, and other species managed by CDFW. They also provide many recreational opportunities, such as hunting, hiking, camping, and provide visitors with outstanding opportunities to be alone in nature.

The bill would also designate or expand nine additional wilderness areas within the Los Padres National Forest. We defer to the USDA regarding provisions in the bill concerning lands and interests managed by the USFS; however, the proposed addition to the Garcia Wilderness Area would include approximately 120 acres of BLM-managed public lands, and the proposed addition to the Machesna Mountain Wilderness Area would include approximately 530 acres of BLM-managed public lands. The Department recommends expanding the proposed wilderness boundaries to encompass the Caliente WSA boundary and adjacent lands identified with wilderness characteristics as identified in the 2010 Carrizo Plain RMP. Further, the BLM would like to work on minor and technical amendments to clarify references to land management agencies.

Wild & Scenic Rivers (Section 205)
Section 205 of S. 1459 pertains to lands managed by the USFS. The Department defers to the USDA regarding these provisions.

Scenic Areas (Section 207)
Section 207 of the bill would designate two scenic areas – the Condor Ridge Scenic Area (approximately 18,600 acres) in the Los Padres National Forest and the Black Mountain Scenic Area (approximately 15,800 acres) on lands administered by the USFS and the BLM. The Department supports this designation of BLM-managed lands and defers to the USDA on the designation of USFS-managed lands.

National Trails (Section 208)
Section 208 of the bill would establish the Condor National Scenic Trail. The trail almost exclusively traverses USFS lands, and the Department defers to the USDA on Section 208.

Miscellaneous Provisions (Sections 209-211)
Sections 209 and 210 of the bill pertain to lands managed by the USFS. The Department defers to the USDA regarding these provisions. The Department has no objection to section 211, which addresses use by members of Native American tribes.

Title III, San Gabriel Mountains Foothills and Rivers Protection
The Department shares the desire to enhance the protection of resources and increase opportunities for recreation within the San Gabriel River and Mountains area of greater Los

Angeles. However, we have significant concerns with the manner in which the bill would establish the national recreation area and provide for its management as currently written in Subtitle A of Title III.

The park unit that would be established by Subtitle A would be unlike any other entity in the National Park System. With an advisory council that has a joint role in creating the management plan for the unit, and a partnership organization modeled partially on a national heritage area local coordinating entity, we believe that the management of the area would be complicated and confusing. In addition, the NPS would manage little, if any, Federal land within the designated area. It is unclear exactly what the NPS role would be under this legislation.

A congressionally-directed 2013 NPS study found that a portion of the area met the criteria for inclusion in the National Park System, but recommended that the area be added as a unit of the Santa Monica Mountains National Recreation Area rather than designated as a separate national recreation area. We continue to recommend that the area be administered as a unit of the Santa Monica Mountains National Recreation Area, which will allow NPS to leverage existing administrative resources and extend its existing partnership-based management approach.

Subtitle B of Title III of the bill concerns lands managed by the USFS. The Department defers to the U.S. Department of Agriculture regarding these provisions.

Conclusion

Thank you again for the opportunity to testify on S. 1459, the Protecting Unique and Beautiful Landscapes by Investing in California Lands Act. The Department supports S. 1459, and we look forward to working with the sponsor and the Subcommittee on minor modifications.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
S. 1589, Oregon Recreation Enhancement Act
October 19, 2021

Thank you for the opportunity to testify on S. 1589, the Oregon Recreation Enhancement Act. S. 1589 would establish two new recreation areas encompassing nearly 130,000 acres of public lands managed by the Bureau of Land Management (BLM) and expand the Wild Rogue Wilderness by adding approximately 60,000 acres of BLM-managed lands in western Oregon. The bill would also withdraw approximately 101,000 acres of Federal lands managed by the U.S. Forest Service (USFS) and the BLM in southwestern Oregon from the operation of the public land, mining, and mineral and geothermal leasing laws.

President Biden's Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, recognizes the opportunities offered by America's public lands and outlines a historic and ambitious challenge to conserve at least 30 percent of our lands and waters by 2030. Conservation can and should improve access for outdoor recreation, help protect the quality of our air and drinking water, increase resilience to the impacts of climate change, protect wildlife habitat, and support our economy, among other benefits. Our nation's awe-inspiring landscapes are an economic engine, attracting visitors from around the globe to America's public lands. According to the Bureau of Economic Analysis, outdoor recreation contributes an estimated $460 billion to the nation's economy, with mayors and local leaders recognizing parks and open spaces as indispensable infrastructure for livable and prosperous communities. The Department welcomes the sponsor's efforts to support outdoor recreation and wilderness designations to improve conservation and appreciation of our nation's public lands, and we support S. 1589.

Management of BLM Lands in Western Oregon

More than 75 percent of Oregon's population resides in its western region, which also boasts some of the most productive forest lands in the world. The forests of western Oregon are critical to sustainable fish and wildlife habitat, recreation, timber, clean water, and many other values that Americans hold dear.

The Oregon and California Revested Lands Sustained Yield Management Act of 1937 (O&C Lands Act) placed 2.4 million checkerboard acres of Oregon and California Railroad and Coos Bay Wagon Road grant lands (the O&C lands) under the jurisdiction of the Department. Under the O&C Lands Act, the Department manages the O&C lands for "the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities." The Act also provides that the 18 O&C counties receive yearly payments

equal to 50 or 75 percent of receipts from timber harvests on O&C lands in these counties. In addition to the O&C lands, the BLM manages approximately 212,000 acres of public domain forests and other acquired lands in western Oregon. These and other BLM-managed lands also provide outstanding recreational opportunities, with over 5 million people visiting each year to enjoy hiking, camping, hunting, and fishing.

The Department manages these O&C lands, public domain forests, and other acquired lands under the 2016 Western Oregon Resource Management Plans (RMPs) and other applicable RMPs (such as the Cascade-Siskiyou National Monument RMP). The 2016 RMPs provide direction for the management of approximately 2.5 million acres of BLM-administered lands and offer opportunities for tourism, recreation, and timber harvest, while maintaining protections for the northern spotted owl, listed fish species, and water resources.

S. 1589, Oregon Recreation Enhancement Act

Rogue Canyon & Molalla Recreation Areas
Section 3 of S. 1589 establishes the Rogue Canyon Recreation Area on 98,000 acres of BLM-administered lands surrounding the banks of the Rogue River and overlapping Wild Rogue Wilderness. The Rogue River is well known for its challenging whitewater, steelhead and salmon fishery, rock-lined banks, and extraordinary wildlife viewing opportunities. The Department supports the establishment of the Rogue Canyon Recreation Area to improve conservation and appreciation of our public lands and waters.

The Molalla Recreation Area, also proposed for designation in Section 3, encompasses 30,000 acres of BLM-managed lands on the banks of the Molalla River, including over 5,700 acres of the Table Rock Wilderness. A remnant of a lava flow that once covered this region along the western foothills of the Cascades, the "fortress" of Table Rock stands at 4,881 feet. This rugged terrain provides habitat for the northern spotted owl, deer, elk, and endangered plants such as Oregon sullivantia and Gorman's aster. The Department supports designation of the Molalla Recreation Area.

Section 3 also withdraws Federal surface and subsurface lands within the recreation areas, subject to valid existing rights, from entry, appropriation, or disposal under the public land laws; location, entry, and patent under the mining laws; and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

The BLM recognizes the importance of locally crafted recreation and conservation areas on public lands and waters and believes they can yield immense economic benefits. The BLM believes the most effective and enduring conservation strategies are those reflecting the priorities, needs, and perspectives of the families and communities that know, live, work, and care for the lands and waters. While we support the value of safeguarding these treasured lands for present and future generations, the BLM notes the recreation designations involve O&C lands within the harvest land base established under the 2016 RMPs. If S. 1589 is enacted, BLM would likely amend its RMPs to account for the recreation orientation of the affected lands.

Wild Rogue Wilderness Area Expansion
Section 4 of S. 1589 would add approximately 60,000 acres of BLM-managed public lands to the existing 8,000-plus acres of BLM's Wild Rogue Wilderness in southwestern Oregon. These

lands serve as habitat for a diversity of plant and animal life for forest-dependent species, including the northern spotted owl, Pacific salmon, steelhead trout, and green sturgeon, and provide important opportunities for fishing, rafting, boat tours, hiking and backpacking, and other forms of outdoor recreation in the forested mountains of southwestern Oregon. The Department supports the proposed expansion of the Wild Rogue Wilderness as it aligns with the Administration's conservation goals.

Wildfire Risk Assessment & Mitigation Plan
S. 1589 also directs the Secretary to complete a wildfire assessment of the recreation areas, Wild Rogue Wilderness, and adjacent Federal land in consultation with the Oregon Governor's Council on Wildfire Response. One year after completion of the wildfire assessment, the Department is directed to complete a wildfire mitigation plan addressing vegetation management, public evacuation routes, and outreach. The BLM notes wildfire risk assessment and fire and fuels management are currently addressed in the BLM's land use planning process. Additionally, the BLM works in close collaboration with the Pacific Northwest Wildfire Coordinating Group, an interagency assembly of five wildland fire agencies, two state forestry agencies, and two state fire marshal associations.

By working cooperatively, all partners can administer fire, fuels, and aviation programs in a manner that eliminates duplication, increases program efficiency, and capitalizes on the expertise of each organization's personnel. The BLM supports the sponsor's direction to pursue interagency networks to provide fire prevention services and fire safety information to the community.

Withdrawal of Federal Lands in Curry & Josephine Counties
S. 1589 would permanently withdraw 5,215 acres of BLM-managed public lands in the Coos Bay and Medford Districts and 95,806 acres of USFS-managed lands. The proposed withdrawal area includes the Klamath Mountains and the North Fork of the Smith River, which originates in the Kalmiopsis Wilderness and drains most of the area under consideration for withdrawal. Creeks feeding the North Fork and other rivers that flow to the Oregon Coast offer unique ecological features stemming from the confluence of the Coast Range, Cascades, and Siskiyou Mountains. A high concentration of rare plants, forested trails, and scenic views are all emblematic of these drainages. Rough and Ready Creek and Baldface Creek are listed as eligible for National Wild and Scenic River designation by the USFS.

These lands were administratively withdrawn for 20 years by Public Land Order 7859 on December 30, 2016, for the purpose of protecting the lands while Congress considered a permanent legislative withdrawal. The Department supports permanent protection of these lands.

Conclusion

Thank you for the opportunity to testify in support of S. 1589, which would serve to provide opportunities for recreation while conserving pristine and unique natural areas in western Oregon.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
S. 2130, RISEE Act

October 19, 2021

Thank you for the opportunity to present the Department of the Interior's views on S. 2130, the Reinvesting In Shoreline Economies and Ecosystems Act (RISEE Act). The Department is supportive of efforts to advance offshore wind development on the Outer Continental Shelf (OCS) in an economically and environmentally responsible manner, as well as increase coastal adaptation and resiliency to a changing climate. However, the Administration has concerns with the impact to the Treasury and recognizes the need to further evaluate the implication of diverting revenue and creating further dependence on funding from energy development for conservation and resilience.

Background

As part of tackling the climate crisis, the Administration is committed to advancing the Nation's transition to a clean energy future. Just last week, Secretary of the Interior Deb Haaland outlined the path forward for future offshore wind leasing to meet the Biden-Harris administration's goal to deploy 30 gigawatts (GW) of offshore wind energy by 2030 and beyond. These ambitious plans include up to seven new offshore lease sales by 2025 in the Gulf of Maine, the New York Bight, the Central Atlantic, and the Gulf of Mexico, as well as offshore the Carolinas, California, and Oregon. The Department is laying out an ambitious roadmap as we advance the Administration's plans to confront climate change, create good-paying jobs, and accelerate the nation's transition to a cleaner energy future.

The Department's Bureau of Ocean Energy Management (BOEM) is working on refining its process for identifying additional Wind Energy Areas, and developing clear goals, objectives, and guidelines that can be shared with government agencies, Tribes, industry, ocean users, and others prior to identifying such areas. In addition, BOEM will use the best available science as well as knowledge from ocean users and other stakeholders to minimize conflict with existing uses and marine life.

BOEM completed its review of a Construction and Operations Plan (COP) for the Vineyard Wind project earlier this year and plans to issue a record of decision on a second project later this year and review at least 16 COPs by 2025 representing more than 19 GW of clean energy capacity.

S. 2130, the Reinvesting In Shoreline Economies and Ecosystems Act (RISEE Act).
S. 2130 would establish an offshore wind revenue sharing model for adjacent coastal states, dedicate a percentage of offshore wind revenues to the National Oceans and Coastal Security Fund (NOCSF), and amend the Gulf of Mexico Energy Security Act (GOMESA) to eliminate the cap on state revenue sharing, increasing the percentage of revenues shared with states from 37.5% to 50%. The Administration has concerns with how provisions in the RISEE Act could reduce funding to the Treasury and impact revenues necessary to carry out authorized activities.

Offshore Wind Receipts
Revenues from offshore wind leases are necessary to support critical needs to advance the Administration's ambitious offshore wind goals, including lease area and project reviews, research, public outreach and engagement, mitigation activities, and staff to support those activities. Under current law, OCS wind leases are projected to provide over $1.4 billion to the Treasury over the next 5 years (FY 2022-2026). Of that total, this bill would redirect $723 million to the states and $542 million to the NOCSF, leaving only $181 million for the Treasury, a decline of over $1.25 billion. Additionally, there is no requirement that any portion of the funds provided to the states or NOCSF be used for programs or activities related to offshore wind development.

The Administration believes that revenues from offshore wind should benefit Americans broadly. The President's FY 2022 Budget invests in programs that help ensure responsible offshore wind development to meet the Administration's clean energy targets; to identify and mitigate potential impacts; form partnerships to improve regional collaboration; and ensure robust and ongoing engagement with states and coastal communities early and often throughout the offshore wind development process.

GOMESA Revenue Sharing
The GOMESA amendments in S. 2130 would have even more significant fiscal impacts. Under GOMESA's current terms, the states of Alabama, Louisiana, Mississippi, and Texas are expected to share $375 million each year from 2022 through 2055. The Department's preliminary estimate is that eliminating that cap, changing the revenue allocation share to 50 percent, and changing the eligible date for future payments from leases existing on or after 2007 to those leases existing on or after 2000 would result in a projected additional $9.4 billion going to those four states over the next ten years, a number that could increase significantly in subsequent decades.

Broadly, the Department supports funding and programs for coastal resilience activities and conservation. However, the Department also acknowledges the need to further evaluate the implication of diverting that amount of revenue and creating further dependence on funding from energy development in order to accomplish conservation and resilience goals, given the variability of such funding on global energy prices and the level of industry activity.

The Department has and continues to work with states and coastal communities experiencing sea level rise, ocean acidification, higher storm surges, more frequent extreme weather events, erosion, and flooding to adapt to and build resilience for a changing climate. Highlights of such collaboration in the recent Department of the Interior Climate Action Plan include the National Park Service's Coastal Adaptation Strategies Handbook, and the Bureau of Ocean Energy

Management's leasing of sand and sediment resources to restore, nourish, and protect shores, beaches, and wetlands.

Conclusion

The Department looks forward to working with the Committee and the sponsors of this legislation to meet the challenges of a changing climate through advancing offshore renewable energy development and coastal climate adaptation and resiliency.

Statement of
Steve Feldgus, Ph.D.
Deputy Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
S. 2433, Federal Land Asset Inventory Reform Act

October 19, 2021

Thank you for the opportunity to testify on S. 2433, the Federal Land Asset Inventory Reform Act. The bill directs the Department of the Interior (Department) to develop and maintain a current multipurpose cadastre of Federal real property and provide a report to Congress on such property. The Department supports the goals of S. 2433 to modernize and make publicly available the nation's inventory of Federal real property assets and would welcome the opportunity to work with its sponsors on a number of issues discussed below.

Background

Cadastral surveys create, restore, mark, and define boundaries and subdivisions of land. First proposed by Thomas Jefferson and enacted into law by the Land Ordinance of 1785, cadastral surveys provide the public and public land managers with the essential information needed to correctly determine ownership rights and privileges and facilitate good land management decisions.

As our nation grew, Congress created the General Land Office in 1812 to handle the rapidly increasing number of surveys, public land sales, patents, and land entries. The Bureau of Land Management (BLM) assumed responsibility for cadastral surveys in 1946, when the merger of the General Land Office and the Grazing Service created the BLM. Today, the BLM's Cadastral Survey Program maintains the official records of more than 200 years' worth of title and cadastral survey records, 12 million of which have been scanned, indexed, and published online by the BLM for use by the public and Federal land managers since 1992.

In 1994, an executive order established the interagency Federal Geographic Data Committee (FGDC), which provides managerial and advisory direction for geospatial initiatives across the Federal government. The FGDC is tasked with promoting the coordination and dissemination of geospatial data nationwide and was codified under the Geospatial Data Act of 2018. The Secretary of the Interior serves as the Chair of the FGDC and the BLM leads the FGDC Cadastral Subcommittee, which coordinates cadastral data-related activities among Federal, state, Tribal, and local governments, and the private sector. The BLM publishes two key datasets through the FGDC: 1) the Public Land Survey System, which is a coordinated dataset based on cadastral survey information used for parcel level mapping; and 2) the Surface Management Agency dataset, which captures the best available Federal ownership information. Both of these datasets support large scale depiction of Federal ownership information. The

FGDC was also tasked to develop and manage the National Spatial Data Infrastructure, which is comprised of the technology, policies, and resources necessary to improve utilization of geospatial data.

As part of these efforts, the BLM is responsible for the surveying of Federal lands and maintaining the associated land title records. In total, the Federal government manages approximately 640 million surface acres of the nearly 2.3 billion acres of land that constitute the United States. In addition to these surface lands, the Federal government also manages subsurface estate and hundreds of thousands of buildings, structures, and other properties. Of all the Federal agencies, the BLM administers the largest portfolio of land and interests, with 245 million surface acres and approximately 700 million acres of onshore Federal mineral estate.

Modernizing Record Systems

The Department is committed to the continued development of geospatial data and technology as critical investments for our nation and is involved in many efforts to modernize cadastral and geographic data to better serve a variety of users. In 2019, the BLM initiated an effort to consolidate and modernize its land status records systems through the development of the Mineral and Land Records System (MLRS). The MLRS will replace the current systems used by the BLM, including the Legacy Rehost 2000 case management system, the Alaska Land Information System, and the older status records, such as master title plats, historical indexes, and tract books. The MLRS will be a customer-centric, geospatially-enabled land information system that employs standardized business practices. The new system will help ensure the quality and accuracy of land and mineral records, while securely making them available to the public and land managers.

S. 2433, the Federal Land Asset Inventory Reform Act

S. 2433 directs the Department to develop and maintain a multipurpose cadastre of all Federal real property, including land, buildings, crops, forests, and other resources, as well as information about the use, assets, and infrastructure of all parcels. Under the bill, the cadastre must be made publicly available on the internet in a graphically geo-enabled and searchable format.

The Department notes that the scope of the cadastre in S. 2433 – which would span across every Federal landholding agency – extends beyond the current resources of the Department, and would require extensive new resources to fulfil the bill's objectives.

Development of Cadastre

The Department supports the goal of modernizing inventory and cadastre systems and is currently in the process of developing a new records system with capabilities that align with some of the requirements of the bill. The Department welcomes the opportunity to work with the sponsors of S. 2433 to determine the necessary authority and capacity to consolidate Federal real property inventories of cadastre data across all landholding agencies, consistent with applicable laws. Although the Department oversees roughly 420 million acres of Federal lands, many agencies manage hundreds of thousands of acres of real property assets which are outside of the Department's jurisdiction. While there may be some advantages in designating the Department as the lead under the bill, we would like to work with the sponsors to adequately

address the extensive interagency coordination, and assignment of roles and responsibilities, necessary to develop and maintain the cadastre.

We would also like to work with the sponsors to refine a number of the bill's definitions, including those for real property and assets, as well as to clarify the role of the Department and the BLM in engaging with other agencies to ensure alignment with the requirements of the Geospatial Data Act and compatibility with their respective FGDC responsibilities. Finally, we would like to work with the sponsors to ensure requirements for contracting services for the development of the cadastre, as directed in the bill, are consistent with the Department of the Interior's procurement and contracting practices and include opportunities for small and disadvantaged business communities.

Implementation Timeframe
Section 2 provides 18 months to develop interagency standards to ensure compatibility among all Federal databases relating to Federal real property. Additionally, Section 2 requires the development of the cadastre to be completed in less than 2 years. We would also like to work with the sponsors to develop more achievable deadlines.

Report to Congress
The bill also requires the Department to submit a report to Congress, within 180 days of enactment, that describes the existing Federal real property inventory and cadastre and recommends whether these existing inventories should be eliminated or consolidated into the new multipurpose cadastre required under S. 2433. The bill specifies that the report should include all real property owned or maintained by the entire Federal government, including land; resources such as crops or forests associated with the land; buildings or structures; and any interest or rights in these properties. Furthermore, under the bill, the Department must include the anticipated cost savings that will be achieved as part of the creation of the new multipurpose cadastre, as well as a plan for the implementation of the new multipurpose cadastre. Finally, as part of the requirements of the report, the Department would need to provide legislative recommendations to increase the cost savings and enhance the effectiveness of consolidating Federal real property inventories into one multipurpose cadastre.

The Department is cognizant of its duty to be responsive and accountable to Congress. Given the magnitude of real Federal property and records that must be identified in the report required by S. 2433, which includes real Federal property maintained by Federal agencies outside of the Interior Department, the Department would like to work with the sponsors to narrow the scope of the report to DOI jurisdiction to help ensure successful completion.

Conclusion
The Department and the BLM are proud of its involvement with the nation's cadastre and appreciates the Committee's interest in this important topic. The Department looks forward to working further with the sponsors of S. 2433 to achieve the bill's objectives.

Senator CORTEZ MASTO. Thank you.
Mr. French.

OPENING STATEMENT OF CHRIS FRENCH, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, U.S. FOREST SERVICE

Mr. FRENCH. Thank you, Chair Cortez Masto, Ranking Member Lee, and members of the Subcommittee. I am Chris French, the Deputy Chief of the National U.S. Forest Service of the USDA, and I am here to provide the perspective of USDA on eight of the public land bills under consideration today.

Our national forests and grasslands are critical to the well-being of our nation. They are an integral part of our forest-dependent communities and tribes, and provide a connection to nature for all Americans. The proposed bills before us today focus on national forest recreation opportunities, wilderness preservation, land management coordination, collaboration, grazing management, and natural resource science delivery.

The Smith River National Recreation Area Expansion Act, the PUBLIC Lands Act, the Blackfoot Clearwater Stewardship Act, and the Oregon Recreation Enhancement Act all aim to expand and protect these valuable recreation assets. Recreation is the largest economic driver from our national forests and grasslands, delivering nearly $13.5 billion to America's gross domestic product and supporting over 160,000 full- and part-time jobs. We manage nearly 30,000 recreation sites, the largest trail network in the nation, and host over 60 percent of the nation's downhill ski area visits. The number of recreation visits to the National Forest System rose to over 168 million in 2020, an increase of nearly 12 percent since 2019. And with COVID numbers improving, we look forward to offering more and more recreation opportunities this year, as our developed campgrounds and recreation sites continue to reopen across the country. The USDA Forest Service also manages more wilderness units than any other agency in the United States. Wilderness areas under the Department's jurisdiction are found in 39 states and in Puerto Rico.

My written testimony provides specifics, but in general, the Smith River National Recreation Area Expansion Act would expand the Smith River National Recreation Area from northern California to encompass the North Fork of the Smith River Watershed in southwestern Oregon. USDA supports the goals of the bill. We would like to work with the Committee and the bill sponsors to clarify some timing and technical concerns associated with the proposed wild and scenic river designations.

The PUBLIC Lands Act sets forth provisions concerning the restoration, economic development, conservation of, and recreation access to certain public lands in California. The USDA supports the goals of this act and would like to work with the Subcommittee and bill sponsor to address some technical and timing concerns to improve the legislation and make further future management of designated areas more efficient and feasible.

The Oregon Recreation Enhancement Act would expand an existing wilderness boundary and establish two national recreation areas. USDA defers to the Department of the Interior on the establishment of the national recreation areas and wilderness expansion

on DOI lands. In addition, the bill would permanently withdraw two areas of federal land from mining, including more than 95,000 acres of National Forest System lands. USDA supports these withdrawals.

The Blackfoot Clearwater Stewardship Act is a multifaceted bill affecting the Lolo National Forest in Montana. We share Senator Tester's respect for and commitment to collaboration, and the Forest Service is working with and will continue to work with the bill's sponsor on modifications to ensure that the implementation of the bill is achievable.

We have seen again this year a wildfire season and a crisis that we cannot ignore. We must address the crisis at the scale of the problem so we can bring long-term relief to our firefighters, our communities, and our forests. 2020 was one of the most devastating fire seasons on record, burning more than ten million acres and resulting in the loss of too many lives. This year, that trend continued, and I have personally seen firsthand the tragic aftermath of wildfires as well as the efficacies of our wildfire risk reduction treatments in and around the areas of Lake Tahoe. For that reason, USDA supports the Lake Tahoe Restoration Reauthorization Act.

Protecting our nation's forests also means ensuring land ownership patterns meet the needs of communities, protect our natural resources, and facilitate effective land management. The Lander County Land Management and Conservation Act proposes five land conveyances of National Forest System land. USDA supports the intent of the act, and we would be happy to work with the bill sponsors on technical concerns.

The Arizona Experiment Station Land Conveyance Act of 2021 directs the Forest Service to convey 13.3 acres of National Forest System lands as well as an easement on a Forest Service road to the Arizona Board of Regents. We would like to work with the bill sponsor to explore ways to support this research asset while providing for the best management of the forest.

Finally, a cornerstone of protecting the health and productivity of our nation's forests is carrying out our multiple-use mandate. The State Grazing Management Authority Act authorizes the Secretary of the Interior and the Secretary of Agriculture to enter into cooperative agreements with states to provide for state administration of grazing allotments. USDA does not support the bill as currently drafted.

That concludes my remarks on these bills and I look forward to answering any of the Committee's questions. Thank you.

[The prepared statement of Mr. French follows:]

STATEMENT OF

CHRISTOPHER B. FRENCH

DEPUTY CHIEF, NATIONAL FOREST SYSTEM

U.S. DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Before the

SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS AND MINING

Regarding

S. 1214, State Grazing Management Authority Act
S. 1411, Lander County Land Management and Conservation Act
S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California Lands Act
S. 1493, Blackfoot Clearwater Stewardship Act
S. 1538, Smith River National Recreation Area Expansion Act
S. 1583, Lake Tahoe Restoration Reauthorization Act
S. 1589, Oregon Recreation Enhancement Act
S. 1631, Arizona Experiment Station Land Conveyance Act of 2021

October 19, 2021

Chair Cortez Masto, Ranking Member Lee, and members of the Subcommittee, thank you for the opportunity to appear before you today to present the views of the U.S. Department of (USDA) Forest Service regarding various public land management bills.

S. 1214, State Grazing Management Authority Act

S. 1214, the State Grazing Management Authority Act, amends Section 402 of the Federal Land Policy and Management Act of 1976 to authorize the Secretary of the Interior and the Secretary of Agriculture to enter into cooperative agreements with States to provide for State administration of allotment management plans on eligible Federal land in the State, including the commencement of a lease or the issuance of a permit for domestic livestock grazing. USDA views regarding S. 1214 only pertain to provisions affecting the Forest Service and National Forest System (NFS) lands. The bill authorizes 30-year terms for cooperative agreements, with the option to renew the permit for an additional 30 years, and any permit or lease for domestic livestock grazing issued by the State agency will be for a 30-year term with limited terms and conditions.

This bill would also give the option for the State to assume the National Environmental Policy Act of 1969 (NEPA) responsibilities for the allotment management plans or the identification of cooperating agencies as determined appropriate by the applicable State commission. Under the cooperative agreement, the State can also approve or construct water infrastructure improvements that are appropriate for the improvement of public grazing, adjudicate water rights, share revenue received from grazing fees, and charge additional fees for domestic livestock grazing on land covered by an allotment management plan administered by the State.

This bill also establishes a categorical exclusion under NEPA for these allotment management plans to conduct vegetation restoration projects, pinyon or juniper treatments, changes to allotment grazing, and installation and maintenance of grazing and water infrastructure.

The requirement to rehabilitate lands following a wildfire for areas covered by an allotment management plan needs further clarification to define what is being required for rehabilitation. USDA has concerns with the broad requirement to rehabilitate lands following a wildfire due to unknown costs and assumed shift in prioritization of resources. USDA has concerns with the 60-day timeframe for complex fire investigations and the release of criminal/civil investigation information to the public.

A State entering into a cooperative agreement may also enter into an agreement with any local law enforcement agency for the enforcement of the terms of any permit or lease for domestic livestock grazing on land covered by the cooperative agreement if the area in which the law enforcement agency would act under that agreement is within the jurisdiction of that agency. USDA has concerns with authorizing local law enforcement agencies to enforce federal criminal law relating to grazing.

The Forest Service works productively with grazing permittees, federal and state agencies, and others to ensure that National Forest System lands are managed sustainably for the various multiple uses. USDA appreciates the subcommittee's interest in range management, however it does not support the bill as currently drafted. The proposed language would effectively cede the authority and responsibility for managing federal range lands to the States, creating uncertainty for permittees and shifting substantial costs to state agencies. We believe that this would likely diminish, rather than enhance, the mutual benefits derived from collaborative management of grazing allotments with our permittees. Clarity is needed to avoid uncertainty in balancing grazing with other multiple uses or create contradiction in the application of new authorities. We would like to work with the subcommittee and the bill's sponsor to better understand the bill's goals.

S. 1411, Lander County Land Management and Conservation Act

S. 1411, the Lander County Land Management and Conservation Act, would require conveyance of NFS lands in Lander County, Nevada. USDA views regarding S. 1411 only pertain to

provisions affecting the Forest Service and NFS lands. USDA supports the intent of the act to protect water resources and expand airport capacity to support wildland firefighting and would be happy to work with the county on three of the conveyances shown on the legislative map referred to in the bill. However, we have concerns with the Pony Springs and Marshall Springs parcels given these parcels include Forest Service water rights, greater sage grouse habitat and active grazing allotments. We would like to work with the bill sponsors and subcommittee to identify other options for meeting the intent of these conveyances.

In addition, USDA has concerns related to the specific details for the proposed conveyances, including the required reversionary clause, prescribed time frames associated with the conveyance, and how the legislation proposes to resolve conflicts between the maps, acreage estimates and legal descriptions. We would like to work with the bill sponsors and subcommittee to refine the specific language around the conveyance processes.

S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act

USDA supports the goals of S. 1459, the Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act and would like to work with the subcommittee and bill sponsor to address some technical and timing concerns.

As a general matter, USDA would like to ensure that any new wild and scenic river designations are properly integrated into the National Wild and Scenic Rivers System with enough time to develop comprehensive river management plans (CRMPs) and to establish detailed boundaries in cooperation with Tribes, State and local governments, and interested stakeholders. The timeframes identified under Sections 3(b) and 3(d) of the Wild and Scenic Rivers Act for completing detailed boundaries and CRMPs could be challenging to meet. We would like to work with the subcommittee and bill sponsors to identify ways to support timely completion of CRMP and boundary requirements.

In this testimony, we address proposed designations on lands administered by the Forest Service. We defer to the Department of the Interior regarding the designations on the lands and interests administered by the Bureau of Land Management and the National Park Service.

Title I - Northwest California Wilderness, Recreation, and Working Forests
Title I addresses restoration needs, recreation, and land conservation on federal lands in California. It accomplishes these goals through forest restoration activities, authorizing new partnerships for various activities, and requiring that fire management planning be incorporated into the land management plan revision process. Title I also adds or potentially modifies recreation trail systems, designates new wilderness areas, creates additions to existing wildernesses, and designates certain rivers in California as wild and scenic rivers.

USDA understands the overarching intent of this legislation is to recognize the importance of wilderness areas, recreation, and wild and scenic rivers. We would like to work with the subcommittee and sponsor of this bill to ensure that these proposals are crafted in a way that best supports the intent of this bill.

Subtitle A

A number of provisions in Subtitle A would be challenging to reconcile and implement with the agency's existing land management plans. For example, Section 111 includes a level of detail on management activities such as details on shaded fuel breaks, trail management, and special area designations, that would be better resolved through our planning process. Section 113 would establish the Northern California Public Lands Remediation Partnership for the purpose of providing for the remediation of the specified National Forest System lands and Bureau of Land Management lands in northern California affected by illegal marijuana cultivation or other illegal activities. Section 113 could be viewed as authorizing the Partnership, in place of the agencies, to carry out remediation on federal lands, rather than functioning strictly as a collaborative entity.

Changing how the agency revises the land management plans for Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests would also create challenges. For example, Section 116 would require the agency to include comprehensive fire management plans for the wilderness areas and wilderness additions established in Subtitle C, when revising the land management plans for the Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests. The Forest Service does not use the land management plan revision process to conduct fire management planning. To avoid adding unnecessary complexity while still meeting the overall goals of the section, the agency recommends amending Section 116(a) to maintain the current practice of conducting comprehensive fire management planning separately from the land management plan revision process.

Subtitle B

USDA supports creating trail systems that enhance connections to communities and welcomes working with the subcommittee, sponsor, local governments, and stakeholders to provide new recreation opportunities. However, the agency already possesses the authority to designate trails described in these provisions. The agency also possesses the partnership authorities outlined in Subtitle B.

Subtitle C

This Subtitle would establish new wilderness areas, as well as potential wilderness areas, expand existing wilderness areas and designate certain rivers in Northwest California as wild and scenic rivers. The agency has some technical concerns and clarifications that we would like to work with the subcommittee and the sponsor of this bill to address. My testimony pertains only to the designations proposed on NFS lands.

Of the 37 rivers proposed for wild and scenic river designation in the bill, 17 are in areas managed by the Forest Service. Of these, portions of five of these rivers (the North Fork Trinity

River, South Fork Trinity River, Hayfork Creek, Canyon Creek, and Middle Eel River) were previously supported for designation through the agency's land management planning process. A portion of one additional river (Red Mountain Creek) was previously found eligible but a suitability study has not been completed.

Subtitle C includes additions to eight existing wildernesses, designates six new wilderness areas and six potential wilderness areas on NFS lands. Several proposed areas for "Potential Wilderness" designations have a variety of non-conforming uses or conditions affecting wilderness character, including previously harvested areas as well as roads. While these additions and designations were not recommended for designation through the agency's land management planning process, USDA is supportive of these designations. We would like to work with the sponsors of this bill to address the concerns outlined above.

The bill includes a provision that would allow for continuation of a competitive equestrian event after the Chinquapin Wilderness is established in substantially the same manner and degree in which it has been operated in the past. This type of event is not consistent with current wilderness policy which prohibits competitive events, and USDA is concerned that this will set a precedent for future events in other wilderness areas. We would like to work with the bill sponsors to remove this special provision and provide for alternate routes for this event that would not intrude into wilderness.

Title II – Central Coast Heritage Protection

We recognize and appreciate the ongoing multi-year efforts of the sponsor and subcommittee toward improving the manageability of the multiple areas identified in this legislation. The bill designates certain NFS lands on the Los Padres National Forest in California as wilderness, creates additions to existing wildernesses, and designates potential wilderness areas, Scenic Areas, and a National Scenic Trail. The legislation directs the Forest Service to study the feasibility of connecting the northern and southern portions of the Los Padres National Forest using a trail corridor, the feasibility of opening a new trail to an existing off-highway vehicle trail system, and the possibility of improving non-motorized recreation trail opportunities on certain lands. Finally, the bill includes a provision to ensure Tribes have access to wilderness, scenic areas, and potential wilderness areas for traditional cultural and religious purposes.

Specifically, the bill includes additions to eight designated wilderness areas and one new wilderness designation for a total of 182,940 acres of NFS lands; provisions for two potential wilderness areas that would convert to two additions to designated wilderness areas within 20 years for a total of 41,937 acres. Three of the proposed wilderness additions in the bill were recommended for designation through the agency's land management planning process: Chumash, Dick Smith and Matilija.

The USDA has concerns with the fragmentation and ability to manage the Fox Mountain potential Wilderness Area, which would become an addition to the San Rafael Wilderness Area. The cherry stems and four excluded mountain bike trail corridors within the wilderness area

would have a high potential for mountain bike trespass into the wilderness area. To preserve wilderness character, we would like to work with the bill sponsor to not exclude these trails and make them non-mechanized.

The bill also includes additions to three existing wild and scenic rivers and designation of three new wild and scenic rivers, adding a total of 159 miles to the National Wild and Scenic Rivers System. Finally, the bill contains provisions creating the Condor Ridge and Black Mountain Scenic Areas comprising 34,882 acres and creates the Condor National Scenic Trail.

USDA would like to work with the subcommittee on minor technical corrections required to ensure that the acres listed in the legislation match the acres shown on the maps referenced in the bill. Also, USDA would like to ensure a consistent and deliberate approach to mapping the areas proposed for wilderness to maximize effective management of the wilderness areas, including forest health and resiliency.

This title requires maps and legal descriptions for the boundaries of the potential wilderness areas, and updated maps and legal descriptions when the trail(s) have been reconstructed, realigned or rerouted. USDA would like to work with the subcommittee to ensure that correct and accurate maps and legal descriptions underpin this legislation.

The Department would also like to clarify the intent of the bill sponsor as to whether motorized equipment and mechanical transport will be allowed on the Condor National Scenic Trail in the non-wilderness segments, including use of mechanical/motorized tools to maintain the trail such as chainsaws. USDA would like to work with the bill sponsors to consider an alternative route to the proposed Condor Trail to avoid potential impacts to the Research Natural Area.

Section 211 would require the Secretary to ensure that Tribes have access to wilderness areas for traditional, cultural, and religious purposes. In carrying out this provision, the Secretary would be authorized, upon request of an American Indian Tribe, to temporarily close public access to portions of areas designated by the bill to protect the privacy of Tribal traditional cultural and religious activities in the area. USDA understands that implementation of this provision is at the discretion of the Secretary to determine whether a closure request is appropriate, and that access would be provided to the extent practicable to maintain the wilderness character and access for recreation.

Title III – San Gabriel Mountains Foothills and Rivers Protection

Title III would expand the boundaries of the San Gabriel Mountains National Monument to include an additional 109,143 acres of NFS lands, as well as designate approximately 29,042 acres in four areas as components of the National Wilderness Preservation System on the Angeles National Forest, and 45.5 miles of four rivers as components of the National Wild and Scenic River System. We defer to the Department of the Interior for a position on Section 313, which would establish the San Gabriel National Recreation Area.

USDA has not analyzed a proposed expansion of the San Gabriel Mountains National Monument. All four rivers proposed for wild and scenic river designation in the bill are in areas managed by the Forest Service. While three of these rivers (the East Fork, North Fork, and West Fork of the San Gabriel River) were previously found to be eligible, a suitability study has not been completed. One of the four rivers (Little Rock Creek) is not currently identified by the Forest Service as eligible or suitable for designation.

The bill also includes two wilderness additions and designation of two new wilderness areas on National Forest System lands. One of the proposed wilderness additions (Sheep Mountain) in the bill was recommended for designation through the agency's land management planning process.

The bill includes a provision that would allow the Angeles Crest 100 competitive running event to take place in two wilderness areas (Pleasant View Ridge Wilderness Area and the proposed Sheep Mountain Wilderness Addition) in substantially the same manner and degree in which it has been operated in the past. This type of event is not consistent with the wilderness act nor implementing policy, which prohibits competitive events, and the Administration is concerned that this will set a precedent for future events in other wilderness areas. We would like to work with the bill sponsors to remove this special provision and provide for alternate routes for this event that would not intrude into wilderness.

S. 1493, Blackfoot Clearwater Stewardship Act

S. 1493, the Blackfoot Clearwater Stewardship Act, is a multi-faceted bill affecting the Lolo National Forest (Lolo) in Montana. USDA strongly appreciates Senator Tester's commitment to Montana's natural resources and public lands. We recognize that the proposed bill is the product of a collaborative effort, and we appreciate that this legislation would provide benefits to Montana's communities and the Lolo National Forest. We look forward to working with the subcommittee and Senator Tester to develop modifications to the bill that could provide greater opportunities to foster healthy rural economies and accomplish the shared goals of increasing restoration and facilitating a diversity of recreation opportunities on our public landscapes.

The bill directs the Secretary of Agriculture to develop a landscape assessment of watershed conditions and restoration needs on the Seeley Lake Ranger District within three years of enactment. It further directs the Secretary, in collaboration with interested parties, to develop a 10-year schedule of restoration projects as soon as practicable following the assessment. Restoration projects developed pursuant to the Act may be implemented using the authorities found in the Healthy Forests Restoration Act of 2003.

Additionally, the bill establishes a 2,013-acre Otatsy Recreation Management Area in which recreational motorized and mechanized uses and temporary roads are generally prohibited, and snowmobiles would be allowed during the winter as determined by the Secretary. S.1493 also establishes a 3,835-acre Spread Mountain Recreation Area in which motorized use is generally

prohibited, but mechanized use is allowed. It requires the Secretary to analyze, within three years of receipt, a collaboratively developed proposal to improve motorized and non-motorized recreational trail opportunities within the District, if such a proposal is submitted within five years of enactment. Finally, the bill designates an additional 79,060 acres to the National Wilderness Preservation System.

It is important to note that the Lolo is preparing to begin revising its land management plan, which will include extensive public engagement. Plan revision includes a forest-wide assessment to inform the development of desired conditions and objectives for the restoration and maintenance of ecological conditions across the plan area. It will also identify priority watersheds for restoration using the National Watershed Condition Framework. As that effort could overlap with and inform the requirements in Title 1, we would like to work with the bill sponsor to coordinate the desired outcomes of this legislation with our plan revision process.

Title II Section 203 would require the Forest Service to prepare a NEPA analysis for any collaboratively developed proposal to improve motorized and non-motorized recreational trail opportunities within the Ranger District within three years of receipt of the proposal. Such legislatively directed site-specific planning requirements with short timelines could result in resource and funding tradeoffs for the agency's planning staff during the forest plan revision process. Again, we would like to work with the bill sponsor to address these concerns.

USDA also has concerns about implementing section 202, which establishes the Spread Mountain Recreation Area for the purpose of specifically enhancing mechanized opportunities. The Lolo's current land and resource management plan identifies this area as recommended wilderness. This area contains at-risk fish and wildlife species habitat and is characterized by steep topography and sensitive soils. Trail 166 is the main access into this area. This trail is not maintained, not passable by riders on horseback, and becomes difficult to locate after the first mile. We appreciate the interest in expanding opportunities for mountain biking on the Lolo, but we are concerned that the site designated for the Spread Mountain Recreation Area is not ideal for this use, and that this designation could create conflicts with wildlife and other recreation uses.

Two of the three wilderness designations in Title III are consistent with the recommendations made in the existing Lolo National Forest land and resource management plan. The third designation (West Fork Clearwater) was not recommended in the management plan to be wilderness; it was allocated to be managed to optimize recovery of the Grizzly Bear. Management for this purpose does not conflict with wilderness values or designation. USDA supports these designations.

We recognize and appreciate that the bill is the product of a collaborative effort. The concepts embodied in this legislation—such as recognizing collaboratively developed landscape scale restoration and recreation proposals—are fundamentally sound. We share Senator Tester's respect for and commitment to collaboration, and the Forest Service is working with and will

continue to work with Senator Tester on modifications to ensure that implementation of the bill will not adversely affect other Lolo priorities or priority work on other units in the Forest Service's Northern Region.

S. 1538 –Smith River National Recreation Area Expansion Act

S. 1528, the Smith River National Recreation Area Expansion Act, would amend the Smith River National Recreation Area Act and the Wild and Scenic Rivers Act to include certain additions to the Smith River National Recreation Area and to designate specified Wild and Scenic Rivers in the State of Oregon. Enactment of this bill would result in the Smith River National Recreation Area being expanded from northern California to encompass the North Fork of the Smith River Watershed in southwestern Oregon and to be managed for its world class recreational access, special scenic value, natural diversity, cultural and historical attributes, wilderness, wildlife, and fisheries. Additionally, approximately 75 miles within the watersheds of the North Fork and mainstem of the Smith River would be added to the National Wild and Scenic Rivers System.

Section 2: Additions to the Smith River National Recreation Area
Section 2(d) of this bill would require a study of the affected area within five years of enactment with modifications to land management plans being implemented upon completion of the study. No impacts to vegetation or wildfire management are noted in the bill and nothing in the bill affects the application of the Northwest Forest Plan or Roadless Rule in the State of Oregon. Section 2(h) requires the Secretary of Agriculture to enter a Memorandum of Understanding with American Indian Tribes to preserve and protect Tribal rights and to ensure access. Further, it is required that interpretive materials regarding the Tribes be developed and made publicly available.

Land acquisition authority is expanded and clarified with a directive to the Secretary of Agriculture to acquire a 555-acre area of state-owned land known as the Cedar Creek Parcel, pending availability of funding and approval by the State Land Board of Oregon. This would allow for contiguous management by the Forest Service of most lands within the proposed boundary.

USDA supports expanding recreational access in a manner that preserves the ecological, cultural, and historical integrity of a landscape and that supports the social and economic needs of adjacent communities.

Section 3: Wild and Scenic River Designations
Section 3 of this bill amends two existing wild and scenic river designations to add 25 segments totaling roughly 75 miles within the watersheds of the North Fork and mainstem of the Smith River. USDA supports wild and scenic river designations and recognizes the importance of protecting and enhancing identified river values for the benefit and enjoyment of present and

future generations. While we support the goals of this bill, we would like to work with the subcommittee and bill sponsors to clarify some timing and technical concerns associated with the proposed designations.

USDA would like to ensure that any new segments are properly integrated into the National Wild and Scenic Rivers System with enough time to develop comprehensive river management plans (CRMPs) and to establish detailed boundaries in cooperation with Tribes, State and local governments, and interested stakeholders. The timeframes identified under Sections 3(b) and 3(d) of the Wild and Scenic Rivers Act for completing detailed boundaries and CRMPs can be challenging to meet. Therefore, we would like to work with the subcommittee and bill sponsors to identify ways to support timely completion of CRMP and boundary requirements.

The Forest Service embraces its mission to steward and safeguard its Iconic National Recreation Areas and free flowing Wild and Scenic Rivers with their outstandingly remarkable values and to provide recreational access, clean drinking water, and economic vitality to the American people. We are committed to collaborating openly with Congress, Tribes, and all members of the interested public to identify and propose appropriate parcels of land and segments of river within the National Forest System for designation as Wild and Scenic Rivers and National Recreation Areas and to manage those parcels responsibly. We look forward to working with the subcommittee and sponsors of this bill to address the concerns outlined above.

S. 1583, Lake Tahoe Restoration Reauthorization Act

The Lake Tahoe Restoration Act, P.L. No.106-506 authorized $415,000,000 in appropriations for a period of seven fiscal years, beginning the first fiscal year after the date of enactment of the Water Resource Development Act of 2016. Of that amount, $150,000,000 was authorized to carry out fire risk reduction and forest management priority projects, with at least $100,000,000 to be used for programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan. Further, $113,000,000 was authorized to support stormwater management, erosion control, and total watershed restoration priority projects. With much consultation and coordination, the Forest Service has funded approximately $33 million in environmental improvement projects within those two programs during this time.

A significant amount of the appropriated funds authorized under the Lake Tahoe Restoration Act have been delivered through our cooperators as they increase our ability to complete forest, watershed, erosion control and invasive plant projects on both NFS and private lands. In addition, the agency has greatly accelerated the pace and scale of forest restoration activities through the use of the categorical exclusion from documentation in an environmental assessment or environmental impact statement in the Act. With the authority to conduct mechanical thinning on up to 3,000 acres of NFS lands around Lake Tahoe, the Forest Service has reduced the timeframe for and cost of planning efforts, resulting in faster implementation of projects. By

coordinating with our cooperators, we have minimized conflicts in project planning and implementation.

S. 1583 reauthorizes the Lake Tahoe Restoration Act through September 30, 2034. USDA supports the reauthorization as it removes the four-year requirements to enter into contracts and cooperative agreements with states, local governments, and other public and private entities to provide for fuel reduction, erosion control, reforestation, and other management activities on federal and non-federal lands under the programs outlined in the Act. We would like to work with the bill sponsor to allow for the use of Southern Nevada Public Land Management Act of 1998 funds to increase fuel reduction activities on the environmentally sensitive urban lots acquired under the Santini-Burton Act.

S. 1589, Oregon Recreation Enhancement Act

S. 1589 – Oregon Recreation Enhancement Act, would expand an existing wilderness boundary, establish two national recreation areas, and would permanently withdraw two areas of federal land from the mining laws of the United States to protect them from new mining claims, other mineral leasing, and geothermal leasing. USDA views regarding S. 1589 only pertain to provisions affecting the Forest Service and NFS lands.

Section 3: Establishment of Rogue Canyon and Molalla National Recreation Areas
Molalla National Recreation Area: As the language and the map referenced in Section 3(a)(2) of the bill indicate, the establishment of the recreation area would consist only of Department of Interior Bureau of Land Management lands with no adjacent National Forest System land. USDA defers to the Department of the Interior regarding the establishment of this National Recreation Area.

Rogue Canyon National Recreation Area: As the language and the map referenced in Section 3(a)(1) of the bill indicate, the expansion of this area would consist only of Department of Interior Bureau of Land Management lands. USDA defers to the Department of Interior regarding the establishment of this National Recreation Area. However, USDA would like to work with the subcommittee to develop the detailed "inset map" in the legislation to ensure that the boundaries between the Bureau of Land Management and Forest Service parcels are clear and unambiguous.

Wildfire Risk Assessment: Section 3(c)(3) requires a wildfire risk assessment be conducted for the Molalla National Recreation Area and Rogue Canyon National Recreation Area designated on BLM lands, the Wild Rogue Wilderness, and any Federal land adjacent to these recreation areas or wilderness areas within 280 day of enactment.

Wildfire Mitigation Plan: Section 3(c)(4) requires a wildfire mitigation plan be developed, based on the wildfire risk assessment in Section 3(c)(3), no later than 1 year after the wildfire risk assessments completion.

Section 4: Expansion of the Wild Rogue Wilderness Area
Section 4 of the bill expands the Wild Rogue Wilderness by an additional 59,512 acres of federal land and directs the Secretaries of Agriculture and the Interior to administer the added lands under their jurisdiction. However, given the scale of the map of the added lands referenced in Section 4(a)(1), it is unclear if any acreage of National Forest System land is included in the proposed expansion.

Under P.L. 95-237, the Forest Service has administered a portion of the existing Wild Rogue Wilderness that is otherwise under the jurisdiction of the Bureau of Land Management. Under Section 4(b)(1)(A), the administration of this portion would shift back to Bureau of Land Management. Given the proposed additions of contiguous Bureau of Land Management land to the Wild Rogue Wilderness, USDA supports having the Bureau of Land Management administer land under its jurisdiction. However, we would like to work with the subcommittee and Bureau of Land Management to develop a plan for the transfer of land administration and on the detailed "inset map" in the legislation to ensure that the boundaries between Bureau of Land Management and Forest Service parcels are clear and unambiguous to mitigate management challenges associated with non-contiguous lands. Specifically, several non-contiguous portions of the Wild Rogue Wilderness under the management of the Forest Service lie adjacent to the Bureau of Land Management portion of the wilderness but outside the proposed wilderness expansion and outside the proposed National Recreation Area. These parcels are likely to pose management challenges (T31S, R10W, sect. 10, 11, 14, 15 and T32S, R10W, Sect. 19, 20, 21, & 22).

Section 5: Withdrawal
The maps referenced in Section 5(a)(2) of the bill depict NFS and Bureau of Land Management lands that would be subject to the mineral withdrawal in Section 5(b). The two proposed withdrawal areas – known as Rough and Ready, Baldface and Hunter Creek Pistol River Headwaters – total 95,806 acres that are located on National Forest System lands on the Rogue River-Siskiyou National Forest. The remaining 5,216 acres are located on public land managed by the Department of the Interior, Bureau of Land Management. USDA supports the proposed withdrawal on National Forest System lands.

The Forest Service embraces its mission to steward and safeguard wilderness areas. The administration is committed to balancing management of America's public lands and waters to create jobs, confront the ongoing climate crisis, and align the management of our public lands and waters with our nation's climate, conservation, and clean energy goals. We look forward to working with the subcommittee and sponsors of this bill to address the concerns outlined above.

S. 1631, Arizona Experiment Station Land Conveyance Act of 2021

S. 1631, the Arizona Experiment Station Land Conveyance Act of 2021, directs the Forest Service to convey 13.3 acres of NFS lands as well as an easement on Forest Service Road 9201D to the Arizona Board of Regents. The Forest Service is aware that this request stems from ongoing complexities in managing a University of Arizona Experiment Station (Station) through a term grazing permit. The Station is a benefit to everyone, especially the grazing industry, and USDA is committed to helping the station thrive. We would like to work with the Station and bill sponsor to explore alternatives for meeting the intent of this Act.

A primary objective of the Forest Service land adjustment program is to achieve a land ownership pattern that provides for the protection and best management of NFS resources. Conveyance of this tract would create an isolated parcel of private land, or inholding, within the Coconino National Forest, which is not consistent with the Forest Service policy and direction to consolidate NFS lands within a forest unit. Should the Arizona Board of Regents choose to sell the property in the future, the Forest Service would be obligated to try to purchase it again to fulfill the intent of the land management program and to minimize encroachment on NFS lands.

We look forward to working with the Station and bill sponsor to explore ways to support this important research asset while providing for the best management of the national forest.

That concludes my testimony, Madam Chair. I would be happy to answer any questions you or the other members have for me.

Senator CORTEZ MASTO. Thank you to both panel witnesses. Now we will begin the five minutes of questioning from the Senators. I will begin.

Dr. Feldgus, let me start with you, and this is in reference to my legislation, S. 607, the End Speculative Oil and Gas Leasing Act. BLM's federal onshore oil and gas program allows oil and gas companies to pursue speculative leasing on public lands that do not have any actual drilling potential. This issue is increasingly problematic in Nevada. In fact, the BLM leased 6.9 million acres of federal lands in Nevada from Fiscal Years 2006 through 2020, yet only 39 wells were drilled during that period. And let me just say, by comparison, I know in New Mexico, where the development potential tends to be much higher, BLM leased just over 68,000 acres between that same time period and nearly 11,000 wells were drilled.

So when public lands are leased so indiscriminately in Nevada and other places with little drilling potential, that limits BLM's ability to manage for other activities like hunting, fishing, and other purposes. And it seems to me that dealing with all of these speculative leases is also a terrible waste of BLM's time and taxpayer resources, particularly when it rarely leads to actual drilling. So my question to you is, how does the leasing of low- and no-potential lands negatively impact other land uses, and do you agree that if there is low or no potential, there is a better use for BLM's time and efforts in other areas instead of these areas where there is low potential impact for drilling?

Dr. FELDGUS. Absolutely, Senator, and thank you for the question. We are very concerned with the leasing of low- or no-potential lands and speculative leasing at the Department of the Interior. It is, as you mention, a hindrance to effective public land management, as it does block other potential uses or other conservation designations of those lands, and we do not believe that it is an effective use of taxpayer resources, or that it provides a good return to the American taxpayer. As you pointed out, there is quite a bit of effort that goes in from the BLM to analyzing these parcels when they are nominated, and I will just point out that companies do not need to pay a fee in order to nominate these lands. They don't have to undergo a very extensive environmental review process—public comments, there is a protest period and so on. And a recent GAO report found that only 1.2 percent of all the non-competitive leases that have been issued within a certain time period had any oil and gas production from them during their primary term.

And it is exactly these low- or no-potential lands that get these non-competitive leases where literally companies do not have to pay a bonus bid. The leases are available for two years, over-the-counter, just for the price of the first-year rent. So we do not think that is a fair return for the American taxpayer, and also, it creates a lot of uncertainty for local communities not knowing whether or not these lands are going to be leased, by whom, and if they will be developed at all.

Senator CORTEZ MASTO. Thank you.

Mr. French, as you know, the Lake Tahoe Restoration Act established programs at the lake pertaining to wildfire risk reduction

and forest management. It also includes aquatic invasive species control, storm water management, erosion projects, and of course, the Lahontan Cutthroat Trout Recovery program. Can you talk a little bit about the importance of these programs and how they have developed and been maintained over the years? And please also talk about the fact that the existing authorization for the Restoration Act expires in 2024, but we are looking for a long-term—at least a 10-year authorization. Why is that important as we are looking to manage these programs?

Mr. FRENCH. Yes, I think one of the things to think about here is, especially when we see successes like we have in and around Lake Tahoe with this law, is that it integrates a number of outcomes and resources and allows us in a collaborative way to do more streamlined work to essentially protect the lake. We are just getting going. There is a lot more to do and we have seen the benefits of that. We have maintained the quality of the experience and of the water in the lake, as well as protecting the communities through a number of wildland fire risk reduction projects across Lake Tahoe. It is tiered to a broad, multi-jurisdictional strategy and we have another ten or so years to go to fully implement that.

Senator CORTEZ MASTO. Thank you.

Senator Lee.

Senator LEE. Thank you. I would like to start out by asking both of you, have either of you heard of the Three Creeks Grazing project that I referred to earlier? Does that ring any bells?

Dr. FELDGUS. No, I have not.

Senator LEE. Okay.

As I said in my opening statement, the increased flexibility in grazing afforded by operating on private lands allowed these operations to achieve a doubling of the same stocking rate that was available on neighboring grazing allotments. It is something that I would love to see occur—love to see that have some ability to be replicated on our federal lands, especially given that so much of the land in my state is federal. As you may be aware, we are facing a lot of significant challenges right now in the livestock industry from foreign markets, and due to a combination of other factors, including weather patterns, droughts and so forth, and I am deeply committed to helping my constituents remain competitive.

Now, I often hear from ranchers who are frustrated because of the Forest Service or the Bureau of Land Management, as the case may be from one parcel to another, that either the Forest Service or the BLM is somehow unable to perform necessary work on rangeland due to time-consuming and costly regulatory requirements, or because of fear of litigation. In many cases, the local field office of the Forest Service or of the BLM will agree that the work in question needs to be done, but for one reason or another, they cannot. Do you agree, and I will ask this question of both of you, do you agree that range conditions could be improved if your agencies and local stakeholders had more flexibility to work together to complete projects? We will start with you, Dr. Feldgus.

Dr. FELDGUS. Thank you, Senator.

Well, I would agree that we support the goal of increasing efficiency in grazing management and grazing administration, and the Bureau of Land Management is attempting to use more flexibility,

and taking advantage of programs like the outcome-based grazing authorizations, which allow for that flexibility to take into account changing conditions, whether it is additional rainfall or more drought or wildfire conditions. So that is something that BLM has been doing since early 2018 on a number of pilot projects, and it is using the results of that in order to inform future grazing practices.

Senator LEE. How about you, Mr. French?

Mr. FRENCH. I would agree that a collaborative and more flexible approach to creating outcomes of our grazing program is helpful. But I would also say, I think, that probably the biggest barrier for us to achieve some of the work that you talked about generally just is probably lack of capacity. Our non-fire workforce across the agency has diminished by almost 40 percent in the last 15 years, mainly due to suppression of wildfires. I think that is probably the biggest driver we have seen of some of the outcomes we talk about.

Senator LEE. Yes, biggest single driver both in terms of the resources that you have to commit to dealing with those, and then also in some cases, degrading the rangeland because of the wildfires that——

Mr. FRENCH. Yes, I mean, that certainly occurs, but I think just having the right staffing to be able to do the work that you talk about is probably our biggest challenge.

Senator LEE. Right. When you are stretched thin like that, I would imagine it would be tempting to think it sure would be good if we had additional resources—additional human resources—you know, within the Forest Service, within the Bureau of Land Management. I would imagine also that it could be helpful to have states, in the event that we have legislation in place, that would allow for more of this. It could be helpful to be able to rely on states with an interest in managing the same rangeland and doing so in an environmentally responsible fashion.

I assume you are not in a position to comment on that given the nature of what we are discussing, but it does occur to me, you are stretched thin. In both of your offices, you are asked to do a lot and you are able to do a lot of things. You cannot do everything, and in some cases your resources are stretched thin due to natural circumstances, due to budgetary constraints, the finite nature of your human resource assets, but also because of inflexibilities imposed by federal regulations. So my legislation, I think, would go a long way toward helping that. I would love it if you would take a look at it.

Thank you, Madam Chair.

Senator CORTEZ MASTO. Thank you.

Senator Heinrich.

Senator HEINRICH. Thank you, Chair Cortez Masto, and I think I want to start by just mentioning that we hear a lot about federal ownership of land on this Committee, and I really don't view it that way. I think you all, as federal agencies, have a trust responsibility to take care of the public land that belongs to my constituents and every single American in this country. And so I want to just start by thanking both of you for taking that responsibility seriously and for being here today as part of that responsibility.

I want to start, Dr. Feldgus, with, when making decisions about a resource management plan (RMP), does the BLM consider the impacts of activities—gravel mining just being one example with today's legislation—on adjacent neighboring communities, and then how does the BLM weigh those potential impacts against other goals in that plan and compare those out in the resource management plan process?

Dr. FELDGUS. Absolutely, Senator, thank you for the question. The BLM takes the views of local communities very strongly in the resource management planning process, and that is one of the hallmarks of the RMP process, is the public participation component of that—listening to local communities, consultation with tribes, taking a variety of viewpoints into account. And the BLM believes that conservation measures that reflect the interests of local communities are the ones that are the most efficient and effective in the long term, because they are the people who work on those lands, play on those lands, care about those lands and——

Senator HEINRICH. Often the most durable.

Dr. FELDGUS. Yes, exactly. Those are the ones that last longest.

Senator HEINRICH. When do we think we can expect the Rio Puerco resource management plan to get finalized? That will do a lot to allay the concerns that precipitated this legislation in the first place with respect to the Buffalo Tract.

Dr. FELDGUS. Sure. Unfortunately, I cannot provide a date for when that plan would be finalized but it will be fairly soon.

Senator HEINRICH. Days, months, or years? Pick one.

Dr. FELDGUS. I will get back to BLM and we will come back to you with a more precise date.

Senator HEINRICH. I would appreciate that.

Mr. French, because we are talking today about Blackfoot Clearwater and Montana, I want to raise another issue. I had called Chief Moore and have not received a call back with respect to the situation in the Crazy Mountains. That is on the Custer Gallatin National Forest, but my understanding is that the Forest Service is no longer defending the prescriptive easements that have existed there for roughly a century now, and that concerns me because if we are not defending the prescriptive easements that the public uses to access their public lands after a century in Montana, I worry about that spreading to New Mexico and other places as well. So I would just appreciate information back as you look into that on what the rationale is and what can be done there on the Custer Gallatin.

Mr. FRENCH. Yes, Senator Heinrich, and I will ensure that Chief Moore follows up. You know, I know that situation well. We have looked at it. It is incredibly important for us to defend those prescriptive rights. We haven't changed our position. At the end of the day, it comes down to if the evidence is there to defend those rights, and we take that consideration on each one of these cases. On a broad scale, it is very important for us as an agency to defend those rights across the West.

Senator HEINRICH. Thank you.

Dr. Feldgus, I want to go back to a separate piece of legislation—The Federal Land Asset Inventory Reform Act, which requires Interior to develop a single accessible record of federal land and prop-

erty. Can you just take a minute and explain to the Committee and to the public how the Federal Government currently keeps track of all of its real property?

Dr. FELDGUS. Certainly, Senator, thank you for the question.

It is a very large job. There is quite a bit of real property across numerous dozens of agencies and we certainly agree with the goal of trying to make this much easier for people to access and make the different agencies' systems more interoperable, and right now that is an issue that we certainly have problems with. But something that the Federal Geographic Data Committee is working on is trying to develop better interoperability standards for agencies. So we agree that improvements can be made in federal real property data and we are working to make those.

Senator HEINRICH. Let us know, as Committee members, as we develop this legislation, but also just more broadly, how we can be helpful, because it is very, very opaque to the public to be able to sort of see into which agencies own what land. What the access ramifications of that are, for example, has enormous access ramifications for people who hunt, fish, recreate, and we need to make that more transparent to the public. So I look forward to working with you on that.

Dr. FELDGUS. Absolutely, Senator.

Senator CORTEZ MASTO. Senator Cassidy.

Senator CASSIDY. Thank you, Madam Chair.

Dr. Feldgus, the Department is opposing the bill which I am interested in, S. 2130, the RISEE Act, and I am intrigued by this. On the one hand, the Department says they are committed to promoting resiliency. On the other hand, they find reasons not to support this. So I'll break it down into two reasons that I see. The first is that it creates dependency upon energy revenue for resilience and the other is the cost to the federal treasury.

Dr. Feldgus, are you aware of what Louisiana's coastal restoration project is?

Dr. FELDGUS. Yes, I am, Senator.

Senator CASSIDY. And you are aware that it is a series of construction projects. It is not a mandatory entitlement program, which, if you have a funding stream and the funding stream goes away, you have to find out another way in which to pay for the mandatory entitlement, correct? It is a construction project. So when you define dependency, do you mean as in it is not sustainable, like the construction project which is only contracted out for when you have the money in the bank, and somehow it will not be able to be completed if future sources of revenue are not coming? I am not following, because it seems like the sustainability aspect of the funding does not comport with the fact that these are well-defined projects.

Dr. FELDGUS. Sure, well, Senator, we support the effort Louisiana is making in restoring and rebuilding its coastline and——

Senator CASSIDY. That is empty rhetoric unless there is money, just to say that, but please continue.

Dr. FELDGUS. Understood.

I think the issue with the RISEE Act is simply the matter of equity for all the states from federal revenues.

Senator CASSIDY. So let me ask. Onshore states, say New Mexico, get 50 percent of the revenue from revenue sharing—maybe 48, maybe 50 of the revenue sharing, and there is no cap on it. There is a cap and there is a limit upon—it is 37.5—there is a cap upon what the Gulf Coast States receive. Now, you do not mention equity in your statement, by the way, but if you bring up equity, I will just say parenthetically, it seems like equity would be for the coastal states to receive the same deal as the onshore states. That is certainly inequitable.

But let me ask as well because I want to go through the things that are actually listed as the reasons to oppose. You mentioned the impact upon the federal treasury, which the score is going to be roughly $10 billion over 10 years. Are you familiar with the CBO report that estimates it will be a $17 billion annual cost to the federal treasury to pay for hurricane damage, flooding, and wind on the coastline of principally the Gulf Coast, but elsewhere as well? Are you familiar with that CBO study?

Dr. FELDGUS. I am not familiar with that specific report.

Senator CASSIDY. So if it is $17 billion over 10 years, that is $170 billion as opposed to investing $10 billion over 10 years in order to attempt to mitigate. Now, when you do the analysis for the federal fisc, are you only looking at outlays that would be related to the dollars being more coastally distributed, or are you also taking into account what the CBO says would be the impact? Apparently not.

Dr. FELDGUS. Well, the testimony deals with the direct score, the hit to miscellaneous receipts to the treasury from the impact of the bill. Certainly, we support——

Senator CASSIDY. So the Interior Department does not take into account that if you build in resiliency as the levees around New Orleans just showed you can do, in which they held—the ground was dry. You didn't flood and didn't have the hundred and whatever billion dollars of repair that took place after that. This analysis does not take that into account, correct?

Dr. FELDGUS. The dollar value does not include that.

Senator CASSIDY. Does it seem reasonable that it could be taken into account, that maybe that you take into account that the avoided cost of damage from hurricanes would be a more fulsome, in fact, more accurate way to analyze this bill?

Dr. FELDGUS. Well, I certainly think we want to have that conversation about all of the revenues that are going to be involved for coastal restoration and resilience, especially with the impacts of climate change increasing every year, but I think it is a much larger conversation.

Senator CASSIDY. I think it is, but it should be part of this, should it not? Because how do we fund resiliency if we don't start funding resiliency? It's a little bit kind of like "we are all for you, but you are not going to get a dime until you get flooded out and your community destroyed, then we will come in and rescue you." We don't want that. If we have a flood we do, but we actually want to keep it from happening in the first place. I am not sure of the Administration's position on this because it seems not only shortsighted, but also hard-hearted.

Any thoughts on that?

Dr. FELDGUS. Well, I would say the Administration feels, I mean, our hearts go out to everyone who was impacted by the hurricanes and every natural disaster. Certainly, we have a lot of staff in the Gulf region. In Louisiana, BOEM and BSEE both have huge staff presences in New Orleans and in the district offices along the coast, so they are directly impacted by these, and a lot of our employees were forced to evacuate, have their lives and their families' lives put in danger from the most recent storms and ones going back decades. So we care deeply about the impacts on their lives and the lives of everyone in that region.

Senator CASSIDY. I appreciate that concern. I would say, not to diminish your concern, but until you start looking at the impact to the federal fisc of not doing anything except pick up the pieces after the disaster, that concern rings a little hollow.

With that, I yield.

Senator CORTEZ MASTO. Thank you.

Senator King.

Senator KING. Well, to pick up where Senator Cassidy left off, we are talking about existing oil and gas exploration and it is already current law that that money is apportioned according to the current statute. Does the Administration believe that revenues from offshore wind should also be apportioned in some similar way before we get to the amounts? In other words, do you believe that offshore wind should have similar treatment?

Dr. FELDGUS. Well, the Department would like to see revenues from offshore wind used to support offshore wind and also mitigating the impacts of offshore wind and also building partnerships among states and other stakeholders, and engaging in tribal consultation.

Senator KING. But everything you just said would lead me to believe that that money should flow through the coastal states where that kind of work would take place.

Dr. FELDGUS. Well, I think it depends on what specific restrictions are placed on the use of the money that would go to the states and——

Senator KING. Well, I guess what I am trying to get at—is your problem with the percentages or the concept? Do you support the concept of revenue sharing from offshore wind revenues? Yes or no?

Dr. FELDGUS. I would say the Department does not have a position on that yet.

Senator KING. Okay. And so then we get to the question of what are the percentages. Last week, the Administration announced quite a broad vision for offshore wind. Doesn't it make sense to have legislation on the revenue impacts of this and the sharing before we embark upon these kinds of investments?

Dr. FELDGUS. Well, we are very eager to have that conversation about the use of offshore wind revenues. As you pointed out, there was a large expansion of offshore wind leasing announcement just last week.

Senator KING. Right.

Dr. FELDGUS. And for those revenues coming in, I think the Department believes that those would be best used in helping do the work to make sure that those permits can be processed in a timely manner, that any impacts from offshore wind are mitigated prop-

erly, that the conversations are occurring between all the stakeholders that are affected.

Senator KING. So I'm sorry, but I'm confused because we keep coming back to who is going to do the mitigation, for example. Aren't the states that are most directly impacted the ones that would logically be working on the mitigation?

Dr. FELDGUS. Well, I think that is an open question—exactly how the mitigation would work.

Senator KING. So does the Administration have a plan for allocating revenues from offshore wind at all, or it just goes into the treasury?

Dr. FELDGUS. Well, currently it just goes into the treasury.

Senator KING. Are you interested in discussions to try to resolve this issue, because there are those of us that feel this just does not make sense. You have a statute over here that has been in place for years on oil and gas revenues. You have a new set of revenues and you are saying, well, we are just not going to talk about that. Is there room for discussion here?

Dr. FELDGUS. Absolutely. I do not want to give the impression that we are not interested in that conversation. We absolutely want to discuss the best use of these revenues.

Senator KING. And then finally, I want to emphasize the point that Senator Cassidy just made that talking about mitigation and resiliency is a hell of a lot cheaper than talking about rebuilding after a disaster on the oil and gas side and talking about resiliency and building up onshore resources—mitigating effects on fishermen, for example. That is something that we should be talking about in advance. It just seems to me it is cart before the horse to be talking about a vast expansion of offshore wind without talking about where the revenues are going to go. And to me, it is exactly analogous. It is energy development offshore, and therefore, the revenue should go, in some percentages, similar to the percentages that are attributable to oil and gas.

Do you—I mean, I am trying to get some agreement on the concept.

Dr. FELDGUS. Well, I mean, I will certainly, as I said, we are eager to work with you and the Committee to come up with the best use for offshore wind revenues. We are eager to have that discussion as to how they could be used both to further our goals of expanding offshore wind development and also making sure that any impacts from that are properly mitigated.

Senator KING. Well, I will look forward to working with you over the next several weeks to define the word "eager."

[Laughter.]

Senator KING. Thank you. Thank you, Mr. Chairman.

Senator HEINRICH [presiding]. Thank you.

I want to be very, very clear. I very much support this legislation that Senator Cassidy, Senator Whitehouse, and Senator King have all put so much effort into and I do think there is an equity issue here. We just haven't done enough for our coastlines and our oceans. And I think the Land and Water Conservation Fund is a great model, and this seems to be roughly analogous to that sort of approach. I hope the Administration will not take its foot off the

accelerator at all on offshore wind. That is a key part of how we deal with some of the climate impacts that we are already seeing.

Senator Hyde-Smith is next and will be followed by Senator Wyden.

Senator HYDE-SMITH. Thank you, Mr. Chairman.

Revenues from offshore energy production are the source of our sustainable dollars in the Gulf Coast for all of our programs for the coastal conservation, storm protection, hurricane protection, and the restoration, and Senator Cassidy alluded to how well these preventions worked during Hurricane Ida surrounding the city of New Orleans. But states with inland oil and gas production are rightly entitled to the 50 percent of the associated federal revenues generated that are derived from resources which belong to the entire nation and not just any one state.

Dr. Feldgus, would you agree that Gulf Coast States like Mississippi and like Louisiana should receive the same benefits from energy produced on federal holdings within their boundaries as the benefits received by energy produced in onshore and landlocked states, and why or why not?

Dr. FELDGUS. Well, I would say that any energy produced within the boundary of the state of Mississippi is shared with the state of Mississippi in the same manner as the other states.

Senator HYDE-SMITH. And if revenue from offshore oil and gas leases is going to be used to fund projects outside of the Gulf Coast, then Gulf Coast States should at least have similar revenue sharing parity with onshore oil and gas leases, and I am very proud to promote such legislation as the RISEE Act, and I certainly hope you will reconsider this because this is beyond an ounce of prevention. So thank you for your testimony.

Senator HEINRICH. Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman, and I have to be on the Floor in a few minutes for a response to Senator Scott, and I just want to thank you and our colleagues for holding this hearing because it is going to be one that considers legislation Senator Merkley and I have proposed to protect and enhance some of Oregon's most iconic recreation destinations—the Rogue, the Smith, and the Molalla Rivers. We have S. 1589, the Oregon Recreation Enhancement Act, that would establish two new recreational areas along the Rogue and the Molalla Rivers, two of our most iconic salmon and steelhead streams. More and more, Oregonians are concerned about losing treasured places to wildfires, especially after the last two devastating wildfire seasons. Based on the local input that we have gotten, S. 1589 creates a new approach to the growing threats of wildfires by requiring the Bureau of Land Management to take preemptive steps to reduce wildfire risks in the new recreation areas, including the construction of temporary roads for public safety. The bill is about the three R's: recreation, risk reduction for fires, and especially about protecting our treasures—our treasured recreation areas.

S. 1589 also permanently protects the pristine waters of the Smith and Illinois Rivers, a source of clean drinking water in southwestern Oregon, from hazardous mining. In 2017, the Forest Service and the Bureau of Land Management issued a temporary 20-year ban on new mining claims, and then mineral withdrawal

has seen widespread support from hundreds of local businesses, organizations, and tribes in the region, and this bill would make the ban permanent. Of more than 45,000 public comments received by the Forest Service and BLM, 99 percent were in support. I would like to enter into the record 20 letters and resolutions in support of this section of the bill and the permanent ban.

Senator HEINRICH. Without objection.

Senator WYDEN. Great.

[The letters and resolutions for the record follow:]

STATE OF CALIFORNIA
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Senate Joint Resolution No. 3

RESOLUTION CHAPTER 93

Senate Joint Resolution No. 3—Relative to the Smith River watershed.

[Filed with Secretary of State July 6, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 3, McGuire. Smith River watershed protection.

This measure would urge the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have the potential impacts on water supplies, economies, or the environment in California's portion of the Smith River watershed.

WHEREAS, The Smith River watershed of approximately 610 square miles in California and 115 square miles in Oregon has been considered the prize of the California wild and scenic river system since the time it was included in the California Wild and Scenic Rivers Act in 1972, and then later included in the National Wild and Scenic Rivers System in 1981; and

WHEREAS, The Smith River is the indirect primary source of drinking water for the majority of Del Norte County's 28,000 residents, with the largest user being the City of Crescent City; and

WHEREAS, The Del Norte County Board of Supervisors and the City Council of Crescent City have voted unanimously to oppose the issuance of a limited water use license for the Cleopatra Check Drilling Program based on the potential to cause significant adverse environmental impacts within the overall watershed of the Smith River and subsequent impacts on drinking water for residents and thousands of annual visitors; and

WHEREAS, The California North Coast Regional Water Quality Control Board, the Department of Fish and Wildlife, the Natural Resources Agency, and the Oregon Water Resources Department have also opposed any mining within the Smith River watershed because of the detrimental effects of strip mining; and

WHEREAS, The Smith River is unparalleled for its free-flowing status, large and abundant salmon and steelhead stock, and extraordinary botanical diversity, and is the only major undammed river in California; and

WHEREAS, The Smith River National Recreation Area Act, passed by the 101st United States Congress in 1990 (Public Law 101-612), amended the federal Wild and Scenic Rivers Act of 1968 and permanently protected all federal lands of the Smith River watershed within California by establishing the Smith River National Recreation Area; and

WHEREAS, The Oregon portion of the North Fork of the Smith River was not included in the act and remains vulnerable to mining; and

WHEREAS, Any strip mining activities on the North Fork of the Smith River could have devastating and irreversible impacts to the entire National Wild and Scenic Smith River watershed; and

WHEREAS, In 2012, the Red Flat Nickel Corporation submitted the Cleopatra Check Drilling Program Plan for the watershed of the North Fork of the Smith River to the Rogue River-Siskiyou National Forest, with the goals to develop and operate a devastating 3,980-acre strip mine to extract nickel, cobalt, and chromium; and

WHEREAS, The proposed mining operations will unnecessarily put the people and wildlife that rely on the Smith River at risk; and

WHEREAS, The United States Environmental Protection Agency has confirmed that hard rock mining, which includes strip mining, is the largest source of toxic pollution in the United States; and

WHEREAS, The United States Department of Agriculture's Technical Guide to Managing Ground Water Resources documents numerous published reports concerning the release of toxic metals to groundwater and surface water resulting from mines and mine-related facilities; and

WHEREAS, Mining operations along the tributaries of the Smith River would inevitably impact water quality and quantity with the potential to cause significant injury to fish and other wildlife, including threatened coho salmon; and

WHEREAS, The Smith River's coho salmon are protected under the federal Endangered Species Act and are recognized as a core independent population with a high risk of extinction; and

WHEREAS, The Smith River is one of California's most important, irreplaceable watersheds for the threatened coho salmon; and

WHEREAS, The Chinook salmon, cutthroat trout, and steelhead runs are vitally important to the economies and environment of northern California and Oregon; and

WHEREAS, Millions of federal, state, and private dollars have been spent in the past decades on improving water supply systems and for restoration and protection of salmonid habitat and watershed lands downstream from the proposed mining operations; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have potential impacts on water supplies, economies, or the environment in California's portion of the Smith River watershed; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

O

California State Senate

SENATOR MIKE MCGUIRE

NORTHERN CALIFORNIA'S SECOND SENATE DISTRICT

September 25, 2015

Mr. Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Dear Mr. Perez:

RE: Comments in Support of Proposed Mineral Withdrawal and Smith River Protection

Thank you so much for the opportunity to comment on this matter of critical importance to my constituents in Del Norte County and citizens of California. I strongly support the proposed withdrawal of approximately 100,000 acres of National Forest and Bureau of Land Management land located in southwestern Oregon from use under federal mining laws. Moreover, I support a permanent mineral withdrawal as proposed in the "Southwest Oregon Watershed and Salmon Protection Act of 2015" (S. 346 and HR 682).

In July of this year, the California Senate and Assembly approved Senate Joint Resolution – 3 the ***Smith River Watershed Protection*** measure which urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities. SJR-3 is appended to this letter and is herewith included as part of my comments.

In summary of SJR-3, strip mining in the Smith River watershed is simply unacceptable. The Smith and the companion rivers included in the proposed mineral withdrawal area are extraordinary streams of national significance. Any future mining activities will unnecessarily put the people and wildlife/fisheries that rely on these rivers at risk and would create irreversible impacts to the entire watersheds of these streams.

Again, I appreciate the opportunity to provide comments on the Proposed Mineral Withdrawal and look forward to the well-deserved protection of the Smith River watershed. If you have any questions regarding this letter please contact Thomas Weseloh, Chief Consultant to the California Legislature's Joint Committee on Salmon and Fisheries at Tom.Weseloh@sen.ca.gov or 707 445-7014.

Warmest Regards,

MIKE McGUIRE
Senator

United States Department of the Interior
Redwood National Park
1111 Second Street
Crescent City, California 95531

L74 (River Basin Activities)
xL6015 (Smith Wild and Scenic River)

September 23, 2015

Michael L. Barnes
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Dear Mr. Barnes:

We have reviewed the "Notice of Proposed Withdrawal and Notification of Public Meetings; Oregon" published in the Federal Register, FR Doc 2015-15954, Monday, June 29, 2015 and would like to offer the following comments.

The Notice describes proposed withdrawal for five years, and segregation of lands for two years, from settlement, sale, location, and entry under the public land laws, location and entry under the United States mining laws, and operation of the mineral and geothermal leasing laws of public domain and Revested Oregon California Railroad (O&C) lands managed by the Bureau of Land Management (BLM) and 95,805 acres of National Forest System (USFS) lands in southern Oregon.

The Proposed Withdrawal affects lands in the Baldface and Diamond Creek watersheds that form the headwaters of the North Fork of the Smith River. The North Fork enters California in Del Norte County, and meets with the Middle and South Forks of the Smith to form the mainstem Smith River. Approximately 3 miles downstream from the Middle Fork/South Fork confluence, the mainstem Smith River enters Jedediah Smith Redwoods State Park and Redwood National Park.

Redwood National and State Parks are composed of Redwood National Park and three California State Parks located within the Congressionally-designated boundaries of the national park in Humboldt and Del Norte Counties. Together the parks preserve not only the primeval coastal redwood forests but "the streams with which they are associated for the purposes of public inspiration and enjoyment, and to preserve all related scenic and recreational values" (General Management Plan/General Plan, Redwood National and State Parks, USDI National Park Service (April 2000) and California Department of Parks and Recreation (November 1999).

Redwood National Park was established "to preserve significant examples of the primeval coastal redwood *(Sequoia sempervirens)* forests and the streams and seashores with which they are associated, for purposes of public inspiration, enjoyment, and scientific study" (Public Law 90-545, October 2, 1968). The national park was expanded "...to protect existing irreplaceable Redwood National Park resources from damaging upslope and upstream land uses...." (PL 95-250, March 27, 1978).

The purpose of Jedediah Smith Redwoods State Park is "to make available to people forever, for their inspiration and enjoyment, in a condition of unimpaired ecological integrity, the great forests of lower Mill Creek and of the Smith River, together with all related scenic, historic, scientific, and recreational values and resources of the area." (July 1965 State Park and Recreation Commission Declaration of Purpose.)

As components of both the state and National Wild and Scenic Rivers Systems, the Smith and its tributaries within California provide opportunities for public enjoyment that attract visitors to the parks and to the region. The anadromous fishery is a primary Outstandingly Remarkable Value (ORV) for the Smith and its tributaries. In addition, the North Fork has been found to have outstandingly remarkable white-water boating values.

The Final Environmental Impact Statement for the Proposed Designation of Five California Rivers in the National Wild and Scenic Rivers System (USDI, Heritage Conservation and Recreation Service, December 1980) stresses that "the health of the entire Smith River system is critical to maintenance of the exceptional water quality which supports the anadromous fishery. Past history has shown the futility of governmental attempts to protect an outstanding resource value by drawing an artificial boundary around the resource and ignoring the interaction between the resource and the rest of the ecosystem. Under the National Wild and Scenic Rivers Act, all future federal actions within the watershed should be carefully designed to avoid degrading the water quality of the Smith River system, and adversely impacting the anadromous fishery. "

In addition to the legislation that established and expanded Redwood National Park, the National Park Service Organic Act of 1916 requires that all units of the National Park System be managed to "conserve the scenery ... and the wild life therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations." 54 USC 100101(a). In the General Authorities Act of 1970, Congress further declared that "... the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established...." 54 USC 100101(b)

The anadromous fish in the Smith River include steelhead trout, Chinook salmon, and coho salmon. Coho are listed as threatened under the federal Endangered Species Act and endangered under the California Endangered Species Act.

Protection of the superb water quality, the associated anadromous fishery and recreational resources, and the scenic values along the Smith River, and the opportunities for public enjoyment of these resources and values, are mandated under the Organic Act of 1916, the General Authorities Act of 1970, the Redwood National Park enabling and expansion legislation, and the National Wild and Scenic Rivers Act, as well as the Declaration of Purpose for Jedediah Smith Redwoods State Park. The anadromous fish in the Smith River are protected under the federal Endangered Species Act and the California Endangered Species Act.

The Proposed Withdrawal of BLM and USFS lands in the headwater tributaries of the Smith River upstream of Redwood National and State Parks will reduce potential for impairment of, and provide additional protection for, these significant resources and values and the opportunity for public enjoyment of the same in Redwood National Park and Jedediah Smith Redwoods State Parks, as required under the laws for management of these parks.

Thank you for the opportunity to comment on the Proposed Withdrawal.

Sincerely,

Stephen Prokop
Superintendent

cc: (all via electronic mail; no hardcopy to follow)
Martha Lee, PWR
Stephen Bowes, PWR-RTCA
Grant Werschkull (Smith River Alliance)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish and Wildlife Office
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266
Phone: (503) 231-6179 FAX: (503) 231-6195

Reply To: 01EOFW00-2015-CPA-0060
File Name: FWS Comments on Mineral Withdrawal
TS Number: 15-848
TAILS: 01EOFWO00-2015-CPA-0060
Doc Type: final

Memorandum

To: State Director, Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

From: State Supervisor, Oregon Fish and Wildlife Office
Portland, Oregon

Subject: Comments on the proposed mineral withdrawal by the Bureau of Land Management and United States Forest Service in southwestern Oregon (FWS TAILS #: 01EOFW00-2015-CPA-0060).

The U.S. Fish and Wildlife Service (Service) appreciates this opportunity to provide comments regarding the Bureau of Land Management (BLM) and the U.S. Forest Service's (USFS) proposed mineral withdrawal within the Klamath-Siskiyou bioregion of southwestern Oregon. The Service commends the agencies for initiating this process and provide our support for the proposal to withdraw approximately 5,216 acres of BLM-managed public domain lands and 95,000 plus acres of National Forest System lands, for 5 years, while Congress considers legislation to permanently withdraw those areas. The mineral withdrawal is needed because the Service believes that mining activities are incompatible with the high resource values of this bioregion and do not align with the conservation of Federal trust species which the Service is entrusted to protect and conserve. Our comments are provided under the auspices of technical assistance from the Service to the land management agencies under the authority of the Endangered Species Act (ESA) (16 U.S.C 1531 et seq.) and other resource protection statutes.

The Klamath-Siskiyou (K-S) bioregion has long been recognized as an important ecoregion not only nationally but globally as well (see World Wildlife Fund and International Union for the Conservation of Nature). The K-S bioregion is an expression of its biological diversity and unique evolutionary history. Because of these unique factors, it hosts some of the most productive salmon and steelhead fisheries outside of Alaska; is home to the largest concentration of Wild and Scenic Rivers in the nation; has some of the largest-contiguous acreage of forest on the West Coast; and, provides habitat for 3,500 plant species of which 280 are rare or endemic.

Printed on 100 percent chlorine-free/100 percent post-consumer content recycled paper

Salmonid strongholds, including ESA listed Coho salmon, and nationally significant Wild and Scenic Rivers, occur with the mineral withdrawal area. Pacific lamprey, a Service Species of Concern, also occurs throughout the proposed withdrawal area. Major threats to lamprey include poor water quality, dredging, and stream and floodplain degradation, all of which are consequences of inappropriate mining methods. The Service, along with other federal agencies, has spent considerable time and resources in developing and implementing best management practices for lamprey because the immediate need for lamprey conservation is evident. Withdrawing this area from mining will provide needed long-term habitat conservation benefits to lamprey and native freshwater resident fishes while simultaneously benefiting anadromous salmonid species.

The forested landscape of the K-S bioregion also provides a stronghold for rare forest carnivores such as the Pacific fisher and Humboldt marten. Federally listed avian species such as the northern spotted owl and marbled murrelet and their designated critical habitats occur here as well. The removal of forest habitat, which is an outcome of strip and hardrock mining, would contribute threats to carnivores and avian species, as well as other native terrestrial and aquatic species. Withdrawing this area from mining will alleviate habitat-loss threats and contribute to the possibility of not listing candidate species because of intact habitat remaining on the landscape.

The K-S bioregion is well-known for its vast array of unusual and endemic flowering plants. This is exemplified by BLM and USFS having established thousands of acres of Areas of Critical Environmental Concern and designated botanical areas, particularly in Rough and Ready Creek, due to rare and endemic plants. Several of the rare plant species include ESA protected Gentner's fritillary and Cook's desert parsley, which occur in the proposed withdrawal area. Protection of the withdrawal area will further conservation of the listed plants by providing broad distribution and sources of connectivity for these small and isolated plant populations.

Straddling the Oregon-California border, the K-S bioregion contains some of the largest concentration of intact watersheds on the west coast and world renowned biodiversity. These exceptionally high resource values, including several federal candidate and listed species, makes mining incompatible with the resource values and conservation investments in the bioregion. For these reasons, I urge the land management agencies to follow through on the proposed mineral withdrawal of the approximately 100,000 acres of federal lands in the K-S bioregion.

Thank you for this opportunity to provide comment. Please feel free to contact me at (503) 231-6179 if you would like to discuss these comments further.

Oregon
Kate Brown, Governor

Department of Fish and Wildlife
Rogue Watershed District Office
1495 East Gregory Road
Central Point, OR 97502
(541) 826-8774
Fax: (541) 826-8776
odfw.com

September 28, 2015

Michael L. Barnes
Bureau of Land Management
Oregon State Office
PO Box 2965
Portland, OR 97208-2965
m1barnes@blm.gov

Re: Mineral Withdrawal in Aid of Legislation on Public Lands in Southwest Oregon

Dear Mr. Barnes:

The Oregon Department of Fish and Wildlife (ODFW) supports the proposed five-year mineral withdrawal on public lands in southwest Oregon as proposed by the U.S. Forest Service (USFS) and Bureau of Land Management (BLM). ODFW's mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.

The proposed a five-year mineral withdrawal would affect 95,806 acres managed by the USFS Rogue River-Siskiyou National Forest and 5,216 acres managed by the BLM. Lands included in the proposed mineral withdrawal encompass the upper portion of Hunter Creek, the North Fork Pistol River, Baldface Creek, a major tributary to the North Fork Smith River, and Rough and Ready Creek, tributary to the West Fork Illinois River.

The Illinois, Smith, and Pistol rivers and Hunter Creek support abundant populations of fall Chinook salmon, winter steelhead, and coastal cutthroat trout. Coho salmon also occur in all four watersheds. A long-term decline in southern Oregon and Northern California coho populations led to a 1997 federal listing of coho as threatened under the Endangered Species Act. Coho populations in all four watersheds are included in the Southern Oregon/Northern California Coast (SONCC) ESU.

The extraction of minerals associated with metal mining generates large amounts of waste, which creates the potential for significant releases of sediment or contaminants into adjacent waterways. The Klamath geologic province, which encompasses all of the area in southwest Oregon included in the proposed mineral withdrawal, is very erosive and prone to landslides. Siting a large-scale metal mining operation in this area would pose great risk to the fishery resources in southwest Oregon.

In summary, ODFW is very concerned about the potential for leaching metal mining wastes into Oregon waterways and the resulting long-term impacts to fish, wildlife, and habitat resources. If

you have any questions regarding these comments, please feel free to contact me at 541-826-8774.

Russ Stauff
Rogue Watershed District Manager
Oregon Department of Fish and Wildlife

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

September 21, 2015

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Subject: 2015 Mineral Withdrawal Proposal: Rough and Ready and Baldface Creeks Withdrawal Area

To whom this may concern:

The Smith River is unmatched in California for its free-flowing status, botanical diversity, renowned anadromous fisheries, and Wild and Scenic status. It also provides vital habitat for numerous State and federally listed species. The Smith River is California's fourth largest coastal river, with a watershed area of approximately 610 square miles in California and 115 square miles in Oregon.

The California Department of Fish and Wildlife (Department) is concerned that large scale industrial strip mining proposed in southern Oregon will have significant irreversible downstream effects on the Smith River. Because of the documented substantial environmental risks to aquatic resources associated with strip mining, the Department is strongly opposed to strip mining in the Smith River watershed.

The Department strongly supports the five year mineral withdrawal in aid of legislation, currently in process by the United States Forest Service and the Bureau of Land Management. Further, the Department strongly supports the Southwest Oregon Watershed and Salmon Protection Act of 2015 and is hopeful the United States Congress will enact this legislation.

We appreciate the opportunity to support this important interim step and look forward to permanent protection of the north fork Smith River as proposed by the Southwest Oregon Watershed and Salmon Protection Act of 2015. Please contact Senior Environmental Scientist (Specialist) Michael van Hattem at 707-445-5368 if you have any questions.

Sincerely,

Neil Manji
Regional Manager

ec: Page 2

ec: Bureau of Land Management
Oregon State Office
BLM_OR_WA_WITHDRAWALS@blm.gov

Jeff Bomke and Amber Transou
California State Parks
Jeff.Bomke@parks.ca.gov, Amber.Transou@parks.ca.gov

Mona Daugherty and Jeremiah Puget
North Coast Regional Water Quality Control Board
Mona.Daugherty@waterboards.ca.gov, Jeremiah.Puget@waterboards.ca.gov

Curt Babcock, Gordon Leppig, Laurie Harnsberger, and Michael van Hattem
California Department of Fish and Wildlife
Curt.Babcock@wildlife.ca.gov, Gordon.Leppig@wildlife.ca.gov
Laurie.Harnsberger@wildlife.ca.gov, Michael.vanHattem@wildlife.ca.gov

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

North Coast Regional Water Quality Control Board

September 24, 2015

Mr. Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965

Dear Mr. Perez,

Subject: Comments in Support of the Notice of Proposed Withdrawal of Mineral Rights in Southern Oregon

The North Coast Regional Water Quality Control Board (Regional Water Board) would like to thank you for this opportunity to comment in support if the proposed withdrawal of approximately 100,000 acres of National Forest and Bureau of Land Management land located in Southwest Oregon from use under federal mining laws. Our primary concerns rest in the headwaters of the North Fork Smith River, an interstate water of the United States that flows from Oregon through California.

The Smith River is a unique and thriving natural resource of high-quality water, often referred to as the crown jewel of the North Coast Region of California. Its unspoiled ecological and recreational value is further enhanced by also being the water supply for several communities including Gasquet, Hiouchi and Crescent City. It is a state and federally designated Wild and Scenic River with world class recreational opportunities and a habitat stronghold for a declining population of rare, threaten and endangered anadromous fish. The active recreational and commercial fishing industries supported by the Smith River make it a vital part of the Northern California environment, economy, and culture. A mining project in the headwaters of the North Fork of the Smith River has a high risk of resulting in significant discharges of waste and adverse impacts to water quality and beneficial uses.

To add further protection to the Smith River, in March 2015 as part of the Triennial Review of the *Water Quality Control Plan for the North Coast Region* (Basin Plan), the Regional Water Board directed staff to develop a proposed amendment to the Basin Plan to designate Outstanding National Resource Waters (ONRWs) with initial focus on the Smith

River. An ORNW designation for the Smith River in California would significantly restrict authorization of discharges with the potential to degrade such waters.

For these reasons, the Regional Water Board strongly supports the proposed interim withdrawal of mineral rights in the North Fork Smith River. Further, we would support consideration of future legislation to permanently remove these areas from potential mining. Such an action would augment our proposed action to designate the Smith River in California as an ONRW.

If you have any questions or concerns regarding this letter, feel free to contact Jeremiah J. Puget, Environmental Scientist of my staff, at (707) 576-2835 or at Jeremiah.Puget@waterboards.ca.gov.

Sincerely,

Shin-Roei Lee
Assistant Executive Officer

150924_JJP_dp_CommentsMineralRights_SouthernOregon

cc:

Oregon Governor John Kitzhaber, 160 State Capitol, 900 Court Street NE, Salem, OR 97301
California Governor Edmund G. Brown Jr., c/o State Capitol, Suite 1173, Sacramento, CA 95814
Senator Jeff Merkley, 495 State Street, Suite 330, Salem, OR 97301
Representative Peter DeFazio, 125 Central Avenue, Suite 350, Coos Bay, OR 97420
Representative Jared Huffman, 999 Fifth Avenue, Suite 290, San Rafael, CA 94901
Felicia Marcus, Chair SWRCB, Felicia.Marcus@waterboards.ca.gov
Tom Howard, Executive Director, SWRCB, Tom.Howard@waterboards.ca.gov
City Manager of Crescent City, Eugene Palazzo, City Hall 377 J Street, Crescent City, CA 95531
Big Rock Community Services District, 2680 US Highway 199, Crescent City, CA 95531
Gasquet Community Services District, 250 Middle Fork Gasquet Road, Gasquet, CA 95543
Michael Van Hattem, California Department of Fish and Wildlife
Michael.vanHattem@wildlife.ca.gov

Elk Valley
RANCHERIA
Crescent City, CA

2332 Howland Hill Road
Crescent City, CA 95531

Phone: 707.464.4680
Fax: 707.465.2638

August 7, 2015

VIA POSTAL SERVICE

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965

Re: Notice of Proposed Withdrawal; Elk Valley Rancheria, California's Comments

To Whom It May Concern:

The Elk Valley Rancheria, California, a federally recognized Indian tribe (the "Tribe") located in Del Norte County, California, provides its comments in support of the proposed mineral withdrawal of 95,806 acres of National Forest System lands on the Rogue River-Siskiyou National Forest and 5,216 acres of Bureau of Land Management lands on the Medford District and Coos Bay Districts.

The Tribe supports Senate Bill 346 and House Resolution 682, the "Southwestern Oregon Watershed and Salmon Protection Act of 2015." The proposed withdrawal assists with the preservation of the status quo and does not allow for mining claim location or entry under the mining laws, mineral lease or geothermal operations during both the two-year segregation period and the subsequent five-year mineral withdrawal, for a total of up to seven years.

The Tribe has previously expressed concern about mining in the Smith River watershed and has supported on-going efforts to protect the Smith River and associated watershed from the negative impacts of proposed nickel mining efforts. The proposed strip mining and other mineral extraction activities have been demonstrated to have a negative effect on the water supply that is so vital to the region. Likewise, those activities negatively affect cultural and historical sites of importance to the Tribe and its ancestors.

The proposed withdrawal would avoid the nickel mine's destruction of wilderness quality public lands, eradication and disturbance of the local flora and fauna, pollution of downstream waters, and depletion of a fully appropriated stream. Likewise, maintaining the status quo would avoid pollution that would harm fisheries and drinking water supplies. The cessation of both the short term mineral exploration drilling and long term industrial strip mining would clearly be beneficial to the public interest.

Again, the Tribe supports the proposed withdrawal and urges the Secretary to take said action.

Thank you for the opportunity to comment on this matter of great public importance.

Sincerely,

Dale A. Miller
Chairman

cc: Congressman DeFazio
Congressman Huffman
Senator Feinstein
Senator Boxer
Elk Valley Tribal Council
Grants Director
General Counsel

Confederated Tribes of Siletz Indians
P.O. Box 549 Siletz, Oregon 97380
(541) 444-2532 • 1-800-922-1399 • FAX: (541) 444-2307

September 18, 2015

Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Re: Withdrawal of Southwestern Oregon eligible Federal lands from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

Dear Director Perez:

I am writing you regarding the issue of mining on public lands managed by the USDA Forest Service and the Bureau of Land Management in Southwest Oregon's Kalmiopsis region. In an earlier letter (May 5, 2015) addressed to Mr. Robert MacWhorter, Forest Supervisor of the Rogue River/Siskiyou National Forest, we expressed our concern over Red Flat Nickel Corporation's interest in exploratory nickel mining within the lower Rogue River Basin, the Illinois River, as well as Hunter Creek, Pistol River, Chetco River, and the North Fork of the Smith River (Southern Oregon border). Today we are expanding on that concern by asking that you extend the current two year segregation period to a five year withdrawal. In addition we wish to inform you that our long-term interest is in seeing a full twenty year withdrawal to allow time for our Federal legislators to pass the proposed *Southwestern Oregon Watershed and Salmon Protection Act of 2015, H.R. 682 and S.346* (introduced by Messrs. DeFazio, Huffman, Merkley, and Wyden; February 3, 2015) which would create a condition of permanent mineral entry withdrawal for approximately 95,805 acres of National Forest and 5,216 acres of BLM managed lands.

Our ancestral homelands include all the river basins of Southwest Oregon. Although we were driven from these ancestral lands during the 19th century our connection to the cultural resources in these basins has continued since removal. Our ability in large part to preserve our culture and ancestral ways, specific to the resources our people use/protect within these basins, is critical to the future success of the Confederated Tribes of Siletz. An example of this is our devotion to our annual *Run to the Rogue* celebration wherein we commemorate our ancestor's removal from their treasured homelands, by travelling their footsteps in reverse direction. During this 3 day celebration tribal members spend time with their families reconnecting to family histories in these basins and focusing on preservation of cultural traditions such as fishing for salmon and gathering basketry materials, food and medicinal plants. These activities occur seasonally during other months of the year as well. Through these activities tribal members expect to be able to drink the natural waters produced within these basins, eat mammals, fish, shellfish and plants that are susceptible to environmental pollutants. Although we have concerns related to multiple species and beneficial uses within these basins we will highlight one species/beneficial use concern for demonstration purposes.

Lamprey eel are a key fisheries resource for the Siletz Tribe. Larval lamprey rear in freshwater streams for four to ten years before they begin their ocean migration. During the past twenty years west coast tribes have forced the agencies to recognize multiple issues driving Pacific lamprey population declines. Using several genetic studies carried out during the past fifteen years, fisheries experts from the U.S. Fish and Wildlife Technical Working Group (federal, state and tribal partners) have identified the Rogue Basin as a key producer of Pacific lamprey when considering all stocks of lamprey found across the eastern Pacific. Because Pacific lamprey larvae reside in freshwater for so long along with other biological factors proving super-sensitivity, they have been shown to be more susceptible to environmental pollution (Portland Harbor Super Fund studies and recent Columbia River Intertribal Fish Commission studies). Toxic run off from mining operations would be detrimental to the remaining stocks of lamprey found in our above mentioned streams of concern. In turn we are equally concerned about water use to support these activities and how that use will compete with critical fisheries habitat.

The current proposed mining activity has a long history of high risk and extensive environmental pollution under which the responsible parties rarely take financial responsibility and for which the citizens of the state or country where it occurs carry all the financial burden of the cleanup. Although we support economic development across Oregon we do not support ventures associated with a high degree of environmental risk.

In summary we wish to express our great concern over the sustainability of resources within our ancestral homelands under any sort of precious mineral exploratory or otherwise, mining activities. In addition we wish that you extend the current two year segregation period to a five year withdrawal. Lastly, we request that you work toward a full twenty year withdrawal to allow our legislators adequate time to pass the *Southwestern Oregon Watershed and Salmon Protection Act of 2015* with its' intended permanent withdrawal of 101,021 acres of Federal lands from future (1) entry, appropriation, or disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) operation under the mineral leasing and geothermal leasing laws.

Sincerely,

Delores Pigsley
Tribal Chairman

COUNTY OF DEL NORTE
BOARD OF SUPERVISORS

981 "H" Street, Suite 200
Crescent City, California 95531

Phone
(707) 464-7204

Fax
(707) 464-1165

Jerome E. Perez, State Director
BLM Oregon
1220 S.W. 3rd Avenue
Portland, OR 97204

09/22/15

Subject: Mineral Withdrawal in Support of the Southwestern Oregon Watershed and Salmon Protection Act

Dear State Director Perez,

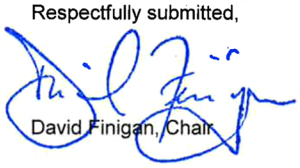
Thank you for the opportunity to comment on this very critical subject. The responsiveness of the Bureau of Land Management and the U.S. Forest Service to the request of our federal legislators for a five-year mineral withdrawal on lands that flow into our pristine watersheds is greatly appreciated.

Del Norte County is home to the Smith River which is considered to be the prize of the California Wild and Scenic River System because of it unparalleled free-flowing status, large and abundant salmon and steelhead stock, and extraordinary botanical diversity. The river's recreation opportunities are abundant and it provides the indirect primary source of drinking water for the majority of Del Norte County's 28,000 residents. The value of a healthy Smith River to the vitality of Del Norte County is incalculable. While the California portion of the Smith River was afforded protection under the Smith River National Recreation Area Act and Wild and Scenic River designation, the upper reaches of the North Fork of the Smith River, which lie in Oregon, remain vulnerable to large scale strip mining operations.

In July 2014, the Del Norte County Board of Supervisors voted unanimously to oppose the issuance of the limited water use license for Red Flat Nickel Corporation's Cleopatra Check Drilling Program based on the potential to cause significant adverse environmental impacts within the overall watershed of the Smith River and subsequent impacts on drinking water for residents and thousands of annual visitors. While this request was later withdrawn, the County has continued to work with California state legislators to garner the support needed to permanently safeguard the North Fork of the Smith River. Most recently the California State Legislature approved Senate Joint Resolution No. 3 – Smith River Watershed Protection which resolves that the state Legislature will urge the President of the United States and Congress to permanently safeguard the Smith River.

Given the exigency of the matter, Del Norte County strongly urges your support in recommending approval of the mineral withdrawal to the Director of the Bureau of Land Management to allow adequate time for our federal legislators to approve the Southwest Oregon Watershed and Salmon Protection Act which will permanently protect our world class rivers and streams.

Respectfully submitted,



David Finigan, Chair

cc: Representative Jared Huffman, U.S. Congress
Senator Mike McGuire, California State Senate
Mayor Ron Gastineau, City of Crescent City Council

City of Gold Beach
29592 Ellensburg Avenue ● Gold Beach, OR 97444
Administration: 541-247-7029 ● *Police*: 541-247-6671 ● www.goldbeachoregon.gov
Visitor Center: 541-247-7526 ● www.goldbeach.org

Friday, May 20, 2016

SENT VIA EMAIL & USPS

Robert MacWhorter, Forest Supervisor
% Shannon Downey
Rogue River-Siskiyou National Forest
3040 Biddle Rd,
Medford, OR 97504

RE: SW Oregon Mineral Withdrawal

Dear Mr. MacWhorter:

Please accept this letter as a placeholder comment in favor of SW Oregon Mineral Withdrawal legislation. The Gold Beach City Council, at the May 9th Council meeting, voted to send a letter supporting the mining withdrawal proposal as well as draft a resolution in support of the withdrawal. The resolution will be ratified at the June 13th Council meeting. Even though the comment period will be officially closed at that time, I will forward a copy of the resolution once signed.

The Red Flat mining proposal--that was the genesis of this proposed withdrawal legislation--is located in close proximity to the City of Gold Beach. In the past our area has been heavily dependent on a natural resources extraction economy that was strongly encouraged by the USFS and other federal agencies. Most of that extraction was in the form of timber, but Curry County does have a long history of mineral extraction as well—mostly aggregate, though, not hazardous mining like nickel mining.

In the past 20 years, and specifically in the past 10, our area has worked really hard to make lemonade from the lemons we were handed in the early '90s (no harvesting of a *renewable* resource on federal lands that make up 75% of our county). But the timber discussion is a horse beaten so dead there isn't enough left for glue--so no point in going there. It is what it is, and we will never go back to harvesting and replanting, so we have tried to move on. We are making lemonade economically by working on building a successful tourism economy that embraces the "wild" in the wilderness and wild rivers that surround us.

Nickel mining—anywhere—but specifically HERE would be catastrophic to that tourism economy, and, in my opinion, kind of a slap in our faces. We are no longer permitted to

harvest and replant trees--a renewable natural resource: but now federal agencies may allow devastating extraction of a non-renewable source metal. Those extraction activities scar and pollute the surrounding areas and bring ZERO income to the locals that are affected by the devastation. How does that comport with the past 25 years of rhetoric that logging destroys the environment and threatens fish habitat? Roads aren't even being maintained in the national forest surrounding Gold Beach because that maintenance may adversely impact habitat. But strip mining is a possibility?

The mining company isn't even an American company. If you want to say there is controversy surrounding this issue: **there it is**—a foreign company strip mining a one-of-a-kind wilderness area, devastating salmon habitat, devastating watersheds of federally designated wild rivers, and destroying a fragile tourism economy in one of the most economically devastated counties in the entire west. All based on some obscure law over 100 years old? THAT is the controversy.

We are a first world country. We know what strip mining does to the environment and to communities surrounding it. The fact that we have to even say: STOP. PLEASE. is shameful in 2016.

But that is what we are saying: STOP PLEASE. Help us preserve our fragile tourism economy. Help us to preserve the wild areas that make us America's Wild Rivers Coast. Withdraw these areas from consideration for mineral extraction. Not just for 5 years. Not even for 20. Withdraw them permanently.

Thank you for the opportunity to comment on this very important issue.

Sincerely,

Jodi Fritts
City Administrator
jfritts@goldbeachoregon.gov

David Bitts
President
Larry Collins
Vice-President
Duncan MacLean
Secretary
Mike Stiller
Treasurer

PACIFIC COAST FEDERATION of FISHERMEN'S ASSOCIATIONS

W.F. "Zeke" Grader, Jr.
Executive Director
Glen H. Spain
Northwest Regional Director
Vivian Helliwell
Watershed Conservation Director
In Memoriam:
Nathaniel S. Bingham
Harold C. Christensen

Please Respond to.

☐ **California Office**
P.O. Box 29370
San Francisco, CA 94129-0370
Tel: (415) 561-5080
Fax: (415) 561-5464

www.pcffa.org

Email: fish1ifr@aol.com

[X] **Northwest Office**
P.O. Box 11170
Eugene, OR 97440-3370
Tel: (541) 689-2000
Fax: (541) 689-2500

28 September 2015

Jerome E. Perez, Oregon State Director
Bureau of Land Management,
Oregon State Office,
P.O. Box 2965,
Portland, Oregon 97208-2965

PDF Email to:
BLM_OR_WA_WITHDRAWALS@blm.gov

Dear Oregon State Director Perez:

We submit these comments to you on behalf of the Pacific Coast Federation of Fishermen's Associations (PCFFA) as well as its sister organization, the Institute for Fisheries Resources (IFR).

As the largest trade association of commercial fishing families on the west coast, we at PCFFA (together with IFR) urge you to protect the headwaters of the Wild and Scenic Illinois and Smith Rivers and the Wild Rivers Coast from proposed nickel and other strip mines. We respectfully ask you to protect these waterways, which (as key salmon producing rivers) are crucially important to our livelihoods and those of our members, many of whom harvest salmon for all or part of their living.

Every stream and river in Oregon counts for and is important for commercial salmon fishing production due to "weak stock management." This is the biologically and legally required management tool by which all fisheries in a given at-sea area can be closed if *any one* stock, or substock, that is intermingling with the other targeted but more abundant stocks becomes too weakened in population size to allow any additional incidental or even accidental take without risking its depletion or eventual extinction.

This is not just a theoretical threat, but happens as a regular part of west coast ocean fisheries management. For instance, in 2006 ocean salmon fisheries from Monterey, CA to the OR-WA

border were closed or severely restricted because of the one very weak fall-Chinook stock in the Klamath River that year. Once the Klamath fall-Chinook populations dipped below the "minimum spawner floor" in 2006, all other fisheries in that 700 mile area were either closed down or severely restricted to prevent even accidental take of the weakest fall-Chinook from the Klamath. This closure cost our industry about $200 million in economic losses, even though the rest of the fall-Chinook stocks coastwide were relatively strong and could, in themselves, have otherwise supported abundant fisheries.

Weak stock management-driven closures could just as easily affect the Oregon coastal salmon stocks if *any* of these intermingling stocks get seriously depressed, due to destructive industrial mining, in *any one* river system on the coast. All other Oregon (and perhaps Northern California and Washington) ocean salmon fisheries could potentially be shut down to protect *any one* very weak stock, at a huge economic cost to our industry. The risk of a mining-triggered salmon habitat loss which results in an economic disaster in our industry is just too great to allow such impacts.

These same streams for which protection is sought also contain ESA-listed Oregon Coastal ESU coho, and/or Southern Oregon/Northern California ESU coho. Significant loss of either of these protected populations could trigger serious weak stock management restrictions, and could also limit large portions of the commercial at-sea fishery in both states.

It also just makes no sense from a public policy perspective to be spending tens of millions of dollars repairing damaged in-stream coho spawning and rearing habitat while simultaneously allowing mining operations to re-destroy that same habitat, and at a huge tax-payer subsidy.

I ask you to support the maximum possible interim protection available while Congress considers permanent protection through legislation, such as the Southwestern Oregon Watershed and Salmon Protection Act, which we fully support.

Sincerely,

Glen K. Spain

Glen H. Spain
Regional Director
PCFFA and IFR

Cc: Tim Sloane, PCFFA/IFR
Executive Director

Curry County
Board of Commissioners

David Brock Smith,
Commissioner

94235 Moore Street, Suite 122
Gold Beach, OR 97444
541-247-3296, 541-247-2718 Fax
800-243-1996 *www.co.curry.or.us*

September 23rd, 2015

Neil Kornze, National Director
Bureau of Land Management
1849 C Street NW, Room 5665
Washington D.C. 20240

Jerome Perez, Oregon State Director
Bureau of Land Management
333 S.W. 1't Avenue
Portland OR 97204

Regarding: Mineral withdrawal on 95,806 acres of National Forest System lands on the Rogue River-Siskiyou National Forest

As a Commissioner for Curry County and on behalf of our residents, I thank you for the opportunity to comment on the critical issue of mineral withdrawal in Southwestern Oregon. On August 7th, 2013, the Curry County Board of Commissioners passed an Amendment to the Curry County Code adding a New Article One, Division Fourteen relating to a Federal Coordination Policy. This Policy, under Section 1.14.010, subsection (1) asserts additional coordination as outlined in the FLPMA and NFMA to, "provide early and frequent opportunities for.... local governments to participate in the planning process". The purpose of the Federal Coordination Policy, as outlined in Section 1.14.020, is that Curry County asserts its maximum rights to coordination, as provided by law, with all federal agencies conducting activities in or affecting Curry County and the policies contained in the Federal Coordination Policy are enacted with the express intent of developing meaningful and productive relationships with the federal agencies that coordinate with Curry County.

Section 1.14.030, Subsection (3) outlines the Federal Coordination Policy Mining Policies. The Curry County Board of Commissioners agrees that the proposed project to be conducted by the Red Flat Nickel Corporation will cause serious negative externalities to the project location at the headwaters of the free flowing Hunter Creek and Pistol River watersheds. If allowed to be developed; the board also recognizes there will be serious negative impacts to the surrounding area, restriction of access to popular recreational areas, degradation of the rare and unique botanical resources, as well as the health risks to the residents and wildlife. The Board places higher values on its citizens' health and safety, the many recreational uses of the Red Flat area as well as the highly prized Hunter Creek and Pistol River fisheries for wild chinook and coho salmon, steelhead, cutthroat and resident trout than on the foreign owned Red Flat Mining Corporation interests. Furthermore, the BOC feels this proposed project is not in line with a number of other Curry County policies outlined within the Federal Coordination Policy.

Additionally, the Smith River; which is considered to be the prize of the California Wild and Scenic River System, is included in the proposed mineral withdrawal. While the California portion of the Smith River has the protections of the Smith River National Recreation Area Act and Wild and Scenic designation, the headwaters and North Fork lie in Southwestern Oregon and therefore have no additional protections. The Smith River's free flowing status, large, abundant salmon and steelhead runs and extraordinary botanical diversity, coupled with multiple recreation opportunities and an important source of drinking water for the majority of the residents, make its health vitally important to the safety, welfare and economy of our residents.

We understand that the proposed mineral withdrawal in no way disrupts our citizen's rights to access, recreate and utilize these lands within the proposed area and encourage citizens to do so. We would also encourage the respective federal agencies to fund road infrastructure maintenance programs on the road systems that exist within the proposed area.

In closing, given the critical significance of the Hunter Creek, Pistol River and Smith River Watersheds to the Southwestern Oregon and Northwestern California communities and their economies, Curry County respectfully requests your approval of the proposed mineral withdrawal within the Rogue River-Siskiyou National Forest. Thank you for your consideration on this important matter.

Respectfully,

David Brock Smith, Commissioner
Curry County Board of Commissioners
District 4 Chair,
Association of Oregon Counties
Association of O&C Counties Board Member

CC: Senator Ron Wyden
Senator Jeff Merkley
Congressman Peter DeFazio
Rob MacWhorter
Patricia Burke

City of Crescent City
Where the Redwoods Meet the Sea
377 J Street, Crescent City, CA 95531 • 707.464.7483 • Fax 707.465.4405 • www.crescentcity.org

September 21, 2015

Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965

Re: City of Crescent City public comment supporting proposed mineral withdrawal

To Whom it May Concern:

The City is opposed to any activities that could be detrimental to the water quality of the Smith River. The Smith River is the community's water source and provides high quality drinking water for 14,000 plus residents, as well as thousands of visitors year-round. In addition to providing drinking water to the City's municipal water users, the Smith River also offers a multitude of recreational activities including kayaking, rafting, swimming, and fishing. The Smith River and its tributaries are the spawning grounds and habitat for a world-class fishery (salmon, steelhead, cutthroat trout). These recreational and fishing opportunities are not only enjoyed and valued by local residents, they are also an important feature of the region's tourist industry. As such, the City is opposed to any activities that could be detrimental to the water quality of the Smith River.

If you have any questions you can contact Eugene Palazzo, City Manager at 707-464-7483 ext. 232 or by email at epalazzo@crescentcity.org.

Sincerely,

Ron Gastineau, Mayor
City of Crescent City

BIG ROCK
COMMUNITY SERVICES DISTRICT
P.O. Box 453
Crescent City, CA 95531
(707) 464-7769

September 11, 2015

Jerome E. Perez
Oregon State Director
US. Bureau of Land Management
P.O. Box 2965
Portland, OR 97208-2965

Re: Proposed Mineral Withdrawal

Dear Director Perez:

We understand that the *Bureau of Land Management* is proposing to temporarily withdraw from mining nearly 100,000 acres of federal public lands in southern Oregon that could be threatened by nickel mining at some point in the future. We also understand that the "Southwestern Oregon Watershed and Salmon Protection Act of 2015" (S. 346 and H.R. 682) was introduced earlier this year to permanently withdraw these lands from mining and mineral entry. And, we understand that the mineral withdrawals proposed with this legislation, if implemented, would not nullify existing mining claims.

The *Big Rock Community Services District* is a California Special District with Constitutional governance authority over its place of use. Its jurisdiction is proverbially known as the *Township of Hiouchi*. Hiouchi is located on the north bank of the pristine Smith River downstream from where the North, Middle and South Forks converge into a single body of river water. One of the Special District's key municipal obligations is to supply drinkable water to the commercial businesses and community residents within its jurisdiction. Revenue to support all of the *Big Rock CSD's* municipal services comes from water consumers on a fee basis and also from property tax. Indeed, the *Big Rock CSD's* jurisdiction includes the *Redwood National Park* and California 's priceless *Jedediah Smith Redwoods State Park* that collectively host tens of thousands of visitors to this area every year. Much of the Hiouchi's disadvantaged economy is derived from sport fishing for steelhead and salmon. As is true of this township on a smaller scale, the general health of Del Norte County's businesses at large is dependent upon tourism and recreation throughout the year. A critical component of commercial dynamics in this county and a vital contributor to the attractiveness of the entire region is the pristine nature of the Smith River watershed.

The *Big Rock Community Services District's* Board of Directors/Trustees made an informal, but determined effort to solicit the related views of its constituents. Without exception to date, the residents of this community felt that exploration leading to possible mining operations could threaten the pristine nature of the Smith River and its downstream confluences.

The position of the Special District is thus. A plus B equals C. Having heard of a proposed mineral exploration site being (A) located dangerously near the North Fork (and tributaries) of the Smith River and, worse yet, (B) situated on a steep incline above the river was (C) sufficient to convince the *Township of Hiouchi* to reject any and all attempts by private or commercial operators to acquire permits. Thus, the Board of Directors/Trustees, *Big Rock Community Services District*, officially resolved to support both the proposed 5-year and permanent mineral withdrawals and to oppose *Red Flat Nickel Corporation's* mining proposal.

Inquiries regarding this matter may be addressed to 2680 U.S. Highway 199, Crescent City, CA 95531-9309.

Craig Bradford, President
Board of Directors/Trustees

Gasquet Community Services District

September 21, 2015

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965
BLM_OR_WA_WITHDRAWALS@blm.gov

RE: Comments in Support of Proposed Mineral Withdrawal on Specified Lands in Southwestern Oregon, 80 Fed. Reg. 37015 (June 29, 2015).

On behalf of the Gasquet Community Services District, we provide the following comments in support of a 5 year mineral withdrawal on all lands specified in Southwestern Oregon, 80 Fed. Reg. 37015 (June 29, 2015). We also support a 20-year or permanent mineral withdrawal in order to preserve our drinking water supply.

The Smith River provides drinking water to thousands of people in Del Norte County. Proposed mining activity by a foreign-owned corporation would be located upstream of the water supply intakes for residents in numerous communities. Our service district provides drinking water to approximately 300 residents/households in Gasquet, California. Presently, the water we distribute to our customers is of the highest quality --- and this is critically important to our community. Our service district is small and we could not afford additional treatment costs if mining waste and activity polluted the water.

Recent mine accidents in British Columbia and Colorado have polluted rivers that used to provide clean drinking water to downstream communities. We do not want to see such a tragedy happen here. Existing laws and regulations against mining waste spills are inadequate to protect our drinking water. Therefore, we urge you to move forward with the proposed 5-year or longer mineral withdrawal and to work towards securing a permanent mineral withdrawal for the North Fork Smith River and surrounding watersheds.

Sincerely, Mark Dodd

Gasquet Community Services District
(707) 457-3107
P. O. Box 86
Gasquet, CA. 95543

Crescent City & Del Norte County Chamber
of Commerce

1001 Front Street | Crescent City | CA 95531
t. 707.464.3174 | f. 707.464.9676
www.delnorte.org | e. ccchamber@charterinternet.com

September 28, 2015

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965
BLM_OR_WA_WITHDRAWALS@blm.gov

RE: Comments in Support of Proposed Mineral Withdrawal

On behalf of the Crescent City/Del Norte County Visitor's Bureau, we provide the following comments in support of a 5 year mineral withdrawal. We also support a 20-year or permanent mineral withdrawal in order to preserve our drinking water supply and the health of our coastal community.

The Smith River provides drinking water to thousands of people in Del Norte County. Proposed mining activity by a foreign-owned corporation would be located upstream of the water supply intakes for residents and businesses in numerous communities. The single-largest component of our local economy is travel and tourism. To state the obvious, to locate and allow for strip mining in the headwaters of the Smith River will put our community at risk and is entirely unacceptable.

Recent mine accidents in British Columbia and Colorado have polluted rivers that used to provide clean drinking water to downstream communities. Please do not allow such a tragedy to happen here. We urge you to move forward with the proposed 5-year or longer mineral withdrawal and to work towards securing a permanent mineral withdrawal for the North Fork Smith River and surrounding watersheds described in the proposed mineral withdrawal.

Sincerely,
Jeff Parmer
Executive Director

Crescent City/Del Norte County Visitor's Bureau
1001 Front Street
Crescent City, CA 95531
707-464-3141
jparmer@delnorte.org

Gold Beach, OR
Brookings, OR
Brookings, OR
Coos Bay, OR
Grants Pass, OR
Grants Pass, OR
Medford, OR
Medford, OR
Medford, OR
Medford, OR
Medford, OR
Ashland, OR
Ashland, OR
Ashland, OR

September 21st 2015

FR: Wild Rivers, Wild Brews Coalition
TO: Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965
RE: Comment Regarding 5-Year Mineral Withdrawal for SW Oregon

Dear Oregon State Director Perez:

We the undersigned breweries of southwest Oregon are writing in support of the proposed withdrawal of approximately 95,805 acres of National Forest and 5,216 acres of Bureau of Land Management (BLM) managed land in southwest Oregon's Kalmiopsis region from entry and location under the mining laws of the United States. We make this request for the multitude of benefits that come from protected watersheds.

For starters, clean water is essential for great tasting beer. Clean water also plays a critical role in providing drinking water for healthy communities, providing habitat for fish and wildlife and supporting local agriculture. Our coalition of breweries stands together to support protections that would keep the crystal clear, salmon-studded waters of the Kalmiopsis clean for our communities, fish and wildlife and local businesses that depend on clean water.

The communities that surround the Smith, Illinois, and Pistol rivers and Hunter Creek have so much to gain from healthy, protected watersheds. Investment in sustainable industries and community infrastructure will add to the attractiveness of the region, bringing new businesses and residents alike. Craft brewing, tourism, and recreation based business ventures are growing industries and assets to Curry and Josephine counties and the surrounding areas of southwest Oregon. With the threat of destructive nickel strip mining, these natural treasures and related local industries of southwest Oregon are endangered.

We believe that clean water, fish and wildlife habitat, and recreational opportunities must be protected now, and preserved for future generations. These uses represent the highest and best use of our public lands and resources. The high quality of life in southwest Oregon attracts new residents and creates jobs that strengthen our small businesses and local communities.

We appreciate the BLM and the US Forest Service working together to initiate a process to limit mining in the Kalmiopsis. Please protect the headwaters of the Smith, Illinois, Pistol and Hunter Creek to support the community's efforts in promoting sustainable economic development in southwest Oregon's Wild Rivers Country.

Sincerely,

James & Kristen Smith
Head Brewer &
Chief Operating Officer
Arch Rock Brewing Co.
Gold Beach, OR

Mike Frederick & Alex Carr-Frederick
Owners & Brewers
Chetco Brewing Co.
Brookings, OR

Mark, Hanna and Matt Camarillo
Owners & Brewers
Misty Mountain Brewing Co.
Brookings, OR

Carmen Matthews & Annie Pollard
Co-owners & Brewers
7 Devils Brewing Co.
Coos Bay, OR

Brandon Crews
Head Brewer
Climate City Brewing Co.
Grants Pass, OR

Jon Conner
Owner & Brewer
Conner Fields Brewing Co.
Grants Pass, OR

Scott Saulzbury
Head Brewer
Southern Oregon Brewing Co.
Medford, OR

Nick Ellis
Owner & Brewer
Opposition Brewing Co.
Medford, OR

Neil Smith
Head Brewer
Bricktowne Brewing Co.
Medford, OR

Cameron Litton
Head Brewer
Walkabout Brewpub
Medford, OR

Alex & Danielle Amarotico
Co-owners
Common Block Brewing Co.
Medford, OR

Brandon Overstreet
Owner & Brewer
Swingtree Brewing Co.
Ashland, OR

Larry Chase
Head Brewer
Standing Stone Brewing Co.
Ashland, OR

Jim Mills
Owner
Caldera Brewing Co.
Ashland, OR

RESOLUTION R1516-16

A RESOLUTION IN SUPPORT OF THE SOUTHWESTERN OREGON WATERSHED AND SALMON PROTECTION ACT OF 2015—MINERAL MINING WITHDRAWAL FROM CERTAIN FEDERAL LANDS IN CURRY & JOSEPHINE COUNTY

WHEREAS, Federal Senators Ron Wyden and Jeff Merkley introduced Senate Bill 346, and Federal Representative Peter DeFazio introduced House Bill 682, both known as the Southwestern Oregon Watershed and Salmon Protection Act of 2015; and

WHEREAS, those federal bills were introduced to protect the Hunter Creek and Pistol River watersheds from the catastrophic effects of nickel mining at Red Flats; and

WHEREAS, the proposed nickel mining at Red Flats is by a foreign owned company and their venture will bring no economic benefit to Curry County; and

WHEREAS, it appears that special interest lobbyists are attempting to persuade federal senate and house members from other regions and states that the mining proposal is an economic benefit to our region and our region supports the mining; and

WHEREAS, the Wild Rivers Coast which starts at Klamath, California and extends north to Bandon, Oregon has the highest concentration of federally designated Wild & Scenic Rivers in the United States: the Klamath, the Smith, the Chetco, the Rogue, the Illinois, and the Elk—the area encompassed by the act as introduced in the S346 & HR682 federal bills; and

WHEREAS, in the past 4 years, Travel Oregon and the Wild Rivers Coast Regional Tourism Collaborative (comprised of city, county, state, and local tourism and economic development professionals) have invested a significant amount of time and resources in developing an experiential outdoor recreation economy on the southcoast because of the region's superlative natural resources and scenic wonders; and

WHEREAS, any large scale mining, but specifically nickel mining at Red Flats, will have a detrimental and devastating impact on habitat, fish and wildlife, the environment, and our fragile tourism economy.

NOW, THEREFORE, BE IT resolved the City Council of the City of Gold Beach formally opposes any mining in the national forest surrounding our community, but specifically the Red Flats nickel mining proposal, and **fervently supports** the efforts of Senators Wyden & Merkley, and Representative DeFazio to have the areas designated in S346 and HR682 *PERMANENTALY WITHDRAWN* from any possible or future mining.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 13th DAY OF JUNE, 2016.

Karl Popoff, Mayor

Jodi Fritts, City Administrator/City Recorder

City of Cave Junction • Home of the Oregon Caves

P.O. Box 1396 • 222 Lister Street • Cave Junction, OR 97523
Phone (541) 592-2156 • Fax (541) 592-6694 • TDD Relay 1-800-735-2900
e-mail: cityofcj@cavenet.com

September 15, 2015

To Governor Kate Brown, Senators Ron Wyden and Jeff Merkley and Congressman Peter Defazio;

As City Councilors of the City of Cave Junction, we support the Southwestern Oregon Watershed and Salmon Protection Act of 2015 (HR 682 in the House of Representatives and S346 in the Senate). We also support the proposed five year mineral withdrawal that will assist this important legislation protecting the National Wild and Scenic North Fork of the Smith River and the headwaters of Hunter Creek and the Pistol River-all prized for their salmon and steelhead runs. This will also protect after over twenty years of tireless efforts by many stakeholder groups the W. Fork of the Illinois River, Rough and Ready Creek area here in southern Josephine County. This is a botanical hotspot, with the highest concentration of rare plants and a source for clean water to our community. Preserving our watershed and nationally outstanding water quality in our region's rivers and streams protects the citizens of Cave Junction and our rural communities.

CARL B. JACOBSON, JR.
Mayor

Dan Bosch
Councilor

DANIEL DALEGOWSKI
Councilor

JOHN GARDINER
Councilor

Senator WYDEN. And I will just close by saying the bill builds on Oregon's traditional conservation ethic that has been fundamental to the livability of our state. When you are talking about fire risk reduction and conservation, we believe those two are compatible, and we believe that the agencies working with us can put this together expeditiously, and we look forward to support.

Thank you, Senator Heinrich.

Senator HEINRICH. Senator Kelly, and then we will see if there is interest in a second round.

Senator KELLY. Thank you, Mr. Chairman.

Dr. Feldgus, thank you for your testimony on S. 528, the La Paz County Solar Energy and Job Creation Act. Senator Sinema and I introduced this bill because it could lead to the largest solar project in the nation in terms of its electricity production. The bill would transfer 4,800 acres of land administered by the Bureau of Land Management to La Paz County to complete a proposed 1,500 megawatt PV solar facility that includes battery storage. This is enough energy to power roughly a half a million homes. The La Paz project would tie into the proposed Ten West transmission line, which is designed to move renewable energy between Arizona and California.

Mr. Chairman, I ask for unanimous consent to add to the record written testimony from La Paz County and the Colorado River Indian Tribes, who support this legislation.

Senator HEINRICH. Without objection.

Senator KELLY. Thank you.

[The written testimony of La Paz County and the Colorado River Indian Tribes follows:]

Written Testimony of La Paz County Arizona
in support of
S. 528 – La Paz County Solar Energy and Job Creation Act
October 19, 2021

La Paz County strongly supports S. 528. This bill builds on the successful La Paz County Solar Energy and Job Creation Act of 2019 (P.L.116-19). La Paz County has made remarkable progress creating a large solar park adjacent to the Ten West Link transmission project through central Arizona. S. 528 would provide for the sale of an additional 4,800 acres to La Paz County to further optimize the generation of renewable solar energy.

Our economy is based primarily on agriculture and tourism, especially during the winter months when we welcome over one hundred thousand winter visitors that flock in their RVs and travel trailers to the banks of the Colorado River our desert lands and enjoy our beautiful climate. According to the 2020 Census the County's permanent resident population is approximately 16,000, a 19% drop from the 2010 Census. The County's top priority is to attract and share in the economic diversification that has occurred elsewhere in Arizona. Our unemployment rate is a full percent higher than the statewide average. Our population is aging with 38% over the age of 65, a 6% increase in just six years. Nearly 27% of our residents are Latino many of whom work on local farming operations. Over 18% are Native Americans and members of the Colorado River Indian Tribes. The County needs economic diversification to provide new higher paying jobs and a tax base to enable us to provide services to our vulnerable populations.

La Paz County has worked closely with the Colorado River Indian Tribes to implement the P.L. 116-19 to establish a robust agreement regarding the protection of tribal artifacts which may be discovered during construction of this important project. The Tribe's Historic Preservation Office is involved throughout the entire process. We are grateful to the CRIT for their letter of support for S. 528 which we have attached to this testimony for the hearing record.

La Paz County is 4,500 square miles of desert, with less than 6% of our land in private ownership. Several years ago the County began to pursue a strategic site where we might attract economic development, focusing on solar renewable energy generation. The concept is similar to the successful solar development park just outside of Boulder City, Nevada in the Eldorado valley to our north. La Paz County has executed development agreements covering the entire 6,000-acre site it purchased pursuant to P.L. 116-19. The developer is 174 Power Global a US based solar/battery project developer with a highly skilled team of professionals focused exclusively in the solar and storage project development.

- The La Paz Solar Project developer has successfully developed, built, and/or operates over 2 GW of solar projects in the US and Mexico including 277 MWh of battery storage projects.
- The La Paz Solar Project is developing the combined solar photovoltaic plus battery energy storage system project in La Paz County, which when complete would be the largest such project in the U.S.
- The La Paz Solar Project submitted an interconnection request in April 2017 to the Ten West Link transmission project for the capacity up to 3,200 MWac of energy to be delivered by up to 3,200 MW of Solar and/or 1,920 MW / 4-hour duration of battery storage.
- This was the first interconnection request with the earliest queue position to connect into and utilize the Ten West Link.
- The La Paz Solar Project will require a total of 11,000 acres of land to accommodate approximately 1,500-1,800MW of solar capacity and 1,800 – 2,000 MWH of battery storage.
- 1,500-1,800MW of generated electricity is enough to power about 500,000 homes.
- The project will create 1,200 to 1,500 construction jobs and 250 permanent positions.

The Ten West Link transmission line has created a unique opportunity to develop solar on lands in La Paz County

Ten West Link transmission line (DCR Transmission LLC) is a proposed new 500 kV transmission connection between electrical substations in Tonopah, Arizona and Blythe, California. The Project will create beneficial new transmission infrastructure that will improve transmission system efficiency and reliability, while facilitating development of new renewable energy and energy storage resources in Arizona and California. This will help both states achieve their renewable energy standards and carbon reduction goals. Ten West Link will also bring significant economic, reliability and public policy benefits to the electric power grid serving the Desert Southwest – one of America's fastest growing regions. The Project is expected to be operational in the second quarter of 2023. The developer is Starwood Energy Group, a private investment firm based in Greenwich, CT that specializes in energy infrastructure investments. Through its general opportunity funds, and other affiliated investment vehicles, Starwood Energy Group manages total equity commitments of more than $2 billion.

The Final Environmental Impact Statement report was issued by U.S. Bureau of Land Management (BLM) on September 13, 2019. The BLM Preferred Alternative for the Project spans 125 miles, and uses Department of Energy's Energy Corridor, BLM-designated utility corridors, and avoids the Kofa National Wildlife Refuge and all major population centers.

Other Milestones

- AUGUST 4, 2020

  DCR Transmission, L.L.C. received the Right-of-Way for the Ten West Link transmission line project and the associated facilities over federal land through a grant from the U.S. Bureau of Land Management. Securing the Right-of-Way, which consists

of 81.2 miles (65% of the Project length) marked a major milestone in the development phase of Ten West Link.

- APRIL 23, 2020

  Environmental groups support Ten West Link. The Natural Resources Defense Council and The National Audubon Society issued this endorsement letter (attached).

- MARCH 24, 2020

  The Arizona Corporation Commission unanimously approved the Certificate of Occupancy

- OCTOBER 1, 2021

  The California Public Utilities Commission issued their Notice of Proposed Decision to grant a Certificate of Public Convenience and Necessity for the Ten West Link and indicated this decision could be approved as early as November 4, 2021.

Solar Development on adjacent BLM and Arizona State School Trust lands

Eolus North America, Inc. is developing a large solar project immediately east of the La Paz Project on approximately 4,785± acres of State School Trust Land, where the future project is a proposed solar photovoltaic energy production facility and a 250± MW battery energy storage system.

La Paz County initiated and approved a Major Amendment to their Comprehensive Plan in 2020 designating 52 square miles of BLM and State Trust lands as an "Employment Zone". This designation facilitates permitting of solar projects including the La Paz Solar Project, the Eolus Project and the S.528 lands as well as adjacent public lands suitable for solar development.

Summary

We want to thank our federal delegation for their strong leadership in introducing this bill and urge the Congress to enact it as soon as possible. La Paz County's future economic health is inextricably linked to the success of this renewable energy zone in the County.

COLORADO RIVER INDIAN TRIBES
Colorado River Indian Reservation
26600 MOHAVE ROAD
PARKER, ARIZONA 85344
TELEPHONE (928) 669-9211
FAX (928) 669-1216

June 10, 2021

The Honorable Kyrsten Sinema
U.S. Senator
317 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Sinema:

On behalf of the Colorado River Indian Tribes (CRIT), I write to thank you for sponsoring S.528, the La Paz County Solar Energy and Job Creation Act, to facilitate responsible renewable emnergy development in La Paz County, Arizona.

As you know, the Mohave people have lived in La Paz County since time immemorial and the history of our ancestors lies buried in the earth here. In our culture, the removal of tribal artifacts from their resting places is tantamount to the removal of our history from this land. We greatly appreciate your ongoing commitment to work with our Tribe to ensure that development of these lands respects the presence of our cultural heritage on the property.

We appreciate that Section 3(d) of the La Paz County Land Conveyance Act was written to cement our relationship with the County and ensure that tribal artifacts are treated with the respect and dignity they deserve. Following enactment of this bill in 2019, CRIT, the County, and the project developer engaged in negotiations on implementation of this section, and I am pleased to note that we have reached an agreement amenable to all parties.

In light of the progress of these negotiations and your continued consideration of Tribal priorities, we are pleased to express our support for S.528 and appreciate your consideration in drafting this bill in a manner that respects our Tribe's long history in the region.

We look forward to working with you on this and other priorities throughout the 117th Congress.

Sincerely,

COLORADO RIVER INDIAN TRIBES

Amelia Flores
Chairwoman

Senator KELLY. Dr. Feldgus, how would the 1,500 megawatts of solar capacity at La Paz compare to the total amount of solar capacity on BLM land today?

Dr. FELDGUS. Well, right now, as of May, there are 37 solar projects that have been approved on BLM land with a total capacity of over 7,000 megawatts.

Senator KELLY. So this is a significant addition?

Dr. FELDGUS. Yes.

Senator KELLY. And how would you describe BLM's track record on permitting solar projects?

Dr. FELDGUS. Well, as part of President Biden's goal to get to a carbon free electricity sector by 2035, and in support of the Energy Act of 2020's goal of permitting 25 gigawatts of renewable energy on public lands by 2025, the Department and the Bureau of Land Management are taking steps to improve their permitting processes all the time, looking to make processes more efficient and effective for applicants and for local communities and improving consultation with tribes and taking into account all of the different factors that we need to on multiple-use land.

Just a few months ago, the Bureau of Land Management held some listening sessions to kick off the process of reviewing the renewable energy regulations. So we listened to a variety of stakeholders from across the spectrum—local communities, tribes, scientists, landowners, and we are currently in the process of working on new regulations to improve the efficiency of the process.

Senator KELLY. So is it your opinion that this transfer of land to La Paz County would be a more expeditious process?

Dr. FELDGUS. Well, right now, I understand there is a permit application for solar on those lands currently. So we are concurrently moving that permit through the process while Congress considers legislation.

Senator KELLY. Well, thank you. Thank you, Dr. Feldgus.

Mr. French, thank you for your testimony today. I want to respond to the written testimony submitted by the Forest Service on my bill, S. 1631. This bill would transfer 13 acres of Forest Service land to the University of Arizona for its new school of veterinary sciences program. In its written testimony, the Forest Service says it opposes the bill over two issues that I would like to correct for the record. The first is, the Forest Service was concerned that the university could sell the land to developers. The bill S. 1631 is clear that land would revert back to the Forest Service if the University of Arizona ever ceased to use it for the veterinary program. And then second, the Forest Service was concerned that the land would become an isolated parcel of private land inside Coconino National Forest. Again, the bill is clear that the 13-acre parcel would not be a private inholding. It is a ranch house that is contiguous to an existing working ranch owned and operated by the university. The ranch house is where students will live for several weeks as they learn how to care for livestock. So it is not isolated within the national forest.

So Mr. French, could you please direct the leadership at Coconino National Forest to meet with the University of Arizona to clear up this misunderstanding about the bill?

Mr. FRENCH. Yes, I would be happy to.

Senator KELLY. Thank you and I yield back.
Senator HEINRICH. Thank you.
Senator Daines.
Senator DAINES. Chairman Heinrich, thank you.

I want to begin by acknowledging and commending the proponents of the Blackfoot Clearwater Stewardship Act for their collaborative efforts over a course of many years. Montana is called the last best place because of the very landscapes and the unique outdoor opportunities this bill seeks to protect. I have heard from Montanans across the state on this proposal. I have heard support for it. I have heard some concerns. That is not unusual when you have proposals like this. I continue to hear from our local communities, ranchers, sportsmen, land managers, and outdoor recreationists that the bill does not adequately support increased access to additional public lands across our state. Specifically, I hear great frustration that this proposal designates 80,000 acres of new wilderness while over one million acres of wilderness study areas remain in limbo, managed, in fact as de facto wilderness, despite not being designated as wilderness by Congress.

I want to be clear that I support wilderness designations when they are fully supported by the local community, stakeholders, and the best available science. I believe we could do better to put forward a more balanced product that more Montanans can get behind. I think there should be a balance between preserving areas deemed suitable for wilderness while also allowing Montanans to make appropriate use of lands deemed not suitable for wilderness. In fact, over one million acres of public lands have been locked up in wilderness study areas for decades—some 40 years. And just over 780,000 acres were recommended to be returned to broader public use.

It is in the name itself. They call them wilderness *study* areas. These are areas that were meant to be studied and then resolved by Congress. And all these acres have been studied. They have gone through a robust public process, and about two-thirds has been determined to be not suitable for wilderness, but Congress hasn't acted. About 300,000 acres have been most recently prioritized by local leaders, stakeholders, the state legislature, and federal agencies to be returned to broader public use. These have gone through a very robust public comment period in recent BLM or Forest Service plans. They have strong local support. They have strong stakeholder support and they should be returned to broader public use. In fact, in a letter the Rocky Mountain Elk Foundation sent regarding the Blackfoot Clearwater Stewardship project, they said that approval of this bill—in referencing the Blackfoot Clearwater Stewardship project—approval of this bill should also correspond with release of certain wilderness study areas in Montana and that redesignation into other categories that would accommodate forest stewardship, travel management, and proactive wildlife habitat management to address the epidemic of tree mortality. I think that is a pretty balanced approach.

I can tell you that Montanans are tired of continued Washington, DC inaction and they are tired of losing out on outdoor opportunities while land managers' hands are tied. The Blackfoot Clearwater Stewardship Act designates new wilderness, but without making a

dent on the backlog of acres determined unsuitable for wilderness many decades ago. I intend to introduce legislation in the coming weeks to release certain wilderness study areas deemed not suitable for wilderness. And I want to urge the Chair and the Ranking Member that this bill, the Blackfoot Clearwater Stewardship project, would only move forward as part of that larger, more balanced effort.

Mr. French, forest plans and land management plans include recommendations on the suitability of land for wilderness. These plans also include management prescriptions. The land should be returned to public use. Could you speak to the collaborative process and local engagement your agencies employ when developing such plans?

Mr. FRENCH. It is extensive. The 2012 planning rule that guides this process is a multi-year collaborative public engagement process that specifically looks at what areas should be considered to be recommended to Congress for inclusion in the Wilderness Preservation System or not.

Senator DAINES. Well, I know you could never please everybody. None of us on Capitol Hill ever could, or serving in public service. Is it fair to say that the plans produced by your agency have broad, local buy-in, and are you aware of any other planning process that provides more of an opportunity for public engagement than what you are currently doing?

Mr. FRENCH. It is extensive, and we strive to get as much local public buy-in and broad buy-in as possible for a durable decision. On your second question, I am not aware of any, but there could be.

Senator DAINES. Yes. Well, I tend to agree with that, and we get a lot of public input in that process, which is why I believe that recommendations made in these plans should be acted upon. Mr. French, what flexibilities does returning wilderness study areas to general management in the National Forest System give land managers on the ground to perform conservation work?

Mr. FRENCH. Well, when we recommend an area for wilderness study or as recommended wilderness, generally, we will maintain the characteristics of why we are recommending it. And so we are going to manage it in a way that does not diminish wilderness attributes and characteristics. If an area is not acted on in Congress, and in fact, if Congress says "no, this wilderness study area or this recommendation, we are not acting on," and returns it back to general management, then what that would create for us is a broader multiple-use approach to that landscape. And that can be in terms of recreation, like the classic one there might be allowing mountain bikes, or not allowing mountain bikes, or the way we approach our fuels work from just using prescribed fire or using a combination of prescribed fire and maybe some mechanical treatments. Those are the sorts of flexibilities that you would see.

Senator DAINES. Let me just close by saying this. Over the last four decades, there have been 1.8 million acres of new wilderness designated by Congress in Montana, but only 150,000 acres of our public lands returned to broader public use, even though hundreds of thousands of acres have been determined unsuitable for wilderness following the process that he just described with input. I can

tell you, Montanans are tired of going through the process of studying with them 40 years and providing input in these areas and then not seeing much if any action or resolution. I think this imbalance and inaction is unacceptable. I am determined to fix it and I think we have a chance to do that here with this legislation that is before us.

Mr. Chairman, thank you.

Senator HEINRICH. Thank you, Senator.

Thank you both today for your testimony and for your commitment to our public lands, and with that, our hearing today is adjourned.

Oh, Senator King, go right ahead if you want to do a second round.

Senator KING. Well, I just wanted to ask Senator Daines. I am a little unclear on your position on the the Blackfoot Clearwater Stewardship Act. Are you supportive of that, and with modifications? Where are we on that?

Senator DAINES. Yes, Senator King, the Blackfoot Clearwater Stewardship project has been a good example of collaboration bringing various stakeholders together. It provides about 80,000 acres of additional wilderness in Montana. I would like to see it in a broader package that would see release of some of these study areas as deemed, as the Forest Service, as Mr. French described, after it has gone through a robust public input process, as the Rocky Mountain Elk Foundation states, that we return that back to just general use in the Forest Service, because what happens today is wilderness study areas get treated as de facto wilderness areas.

Senator KING. Right.

Senator DAINES. Even though they have been studied and deemed not suitable for wilderness. So what I would like to see is that balance. If we are going to add 80,000 acres of wilderness, let's have some kind of a corresponding release of study areas back to general public use.

Senator KING. And Mr. French, your position on this bill is that it is basically a good bill but there are modifications the Department would like to see made, is that correct?

Mr. FRENCH. Yes, but those are separate than the issue that Senator Daines has brought forward. They are more in implementability.

Senator KING. Got it. Okay. Thank you, Mr. Chairman.

Senator HEINRICH. Thank you, Senator King.

Members of the Committee may submit additional questions in writing, and if so we will ask you to submit answers for the record. Committee members will have until 6:00 p.m. tomorrow to submit additional questions for the record. We will keep the hearing record open for two weeks to receive any additional comments.

Thank you all again, and this hearing is closed.

[Whereupon, at 4:04 p.m., the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

NOV 17 2022

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands,
Forests, and Mining
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Chair Cortez Masto:

Enclosed are responses prepared by the Bureau of Land Management to written questions for the record submitted to Dr. Steven Feldgus, Deputy Assistant Secretary of the Interior for Land and Minerals Management, following the Subcommittee's October 19, 2021, hearing to consider pending legislation. We apologize for the delay in our response.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure
cc: The Honorable Mike Lee
Ranking Member

Questions for the Record
Energy and Mineral Resources
Subcommittee on Public Lands, Forests, and Mining
Pending Legislation
October 19, 2021

Questions from Senator Lee

Question 1: S.180 would withdraw approximately 4,288 acres from various forms of mineral development. Can you tell the committee what minerals or other resources have been documented to exist there?

Response: The area contains mineral materials deposits with an estimated potential of 36,000,000 cubic yards of sand and gravel.

Question 2: S.180 withdraws lands subject to valid existing rights. Can you explain what existing rights this may be referencing?

Response: The known current valid existing rights (e.g., sale contracts, lease contracts, valid mining claims, surface management notices, etc.) for the area include a mineral materials exploration permit and a mineral materials sale contract.

Question 3: S.180 clarifies that these lands will remain available for conveyance under FLPMA or the Recreation and Public Purposes Act. Has interest been expressed for such a conveyance?

Response: The BLM is aware of multiple parties with interest in acquiring some or all of the land, including the nearby Pueblo of Santa Ana, Pueblo of San Felipe, San Antonio de Las Huertas Land Grant, and a few private landowners.

Question 4: What are the local concerns S.180 is meant to address? Can you explain the reasoning behind the effort to withdraw these lands from mineral entry?

Response: The BLM is aware of concerns from local residents about health, air quality, and increased truck traffic from the production of sand and gravel.

Question 5: Are any or all of the lands identified in S.528 currently listed as eligible or potentially eligible for disposal by the bureau? Why are these transfers not simply happening under the RPPA or a FLPMA §302 disposal authority?

Response: In accordance with the Yuma Resource Management Plan (2010), the entire 4,800 acres are identified for retention under BLM management. To date, the BLM has not received a request from La Paz County to acquire the lands under the Recreation and Public Purposes Act (R&PPA) or the FLPMA §302 disposal authority. A plan amendment would be required to make the lands available for disposal, which would be incorporated into the NEPA analyses for the proposed disposal.

Questions for the Record
Energy and Mineral Resources
Subcommittee on Public Lands, Forests, and Mining
Pending Legislation
October 19, 2021

Question 6: S.607 establishes a requirement that the agency review and update all reasonably foreseeable development scenarios for federal land every 15 years at minimum. How often are these reasonably foreseeable development scenarios currently being completed by the agency? Is this full process being facilitated during all RMP updates?

Response: The BLM completes resource management plan (RMP) revisions on about a 20-year term. Amendments may occur between revisions as needed. The reasonably foreseeable development (RFD) scenario is updated at least as often as an RMP revision occurs but can also be updated through an amendment as information changes (i.e., due to a large-scale development EIS that affects existing estimates).

Question 7: It is my understanding that under the current leasing system, oil and gas companies take on a certain amount of risk to invest in and acquire new leases with the understanding that they may or may not be immediately productive. Before a developer can determine if a lease has potential for development, it must conduct extensive due diligence and invest a significant amount of money to analyze the underlying geology and conduct the necessary engineering assessments. Can you describe the assessment process that the agency performs to complete a reasonably foreseeable development scenario?

Response: The RFD scenario process is complex. As part of the RFD, the BLM completes extensive and detailed reviews of the area's geology, past and present oil and gas exploration and development activities, and the potential of oil and gas occurrence and development.

Question 8: How much does it cost the federal government to complete a reasonably foreseeable development scenario that accurately assesses oil and gas drilling potential on a parcel of land?

Response: The cost to the Federal government to complete an RFD scenario depends on a number of factors, including the areal extent of the RFD, complexity of the geology, and number of geologic plays within the area. Additional factors that can impact the cost are whether the BLM completes the RFD scenario in-house with existing staff, or whether the BLM issues a contract. As a result, costs can vary from $15,000 to over $150,000.

Question 9: Are any or all of the lands identified in S.1411 for disposal currently listed as eligible or potentially eligible for disposal by the bureau? Why are these transfers to the county not simply happening under the RPPA or a FLPMA §302 disposal authority?

Response: Approximately half of the parcels identified in S.1411 are listed in the current RMP as potentially suitable for disposal. The BLM is still required to conduct an environmental analysis to ensure the sale is in the public interest before any of these lands would be eligible to leave Federal management. Additionally, the BLM regularly leases and conveys lands to local governments and nonprofit entities for a variety of public purposes, typically under the R&PPA. The BLM has been in communication with Lander County, Nevada about potentially using R&PPA authority and BLM's general authority to conduct land sales.

Questions for the Record
Energy and Mineral Resources
Subcommittee on Public Lands, Forests, and Mining
Pending Legislation
October 19, 2021

Question 10: A recent report highlighted by E&E News predicts that annual global demand for nickel will rise from the current 2.7 million tons to a projected 3.7 million tons in 2024. The report predicts that global demand for nickel will outstrip supply, driven in large part by batteries for electric vehicles that require nickel. The Oregon Recreation Enhancement Act, together with the Smith River National Recreation Area Expansion Act, would withdraw approximately 316,000 acres of federal land in Southwest Oregon from mineral development. Can you tell the committee what minerals or other resources have been documented to exist in this area?

Response: Rock quarries for mineral materials exist throughout the area. The eastern third of the area has medium to high potential for the occurrence of gold, silver, copper, zinc, and lead.

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
October 19, 2021 Hearing: *Pending Legislation*
Questions for the Record Submitted to Mr. Christopher French

Questions from Senator Mike Lee

Question 1: As you are well aware, wildfires are a persistent problem throughout the West. My constituents often deal with the adverse effects of persistent smoke in the air throughout the summer and early fall, much of which comes from California wildfires. S.1459 designates 600,000 acres of new wilderness in California. I am concerned that a new wilderness designation of this magnitude would seriously inhibit active forest management and wildfire prevention. How would this bill impact the ability of the agency to plan and conduct fuel treatment projects?

Answer 1: Current Forest Service policy allows for prescribed fire in wilderness under specific conditions with two key objectives: (1) Permit lightning caused fires to play, as nearly as possible, their natural ecological role within wilderness; and (2) Reduce, to an acceptable level, the risks and consequences of wildfire within wilderness or escaping from wilderness.

Question 2: Would S.1459 impact any commonly used river impoundments? If so, by whom are those impoundments used and for what purpose?

Answer 2: Wild and scenic river designation does not preclude the continued use of existing impoundments on designated segments. Upon designation, any proposed future federally assisted construction (including associated with existing impoundments) below the ordinary high-water mark would need to be reviewed in accordance with the requirements of Section 7 of the Wild and Scenic Rivers Act. A cursory review of impoundments on National Forest System lands did not identify any dams on river segments proposed for designation in S.1459 within the Six Rivers, Mendocino or Los Padres National Forests. There is one unnamed permitted dam on the Shasta-Trinity National Forest in the Woodbury Ditch on Hayfork Creek that is used for irrigation stock watering and the preservation and enhancement of fish and wildlife. The Forest Service would need more time to develop a comprehensive inventory of all existing impoundments on the segments on National Forest System lands proposed for wild and scenic river designation in this bill.

Question 3: Are there any wildfire fighting activities that would not be allowed to occur in the newly designated wilderness areas under S.1493?

Answer 3: Wilderness designations under S.1493 would be managed as a part of the National Wilderness Preservation System. As a result, and as stated in section 302(d) of this bill, "in accordance with section 4(d)(1) of the Wilderness Act, the Secretary may carry out any measures in the wilderness additions…that the Secretary determines to be necessary to control fire…including, as the Secretary determines to be appropriate, the coordination of those activities with a State or local agency section.

Question 4: Are there any wildfire fighting activities that would not be allowed to occur in the newly designated wild and scenic river areas under S.1538?

Answer 4: Newly designated wild and scenic rivers under S. 1538 would be administered consistent with the Wild and Scenic Rivers Act, Forest Service policy, and applicable comprehensive river management

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
October 19, 2021 Hearing: *Pending Legislation*
Questions for the Record Submitted to Mr. Christopher French

plan direction. Current Forest Service policy calls for wildfire management within designated wild and scenic rivers to be in a manner compatible with contiguous National Forest System lands, using activities that cause the least lasting impact on the river and river area.

Question 5: Would S.1538 impact any commonly used river impoundments? If so, by whom are those impoundments used and for what purpose?

Answer 5: Wild and scenic river designation does not preclude the continued use of existing impoundments on designated segments. Upon designation, any proposed future federally assisted construction (including associated with existing impoundments) below the ordinary high-water mark would need to be reviewed in accordance with the requirements of section 7 of the Wild and Scenic Rivers Act. The Forest Service is not currently aware of any commonly used river impoundments on segments proposed for designation in S. 1538 but would need more time to complete a comprehensive inventory of such impoundments.

Question 6: Can you describe the restoration activities that have been performed under the Lake Tahoe Restoration Act? Have these restoration activities been successful? How has the agency been measuring success in these efforts? What is the timeline for when these restoration efforts will be completed?

Answer 6: Activities carried out through the Lake Tahoe Restoration Act (LTRA) include, but are not limited to, activities to prevent and treat aquatic invasive species, increased recreation opportunities, erosion control measures to better and protect water quality, and treatment of forested land to reduce hazardous fuels. The Forest Service has developed a prioritized project list in collaboration with partners including federal, state, and local agencies; tribal organizations; and private interests.

Success is defined differently depending on the project. Overall, a critical success of the LTRA is that no new aquatic invasive species have been detected in Lake Tahoe since 2008. In addition, hazardous fuels treatment projects have slowed and, in some cases, prevented wildfires from damaging communities, such as the hazardous fuels treatments within the 2021 Caldor Fire area – no structures were damaged or destroyed in areas where adjacent fuels treatments had been accomplished and allowed firefighters to work safely and successfully in those areas.

The Lake Tahoe Basin Management Unit has approximately 25,000 acres planned or in planning and 2,000 acres in implementation or planned for implementation. This work should be completed by 2026.

Question 7: A recent report highlighted by E&E News predicts that annual global demand for nickel will rise from the current 2.5 million tons to a projected 3.4 million tons in 2024[1]. The report predicts that global demand for nickel will outstrip supply, driven in large part by batteries for electric vehicles that require nickel. The Oregon Recreation Enhancement Act, together with the Smith River National Recreation Area Expansion Act, would withdraw approximately 316,000 acres of federal land in

[1] https://www.eenews.net/articles/nickel-shortage-spells-trouble-for-evs-report/

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
October 19, 2021 Hearing: *Pending Legislation*
Questions for the Record Submitted to Mr. Christopher French

Southwest Oregon from mineral development. Can you tell the committee what minerals or other resources have been documented to exist in this area?

Answer 7: Minerals reported to be in the areas covered under the Oregon Recreation Area Enhancement Act and Smith River National Recreation Area Expansion Act have been categorized as to their potential for the occurrence. They are:

Nickel – Moderate to High in some aerial-extent-limited areas
Chromite – Low to Moderate as a secondary mineral to nickel
Other Locatable Minerals including placer gold, iron, cobalt, chromium – Low occurrence

ACA | Canoe - Kayak - SUP - Raft - Rescue
2010 College Avenue | Fredericksburg, Virginia 22401
Phone: (540) 907-4460 | www.americancanoe.org

October 19, 2021

Honorable Joe Manchin, Chairman
Energy & Nat. Resources Committee
United States Senate
Washington, DC 20510

Honorable John Barrasso, Ranking Member
Energy & Nat. Resources Committee
United States Senate
Washington, DC 20510

RE: Support for S. 1538 – the Smith River National Recreation Area Expansion Act

Dear Chairman Manchin, Ranking Member Barrasso and members of the Subcommittee,

It is with great enthusiasm that we write to support S. 1538 which will complete protection of the headwaters of the Smith River in Oregon. With the national significance of the Smith River through existing Wild and Scenic River designations and the Smith River National Recreation Area downstream in California, the expansion provided through this legislation is both timely and a wise investment.

Founded in 1880, the American Canoe Association (ACA) is a national nonprofit organization serving the broader paddling public by providing education related to all aspects of paddling; stewardship support to help protect paddling environments; and sanctioning of programs and events to promote paddlesport competition, exploration, and recreation.

We are writing on behalf of over 30,000 paddle sports enthusiasts across the country, whitewater kayakers, canoeists, and stand-up paddleboarders, to express our strong support for S. 1538. Thank you for convening a hearing on this vital legislation. Future generations of paddlesport enthusiasts will be grateful for the expansion of the Smith River National Recreation Area.

Sincerely,
Brett Mayer
ACA – Public Policy Chief

November 2, 2021

The Honorable Joe Manchin, Chairman
The Honorable John Barrasso, Ranking Member
Subcommittee on Public Lands, Forests, and Mining
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Senators Manchin, Barrasso, and Members of the Subcommittee:

We write to support the ***Smith River National Recreation Area Expansion Act*** (S. 1538) and to urge its passage. The Smith River is within the area of Southern Oregon and Northern California known as *America's Wild Rivers Coast.* It's known for wild rivers, extraordinary coastline, ancient redwood and conifer forests, and myriad year-round recreation opportunities from salmon fishing to whitewater rafting ---- to simply admiring some of nature's finest. This legislation completes protection for one of our nation's premier Wild and Scenic Rivers by providing a permanent mineral withdrawal/ban on new mining claims in the headwaters of the North Fork Smith River in Oregon and also designates 75 miles of North Fork tributaries as wild and scenic. These protections are critically important to the Smith as one of the premier "salmon strongholds" along the Pacific Coast as well as maintaining the watershed as a prized recreation and tourism destination --- and as a water supply for downstream communities.

We are a diverse group of water purveyors, river and recreation advocates, local businesses, fishery and backcountry conservation organizations, tribes, representatives from local and state government, and civic organizations. Together, we are all grateful for your assistance. We represent thousands of people who are members, customers, and/or have signed petitions in support of and endorsed this legislation. Thank you!

Brett Mayer
American Canoe Association

David Moryc
American Rivers

Thomas O'Keefe
American Whitewater

Luke Ruediger
Applegate Neighborhood Alliance

Jason Gindlesperger
Backcountry Hunters & Anglers

Dave Strahan
Big Rock Sports

Bill Jennings
California Sportfishing Protection Alliance

Mike McGuire
California State Senator - District 2

Curtis Knight
California Trout

Cindy Vosburg
Crescent City-Del Norte Chamber of Commerce

Court Boice
Curry County Commissioner

Dale A. Miller
Elk Valley Rancheria

Harvey Young
Fishawk River Company

Ken Morrish
Flywater Travel

Ron Stork
Friends of the River

Mark Dodd
Gasquet Community Services District

Will Volpert
Indigo Creek Outfitters

Luke Ruediger
Klamath Forest Alliance

Michael Dodson
Klamath Siskiyou Wildland Center

Steve O'Meara
Kokatat

Carol Moon Goldberg
League of Women Voters of California

Rebecca Gladstone
League of Women Voters of Oregon

Mark Sherwood
Native Fish Society

Zach Collier
Northwest Rafting Company

Kate Wollney
OARS Oregon

David Brock Smith
Oregon House of Representatives - District 1

Louis Geltman
Outdoor Alliance

Erik and Kory
Orange Torpedo Raft Trips

Glen Spain
Pacific Coast Federation of Fishermen's Associations

Morgan Randall
Pierson Building Center

Gail Kenny
Redwood Region Audubon Society

Alex Kwan and Adam Spencer
Redwood Rides

Samuel Hodder
Save The Redwoods League

Grant Werschkull and Patty McCleary
Smith River Alliance

David Lacey
Southcoast Tours LLC

Jason Hartwick
Steelhead on the Spey Guide Service

J.R. Weir
Sundance Kayak School

Paul Spitler
The Wilderness Society

Dean Finnerty
Trout Unlimited

Susan Jane Brown
Western Environmental Law Center

Alyssa Babin
Wild and Scenic Rivers

Lisa Ronald
Wild and Scenic Rivers Coalition

Gordon Lyford
Wild Rivers Water Rights

Guido Rahr
Wild Salmon Center

May 22, 2019

Senator Lisa Murkowski, Chairman
Senate Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

Senator Joe Manchin, Ranking Member
Senate Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

Senator John Barrasso
Senate Energy & Natural Resources Subcommittee on Public Lands, Forests, and Mining
304 Dirksen Senate Office Building
Washington, DC 20510

Senator Ron Wyden, Ranking Member
Senate Energy & Natural Resources Subcommittee on Public Lands, Forests, and Mining
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Manchin:

I write to express the concerns and recommendations of the American Forest Resource Council (AFRC) and its members regarding S. 1262, the so-called "Oregon Recreation Enhancement" (ORE) Act.

AFRC's Concerns

Our primary concern with the ORE Act relates to overlaying fire-prone landscapes with congressional designations that limit, prohibit, and/or complicate management activities intended to improve forest health and resiliency, reduce wildfire and smoke, protect forested communities, and maintain public and emergency personnel access to public lands. While we support the intent of "boost[ing] recreation opportunities in Southwestern Oregon and in rural Clackamas County," S. 1262 would likely undermine that stated goal in its current form.

In a May 1, 2019 press release announcing the introduction of the ORE Act, Senators Ron Wyden and Jeff Merkley tout recently passed legislation that "added wildfire protections for Crooked River Ranch in central Oregon." The referenced "protections" were accomplished by legislatively ***removing*** hundreds of acres from a Wilderness Study Area adjacent to the Crooked River Ranch community.

By contrast, S. 1262 would ***add*** approximately 60,000 acres of wilderness to the Rogue Canyon. Nearby forested communities such as Merlin, Redwood, Grants Pass, New Hope, and Williams have been identified by the Forest Service as among the 50 communities in Oregon with the

greatest cumulative housing-unit exposure to wildfire, with Merlin and Redwood ranking first and second, respectively. If wilderness was deemed to be too dangerous near Crooked River Ranch, how could additional wilderness designations help "protect" other at-risk forested communities in fire-prone Southwest Oregon? The proposed legislation would ensure the forested communities of Marial, Rand, and Galice will be surrounded by, or immediately adjacent to, new wilderness.

The same press release also claims the "proposed recreation and wilderness designations would *allow current* forest management, forest health, wildfire resiliency and other wildfire prevention strategies to continue" (emphasis added). This statement is inaccurate and misleading. Language in the bill authorizing the agencies to respond to wildfires will not allow the Forest Service or BLM to proactively reduce hazardous fuels and overstocking (Sections 2(c)(3) and 2(c)(4)). The Wilderness Act explicitly bans any mechanical treatments within a wilderness boundary. 16 U.S.C. § 1133. So, activities on these lands that are currently permitted and even statutorily required under the O&C Act and the 2016 Resource Management Plans (RMP) would be prohibited indefinitely.

In written testimony before this Committee on May 14, both the Forest Service and BLM highlight this conflict and the BLM explains that the designations included in S. 1262 "involve O&C lands within the harvest land base (lands specifically designated for sustained-yield timber management) established under the 2016 RMP." In its testimony, the BLM requested additional time to "conduct the detailed analysis necessary to evaluate the extent of potential impacts to timber harvest levels."

We strongly support the BLM's request for time to calculate the expected loss in O&C acres and potential future timber harvests and associated revenue to support essential services in rural communities like law enforcement, search and rescue, and mental health. Rural communities and local businesses that depend on these lands deserve to understand the financial implications of S. 1262 and have time to plan accordingly.

It is also worth pointing out the ORE Act would add designations that may confuse and complicate management on the ground. In February, the Congress passed, and the President signed S. 47, the Natural Resources Management Act. This legislation, now law, included new protections for tens of thousands of acres in Clackamas County and Southwest Oregon – including tributaries of the Rogue River. Many of the new Congressionally designated acres are also included in the ORE Act and would receive new, additional, and potentially contradictory designations.

For example, many if not most of the proposed Rogue wilderness expansion would receive "quadruple" restrictions on management under the Wild and Scenic Rivers Act (added by S. 47), the Wilderness Act, as a National Recreation Area, and under the 2016 RMP as Late Successional Reserve (LSR) or Riparian Area. Each of these designations include specific management direction and goals and are not necessarily complementary or compatible with the stated forest resiliency and recreation goals of the legislation. We do not envy the federal land managers tasked with determining which of the four (or more) overlapping land designations to

follow, nor a member of the general public trying to determine what activities and uses are allowed where.

In its testimony before this Committee on May 14, the Forest Service picked up on this serious challenge: "Restrictive land use designations can post [sic] significant challenges for land managers' ability to actively manage forest lands and reduce hazardous fuels around communities, create access issues for diverse land users and have impacts on rural economies." The BLM expressed similar concerns: "…we are concerned that the bill as currently written could ultimately decrease public access, limit outdoor recreational opportunities, impede management and harvest of timber and other forest products…" The BLM added "the bill's language related to road construction may also limit public access to any potential new or existing trailheads and scenic opportunities, and limit the extent to which forest health and wildfire resiliency activities could be implemented, especially where these activities necessitate decreasing the density of commercially viable materials."

AFRC's Recommendations

If, despite these warnings, the Congress is insistent about adding more restrictive designations to fire-prone landscapes in Clackamas County and Southwest Oregon, we offer the following recommendations to help minimize risks to forest communities, public health, access, and forest resources:

1) Remove the proposed Rogue wilderness expansion (Section 4). The ORE Act already proposes to protect the exact same acres – and thousands more – as a Recreation Area. As mentioned, most of these acres were already congressionally designated under the Wild and Scenic Rivers Act just a few months ago. Adding a wilderness overlay over nearly 94 square miles would legally prohibit any needed mechanical treatments to improve forest resiliency, reduce fuel loads, preserve access, and protect nearby communities.

2) Ensure a no net loss of O&C acres by directing the BLM to reclassify an equal number of Public Domain lands as O&C lands. This is important to maintaining the number of O&C acres, which are required under the O&C Act to be managed for sustained-yield timber harvests to generate revenues for county governments. 43 U.S.C. § 2601. The recent Western Oregon Tribal Fairness Act (PL 115-103) includes a similar provision for O&C acres being transferred to tribes in western Oregon.

3) Remove any acres within Oregon Recreation Areas designated as Harvest Land Base (HLB) under the 2016 RMP. As mentioned in previous letters to this Committee, the 2016 RMP severely restricts active management on the statutorily unique O&C Lands in Western Oregon and AFRC is challenging the Plan's adequacy in court. Under the new plan, less than 20 percent of the O&C Lands are available for sustained-yield timber management and only a small fraction of those lands is available for timber harvest each year. S. 1262 would reduce the available acres for active management even further, impacting timber supply, reducing revenue to Oregon counties and the U.S. Treasury, and eliminating family wage jobs. Harvest Land Base acres – lands specifically identified for

timber production under the Obama Administration – should be removed from the legislation.

4) Direct the Forest Service and BLM to map the acres with the greatest fire risk within the ORE Act and require the management agencies to produce a five-year action plan to treat those acres – including through mechanical treatments. The Forest Service and BLM should use available data and mapping tools, such as the wildfire hazard potential (WHP) map, to depict wildfire risk and help prioritize fuels management needs. The plans should include the recommended action/treatment, timeline, and estimated costs for completing the work. The legislation should also include language explicitly authorizing any ongoing needed, science-based treatments regardless of the congressional or administrative designation.

5) Direct the Forest Service and BLM to work with local communities, rural fire districts, and other emergency management personnel to develop wildfire suppression and evacuation plans before wildfires inevitably start and spread within the boundaries of any new designations. The Forest Service and BLM should have specific plans for initial attack and containment for fires starting within the proposed wilderness expansion or Recreation Area. It will be critical for residents of nearby communities – especially Marial, Rand, and Galice – to participate in the development of emergency plans and designation of evacuation routes.

6) Consult, coordinate with, and solicit feedback from Oregon Governor Kate Brown's Council on Wildfire Response. The Council was established on January 30, 2019 by executive order and is tasked with reviewing "Oregon's current model for wildfire prevention, preparedness and response…" and to "provide recommendations to strengthen, improve, or replace existing systems." The Council, made up of a diverse group of state leaders representing a wide spectrum of public and private interests including staff from Senators Wyden and Merkley, will be reviewing, analyzing, and discussing policies that apply to these same Federal lands. S. 1262 could influence the Council's work and recommendations.

Thank you for the opportunity to share our concerns and recommendations on S. 1262, the ORE Act.

Sincerely,

Travis Joseph
President/CEO

cc: Oregon Congressional Delegation
Oregon Governor Kate Brown

American Rivers
RIVERS CONNECT US®

October 28, 2021

Senator Joe Manchin, Chairman
Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

Senator John Barrasso, Ranking Member
Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Manchin and Ranking Member Barrasso,

On behalf of American Rivers' more than 6,000 members and supporters in Montana, I am writing to express our support for S. 1493, the Blackfoot Clearwater Stewardship Act, which had a hearing before the Subcommittee on Public Lands, Forests & Mining on October 19.

About American Rivers
American Rivers is the leading conservation organization working to protect and restore the nation's rivers and streams. Since our founding in 1973, we have conserved over 150,000 miles of America's waterways through Wild and Scenic River designations, dam removals, other on-the-ground projects, and various advocacy campaigns. Currently we have more than 355,000 members, supporters and volunteers throughout all 50 states, thousands of whom live near and recreate in the Blackfoot River watershed.

Why we support the Blackfoot Clearwater Stewardship Act
The Blackfoot Clearwater Stewardship Act is the product of over a decade of collaboration and reflects input from a diverse array of local stakeholders including conservation groups, recreationists, guides and outfitters, the timber industry, and many others. This made-in-Montana bill would protect the headwaters of the beloved Blackfoot River by designating 80,000 acres of new wilderness, while also enhancing recreational access and ensuring sustainable timber harvest and healthy forests for years to come. This legislation would help safeguard some of the most important headwaters tributaries to the Blackfoot River, including the North Fork Blackfoot River and Monture Creek, both of which have been proposed for Wild and Scenic designation due to their exceptionally clean water and outstanding scenic, ecological, and recreational values. Given the diverse interests that have been at the table crafting this legislation for such a long time, it comes as no surprise that a recent (March 2020) public lands poll commissioned by the University of Montana found that 75% of Montanans support the Blackfoot Clearwater Stewardship Act.

In closing, American Rivers urges the Committee on Energy and Natural Resources to pass the Blackfoot Clearwater Stewardship Act based on its own merits and send it to the full Senate for a vote.

Sincerely,

Scott Bosse
Northern Rockies Director

321 East Main | Suite 408 | Bozeman, MT 59715 | 406-570-0455 | AmericanRivers.org

AMERICAN WHITEWATER

P.O Box 1540
Cullowhee, NC 28723
info@americanwhitewater.org
1-866-262-8429

November 1st, 2021

Senator Catherine Cortez Masto, Chair
Public Lands, Forests, and Mining Subcommittee
304 Dirksen Senate Building
Washington, DC 20510

Senator Mike Lee, Ranking Member
Public Lands, Forests, and Mining Subcommittee
304 Dirksen Senate Building
Washington, DC 20510

RE: Public Lands, Forests, and Mining Subcommittee Legislative Hearing: S. 180, Buffalo Tract Protection Act; S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act; S. 1493, Blackfoot Clearwater Stewardship Act; S. 1538, Smith River National Recreation Area Expansion Act; and S. 1589, Oregon Recreation Enhancement Act.

Dear Chair Cortez Masto and Ranking Member Lee:

On behalf of the whitewater paddling community, American Whitewater writes to express our appreciation for holding a hearing on S. 180, Buffalo Tract Protection Act; S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act; S. 1493, Blackfoot Clearwater Stewardship Act; S. 1538, Smith River National Recreation Area Expansion Act; and S. 1589, Oregon Recreation Enhancement Act. These legislative proposals before the Committee would afford new protective designations for whitewater rivers that our members value and that protect the recreational paddling experience.

We are tremendously pleased by, and grateful for, the Committee's work to secure the passage of the John D. Dingell, Jr. Conservation, Management, and Recreation Act as well as the Great American Outdoors Act last Congress; we believe the Committee has an opportunity to build on the momentum of this success and work toward passage of similarly well developed legislation that protects and enhances opportunities for outdoor recreation that include whitewater paddling.

About American Whitewater

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with approximately 50,000 supporters, 6,500 dues-paying members, and 100 local-based affiliate clubs, representing whitewater enthusiasts across the nation. American Whitewater's mission is to protect and restore America's whitewater rivers and to enhance opportunities to enjoy them safely. The organization is the primary advocate for the preservation and protection of whitewater rivers throughout the United States, and connects the interests of human-powered recreational river users with ecological and science-based data to achieve the goals within its mission. Our vision is that our nation's remaining wild and free-flowing rivers stay that way, our developed rivers are restored to function and flourish, that the public has access to rivers for recreation, and that river enthusiasts are active and effective river advocates. Our members live, work, and recreate in the watersheds that would be protected by S. 180, S. 1459, S. 1493, S. 1538, and S. 1589 that are before the Committee. Our specific comments on the individual bills follow.

Support for S. 180, Buffalo Tract Protection Act

American Whitewater and our constituents strongly support S. 180, *Buffalo Tract Protection Act*, introduced by Senator Heinrich and co-sponsored by Senator Lujan. The Buffalo Tract Protection Act would withdraw over 4,000 acres acres from gravel and sand mining near Placitas, New Mexico in the Rio Grande valley. River enthusiasts in New Mexico enjoy river floating opportunities on the Rio Grande between Placitas and Albuquerque. The river provides an accessible opportunity for families, beginners, and experienced paddlers to raft, kayak, and stand-up paddleboard. Additionally, there have been recent collaborative efforts to improve river access at the Hwy 550 bridge just a few miles to the West of the Buffalo Tract Protection Act lands. Withdrawing these lands from mining would help protect the health of the Rio Grande valley and watershed and support the continued enjoyment, lifestyle, and health benefits that the river provides to locals and visitors.

Support for S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act

American Whitewater strongly supports S. 1459, *Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act,* introduced by Senator Padilla and co-sponsored by Senator Feintsein. It includes three titles that would provide important protections for rivers enjoyed by the whitewater paddling community.

The Northwest California Wilderness, Recreation, and Working Forests Title of this legislation would designate 379 miles of new Wild and Scenic Rivers in Northwestern California's

Klamath Mountains and Coast Range. This region has some of the most spectacular wild rivers on the West Coast and the greatest concentration of Wild and Scenic Rivers in the nation, along with many more that qualify but are not yet designated. This title protects additional rivers and their watersheds while ensuring that much-needed fire and fuels management work is prioritized to help protect communities from wildfire. New Wild and Scenic designations include exceptional whitewater rivers such as the upper South Fork Trinity River, upper New River, East Fork North Fork and North Fork Trinity River, Canyon Creek, Middle Fork Eel River, and many others along with Redwood Creek, a spectacular overnight whitewater run that flows through the world's tallest living trees in Redwood National Park. This title of the bill would establish a 730,000 restoration area within the South Fork Trinity River, Mad River, and North Fork Eel watersheds for forest restoration and wildfire fuel reduction. In addition, 260,000 acres of proposed wilderness, largely in the Trinity River and Redwood Creek watersheds, would protect forests and rivers while allowing fire management, ecological restoration work, and continued use by Native American Tribes for traditional cultural and religious purposes.

The Central Coast Heritage Protection Title of this legislation would designate 159 miles of Wild and Scenic Rivers including 48.1 miles of the upper reaches of Piru Creek, a rare waterway that provides outstanding wilderness whitewater less than an hour drive from downtown Los Angeles. In addition, 20.9 miles of upper Sespe Creek would be designated. This Title would also designate nearly 250,000 acres of wilderness and create two new scenic areas in California's Los Padres National Forest and the Carrizo Plain National Monument.

The San Gabriel Mountains Foothills and Rivers Protection Title of this legislation would designate 45.5 miles of Wild and Scenic Rivers in Southern California including the San Gabriel River and its primary forks. This title will improve outdoor recreation opportunities by connecting park-poor areas to open space, benefitting many communities of color that do not currently have such access to the outdoors. This Title of the legislation expands the San Gabriel National Monument established in 2014 by an additional 109,143 acres and establishes a National Recreation Area along the San Gabriel River. This Title of the legislation would also protect more than 30,000 acres as wilderness.

Support for S. 1493, Blackfoot Clearwater Stewardship Act

American Whitewater strongly supports S. 1493, *Blackfoot Clearwater Stewardship Act*, introduced by Senator Tester. This legislation would designate portions of the North Fork of the Blackfoot River and Monture Creek watersheds as Wilderness, in the context of a collaboratively developed and carefully balanced compromise that benefits multiple uses of the National Forest. The proposed designations would protect the outstanding whitewater

paddling opportunities on both streams. The North Fork of the Blackfoot River in particular is recognized as one of Montana's premiere hike-in whitewater runs for kayakers and packrafters, featuring clear blue water, moderate rapids, and spectacular scenery. Trails up these river corridors are also primary routes used by our members to access the launching point for week-long float trips on the Wild and Scenic South Fork of the Flathead River to the north. Wilderness designation would ensure that the entire hiking or horsepacking experience into the South Fork Flathead watershed is managed in a consistent and exemplary manner. Lastly, these watersheds offer vital habitat for native fish, provide cold and clean water, and provide a scenic backdrop for the Blackfoot river downstream. American Whitewater has spent a decade exploring community support for Wild and Scenic River designations across Montana, and Monture Creek and the North Fork Blackfoot rivers have consistently been elevated for protection by a broad range of local citizens. These rivers, and their headwaters are beloved by our members and many river enthusiasts, and we support their protection with this legislation.

Support for S. 1538, Smith River National Recreation Area Expansion Act

American Whitewater strongly supports S. 1538, *Smith River National Recreation Area Expansion Act,* introduced by Senator Merkely and co-sponsored by Senators Wyden, Padilla, and Feinstein. The North Fork of the Smith River, originating in Oregon and flowing through California, is recognized as one of the nation's premiere and most pristine whitewater runs, featuring clear blue water, high quality rapids, and spectacular scenery. The watershed is characterized by rare geologic, hydrologic, and botanical resources that the legislation appropriately recognizes, as well as unique opportunities for backcountry recreation.

In 1990, Congress enacted legislation to establish the Smith River National Recreation Area (NRA) to protect the watershed, but the boundary of the NRA stopped at the Oregon border, leaving Oregon's portion of the North Fork of the Smith River and its tributaries unprotected. The proposed legislation would expand the Smith River National Recreation Area by 58,000 acres into Oregon to protect the diverse ecosystems of this watershed and provide consistent management for the recreational opportunities our members enjoy in this spectacular landscape. Additionally, the legislation would extend Wild and Scenic designation to the upper watershed of the North Fork of the Smith River and its major tributaries. This would further protect one of the West Coast's last free-flowing rivers and a special place for all who enjoy wild rivers.

The North Fork of the Smith River and its headwater tributaries are beloved by our members and many river enthusiasts, and we support their protection with this legislation. On behalf of the whitewater paddling community, thank you again for holding this hearing, and we look

forward to continuing to work with you in support of conservation and recreation values on our country's public lands and waters.

Support for S. 1589, Oregon Recreation Enhancement Act

American Whitewater strongly supports S. 1589, *Oregon Recreation Enhancement Act,* introduced by Senator Wyden and co-sponsored by Senator Merkley. This legislation would provide important protections for the lands along the Rogue Wild and Scenic River (designated 1968 as one of the original eight Wild and Scenic Rivers) and the Molalla Wild and Scenic River (designated 2019). The Rogue Wild and Scenic River is recognized as one of America's Great River Journeys and a classic multi-day river trip enjoyed that attracts visitors from around the world,[1] while the Molalla Wild and Scenic River is one of our nation's newest Wild and Scenic Rivers and a regional resource that is enjoyed as a day or weekend trip for residents and visitors of the greater Portland metropolitan area.

While the Rogue and Molalla Wild and Scenic Rivers are protected through the Wild and Scenic Rivers Act, the surrounding forested landscape through which these rivers flow provides the setting that makes a trip on either of these rivers such a special experience. The legislation would establish the Rogue Canyon (98,150 acres) and Molalla (29,884 acres) Recreation Areas to protect and enhance the nationally important recreation values; it would also establish a mineral withdrawal for these areas. The legislation would expand the Wild Rogue Wilderness Area by 59,512 acres to include old-growth forest along the Wild and Scenic Rogue River.

The legislation also includes a mineral withdrawal of federally managed public land in the headwaters of Hunter Creek and Pistol River as well as Rough and Ready and Baldface Creeks in the headwaters of the Illinois and Smith rivers in Oregon. All of these rivers are free-flowing from their headwaters to the Pacific Ocean and, in addition to their importance for wild salmon, they represent spectacular recreational resources for backcountry adventures in the Siskiyou Mountains region.

Conclusion

On behalf of the whitewater paddling community, thank you again for holding this hearing and the opportunity to provide testimony on these legislative proposals before the Committee. We strongly support S. 180, Buffalo Tract Protection Act; S. 1459, Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act; S. 1493,

[1] Palmer, T., 2018, America's Great River Journeys, Rizzoli, NY.

Blackfoot Clearwater Stewardship Act; S. 1538, Smith River National Recreation Area Expansion Act; and S. 1589, Oregon Recreation Enhancement Act. We urge you to move these bills through the Committee and to the Senate floor to ensure these spectacular river resources are protected for future generations to experience and enjoy.

Sincerely,

Kevin R. Colburn
National Stewardship Director

Thomas O'Keefe, PhD
Pacific Northwest Stewardship Director

ARIZONA Cattle Growers' ASSOCIATION

5/18/2021

Dear Senator Kelly,

The Arizona Cattle Growers' Association offers (ACGA) its support and endorsement of the Arizona Experiment Station Land Conveyance Act of 2021 to convey a portion of U.S. Forest Service land to the University of Arizona (UA). The UA would receive approximately 13 acres within the Coconino National Forest where the UA maintains its V-V Ranch Winter Headquarters.

Since 1995, the UA has operated the V-V Ranch as a component of their Arizona Experiment Station which includes various research centers throughout the State that provide infrastructure necessary to generate and disseminate important agricultural knowledge and technology. The ranch manages nearly 400 head of cattle and has infrastructure at the Headquarters and in Mahan Park. The Ranch also owns a Forest Service grazing allotment consisting of approximately 80,000 acres of rangeland for cattle grazing.

In addition to the continuing hands-on education students will receive, the UA would also be able to expand the University's newly-created College of Veterinary Medicine—the first public veterinary medicine college in the State of Arizona. With funding already available to build the facility, the UA has a fiduciary responsibility to invest those funds into deeded land as they build the next generation of large animal veterinarians in Arizona.

ACGA thanks Senator Kelly for his introduction of this important bill and encourages its passage into law.

Sincerely,

Billy Elkins

President Arizona Cattle Growers' Association

CC:
Senator Manchin, Chairman of the Senate Committee on Energy and Natural Resources
Senator Sinema

1811 S. Alma School Road #255 I Mesa, Arizona 85210 I www.AZCattleGrowers.org I (602) 267.1129

Arizona Farm Bureau Federation
325 S. Higley Rd, Suite 210
Gilbert, AZ 85296

May 17, 2021

RE: Arizona Experiment Station Land Conveyance Act of 2021

To Whom It May Concern:

The Arizona Farm Bureau Federation represents 23,000 farmers and ranchers from across Arizona. Our members produce an array of crops and livestock that contribute over $23.3 billion of economic impact to the state. On behalf of our members and as proud supporters of the University of Arizona's College of Agriculture and Life Sciences (CALS), we are pleased to write these comments in support of the land conveyance to the V-V Ranch.

V-V Ranch and its Agricultural Experiment Station are an extremely important resource for Arizona Agriculture. The University of Arizona uses V-V as a real-life research center for everything from cattle husbandry to rangeland management. The data collected from the ranch has helped Arizona's cattle industry become an even better steward of the land by evaluating grazing techniques, developing better cattle genetics, and cultivating land improvements that have a positive impact on cattle and wildlife alike.

Thank you for your introduction of this legislation. The Arizona Experiment Station Land Conveyance Act of 2021 will help V-V make necessary improvements and carry out its duties more effectively. We strongly support the proposal and encourage its passage into law.

Sincerely,

Stefanie A. Smallhouse

Stefanie Smallhouse, President
Arizona Farm Bureau Federation

CC:
Senator Manchin, Chairman of the Senate Committee on Energy and Natural Resources
Senator Sinema

June 10, 2019

Senator Lisa Murkowski, Chairman
Senate Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

Senator Joe Manchin, Ranking Member
Senate Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

Senator Mike Lee, Chairman
Senate Energy & Natural Resources
Subcommittee on Public Lands, Forests, and Mining
304 Dirksen Senate Office Building
Washington, DC 20510

Senator Ron Wyden, Ranking Member
Senate Energy & Natural Resources
Subcommittee on Public Lands, Forests, and Mining
304 Dirksen Senate Office Building
Washington, DC 20510

Re: Oregon Recreation Enhancement (ORE) Act; S. 1262

Dear Chairman Murkowski, Ranking Member Manchin and Senators Lee and Wyden:

We are writing to express concerns regarding S. 1262, the Oregon Recreation Enhancement (ORE) Act. The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the 2.5 million acres of O&C lands managed by the BLM and the Forest Service. Pursuant to 43 USC 2605, the O&C Counties are entitled to 50 percent of the proceeds from the sale of timber from the O&C lands. The 2.1 million acres of O&C lands managed by the BLM are required to managed for sustained yield timber production as set forth in 43 USC 2601.

All of the lands that would be affected by S. 1262 are within the O&C Counties and at least some of the affected lands are O&C lands. Timber harvests on O&C lands have diminished by about 80 percent over the last 25 years due to changing management priorities. O&C revenue was

once a reliable and very significant component of County budgets. Even at the current diminished levels, O&C timber receipts are an important source of financial support for essential public services provided by the O&C Counties. Any legislation that might further diminish the land base or timber harvest receipts is therefore of concern. S. 1262 would have these adverse affects.

The O&C Counties, particularly those in dryer Southern Oregon, are also suffering from the effects of repeated catastrophic wildfires. Economic damage from fire and smoke has been substantial and the long-term health affects from heavy wildfire smoke that sometimes lingers for weeks is of great concern. Fire danger is made worse when there is lack of access to fight fires, and lack of management to thin forests that are overgrown with fuels. Any legislation that would further limit access and further limit management options is therefore also of concern. S. 1262 would have both of these limiting, adverse affects.

Testimony by the Forest Service regarding S. 1262 on May 14, 2019, states in part as follows:

"This bill would expand an existing wilderness boundary, establish two national recreation areas, and would permanently withdraw two areas of federal land from the mining laws of the United States to protect them from new mining claims, other mineral leasing, and geothermal leasing. Restrictive land use designations can post significant challenges for land managers' ability to actively manage forest lands and reduce hazardous fuels around communities, create access issues for diverse land users and have impacts on rural economies. The Department would like to work with the bill's sponsor and the committee to address these potential challenges."

Similarly, testimony by the BLM regarding S. 1262 on May 14, 2019, states in part as follows:

"The Department of the Interior (Department) has pledged to expand access to America's public lands, increase hunting, fishing, and recreational opportunities nationwide, and enhance conservation stewardship through Secretarial Orders 3347, 3356, 3366, and 3373. To advance those goals, we are focused on restoring full collaboration and coordination with local communities and making the Department a better neighbor. While the Department supports the goals of S. 1262 that align with these important priorities, we are concerned that the bill as currently written could ultimately decrease public access, limit outdoor recreational opportunities, impede management and harvest of timber and other forest products, and limit potential development of domestic critical minerals. For these reasons, we cannot support the bill as written. We would like to work with the sponsors and the Subcommittee on a number of modifications to the bill to address these issues."

We share the concerns expressed by both the Forest Service and the BLM, and join in their offer to work with the sponsors of S. 1262, so that we might better understand the likely impacts of the bill, and perhaps be able to identify means of avoiding adverse impacts on the O&C Counties. We would hope preliminarily that the agencies would very clearly identify and map the acreage of any BLM or Forest Service O&C lands that would be impacted. Possible partial remedies for some of the adverse impacts of restrictive land use designations might include, for example, addition of a provision that would reclassify specified parcels of other, non-O&C lands to

replace the O&C lands that would become subject to management limitations under S. 1262. Such a measure would help mitigate adverse impacts on County revenues, but other means would be needed to address access issues and management limitation issues.

Thank you for considering our concerns.

Very truly yours,

Rocky McVay

Rocky McVay, Executive Director

cc: Oregon Congressional Delegation
Michael Nedd, BLM
Frank Beum, Forest Service

BACKCOUNTRY HUNTERS & ANGLERS
MONTANA

October 14, 2021

Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

On behalf of our roughly 3,000 dues-paying Montana members, the Montana Chapter of Backcountry Hunters & Anglers would like to offer our full and enthusiastic support for the Blackfoot Clearwater Stewardship Act (BCSA, S. 1493). We applaud the collaborative process by which this bill was created, and as an organization dedicated to maintaining fish and wildlife habitat, fair chase hunting, fishing opportunities and public access, we can certainly endorse the outcome.

S. 1493 is the product of more than a decade of local collaboration by a variety of stakeholder groups in Montana including sportsmen and women, ranchers, outfitters, mountain bikers, timber industry professionals, snowmobilers and business owners. This broadly supported approach to natural resource policy benefits local communities and economies and is representative of the successful partnership that has been a part of the Blackfoot and Seeley/Swan Valleys for decades. It's the Montana way of doing things.

The three components of the BCSA – timber/restoration, recreation and conservation – would mean expedited forest management, the creation of recreation areas for mountain biking and snowmobiling, and the protection of roughly 80,000 acres of essential fish and wildlife habitat.

There's something for everyone and it's no surprise that this legislation is supported by 75 percent of Montanans, including 80 percent of Montana hunters and anglers.

The carefully selected wilderness designations in this bill would provide crucial habitat security for a variety of wildlife including elk, deer, black bear and many others, and is why sportsmen and women support it. The protected watersheds would guarantee cold, clean flowing streams and tributaries on which downstream communities and native fish – such as cutthroat and bull trout – depend, which is why anglers want to see this signed into law.

Additionally, the BCSA would provide an economic boost for the rural communities of the upper Blackfoot and Clearwater areas, including Seeley Lake and Ovando. The added and protected year-round recreational opportunities – both motorized and non-motorized alike – would increase visitor spending, and the additional timber harvests would support the local economies even further.

There's little question why the Blackfoot Clearwater Stewardship Act is championed by many diverse and local voices: it's a win for the economy, maintains healthy habitat and clean water and improves backcountry hunting and fishing opportunities, all things our Montana membership cares deeply about.

Thank you for your support to help get this passed.

Sincerely,

The Montana Chapter of Backcountry Hunters & Anglers

Cc: Sens. Jon Tester and Steve Daines

October 18, 2021

The Honorable Joe Manchin, Chairman
The Honorable John Barrasso, Ranking Member
Subcommittee on Public Lands, Forests, and Mining
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

RE: Support for the Smith River National Recreation Area Expansion Act (S. 1538)
Dear Members of the Subcommittee on Public Lands, Forests & Mining:

The Oregon Chapter of the Backcountry Hunters Anglers is pleased to be part of a diverse team of stakeholders including rural communities, fishery and river conservation organizations, and Chambers of Commerce in united support for the Smith River National Recreation Area Expansion Act (S. 1538).

Our mission is to ensure North America's outdoor heritage of hunting and fishing in wild backcountry areas is available for future generations. Wilderness hunting and fishing deliver a sense of freedom, challenge and solitude that is increasingly trampled by the twin pressures of growing population and increasing technology. Our support for S. 1538 is inspired by the vast backcountry lands in the headwaters of the North Fork Smith River watershed which provide high quality wildlife and riverine habitats. These are the types of wild landscapes our members hope for us to protect. Thus, we are grateful for the strong support for this legislation.

WWW.BACKCOUNTRYHUNTERS.ORG/OREGON_BHA
OREGON@BACKCOUNTRYHUNTERS.ORG

Thank you for your assistance in completing the Smith River National Recreation Area. This world class backcountry and recreation destination will be enjoyed and celebrated for generations to come.

Sincerely,

Justin Gindlesperger,
SW Regional Director
Oregon Chapter of Backcountry Hunters & Anglers
WWW.BACKCOUNTRYHUNTERS.ORG/OREGON_BHA
OREGON@BACKCOUNTRYHUNTERS.ORG

backcountry SLED PATRIOTS

09/09/2020

Senator Daines

I am president of Backcountry Sled Patriots. We are a 2000 member snowmobile group based in Missoula, Montana. Our membership seeks challenging, primitive back country (no trails) riding areas.

Over the past decade approximately 1,000,000 acres of historic snowmobile back country riding areas in Montana have been closed to snowmobiling. The reasons for closing these areas have nothing to do with environmental concerns but come down to non motorized groups refusing to embrace or co-habituate on public lands with any form of back country recreation outside their specific preferences.

The Blackfoot Clearwater Stewardship Project had the conceptual make-up to seriously address and overcome these issues. The flaw in the project is the collaborative founders of the project had a primary objective to establish more wilderness designation. They were hoping to appease groups that might oppose it by "offering" some additional access to primitive back country areas for motorized recreation, primarily for snowmobiling.

None of the snowmobile groups in the surrounding area were invited to these collaborative discussions. No **authorized representative(s)** of any snowmobile groups from the immediate area provided any endorsement of the proposed project. The proposed legislation includes an additional "designated" back country snowmobile area. This sounds like a fair compromise, however the area is almost impossible to access due to dense vegetation growth on previously burned areas and funnels into what would be considered an area of extremely dangerous avalanche chutes. This is not an area any responsible snowmobiler would want to (try) ride into.

In summation, the collaborative offered a "lipstick on a pig" compromise that would read well in the local newspapers but in reality it was simply a "popsicle stick without the popsicle".

Backcountry Sled patriots has a large number of members who snowmobile in the Seeley Lake area. We cannot support the proposed legislation as written. A fair and reasonable opportunity for additional back country snowmobile access is required to secure our buy in. This can be in the form of access to new areas, and/or re-opening historic snowmobile riding areas currently closed to snowmobiling on **an acre for acre balance** with the proposed wilderness acreage additions proposed in the Seeley Lake area. This seems like the best compromise alternative and is weighted fairly to all parties.

Regards,

Stan Spencer

September 16, 2020

Big Blackfoot Chapter of Trout Unlimited
P.O Box 1
Ovando, Montana 59854

The Honorable Lisa Murkowski
Chairman, Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

The Honorable Joe Manchin
Ranking Member, Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

Re: Blackfoot Clearwater Stewardship Act (S. 1765)

Dear Chairman Murkowski and Ranking Member Manchin,

The Big Blackfoot Chapter of Trout Unlimited ("BBCTU") is a grassroots organization dedicated to restoring and conserving cold water fisheries in the Blackfoot River and its tributary streams. BBCTU uses strong science along with a community-based, collaborative conservation approach to work with private landowners, agencies, watershed groups, funding partners, conservation organizations and elected officials on important fish habitat projects. This blue-print has served us well. Over the past 32 years, BBCTU has invested $15 million and worked with over 250 private landowners to implement hundreds of fisheries habitat projects. These habitat projects have helped restore native, cold-water fish populations across the 1.5 million acre Blackfoot Watershed. Equally important are the benefits to working private lands. BBCTU has helped private landowners with issues related to grazing management, erosion control, irrigation water conservation and weed management.

Because of this long history of collaborative conservation efforts in the Blackfoot Valley, BBCTU strongly supports the Blackfoot Clearwater Stewardship Act ("BCSA"), S. 1765. BCSA is a home-grown legislative action that was crafted through years of respectful collaboration between passionate and engaged stakeholders. The Act represents "win-win" solutions to natural resource issues in the Blackfoot and Clearwater Watersheds. BCSA also

protects the investments that BBCTU has made over three decades of focused cold-water fisheries conservation. It provides the following outcomes:

- Protects 80,000 acres of backcountry lands and headwater streams that provides critical spawning habitat for westslope cutthroat trout and Endangered Species Act threatened bull trout.
- Creates large recreation areas for winter motorized use and mountain biking.
- Preserves hundreds of Montana jobs that depend on sustainable forests and healthy fish and wildlife populations.

It is important to note that BCSA has broad support across Montana. Over 160 businesses and organizations support the Act and a recent bipartisan survey shows that 75% of Montana citizens support passage of BCSA. We believe these numbers send a clear message to Congress; Montanans cherish the Blackfoot-Clearwater landscape and we want our elected officials to conserve, sustain and protect this national treasure. The Big Blackfoot Chapter of Trout Unlimited believes that BCSA achieves that goal and we urge the Energy and Natural Resources Committee to support S. 1765.

Thank you for considering our organization's comments and position on BCSA. Please feel free to contact me at your convenience to discuss BBCTU's support of this important legislation.

Sincerely,

James W. Stutzman
President
Big Blackfoot Chapter of Trout Unlimited

cc:

The Honorable Jon Tester, United States Senator
The Honorable Steve Daines, United States Senator
The Honorable Greg Gianforte, United States House of Representatives

October 18, 2021

Joe Manchin III, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

As members of the Blackfoot Clearwater Stewardship Project (BCSP), a nearly two decade-long collaborative partnership, we ask for your support in advancing S.1493, the Blackfoot Clearwater Stewardship Act (BCSA) through the Senate Energy and Natural Resources Committee.

The BCSA honors the honesty, integrity, and sweat equity that our collaborative partnership has invested for sixteen years in creating balanced, broadly supported solutions among loggers, ranchers, businesses, conservationists, and broad ranging recreation interests in our Blackfoot-Clearwater region of Montana. Supported in bipartisan fashion by 75 percent of Montanans, the BCSA is a truly balanced solution for our rural economy and natural landscapes.

The BCSA is the culmination of our collaborative work for the last decade and a half to pursue our commonly held goals of restoring the health of our backyard National Forest, rejuvenating our timber

economy, expanding recreational access for all user groups, and protecting our most important wildlife habitat, backcountry areas, and headwater streams.

Our partnership helped establish the Southwestern Crown of the Continent Collaborative (SWCC) in 2010 to advance our timber and forest restoration goals. This effort has created or maintained an average of 153 jobs and led to overall investment of $92 million in our regional economy, resulting in 46,542 acres of forests restored, 57,040 acres treated for noxious weeds, 204 miles of stream restoration, and 3,431 miles of multiple use trails maintained.

The BCSA will complete our collaborative landscape vision by supporting and expediting forest restoration, expanding motorized and non-motorized recreational opportunities, and preserving important habitat. The proposed wilderness has been carefully vetted to avoid impacts on motorized recreation and other important land uses. And the recreational opportunities the bill will create will provide important benefits to our community.

That's why the BCSA enjoys the support of numerous stakeholders, including timber, motorized recreation, mountain bikers, conservation, sportsmen, outfitters and guides, equestrians, local businesses, all three affected counties, and many more.

We have engaged stakeholders from a wide variety of perspectives, listened in good faith, and worked together to find balanced compromises that benefit our rural economies while stewarding and protecting our valuable resources for future generations.

We respectfully request that you help us realize our landscape vision while delivering a message to rural communities across our country that good-faith collaboration is a path that leads to tangible, sustainable outcomes on the ground. Please support S. 1493. Thank you for your consideration.

Sincerely,

BCSP Steering Committee Members:
Smoke Elser – Wilderness Educator and Outfitter
Jack Rich – Rich Ranch Guest Ranch and Snowmobile Adventures
Shannon Rich – Rich Ranch Guest Ranch and Snowmobile Adventures
Jim Stone – Rolling Stone Ranch, President of 'The Club' (Ovando Motorized Recreation Advocates)
Tim Love – Retired, US Forest Service
Mack Long – Bob Marshall Wilderness Outfitters
Connie Long – Bob Marshall Wilderness Outfitters
Gordy Sanders – Pyramid Mountain Lumber
Jon Haufler – Ecosystem Management Research Institute and Clearwater Resource Council
Caryn Miske – Executive Director, Clearwater Resource Council
Lee Boman – Former Executive, JC Penney
Addrien Marx – Former Owner and Manager, Rovero's Conoco and Ace Hardware
Roger Marshall – Forester
Erin Clark – Wild Montana
Alec Underwood – Montana Wildlife Federation
Jordan Reeves – The Wilderness Society

Sharetrails.Org/BlueRibbon Coalition
P.O. Box 5449
Pocatello, ID 83202-0003
208-237-1008 ● brc@sharetrails.org

Ben Burr, Policy Director
BlueRibbon Coalition
P.O. Box 5449
Pocatello, ID 83202
208-237-1008

March 6, 2020

Dear Blackfoot Clearwater Stewardship Project Leadership Team,

We recently learned that previous staff members of our organization signed a letter of support for the Blackfoot Clearwater Stewardship Act. After reviewing the proposed legislation and the history surrounding our involvement in this process, it is clear that our support for this Act was not properly vetted by our Board of Directors or members. The staff members who agreed to support the legislation are no longer with our organization, and we need to formally withdraw our support.

We understand that a collaborative process has been followed in drafting the bill, and we look forward to continuing to be part of this effort as we seek towards policy outcomes our Board of Directors and members can support. Motorized recreation creates a larger economic impact than all other forms of recreation combined, and we can only support policy outcomes that reflect this reality. A proposal that creates 80,000 acres of wilderness – the most restrictive designation for motorized access – for 2,000 acres of a snowmobile riding area where access to the area will be limited by surrounding wilderness is not a proposal that can be taken seriously by advocates for motorized access. Additionally, such restrictions create negative economic impacts, deny access to those whose mobility is impaired by age or disability, and remove the "public" from public lands.

We are also concerned that the name of our organization was used in a press release announcing a spending campaign to influence the behavior of a federally elected official during an election without our consent. We are a 501c3 charitable organization, and we are strictly prohibited from engaging in political activity, and this campaign was too close to being prohibited activity for our comfort. While there may have been a time when the BCSP operated with a collaborative mindset, one would think it would be a common courtesy for collaborative partners to include one another in the planning and implementation of significant public relations media campaigns. To accomplish our organization's mission, we must maintain a strong working relationship with elected officials from across the political spectrum, and the affiliation of our name with a divisive political spending and media campaign without our consent is a reckless betrayal of our trust. This behavior causes us to question the integrity of the BCSP as a whole, and we believe all members of the project should reconsider whether this is a serious effort to achieve favorable policy outcomes or an exercise in cheap political partisanship.

Sharetrails.org – it's what we do!

We respectfully request that you remove our name from your list of supporters of the proposal in its current form, and we look forward to working with you towards a policy we can support and a collaborative experience that treats supporters as true collaborative partners.

Sincerely,

Ben Burr
Policy Director
BlueRibbon Coalition/ShareTrails

cc
Steve Daines, U.S. Senator from Montana
Jon Tester, U.S. Senator from Montana
Ben Horan, executive director of MTB Missoula
Addrien Marx, BCSP steering committee member
Lee Boman, BCSP steering committee member
Ted Brewer, communications director, Montana Wilderness Association
John Todd, deputy director, Montana Wilderness Association

Court Boice, *Commissioner*

94235 Moore Street, Ste. 122

Gold Beach, OR 97444

Ph.: (541) 247.3229

November 2, 2021

Chairman Joe Manchin III
Ranking Member John Barrasso
304 Dirksen Senate Building
Washington, DC 20510

RE: SUPPORT FOR EXPANSION OF THE SMITH RIVER NATIONAL RECREATION AREA IN CURRY COUNTY

Dear Chairman Manchin and Ranking Member John Barrasso:

I am writing to express strong support for Senator Merkley's legislation to expand the beautiful Smith River Watershed that originates in Southwest Oregon.

This segment of the Kalmiopsis Wilderness and Smith River head waters is a national treasure and a valuable asset to our coastal communities. It is a stronghold in providing salmon and steelhead for commercial and sport fisheries and too as drinking water for our downstream residents. I am pleased to know that this legislation provides a permanent ban on new mining claims and that there is no private land involved.

Thank you for your efforts to expand the Smith River National Recreation Area. It is an excellent investment in the health of our region.

Sincerely,

Court Boice
Curry County Oregon Commissioner

DOUGLAS H. BOSCO
ATTORNEY AT LAW
645 FOURTH STREET, SUITE 205
SANTA ROSA, CALIFORNIA 95404
DBOSCO@BOSCOLAW.COM

TELEPHONE
(707) 525-8999

FACSIMILE
(707) 542-4752

October 22, 2021

VIA E-MAIL AND POSTAL SERVICE

Hon. Jeff Merkley
531Hart Senate Office Bldg.
Washington, D.C. 20510

Hon. Dianne Feinstein
331 Hart Senate Office Bldg.
Washington, D.C. 20510

Hon. Ron Wyden
221 Dirksen Senate Office Bldg.
Washington, D.C. 20515

Hon. Alex Padilla
112 Hart Senate Office Bldg.
Washington, D.C. 20515

Re: Smith River National Recreation Area Expansion Act

Dear Senators Merkley, Feinstein, Wyden and Padilla:

In 1990, I authored the Smith River National Recreation Area Act (Public Law 101-612, 101st Congress). At the time, the Congress found: "The Smith River, undammed and free-flowing from its headwaters to the Pacific Ocean, represents one of the last wholly intact vestiges of an invaluable legacy of wild and scenic rivers." Some thirty years later, the Smith still represents such a legacy, and it is now time to complete protection of this magnificent crown jewel of our nation's wild and scenic river system by enacting S.1538, the Smith River National Recreation Area Expansion Act.

When I introduced the original Act, it was quite controversial, especially in the Northern part of my congressional district. Timber and mining interests, the local media, chamber of commerce and Board of Supervisors all opposed the legislation. Plans were actively underway to complete the Gasquet-Orleans Road, which would have opened vast areas of the Smith's watershed to timber harvest. Over a thousand mining claims resulted in extremely turbulent disruption of the native fish-spawning habitat. Opponents predicted certain devastation of the local economy.

Fortunately, thanks to the hard work of forward-thinking local citizens and the strong support of environmental groups, we were able to overcome the opposition and achieve President Bush's signature. Today, the Smith is cherished by

even the most stalwart former opponents. Its crystal clear waters, prolific fisheries, exciting rafting, kayaking, camping and unparalleled recreation opportunities attract visitors from all over the world, much to the benefit of the local economy.

I have no doubt passage and enactment of the Expansion Act will meet the same happy fate. Anything that is done now to enhance protection of this national treasure will get and deserve the gratitude of our fellow citizens for many years to come.

Sincerely,

Douglas H. Bosco
Member
U.S. House of Representatives, 1982-90

CC: Hon. Mike Thompson
Hon. Jared Huffman

October 18, 2021

Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

As the owner of Brickhouse Creative located in Bozeman, Montana, I am writing in support of the Blackfoot Clearwater Stewardship Act (BCSA) . As a business owner, I recognize that our quality outdoor experiences are a big part of what drives our economy, and what brings opportunity to our diverse and vibrant communities.

The BCSA represents a wide range of values shared among Montana community members and stakeholders who recognize that healthy public lands, waters and forests, and opportunities for recreation are what create a foundation for community health and a promising economic future – for places like the Blackfoot and Clearwater valleys all the way to Bozeman, and to all the spaces in between. This made-in-Montana legislation supports our $7 billion outdoor recreation economy, contributing $287 million in state and local taxes and supporting 71,000 jobs.

Montanans know that collaborative processes create realistic and durable solutions for our lands, waters, and communities. Community members including those representing business, interests in timber restoration, wilderness advocates and recreationists of all sorts came together to help craft and to support this bill. Support includes 80% of people who camp, 80% of off-road vehicle riders, and 82% of people who enjoy boating recreation on our rivers.

I am asking for your swift support to move this Montana-made legislation through committee and on to becoming law. As a business owner and a Montanan, I know what is at stake if our outdoor industry and public lands are compromised, and the elements included in the BCSA address the need to impart protections for our Montana outdoor assets. Along with 75% of Montanans, I support the BCSA, and ask for your support in moving this bill through committee, recognizing the hard work and dedication that has gone into crafting a widely-supported, collaborative, community-built solution for Montana's public lands.

Thank you for your time and consideration.

Sincerely,

David A. Thompson, Principal
Brickhouse Creative
402 East Main Street Suite 6
Bozeman, MT 59715
406-586-3871

Chugach
ALASKA CORPORATION

October 18, 2021

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands,
Forest, and Mining
313 Hart Senate Office Building
Washington, DC 20510

The Honorable Senator Mike Lee
Ranking Member, Subcommittee on Public
Lands, Forest, and Mining
361A Russell Senate Office Building
Washington, DC 20510

Re: **TESTIMONY IN SUPPORT OF S. 2524**

Chair Cortez Masto, Ranking Member Lee, and Members of the Committee:

As Chairman of the Board and Interim CEO of Chugach Alaska Corporation (Chugach), the Alaska Native Claims Settlement Act (ANCSA) Regional Corporation for the Prince William Sound and Lower Cook Inlet, I would like to express my support for S. 2524.

As an Alaska Native Corporation (ANC), we serve the interests of the Alaska Native people of the Chugach region and represent more than 2,700 shareholders. Many of these shareholders continue to live a subsistence lifestyle in rural and remote villages in our region, where they endure harsh living conditions. Villages have limited access to the road system, while many are only accessible by air or boat, increasing costs for goods, services, and medical care. That's why many authoritative organizations and official agencies, including the U.S. Congress, U.S. Census Bureau, Indian Health Services, and the State of Alaska, recognize these Alaska Native residents as a vulnerable and disadvantaged population.

Building community is a core behavior engrained in our Alaska Native culture in order to survive these harsh conditions in rural Alaska, and this is especially true when it comes to taking care of our Elders. Elders who live in these areas express the challenges they face in making decisions to pay for healthcare and basic necessities, such as glasses, dentures, or food. We have also heard from Elders asking to give their shares away in order to protect their Medicaid and Medicare benefits. Many do not have pensions or retirement accounts.

Village and Regional Corporations provide benefits and opportunities including dividend distributions, educational scholarships, cultural programs, internships and Elder benefits, but Elders also rely on federal assistance programs for housing, nutrition assistance, Medicare and Medicaid to support their communities. Since 1976, Section 29 of ANCSA (43 USC 1626) has excluded the first $2,000 in ANC dividends when making determinations of eligibility for these programs.

Congress first authorized ANCs to establish settlement trusts in 1988 and since that time, many such Trusts have been established to provide for the long-term, multigenerational protection and growth of our Alaska Native Settlement Trusts for the benefit of our shareholders. However, Congress has never amended ANCSA to create an exclusion for benefits received by Alaska Natives from the settlement trusts authorized by ANCSA. This is ironic, because settlement trusts are one of the most powerful tools ANCs have to help Alaska Natives combat poverty, and the many ills that accompany it.

TESTIMONY BY CHUGACH ALASKA CORPORATIONIN
SUPPORT OF S. 2524,
October 18, 2021
Page 2

S. 2524 provides for a narrow but much-needed and important improvement in the treatment of distributions from the Trusts to the most vulnerable of our people, our Elders, and blind and disabled Alaska Natives, especially during the COVID-19 pandemic. Under S. 2524, distributions of Trust benefits to Alaska Native Elders (65 years or older), and blind and disabled Alaska Natives will not count against those individuals for purposes of determining eligibility for governmental assistance programs. The legislation is critical because it prevents Elders, and blind and disabled Alaska Natives from losing eligibility for important, life-sustaining benefits such as housing assistance and food stamps, by virtue of a distribution of benefits to them from their Alaska Native Settlement Trust.

Our Elders, and blind and disabled Alaska Natives should not have to choose between healthcare and receiving a distribution that will allow them to pay their bills each month.

S. 2524 is very targeted to Alaska Native Elders, and blind and disabled Alaska Natives and does not provide a broad comprehensive exclusion of income for eligibility determination purposes across the total population of Alaska Natives. While Chugach believes such an exclusion should ultimately be enacted, because ANCSA benefits should not compromise other benefits to which Alaska Natives are entitled because they are U.S. citizens, Chugach also recognizes it is very important to prioritize the needs of our Elders, and blind and disabled Alaska Natives.

For these reasons, I respectfully urge the Committee and the Congress to move this bill to enactment as soon as possible.

Please let me know if I can provide any additional information or materials for the Committee as it considers this important piece of legislation.

Respectfully yours,

Sheri Buretta

Sheri Buretta
Chairman of the Board
& Interim CEO

October 18, 2021

Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

On behalf of Business for Montana's Outdoors (BFMO), a state-based business coalition advocating for the broad value of Montana's public lands and wild places, I am writing to offer our full and continued support of the Blackfoot Clearwater Stewardship Act (BCSA, S. 1493). At its very basic level, this thoughtfully crafted and collaboratively driven legislation appeals to the preservation and protection of our most critical state asset: our quality outdoor experiences.

The BCSA is the result of decades of tireless work by diverse interest groups including those representing timber, ranching, business, recreation, outfitting, and more. This Montana-made legislation protects some of Montana's most pristine wild lands, promotes timber jobs in the Blackfoot and Clearwater valleys, and increases recreational opportunities which boost Montana's growing outdoor economy. Serving the multitude of interests, industries and livelihoods around these diverse interests is the foundation of place-based legislation like BCSA that consider the whole rather than the parts.

A public, inclusive process over the past decade has ensured that Montanans have had a voice in how their public lands are managed, and through what uses these lands would most benefit. BFMO is proud to support not only the process the BCSA followed, but also the resulting legislation. The BCSA is fair, balanced, and promotes Montana's economy while giving our treasured wild spaces permanent protections.

It is our hope that the Senate Energy and Natural Resources Committee will support the BCSA, with the understanding that this policy is supported by 80% of hunters and anglers, 87% of mountain bikers, 83% of people who enjoy snow sports, and

78% of those who watch birds and wildlife[1]. The carefully mapped out designations for wilderness, recreation, watershed protections and timber restoration demonstrates a collaboration of ideas and solutions driven by communities and interests working towards a common goal; the end result being a piece of legislation that has the backing of 75% of Montanans.

The BCSA is a win-win-win. The benefits to the economy, to recreation access, wilderness protections and timber restoration have created something that our more than 240 member businesses and the thousands of jobs they represent ask that you fully support.

Thank you for moving this bill swiftly through committee to the Senate floor.

Sincerely,

Marne Hayes
Executive Director, Business for Montana's Outdoors

[1] 2020 University of Montana Public Lands Survey, https://crown-yellowstone.umt.edu/voter-surveys/2020/default.php.

CALIFORNIA TROUT

FISH · WATER · PEOPLE

October 18, 2021

Honorable Joe Manchin, Chairman
Energy & Nat. Resources Committee
United States Senate
Washington, DC 20510

Honorable John Barrasso, Ranking Member
Energy & Nat. Resources Committee
United States Senate
Washington, DC 20510

Dear Chairman Manchin, Ranking Member Barrasso and members of the Subcommittee,

California Trout and our seven thousand members strongly support S.1538, the Smith River National Recreation Area Expansion Act. We've been waiting over thirty years for this opportunity!

The Smith River, one of the premier wild trout, salmon, and steelhead streams in California, has long been a priority watershed for protection and restoration. With our partner the Smith River Alliance (SRA), we worked during the 1980s to defeat the multi-national Cal Nickel's strip-mining proposals in the California part of the watershed. This serious threat was the driving force behind the establishment of the Smith River National Recreation Area (SRNRA) in 1990 --- a campaign led by California Trout and SRA --- although it was most unfortunate the Oregon watershed lands were not included.

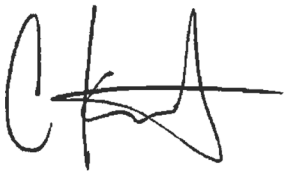
At a time when so many rivers are experiencing diminished flows and wild salmonid species are seriously threatened, our healthiest rivers are critically important to safeguard.

360 Pine Street, 4th Floor, San Francisco CA, 94104
Phone: (415) 392-8887 ext. 109 **Fax:** (415) 392-8895 **E-mail:** cknight@caltrout.org

This is true for the Smith River, a salmon stronghold and natural reserve for wild fish. Accordingly, tens of millions of dollars ---- primarily from public sources have been spent in the last few decades on salmon habitat protection and restoration projects across the mid and lower parts of the watershed.

Expansion of the SRNRA to include the North Fork headwaters in Oregon completes protection of one of our nation's finest wild rivers. Thank you for your assistance.

Sincerely,



Curtis Knight
Executive Director

360 Pine Street, 4th Floor, San Francisco CA, 94104
Phone: (415) 392-8887 ext. 109 **Fax:** (415) 392-8895 **E-mail:** cknight@caltrout.org

From: ctva_action@q.com
To: fortherecord (Energy)
Subject: Please oppose S1493 Blackfoot Clearwater Stewardship Act
Date: Monday, October 11, 2021 12:10:16 PM

CAPITAL TRAIL VEHICLE ASSOCIATION (CTVA)
P.O. Box 5295
Helena, MT 59604-5295

Dear Senate Energy and Natural Resource Committee,

We strongly oppose S1493 and the Blackfoot Clearwater Stewardship Act. We have observed that 97% of the visitors to our public lands are there to enjoy motorized access and motorized recreational opportunities. Only 3% of the visitors use wilderness areas. S1493 creates more unnecessary wilderness area at the cost of much less motorized use area including limited snowmobile access and no significant motorized (OHV) trails. This bias to create more and more non-motorized/defacto wilderness is repeated over and over by federal agencies and has created a significant cumulative impact on 97% of the public. We ask that you address this trend by opposing S1493.

We are looking forward to reviewing to your consideration of these significant issues and your use of them to develop a reasonable Pro-Recreation Alternative for the Blackfoot Clearwater Stewardship Act.

Thank you for considering our comments and issues.

Sincerely,

/s/ CTVA Action Committee on behalf of our 240 members and their families and friends

Capital Trail Vehicle Association (CTVA)[1]
P.O. Box 5295
Helena, MT 59604-5295

Contacts:
Mike Sedlock, President at (406) 465-0031 mtctvarider@gmail.com

[1] CTVA is also a member of Montana Trail Vehicle Riders Association (mtvra.com), Blue Ribbon Coalition (sharetrails.org), and New Mexico Off highway Vehicle Alliance (nmohva.org),. Individual memberships in the American Motorcycle Association (ama-cycle.org), Citizens for Balanced Use (citizensforbalanceduse.com), Montana 4X4 Association, Inc. (m4x4a.org), Snowmobile Alliance of Western States (snowmobile-alliance.org), and United Four Wheel Drive Association (ufwda.org)

Citizens for Balanced Use
Box 606, Gallatin Gateway, Mt 59730
www.balanceduse.org
1-406-600-4228

Opposition to S1493, the Blackfoot Clearwater Stewardship Act

Honorable Chairman Senator Joe Manchin
Honorable Ranking member John Barrasso

Please reject S1493 introduced by Senator Tester.

Senator Tester will claim this bill is a collaborative effort with all stakeholders represented. Nothing could be farther from the truth as the collaborative members supporting this flawed legislation were cherry picked and members of the public opposed to this bill were left out of the process.

Montana continues to see catastrophic fires grow because of lack of active forest management. S1493 will create more wilderness and lands off limits to proper management. Smoke has filled our skies with toxic chemicals all summer from fires on federally managed public lands. It seems inconceivable that Senator Tester would introduce legislation that will surely increase fire activity.

Citizens for Balanced Use along with the Montana Snowmobile Association and the Montana Mountain Bike Alliance all oppose S1493. Wilderness prohibits both motorized and mechanized use. The areas claimed to be set aside for mechanized and motorized use are not areas where this use is sustainable. Senator Tester and his handpicked collaborative group led by out of state special interests have refused to adjust any boundaries in formulating this legislation.

The area being set aside for snowmobile use is a very dangerous area with frequent avalanche activity. Riders have been injured and buried in the past.

The last thing Montana and the mountain west needs is more wilderness and land of no use. These federally managed public lands were set aside for multiple use and a continuous flow of wood products to supply our nation. Multiple use recreation including both motorized and mechanized benefits the greatest amount of people. Less than 6% of the public recreate in areas designated as wilderness.

Sincerely,
Kerry White
Executive Director CBU

Citizens for Balanced Use
Box 606, Gallatin Gateway, Mt 59730
www.balanceduse.org
1-406-600-4228

August 19, 2020

Dear Senator Daines,

CBU is a 501(c)3 non-profit organization formed in 2004. We support multiple use recreation, active forest management, and responsible resource development of our federally managed public lands. Access to these public lands is critical in providing recreation opportunities for everyone, no matter their abilities.

Our organization has over 7000 active members and more than 100,000 supporters statewide through our 68 affiliated groups, clubs and organizations. We represent agriculture, timber, mining, and recreation. The loss of access to our resources through road and trail closures has been a concern over the last couple decades.

The 2015 Montana legislature recognized the loss of access and completed a comprehensive study of road closures in Montana. The final report of this study can be found at http://leg.mt.gov/content/Committees/Interim/2015-2016/EQC/Committee-Topics/hj-13/hj13-finalreport.pdf
The report found nearly 22,000 miles of roads have been closed by the Forest Service in Montana since 1995. Each and every mile of these closed roads was important to some person or family. Most people enjoy public lands that are open to multiple use. According to the user surveys conducted by the Forest Service, more than 97% of the people that recreate on Forest Service managed land use lands open to multiple use including motorized and mechanized use.

Much of our public lands in Montana are closed or already restricted to motorized and mechanized use. Areas formally designated as wilderness, roadless lands, wilderness study areas, wildlife management areas, and recommended wilderness areas have already been closed to the majority of American citizens and visitors from other countries.

Environmental groups continue year after year to promote more and more wilderness. The newest of these proposals is the Blackfoot Clearwater Stewardship Act which will again lock up thousands of acres of wilderness and take away access for the large majority of the public. CBU and our members stand in strong opposition to this legislation.

The proponents of this legislation claim strong local support when in fact the majority of local citizens oppose this proposal. The main proponents of this legislation are national environmental groups who want every acre of public land in wilderness. Montana citizens overwhelmingly oppose creating more wilderness. CBU hired 47 North to complete a poll in Montana on support for wilderness and found 52% opposed and 32% in favor of new wilderness. Our members and supporters believe we have enough wilderness and land of little to no use.

Wilderness does not drive local economies or create jobs. Wilderness does not allow proper care of our public lands. And wilderness restricts all but the physically fit to experience and enjoy these public lands.

CBU urges you to oppose the Blackfoot Clearwater Stewardship Act.

Sincerely,
Kerry White
Executive Director
CBU

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD NATION
P.O. BOX 278
Pablo, Montana 59855
(406) 275-2700
FAX (406) 275-2806
www.cskt.org

A Confederation of the Salish,
Pend d' Oreille
and Kootenai Tribes

A People of Vision

TRIBAL COUNCIL MEMBERS:
Ronald Trahan - Chairman
Leonard W. Gray - Vice Chair
Shelly R. Fyant - Secretary
Anita Matt - Treasurer
Len TwoTeeth
D. Fred Matt
Carole Lankford
Dennis Clairmont
Charmel R. Gillin
Myrna L. DuMontier

October 1, 2019

The Honorable Jon Tester
United States Senate
Washington, D.C. 20510

The Honorable Steve Daines
United States Senate
Washington, D.C. 20510

The Honorable Greg Gianforte
U.S. House of Representatives
Washington, D.C. 20515

Dear Senator Tester, Senator Daines, and Congressman Gianforte,

On behalf of the Confederated Salish and Kootenai Tribes (Tribes), I would like to convey our support for S. 1765, the Blackfoot Clearwater Stewardship Act (BCSA). As you know, it is often difficult to balance competing uses and interests in public lands. We believe that the BCSA does a good job of finding a compromise that advances, or protects, the interests of most stakeholders.

The legislation addresses jobs, public access (motorized and non-motorized), and wilderness protections. From the Tribes' perspective, the legislation's benefits for bull trout are a key consideration. We also support the addition to the Mission Mountains Wilderness Area, which borders, and therefore benefits, our own Mission Mountains Tribal Wilderness. Our support is also based upon Section 401 of the bill, which specifically clarifies that the legislation would not alter, diminish or abrogate any treaty rights.

We would appreciate the full and active support of the Montana delegation for this legislation.

Sincerely,

Ronald Trahan, Chairman
Tribal Council

The Conservation Alliance

September 16, 2020

The Honorable Chairwoman Murkowski
The Honorable Ranking Member Manchin
The U.S. Senate Committee on Energy and Natural Resources
366 Dirksen Senate Office Building
Washington, DC 20002

Dear Chairwoman Murkowski and Ranking Member Manchin,

On behalf of The Conservation Alliance, thank you for hearing two important bills this week: The Malheur Community Empowerment for the Owyhee Act and the Blackfoot Clearwater Stewardship Act. The Conservation Alliance is a coalition of businesses that funds and partners with grassroots conservation organizations working to protect North America's wild places for their recreation and habitat values. Our membership of 250+ businesses comprises outdoor companies of all sizes, craft beverage brands, and members of the financial markets industry who understand the foundation of their sustainable economies is protected wild places. We write to offer our strong endorsement of the Malheur Community Empowerment for the Owyhee Act (S.2828) and the Blackfoot Clearwater Stewardship Act (S.1765).

The Malheur Community Empowerment for the Owyhee Act will be a boon to Oregon. Outdoor recreation is the backbone of Oregon's economy and the public lands and waters in Malheur County offer exceptional and abundant opportunities for recreation and respite, including camping, hiking, rafting, birding, fishing and star gazing. As an organization based in Oregon's second congressional district, the Owyhee's landscape is a very important place to us and to our 33 business members across the state. The success of our members' businesses, our industry and our community depend upon the health and protection of our ecosystems. As we all gain a deeper appreciation for access to the outdoors and our dependence on the natural world during this difficult time, protecting unique and grand ecosystems like the Owyhee Canyonlands is more important than ever. S.2828 is a ray of hope for the future, and it will help to build and protect local economies at a time when they need it the most.

We are appreciative of Senators Wyden and Merkley for their bold leadership in bringing unlikely allies together to find a path forward for the future protection of Oregon's Owyhee Canyonlands. A healthy and prosperous future for Oregon is dependent on the well-being of our people, a thriving economy, and the vibrancy and health of our environment. We believe passing S.2828 is an integral strategy for achieving these goals, and we look forward to working with our Senators and the Senate Energy and Natural Resources Committee as this bill moves through the legislative process to ensure this legislation meets its full promise for these irreplaceable public lands.

The Blackfoot Clearwater Stewardship Act (S.1765) balances forest health, recreation, and conservation – all key ingredients to Montana's sustainable outdoor recreation economy. And in Montana, the outdoor recreation economy is significant. The Montana Office of Outdoor Recreation reports that Montana's outdoor recreation economy generates $7.1 billion in consumer spending and sustains 71,000 jobs, some of which are created by Conservation Alliance business members.

The Conservation Alliance

The Blackfoot Clearwater Stewardship Act protects existing recreation opportunities like hiking, fishing the world-renowned Blackfoot River, and hunting in the famous Bob Marshall Wilderness, and identifies areas for new mountain bike and snowmobile access. The proposed Spread Mountain Recreation Management Area will preserve mountain bike access from Spread Mountain to Camp Pass, and the Otatsy Recreation Management Area would open 2,000 acres to high-quality snowmobiling near Ovando. The bill also asks the Forest Service to study new recreation opportunities for varied users, an important measure to sustain the 80 percent of Montanans who recreate outside annually, and the millions who visit Montana to enjoy its natural splendors.

The Blackfoot Clearwater Stewardship Act is a grassroots, Montana-made effort to protect some of the state's most treasured headwaters. We appreciate Senator Tester's commitment to retaining balance and collaboration with this legislation. The bill enjoys broad support from the timber, recreation, business, ranching, and conservation communities, and we look forward to working with Montana Senators and your committee to ensure Montana's wild lands and rivers remain protected for future generations.

Sincerely,

Brady Robinson, Executive Director
The Conservation Alliance

CONSERVATION
LANDS
FOUNDATION

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands, Forests, and Mining
Senate Committee on Energy and Natural Resources
Washington, DC 20510

The Honorable Mike Lee
Ranking Member, Subcommittee on Public Lands, Forests, and Mining
Senate Committee on Energy and Natural Resources
Washington, DC 20510

October 19, 2021

RE: Support for Lander County Land Management and Conservation Act (S. 1411)

Dear Chair Cortez Masto and Ranking Member Lee:

I write on behalf of Conservation Lands Foundation to express our endorsement of S. 1411, the Lander County Land Management and Conservation Act, and to applaud Senator Jacky Rosen's leadership in protecting as Wilderness the portions of the Desatoya Mountains and Cain Mountains in Lander County, Nevada.

The Lander County Land Management and Conservation Act seeks to resolve the status of two Wilderness Study Areas in the County among other needed economic development components. The Desatoya Range hosts beautiful aspen forests and is looped by the historic Pony Express Trail. The Cain Mountain (formerly the August Mountains Wilderness Study Area) features unique geologic formations that offer scientists and other fossil enthusiasts many options for exploration, discovery and learning.

This past year Nevadans and our state representatives in the Nevada Legislature have led efforts to protect our most important ecological, scenic, cultural and historic areas and help move Nevada and America closer to the goal of conserving 30% of our lands and waters by 2030. Senator Rosen's bill moves us towards that goal in a meaningful way, while also resolving other important community needs.

Chair Cortez Masto, I thank you as well for cosponsoring this legislation and for including it in today's hearing. Chair Cortez Masto and Ranking Member Lee, I appreciate your consideration of Conservation Lands Foundation's endorsement of this legislation, and urge you and all Subcommittee members to move this legislation forward.

Sincerely,

Jocelyn Torres, Senior Field Director

CC: Senator Jacky Rosen

CRESCENT CITY - DEL NORTE
CHAMBER OF COMMERCE
1001 Front Street ▪ Crescent City, CA 95531
(707) 464.3174 ▪ delnorte.org

October 15, 2021

Dear Senate Energy and Natural Resources Committee; Subcommittee on Public Lands Forests, and Mining

RE: Support for the Smith River National Recreation Area Expansion Act S. 1538

The Crescent City-Del Norte Chamber is comprised of over 300 businesses and as the largest business organization in the Del Norte County we understand what's important to our community.

Several years ago when a foreign mining company applied to the OR Water Resources Dept. for a limited water license to explore strip mining for nickel and other metals in the headwaters of the North Fork of the Smith, our water supply agencies swiftly responded in opposition.

State Senator Mike McGuire followed the lead of these and other agencies and in July 2015 the California Assembly and Senate approved his Senate Joint Resolution urging Congress to "permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have potential impacts on water supplies."

Therefore, it is with sincere appreciation that we recognize U.S. Senators Jeff Merkley and Ron Wyden for their leadership in introducing the Smith River National Recreation Area Expansion Act. This legislation provides a permanent ban on new mining claims on Oregon lands within the Smith River watershed which helps insure our community will continue to have high quality drinking water and one of the cleanest rivers in the USA.

On behalf of the Crescent City-Del Norte Chamber ---- thank you to all individuals and entities who are working to continue to protect the Smith River waterway; this very important resource to our communities in Del Norte County.

Sincerely,

Cindy Vosburg

Cindy Vosburg
Executive Director

STATEMENT FOR THE RECORD
FROM THE
OFFICE OF THE
ASSISTANT SECRETARY – INDIAN AFFAIRS
UNITED STATES DEPARTMENT OF THE INTERIOR
BEFORE THE
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES
ON
S. 2524, A BILL TO AMEND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT TO EXCLUDE CERTAIN PAYMENTS TO AGED, BLIND, OR DISABLED ALASKA NATIVES OR DESCENDANTS OF ALASKA NATIVES FROM BEING USED TO DETERMINE ELIGIBILITY FOR CERTAIN PROGRAMS, AND FOR OTHER PURPOSES

OCTOBER 19, 2021

Thank you for the opportunity to provide the Department of the Interior's (Department) views on S. 2524, a bill to amend the Alaska Native Claims Settlement Act (ANCSA) to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility for certain need-based Federal programs.

S. 2524

Section 29 of the ANCSA (43 U.S.C § 1626) articulates how payments and grants made under ANCSA relate to other programs. Section 29(a) characterizes those payments and grants to be compensation for the extinguishment of claims to land which shall not be deemed to substitute for any governmental programs otherwise available to Native people of Alaska as citizens of the United States and the State of Alaska.

Grants and payments, in the context of Section 29, mean compensation received from a Native Corporation, which may include cash, stock, partnership interests, land or interests in land, or interest in a settlement trust. The ANCSA excludes such compensation from eligibility determination for programs such as the Supplemental Nutrition Assistance Program, needs-based assistance programs authorized in the Social Security Act, and needs-based financial assistance or benefits from any other federal program or federally assisted program. S. 2524 would expand ANCSA's exemption for interests in settlement trusts to also exempt amounts distributed from, or benefits provided by, a settlement trust to a Native or descendant of a Native who is an aged, blind, or disabled individual.

S. 2524 represents a commonsense approach to ensure Alaska Native citizens in need of assistance resources are not foreclosed from the federal programs that are designed to help them. Nor, are they foreclosed from utilizing resources available at the Alaska Native community level – resources to which they are rightfully entitled as compensation for the extinguishment of Alaska Native land claims throughout the entire state of Alaska.

Conclusion

The Department supports S. 2524. This bill would increase ground-level support for individuals in need in Alaska Native communities while also improving cohesion between federal, state, and local resources that are critical to supporting Alaska Natives in need.

DOYON
Limited®

LEADER in All We Do

October 18, 2021

Senator Lisa Murkowski
US Senate
522 Hart Senate Office Building
Washington DC 20510

RE: Doyon Support for Senate Bill 2524

Dear Senator Murkowski,

Please accept this letter of support for Senate Bill 2524, written to amend the Alaska Native Claims Settlement Act to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility for certain programs, and for other purposes.

Doyon, Limited (Doyon) is one of the thirteen Native regional corporations established by Congress under the terms of the Alaska Native Claims Settlement Act (ANCSA). Headquartered in Fairbanks, Doyon has more than 20,000 Alaska Native shareholders. Doyon's mission is to enhance our position as a financially strong Native corporation, promoting the economic and social well-being of our shareholders, strengthening our shareholders' Native way of life, and enhancing our lands and resources.

Doyon provides income verification information daily to social security, housing associations, food stamps, death benefits, and other social service entities. Currently any combined monies received over $2,000 from an Alaska Native regional or village corporation or tribe is counted as income, and therefore reduces benefit eligibility for shareholders. As a result, Doyon has observed a disproportionate effect on low income and elderly who rely on assistance. The $2,000 income limit has resulted in many revered Alaska Native Elders giving away their shares, their ownership in Doyon in order to mitigate the loss of their social safety net and losing forever any future opportunity to benefit from their shared ownership in Doyon, Limited.

In closing, we support Senate Bill 2524 and urge its passage. Please contact our office for any further information regarding Doyon's support by emailing obeds@doyon.com or calling (907)459-2092.

Sincerely,

Aaron M. Schutt
President and CEO
Doyon, Limited

Elk Valley
Rancheria,
California

2332 Howland Hill Road
Crescent City, CA 95531

Phone: 707.464.4680
Fax: 707.465.2638
www.elk-valley.com

June 1, 2021

VIA E-MAIL AND POSTAL SERVICE

Honorable Jeff Merkley
Senator
531 Hart Senate Office Building
Washington, DC 20510

Honorable Dianne Feinstein
Senator
331 Hart Senate Office Bldg.
Washington, D.C. 20510

Honorable Ron Wyden
221 Dirksen Senate Office Bldg.
Washington, D.C., 20510

Honorable Alex Padilla
Senator
112 Hart Senate Office Building
Washington, DC 20510

Re: Smith River National Recreation Area Expansion Act

Dear Senators Merkley, Feinstein, Wyden, and Padilla:

The Elk Valley Rancheria, California, a federally recognized Indian tribe (the "Tribe") located in Del Norte County, California, supports the proposed expansion of the Smith River National Recreation Area to ensure protection of the Smith River watershed.

The Tribe for years has supported the preservation and protection of the Smith River Watershed. The Tribe understands that the bill would provide a permanent ban on new mining claims on Oregon lands within the Smith River watershed.

The Tribe has previously expressed concern about mining in the Smith River watershed and has supported on-going efforts to protect the Smith River and associated watershed from the negative impacts of proposed nickel mining efforts. The previously proposed strip mining and other mineral extraction activities were demonstrated to have a negative effect on the water supply that is so vital to the region. Likewise, those activities negatively affect cultural and historical sites of importance to the Tribe and its ancestors.

The proposed legislation would prohibit mining activities and related destruction of wilderness quality public lands, eradication and disturbance of the local flora and fauna, pollution of downstream waters, and depletion of a fully appropriated stream. Likewise, maintaining the status quo would avoid pollution that would harm fisheries and drinking water supplies. The cessation of both the short term mineral exploration drilling and long term industrial strip mining would clearly be beneficial to the public interest.

Again, the Tribe supports the proposed legislation. Thank you for introducing this bill of regional importance.

Sincerely,

Dale A. Miller
Chairman

cc: Congressman Huffman
Congressman DeFazio
Elk Valley Tribal Council
Tribal Administrator
General Counsel

October 18, 2021

Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

I am writing in support of the Blackfoot Clearwater Stewardship Act (BCSA) on behalf of my business, and all those I employ who know that opportunities across Montana - including our quality outdoor experiences - are a piece of what drives our economy, and what brings opportunity to our diverse and vibrant Montana communities.

My business has established a strong and dedicated workforce in Montana. Our work culture is driven by the opportunities that exist outside the four walls of our building just as much as those that exist within the business itself. People that live, work, and play in our rural communities understand the value of our outdoors, and the work that went into crafting the BCSA exemplifies this to a tee.

For more than a decade, tireless work went into gathering diverse interest groups with the focus on creating a final piece of legislation that represented collaboration, and a piece of legislation that stood for a wide range of values, from wilderness to recreation to forest management, habitat protections, and economic prosperity.

Businesses like mine know what is at stake if our outdoor recreation industry and public lands are compromised, and along with 75% of Montanans, I support this bill because the protections like those outlined in the BCSA are bigger than just one community, one business, or one geographic area. Within and beyond the Blackfoot and Clearwater Valleys, the value of the outdoors has a proven track record of supporting everything from technology, manufacturing engineering, healthcare, retail and the financial sector.

The BCSA is the result of hard work by Montana community members that recognize the value in public lands and waters, access to recreation, and economic opportunity - both urban and rural. It is fair, balanced, and promotes Montana's economy while giving our treasured wild spaces permanent protections. We ask for your support to pass this legislation; it is right for businesses like mine, and right for Montana.

Thank you for including BCSA in the October Public Lands Subcommittee Hearing.

Sincerely,

Lance Trebesch, Owner/CEO
Eventgroove, Harlowton, MT

S1493---Blackfoot Clearwater Stewardship Act

S1493 once again we see the prospect of additional restrictions on public lands. A stewardship project, that includes an "oh by the way, lets include some wilderness designations".

In general, Wilderness restricts the allowed uses of the land within designated areas. If passed, commercial activities will be prohibited, along with motorized access, roads, structures, and facilities in the wilderness areas.

Natural conditions are presently preserved using the FlIPMA requirements in all projects on the ground...lack of management at the ground level is finally being recognized as the culprit behind the outrageous forest fires of the past few years.

110 million acres, involving 765 units, are presently protected, is there an invisible goal? We see wilderness nominations promoted, to lock-up and lock-out humans. Deep pocketed NGO's such as the Wilderness Society or Wild Earth Guardians or Nature Conservancy use litigation as a "tool of intimidation" exert control over all public land decisions.

Water quality, game species, vegetation benefits presently exist. No project on public domain moves forward without the collaboration between the NGO's and USFA or BLM. Unfortunately all too often voice from locals bearing the weight of the decisions are overlooked.

We urge a "no" vote on S1493. Negative impacts of ignoring the forests are being felt across the entire Northwest. Catastrophic fire requires forest management, this additional lock-up does nothing to achieve the goal of sustaining healthy forests.

FAFA (Forest Access for All)

P.O. Bx 48 ---- Baker City, Oregon 97814

FAFA is a organization dedicated to preserving ACCESS.

Dear Senator Daines,

My name Curtis Friede and, I am a Board Member of the Seeley Lake Drift Riders Snowmobile Club and the CEO/Owner of Kurt's Polaris, Inc. in Seeley Lake and Missoula Montana. I am a lifelong Montanan and I have lived in the Greater Seeley Lake and Ovando area since 1974, and I have been a business owner for more than 30 years.

I am writing to you today to address concerns that I have relating to the Tester Wilderness Bill in the Seeley Lake Ranger District of the Lolo National Forest, a bill that Senator Tester may be putting forward again, in the near future. This bill as I understand it is being pushed and/or promoted by the Blackfoot Clearwater Stewardship Project, the Montana Wilderness Association and the National Wilderness Society and many other groups.

Recently I read an article in the Missoulian that was in part written by a local resident and business owner from Seeley Lake, MT. The article stated that this wilderness bill would be good for snowmobilers and that many businesses were in support of this bill. Moreover that 73% of Montanan's support this wilderness proposal when in fact the survey used to draw these conclusions consisted of contacting just 500 people from who knows where. This is not only dated information, but it is not accurate information.

The list of business that they have put forth as being supportive is not accurate either. Some of the "supportive business" they list are not only not supportive, but they are not even owned by the same people today as when the data was originally collected, with the new owners NOT supporting this bill.

Moreover, it is my belief that motorized recreational rights are continually trampled on and or marginalized in this state and elsewhere. Whether that being in the way WSA (Wilderness Study Areas) and RWA (Recommended Wilderness Areas) are treated like wilderness even though they don't have that status, thereby keeping motorized vehicles out as if they are wilderness areas, or in the case of them allocating land use to snowmobilers that they claim is good for snowmobiling that is not only not good for the average snowmobiler, but it is in fact dangerous land in that it more or less consists of an avalanche chute, and known slide areas, something riders should stay away from. In this case specifically I am referring to the Otatsy recreation area.

These sort of tactics and agenda driven dealings "from the bottom of the deck" are unfair, unjust and to be honest quite shameful in my opinion. It seems too many of these people and organizations including Senator Tester seem to think in cases like these that the "ends justify the means" which of course is just wrong, and in particular in a matter that is so pertinent and relevant to the public as a whole.

I am asking you to please get involved to right these wrongs and ensure that the true public interests are served and not just those of an overzealous group of activists.

Respectfully,

Curtis S. Friede

FRIENDS of NEVADA WILDERNESS

Testimony of Shaaron Netherton
Executive Director
Friends of Nevada Wilderness

Hearing on S. 1411 "Lander County Management and Conservation Act"
October 19, 2021

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands, Forests, and Mining
Senate Committee on Energy and Natural Resources
Washington, DC 20510

The Honorable Mike Lee
Ranking Member, Subcommittee on Public Lands, Forests, and Mining
Senate Committee on Energy and Natural Resources
Washington, DC 20510

Dear Chair Cortez Masto and Ranking Member Lee:

Friends of Nevada Wilderness is dedicated to preserving all qualified Nevada public lands as wilderness, protecting all present and potential wilderness from ongoing threats, educating the public about the values of and need for wilderness, and improving the management and restoration of wild lands. Friends of Nevada Wilderness has been working on wilderness protection and public land legislation since 1985.

I write this supporting testimony on behalf of Friends of Nevada Wilderness and would like to express my appreciation for Senator Rosen's leadership in continuing to work with rural counties like Lander County to resolve public lands issues and to protect public lands for future generations. Nevadans know how to come to the table in good faith and work together to develop comprehensive bills that enhance economic development, conserve public lands, improve recreation opportunities, and preserve Nevada's rural way of life.

As a long time, Nevadan who has lived in both rural and urban parts of the state, working on public lands bills across the state has given me a deep appreciation for the broad spectrum of people that call Nevada home. Working together with county commissioners, ranchers, landowners, sportsmen, miners, biologists, recreationists and townspeople has helped me understand that that while we all have differences, we share more in common than what divides us. In general, Nevadans care deeply about their public lands. Through recreation and

work these lands help shape who we are as Nevadans. We care about quality of life for ourselves and our kids and grandkids, we care about having good habitat for our diverse wildlife, and we care about the wide-open spaces and want to see these lands managed well.

Nevada has a solid history and track record of stakeholders and lawmakers working together to find common ground on our public lands.

Wilderness in the Lander County Management and Conservation Act

S. 1411 would:

- Designate as Wilderness, portions of the Desatoya Range and the Augusta Mountain wilderness study areas.
- Rename the Augusta Mountain WSA to the Cain Mountain Wilderness. The boundaries and the name are consistent with introduced legislation for Pershing and Churchill County as well.
- Adjust boundaries of WSAs to resolve longstanding management concerns and conflicts.
- Allow Lander County to settle the long-standing uncertainty of wilderness study areas that are partially in Lander County.

The Desatoya Range Wilderness Study Area is located in both Lander and Churchill counties with the county boundary along the mountain crest. Friends of Nevada Wilderness has worked with ranchers and biologists to resolve management conflicts yet provide Wilderness protection for the bulk of this beautiful area. It is an area rich with riparian areas and associated fish and wildlife species. It is popular with hikers and is easily accessible.

The Augusta Mountains Wilderness Study Area is located at the corner of three counties (Pershing, Churchill and Lander). Friends of Nevada Wilderness has worked with stakeholders and elected officials in all three counties to resolve concerns and to provide Wilderness protection for the massive Cain Mountain. The Middle Triassic deposits in the Augusta Mountains have yielded one of the North America's richest and most diverse faunas of marine reptiles. These beds feature an excellent state of preservation of the fossil material. Wilderness designation will help protect these valuable resources and allow for continued scientific research and study of these unique marine reptile fossils.

Chair Cortez Masto, I appreciate your co-sponsoring this legislation. Thank you both for considering our support of this legislation and I urge you and all the subcommittee members to move this legislation forward.

Sincerely

Shaaron Netherton

Shaaron Netherton, Executive Director

Gasquet Community Services District

October 11, 2021

The Honorable Joe Manchin, Chairman
The Honorable John Barrasso, Ranking Member
Subcommittee on Public Lands, Forests, and Mining
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Senators Manchin and Barrasso:

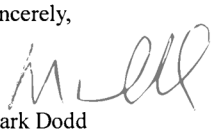
RE: Support for the Smith River National Recreation Area Expansion Act (S. 1538)

On behalf of the Gasquet Community Services District, we write to express our support for the Smith River National Recreation Area Expansion Act (S. 1538), which will be heard in the Subcommittee on Public Lands, Forests, and Mining on October 19. We respectfully request this letter be included in the hearing record.

The Smith River provides drinking water to thousands of people in Del Norte County. Presently, the water we distribute to our customers is of the highest quality --- and this is critically important to our community. Our service district is small and we could not afford additional treatment costs if mining waste and activity polluted our water supply.

During the last decade, we read about mine accidents in British Columbia and Colorado that polluted rivers that previously provided clean drinking water to downstream communities. We do not want to see such a tragedy happen here. Thank you for your support for the Smith River National Recreation Area Expansion Act which will provide a permanent ban on new mining claims in the headwaters of the North Fork Smith River.

Sincerely,



Mark Dodd
Gasquet Community Services District
P.O. Box 86
Gasquet, CA 95543

Hellgate
HUNTERS & ANGLERS

P.O. BOX 7792 MISSOULA, MT 59807
www.hellgatehuntersandanglers.org

October 18th, 2021

The Honorable Joe Manchin
Chairman, Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable John Barrasso
Ranking Member, Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Blackfoot Clearwater Stewardship Act (S. 1493)

Dear Chairman Manchin and Ranking Member Barrasso,

Hellgate Hunters & Anglers (HHA) works to conserve Montana's wildlife, wild places, and fair chase hunting and fishing heritage. With almost 400 members, HHA is the largest local sportsmen's group in Western Montana. We have supported the Blackfoot Clearwater Stewardship Act (BCSA) since its initial introduction and ask for your support.

Many of our members recreate throughout the Blackfoot and Clearwater valleys, which provide some of the best hunting and fishing in western Montana. Through the collaborative efforts of multiple user groups, including ranchers, loggers, and sportsmen and women, the legacy of conservation in these areas runs deep. While we appreciate the inherent challenges associated with land protection efforts, the BCSA is a prime example of how varied and disparate interests can unite around a landscape and achieve proactive goals when it comes to federal land management. This is the Montana way, and we're proud of the work we've accomplished.

Rarely does a conservation-focused bill benefit such a wide range of user groups and promise such immediate and important economic returns for local communities dependent on outdoor recreation, timber and agriculture. Consideration of this bill on the Senate floor is long overdue; we hope that the Senate Energy and Natural Resources Committee will recognize that this legislation, which enjoys the support of 80 percent of Montana's hunters and anglers, and move towards swift passage. We urge the members of the Committee to support the Blackfoot Clearwater Stewardship Act and recognize the hard work of Montanans who have worked for years in developing this legislation.

Sincerely,

Walker Conyngham, President
Hellgate Hunters & Anglers

August 28, 2019

Senator Steve Daines
United States Senate
Washington, D.C.

Senator Jon Tester
United States Senate
Washington, D.C.

Representative Greg Gianforte
U.S. House of Representatives
Washington, D.C.

Senator Steve Daines, Senator Jon Tester, and Rep. Gianforte:

The High Divide Collaborative is a collaborative conservation partnership that enhances local actions and collectively delivers large landscape solutions in Idaho and Montana. A partnership of landowners, community leaders, state and federal natural resource managers, scientists, and conservation groups – about 300 people from more than 100 organizations – we work together to build a shared foundation of knowledge, conserve and restore lands of importance for local communities, and protect ecological and social integrity at the landscape scale.

We are writing on behalf of the High Divide Collaborative today to endorse the collaborative process that has resulted in the Blackfoot Clearwater Stewardship Act (BCSA.) Because of our governance and extensive partner network, we are unable to take a position on proposed legislation. Still, we felt it important to share our support of place-based collaboration, and the durable impact it can have on conservation and community values.

The Blackfoot Clearwater Stewardship Act (BCSA) requires the completion of a landscape assessment of National Forest lands north and east of Seeley Lake and Ovando, Montana to identify opportunities for forest restoration projects; it establishes a new, 2,000 acre special recreation designation, the Otatsy Recreaction Area, for snowmobile use; it creates another new recreation area allowing for mountain biking on 3,800 acres known as the Spread Mountain Recreation Area; and it adds approximately 79,000 acres of new Wilderness to the Bob Marshall, Mission Mountain, and Scapegoat Wilderness areas.

The generation of the elements of the BCSA emerged through a 13-year process of negotiation by a local collaborative group, the Blackfoot Clearwater Stewardship Project (BCSP). The BCSP applied the recognized principles of collaborative

processes – such as inclusivity, transparency, and representativeness – to develop the compromises leading to the proposed Act. Participants in the BSCP reflected the broad spectrum of interests who use and cherish the Blackfoot/Clearwater landscape, including ranchers, backcountry users, timber industry professionals, wildlife advocates, and motorized and mechanized recreationists. In short, it is a proposal that emerged from lengthy, local deliberations.

The High Divide Collaborative was born out of similar interest – to have transparent and inclusive discussions about the social, cultural, and ecological interests in our region. In this spirit, the undersigned Coordinating Committee members (on behalf of the High Divide Collaborative) communicate their endorsement of the collaborative process behind the Blackfoot Clearwater Stewardship Act.

Sincerely,

Gary Burnett
Executive Director
Heart of the Rockies Initiative
Ovando, MT

Jim Berkey
High Divide Headwaters Director
The Nature Conservancy – MT
Missoula, MT

Brandon Hoffner
Executive Director
Henry's Fork Foundation
Ashton, ID

Jim Roscoe
Land Protection Coordinator
Lemhi Regional Land Trust
Salmon, ID

Toni Ruth
Executive Director
Salmon Valley Stewardship
Salmon, ID

Pedro Marques
Executive Director
Big Hole Watershed Committee
Divide, MT

February 8, 2019

Senator Steve Daines
320 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Steve Daines,

I write today to endorse the Blackfoot Clearwater Stewardship Project (BCSP) and ask you to co-sponsor and help enact legislation to implement all components of the proposal. This broadly supported project advances the interests of multiple and diverse stakeholder groups, including designation of areas for expanded snowmobile and mountain biking recreation, provisions that will increase the pace and scale of forest restoration on the Seeley Lake Ranger District, and Wilderness additions to the Bob Marshall, Scapegoat, and Mission Mountain Wilderness areas. Our local economy depends on active timber harvesting and management combined with support for a rapidly increasing recreation sector, and our long-term economic success hinges on these activities being compatible and mutually beneficial for the health of our local communities and surrounding lands. The Blackfoot Clearwater Stewardship Project uniquely provides for these local economic drivers.

In fact, the landscape-wide BCSP proposal has already demonstrated tremendous success in delivering on its forest restoration goals by forming and helping to advance the Southwestern Crown of the Continent Collaborative (SWCC). The SWCC, founded with the help of Blackfoot Clearwater Stewardship Project members, has delivered more than $47 million since 2010 to implement forest restoration projects, and annually has created and sustained an average of 184 local jobs. These impacts are incredibly important for the communities that I represent and demonstrate that the inclusive, collaborative approach of the Blackfoot Clearwater Stewardship Project is a formula for success.

Despite the achievements of this collaborative partnership to date, several important components of the proposal remain to be enacted and can only be achieved through the passage of federal legislation. By co-sponsoring the Blackfoot Clearwater Stewardship Act, you will establish your support for natural resource and conservation policy that is backed by broad local support, uses a collaborative approach to protect the community and clean water, and promotes both the community's growing recreation industry, as well as local businesses dependent on stewardship of natural resources. I strongly urge you to work together with Senator Tester and Representative Gianforte to enact the Blackfoot Clearwater Stewardship Project via legislation in the 116th Congress, and I would be happy to further talk to you about my support of this project.

Sincerely,

Rep. Mike Hopkins
Montana House District 92

The Honorable Jon Tester
United States Senate

Dec. 15, 2016

The Honorable Steve Daines
United States Senate

The Honorable Ryan Zinke
United States House of Representatives

Dear Montana delegates,

After months of collaborative work and advocacy about the need to include Montana mountain bikers in the Blackfoot Clearwater Stewardship Project landscape, I am proud to announce the International Mountain Bicycling Association (IMBA), Montana Mountain Bike Alliance (MMBA) and our local Chapter affiliate MTB Missoula (MTBM) endorse the final BCSP proposal in its entirety.

This win-win solution forged with your support and active encouragement has broadened the conservation and recreation outcomes for BCSP and now carries the support of Montana mountain bikers who cherish the trail opportunities uniquely found in this region. The accepted adjustments for mountain bikers preserved 30 miles of sustainable mountain bike trails and provided for 6 miles of future trails to be built. This compromise removed about 3000 acres of proposed wilderness to accommodate our use on the Center Ridge, Spread Mountain, Camp Pass-Canyon Lake, and Camp Pass-Lake Otatsy trails. Very significantly, this outcome will lead to enhanced tourism and economic development related to mountain biking as we look forward to welcoming visitors to these trails and nearby communities.

Conservation of the remaining proposed wilderness acres is critical to ensure the ecological integrity of this amazing landscape remains exactly the way it is today for the enjoyment of future generations. Gaining mountain bikers' support was a major victory for BCSP but the work is not yet done. We are calling on the Montana delegation to introduce this made-in-Montana solution as soon as possible.

Stakeholders have worked for over a decade to craft a reasonable, meaningful solution to improve management of the Seeley Lake Ranger District and support the adjacent communities of Ovando and Seeley Lake. The timber industry, ranchers, business owners, conservationists and recreation groups support this proposal, which is awaiting action in Congress. We are calling on you to support this proposal and move it as legislation.

Thank you very much for your leadership in the crafting of the final BCSP proposal and for managing it forward through the legislative process. Please let us know how IMBA, our local affiliate MTB Missoula, five other IMBA chapters in Montana, and mountain bikers across Montana know how we can support your efforts in the 115th Congress.

Very truly yours,

Eric Melson
Advocacy Manager & Ass. Region Director
International Mountain Bicycling Association
Missoula, MT

Ben Horan
Executive Director
MTB Missoula, a Chapter of IMBA
Missoula, MT

Bob Allen
Board Member
Montana Mountain Bike Alliance

JACKSON COUNTY
Oregon

Board of Commissioners

Rick Dyer (541) 774-6118
Bob Strosser (541) 774-6119
Colleen Roberts (541) 774-6117
Fax: (541) 774-6705

10 South Oakdale, Room 214
Medford, Oregon 97501

June 13, 2019

Senator Ron Wyden
Senate Committee on Natural Resources
Subcommittee on Public Lands, Forests, and Mining
304 Dirksen Senate Building
Washington DC 20510

RE: Senate Bill 1262 – Oregon Recreation Enhancement Act

Dear Senator Wyden:

Jackson County appreciates the invitation from your staff to provide comments on the provisions of Senate Bill 1262 (SB 1262), the Oregon Recreation Enhancement (ORE) Act. While the proposed provisions of SB 1262 do not directly designate any land within Jackson County as a recreation area or as wilderness, we believe that changing the designation of the lands within the applicability of SB 1262 will have a direct impact on Jackson County and its residents. As such, we want to express those concerns to you and the Committee for consideration.

As you know, Southern Oregon, and particularly the Rogue Valley, has been devastated by the impact of wildfires occurring on what is largely Federally managed land, especially over the past two summers. While Jackson County itself has been spared somewhat, compared to other Southern Oregon and Northern California counties, from having large wildfires actually occurring within the boundaries of Jackson County, these large wildfires have had a direct and significantly negative impact on the lives of the people who live in Jackson County. The impact from the smoke of these wildfires alone has caused significant economic losses for businesses in our communities, has negatively impacted the health of the residents, and has resulted in numerous other negative impacts.

We believe that the designation of the identified public lands in SB 1262 as recreation or wilderness is going to have a negative impact on the ability of the Bureau of Land Management or the U.S. Forest Service to manage the lands to reduce the threat of wildfires. The public lands in Southern Oregon and Northern California are, without question, in dire need of fuels reduction projects of all types to reduce the threat and severity of the wildfires plaguing our communities. While the provisions of Sections 3(c), (4), and (5) of SB 1262 purport to authorize the applicable Federal agencies to continue to conduct vegetation management and wildfire management on the proposed lands which will be designated as recreation, those Federal agencies are, under the express terms of those subsections of SB 1262, required to conduct those management activities in such a manner which complies with, and is consistent, with the land being designated as recreation. The Federally managed public lands in our area are in such dire need of extensive fuels reduction projects that any additional burdens or requirements which Federal agencies would need to satisfy to conduct those projects is unwarranted, and likely only to exacerbate the wildfires and the impacts of those wildfires on our communities.

Similarly, but even more egregious, will be the impact on the Federal agencies attempting to conduct fuels reduction projects on the public lands which are proposed to be designated as wilderness pursuant to SB 1262. In those areas, under SB 1262, the Federal agencies will only be authorized to conduct projects related

to the control of fire in compliance with 16 U.S.C. 1131(d)(1); and there is no authorization under the provisions of SB 1262 or the Wilderness Act for conducting fuels reductions projects in those areas. As such, these public lands, if designated as wilderness, are likely to add to the issues impacting Southern Oregon related to wildfires. As an additional comment, we believe that the reference to 16 U.S.C. 1131(d)(1) in Section 4(b)(3) of SB 1262 should likely be a reference to 16 U.S.C. 1133(d)(1) instead as there is no 16 U.S.C. 1131(d)(1), and 16 U.S.C. 1133(d)(1) is the provision authorizing actions to control fire on lands designated as wilderness.

Finally, we strongly recommend that any lands currently designated as O&C Lands, which will have that designation changed as a result of SB 1262 to either recreation lands or wilderness lands, be replaced with an equal amount of acreage of public domain lands being designated as O&C Lands. Despite the significant reduction in harvest being conducted on O&C Lands, which are supposed to be managed for sustained-yield harvests, the harvests on O&C Lands remain a crucial source of revenue for the O&C counties. A similar provision for the reclassification of public domain lands as O&C Lands, after existing O&C Lands were designated as something else, was recently included in the Western Oregon Tribal Fairness Act (PL 115-103).

Again, thank you for the opportunity to provide comments on our concerns with the current provisions of SB 1262.

Sincerely,

JACKSON COUNTY BOARD OF COMMISSIONERS

Bob Strosser, Chair

Colleen Roberts, Commissioner

Rick Dyer, Commissioner

:jb/tf

I:\BoC\Correspondence\Correspondence_2019\2019_06_13_SB_162_OR_Rec_Enahancement_Act.docx

Senator Catherine Cortez Masto, Chair
Senator Mike Lee, Ranking Member
Senate Energy and Natural Resources,
Subsommittee on Public Lands, Forests and Mining
304 Dirksen Senate Office Building
Washington, DC 20510

Re: Testimony in support of the Sec 5 of the Oregon Recreation Enhancement Act, S. 1589, hearing Oct. 19, 2021

Honorable Chair Cortez Masto, Ranking Member Lee, and Members of the Senate Energy and Natural Resource Subcommittee on Public Lands, Forests, and Mining:

We are writing on behalf of the undersigned local, regional, and national conservation and partnering business organizations to make known our strong support of Section 5 of Oregon Recreation Enhancement Act (S. 1589).

Our coalition represents many thousands of citizens who cherish and value Southwest Oregon's public lands, wild rivers, and native salmon and steelhead runs. We've long supported this legislation, first introduced in the House and Senate as the Southwestern Oregon Watershed and Salmon Protection Act. It will help protect the clean drinking water of thousands of residents of northwestern California and southwestern Oregon and the headwaters of the National Wild and Scenic Illinois, Rogue, North Fork Smith and Smith rivers from large scale strip mining by making law the 2016 secretarial 20-year Southwestern Oregon Mineral Withdrawal.

Section 5 of the Oregon Recreation Enhancement Act closes 101,000 acres of exceptional National Forest and Bureau of Land Management lands to the location of new mining claims and requires that existing claims comply with the mining laws of the United State before mining activities can begin. It's subject to valid existing rights.

This mineral withdrawal has been thoroughly vetted through an extensive public process and environmental analysis conducted by the U.S. Forest Service and Bureau of Land Management. There were two public comment periods and three local public hearings. Of the over 45,000 comments received by the agencies, an overwhelming 99.9 percent were in favor of Southwestern Oregon Mineral Withdrawal and closing these exceptional federal public lands to new mineral development. The vast majority of citizens at the well-attended public hearings also supported protecting the headwaters of these treasured streams from strip mining.

The mineral withdrawal has also been widely supported by state, local, county and city governments and water districts, including the California State Assembly, the Del Norte County Board of Supervisors, the cities of Gold Beach and Cave Junction, and the Big Rock and Gasquet

Water Service Districts. There is support for the mineral withdrawal from tribes, including the Confederated Tribe of the Siletz Indians and the Elk Valley Rancheria.

Equally important, the withdrawal is supported by more than one hundred local businesses, including many guiding services and other tourism-oriented businesses that depend on clean water. There has also been overwhelming support from local residents who depend on these watersheds for their drinking water, recreation, and livelihoods.

The 101,000-acre withdrawal area has very high conservation values. More than 141 miles of streams flow through it, including the headwaters of the National Wild and Scenic North Fork Smith and Illinois Rivers, which are renowned for their exceptional water quality, salmon runs, and recreation opportunities—including fishing, swimming, camping, and whitewater boating. These rivers also provide drinking water to several downstream communities. Additionally, the Wild and Scenic North Fork Smith is also the headwaters to the National Wild and Scenic Smith—the outstanding river that flows through the majestic forests of Redwood National Park, while the Wild and Scenic Illinois is a major fish-producing tributary of the Wild and Scenic Rogue River, which draws anglers from afar to local communities that rely on the economic benefit of the fishery.

The withdrawal area also encompasses two U.S. Forest Service Candidate Wild and Scenic rivers (Baldface and Rough and Ready Creeks), four USFS Special Interest Botanical Areas, five Bureau of Land Management Areas of Critical Environmental Concern, and the highest concentration of rare plants in Oregon. Also included are Hunter Creek and the North Fork Pistol River, prized native salmon and steelhead streams that flow undammed to Pacific Ocean on America's Wild Rivers Coast.

We applaud the leadership and longstanding commitment of Oregon Senators Ron Wyden and Jeff Merkley to protect Southwest Oregon's remarkable collection of wild rivers—truly a national treasure that deserves the highest level of protection. We urge the Senate Energy and Natural Resource Committee to advance this bill that will protect these outstanding salmon streams into the future.

Sincerely,

Ann Vileisis
Kalmiopsis Audubon Society

Barbara Ullian
Friends of the Kalmiopsis

Michael Dotson
Klamath Siskiyou Wildlands Center

Susan Jane Brown
Western Environmental Law Center

Bonnie Gestring
Earthworks

Mark Sherwood
Native Fish Society

Zach Collier
Northwest Rafting Company

Dean Finnerty
Trout Unlimited

Dave Lacey
South Coast Tours

James and Kristen Smith
Arch Rock Brewery

Gordon Lyford
Wild Rivers Water Rights

Alyssa Babin
Wild and Scenic Rivers

Dave Willis
Soda Mountain Wilderness Council

Grant Werschkull and Patty McCleary
Smith River Alliance

Thomas O'Keefe
American Whitewater

Priscilla Macy
Oregon Outfitters and Guides Association

Erik Fernandez
Oregon Wild

Guido Rahr
Wild Salmon Center

Zach Collier
Kalmiopsis Guides Association

David Moryc
American Rivers

Glen Spain
Pacific Coast Federation of Fishermen's Associations (PCFFA)

Josh Laughlin
Cascadia Wildlands

KALMIOPSIS AUDUBON SOCIETY
P.O. Box 1265 • Port Orford OR • 97465

October 18, 2021

The Honorable Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

Re: Testimony in support of the Oregon Recreation Enhancement Act, Hearing on 10.19.2021

Dear Chairman Manchin, Ranking Member Barrasso, and members of the subcommittee:

The Kalmiopsis Audubon Society is a locally based, grassroots conservation organization in Curry County, Oregon, part of an extraordinary region we call "America's Wild Rivers Coast." Our group has over 400 members who are concerned about habitat for birds, fish, wildlife and who care deeply about stewardship of our public lands for present and future generations. We've been engaged in conservation in our local region for nearly 40 years, and our members know firsthand the rivers and watersheds in our local, public-lands backyard.

We applaud the leadership of our Oregon Senators Ron Wyden and Jeff Merkley in co-sponsoring the Oregon Recreation Enhancement Act (S. 1589), and we appreciate the opportunity to express local-community-level support, especially for Section 5 of this legislation, known as the Southwestern Oregon Watershed and Salmon Protection Act, which would provide permanent protection from new mining claims for 101,012 acres of remote areas in the Rogue River-Siskiyou National Forest and adjacent BLM lands that form the headwaters of several nationally significant and renowned rivers.

These streams include:

- Rough and Ready Creek (an eligible Wild and Scenic River) at the headwaters of the National Wild & Scenic Illinois River, which flows into the National Wild & Scenic Rogue
- Baldface Creek (an eligible Wild and Scenic River) at the headwaters of the National Wild & Scenic North Fork Smith River, which flows into the National Wild & Scenic Smith in the Smith River National Recreation Area and Redwood State and National parks in California (the North Fork Smith is also a designated Outstanding Resource Water); and
- Headwaters of Hunter Creek and North Fork Pistol River, important smaller salmon streams that flow to the Pacific south of Gold Beach, OR near the magnificent Cape Sebastian and Pistol River State Parks.

We are proud that our region hosts America's highest concentration of National Wild and Scenic Rivers, known for clear water, world-class salmon and steelhead runs, and outstanding recreational opportunities that draw anglers and outdoor enthusiasts from afar. Our local communities rely on the pure water, robust salmon runs, and associated recreation, as renewable resources that fuel the small businesses that make up our tourism-based economies and our rural way of life.

Because our local area features the highest concentration of National Wild and Scenic Rivers (Rogue, Elk, Chetco, Smith, Illinois), the local Chambers of Commerce more than two decades ago started to call our area "America's Wild Rivers Coast." This name strongly reflects the values of our South Coast Oregon communities, which are economically and culturally oriented toward clean water, salmon, and fishing. The most recently available (2008) Oregon Department of Fish and Wildlife study of fishing recreation estimated that visitors made 98,000 freshwater fishing trips, and local people made 87,000 fishing trips annually. Still more anglers frequent the Smith River just south of Oregon's border. These add up to quite a lot of fishing and millions of dollars of fishing-generated revenue that is a key to our local economy, our rural food system, and our rural way of life.

In addition, local communities also depend on these pure rivers as the source of drinking water. Local cities of Crescent City, Cave Junction, and Gold Beach tap surface water in these stream systems for their municipal supplies. In addition, several unincorporated areas, including Gasquet and homes and ranches in the lower Hunter Creek and Pistol River watersheds, tap these streams or wells hydrologically connected to these streams for drinking water.

For all these reasons, there has been broad and diverse local support–including from tribes, two state wildlife agencies, state and local governments, businesses, and civic organizations in both Oregon and California—for protecting the headwaters of our wild rivers from strip mining. This destructive type of mining would cause irrevocable harm to sensitive public lands and detract from the clean-water economy that our local fishing- and tourism-based communities now depend on. According to the U.S. EPA's Toxic Release inventory, metal mining is by far the nation's most polluting industry, and local communities don't want to put our outstanding National Wild and Scenic Rivers –nor our drinking water —at risk.

We are concerned that existing mining laws are inadequate to safeguard the outstanding values – clean water, fisheries, recreation—that local citizens and visitors depend on and cherish. The Forest Service has indicated that, absent a mineral withdrawal, it has no authority to prevent any mining—even strip mining, despite the extraordinary natural resource values at stake. Because our region is known for high rates of precipitation (with upwards of 200 inches at highest elevations), our mountains and rivers are particularly vulnerable to damage from strip mining, which not only removes vegetation, rock, and soil but also assembles materials into unstable tailings piles and pits for leach heap processing. In the past decade, a series of horrific mine disasters, including the Mount Polley tailings spill in British Columbia and the Animas River spill in Colorado, have left communities and ecosystems downstream of mines with devastating damage. These incidents plainly shown that oversight of mine development and mines is not sufficient to protect local communities let alone nationally significant rivers into the future.

The mineral withdrawal described in Sec 5 of S. 1589 would also encompass and protect areas with additional unique and high conservation values within the watersheds of our remarkable wild rivers. These include:

- 3 USFS Botanical Areas (Rough and Ready Creek Botanical Area, Oregon Mountain Botanical Area, and Red Flat Botanical Area);
- 3 BLM Areas of Critical Environmental Concern (Rough and Ready Creek ACEC, North Fork Hunter Creek ACEC, Hunter Creek Bog ACEC);
- 2 Research Natural Areas (Woodcock Bog RNA, Lemmingsworth Gulch RNA); and
- 3 Inventoried Roadless Areas (South Kalmiopsis IRA, Packsaddle IRA, North Fork Smith
  IRA).

Section 5 of the Oregon Recreation Enhancement Act (S. 1589) tiers to the 20-year Southwestern Oregon Mineral Withdrawal, finalized in 2016. In implementing the NEPA process for this administrative withdrawal, the U.S. Forest Service and BLM conducted extensive public outreach and environmental analysis, rare for any piece of legislation. There were three public hearings in three different communities close to the withdrawal area, attended by Oregon Senators' staff members, at which hundreds of local citizens voiced overwhelming public support for the mineral withdrawal. There were also two public comment periods with more than 45,000 written comments received; 99 percent of the interested public supported the proposed withdrawal.

In its Finding of No Significant Impact (FONSI) for the 2015 Southwest Oregon Mineral Withdrawal Environmental Assessment, the Forest Service articulated the values within the withdrawal area as follows: *"The area is known for world-class fisheries, outstanding water quality, and high recreational values associated with pristine and wild rivers. Additionally, the area has long been recognized as a hotspot of biodiversity in North America, with many endemic plants and unique serpentine habitats."* (FONSI, p. 1)

The Forest Service FONSI also articulated the low likelihood of successfully developing nickel-laterite resources in the area: *"Nickel-laterite resources identified and explored to date have shown low quantities of mineable resources per location and low metal grades in the deposits,*

and to date, no mining of nickel laterite resources has occurred."(FONSI, p. 2) According to the U.S. Forest Service Mineral Potential Report, there is low potential for energy resources and gold in the withdrawal area. The known nickel-laterite deposits are small, low grade, and widely dispersed. Despite repeated exploration, no deposit has ever been developed.

Finally, the FONSI characterized the withdrawal as "not highly controversial." (FONSI, p.2)

To underscore that final point, I am attaching to our testimony a support book containing a collection of letters submitted to express support for the Southwest Oregon Mineral Withdrawal and the Southwest Oregon Watershed and Salmon Protection Act, the precursor to Section 5 of S. 1589, the mineral withdrawal portion of the Oregon Recreation Enhancement Act. These letters demonstrate the broad local and regional support for permanently protecting the headwaters of southwest Oregon's cherished wild rivers from the threat of strip mining.

In conclusion, the extraordinary wild rivers and unique wildlands of southwestern Oregon are national treasures deserving of the highest level of protection. We urge you to listen to local communities and please protect these special rivers from the threat of strip mining by passing this much needed legislation.

Thank you for considering our testimony in support of Section 5 of S. 1589. Our organization also supports all other provisions in the ORE Act, that include additional protections for public-land reaches of the renowned and beloved National Wild and Scenic Rogue River.

Sincerely,

Ann Vileisis

Ann Vileisis, President

Oregon Recreation Enhancement Act, S. 1589

SUPPORT for Section 5
Southwestern Oregon Mineral Withdrawal

Rogue River-Siskiyou National Forest

Coos Bay and Medford Districts Bureau of Land Management

BACKGROUND: Southwestern Oregon Mineral Withdrawal, Section 5 of Oregon Recreation Enhancement Act (S. 1589)

Rogue River-Siskiyou National Forest, Medford & Coos Bay Districts Bureau of Land Management

The Oregon Recreation and Enhancement Act (S. 1589), introduced by Senators Ron Wyden and Jeff Merkley on May 12, 2021, includes Section 5, previously introduced since 2015, as the Southwestern Oregon Watershed and Salmon Protection Act. This provision has strong public support and significant vetting and analysis owing to an extensive public process conducted to evaluate the closely related Southwestern Oregon Mineral Withdrawal, adopted in 2016.

Southwestern Oregon Mineral Withdrawal

Effective December 30, 2016, the Secretary of the Interior approved the Southwestern Oregon Mineral Withdrawal, culminating several years of public process and analysis. The 20-year withdrawal temporarily protects nationally significant Forest Service and BLM lands—including 4 National Wild and Scenic Rivers and the headwaters of Redwood National Park—from the irrevocable risks of nickel laterite surface strip mining and processing.

Kalmiopsis-Wild Rivers Coast— Too special to mine

The rugged, remote corner of Southwest Oregon and Northwest California is home to a one-of-a-kind collection of National Wild and Scenic Rivers—the Rogue, Smith, Illinois and Chetco—plus five U.S. Forest Service Eligible Wild and Scenic Rivers, including Rough and Ready and Baldface Creeks. The water quality and clarity of these rivers is exceptional, and they're among the best wild salmon and steelhead strongholds south of the Olympic Peninsula.

This remarkable area is host to the highest concentration of rare plants in Oregon and one of the highest in North America. It includes eight designated botanical areas and two proposed botanical reserves. It also includes 143 miles of streams, two Inventoried Roadless Areas, and a U.S. Forest Service proposed addition to the adjacent Kalmiopsis Wilderness. It forms the headwaters for Redwood National Park.

These National Forest and BLM lands are too special to mine and their values are critically important to a growing recreation economy.

Threat: strip mining

The foundational elements that make this area so unique—its serpentine geology and climate—also make for its greatest threat, the strip mining of ancient soils known as nickel laterites. The area has been subject to mineral exploration in the past, but the small low-grade deposits have made mining uneconomical.

Driven by a spike in nickel prices, between 2007 and 2010 thousands of acres of new mining claims were located in two areas, and three mining plans of operation submitted to the Forest Service, including by a foreign-owned company.

According to the EPA, metal mining is the largest toxic polluter in the United States, raising concerns among local citizens in this region known for extremely high precipitation that strip mining and metal processing were incompatible with conserving the region's exceptional natural assets.

Request for Secretarial withdrawal

Prompted by the threat of mining to cherished wild rivers and salmon runs in their states, Senators Ron Wyden and Jeff Merkley (D OR) and Representatives Peter DeFazio (D OR), Earl Blumenauer (D OR), and Jared Huffman (D CA) first introduced the Southwestern Oregon Watershed and Salmon Protection Act in Feb. 2015. The legislation would permanently

withdraw critical headwaters areas from location and entry under the United States mining laws, subject to valid existing rights. They next asked the Secretary of Interior to provide interim protection for the public and National Forest lands covered by the legislation in the form of an administrative mineral withdrawal, in order to preserve the status quo —to assure that while Congress considers additional protections, nothing would happen on the ground to interfere with or make protection more costly.

The Secretarial withdrawal

In response, on June 29, 2015, the Assistant Secretary for Lands and Minerals at the Department of Interior proposed the withdrawal of roughly 101,000 acres of the Siskiyou National Forest and the Medford and Coos Bay Districts of the BLM (95,800 acres and 5,200 acres respectively) in two areas, subject to valid existing rights. The announcement segregated the lands for two years, while reports and environmental analysis were prepared. During this time, the Forest Service and BLM provided the public with multiple opportunities to comment.

After consideration of analyses and overwhelming public support, the Assistant Secretary for Lands and Minerals issued Public Land Order No. 7859, authorizing the 20-year Southwestern Oregon Mineral withdrawal effective December 30, 2016.

Broad and overwhelming support for a 20-year mineral withdrawal

Support for this 20-year withdrawal includes local cities and water districts, local counties, tribes, local businesses, community organizations, state agencies and elected officials in both Oregon and California, including a resolution from the California Assembly, plus local, regional and national conservation and sportsmen groups.

Of more than 45,000 public comments received by the Forest Service and BLM, ***99 percent were in support.*** In addition, at three local public hearings, attended by approximately 800 people, the overwhelming majority supported the maximum protection allowed—a 20 year withdrawal, and most asked for permanent protection as well. Letters and resolutions of support follow this background summary.

Need for a permanent withdrawal

The impacts of strip mining on the exceptionally high scientific, social, recreational, and ecological values of Southwest Oregon and Northwest California's public lands and wild rivers would be profound and irreversible.

While filing mining claims under the mining law is easy, eliminating nuisance claims through contest proceedings is time consuming and costly for public agencies. Such claims can complicate sensible land management and come at significant taxpayer expense, making mineral withdrawals a critical and cost-effective tool for conservation of important public values.

The 20-year withdrawal temporarily safeguards the extraordinary values of Southwest Oregon's public lands and wild rivers from the damages and speculation that can occur under the antiquated 1872 Mining Law, but now it's time for Congress to act to provide permanent protection for these valuable headwaters areas and to give local communities the assurances they need to continue development of their recreation based economies.

SUPPORT for permanent protection of values within the Southwestern Oregon Mineral Withdrawal area, now Section 5 of the Oregon Recreation Enhancement Act (S. 1262)

There is broad support for protecting the headwaters of Southwestern Oregon's wild rivers from mining, as indicated by the following letters and resolutions submitted in support of the Southwestern Oregon Mineral Withdrawal and/or the Southwestern Oregon Salmon and Watershed Protection Act (SOWSPA), precursor to Sec. 5 of the Oregon Recreation Enhancement Act (S. 1262):

- California State Assembly, Resolution in support of permanently protecting the Smith River's headwaters in Oregon from mining
- California Sen. Mike McGuire (letter supporting mineral withdrawal and SOWSPA)
- U.S. Department of the Interior, Redwood National Park, (letter supporting mineral withdrawal)
- U.S. Department of the Interior, Fish and Wildlife Service, (letter supporting mineral withdrawal)
- Oregon Department of Fish and Wildlife (letter supporting mineral withdrawal)
- California Department of Fish and Wildlife (letter supporting mineral withdrawal and SOWSPA)
- North Coast Regional Water Quality Control Board (letter supporting mineral withdrawal and permanent protection)
- Elk Valley Rancheria (letter in support of mineral withdrawal and SOWSPA)
- Confederated Tribe of the Siletz Indians, (letter in support for mineral withdrawal, SOWSPA, permanent protection)
- Del Norte County (letter in support of mineral withdrawal, SOWSPA, permanent protection)
- City of Gold Beach, OR (letter in support of mineral withdrawal, SOWSPA, permanent protection)
- Pacific Coast Fishermen's Federation (letter in support of mineral withdrawal and permanent protection)
- Curry County Commissioner David Smith (letter in support of mineral withdrawal)
- Crescent City, CA (letter in support of mineral withdrawal)
- Big Rock Services [Water] Dist. (letter in support of mineral withdrawal, permanent protection)
- Gasquet Services [Water] Dist. (letter in support of mineral withdrawal, permanent protection)
- Crescent City Chamber of Commerce (letter in support of mineral withdrawal)
- Craft Brewers for Clean Water (letter in support of mineral withdrawal)
-

Also included in this packet are the following resolutions and letters of support for the Southwestern Oregon Watershed and Salmon Protection Act of 2015 (SOWSPA):

- City of Gold Beach Resolution in support of SOWSPA
- City of Cave Junction letter in support of SOWSPA

At the end of you'll find a complete list of tribes, municipalities, businesses and organizations that support protection of Hunter Creek, Pistol River, Rough and Ready Creek and the North Fork of the Smith River from industrial nickel mining.

STATE OF CALIFORNIA
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Senate Joint Resolution No. 3

RESOLUTION CHAPTER 93

Senate Joint Resolution No. 3—Relative to the Smith River watershed.

[Filed with Secretary of State July 6, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 3, McGuire. Smith River watershed protection.

This measure would urge the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have the potential impacts on water supplies, economies, or the environment in California's portion of the Smith River watershed.

WHEREAS, The Smith River watershed of approximately 610 square miles in California and 115 square miles in Oregon has been considered the prize of the California wild and scenic river system since the time it was included in the California Wild and Scenic Rivers Act in 1972, and then later included in the National Wild and Scenic Rivers System in 1981; and

WHEREAS, The Smith River is the indirect primary source of drinking water for the majority of Del Norte County's 28,000 residents, with the largest user being the City of Crescent City; and

WHEREAS, The Del Norte County Board of Supervisors and the City Council of Crescent City have voted unanimously to oppose the issuance of a limited water use license for the Cleopatra Check Drilling Program based on the potential to cause significant adverse environmental impacts within the overall watershed of the Smith River and subsequent impacts on drinking water for residents and thousands of annual visitors; and

WHEREAS, The California North Coast Regional Water Quality Control Board, the Department of Fish and Wildlife, the Natural Resources Agency, and the Oregon Water Resources Department have also opposed any mining within the Smith River watershed because of the detrimental effects of strip mining; and

WHEREAS, The Smith River is unparalleled for its free-flowing status, large and abundant salmon and steelhead stock, and extraordinary botanical diversity, and is the only major undammed river in California; and

WHEREAS, The Smith River National Recreation Area Act, passed by the 101st United States Congress in 1990 (Public Law 101-612), amended the federal Wild and Scenic Rivers Act of 1968 and permanently protected all federal lands of the Smith River watershed within California by establishing the Smith River National Recreation Area; and

WHEREAS, The Oregon portion of the North Fork of the Smith River was not included in the act and remains vulnerable to mining; and

WHEREAS, Any strip mining activities on the North Fork of the Smith River could have devastating and irreversible impacts to the entire National Wild and Scenic Smith River watershed; and

WHEREAS, In 2012, the Red Flat Nickel Corporation submitted the Cleopatra Check Drilling Program Plan for the watershed of the North Fork of the Smith River to the Rogue River-Siskiyou National Forest, with the goals to develop and operate a devastating 3,980-acre strip mine to extract nickel, cobalt, and chromium; and

WHEREAS, The proposed mining operations will unnecessarily put the people and wildlife that rely on the Smith River at risk; and

WHEREAS, The United States Environmental Protection Agency has confirmed that hard rock mining, which includes strip mining, is the largest source of toxic pollution in the United States; and

WHEREAS, The United States Department of Agriculture's Technical Guide to Managing Ground Water Resources documents numerous published reports concerning the release of toxic metals to groundwater and surface water resulting from mines and mine-related facilities; and

WHEREAS, Mining operations along the tributaries of the Smith River would inevitably impact water quality and quantity with the potential to cause significant injury to fish and other wildlife, including threatened coho salmon; and

WHEREAS, The Smith River's coho salmon are protected under the federal Endangered Species Act and are recognized as a core independent population with a high risk of extinction; and

WHEREAS, The Smith River is one of California's most important, irreplaceable watersheds for the threatened coho salmon; and

WHEREAS, The Chinook salmon, cutthroat trout, and steelhead runs are vitally important to the economies and environment of northern California and Oregon; and

WHEREAS, Millions of federal, state, and private dollars have been spent in the past decades on improving water supply systems and for restoration and protection of salmonid habitat and watershed lands downstream from the proposed mining operations; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have potential impacts on water supplies, economies, or the environment in California's portion of the Smith River watershed; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

O

California State Senate

SENATOR MIKE MCGUIRE

NORTHERN CALIFORNIA'S SECOND SENATE DISTRICT

September 25, 2015

Mr. Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Dear Mr. Perez:

RE: Comments in Support of Proposed Mineral Withdrawal and Smith River Protection

Thank you so much for the opportunity to comment on this matter of critical importance to my constituents in Del Norte County and citizens of California. I strongly support the proposed withdrawal of approximately 100,000 acres of National Forest and Bureau of Land Management land located in southwestern Oregon from use under federal mining laws. Moreover, I support a permanent mineral withdrawal as proposed in the "Southwest Oregon Watershed and Salmon Protection Act of 2015" (S. 346 and HR 682).

In July of this year, the California Senate and Assembly approved Senate Joint Resolution – 3 the ***Smith River Watershed Protection*** measure which urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities. SJR-3 is appended to this letter and is herewith included as part of my comments.

In summary of SJR-3, strip mining in the Smith River watershed is simply unacceptable. The Smith and the companion rivers included in the proposed mineral withdrawal area are extraordinary streams of national significance. Any future mining activities will unnecessarily put the people and wildlife/fisheries that rely on these rivers at risk and would create irreversible impacts to the entire watersheds of these streams.

Again, I appreciate the opportunity to provide comments on the Proposed Mineral Withdrawal and look forward to the well-deserved protection of the Smith River watershed. If you have any questions regarding this letter please contact Thomas Weseloh, Chief Consultant to the California Legislature's Joint Committee on Salmon and Fisheries at Tom.Weseloh@sen.ca.gov or 707 445-7014.

Warmest Regards,

MIKE McGUIRE
Senator

United States Department of the Interior
Redwood National Park
1111 Second Street
Crescent City, California 95531

L74 (River Basin Activities)
xL6015 (Smith Wild and Scenic River)

September 23, 2015

Michael L. Barnes
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Dear Mr. Barnes:

We have reviewed the "Notice of Proposed Withdrawal and Notification of Public Meetings; Oregon" published in the Federal Register, FR Doc 2015-15954, Monday, June 29, 2015 and would like to offer the following comments.

The Notice describes proposed withdrawal for five years, and segregation of lands for two years, from settlement, sale, location, and entry under the public land laws, location and entry under the United States mining laws, and operation of the mineral and geothermal leasing laws of public domain and Revested Oregon California Railroad (O&C) lands managed by the Bureau of Land Management (BLM) and 95,805 acres of National Forest System (USFS) lands in southern Oregon.

The Proposed Withdrawal affects lands in the Baldface and Diamond Creek watersheds that form the headwaters of the North Fork of the Smith River. The North Fork enters California in Del Norte County, and meets with the Middle and South Forks of the Smith to form the mainstem Smith River. Approximately 3 miles downstream from the Middle Fork/South Fork confluence, the mainstem Smith River enters Jedediah Smith Redwoods State Park and Redwood National Park.

Redwood National and State Parks are composed of Redwood National Park and three California State Parks located within the Congressionally-designated boundaries of the national park in Humboldt and Del Norte Counties. Together the parks preserve not only the primeval coastal redwood forests but "the streams with which they are associated for the purposes of public inspiration and enjoyment, and to preserve all related scenic and recreational values" (General Management Plan/General Plan, Redwood National and State Parks, USDI National Park Service (April 2000) and California Department of Parks and Recreation (November 1999).

Redwood National Park was established "to preserve significant examples of the primeval coastal redwood *(Sequoia sempervirens)* forests and the streams and seashores with which they are associated, for purposes of public inspiration, enjoyment, and scientific study" (Public Law 90-545, October 2, 1968). The national park was expanded "...to protect existing irreplaceable Redwood National Park resources from damaging upslope and upstream land uses...." (PL 95-250, March 27, 1978).

The purpose of Jedediah Smith Redwoods State Park is "to make available to people forever, for their inspiration and enjoyment, in a condition of unimpaired ecological integrity, the great forests of lower Mill Creek and of the Smith River, together with all related scenic, historic, scientific, and recreational values and resources of the area." (July 1965 State Park and Recreation Commission Declaration of Purpose.)

As components of both the state and National Wild and Scenic Rivers Systems, the Smith and its tributaries within California provide opportunities for public enjoyment that attract visitors to the parks and to the region. The anadromous fishery is a primary Outstandingly Remarkable Value (ORV) for the Smith and its tributaries. In addition, the North Fork has been found to have outstandingly remarkable white-water boating values.

The Final Environmental Impact Statement for the Proposed Designation of Five California Rivers in the National Wild and Scenic Rivers System (USDI, Heritage Conservation and Recreation Service, December 1980) stresses that "the health of the entire Smith River system is critical to maintenance of the exceptional water quality which supports the anadromous fishery. Past history has shown the futility of governmental attempts to protect an outstanding resource value by drawing an artificial boundary around the resource and ignoring the interaction between the resource and the rest of the ecosystem. Under the National Wild and Scenic Rivers Act, all future federal actions within the watershed should be carefully designed to avoid degrading the water quality of the Smith River system, and adversely impacting the anadromous fishery. "

In addition to the legislation that established and expanded Redwood National Park, the National Park Service Organic Act of 1916 requires that all units of the National Park System be managed to "conserve the scenery ... and the wild life therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations." 54 USC 100101(a). In the General Authorities Act of 1970, Congress further declared that "... the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established...." 54 USC 100101(b)

The anadromous fish in the Smith River include steelhead trout, Chinook salmon, and coho salmon. Coho are listed as threatened under the federal Endangered Species Act and endangered under the California Endangered Species Act.

Protection of the superb water quality, the associated anadromous fishery and recreational resources, and the scenic values along the Smith River, and the opportunities for public enjoyment of these resources and values, are mandated under the Organic Act of 1916, the General Authorities Act of 1970, the Redwood National Park enabling and expansion legislation, and the National Wild and Scenic Rivers Act, as well as the Declaration of Purpose for Jedediah Smith Redwoods State Park. The anadromous fish in the Smith River are protected under the federal Endangered Species Act and the California Endangered Species Act.

The Proposed Withdrawal of BLM and USFS lands in the headwater tributaries of the Smith River upstream of Redwood National and State Parks will reduce potential for impairment of, and provide additional protection for, these significant resources and values and the opportunity for public enjoyment of the same in Redwood National Park and Jedediah Smith Redwoods State Parks, as required under the laws for management of these parks.

Thank you for the opportunity to comment on the Proposed Withdrawal.

Sincerely,

Stephen Prokop
Superintendent

cc: (all via electronic mail; no hardcopy to follow)
Martha Lee, PWR
Stephen Bowes, PWR-RTCA
Grant Werschkull (Smith River Alliance)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish and Wildlife Office
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266
Phone: (503) 231-6179 FAX: (503) 231-6195

Reply To: 01EOFW00-2015-CPA-0060
File Name: FWS Comments on Mineral Withdrawal
TS Number: 15-848
TAILS: 01EOFWO00-2015-CPA-0060
Doc Type: final

Memorandum

To: State Director, Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

From: State Supervisor, Oregon Fish and Wildlife Office
Portland, Oregon

Subject: Comments on the proposed mineral withdrawal by the Bureau of Land Management and United States Forest Service in southwestern Oregon (FWS TAILS #: 01EOFW00-2015-CPA-0060).

The U.S. Fish and Wildlife Service (Service) appreciates this opportunity to provide comments regarding the Bureau of Land Management (BLM) and the U.S. Forest Service's (USFS) proposed mineral withdrawal within the Klamath-Siskiyou bioregion of southwestern Oregon. The Service commends the agencies for initiating this process and provide our support for the proposal to withdraw approximately 5,216 acres of BLM-managed public domain lands and 95,000 plus acres of National Forest System lands, for 5 years, while Congress considers legislation to permanently withdraw those areas. The mineral withdrawal is needed because the Service believes that mining activities are incompatible with the high resource values of this bioregion and do not align with the conservation of Federal trust species which the Service is entrusted to protect and conserve. Our comments are provided under the auspices of technical assistance from the Service to the land management agencies under the authority of the Endangered Species Act (ESA) (16 U.S.C 1531 et seq.) and other resource protection statutes.

The Klamath-Siskiyou (K-S) bioregion has long been recognized as an important ecoregion not only nationally but globally as well (see World Wildlife Fund and International Union for the Conservation of Nature). The K-S bioregion is an expression of its biological diversity and unique evolutionary history. Because of these unique factors, it hosts some of the most productive salmon and steelhead fisheries outside of Alaska; is home to the largest concentration of Wild and Scenic Rivers in the nation; has some of the largest-contiguous acreage of forest on the West Coast; and, provides habitat for 3,500 plant species of which 280 are rare or endemic.

Printed on 100 percent chlorine-free/100 percent post-consumer content recycled paper

Salmonid strongholds, including ESA listed Coho salmon, and nationally significant Wild and Scenic Rivers, occur with the mineral withdrawal area. Pacific lamprey, a Service Species of Concern, also occurs throughout the proposed withdrawal area. Major threats to lamprey include poor water quality, dredging, and stream and floodplain degradation, all of which are consequences of inappropriate mining methods. The Service, along with other federal agencies, has spent considerable time and resources in developing and implementing best management practices for lamprey because the immediate need for lamprey conservation is evident. Withdrawing this area from mining will provide needed long-term habitat conservation benefits to lamprey and native freshwater resident fishes while simultaneously benefiting anadromous salmonid species.

The forested landscape of the K-S bioregion also provides a stronghold for rare forest carnivores such as the Pacific fisher and Humboldt marten. Federally listed avian species such as the northern spotted owl and marbled murrelet and their designated critical habitats occur here as well. The removal of forest habitat, which is an outcome of strip and hardrock mining, would contribute threats to carnivores and avian species, as well as other native terrestrial and aquatic species. Withdrawing this area from mining will alleviate habitat-loss threats and contribute to the possibility of not listing candidate species because of intact habitat remaining on the landscape.

The K-S bioregion is well-known for its vast array of unusual and endemic flowering plants. This is exemplified by BLM and USFS having established thousands of acres of Areas of Critical Environmental Concern and designated botanical areas, particularly in Rough and Ready Creek, due to rare and endemic plants. Several of the rare plant species include ESA protected Gentner's fritillary and Cook's desert parsley, which occur in the proposed withdrawal area. Protection of the withdrawal area will further conservation of the listed plants by providing broad distribution and sources of connectivity for these small and isolated plant populations.

Straddling the Oregon-California border, the K-S bioregion contains some of the largest concentration of intact watersheds on the west coast and world renowned biodiversity. These exceptionally high resource values, including several federal candidate and listed species, makes mining incompatible with the resource values and conservation investments in the bioregion. For these reasons, I urge the land management agencies to follow through on the proposed mineral withdrawal of the approximately 100,000 acres of federal lands in the K-S bioregion.

Thank you for this opportunity to provide comment. Please feel free to contact me at (503) 231-6179 if you would like to discuss these comments further.

Oregon
Kate Brown, Governor

Department of Fish and Wildlife
Rogue Watershed District Office
1495 East Gregory Road
Central Point, OR 97502
(541) 826-8774
Fax: (541) 826-8776
odfw.com

September 28, 2015

Michael L. Barnes
Bureau of Land Management
Oregon State Office
PO Box 2965
Portland, OR 97208-2965
m1barnes@blm.gov

Re: Mineral Withdrawal in Aid of Legislation on Public Lands in Southwest Oregon

Dear Mr. Barnes:

The Oregon Department of Fish and Wildlife (ODFW) supports the proposed five-year mineral withdrawal on public lands in southwest Oregon as proposed by the U.S. Forest Service (USFS) and Bureau of Land Management (BLM). ODFW's mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.

The proposed a five-year mineral withdrawal would affect 95,806 acres managed by the USFS Rogue River-Siskiyou National Forest and 5,216 acres managed by the BLM. Lands included in the proposed mineral withdrawal encompass the upper portion of Hunter Creek, the North Fork Pistol River, Baldface Creek, a major tributary to the North Fork Smith River, and Rough and Ready Creek, tributary to the West Fork Illinois River.

The Illinois, Smith, and Pistol rivers and Hunter Creek support abundant populations of fall Chinook salmon, winter steelhead, and coastal cutthroat trout. Coho salmon also occur in all four watersheds. A long-term decline in southern Oregon and Northern California coho populations led to a 1997 federal listing of coho as threatened under the Endangered Species Act. Coho populations in all four watersheds are included in the Southern Oregon/Northern California Coast (SONCC) ESU.

The extraction of minerals associated with metal mining generates large amounts of waste, which creates the potential for significant releases of sediment or contaminants into adjacent waterways. The Klamath geologic province, which encompasses all of the area in southwest Oregon included in the proposed mineral withdrawal, is very erosive and prone to landslides. Siting a large-scale metal mining operation in this area would pose great risk to the fishery resources in southwest Oregon.

In summary, ODFW is very concerned about the potential for leaching metal mining wastes into Oregon waterways and the resulting long-term impacts to fish, wildlife, and habitat resources. If

you have any questions regarding these comments, please feel free to contact me at 541-826-8774.

Russ Stauff
Rogue Watershed District Manager
Oregon Department of Fish and Wildlife

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

September 21, 2015

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Subject: 2015 Mineral Withdrawal Proposal: Rough and Ready and Baldface Creeks Withdrawal Area

To whom this may concern:

The Smith River is unmatched in California for its free-flowing status, botanical diversity, renowned anadromous fisheries, and Wild and Scenic status. It also provides vital habitat for numerous State and federally listed species. The Smith River is California's fourth largest coastal river, with a watershed area of approximately 610 square miles in California and 115 square miles in Oregon.

The California Department of Fish and Wildlife (Department) is concerned that large scale industrial strip mining proposed in southern Oregon will have significant irreversible downstream effects on the Smith River. Because of the documented substantial environmental risks to aquatic resources associated with strip mining, the Department is strongly opposed to strip mining in the Smith River watershed.

The Department strongly supports the five year mineral withdrawal in aid of legislation, currently in process by the United States Forest Service and the Bureau of Land Management. Further, the Department strongly supports the Southwest Oregon Watershed and Salmon Protection Act of 2015 and is hopeful the United States Congress will enact this legislation.

We appreciate the opportunity to support this important interim step and look forward to permanent protection of the north fork Smith River as proposed by the Southwest Oregon Watershed and Salmon Protection Act of 2015. Please contact Senior Environmental Scientist (Specialist) Michael van Hattem at 707-445-5368 if you have any questions.

Sincerely,

Neil Manji
Regional Manager

ec: Page 2

ec: Bureau of Land Management
Oregon State Office
BLM_OR_WA_WITHDRAWALS@blm.gov

Jeff Bomke and Amber Transou
California State Parks
Jeff.Bomke@parks.ca.gov, Amber.Transou@parks.ca.gov

Mona Daugherty and Jeremiah Puget
North Coast Regional Water Quality Control Board
Mona.Daugherty@waterboards.ca.gov, Jeremiah.Puget@waterboards.ca.gov

Curt Babcock, Gordon Leppig, Laurie Harnsberger, and Michael van Hattem
California Department of Fish and Wildlife
Curt.Babcock@wildlife.ca.gov, Gordon.Leppig@wildlife.ca.gov
Laurie.Harnsberger@wildlife.ca.gov, Michael.vanHattem@wildlife.ca.gov

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

North Coast Regional Water Quality Control Board

September 24, 2015

Mr. Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965

Dear Mr. Perez,

Subject: Comments in Support of the Notice of Proposed Withdrawal of Mineral Rights in Southern Oregon

The North Coast Regional Water Quality Control Board (Regional Water Board) would like to thank you for this opportunity to comment in support if the proposed withdrawal of approximately 100,000 acres of National Forest and Bureau of Land Management land located in Southwest Oregon from use under federal mining laws. Our primary concerns rest in the headwaters of the North Fork Smith River, an interstate water of the United States that flows from Oregon through California.

The Smith River is a unique and thriving natural resource of high-quality water, often referred to as the crown jewel of the North Coast Region of California. Its unspoiled ecological and recreational value is further enhanced by also being the water supply for several communities including Gasquet, Hiouchi and Crescent City. It is a state and federally designated Wild and Scenic River with world class recreational opportunities and a habitat stronghold for a declining population of rare, threaten and endangered anadromous fish. The active recreational and commercial fishing industries supported by the Smith River make it a vital part of the Northern California environment, economy, and culture. A mining project in the headwaters of the North Fork of the Smith River has a high risk of resulting in significant discharges of waste and adverse impacts to water quality and beneficial uses.

To add further protection to the Smith River, in March 2015 as part of the Triennial Review of the *Water Quality Control Plan for the North Coast Region* (Basin Plan), the Regional Water Board directed staff to develop a proposed amendment to the Basin Plan to designate Outstanding National Resource Waters (ONRWs) with initial focus on the Smith

River. An ORNW designation for the Smith River in California would significantly restrict authorization of discharges with the potential to degrade such waters.

For these reasons, the Regional Water Board strongly supports the proposed interim withdrawal of mineral rights in the North Fork Smith River. Further, we would support consideration of future legislation to permanently remove these areas from potential mining. Such an action would augment our proposed action to designate the Smith River in California as an ONRW.

If you have any questions or concerns regarding this letter, feel free to contact Jeremiah J. Puget, Environmental Scientist of my staff, at (707) 576-2835 or at Jeremiah.Puget@waterboards.ca.gov.

Sincerely,

Shin-Roei Lee
Assistant Executive Officer

150924_JJP_dp_CommentsMineralRights_SouthernOregon

cc:

Oregon Governor John Kitzhaber, 160 State Capitol, 900 Court Street NE, Salem, OR 97301
California Governor Edmund G. Brown Jr., c/o State Capitol, Suite 1173, Sacramento, CA 95814
Senator Jeff Merkley, 495 State Street, Suite 330, Salem, OR 97301
Representative Peter DeFazio, 125 Central Avenue, Suite 350, Coos Bay, OR 97420
Representative Jared Huffman, 999 Fifth Avenue, Suite 290, San Rafael, CA 94901
Felicia Marcus, Chair SWRCB, Felicia.Marcus@waterboards.ca.gov
Tom Howard, Executive Director, SWRCB, Tom.Howard@waterboards.ca.gov
City Manager of Crescent City, Eugene Palazzo, City Hall 377 J Street, Crescent City, CA 95531
Big Rock Community Services District, 2680 US Highway 199, Crescent City, CA 95531
Gasquet Community Services District, 250 Middle Fork Gasquet Road, Gasquet, CA 95543
Michael Van Hattem, California Department of Fish and Wildlife
Michael.vanHattem@wildlife.ca.gov

Elk Valley
RANCHERIA
Crescent City, CA

2332 Howland Hill Road
Crescent City, CA 95531

Phone: 707.464.4680
Fax: 707.465.2638

August 7, 2015

VIA POSTAL SERVICE

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965

Re: Notice of Proposed Withdrawal; Elk Valley Rancheria, California's Comments

To Whom It May Concern:

The Elk Valley Rancheria, California, a federally recognized Indian tribe (the "Tribe") located in Del Norte County, California, provides its comments in support of the proposed mineral withdrawal of 95,806 acres of National Forest System lands on the Rogue River-Siskiyou National Forest and 5,216 acres of Bureau of Land Management lands on the Medford District and Coos Bay Districts.

The Tribe supports Senate Bill 346 and House Resolution 682, the "Southwestern Oregon Watershed and Salmon Protection Act of 2015." The proposed withdrawal assists with the preservation of the status quo and does not allow for mining claim location or entry under the mining laws, mineral lease or geothermal operations during both the two-year segregation period and the subsequent five-year mineral withdrawal, for a total of up to seven years.

The Tribe has previously expressed concern about mining in the Smith River watershed and has supported on-going efforts to protect the Smith River and associated watershed from the negative impacts of proposed nickel mining efforts. The proposed strip mining and other mineral extraction activities have been demonstrated to have a negative effect on the water supply that is so vital to the region. Likewise, those activities negatively affect cultural and historical sites of importance to the Tribe and its ancestors.

The proposed withdrawal would avoid the nickel mine's destruction of wilderness quality public lands, eradication and disturbance of the local flora and fauna, pollution of downstream waters, and depletion of a fully appropriated stream. Likewise, maintaining the status quo would avoid pollution that would harm fisheries and drinking water supplies. The cessation of both the short term mineral exploration drilling and long term industrial strip mining would clearly be beneficial to the public interest.

Again, the Tribe supports the proposed withdrawal and urges the Secretary to take said action.

Thank you for the opportunity to comment on this matter of great public importance.

Sincerely,

Dale A. Miller
Chairman

cc: Congressman DeFazio
Congressman Huffman
Senator Feinstein
Senator Boxer
Elk Valley Tribal Council
Grants Director
General Counsel

Confederated Tribes of Siletz Indians
P.O. Box 549 Siletz, Oregon 97380
(541) 444-2532 • 1-800-922-1399 • FAX: (541) 444-2307

September 18, 2015

Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Re: Withdrawal of Southwestern Oregon eligible Federal lands from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

Dear Director Perez:

I am writing you regarding the issue of mining on public lands managed by the USDA Forest Service and the Bureau of Land Management in Southwest Oregon's Kalmiopsis region. In an earlier letter (May 5, 2015) addressed to Mr. Robert MacWhorter, Forest Supervisor of the Rogue River/Siskiyou National Forest, we expressed our concern over Red Flat Nickel Corporation's interest in exploratory nickel mining within the lower Rogue River Basin, the Illinois River, as well as Hunter Creek, Pistol River, Chetco River, and the North Fork of the Smith River (Southern Oregon border). Today we are expanding on that concern by asking that you extend the current two year segregation period to a five year withdrawal. In addition we wish to inform you that our long-term interest is in seeing a full twenty year withdrawal to allow time for our Federal legislators to pass the proposed *Southwestern Oregon Watershed and Salmon Protection Act of 2015, H.R. 682 and S.346* (introduced by Messrs. DeFazio, Huffman, Merkley, and Wyden; February 3, 2015) which would create a condition of permanent mineral entry withdrawal for approximately 95,805 acres of National Forest and 5,216 acres of BLM managed lands.

Our ancestral homelands include all the river basins of Southwest Oregon. Although we were driven from these ancestral lands during the 19th century our connection to the cultural resources in these basins has continued since removal. Our ability in large part to preserve our culture and ancestral ways, specific to the resources our people use/protect within these basins, is critical to the future success of the Confederated Tribes of Siletz. An example of this is our devotion to our annual *Run to the Rogue* celebration wherein we commemorate our ancestor's removal from their treasured homelands, by travelling their footsteps in reverse direction. During this 3 day celebration tribal members spend time with their families reconnecting to family histories in these basins and focusing on preservation of cultural traditions such as fishing for salmon and gathering basketry materials, food and medicinal plants. These activities occur seasonally during other months of the year as well. Through these activities tribal members expect to be able to drink the natural waters produced within these basins, eat mammals, fish, shellfish and plants that are susceptible to environmental pollutants. Although we have concerns related to multiple species and beneficial uses within these basins we will highlight one species/beneficial use concern for demonstration purposes.

Lamprey eel are a key fisheries resource for the Siletz Tribe. Larval lamprey rear in freshwater streams for four to ten years before they begin their ocean migration. During the past twenty years west coast tribes have forced the agencies to recognize multiple issues driving Pacific lamprey population declines. Using several genetic studies carried out during the past fifteen years, fisheries experts from the U.S. Fish and Wildlife Technical Working Group (federal, state and tribal partners) have identified the Rogue Basin as a key producer of Pacific lamprey when considering all stocks of lamprey found across the eastern Pacific. Because Pacific lamprey larvae reside in freshwater for so long along with other biological factors proving super-sensitivity, they have been shown to be more susceptible to environmental pollution (Portland Harbor Super Fund studies and recent Columbia River Intertribal Fish Commission studies). Toxic run off from mining operations would be detrimental to the remaining stocks of lamprey found in our above mentioned streams of concern. In turn we are equally concerned about water use to support these activities and how that use will compete with critical fisheries habitat.

The current proposed mining activity has a long history of high risk and extensive environmental pollution under which the responsible parties rarely take financial responsibility and for which the citizens of the state or country where it occurs carry all the financial burden of the cleanup. Although we support economic development across Oregon we do not support ventures associated with a high degree of environmental risk.

In summary we wish to express our great concern over the sustainability of resources within our ancestral homelands under any sort of precious mineral exploratory or otherwise, mining activities. In addition we wish that you extend the current two year segregation period to a five year withdrawal. Lastly, we request that you work toward a full twenty year withdrawal to allow our legislators adequate time to pass the *Southwestern Oregon Watershed and Salmon Protection Act of 2015* with its' intended permanent withdrawal of 101,021 acres of Federal lands from future (1) entry, appropriation, or disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) operation under the mineral leasing and geothermal leasing laws.

Sincerely,

Delores Pigsley
Tribal Chairman

COUNTY OF DEL NORTE
BOARD OF SUPERVISORS

981 "H" Street, Suite 200
Crescent City, California 95531

Phone
(707) 464-7204

Fax
(707) 464-1165

Jerome E. Perez, State Director
BLM Oregon
1220 S.W. 3rd Avenue
Portland, OR 97204

09/22/15

Subject: Mineral Withdrawal in Support of the Southwestern Oregon Watershed and Salmon Protection Act

Dear State Director Perez,

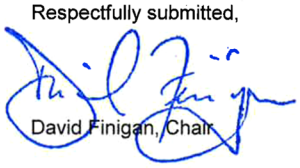
Thank you for the opportunity to comment on this very critical subject. The responsiveness of the Bureau of Land Management and the U.S. Forest Service to the request of our federal legislators for a five-year mineral withdrawal on lands that flow into our pristine watersheds is greatly appreciated.

Del Norte County is home to the Smith River which is considered to be the prize of the California Wild and Scenic River System because of it unparalleled free-flowing status, large and abundant salmon and steelhead stock, and extraordinary botanical diversity. The river's recreation opportunities are abundant and it provides the indirect primary source of drinking water for the majority of Del Norte County's 28,000 residents. The value of a healthy Smith River to the vitality of Del Norte County is incalculable. While the California portion of the Smith River was afforded protection under the Smith River National Recreation Area Act and Wild and Scenic River designation, the upper reaches of the North Fork of the Smith River, which lie in Oregon, remain vulnerable to large scale strip mining operations.

In July 2014, the Del Norte County Board of Supervisors voted unanimously to oppose the issuance of the limited water use license for Red Flat Nickel Corporation's Cleopatra Check Drilling Program based on the potential to cause significant adverse environmental impacts within the overall watershed of the Smith River and subsequent impacts on drinking water for residents and thousands of annual visitors. While this request was later withdrawn, the County has continued to work with California state legislators to garner the support needed to permanently safeguard the North Fork of the Smith River. Most recently the California State Legislature approved Senate Joint Resolution No. 3 – Smith River Watershed Protection which resolves that the state Legislature will urge the President of the United States and Congress to permanently safeguard the Smith River.

Given the exigency of the matter, Del Norte County strongly urges your support in recommending approval of the mineral withdrawal to the Director of the Bureau of Land Management to allow adequate time for our federal legislators to approve the Southwest Oregon Watershed and Salmon Protection Act which will permanently protect our world class rivers and streams.

Respectfully submitted,



David Finigan, Chair

cc: Representative Jared Huffman, U.S. Congress
Senator Mike McGuire, California State Senate
Mayor Ron Gastineau, City of Crescent City Council

City of Gold Beach
29592 Ellensburg Avenue ● Gold Beach, OR 97444
Administration: 541-247-7029 ● *Police*: 541-247-6671 ● www.goldbeachoregon.gov
Visitor Center: 541-247-7526 ● www.goldbeach.org

Friday, May 20, 2016

SENT VIA EMAIL & USPS

Robert MacWhorter, Forest Supervisor
% Shannon Downey
Rogue River-Siskiyou National Forest
3040 Biddle Rd,
Medford, OR 97504

RE: SW Oregon Mineral Withdrawal

Dear Mr. MacWhorter:

Please accept this letter as a placeholder comment in favor of SW Oregon Mineral Withdrawal legislation. The Gold Beach City Council, at the May 9th Council meeting, voted to send a letter supporting the mining withdrawal proposal as well as draft a resolution in support of the withdrawal. The resolution will be ratified at the June 13th Council meeting. Even though the comment period will be officially closed at that time, I will forward a copy of the resolution once signed.

The Red Flat mining proposal--that was the genesis of this proposed withdrawal legislation--is located in close proximity to the City of Gold Beach. In the past our area has been heavily dependent on a natural resources extraction economy that was strongly encouraged by the USFS and other federal agencies. Most of that extraction was in the form of timber, but Curry County does have a long history of mineral extraction as well—mostly aggregate, though, not hazardous mining like nickel mining.

In the past 20 years, and specifically in the past 10, our area has worked really hard to make lemonade from the lemons we were handed in the early '90s (no harvesting of a *renewable* resource on federal lands that make up 75% of our county). But the timber discussion is a horse beaten so dead there isn't enough left for glue--so no point in going there. It is what it is, and we will never go back to harvesting and replanting, so we have tried to move on. We are making lemonade economically by working on building a successful tourism economy that embraces the "wild" in the wilderness and wild rivers that surround us.

Nickel mining—anywhere—but specifically HERE would be catastrophic to that tourism economy, and, in my opinion, kind of a slap in our faces. We are no longer permitted to

harvest and replant trees--a renewable natural resource: but now federal agencies may allow devastating extraction of a non-renewable source metal. Those extraction activities scar and pollute the surrounding areas and bring ZERO income to the locals that are affected by the devastation. How does that comport with the past 25 years of rhetoric that logging destroys the environment and threatens fish habitat? Roads aren't even being maintained in the national forest surrounding Gold Beach because that maintenance may adversely impact habitat. But strip mining is a possibility?

The mining company isn't even an American company. If you want to say there is controversy surrounding this issue: **there it is**—a foreign company strip mining a one-of-a-kind wilderness area, devastating salmon habitat, devastating watersheds of federally designated wild rivers, and destroying a fragile tourism economy in one of the most economically devastated counties in the entire west. All based on some obscure law over 100 years old? THAT is the controversy.

We are a first world country. We know what strip mining does to the environment and to communities surrounding it. The fact that we have to even say: STOP. PLEASE. is shameful in 2016.

But that is what we are saying: STOP PLEASE. Help us preserve our fragile tourism economy. Help us to preserve the wild areas that make us America's Wild Rivers Coast. Withdraw these areas from consideration for mineral extraction. Not just for 5 years. Not even for 20. Withdraw them permanently.

Thank you for the opportunity to comment on this very important issue.

Sincerely,

Jodi Fritts
City Administrator
jfritts@goldbeachoregon.gov

David Bitts
President
Larry Collins
Vice-President
Duncan MacLean
Secretary
Mike Stiller
Treasurer

PACIFIC COAST FEDERATION of FISHERMEN'S ASSOCIATIONS

W.F. "Zeke" Grader, Jr.
Executive Director
Glen H. Spain
Northwest Regional Director
Vivian Helliwell
Watershed Conservation Director
In Memoriam:
Nathaniel S. Bingham
Harold C. Christensen

Please Respond to.

☐ **California Office**
P.O. Box 29370
San Francisco, CA 94129-0370
Tel: (415) 561-5080
Fax: (415) 561-5464

www.pcffa.org

Email: fish1ifr@aol.com

[X] **Northwest Office**
P.O. Box 11170
Eugene, OR 97440-3370
Tel: (541) 689-2000
Fax: (541) 689-2500

28 September 2015

Jerome E. Perez, Oregon State Director
Bureau of Land Management,
Oregon State Office,
P.O. Box 2965,
Portland, Oregon 97208-2965

PDF Email to:
BLM_OR_WA_WITHDRAWALS@blm.gov

Dear Oregon State Director Perez:

We submit these comments to you on behalf of the Pacific Coast Federation of Fishermen's Associations (PCFFA) as well as its sister organization, the Institute for Fisheries Resources (IFR).

As the largest trade association of commercial fishing families on the west coast, we at PCFFA (together with IFR) urge you to protect the headwaters of the Wild and Scenic Illinois and Smith Rivers and the Wild Rivers Coast from proposed nickel and other strip mines. We respectfully ask you to protect these waterways, which (as key salmon producing rivers) are crucially important to our livelihoods and those of our members, many of whom harvest salmon for all or part of their living.

Every stream and river in Oregon counts for and is important for commercial salmon fishing production due to "weak stock management." This is the biologically and legally required management tool by which all fisheries in a given at-sea area can be closed if *any one* stock, or substock, that is intermingling with the other targeted but more abundant stocks becomes too weakened in population size to allow any additional incidental or even accidental take without risking its depletion or eventual extinction.

This is not just a theoretical threat, but happens as a regular part of west coast ocean fisheries management. For instance, in 2006 ocean salmon fisheries from Monterey, CA to the OR-WA

border were closed or severely restricted because of the one very weak fall-Chinook stock in the Klamath River that year. Once the Klamath fall-Chinook populations dipped below the "minimum spawner floor" in 2006, all other fisheries in that 700 mile area were either closed down or severely restricted to prevent even accidental take of the weakest fall-Chinook from the Klamath. This closure cost our industry about $200 million in economic losses, even though the rest of the fall-Chinook stocks coastwide were relatively strong and could, in themselves, have otherwise supported abundant fisheries.

Weak stock management-driven closures could just as easily affect the Oregon coastal salmon stocks if *any* of these intermingling stocks get seriously depressed, due to destructive industrial mining, in *any one* river system on the coast. All other Oregon (and perhaps Northern California and Washington) ocean salmon fisheries could potentially be shut down to protect *any one* very weak stock, at a huge economic cost to our industry. The risk of a mining-triggered salmon habitat loss which results in an economic disaster in our industry is just too great to allow such impacts.

These same streams for which protection is sought also contain ESA-listed Oregon Coastal ESU coho, and/or Southern Oregon/Northern California ESU coho. Significant loss of either of these protected populations could trigger serious weak stock management restrictions, and could also limit large portions of the commercial at-sea fishery in both states.

It also just makes no sense from a public policy perspective to be spending tens of millions of dollars repairing damaged in-stream coho spawning and rearing habitat while simultaneously allowing mining operations to re-destroy that same habitat, and at a huge tax-payer subsidy.

I ask you to support the maximum possible interim protection available while Congress considers permanent protection through legislation, such as the Southwestern Oregon Watershed and Salmon Protection Act, which we fully support.

Sincerely,

Glen K. Spain

Glen H. Spain
Regional Director
PCFFA and IFR

Cc: Tim Sloane, PCFFA/IFR
Executive Director

Curry County
Board of Commissioners

David Brock Smith,
Commissioner

94235 Moore Street, Suite 122
Gold Beach, OR 97444
541-247-3296, 541-247-2718 Fax
800-243-1996 *www.co.curry.or.us*

September 23rd, 2015

Neil Kornze, National Director
Bureau of Land Management
1849 C Street NW, Room 5665
Washington D.C. 20240

Jerome Perez, Oregon State Director
Bureau of Land Management
333 S.W. 1't Avenue
Portland OR 97204

Regarding: Mineral withdrawal on 95,806 acres of National Forest System lands on the Rogue River-Siskiyou National Forest

As a Commissioner for Curry County and on behalf of our residents, I thank you for the opportunity to comment on the critical issue of mineral withdrawal in Southwestern Oregon. On August 7th, 2013, the Curry County Board of Commissioners passed an Amendment to the Curry County Code adding a New Article One, Division Fourteen relating to a Federal Coordination Policy. This Policy, under Section 1.14.010, subsection (1) asserts additional coordination as outlined in the FLPMA and NFMA to, "provide early and frequent opportunities for.... local governments to participate in the planning process". The purpose of the Federal Coordination Policy, as outlined in Section 1.14.020, is that Curry County asserts its maximum rights to coordination, as provided by law, with all federal agencies conducting activities in or affecting Curry County and the policies contained in the Federal Coordination Policy are enacted with the express intent of developing meaningful and productive relationships with the federal agencies that coordinate with Curry County.

Section 1.14.030, Subsection (3) outlines the Federal Coordination Policy Mining Policies. The Curry County Board of Commissioners agrees that the proposed project to be conducted by the Red Flat Nickel Corporation will cause serious negative externalities to the project location at the headwaters of the free flowing Hunter Creek and Pistol River watersheds. If allowed to be developed; the board also recognizes there will be serious negative impacts to the surrounding area, restriction of access to popular recreational areas, degradation of the rare and unique botanical resources, as well as the health risks to the residents and wildlife. The Board places higher values on its citizens' health and safety, the many recreational uses of the Red Flat area as well as the highly prized Hunter Creek and Pistol River fisheries for wild chinook and coho salmon, steelhead, cutthroat and resident trout than on the foreign owned Red Flat Mining Corporation interests. Furthermore, the BOC feels this proposed project is not in line with a number of other Curry County policies outlined within the Federal Coordination Policy.

Additionally, the Smith River; which is considered to be the prize of the California Wild and Scenic River System, is included in the proposed mineral withdrawal. While the California portion of the Smith River has the protections of the Smith River National Recreation Area Act and Wild and Scenic designation, the headwaters and North Fork lie in Southwestern Oregon and therefore have no additional protections. The Smith River's free flowing status, large, abundant salmon and steelhead runs and extraordinary botanical diversity, coupled with multiple recreation opportunities and an important source of drinking water for the majority of the residents, make its health vitally important to the safety, welfare and economy of our residents.

We understand that the proposed mineral withdrawal in no way disrupts our citizen's rights to access, recreate and utilize these lands within the proposed area and encourage citizens to do so. We would also encourage the respective federal agencies to fund road infrastructure maintenance programs on the road systems that exist within the proposed area.

In closing, given the critical significance of the Hunter Creek, Pistol River and Smith River Watersheds to the Southwestern Oregon and Northwestern California communities and their economies, Curry County respectfully requests your approval of the proposed mineral withdrawal within the Rogue River-Siskiyou National Forest. Thank you for your consideration on this important matter.

Respectfully,

David Brock Smith, Commissioner
Curry County Board of Commissioners
District 4 Chair,
Association of Oregon Counties
Association of O&C Counties Board Member

CC: Senator Ron Wyden
Senator Jeff Merkley
Congressman Peter DeFazio
Rob MacWhorter
Patricia Burke

City of Crescent City
Where the Redwoods Meet the Sea
377 J Street, Crescent City, CA 95531 • 707.464.7483 • Fax 707.465.4405 • www.crescentcity.org

September 21, 2015

Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965

Re: City of Crescent City public comment supporting proposed mineral withdrawal

To Whom it May Concern:

The City is opposed to any activities that could be detrimental to the water quality of the Smith River. The Smith River is the community's water source and provides high quality drinking water for 14,000 plus residents, as well as thousands of visitors year-round. In addition to providing drinking water to the City's municipal water users, the Smith River also offers a multitude of recreational activities including kayaking, rafting, swimming, and fishing. The Smith River and its tributaries are the spawning grounds and habitat for a world-class fishery (salmon, steelhead, cutthroat trout). These recreational and fishing opportunities are not only enjoyed and valued by local residents, they are also an important feature of the region's tourist industry. As such, the City is opposed to any activities that could be detrimental to the water quality of the Smith River.

If you have any questions you can contact Eugene Palazzo, City Manager at 707-464-7483 ext. 232 or by email at epalazzo@crescentcity.org.

Sincerely,

Ron Gastineau, Mayor
City of Crescent City

BIG ROCK
COMMUNITY SERVICES DISTRICT
P.O. Box 453
Crescent City, CA 95531
(707) 464-7769

September 11, 2015

Jerome E. Perez
Oregon State Director
US. Bureau of Land Management
P.O. Box 2965
Portland, OR 97208-2965

Re: Proposed Mineral Withdrawal

Dear Director Perez:

We understand that the *Bureau of Land Management* is proposing to temporarily withdraw from mining nearly 100,000 acres of federal public lands in southern Oregon that could be threatened by nickel mining at some point in the future. We also understand that the "Southwestern Oregon Watershed and Salmon Protection Act of 2015" (S. 346 and H.R. 682) was introduced earlier this year to permanently withdraw these lands from mining and mineral entry. And, we understand that the mineral withdrawals proposed with this legislation, if implemented, would not nullify existing mining claims.

The *Big Rock Community Services District* is a California Special District with Constitutional governance authority over its place of use. Its jurisdiction is proverbially known as the *Township of Hiouchi*. Hiouchi is located on the north bank of the pristine Smith River downstream from where the North, Middle and South Forks converge into a single body of river water. One of the Special District's key municipal obligations is to supply drinkable water to the commercial businesses and community residents within its jurisdiction. Revenue to support all of the *Big Rock CSD's* municipal services comes from water consumers on a fee basis and also from property tax. Indeed, the *Big Rock CSD's* jurisdiction includes the *Redwood National Park* and California 's priceless *Jedediah Smith Redwoods State Park* that collectively host tens of thousands of visitors to this area every year. Much of the Hiouchi's disadvantaged economy is derived from sport fishing for steelhead and salmon. As is true of this township on a smaller scale, the general health of Del Norte County's businesses at large is dependent upon tourism and recreation throughout the year. A critical component of commercial dynamics in this county and a vital contributor to the attractiveness of the entire region is the pristine nature of the Smith River watershed.

The *Big Rock Community Services District's* Board of Directors/Trustees made an informal, but determined effort to solicit the related views of its constituents. Without exception to date, the residents of this community felt that exploration leading to possible mining operations could threaten the pristine nature of the Smith River and its downstream confluences.

The position of the Special District is thus. A plus B equals C. Having heard of a proposed mineral exploration site being (A) located dangerously near the North Fork (and tributaries) of the Smith River and, worse yet, (B) situated on a steep incline above the river was (C) sufficient to convince the *Township of Hiouchi* to reject any and all attempts by private or commercial operators to acquire permits. Thus, the Board of Directors/Trustees, *Big Rock Community Services District*, officially resolved to support both the proposed 5-year and permanent mineral withdrawals and to oppose *Red Flat Nickel Corporation's* mining proposal.

Inquiries regarding this matter may be addressed to 2680 U.S. Highway 199, Crescent City, CA 95531-9309.

Craig Bradford, President
Board of Directors/Trustees

Gasquet Community Services District

September 21, 2015

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965
BLM_OR_WA_WITHDRAWALS@blm.gov

RE: Comments in Support of Proposed Mineral Withdrawal on Specified Lands in Southwestern Oregon, 80 Fed. Reg. 37015 (June 29, 2015).

On behalf of the Gasquet Community Services District, we provide the following comments in support of a 5 year mineral withdrawal on all lands specified in Southwestern Oregon, 80 Fed. Reg. 37015 (June 29, 2015). We also support a 20-year or permanent mineral withdrawal in order to preserve our drinking water supply.

The Smith River provides drinking water to thousands of people in Del Norte County. Proposed mining activity by a foreign-owned corporation would be located upstream of the water supply intakes for residents in numerous communities. Our service district provides drinking water to approximately 300 residents/households in Gasquet, California. Presently, the water we distribute to our customers is of the highest quality --- and this is critically important to our community. Our service district is small and we could not afford additional treatment costs if mining waste and activity polluted the water.

Recent mine accidents in British Columbia and Colorado have polluted rivers that used to provide clean drinking water to downstream communities. We do not want to see such a tragedy happen here. Existing laws and regulations against mining waste spills are inadequate to protect our drinking water. Therefore, we urge you to move forward with the proposed 5-year or longer mineral withdrawal and to work towards securing a permanent mineral withdrawal for the North Fork Smith River and surrounding watersheds.

Sincerely, Mark Dodd

Gasquet Community Services District
(707) 457-3107
P. O. Box 86
Gasquet, CA. 95543

Crescent City & Del Norte County Chamber
of Commerce

1001 Front Street | Crescent City | CA 95531
t. 707.464.3174 | f. 707.464.9676
www.delnorte.org | e. ccchamber@charterinternet.com

September 28, 2015

Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965
BLM_OR_WA_WITHDRAWALS@blm.gov

RE: Comments in Support of Proposed Mineral Withdrawal

On behalf of the Crescent City/Del Norte County Visitor's Bureau, we provide the following comments in support of a 5 year mineral withdrawal. We also support a 20-year or permanent mineral withdrawal in order to preserve our drinking water supply and the health of our coastal community.

The Smith River provides drinking water to thousands of people in Del Norte County. Proposed mining activity by a foreign-owned corporation would be located upstream of the water supply intakes for residents and businesses in numerous communities. The single-largest component of our local economy is travel and tourism. To state the obvious, to locate and allow for strip mining in the headwaters of the Smith River will put our community at risk and is entirely unacceptable.

Recent mine accidents in British Columbia and Colorado have polluted rivers that used to provide clean drinking water to downstream communities. Please do not allow such a tragedy to happen here. We urge you to move forward with the proposed 5-year or longer mineral withdrawal and to work towards securing a permanent mineral withdrawal for the North Fork Smith River and surrounding watersheds described in the proposed mineral withdrawal.

Sincerely,
Jeff Parmer
Executive Director

Crescent City/Del Norte County Visitor's Bureau
1001 Front Street
Crescent City, CA 95531
707-464-3141
jparmer@delnorte.org

WILD RIVERS WILD BREWS
Craft Brewers for Clean Water

Gold Beach, OR
Brookings, OR
Brookings, OR
Coos Bay, OR
Grants Pass, OR
Grants Pass, OR
Medford, OR
Medford, OR
Medford, OR
Medford, OR
Medford, OR
Ashland, OR
Ashland, OR
Ashland, OR

September 21st 2015

FR: Wild Rivers, Wild Brews Coalition
TO: Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208-2965
RE: Comment Regarding 5-Year Mineral Withdrawal for SW Oregon

Dear Oregon State Director Perez:

We the undersigned breweries of southwest Oregon are writing in support of the proposed withdrawal of approximately 95,805 acres of National Forest and 5,216 acres of Bureau of Land Management (BLM) managed land in southwest Oregon's Kalmiopsis region from entry and location under the mining laws of the United States. We make this request for the multitude of benefits that come from protected watersheds.

For starters, clean water is essential for great tasting beer. Clean water also plays a critical role in providing drinking water for healthy communities, providing habitat for fish and wildlife and supporting local agriculture. Our coalition of breweries stands together to support protections that would keep the crystal clear, salmon-studded waters of the Kalmiopsis clean for our communities, fish and wildlife and local businesses that depend on clean water.

The communities that surround the Smith, Illinois, and Pistol rivers and Hunter Creek have so much to gain from healthy, protected watersheds. Investment in sustainable industries and community infrastructure will add to the attractiveness of the region, bringing new businesses and residents alike. Craft brewing, tourism, and recreation based business ventures are growing industries and assets to Curry and Josephine counties and the surrounding areas of southwest Oregon. With the threat of destructive nickel strip mining, these natural treasures and related local industries of southwest Oregon are endangered.

We believe that clean water, fish and wildlife habitat, and recreational opportunities must be protected now, and preserved for future generations. These uses represent the highest and best use of our public lands and resources. The high quality of life in southwest Oregon attracts new residents and creates jobs that strengthen our small businesses and local communities.

We appreciate the BLM and the US Forest Service working together to initiate a process to limit mining in the Kalmiopsis. Please protect the headwaters of the Smith, Illinois, Pistol and Hunter Creek to support the community's efforts in promoting sustainable economic development in southwest Oregon's Wild Rivers Country.

Sincerely,

James & Kristen Smith
Head Brewer &
Chief Operating Officer
Arch Rock Brewing Co.
Gold Beach, OR

Mike Frederick & Alex Carr-Frederick
Owners & Brewers
Chetco Brewing Co.
Brookings, OR

Mark, Hanna and Matt Camarillo
Owners & Brewers
Misty Mountain Brewing Co.
Brookings, OR

Carmen Matthews & Annie Pollard
Co-owners & Brewers
7 Devils Brewing Co.
Coos Bay, OR

Brandon Crews
Head Brewer
Climate City Brewing Co.
Grants Pass, OR

Jon Conner
Owner & Brewer
Conner Fields Brewing Co.
Grants Pass, OR

Scott Saulzbury
Head Brewer
Southern Oregon Brewing Co.
Medford, OR

Nick Ellis
Owner & Brewer
Opposition Brewing Co.
Medford, OR

Neil Smith
Head Brewer
Bricktowne Brewing Co.
Medford, OR

Cameron Litton
Head Brewer
Walkabout Brewpub
Medford, OR

Alex & Danielle Amarotico
Co-owners
Common Block Brewing Co.
Medford, OR

Brandon Overstreet
Owner & Brewer
Swingtree Brewing Co.
Ashland, OR

Larry Chase
Head Brewer
Standing Stone Brewing Co.
Ashland, OR

Jim Mills
Owner
Caldera Brewing Co.
Ashland, OR

RESOLUTION R1516-16

A RESOLUTION IN SUPPORT OF THE SOUTHWESTERN OREGON WATERSHED AND SALMON PROTECTION ACT OF 2015—MINERAL MINING WITHDRAWAL FROM CERTAIN FEDERAL LANDS IN CURRY & JOSEPHINE COUNTY

WHEREAS, Federal Senators Ron Wyden and Jeff Merkley introduced Senate Bill 346, and Federal Representative Peter DeFazio introduced House Bill 682, both known as the Southwestern Oregon Watershed and Salmon Protection Act of 2015; and

WHEREAS, those federal bills were introduced to protect the Hunter Creek and Pistol River watersheds from the catastrophic effects of nickel mining at Red Flats; and

WHEREAS, the proposed nickel mining at Red Flats is by a foreign owned company and their venture will bring no economic benefit to Curry County; and

WHEREAS, it appears that special interest lobbyists are attempting to persuade federal senate and house members from other regions and states that the mining proposal is an economic benefit to our region and our region supports the mining; and

WHEREAS, the Wild Rivers Coast which starts at Klamath, California and extends north to Bandon, Oregon has the highest concentration of federally designated Wild & Scenic Rivers in the United States: the Klamath, the Smith, the Chetco, the Rogue, the Illinois, and the Elk—the area encompassed by the act as introduced in the S346 & HR682 federal bills; and

WHEREAS, in the past 4 years, Travel Oregon and the Wild Rivers Coast Regional Tourism Collaborative (comprised of city, county, state, and local tourism and economic development professionals) have invested a significant amount of time and resources in developing an experiential outdoor recreation economy on the southcoast because of the region's superlative natural resources and scenic wonders; and

WHEREAS, any large scale mining, but specifically nickel mining at Red Flats, will have a detrimental and devastating impact on habitat, fish and wildlife, the environment, and our fragile tourism economy.

NOW, THEREFORE, BE IT resolved the City Council of the City of Gold Beach formally opposes any mining in the national forest surrounding our community, but specifically the Red Flats nickel mining proposal, and **fervently supports** the efforts of Senators Wyden & Merkley, and Representative DeFazio to have the areas designated in S346 and HR682 *PERMANENTALY WITHDRAWN* from any possible or future mining.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 13th DAY OF JUNE, 2016.

Karl Popoff, Mayor

Jodi Fritts, City Administrator/City Recorder

City of Cave Junction • Home of the Oregon Caves

P.O. Box 1396 • 222 Lister Street • Cave Junction, OR 97523
Phone (541) 592-2156 • Fax (541) 592-6694 • TDD Relay 1-800-735-2900
e-mail: cityofcj@cavenet.com

September 15, 2015

To Governor Kate Brown, Senators Ron Wyden and Jeff Merkley and Congressman Peter DeFazio;

As City Councilors of the City of Cave Junction, we support the Southwestern Oregon Watershed and Salmon Protection Act of 2015 (HR 682 in the House of Representatives and S346 in the Senate). We also support the proposed five year mineral withdrawal that will assist this important legislation protecting the National Wild and Scenic North Fork of the Smith River and the headwaters of Hunter Creek and the Pistol River-all prized for their salmon and steelhead runs. This will also protect after over twenty years of tireless efforts by many stakeholder groups the W. Fork of the Illinois River, Rough and Ready Creek area here in southern Josephine County. This is a botanical hotspot, with the highest concentration of rare plants and a source for clean water to our community. Preserving our watershed and nationally outstanding water quality in our region's rivers and streams protects the citizens of Cave Junction and our rural communities.

CARL B. JACOBSON, JR.
Mayor

Dan Bosch
Councilor

DANIEL DALEGOWSKI
Councilor

JOHN GARDINER
Councilor

Kalmiopsis Rivers and Wild Rivers Coast

Supporters

The following tribes, municipalities, businesses and organizations support protection of Hunter Creek, Pistol River, Rough and Ready Creek and the North Fork of the Smith River from industrial nickel mining.

Tribal

Confederated Tribes of the Siletz
Elk River Rancheria
Takelma, and leader Agnes Baker Pilgrim
Tolowa Dee-ni' Nation (Smith River Rancheria)

Public Sector

Big Rock Community Services District
California Department of Fish and Wildlife
California State Assembly
Cave Junction City Council
Congressman Jared Huffman
Congressman Peter DeFazio
Crescent City Council
Crescent City and Del Norte County Chamber of Commerce
Curry County Board of Commissioners
Del Norte County Board of Supervisors
Gasquet Community Services District
Gold Beach City Council
North Coast Regional Water Quality Control Board
Oregon Water Resources Department
Oregon Department of Fish and Wildlife
Redwood National Park
Senator Ron Wyden
Senator Jeff Merkley
United States Fish and Wildlife Service

Local Business

4 Whatever Photography, Fine Photos and Cards, Cave Junction, OR
7 Devils Brewing Co., Coos Bay, OR
All Star Rafting, Maupin, OR
Althouse Nursery, Cave Junction, OR
Andras Outfitters, Talent, OR
Arch Rock Brewing, Hunter Creek, OR
Ashland Automotive, Ashland, OR
Ashland Fly Shop, Ashland, OR
Antiquarium Books and Collectables, Ashland, OR
ARTA River Trips, Merlin, OR
Barking Mad Farm, Enterprise, OR
Big Bottom Whiskey, Hillsboro, OR
Big Springs Kennel, Cave Junction, OR
Bill Dobucki, Chetco Fishing, Brookings, OR
Bliss Unlimited, LLC, Eugene, OR
Bob Rees' Oregon Fishing Guide Service, Tillamook, OR
Brandon Worthington Fly Fishing, Talent, OR
Bricktowne Brewing Co., Medford, OR
Bryson Appraisal Service Inc., Gold Beach, OR
Bucksport Sporting Goods, Eureka, CA
Caldera Brewing Co., Ashland, OR
Carson's Guide Service, Shady Cove, OR
Catch of the Day, Wedderburn, OR
Cave Junction Acupuncture, Cave Junction, OR
Cave Junction Liquor, Cave Junction, OR
Chetco Brewing Co., Brookings, OR
Pinecone Books, Cave Junction, OR
Christina Paul Photography, Kerby, OR
Clear Creek Family Practice, Selma, OR
Climate City Brewing Co., Grants Pass, OR
Common Block Brewing Co., Medford, OR
Confluence Outfitters, Gold Beach, OR
Conner Fields Brewing Co., Grants Pass, OR
Crucial Thymes, Fine Foods, Cave Junction, OR
Crumley's Guide Service, Hunter Creek, OR
Curry Home Inspection, Gold Beach, OR
Dancefarm, Organic Veggies and Dance

Sew Like the Wind, Hunter Creek, OR
Shane's Welding, Gold Beach, OR
Siskiyou Alpaca, Cave Junction, OR
Siskiyou Ecological Services, Applegate, OR
Siskiyou Forestry, Gold Beach, OR
Siskiyou Mountain Herbs, Cave Junction, OR
Siuslaw Guide Service, Cave Junction, OR
Smithsonian Design, Hunter Creek, OR
Solar Light & Energy, LLC, Bend, OR
Solis Skin Care, Cave Junction, OR
South Coast Tours LLC, Gold Beach, OR
Southern Oregon Brewing Co., Medford, OR
Standing Stone Brewing Co., Ashland, OR
Stephen Gerould Lamps and Accessories, Portland, OR
Willow Witt Ranch, Ashland, OR
Swing Tree Brewing Co., Ashland, OR
Team Sucio Productions, Pistol River, OR
Terra Firma Botanicals, Inc., Eugene, OR
The Beebe Company, Portland, OR
The Dome School, Cave Junction, OR
The G Spot, Fine Bar and Grill, Kerby, OR
The Haul, Grants Pass, OR
The Tool Merchants, Matt Stern, Williams, OR
Tradewinds Bamboo Nursery, Hunter Creek, OR
Travis Bowman Guide Service, Gold Beach, OR
Tributary Whitewater Tours, Weimar, CA
Turtle Island Co., Hood River, OR
Under Solen Media, Portland, OR
Upstream Adventures, Oakridge, OR
Vitalist School of Herbology, Grants Pass, OR
Walkabout Brewpub, Medford, OR
Wheel's A Turnin' Garden Supply, Cave Junction, OR
Wild Bill's Oregon Outlet, Cave Junction, OR
Wilderness Canyon Adventures, Pistol River, OR
Wildland Photography, Eugene, OR
William Olsen Designs, Ashland, OR
Wilson Biochar Associates, Cave Junction, OR
Winter's Hill Vineyard, Dayton, OR
Wolfhound Cycles, Talent, OR
Wooden Valley Ranch, Salem, OR
Wright's World Emporium, Clothing and Gifts, Cave Junction, OR
Wylie's Honey Brews, Phoenix, OR
YAKIMA Products Inc., Beaverton, OR
Yanase Jewelers, Cave Junction, OR
Your Personal Ceremony, Portland, OR

Organizations

American Whitewater
America Outdoors Association
California Trout
Cascadia Wildlands
Center for Biological Diversity
Cultural and Ecological Enhancement Network
Curry County Democrats
Earthworks
Environmental Protection Information Center
Federation of Western Outdoor Clubs
Friends of Del Norte
Friends of the Kalmiopsis
Geos Institute
Hunter Creek River Steward
Illinois Valley Community Development Organization
Innominate Garden Club
Josephine County Democrats
Kalmiopsis Audubon Society
Klamath-Siskiyou Wildlands Center
Lower Columbia River Canoe Club
Lower Rogue Watershed Council
Native Fish Society
Native Plant Society of Oregon
Native Plant Society, South Coast Chapter
North Coast Environmental Center
Oregon Chapter, Sierra Club
Oregon Coast Alliance
Oregon Council of Trout Unlimited
Oregon Kayak and Canoe Club
Oregon Wild
Pacific Coast Federation of Fisherman's Association
Pacific Rivers Council
Rainforest Action Network
Rogue Riverkeeper
Siskiyou Land Conservancy
Smith River Alliance
Soda Mountain Wilderness Council
South Coast Watershed Council
Sunset Garden Club
Surfrider Foundation
The Association of NW Steelheaders
The Larch Company
The Northwest Guides and Anglers Association
The Wilderness Society
Trout Unlimited
WaterWatch of Oregon

Instruction, Cave Junction, OR
Dave Lacey Woodworking, Hunter Creek, OR
Diggin Livin, Cave Junction, OR
Douglas Kendall, Designer, Cave Junction, OR
Eden's Edge Farm, Cave Junction, OR
eNRG Kayaking, Oregon City, OR
Environmental Paper & Print, Inc., Portland, OR
Finish Line Copy Services, Gold Beach, OR
Fishhawk River Company, Brookings, OR
Fiver Star Charters, Gold Beach, OR
Flywater Travel, Ashland, OR
Flying Fish Company, Portland, OR
Forest Edge Farm, Cave Junction, OR
Full Circle Real Estate – Ashland, OR
Gita Maria Inc., Eugene, OR
Goodness and Mercy, Handyman Services, Cave Junction, OR
Greenspace, Portland, OR
Helens Guide Service, Gold Beach, OR
Hunter Creek Tavern, Hunter Creek, OR
Hydro Flask, Bend, OR
Indian Summer, Kerby, OR
Indigo Outfitters, Ashland, OR
Interior Cover Ups, Gold Beach, OR
Iron Mountain Soapworks, Cave Junction, OR
It's a Burl, Gallery, Cave Junction, OR
IV Trophy and Collectibles, Cave Junction, OR
Jeanne Young, DC, DIBCN, Bend, OR
Jefferson State Financial, Cave Junction, OR
Juniper Ridge, Oakland, CA
Kathy Lombardo, Secretary, Illinois Valley Garden Club, Cave Junction, OR
KEEN Footwear, Portland, OR
Kerbyville Natural Farms, Kerby, OR
Kiaya Pace, Independent Hairstylist, Back Street Salon, Cave Junction, OR
Klamath-Siskiyou Native Seeds, Applegate, OR
Madd Moose, Dining and Moose Watering Hole, Cave Junction, OR
Mama Angie's Ladles of Love, Fine Food Catering, Cave Junction, OR
Margaret Phillhower, ND, Cave Junction, OR
Meadow Martell, Supporting Access to Health Care, Cave Junction, OR
Migration Brewing, Portland, OR
Misty Mountain Brewing Co., Brookings, OR
Momentum River Expeditions, Ashland, OR
Mountain Rose Herbs, Eugene, OR
Mt. Tabor Veterinary Care, Portland, OR
Must B Felt, Fine Fabric Designers, Cave Junction, OR
Natural Family Medicine, Cave Junction, OR
New Outlook Financial, Portland, OR
North West Nature Shop, Ashland, OR
North West Outdoor Shop, Medford, OR
Northwest Rafting Company, Hood River, OR
Northwest River Guides LLC, Portland, OR
Noto Group, Inc., Portland, OR
OARS, Angels Camp, CA
Ocean Haven Corp., Yachats, OR
Opposition Brewing Co., Medford, OR
Oregon Green Clean, Portland, OR
Orange Torpedo Trips, Merlin, OR
Organic Harvest, Selma, OR
Organically Grown Company, Eugene, OR
Out N About Trees Oregon, Cave Junction, OR
Pat's Hand-Tied Flies, Trail, OR
Patagonia, Ventura, CA
Peter Grubb, ROW Rafting, Merlin, OR
Pint Shack, Hood River, OR
PlanGreen, Portland, OR
Plywerk, Portland, OR
Pond Gallery, Portland, OR
Portland Integrated Health and Sports Medicine, Portland, OR
Pro Photo Supply, Portland, OR
Rachel Goodman, LMT Massage Therapist, Cave Junction, OR
Rama Krisa Shiitakes, Ashland OR
Raven Flight Photos, Cave Junction, OR
Ravenswood Gallery, Cave Junction, OR
Redwoods and Rivers, Big Bar, CA
Rich Earth Organic Skin Care , Portland, OR
River Drifters, Maupin, OR
River Trail Outfitters, Eugene, OR
RMDC Consultants, Gold Beach, OR
Rogue Aquatics, Central Point, OR
Rogue Fly Shop, Grants Pass, OR
Rogue Klamath River Adventures, Gold Hill, OR
Rogue Natural Living, Cave Junction, OR
Rogue Rock Gym, Medford, OR
Rogue Wilderness Adventures, Merlin, OR
Rosie's Inferno, Wood Fired Pizza, Cave Junction, OR
Ruby's Neighborhood Restaurant, Ashland, OR
RuffWear, Bend. OR
Running Fox Guitars, Cave Junction, OR
Seven Seeds Farm, Williams, OR

Western Environmental Law Center
Wild and Scenic Rivers
Wild Salmon Center

Scientists

Brett Adams, Ph.D., Utah State Univ.
Peter Albers, Ph.D., USGS, (ret.)
John Alcock, Ph.D., Arizona State Univ.
Kayce Anderson, Ph.D., Colorado State Univ.
William Anderson, Ph.D. College of Charleston
W. Scott Armbruster, Ph.D., Univ. of AK. Fairbanks
Kenneth Arrow, Ph.D., Stanford Univ. (ret.)
Peter Bahls, M.S., Northwest Watershed Institute
William Baker, Ph.D., Univ. of Wyoming
Bruce Baldwin, Ph.D., Univ. of Cal., Berkeley
Jesse Barber, Ph.D., Boise State Univ.
Frank Barnwell, Ph.D., Univ. of Minnesota
Roger Barry, Ph.D., Univ. of Colorado
Constance Becker, Ph.D., Life Net Nature
Craig Benkman, Ph.D., Univ. of Wyoming
Michael Bennett, Ph.D., A. Einstein Coll. of Med.
David Benzing, Ph.D., Oberlin College
David Berg, Ph.D., Miami Univ.
Robert Beschta, Ph.D., Oregon State Univ.
Harvey Blankespoor, Ph.D., Hope College
Bazartseren Boldgiv, Ph.D., Nat. Univ. of Mongolia
Arthur Boucot, Ph.D., Oregon State Univ.
Richard Bradley, Ph.D.
William Bridgeland, Ph.D.
James Brown, Ph.D., Univ. of New Mexico
Jesse Brunner, Ph.D., Washington State Univ.
Brian Buma, Ph.D., Univ. of Alaska
Eric Burr, M.F., Conservation NorthWest
Tom Cade, Ph.D., Cornell Univ.
Philip Cafaro, Ph.D., Colorado State Univ.
Ken Carloni, Ph.D., Umpqua Community College
Kai Chan, Ph.D., Univ. of British Columbia
F. Stuart Chapin, Ph.D., Univ. of Alaska Fairbanks
Donald Charles, Ph.D., Drexel University
Norman Christensen, Ph.D., Duke Univ.
Malcolm Cleaveland, Ph.D., Univ. of Arkansas
Mark Colwell, Ph.D., Humboldt State Univ.
Paul Corogin, M.S., Univ. of Florida
Ericha Courtright, M.S., USDA
Patrick Crist, Ph.D., George Mason Univ.
Paul Crosbie, Ph.D., Cal. State Univ., Fresno
David Culver, Ph.D., Ohio State Univ.
Luise Davis, Ph.D., Society of Wetland Scientists
Paul Dayton, Ph.D., Univ. of Cal., San Diego
James Deacon, Ph.D., UNLV
Alan Dickman, Ph.D., Univ. of Oregon
Dana Dolsen, M.S., Univ. of Alberta
Craig Downer, M.S., Andean Tapir Fund
Ken Driese, Ph.D., Univ. of Wyoming
Marianne Edain, B.A.
Richard E. Edelmann, Ph.D., Miami Univ.
Robert Espinoza, Ph.D., Cal. State Univ., Northridge
Jonathan Evans, Ph.D., Univ. of the South
Thomas Fleischner, Ph.D., Prescott College
Janet Franklin, Ph.D.
Douglas Frederick, Ph.D., NC State Univ.
Christopher Frissell, Ph.D.
Flathead Lake Bio. Station, Univ. of MT
Robert Fuerstenberg, M.S., Ecologist (ret.)
Jed Fuhrman, Ph.D., Univ. of Southern Cal.
Stephen Fuller, Ph.D., Univ. of Mary Washington
Daniel Gavin, Ph.D., Univ. of Oregon
Donald Geiger, Ph.D., Univ. of Dayton
James Gessaman, Ph.D., Utah State Univ.
Thomas Giesen, MFA; M.S., Univ. of Oregon
Barrie Gilbert, Ph.D., Utah State Univ. (ret.)
Matthew Gitzendanner, Ph.D., Associate Scientist
Rachel Golden, M.S., Oceana
Steven Green, Ph.D., Univ. of Miami
David Griffith, Ph.D., Ferris State Univ.
Jon Grinnell, Ph.D., Gustavus Adolphus College
Gary Grossman, Ph.D.
Simon Gunner, M.S., Olofson Environmental, Inc.
John Hall, Ph.D., West Virginia Univ.
Kenneth Helms, Ph.D., Univ. of Vermont
Bill Hilton Jr., Ph.D., Hilton Pond Center for Piedmont Natural History
Andres Holz, Ph.D., Portland State Univ.
Elizabeth Horvath, M.S., Westmont College
Malcolm Hunter, Ph.D.
Brian Inouye, Ph.D., Florida State Univ.
David Inouye, Ph.D., Univ. of Maryland
Jerome Jackson, Ph.D., Florida Gulf Coast Univ.
David Janos, Ph.D., Univ. of Miami
Karl Jarvis, Ph.D. Candidate, Northern Arizona Univ. School of Forestry
David Jenkins, Ph.D.,Univ. of Central Florida
Mitchell Johns, Ph.D., Cal. State Univ.
Bart Johnson, Ph.D., Univ. of Oregon
Jay Jones, Ph.D., Univ. of La Verne
Jacob Kann, Ph.D., Aquatic Ecosystem Sciences
Anne Kapuscinski, Ph.D., Dartmouth College
James Karr, Ph.D., Univ. of Washington
Ruth Kern, Ph.D., Cal. State Univ., Fresno
Nicole King, Ph.D., Univ. of Cal., Berkeley
Bruce Kirchoff, Ph.D., Univ. of N. Carolina, Greens.
John Kloetzel, Ph.D., Univ. of Maryland
Marni Koopman, Ph.D., Geos Institute
Drew Kramer, Ph.D., Univ. of Georgia
John Lamperti, Ph.D., Dartmouth College

Rick Landenberger, Ph.D., West Virginia Univ.
Beverly Law, Ph.D., Oregon State Univ.
Geoffrey Lawrence, M.S., N. Henn. Comm. Coll.
William Lidicker, Ph.D., Univ. of Cal., Berkeley
Jason A. Lillegraven, Ph.D., Univ. of Wyoming
Jay Lininger, M.S., Center for Biological Diversity
Frank Logiudice, M.S., Univ. of Central Florida
Marilyn Loveless, Ph.D., The College of Wooster
Marvin Lutnesky, Ph.D., East. New Mexico Univ.
Andrew L. Mack, Ph.D., Indo-Pacific Cons. All.
Calvin Maginel, M.S. Candidate, Univ. of Missouri
Debora Mann, Ph.D., Millsaps College
Sandra Mardonovich, M.S., Miami Univ.
Sharyn Marks, Ph.D., Humboldt State Univ.
Travis Marsico, Ph.D., Arkansas State Univ.
Patrick Martin, Ph.D., Colorado State Univ.
Carlos Martinez del Rio, Ph.D., Univ. of Wyoming
Terry McCloskey, Ph.D., Louisiana State Univ.
Carl McDaniel, Ph.D., Oberlin College
Gary Meffe, Ph.D., Univ. of Florida (ret.)
E. Charles Meslow, Ph.D., USGS (ret.)
Brian Miller, Ph.D., Middle Tennessee State Univ.
Toni Lyn Morelli, Ph.D., Univ. of Massachusetts
Molly Morris, Ph.D., Ohio Univ.
John Morse, Ph.D., Clemson Univ.
Richard Munson, Ph.D., Miami Univ.
Dennis Murphy, Ph.D., Univ. of Nevada, Reno
Peter Murphy, Ph.D., Michigan State Univ.
Philip Myers, Ph.D., Univ. of Michigan
Michael Napolitano, M.S., SF Bay Wat. Qual. Bd.
Richard Nawa, M.A., KS Wild
Charles R. Neal, B.S., U.S. Dept. of Interior (ret.)
Andrew Nelson, Ph.D., SUNY Oswego
Gretchen North, Ph.D., Occidental College
Richard Olmstead, Ph.D., Univ. of Washington
John Pagels, Ph.D., Virginia Commonwealth Univ.
Theodore Papenfuss, Ph.D., UC Berkeley
Michael Parker, Ph.D., Southern Oregon Univ.
Harmony Patricio, M.S.
Dave Perry, Ph.D., Oregon State Univ.
Esther Peters, Ph.D., George Mason Univ.
E. Pielou, Ph.D., D.Sc
Thomas Power, Ph.D., Univ. of Montana
Jessica Pratt, Ph.D., Univ. of Cal., Irvine
Robert Pyle, Ph.D., Xerces Society
Gurcharan Rahi, Ph.D., Fayetteville State Univ.
Peter Raven, Ph.D., Missouri Botanical Garden
Ann Rhoads, Ph.D., Univ. of Pennsylvania
David Roberts, Ph.D., Montana State Univ.
Garry Rogers, Ph.D., Agua Fria Open Space All.
Steven Rogstad, Ph.D., Univ. of Cincinnati
Thomas Rooney, Ph.D., Wright State Univ.
Amy Rossman, Ph.D., USDA-ARS
John Rotenberry, Ph.D., Univ. of Cal., Riverside
Matthew Rubino, M.S., NC State Univ. Dept. of Applied Ecology
Periann Russell, M.S., NC Dept. of Environment and Natural Resources
Ann Sakai, Ph.D.,Univ. of Cal., Irvine
Robin Salter, Ph.D., Oberlin College
Scott Samuels, Ph.D., Univ. of Montana
Benedetta Sarno, Ph.D., DVM
Melissa Savage, Ph.D., Univ. of Cal., Los Angeles
Fiona Schmiegelow, Ph.D., Univ. of Alberta/Yukon
Kate Schoeneker, Ph.D., USGS/Col. State Univ.
Fred Schreiber, Ph.D., Cal. State Univ., Fresno
Kathy Schwager, M.S.
Thomas W. Sherry, Ph.D., American Ornithologists' Union, Ecological Society
Jack Sobel, M.S., ETI Professionals, Inc.
Michael Soule, Ph.D., UC Santa Cruz
Wayne Spencer, Ph.D., Conservation Biology Inst.
Timothy Spira, Ph.D., Clemson Univ.
Pamela Stanley, Ph.D., Albert Eistein Col. of Med.
Richard Steiner, M.S., Univ. of Alaska (ret.)
Alan Stemler, Ph.D., Univ. of Cal., Davis
Glenn R. Stewart, Ph.D., Cal. State Polytech.
Christopher Still, Ph.D., Univ. of Cal., SB
Paul Torrence, Ph.D., Northern Arizona Univ.
Pepper Trail, Ph.D., USFWS Wild. Forensics Lab
Vicki Tripoli, Ph.D.
James Valentine, Ph.D., Univ. of Cal., Berkeley
Pete Van Hoorn, M.S.
Ken Vance-Borland, M.S., Cons. Planning Inst.
Mike Vandeman, Ph.D.
Thomas Veblen, Ph.D., Univ. of Colorado
John Vickery, M.S., M.A., Denver Natural Areas
Marlene Wagner, Ph.D. Cand., Simon Fraser Univ.
David Wake, Ph.D., Univ. of Cal, Berkeley
Faith Walker, Ph.D., Northern Arizona Univ.
Greg Walker, Ph.D., Univ. of Cal, Riverside
Donald Waller, Ph.D., Univ. of Wisconsin
Gerald Wasserburg, Ph.D., Cal. Inst. of Tech.
Vicki Watson, Ph.D., Univ. of Montana
Orion Weldon, Ph.D. Candidate
Rutgers Univ., Ecology & Evolution
Stephen Weller, Ph.D., Univ. of Cal., Irvine
Hart Welsh, Ph.D., USDA Forest Service
David Whitacre, Ph.D.
Sue Wick, Ph.D., Univ. of Minnesota
James Williams, Ph.D., U.S. Dept. of Interior (ret.)
Norris Williams, Ph.D., Univ. of Florida
Paul Wilson, Ph.D., Cal. State Univ.
Marianna Wood, Ph.D., Bloomsburg Univ.

Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

I am writing in support of the Blackfoot Clearwater Stewardship Act (BCSA). I have lived in and have run a business out of Montana for roughly two decades. As a Montana business owner, it is collectively my business and my personal connections to Montana's public lands that have given me the opportunity to gain a deep perspective about what healthy and protected landscapes mean across our state.

One of Montana's most appealing draws is the quality outdoor experiences that our diverse landscapes offer, and the BCSA is the result of over a decade's worth of work by diverse interest groups including timber products, ranchers, business owners, recreationalists, outfitters, and more. This community-driven legislation not only promotes timber jobs in the Blackfoot and Clearwater valleys, but it also increases recreational opportunities which boost Montana's growing outdoor economy, while protecting some of Montana's most pristine wild lands through additional wilderness designations.

To find such collaborative and citizen-led legislation so widely supported is rare. The BCSA is supported by 75% of Montanans and gathers diverse values of Montanans who have taken years of dedicated time to develop a piece of legislation that works across the board. Creating public lands solutions that unite around a platform of proactive goals is no easy task, and creating one that results in the promise of immediate and important economic returns for local communities demonstrates an even greater level of accomplishment.

The BCSA has succeeded in representing broad interests, creating protections for Montana's valuable habitats, all while presenting considerations for timber and opening recreation access. By all accounts, this bill has succeeded in capturing some of Montana's most cherished outdoor assets, and it is our hope that the entirety of the Senate Energy and Natural Resources Committee will support the BCSA, and see this grassroots legislation into law.

Thank you for your time and consideration.

Sincerely,

Robert Keith, Owner
Beartooth Group and Philosopher's Beef

October 18, 2021

To: fortherecord@energy.senate.gov
Re: Testimony in support of the S. 1538, The Smith River National Recreation Area Expansion Act.

To:
The Honorable Joe Manchin
Chairman
Energy and Natural Resources Committee
United States Senate
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable John Barrasso
Ranking Member
Energy and Natural Resources Committee
United States Senate
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Manchin and Ranking Member Barrasso,

Our organization supports the conservation of the Smith River through the proposed S. 1538, the Smith River National Recreation Area Expansion Act. The Klamath-Siskiyou Wildlands Center (KS Wild) is a regional wildlife and wildlands conservation organization with over 3,000 annual contributors and more than 10,000 supporters, with a vast majority based in southwest Oregon and northwest California.

The history of support for this legislation is long, as it was first proposed for conservation in 1990 when the Smith River National Recreation Area legislation

passed Congress. While the Oregon portion of the watershed was left out of the bill, there is unanimity that the Smith River headwaters in Oregon are deserving of recognition and protection. More recently, tens of thousands of people responded to a project proposal that would have authorized mining in the headwaters of the North Fork Smith, with overwhelming local and regional opposition to the mining plans. Local municipalities, elected officials, and public health stewards all were opposed to the proposed nickel strip mine.

Recreation in southwest Oregon is rapidly expanding and communities are looking to shift away from the boom-and-bust cycle of resource extraction. In recent years, more people are coming to visit public lands and wild rivers in southwest Oregon, but the land management agencies are struggling to keep up with maintenance of recreational sites, campgrounds, and trailheads. As part of an expanded National Recreation Area, destinations such as the Packsaddle Trailhead and Sourdough Camp could benefit from improvements in maintenance, accessibility and sustainability.

The expansion of the National Recreation Area into Oregon's North Fork watershed would also ensure that a 20-year mineral withdrawal in the basin is made permanent. Thereby, protecting water quality and essential wild salmon/steelhead populations. In addition, our organization also supports the bill's provisions for designating tributaries of the North Fork Smith River as Wild & Scenic. This watershed and its streams were designated the first "Outstanding resource Water in the Pacific Northwest, confirmation that it has some of the best water quality anywhere in the lower 48 states.

Oregon's North Fork Smith watershed is largely a roadless area with unique serpentine geology and is part of the greater Kalmiopsis region where there exist rare plants found nowhere else in the world. We support this legislation which maintains the biodiversity and botanical resources, and we hope to see future and additional investments in the watershed where the streamside Port Orford Cedar forest stands provide shade for headwater fisheries. This important riparian tree species is threatened by a non-native root disease which can be spread by unmanaged wet weather OHV use. This disease and its potential impacts to Port Orford Cedar is a significant issue and concern for us.

We are encouraged by the inclusion of inventories for wetlands, fens, plants (including the Port Orford Cedar), fungi and other biota that can help assess future conservation, restoration, and mitigation priorities. The Port Orford Cedar is a species of concern for both forest advocates and aquatic restoration specialists, and we believe this legislation presents an opportunity to recognize the overlapping aquatic, botanical and recreational values that these rare streamside conifers

provide. By protecting and retaining riparian Port Orford Cedar stands we protect salmon, steelhead, water quality, and the scenic values of the Smith River watershed.

Thank you for advancing this important piece of legislation.

For the Wild,

s/ Michael Dotson
Executive Director, Klamath-Siskiyou Wildlands Center
Ashland, OR 97520

October 29, 2021

To: fortherecord@energy.senate.gov
Subject line: Testimony in support of S. 1589, The Oregon Recreation Enhancement Act

The Honorable Joe Manchin
Chairman
Energy and Natural Resources Committee
United States Senate
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable John Barrasso
Ranking Member
Energy and Natural Resources Committee
United States Senate
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Manchin and Ranking Member Barrasso,

On behalf of the more than 40,000 members and supporters of river conservation, fishing organizations and businesses, we thank you for the opportunity to provide testimony in support of S. 1589, the Oregon Recreation Enhancement Act. This legislation would benefit specific wild places and rivers of Oregon by:

- Designating 94,700 acres of public lands managed by the Bureau of Land Management as the Rogue Canyon Recreation Area;
- Establishing a 30,000-acre recreation area on the Molalla River;
- Adding 56,000 acres of public land managed by the Bureau of Land Management to the existing Wild Rogue Wilderness; and
- Protecting 100,000 acres of public lands managed by the Forest Service and Bureau of Land Management, in the headwaters of the Smith and Illinois Rivers and Hunter Creek, from proposed strip mining.

There is broad support for the proposed protections under this bill, which have been under consideration by the Senate in various iterations for multiple years. Between 2010

and 2017, an estimated 70,000 people wrote letters in support of these protections. This legislation is supported by many local businesses and organizations who have seen the direct and indirect benefits of protecting public lands and wild rivers.

Benefits of Expanding the Wild Rogue Wilderness

We support improving protections for the Wild and Scenic Rogue River by expanding the Wild Rogue Wilderness to include adjacent lands managed by the Bureau of Land Management. The 84-mile Wild and Scenic stretch of the Rogue River from its confluence with the Applegate River downstream to the Lobster Creek bridge was one of the eight original rivers designated under the Wild and Scenic Rivers Act in 1968.

Protecting the wild Rogue provides multiple benefits to southern Oregon communities and across the state. The Rogue River provides habitat for salmon and steelhead, supporting both the commercial and recreational fishing economies. Communities across the West Coast enjoy more than $1.5 billion in economic benefit from all salmon and steelhead runs on the Rogue River.[1] Annually, the value of commercial fishing of Rogue River salmon is estimated at $1.4 million and at $16 million for sportfishing.[2] Threats to endangered salmon from harmful land use practices not only put the health of the river at risk, but can reduce the economic benefits of salmon and steelhead in the Rogue for local communities.

The Wild Rogue is internationally recognized for its recreation opportunities, from fishing to whitewater boating to hiking. In 2009, river-based recreation on the Wild Rogue River, including but not limited to rafting, hiking, and fishing, accounted for an estimated $30 million in economic output and supports 445 full- and part-time jobs.[3] Ninety-one percent of outfitters on the Rogue are based in Oregon. Opportunities to recreate on the river increase the number of visitors and boost the regional economy. For example, three out of every four lodging guests in the area during the Wild Rogue permit season from May through October were visiting the Wild and Scenic Rogue River.[4]

Benefits of Creating the Rogue Canyon and Molalla Recreation Areas

While the Rogue River was one of the original eight Wild and Scenic Rivers designated by Congress in the 1968 Wild and Scenic Rivers Act and a portion of the Molalla River was established as a wild and scenic river in 2019, only a small strip of land along the rivers are currently protected. This leaves open the rest of the watershed and wild canyons for possible harm and threatens the long-term viability of the thriving recreation economy that is built around the Rogue and Molalla rivers.

Often called the Zane Grey roadless area after the famed adventure novelist who wrote about the area, this is the largest roadless area managed by the Bureau of Land Management in Western Oregon. Extending wilderness status to the Zane Grey Roadless Area is important to preserving the values of the Wild Rogue.

The Molalla River (found to the southeast of Portland) provides clean drinking water to tens of thousands of Oregonians in the communities of Molalla and Canby. Recreation Area designation for the area surrounding the river could help bolster the local economy, protect clean drinking water, and ensure long term access to the recreation on the river and adjacent public lands.

The Oregon Recreation Enhancement Act would establish a 98,000-acre Recreation Area in the portion of the Rogue River watershed in Southwestern Oregon that is adjacent to the existing Wild Rogue Wilderness Area.

Legislation for the Molalla and Rogue Recreation Areas is similar to the language included in the previously introduced versions of the Oregon Wildlands Act. The bill also ensures that restoration work will continue in the proposed recreation area. Creation of these recreation areas will put the management emphasis where it needs to be – on preserving and expanding recreation for the benefit of local communities and all Americans, protecting fish and wildlife, carbon storage, and clean drinking water. Given the significance of the Rogue River canyon and its popularity and national reputation, we would like to encourage the addition of the word "National" to the official name of the Rogue Canyon *National* Recreation Area and Molalla River *National* Recreation Area. If done, these would be the first NRAs on lands managed by the Bureau of Land Management.

Benefits of Protecting the Headwaters of the Illinois, Smith, and Pistol Rivers and Hunter Creek from Strip Mines

S. 1589 includes the Southwestern Oregon Mineral Withdrawal which would permanently prevent mining on more than 100,000 acres of U.S. Forest Service and BLM land in the headwaters of the Illinois, Smith, and Pistol Rivers, as well as Hunter Creek on the Oregon Coast. These lands are threatened by a proposal for a nickel strip mine by a foreign based investment firm. The Forest Service and Bureau of Land Management have finalized a 20-year mineral withdrawal for this area and securing passage of this bill would make those protections against mining permanent. Through the National Environmental Policy Act public comment process, tens of thousands of people submitted comments in favor of the mineral withdrawal. Support included local

elected leaders in Curry and Josephine Counties, local businesses, and downstream communities that derive their drinking water from these public lands.

These rivers are unique to the world and deserving of protection. We urge the Senate to listen to local communities and protect these special rivers from the threat of mining by passing this much needed legislation.

We the undersigned support S. 1589 and encourage the swift passage of legislation to protect the nationally outstanding rivers of Oregon. Thank you for the opportunity to provide testimony in support of S. 1589, the Oregon Recreation Enhancement Act.

Sincerely,

S/ Michael Dotson
Executive Director
Klamath-Siskiyou Wildlands Center
Ashland, OR

Endorsed by:

Oregon Recreation Act Supporters in Southwest Oregon

Tribal
Takilma, Nadine Baker Pilgrim
Cultural Ecological Enhancement Network, Tim Leyba and Suzanne Vautier

Public Sector
Illinois Valley Chamber of Commerce

Organizations
Beyond Toxics
Cascadia Wildlands
IV Stream Team, Cave Junction, Or.
Klamath Forest Alliance
Native Fish Society
Oregon Wild
Pollinator Project Rogue Valley
Rogue Riverkeeper
Rogue Valley Great Old Broads For Wilderness Group
Siskiyou Chapter, Native Plant Society of Oregon
Soda Mountain Wilderness Council
Southern Oregon University Outdoor Program, Ashland Or.

Western Environmental Law Center

Local Businesses

Acupuncture and Herb Clinic, Raven Sara L.AC, Grants Pass, Or.
Anderson Custom Rods, Rogue River, Or.
Anyone's Guess Creative Productions, Kerby, Or.
Arch Rock Brewing, Gold Beach, Or.
Art Bop Beer Co., Talent, Or.
ARTA River Trips, Grants Pass, Or.
Ashland Fly Shop, Ashland, Or.
Ashland Food Coop, Ashland, Or.
Ashland Mountain Provisions, Ashland, Or.
Bestow, Ashland, Or.
Big Rock Sports, Grants Pass, Or.
Biodiversity Arts LLC, Ashland, Or.
Blissful Being Wellness, Grants Pass, Or.
Briggs Guide Service, Grants Pass, Or.
Cabin Chemistry, Cave Junction, Or.
Clear Creek Family Practice, Selma, Or.
Clyde's Corner, Phoenix, Or.
Conner Fields Brewing, Applegate, Or.
Dan the BackHoe Man Excavation, Williams, Or.
Diggin' Livin' Natural Foods Farm, Cave Junction, Or.
Big Rock Sports, Grants Pass, Or.
Rogue Law Firm, Grants Pass, Or.
Fly Water Travel, Grants Pass, Or.
Grassroots Sound, Ashland, Or.
Green Springs Inn & Cabins, Ashland, Or.
Harvey Young Fishing, Medford, Or.
Humble Heron Fly Fishing, Grants Pass, Or.
Indigo Creek Outfitters, Ashland, Or.
KXCJ Radio, Cave Junction, Or.
Larch Company, Ashland, Or. and Washington, D.C.
Mary Reynolds Insurance, Cave Junction, Or.
Matt Will Photography, Ashland, Or.
Momentum River Expeditions, Ashland Or.
Montage Oriental Medicine, Grants Pass, Or.
Motel del Rogue, Grants Pass, Or.
Mountain Provisions, Ashland, Or.
Mountain Rose Herbs, Eugene, Or.
Noah's Rafting, Ashland, Or.
Northwest Rafting Company, Grants Pass, Or.
OARS Rogue River Rafting, Grants Pass, Or.
Orange Torpedo Trips, Merlin, Or.
Oregon Books & Games, Grants Pass, Or.
Oregon Solarworks, Central Point, Or.
Oshala Farm, Applegate, Or.
Pickled Planet, Ashland, Or.

REI Co-op, Medford, Or.
Rise Up! Artisan Bread, Jacksonville, Or.
Rogue Anglers Fly Shop, Medford, Or.
Rogue Climate, Medford, Or.,
Rogue Infinity Outfitters Grants Pass, Or.
Rogue Law Firm PC, Grants Pass, Or.
Rogue Roasters, Grants Pass, Or.
Rogue Rock Gym, Medford, Or.
Southern Oregon Mediation Center, Williams Or.
Sawyer Paddles and Oars LLC, Gold Hill, Or.
Sequoia Photography, Ashland, Or.
Simple Machine Winery, Talent, Or.
Siskiyou Alpaca, Cave Junction, Or.
Siskiyou Pines Development LLC, Medford, Or.
Siskiyou Seeds, Williams, Or.
SOTAR Inflatables rafts, Merlin, Or.
Sun Spirit Farms, Grants Pass, Or.
Sundance Kayak School, Merlin, Or.
Takubeh, Williams, Or.
The Haul, Grants Pass, Or.
Thistledown Orchards, Selma, Or.
Troon Vineyard, Grants Pass, Or.
True South Solar, Ashland, Or.
Warrick Vineyard, LLC, Grants Pass, Or.
We'moon, Eugene, Or.
Wellspring Aikido, Grants Pass, Or.
White Oak Farm, Williams, Or.
Wild Wines, Jacksonville, Or.
Wooldridge Creek Vineyard, Grants Pass, Or.

[1]Helvoigt, Ted L. and Diane Charlton, 2009, Economic Value of Rogue River Salmon, ECONorthwest, Available online at https://www.dfw.state.or.us/agency/commission/binders/19/06_Jun/Beaver%20Petition%20Bibliography/Helvoigt%20and%20Charlton_2009.pdf

[2]Ibid., p. 11-14.

[3] Helvoight, Ted L., et al., 2009, Regional Economic Impacts of Recreation on the Wild and Scenic Rogue River, Available online p. 1.

[4] Ibid., p. 1

Koniag
3800 Centerpoint Drive, Suite 502
Anchorage, AK 99503

October 18, 2021

United States Senate Committee on Energy & Natural Resources
Chairman Lisa Murkowski, Ranking Member Joe Manchin
304 Dirksen Senate Office Building
Washington, DC 20510

RE: Support of S. 2524, Legislation to Assist Alaska Native Elders

Dear Chairman Murkowski; Ranking Member Manchin and Members of the Committee:

Koniag is a regional Alaska Native Corporation formed under the terms of the Alaska Native Claims Settlement Act of 1971. Koniag has over 4,300 Alutiiq Shareholders. Our region encompasses the Kodiak Island area in the Gulf of Alaska and a portion of the Alaska Peninsula. One of the intrinsic values of the Alutiiq people is honoring and respect for our elders.

Koniag appreciates the introduction of S. 2524 and supports its passage. Koniag established a special distribution to our elders a few years ago and we make this distribution through the settlement trust that was approved by a vote of our Shareholders. One of the major reasons for the special distribution to our elders is to help provide for their needs that come with age and living on a fixed income. The last thing we would want is to inadvertently harm our elders due to our Elders Distribution and regular Shareholder distribution putting our elders over the income limit thus disqualifying them for federal programs they need and rely upon. In fact, we have had elder Shareholders decline distributions due to the impact the distribution would have on their eligibility for various programs.

S. 2524 closes what we consider a loophole in the law. Our efforts to provide for our elders comes from our respect for them and their dignity and S. 2524 closes this loophole in the law that creates unintended consequences when our corporations put programs in place to assist our elders.

Our elders are a treasure that we respect, honor, and learn from. Please help us lift them up by passing S. 2524 from committee and through the Congress.

Sincerely,

Shauna Hegna
President

koniag.com
P (907) 561-2668
F (907) 562-5258

LANDER COUNTY
BUILDING DEPARTMENT

October 13, 2021

The Honorable Jacky Rosen
U.S. House of Representatives

Washington, DC 20515

Committee on Energy and Natural Resources
U.S. House of Representatives

Washington, DC 20515

Dear Senator Rosen:

On behalf of Lander County and the broader state of Nevada, we are greatly appreciative of Congress' support for local governments and public lands bills. In particular, we support S. 1411 and are appreciative of the Committee on Energy and Natural Resources hearing on this matter.

This legislation would convey land to Lander County, Nevada for improving its airports, accessing water infrastructure, and economic development, and also designate over 14,000 acres of wilderness. The bill conveys over 1,000 acres to the County to improve Austin Airport, Kingston Airport, and Battle Mountain Airport; conveys over 4,500 acres to the County to improve access to water resources throughout the county; conveys about 240 acres to the County for a museum, historical society, and business development; helps provide for a dedicated park committed to protecting and continuing the success of the Battle Mountain Human Powered Vehicle Speed Challenge, allowing the "World Human Powered Speed Challenge" and other World Record attempts to advance to the next level of competition; and designates over 14,100 acres of new wilderness areas: Desatoya Mountain Wilderness (7,766 acres) and Cain Mountain Wilderness (6,386 acres).

Thank you for your efforts in furthering the economic and conservation development opportunities in Lander County.

Sincerely,

Anna Penola

Anna Penola
Lander County Building & Planning

50 State Route 305 ≺ ➢ Battle Mountain, NV 89820
Phone: 775.635.2860 ≺ ➢ Fax: 775.635.1120

LEAGUE OF WOMEN VOTERS® OF CALIFORNIA

October 12, 2021

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

RE: S. 1538 (Merkley) – The Smith River National Recreation Area Expansion Act - SUPPORT

Dear Senator Feinstein:

The League of Women Voters of California is pleased to support your cosponsorship of S. 1538 (Merkley), legislation to expand the Smith River National Recreation Area. This expansion will protect the Smith River from pollution that would result from threatened mining activities. At both state and national levels, the League strongly supports clean water protections. Our support of the proposed expansion is based, in particular, on the League of Women Voters of California's water position. We support S. 1538 for the following reasons.

- **Providing for assessment of economic, social, and environmental costs and benefits of projects affecting water.** The Tolowa Dee Ni' Rancheria and Elk Valley Rancheria are two recognized nations that depend on the Smith River. Although both rancherias are located in Del Norte County, California, their ancestral lands extended to the area of expansion of the SRNRA. The protection of the North Fork of the Smith River will help to ensure that their cultural values and economic interests in the Smith River may continue unimpeded by pollution from new mining claims. In addition, the Smith River Recreation Area provides recreational activities to numerous people. During the pandemic, many have learned once again to appreciate spending time outside. The expansion will provide more opportunities for outdoor activities and provide many communities with economic opportunities related to recreation.
- **Protecting the natural environment in areas of both water origin and water use.** The Smith River provides drinking water for numerous communities including Gasquet, Hiouchi, Smith River, and Crescent City.
- **Reserving stream flows for protection of fish and wildlife habitat and other in-stream uses.** An anadromous fish species, Coho salmon, now on the Endangered Species List, spawn in the Smith River. The inclusion of the North Fork of the Smith will offer further protection to the Coho salmon and all the other fauna and flora in the watershed.

The League of Women Voters of California supports preserving wild and scenic rivers like the North Fork of the Smith River. It is vital that we do everything possible to

921 11th Street, Suite 700 • Sacramento, CA 95814
916-442-7215 • 916-442-7362 (fax) • lwvc.org

preserve threatened watersheds as changing climate conditions challenge Californians' assumptions about how much water is available and how it can best be managed, not just for immediate human uses, but for the vast and complex natural systems of which we are a part.

Sincerely,

Carol Moon Goldberg
President

921 11th Street, Suite 700 • Sacramento, CA 95814
916-442-7215 • 916-442-7362 (fax) • lwvc.org

LEAGUE OF WOMEN VOTERS® OF OREGON

The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

October 29, 2021

Senator Jeff Merkley
313 Hart Senate Office Building
Washington, DC 20510

RE: Support for the Smith River National Recreation Area Expansion Act

Dear Senator Merkley:

The League of Women Voters of Oregon would like to publicly express our support for your leadership to protect the North Fork Smith River watershed in Oregon by introducing S. 1538 the *Smith River National Recreation Area Expansion Act*.

The North Fork Smith River has unique scenic, historic and recreational values. The League of Women Voters of Oregon believes that water is a resource that should be managed for the benefit of the public and as sustainable habitat for all life forms. The League supports policies and statutes that promote comprehensive long range planning for conservation and management of ground and surface water and the improvement of water quality.

The North Fork Smith River and its tributaries support several imperiled fish species including Southern Oregon and Northern California Coast coho salmon, which are listed under the Endangered Species Act as threatened. Other species that depend on this river system's clean cool water for survival include steelhead trout, Chinook salmon, and coastal cutthroat trout.

Fishermen, kayakers and white water rafters from across the nation flock to the Smith River system, including the North Fork Smith River in Oregon, to paddle and float its clear waters. Camping, swimming, and hiking also draw thousands to this watershed. These recreational activities support the economies of local communities. Central to the river's recreational attraction is its crystal clear pure waters.

The downstream communities of Gasquet, Hiouchi, Smith River and Crescent City all rely on the Smith River for clean drinking water and agricultural use.

We support the Smith River National Recreation Area Expansion Act. We believe this expansion is necessary in order to protect the river from the threat of pollution from potential mining operations and to maintain its extraordinary water quality and ecological values.

Sincerely,

Rebecca Gladstone	Claudia Keith	Alyssa Babin
LWVOR President	LWVOR Climate Emergency Portfolio	Hard Rock Mining Study Chair

1330 12th St. SE, Suite 200 • Salem, OR 97302 • 503-581-5722 • lwvor@lwvor.org • www.lwvor.org

BOARD OF COUNTY COMMISSIONERS

Andy Hunthausen **Michael A. Murray** **Susan Good Geise**

City County Building 316 North Park Avenue Helena, Montana 59623 Phone 406.447.8304 Fax 406.447.8370

November 17, 2015

Senator Steve Daines
320 Hart Senate Office Building
Washington, DC 20510

Dear Senator Steve Daines,

Lewis and Clark County is proud to offer its renewed support for the Blackfoot Clearwater Stewardship Project, an effort that has proven its value to our County's economy. We respectfully ask that you sponsor legislation to accomplish its laudable goals.

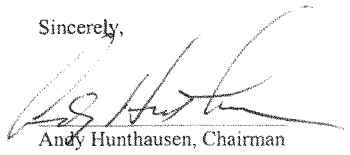
For the last decade, collaborative efforts in the southwest Crown of the Continent have set the bar high for similar projects throughout Montana and around the nation. The Blackfoot Clearwater Stewardship Project proposal, formalized in 2008, is the kind of made-in-Montana land management solution that every County wishes it could claim as its own. With the input of a wide range of citizens, including timber industry representatives, wildlife advocates, local business owners, and career land managers, we have the utmost confidence in their agreement.

To date, the Blackfoot Clearwater Stewardship Project has produced significant economic achievements for Lewis and Clark County through establishment of the Southwestern Crown Collaborative (SWCC), which directly benefits the economy of Lincoln and surrounding communities. Between 2010 and 2014, the SWCC secured $52 million for forest restoration ($16 million in federal dollars and $36 million in matching funds). During that same period, an average of 160 jobs were created or maintained, annually.

They've accomplished a great deal, but there's more to do. Montana's Congressional delegation must pull as one if their entire proposal is to become a reality. Additional components of their project include designating the Otatsy Recreation Management Area for winter snowmobile use and quiet summer recreation, increasing the pace and scale of forest restoration, and expanding the Bob Marshall, Scapegoat, and Mission Mountains Wilderness Areas to include critical areas for wildlife and recreation.

With this letter, Lewis and Clark County reaffirms its support once more to this innovative effort, and we ask our Congressional delegation to do the same.

Sincerely,



Andy Hunthausen, Chairman

October 12, 2021

The Honorable Chairman Joe Manchin
The Honorable Ranking Member John Barrasso
The U.S. Senate Committee on Energy and Natural Resources
366 Dirksen Senate Office Building
Washington, DC 20002

Dear Chairman Manchin, Ranking Member Barrasso and Members of the Committee:

I am writing to express my strong support for the Blackfoot Clearwater Stewardship Act (S. 1493) and to urge the Committee, including Montana Senator Steve Daines, to strongly support this community-based, collaboratively developed legislation during the upcoming October 19, 2021 hearing of the Senate Energy and Natural Resources Committee. I am also urging my former colleagues and senior leadership of the U.S. Forest Service to support the Blackfoot Clearwater Stewardship Act (BCSA) for the reasons I outline below.

My perspective on BCSA is, I believe, fairly unique because I have known this legislation and the community-based collaborative effort that produced it for 16 years, both during my time as a Forest Service employee and, since retiring from the agency, as a member of the BCSA Steering Committee. In fact, for 20 of my 40-year career with the U.S. Forest Service, I was privileged to serve as the Seeley Lake District Ranger on the Lolo National Forest. The Seeley Lake Ranger District is the place that the Blackfoot Clearwater Stewardship Act will inform and advance management of once the BCSA becomes law.

I currently serve as Coordinator for the Montana Forest Collaboration Network (MFCN) with a mission to assist collaboration in forest and grasslands restoration, conservation and resource utilization for the benefit of all. Based on both my personal and professional assessment, I strongly support the BCSA and encourage you to advance it favorably and as soon as possible.

I first became aware of the Blackfoot Clearwater Stewardship Project (BCSP) Steering Committee, the collaborative group that developed the BCSA, from its members in 2006. I was impressed by the diversity of the group and their efforts to work together to find solutions to end fruitless acrimony and protracted debates. As District Ranger I was asked questions pertaining to the Forest Plan and to provide comments on proposed boundary locations. I appreciated the group's commitment and understanding of the agency's history and management objectives. The proposed legislation is largely consistent with the management direction outlined in the Forest Plan for the area.

I was so consistently impressed by this collaborative during its first 7-8 years in existence that I applied to become a member after retiring from the Forest Service in November of 2014. I have proudly served as a volunteer member of the BCSP Steering Committee ever since.

I am writing today to share my perspective on the origins of this collaborative bill, its benefits and the importance of the Blackfoot Clearwater Stewardship Act becoming law close to 16 years after this collaborative effort began.

The BCSP Steering Committee is to be commended for its longevity, its consistency and for its outstanding track record of its members sticking together and looking out for each other's interests. The majority of our steering committee members have been with this effort since its inception nearly 16 years ago. This longevity, consistency and commitment to each other's interests are among the many reasons I decided to formally join this effort after I retired from the agency.

The Blackfoot Clearwater Stewardship Project Steering Committee was also the driving force behind the formation of the Southwestern Crown of the Continent Collaborative Forest Landscape Restoration Project, which was one of the first ten CFLRP collaboratives that was funded back in 2010.

In the 10-plus years since its inception, the Southwestern Crown of the Continent Collaborative has accomplished the following, among other job-creating forest restoration activities:

- 28,589 acres of WUI treatment
- 17,953 additional acres of treatment outside the WUI
- 14,208 acres of revegetation and reforestation
- 57,040 acres of invasive and exotic species treatment
- 62,763 acres of wildlife habitat improvement
- 204 miles of stream restoration
- 18,564 acres of wildlife habitat security improvements
- 560.2 miles of road BMP work and maintenance
- 209 miles of road storage or decommissioning
- 92 stream crossings improved
- 3,431 miles of trail improvement
- 13 trailhead improvement projects
- 77 campsites rehabilitated
- 47 placer mine reclamation projects
- 195,729 ccf of commercial wood products produced
- 153 jobs created or maintained annually
- $5.85 million in labor income
  Source: SWCC website accomplishments page

One other thing is worth noting here. Over the 10-year life of the SW Crown Collaborative effort, in kind contributions from partners totaled more than $2.2 million — all to help advance this forest restoration work.

While these accomplishments are impressive and clearly the result of the work of many people, including committed agency staff, I want to be very clear about one thing. Without the BCSP Steering Committee and its members' 16-plus year commitment to collaborative forest landscape restoration, the SW Crown Collaborative would not have come into existence and would not have accomplished all of this good work through its 10-year program of work. And, I might add, without Senator Tester's commitment to the CFLR Program, the SW Crown Collaborative and the agency itself, we would not have accomplished this important work.

Another reason I am proud to serve as a member of the BCSP Steering Committee is that the members of this group have stood by each other for 16-plus years. We have consistently looked out for each other through ups and downs. We are proud to count among our ranks timber industry leaders who

advocate for wilderness, backcountry horsemen who advocate for mountain bike access, and vice versa. We include rural community leaders seeking to ensure a viable economic for their communities. We are ranching families looking out for fish habitat and fly fishermen and women working side by side with logging, ranching and tourism businesses.

In one particularly telling example of our collaborative members sticking together and sticking up for each other and for the Forest Service, the wilderness advocates among us hired an attorney and organized an amicus brief to go to court in support of the Colt-Summit project, a forest restoration, fuel reduction and commercial timber producing project within the BCSA landscape, funded by CFLR dollars. Dozens of diverse interests from across the state joined BCSP Steering Committee members on this amicus brief and the Colt Summit project was implemented, sending logs to the mill and improving grizzly bear and bull trout habitat. When wilderness advocates go to court in support of timber harvest, the Forest Service and the timber industry, you know that something powerful and important is at work.

As the Committee considers this bill on October 19 our collaborative has accomplished all of its goals except for those that are embodied in this legislation. We need this bill to become law in order to keep the commitments we have made to each other over these past 16-plus years. We need your help.

In addition to the importance of this bill to the Blackfoot-Clearwater landscape and the people who depend on it for their livelihoods, this legislation is also very important to the many other collaboratives working throughout Montana to assist the Forest Service and advocate for timber, recreation, restoration and sound land management. If this bill does not become law after 16 long years, I believe that will have a chilling effect on other collaboratives in Montana and around the country.

In closing, I ask that you strongly support and swiftly advance the Blackfoot Clearwater Stewardship Act. I stand ready to assist in any way that I can and am grateful for your consideration today.

Sincerely,
/S/ Tim G. Love

Tim G. Love

Cc: U.S. Senator Jon Tester
U.S. Senator Steve Daines
Felix Muniz, US Forest Service Legislative Affairs
Leanne Marten, Regional Forester, Region One
Carolyn Upton, Supervisor, Lolo National Forest
C. Quinn Carver, District Ranger, Seeley Lake Ranger District, Lolo National Forest

Montana State Senate

The Big Sky Country

SENATOR SUE MALEK
SENATE DISTRICT 46

HELENA ADDRESS:
PO BOX 200500
HELENA MT 59620-0500
PHONE: (406) 444-4800

HOME ADDRESS:
1400 PRAIRIE WAY
MISSOULA, MT 59802
PHONE: 406-370-2424
EMAIL: suemalek@gmail.com

March 21, 2019

Senator Steve Daines
320 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Daines,

The Blackfoot Clearwater Stewardship Project (BCSP) was a decade in the making., It creates a better future for my constituents, and for our Montana timber, recreation and tourism economies. I endorse the BCSP and write today to ask you to co-sponsor and help enact legislation to implement all components of the BCSP proposal.

Outfitters, wildlife advocates, community leaders, recreationists, and timber industry representatives serve on the BCSP board. They promote cooperative public-private stewardship across the southwestern Crown of the Continent. They offer us a welcome opportunity to show support for a wide-ranging proposal backed by diverse Montana residents.

The success already achieved by the BCSP speaks to the existing support for and momentum of the project. Since 2010, the BCSP has:

- Secured and spent $47 million locally to implement forest restoration projects
- Created and sustained approximately 184 local jobs
- Harvested and locally processed 50 million board feet of lumber from 30,000 acres

Passing this proposal will continue their efforts to strengthen western Montana's local and nature resource-based economy. It will ensure that the habitat which helps maintain a healthy Blackfoot River watershed is protected. It will continue to provide important wildlife corridors for species ranging from grizzly bears to wolverine to bull trout.

I urge you to work with the entire Montana delegation to make the Blackfoot Clearwater Stewardship Project a reality via legislation in the 116th Congress.

Sincerely,

Sue Malek

Senator Sue Malek
Montana Senate District 46

Written Testimony of Mitchel P. McClaran
Director, Arizona Experiment Station
Division of Agriculture, Life and Veterinary Sciences and Cooperative Extension
University of Arizona

United States Senate
Committee on Energy and Natural Resources

S. 1631, Arizona Experiment Station Land Conveyance Act of 2021

October 19, 2021

Chairman Manchin, Ranking Member Barrasso, and distinguished members of the committee, thank you for holding a hearing on S. 1631, the Arizona Experiment Station Land Conveyance Act of 2021.

On behalf of the University of Arizona, I thank Senator Kelly for his leadership on this issue and for introducing this important legislation, as well as his staff for the time and energy they provided in this effort.

The University of Arizona

Established in 1885 by the Morrill Act of 1862, the University of Arizona (UA) is the state's land-grant institution. Widely recognized as a student-centric institution, and designated as an American Indian and Alaska Native-Serving Institution (AIANSI) and Hispanic-Serving Institution (HSI) by the U.S. Department of Education, the UA is one of the nation's top public universities, according to U.S. News & World Report.

With $734 million in annual research expenditures in Fiscal Year 2019, the National Science Foundation ranked the UA in the top 20 public universities for research expenditures, and number 1 ranked AIANSI and HSI. The UA is the only AIANSI- and HSI-designated university in the U.S. that has the distinction of being ranked a Research 1 institution by the Carnegie Classification of Institutions of Higher Education, and a member of the Association of American Universities, which is comprised of the 66 leading public and private research universities in the U.S. and Canada. As the UA advances the frontiers of interdisciplinary scholarship for our state's 15 counties, our entrepreneurial partnerships have an estimated direct economic statewide impact of $4.1 billion annually.

As the state's land-grant institution, the UA has the responsibility and opportunity to provide relevant, quality scientific research and practices to all communities throughout Arizona. One of the many ways we accomplish this mission is via the *Cooperative Extension System* (CES), established by the Smith-Lever Act of 1914, with its federal mandate to bring education to all Arizonans not matriculated into the UA, and by bringing the entire range of UA science directly to the private sector statewide to solve practical problems and directly grow Arizona's economy. The CES delivers all of Arizona's federally-mandated *Supplemental Nutrition Assistance Program Education*, in addition to the *Expanded Food and Nutrition Education Program,* and *Federally-Recognized Tribes Extension Program.* Arizona's CES delivers education and scientific advances ranging from agriculture production, breastfeeding, early childhood development and dental health, to osteoporosis prevention, watershed management, and natural resource use and conservation.

The University of Arizona also has the federal mandate and responsibility to deliver the 1887 Hatch Act purpose, which is realized today by the *Arizona Experiment Station* (AES). The AES is an integrated and networked system of 11 federally-regulated STEM research facilities located around Arizona. It can provide infrastructure support for any UA education, research, and CES mission. This includes over 50 biomedical research laboratories; advanced data and information technology support, including Wi-Fi access, web development and data processing, and an Emmy-award winning documentary team; 2,600 acres of irrigable land and equipment to manage it; 122,000 acres of rangeland; 73,600 square feet of greenhouse space; 360 range cows each with full genome typing; 21,000 square feet of engineering fabrication space; 17 meetings rooms; 49 dorm beds, and all staff. This infrastructure is essential to generating and disseminating critical, sustainable agricultural and natural resources knowledge and technologies for Arizona, the United States, and the world.

Background and History of V-V Ranch

The V-V Ranch (read "V bar V") is one of these research centers within the Arizona Experiment Station, addressing environmental, wildlife, and domestic livestock issues applicable to Arizona and the Southwest. In 1995, the University of Arizona acquired the nearly-360-head cattle ranch located in the Coconino National Forest, along with the associated Walker Basin Grazing Allotment from the Zink family. Prior to the University's acquisition, the V-V Ranch had been privately owned and operated for over 100 years.

Renewed in 2011, the Walker Basin Grazing Allotment allows our cattle access to 70,000 acres of rangeland, largely owned by the United States Forest Service, except for 43 acres owned by the Arizona Board of Regents. The grazing allotment runs about 30 miles in length east to west, cutting across the Mogollon Rim, and varies from 4-5 miles in width.

The ranch's operations are conducted from two different locations: the primary headquarters, or winter headquarters, near Camp Verde, AZ which rests at a lower elevation in the mountain range; and Mahan Park, or the summer headquarters near Happy Jack, AZ at a higher elevation. Mahan Park is a 43-acre property owned by the Arizona Board of Regents, several acres of which are contiguous with Forest Service property.

The 13.3-acre parcel of land on which the V-V Ranch's primary headquarters is located is owned by the U.S. Forest Service.

The Land Conveyance

It is this land which the University of Arizona seeks to own via the Arizona Experiment Station Land Conveyance Act of 2021.

In 2015, the U.S. Forest Service gave the University notice that it was in a state of "unauthorized occupancy" on the V-V Ranch winter headquarters land, and that a Special Use Permit would be necessary to continue operating.

The discovery that the headquarters was not private land came as a surprise to the Coconino National Forest and to the University of Arizona, as both parties had operated under the false assumption that the UA owned the 13.3-acre headquarters. For example, between 1998 and 2008 the UA built and installed buildings (classroom, shop, office, lab, dormitory, water well, portable housing trailers, and improved corrals), and although the Forest Service was aware of the construction projects, they did not require permits or oversight of the installations.

Based on title record searches, it is clear that the University does not hold title to these 13.3 acres and continued occupancy would require a Special Use Permit, or a transfer or conveyance of land title to the Arizona Board of Regents.

After deliberation, the University decided it was in its best fiduciary interest to own the land outright if it was to continue the uninterrupted operations of the ranch and allow the UA full discretion of infrastructure investments and maintenance without the constraints of a Special Use Permit from the Forest Service. This decision is also in keeping with the assumption by both parties that the headquarters was privately owned, and the extensive improvements made at the headquarters were based on that assumption.

Land Exchange Proposals

In 2017, the University's Arizona Experiment Station submitted a proposal for an administrative land exchange to the Coconino National Forest Supervisor, Ms. Laura Jo West.

In 2018, Supervisor West responded that an administrative exchange would not be possible due to Forest Service policies and regulations, including 36 CFR Subpart A, 254.3(b)(1), which aims to prevent the creation of isolated parcels of private land within public land. In addition, Supervisor West determined that the land exchange would not be in the public interest.

These concerns were echoed in the USDA Forest Service Statement for the Record on June 18, 2020 for the House Natural Resources Committee National Parks, Forests and Public Lands Subcommittee concerning H.R. 7099. H.R. 7099 was a bill sponsored by Rep. Raul Grijalva, Chairman of the House Natural Resources Committee during the 116th Congress, to facilitate a land exchange between the Forest Service and the Arizona Board of Regents on behalf of the University of Arizona.

The University appreciates the concerns expressed by Supervisor West, and her discretion to deny the administrative process for the land exchange. However, in its pursuit of legislative authorization for the land exchange or conveyance, the University contends that a "new" private inholding is a minor point given the presence of other inholdings already in the general area. In fact, there are two other privately-owned land parcels within 1.5 miles of the V-V Ranch, which are also cattle ranch headquarters. V-V has effectively operated as a private inholding since the University acquired the Ranch in 1995, and has not been a disruption or hindrance to Forest management and operations.

On the second point, regarding public interest, the University counters this with the aforementioned reasons: specifically, that the status quo would merely be held in the event of a land conveyance, so any interest the public has had in the V-V Ranch for the past 26 years would remain the same. The V-V Ranch provides valuable services, education, and extension programming to the surrounding community, which is only projected to grow over time, particularly with the new addition of the UA's College of Veterinary Medicine. In fact, the proposed federal land conveyance has received the support of the Arizona Veterinary Medical Association; Arizona Cattle Grower's Association; Yavapai Cattle Growers Association; Coconino County Farm Bureau Cattle Growers; the Arizona Veterinary Medical Association, and the Arizona Farm Bureau Federation.

Moreover, in the Forest Service's own testimony, after implying that the land exchange would not serve the public interest, it states that "We acknowledge that the experimental range station is a benefit to everyone and in particular to the grazing industry." Since this is the case, and the land conveyance would preserve the services currently in place on the range station – and only improve upon them – it is evident

that the conveyance would indeed serve the public interest and "benefit everyone", as the Forest Service itself stated.

Land Conveyance

Having made numerous attempts at a land exchange via the administrative process and congressional legislation in the 115th and 116th Congresses as demonstrated, the University sought again to acquire title to the land through conveyance legislation. In May 2021, Senator Mark Kelly introduced S. 1631, the Arizona Experiment Station Land Conveyance Act, to convey the 13.3 acres of land near Camp Verde to the University of Arizona with a reversionary clause to ensure that the usage of the land is consistent with the land-grant mission in perpetuity.

The College of Veterinary Medicine

In 2020, the University of Arizona opened the state's first public college of veterinary medicine (CVM), with 220 Professional Doctor of Veterinary Medicine students currently enrolled. The V-V Ranch is a critical and central component of the college's education and accreditation. In the planned curriculum, students will complete a clinical rotation in food animal medicine at the V-V Ranch.

In order to hold clinical rotations at V-V Ranch, new facilities are required to meet accreditation standards. The University has begun preliminary planning efforts to construct a new building on the property, including classrooms, offices, and a dormitory, pending the passage of S.1631. This further illustrates the UA's commitment to continual investment in V-V Ranch, as part of our 1887 Hatch Act responsibility.

Conclusion

In conclusion, we believe it is clear that the work of the Arizona Cooperative Extension System, the Arizona Experiment Station, and the College of Veterinary Medicine collectively demonstrate the value of the University's continued and hopefully permanent presence at the V-V Ranch.

Again, I thank the Committee for holding a hearing on this important legislation. The University of Arizona has proudly served the people of the State of Arizona for 135 years. And with the ultimate passage of this legislation, we look forward to continuing to serve the ranching community in the Coconino and Yavapai counties, the students of our Veterinary Medicine program, and the people of Arizona.

California State Senate
SENATOR
MIKE McGUIRE
SECOND SENATE DISTRICT

October 18, 2021

The Honorable Joe Manchin
Chairman
Senate Committee on Energy
& Natural Resources
Washington, DC 20510

The Honorable John Barrasso
Ranking Member
Senate Committee on Energy
& Natural Resources
Washington, DC 20510

RE: Support for Smith River National Recreation Area Expansion Act (S. 1538)

Dear Chairman Manchin, Ranking Member Barrasso, and members of the Subcommittee:

Thank you for holding this hearing on S. 1538. I'm writing as the California State Senator representing the District adjacent to and downstream of the Oregon land addressed in this important legislation. I strongly support the subject legislation, and I'm pleased to report that the California Legislature approved the attached Senate Joint Resolution (SJR-3), which urges the President of the United States and Congress to protect the North Fork of the Smith River in Oregon from strip mining. S. 1538 does just that.

The Smith River is the gem of California Wild and Scenic Rivers. It is California's only undammed river, and over 400 miles of the river and its tributaries are included in the National Wild and Scenic River System. The Smith River, Redwood National and State Parks, and the extraordinary coastline are center-pieces for the community's travel and tourism-based economy. The Smith River is also the water source for the City of Crescent City and the Gasquet and Hiouch communities.

Thus, it was no surprise when my constituents united in opposition to foreign-based mining interests applying for permits and water to advance testing for strip mining in the North Fork

Smith River headwaters in Oregon. Mining pollution and spills will not stay in Oregon, and downstream communities will suffer. At their request, I authored the above-referenced Senate Joint Resolution.

Thank you for your efforts to advance the Smith River National Recreation Area Expansion Act.

Warmest Regards,

MIKE McGUIRE
Senator

Attachment: [SJR 3 - Smith River watershed protection.]

Smith River Watershed Resolution

SJR-3

WHEREAS, The Smith River watershed of approximately 610 square miles in California and 115 square miles in Oregon is considered the prize of the California wild and scenic river system since it was included in the California Wild and Scenic Rivers Act in 1972, and then later included in the Federal Wild and Scenic Rivers System in 1981; and

WHEREAS, The Smith River is the indirect primary source of drinking water for the majority of Del Norte County's 28,000 residents, with the largest user being the City of Crescent City; and

WHEREAS, The Del Norte County Board of Supervisors and the City Council of Crescent City have voted unanimously to oppose the issuance of a limited water use license for the Cleopatra Check Drilling Program based on the potential to cause significant adverse environmental impacts within the overall watershed of the Smith River and subsequent impacts on drinking water for residents and thousands of annual visitors; and

WHEREAS, The California North Coast Regional Water Quality Control Board, the Department of Fish and Wildlife, the Natural Resources Agency and the Oregon Water Resources Department have also opposed any mining within the Smith River watershed because of the detrimental effects of strip mining; and

WHEREAS, The Smith River is unparalleled for its free flowing status, large and abundant salmon and steelhead stock, and extraordinary botanical diversity, and is the only major undammed river in California; and

WHEREAS, The Smith River National Recreation Area Act, passed by the 101st United States Congress in 1990 (Public Law 101-612), amended the Wild and Scenic Rivers Act of 1968 and permanently protected all federal lands of the Smith River watershed within California by establishing the Smith River National Recreation Area; and

WHEREAS, The Oregon portion of the North Fork of the Smith River was not included in the act and remains vulnerable to mining; and

WHEREAS, Any strip mining activities on the North Fork of the Smith River could have devastating and irreversible impacts to the entire National Wild and Scenic Smith River Watershed; and

WHEREAS, In 2012, Red Flat Nickel Corporation submitted the Cleopatra Check Drilling Mining Plan for the watershed of the North Fork of the Smith River to the Rogue River-Siskiyou National Forest, with the goals to develop and operate a devastating 3,980 acre strip mine to extract nickel, cobalt, and chromium; and

WHEREAS, The proposed mining operations will unnecessarily put the people and wildlife that rely on the Smith River at risk; and

WHEREAS, The United States Environmental Protection Agency has confirmed that hard rock mining, which includes strip mining, is the largest source of toxic pollution in the United States; and

WHEREAS, The United States Department of Agriculture's Technical Guide to Managing Groundwater Resources documents numerous published reports concerning the release of toxic metals to ground water and surface water resulting from mines and mine-related facilities; and

WHEREAS, Mining operations along the tributaries of the Smith River would inevitably impact water quality and quantity with the potential to cause significant injury to fish and other wildlife, including threatened coho salmon; and

WHEREAS, The Smith River's coho salmon are protected under the federal Endangered Species Act and are recognized as a core independent population with a high risk of extinction; and

WHEREAS, The Smith River is one of California's most important, irreplaceable watersheds for the threatened coho salmon; and

WHEREAS, The Chinook salmon, cutthroat trout, and steelhead runs are vitally important to the economies and environment of northern California and Oregon; and

WHEREAS, Millions of federal, state, and private dollars have been spent in the past decades on improving water supply systems and for restoration and protection of salmonid habitat and watershed lands downstream from the proposed mining operations; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have potential impacts on water supplies, economies, or the environment in California's portion of the Smith River watershed; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

MISSOULA CHAMBER
MISSOULA AREA CHAMBER OF COMMERCE
Engaging Business and Community

February 7, 2018

Lisa Murkowski, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Maria Cantwell, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

The Missoula Area Chamber of Commerce would like to express its support for the Blackfoot Clearwater Stewardship Act. This act has found support from a wide range of industry sectors and begins to address needed projects in our forests.

This Act would benefit the wood products industry by improving access to much needed timber. This sector of the economy provides many good paying jobs in our community. After a year with several large wildfires in the Missoula area, timber and forest restoration businesses are more important than ever. The Blackfoot Clearwater Stewardship Act is supported by the Chamber and its Forest Resources Committee.

The growing Outdoor Recreation sector of the Missoula economy would also benefit from the passage of this act. More area would be opened to snowmobilers, mountain bikers and many other types of activities. Outdoor recreation contributes significantly to the quality of life our members enjoy in and around Missoula. The ability to enjoy the outdoors helps businesses retain workers and attract new talent. It also helps the community attract new businesses looking to relocate.

The diversity of our landscape in Montana lends itself to different land management objectives in specific areas and each these different objectives are important to separate but intertwined segments of our economy in Western Montana. We believe timber harvest, recreation, and tourism can thrive simultaneously in our state.

We appreciate the collaboration that has taken place with the proponents of the Blackfoot-Clearwater Stewardship project. This collaboration has been a helpful tool for achieving forest restoration needs and providing raw material to Montana's wood processing facilities. This spirit of collaboration is our primary reason for supporting the proposal.

Sincerely,

Clint Burson
Director of Government Affairs
Missoula Area Chamber of Commerce

P.O. Box 7577 ▪ Missoula, MT 59807-7577 ▪ Phone: (406) 543-6623 ▪ Fax: (406) 543-6625
www.missoulachamber.com

P. O. Box 2121
Missoula, MT 59806

February 3, 2016

Dear Blackfoot Clearwater Stewardship Project and the Montana Congressional Delegation:

The Missoula Chapter of Back Country Horsemen, among the oldest and largest chapters in the nation, is proud to reaffirm its support for the Blackfoot Clearwater Stewardship Project (BCSP), which we first voted to endorse in 2008.

Founded in 1974, the Missoula Chapter works to perpetuate the common sense use and enjoyment of horses in America's back country and wilderness. Developing a sustained working relationship with many agencies and organizations, Missoula Back Country Horsemen deals with issues including trail and trailhead closures and abandonment, access problems, user permits, trail sharing disputes, and other land use concerns. We are perhaps best known for the countless hours and dollars we donate each year towards keeping Montana's trails open and accessible for backcountry recreationists of all kinds.

The Blackfoot Clearwater Stewardship Project, written in part by members of our organization, is a win-win proposal for Montana's public lands and the people who rely on them for their livelihood and for recreation, including our members. We support the BCSP's combined goals of forest restoration and recreation, and we are particularly enthused about the promise of Wilderness designations in some of our most popular horse-packing areas near Missoula: Monture Creek and the North Fork of the Blackfoot River. This permanent protection would guarantee access and safety on these key portal trails into the Bob Marshall and Scapegoat Wilderness areas, among the premier destinations for back country horsemen, worldwide.

Developed in a collaborative spirit, the Blackfoot Clearwater Stewardship Project not only forwards our organization's mission on the ground, but also lives up to our tradition of working with partners of all stripes who share a common interest in supporting Montana's public lands. We hope to see a similar spirit of collaboration among our Congressional delegation in

Washington, DC – indeed, that's the only way this innovative, decade-old effort will make it to the President's desk.

Thank you for your consideration, and we hope you will let the Missoula Chapter of Back Country Horsemen know how we can help you get this proposal across the finish line.

Sincerely,

Dave Schilz,

President, BCH of Missoula

BOARD OF COUNTY COMMISSIONERS
200 WEST BROADWAY ST.
MISSOULA, MT 59802-4292
bcc@missoulacounty.us

BCC 2020-134
September 16, 2020

Senator Steve Daines
1 Russell Senate Courtyard
Washington, D.C. 20510

Dear Senator Daines,

As we continue to face the effects of COVID-19, it's more clear than ever that public lands and waters are vital for our physical, mental and economic health. More than a decade in the making, the Blackfoot Clearwater Stewardship Act promises a better future for our timber and recreation economies by increasing the pace and scale of forest management, guaranteeing access to favorite backcountry areas and preserving our outdoor traditions for future generations.

The Blackfoot Clearwater Stewardship Act would protect 79,060 acres of wildlife habitat in the Bob Marshall, Mission Mountains, and Scapegoat Wilderness Areas, open 2,013 acres of currently closed land to snowmobiling, and protect 3,835 acres for mountain biking and hiking. It would also require the Forest Service to prioritize its review of future recreational trail proposals from the collaborative group, and to conduct a forest health assessment that will help identify new timber projects on the landscape. This legislation stems from extensive collaboration among outfitters, wildlife advocates, community leaders, recreationists and timber industry representatives and promotes cooperative public-private stewardship across the southwestern Crown of the Continent.

In Missoula County, it is a welcome opportunity when we can show support for a wide-ranging proposal backed by many diverse Montana communities. We are proud to reaffirm our support of the Blackfoot Clearwater Stewardship Act, which aims to address multiple challenges and opportunities in a single place-based collaborative effort. Collaboration is not an end in and of itself. As a tool, it has the opportunity to show the way toward better solutions for public land management.

We urge the Senate Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests and Mining to lend its support to the Blackfoot Clearwater Stewardship Act, an agreement that is 10 years strong and will sustain our quality of life and provide the insurance, and assurance, we need to together navigate the uncertain times we're living in.

Thank you for considering our comment.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Josh Slotnick, Chair

David Strohmaier, Commissioner

Juanita Vero, Commissioner

BCC/ac

Montana Association of Christians
PO Box 3722
Butte, MT 59702-3722

April 5, 2016

"In our family, there was no clear line between religion and fly fishing. We lived at the junction of great trout rivers in western Montana, and our father was a Presbyterian minister and a fly fisherman who tied his own flies and taught others. He told us about Christ's disciples being fishermen, and we were left to assume, as my brother and I did, that all first-class fishermen on the Sea of Galilee were fly fishermen and that John, the favorite, was a dry-fly fisherman."
— Norman Maclean, *A River Runs Through It*

Dear Senator Daines,

The Montana Association of Christians (MAC) represents eight denominations, several hundred churches, and more than 130,000 parishioners across the state of Montana. MAC seeks to bring the voice of the Gospel to bear upon those places where peace and justice are absent, speaking up for those who are denied a voice and working for the dignity of all people and the care of all creation.

After careful consideration by the MAC Council and Executive Committee, we are pleased to share our endorsement of the Blackfoot Clearwater Stewardship Project, an effort we believe is a balanced, thoughtful, and inclusive approach to future management of the southern Crown of the Continent.

The Montana Association of Christians has long affirmed that the scripture calls on all of us to care for Creation – in fact it is one of the key values of our organization. MAC believes that thriving public lands are essential for our spiritual health and the wellbeing of our economy. We further believe that all people can contribute to the protection and restoration of Montana's environment as caretakers of God's earth through initiatives such as the Blackfoot Clearwater Stewardship Project.

Montana's wild lands and wildlife have their origins in the works of the Creator, but it is up to each of us to steward them for present and future generations. Thank you for your public service on behalf of our state and for your consideration of this endorsement of the Blackfoot Clearwater Stewardship Project. We welcome the chance to communicate with you further about this important opportunity.

Sincerely,

President-elect
Montana Association of Christians

Steve Bullock, Governor

Dan Vermillion, Chairman
PO Box 668
Livingston, MT 59047
406-222-0624
District 2

Gary J. Wolfe
4722 Aspen Drive
Missoula, MT 59802
406-493-9189
District 1

Richard Stuker
1155 Boldt Road
Ghinook, MT 59523
406-357-3495
District 3

Richard Kerstein
Box 685
Scobey, MT 59263
406-783-8564
District 4

Matthew Tourtlotte
940 Blonco Circle
Billings, MT 59105
406-698-9696
District 5

M. Jeff Hagener, Director
MT Fish, Wildlife & Parks
1420 East Sixth Avenue
PO Box 200701
Helena, MT 59620-0701
406-444-3186
(Fax)406-444-4952

Look for the Montana
Fish & Wildlife Commission
web page at
fwp.mt.gov

Montana Fish, Wildlife & Parks

Montana Fish & Wildlife Commission

Resolution of the Montana Fish and Wildlife Commission

May 12, 2016

Blackfoot Clearwater Stewardship Project

***WHEREAS**, Montana's wildlife are held in trust for all citizens and rely on a mix of land ownership to prosper and flourish; and*

***WHEREAS**, public land provides the lion's share of recreational opportunity for Montana hunters and anglers; and*

***WHEREAS**, to preserve the future viability of Montana's native fishes, including bull trout and Westslope cutthroat, we must protect the North Fork of the Blackfoot, Monture Creek, and West Fork of the Clearwater River which are critical habitat for spawning fish and deserve to be protected and managed for continued fish propagation; and*

***WHEREAS**, Montana's terrestrial wildlife require intact, large-scale habitat to remain strong in population in the face of increased development, climate change and loss of migration corridors; and*

***WHEREAS**, the Blackfoot Clearwater Stewardship Project will help ensure the future viability of the Blackfoot-Clearwater Wildlife Management Area which supports wintering populations of elk, mule deer, white-tailed deer and over 200 other species of wildlife who utilize the surrounding habitat year-round; and*

***WHEREAS**, Montanans who live, work and play in the areas encompassed by the Blackfoot Clearwater Stewardship Project have been actively involved in the development of the project over the last ten years; and*

***WHEREAS**, the County Commissions of all three impacted Counties support the Blackfoot Clearwater Stewardship Project; and*

***WHEREAS**, the Blackfoot Clearwater Stewardship Project will ensure the future economic viability of towns reliant upon tourism dollars in the summer, fall, winter & spring by its inclusion of the Otatsy Recreation Area and the increased management of public lands; and*

***WHEREAS**, public involvement in forest planning and vegetative treatment projects will be protected by legislative directive while helping to improve habitat conditions for elk, deer & bighorn sheep through sensible management of public lands; and*

***WHEREAS**, the Blackfoot Clearwater Stewardship Project collaboration has already achieved their stated goal of forest restoration and fish and wildlife habitat restoration through ongoing funding by the Collaborative Forest Landscape Restoration Program, however protective status for the higher elevation headwaters has yet to be realized.*

***THEREFORE BE IT RESOLVED**, that on May 12, 2016, the Montana Fish and Wildlife Commission endorsed the Blackfoot Clearwater Stewardship Project and asked for its introduction to the United State Congress as soon as possible.*

***BE IT FURTHER RESOLVED**, that the Commission directs the Department of Fish, Wildlife & Parks to send a copy of this resolution to Montana's Congressional Delegation and members of the State Land Board at their earliest convenience.*

Dan Vermillion, Chairman

Richard Stuker, Vice Chairman

Richard Kerstein, Commissioner

Matt Tourtlotte, Commissioner

Gary Wolfe, Commissioner

Assisting collaboration in forest and grassland restoration, conservation, and resource utilization — for the benefit of all.

August 16, 2019

The Honorable Steve Daines
U.S. Senate
320 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Jon Tester
U.S. Senate
311 Hart Senate Office Building
Washington DC 20510

The Honorable Greg Gianforte
U.S. House of Representatives
1222 Longworth HOB
Washington, DC 20515

Re: **Endorsements of the MFCN Collaborative Groups Supporting the *BLACKFOOT CLEARWATER STEWARDSHIP ACT***

Senator Daines, Senator Tester, and Representative Gianforte,

With the recent reintroduction in the United States Senate of the Blackfoot Clearwater Stewardship Act (BCSA) by Montana Senator Jon Tester, the Montana Forest Collaboration Network (MFCN), an independent association of forest collaborative groups in Montana, is providing an opportunity via this correspondence for the collaborative groups associated with MFCN to communicate to you their endorsement of this proposed legislation.

The Blackfoot Clearwater Stewardship Act (BCSA) requires the completion of a landscape assessment of National Forest lands north and east of Seeley Lake and Ovando, Montana to identify opportunities for forest restoration projects; it establishes a new, 2,000 acre special recreation designation, the Otatsy Recreation Area, for snowmobile use; it creates another new recreation area allowing for mountain biking on 3,800 acres known as the Spread Mountain Recreation Area; and it adds approximately 79,000 acres of new Wilderness to the Bob Marshall, Mission Mountain, and Scapegoat Wilderness areas.

The generation of the elements of the BCSA emerged through a 13-year process of negotiation by a local collaborative group, the Blackfoot Clearwater Stewardship Project (BCSP). The BCSP applied the recognized principles of collaborative processes – such as inclusivity, transparency, and representativeness – to develop the compromises leading to the proposed Act. Participants in the BSCP reflected the broad spectrum of interests who use and cherish the Blackfoot/Clearwater landscape, including ranchers, backcountry users, timber industry professionals, wildlife advocates, and motorized and mechanized recreationists. In short, it is a proposal that emerged from lengthy, local deliberations.

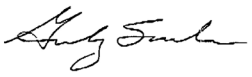
The Montana Forest Collaboration Network (MFCN) assists collaboration in forest and grassland restoration, conservation, and resource utilization for the benefit of all. MFCN

promotes learning about Montana's forests and helps its 23 affiliated forest collaborative groups access high-quality information on forest management.

Since the MFCN encourages the autonomy of individual collaborative groups, its leadership group, the MFCN Advisory Council, does not take positions on matters such as the BCSA. However, our agreed-upon process for endorsement allows member collaborative groups to do so and for us to convey their endorsement to you. In this spirit, the following collaborative groups communicate their endorsement of the Blackfoot Clearwater Stewardship Act.

Sincerely,

Montana Forest Collaboration Network



Gordy Sanders
Chair, Advisory Council

cc: The Honorable Steve Bullock
Governor of Montana

ENDORSEMENTS OF THE MFCN COLLABORATIVE GROUPS SUPPORTING THE ***BLACKFOOT CLEARWATER STEWARDSHIP ACT:***

- ***Beaverhead-Deerlodge Working Group***
- ***Clearwater Resource Council***
- ***Great Burn Conservation Alliance***
- ***Kootenai Forest Stakeholders Coalition***
- ***Lolo Restoration Committee***
- ***Mineral County Resource Coalition***
- ***Montana Forest Owners Association***
- ***Sanders County Collaborative Committee***
- ***Southwestern Crown Collaborative***
- ***Whitefish Range Partnership***

P.O. Box 17287, Missoula, Montana 59808 . montanaforestcollaboration@gmail.com
montanaforestcollaboration.org

MONTANA MOUNTAIN BIKE
ALLIANCE

28 September, 2021

Senator Joe Manchin
Chairman
Energy and Natural Resources Committee
Washington, D.C. 20510

Senator John Barrasso
Ranking Member
Energy and Natural Resources Committee
Washington, D.C. 20510

Letter of Concern: Blackfoot Clearwater Stewardship Act

Dear Sirs,

Montana Mountain Bike Alliance (MMBA) has advocated for responsible human-powered bicycle access to public lands in Montana since 2009. During this time period nearly 2,000 miles of remote, highly valued backcountry trails have been closed to bicycling, mostly in the western part of the state. MMBA believes that bicycles are a compatible recreational use on our shared trails leading into our most wild landscapes. Bicycling provides a healthy means for the pubic to connect to these lands while delivering tourism benefits to our rural communities. By continued support of conservation and managements goals, the mountain bicycling community has become a valued partner in charting the future of our cherished wild lands.

MMBA was an early supporter of the collaborative process of the Blackfoot Clearwater Stewardship Act (BCSA), as the underlying management restrictions of the USFS Region One Recommended Wilderness designation would mean a complete lock-out of bicycling throughout this same landscape. But in the end, MMBA does not support the current language, nor the related precedents set by the BCSA. The proposed Bill falls short of an equitable, practical solution for continued and shared bicycle access to a SMALL portion of this BIG landscape.

The BCSA proposes to close bicycle access to about 80-miles of existing trail-corridors that have drawn adventurous bicyclists deep into the Monture and Lake Creek drainages for decades. It is important to note that the current bicycle access to Camp Lake, Lake Otatsy and Canyon Lake (Lake Basin) is a highly valued and unique

experience (on a National scale), especially in the context of all the other trail closures to alpine lakes across the region. While the current BCSA proposal will allow 'continued' bicycle access to the Lake Basin via the Spread Mountain Recreation Area, the *real-life, on-the-ground* application of what is proposed in The Bill has for all practical purposes blocked bicycle access by design.

MMBA believes that with a few minor adjustments to the language and map of the BCSA, a more equitable and practical solution is still available for improved bicycle access while supporting the conservation, recreation and restoration goals of the collaborative process - a *made in Montana*, win/win.

Our concerns:

1) In the proposed Otatsy Recreation Management Area (Title II, Section 201) remove 'and mechanized' language from the text. In addition to the winter motorized accessed granted, this will allow the ORMA to be managed for summer bicycle use. A bicycle friendly ORMA will allow access to the Lake Basin via McCabe Creek trailhead and trail #1404. Trail improvements, new trail construction and USFS recreation management within the ORMA can address any shared-use concerns with other non-motorized trail users. If there is push-back from the Outfitters concerning the shared section of trail #61 to the Lake Basin, then THIS is where a new, separate bicycle-specific trail should be built. Separate the users for this short segment to the Lake Basin.

While MMBA appreciates the consideration given in the proposed trail in the Spread Mountain Recreation Area (SMRA), future bicycle access to the Lake Basin is solely contingent on constructing a new trail up a steep, narrow and geologically challenging ridge line. This route isn't practical or conducive for building a modern, sustainable, bicycle-specific trail worth this effort. There is no guarantee that after the mandated studies that there will be the funds, or more importantly, the needed collaborative appetite, to build a trail up Spread Mountain under the current boundary constraints. As such, this specific trail should be put on the back-burner as an expensive, sub-standard solution for continued bicycle access to the Lake Basin - and focus the funds elsewhere in the BCSA. Future bicycle access should be allowed though the ORMA, and developed and actively managed as needed. Bicycle trails in the SMRA can be developed after a bicycle friendly ORMA is created.

2) Extend the proposed Wilderness boundary set-backs from trail center from the current 50 feet to 250 feet to allow practical, on-the-ground options to sustainably rebuild and reroute the trails that are often in steep terrain with varied geology that has recently burned. Allow the flexibility to rebuild trails to modern sustainable standards.

3) To maintain consistency across the BCSA, apply the suggested Wilderness boundary set-back of 250 feet to the Lake Creek trail (#61) to keep the route out of the proposed Wilderness addition. The proposed BCSA map has the Wilderness boundary

crossing over trail #61 for just a short distance near the North Fork trailhead while the remaining trail remains out of the proposed Wilderness. Using a Wilderness boundary to block legal bicycle access farther up the trail is not a precedent that MMBA supports. This is a recreational trail management issue, not a Wilderness issue. Set-back the Wilderness boundary from the entire trail #61 from the North Fork trailhead - and manage trail users by an updated agreement.

4) Setback the Wilderness boundaries to the Center Ridge (#246) and Lodgepole Creek (#13) trails to allow continued bicycle access to Youngs Pass. This will allow for a loop ride to Youngs Pass using the existing trail corridors without the need to build an expensive 'short-cut' trail in the steep terrain. As it stands now, the BSCA proposal provides a truncated dead-end trail to nowhere that will require a new trail to be built before it is of value to the bicycling community. Why not leave the existing bicycle friendly Center Ridge to Young's Pass corridor in place, and use the proposed (future) funds to improve this backcountry loop experience?

MMBA believes that our modest suggestions provide a more equitable solution for the bicycle trail access we are losing in the BCSA landscape while supporting new Wilderness additions and Recreation Areas.

It cannot not be understated how important and valued are the pedal powered (w)ilderness experiences these condemned trails provide the bicycling community. Since BSCA was introduced in 2017, an additional 178 miles of nearby backcountry trails were also closed to bicycles in the Bitterroot and Sapphire Wilderness Study Areas (WSA). In the face of the permanent trail closures in the BCSA, it highlights the need to address the Montana Wilderness Study act of 1977, which has long outlasted its intended life span. It's time to release the WSAs to active management and responsible recreation.

Thank you for your time, consideration and service to our country.

Sincerely,

MMBA Executive Officers:

Bob Allen, Co-president Estela Villaseñor, Co-president Greg Beardslee, Secretary

Montana Mountain Bike Alliance
P.O. Box 7023
Bozeman, MT 59771

September 22, 2020

Dear Chairman Murkowski and
Ranking Member Manchin,

The Montana Outfitters and Guides Association (MOGA) is proud to support the Blackfoot Clearwater Stewardship Act (BCSA). We first endorsed this effort in 2007, and through ongoing work over many years, this Montana-born proposal has grown even stronger. Several of our members have been involved in this effort since the beginning, and we are eager to see the BCSA become law.

Since 1949, MOGA has worked tirelessly on behalf of an industry that represents core Montana traditions and values. Outfitters and guides contribute significantly to our rapidly growing travel and tourism economy, generating nearly $400 million annually, according to a 2019 report from University of Montana's Institute for Tourism and Recreation Research. Outfitter and guide spending accounts for the fourth largest non-resident spending category in our state. These dollars are especially critical in rural areas where many of our member businesses are based, communities close to the BCSA landscape such as Seeley Lake, Ovando, and Lincoln.

BCSA embodies the outdoor traditions, Montana values, and spirit of collaboration that we seek to support in our daily work at MOGA. Many of the timber components of the proposal have been realized through the Collaborative Forest Landscape Recreation Program, and now the wilderness and recreation components are left to implement through this legislation.

- This bill designates areas for Wilderness,
- opens areas to snowmobiles, and
- maintains access for mountain bikes.
- Not a single motorized trail or existing road would be closed because of this legislation
- boundaries of the legislation closely follow the 1986 Lolo Forest Plan.

In short, from snowmobiling to horse packing to mountain biking, the BCSA improves year-round access and guarantees great places to hunt, fish, and explore for future generations.
Thank you for your attention to this opportunity. We look forward to working to advance the Blackfoot Clearwater Stewardship Act and see it across the finish line.

Sincerely,
Mac Minard, Executive Director

Cc:
Sen. Steve Daines
Sen. Jon Tester
Rep. Greg Gianforte

Senator Jon Tester
311 Hart Senate building
Washington, DC 20510-2604

August 17, 2020

Dear Senator Tester,

This letter is again to let you know that the Montana Snowmobile Association (MSA) and it's 27 grass roots clubs and memebers do not and will not support the contiued and ongoing efforts of the Blackfoot Clearwater Stewardship Act (BCSA). This is a mere attempt to grab another 80,000 acres of public lands and put it into a Wilderness designation that only the Elite 3% of the population will ever use. We will not support any further designations of our public lands or closures until there is a more balanced approach that will open up equal opprotunities for the other 97% of the public.

Every year our opprotunities for mechanized recreation on National Forest lands keep getting closed and reduced either through Forest Plan revisions or changes in designations. The designation of 80,000 acres of additional Wilderness compared to 2,200 acres of "opened" snowmobiling area is not a balanced approach. The Otatsy recreation area that will be opened for snowmobiling is an avalanche waiting to happen. You must go through avalanche terrian to acess the area, and then return home the same way. This is not what snowmobiling is about. Snowmobiling is about a family fun oriented experience on a well groomed trail with amble opprotunities to be safe from avalanches and play with abundance of Montana scenery.

As you are aware your enviromental friends are pushing for a hearing in the Senate on the BCSA. We are against any sort of hearing. Your friends keep quoting a survey they put together showing 75% of Montanas support the BCSA. This is an erroneous survey with nothing but steered questions and them polling their own members. The BCSA is geared to benefit the local outfitters that use the existing trails and to estenstially lock out an sort of mechanized use. This BCSA gives the local Outfitters "what they want" and also the Wilderness groups "what they want". This is merely 3% of the general population.

We will continue to fight for a more balanced approach for the use of our public lands. We are just as much stewards of the lands as anyone, but there must be fair and equatible uses allowed for "all". This battle over Wildnerness will continue on similar to politics in Washington DC until the Enviromentalists realize they are a small portion of the Montana population, and must be willing to work with the other 97%.

Thank you for your time in understanding our position. We are open to a more collabrative process when you and the Wilderness groups are willing to take a more balanced

approach to the use of “OUR” public lands. Until then we will continue our cause and fight to not allow anymore designations or additional Wilderness.

Sincerely,

Jason Howell

President Montana Snowmobile Association

CC: Senator Steve Daines, Senator Lisa Murkowski, Representative Greg Gianforte

September 15, 2020

Montana Trout Unlimited
312 North Higgins, Suite 200
P.O. Box 7186
Missoula, Montana 59807

The Honorable Lisa Murkowski
Chairman, Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

The Honorable Joe Manchin
Ranking Member, Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

Re: Blackfoot Clearwater Stewardship Act (S. 1765)

Dear Chairman Murkowski and Ranking Member Manchin,

Montana Trout Unlimited (MTU) works to conserve, protect and restore coldwater fisheries and their watersheds. With more than 4,200 members represented by thirteen local chapters around the state of Montana, our organization supports conservation projects that benefit fish, wildlife, and people. That's why MTU is proud to support the Blackfoot Clearwater Stewardship Project (BCSA), S. 1765, that is pending before your committee.

Each year thousands of anglers come to Montana from across the country to fish some of the greatest trout streams in the world. Among those is the Blackfoot River, an iconic river that is a model of what long-term restoration through collaborative processes looks like. The Big Blackfoot Chapter of Trout Unlimited was created in 1987 with the purpose of restoring this iconic coldwater fishery by working with diverse partners and private landowners to preserve the working landscapes and critical habitats that sustain the health of the watershed. The Chapter, along with MTU, numerous watershed groups and hundreds of landowners have worked to invest over $15 million on more than 750 restoration projects reconnecting tributaries, installing fish screens, and improving over 500 stream miles, all while improving agricultural and ranching use and boosting the local economy through job creation. Thanks to that collaboration the Blackfoot and its tributaries are once again thriving with wild, native trout. The BCSA will

provide meaningful protections for the critical habitats that partners have invested in restoring as well as ensuring access and sustaining the Valley's rural heritage and agricultural economy.

The BCSA adds to this legacy by protecting almost 80,000 acres of backcountry public lands containing pristine headwater streams. Places like the West Fork of the Clearwater River, Monture Creek, and North Fork of the Blackfoot River boast some of the highest quality fish habitat for native species like the westslope cutthroat trout and the Endangered Species Act threatened bull trout. The BCSA will protect hundreds of miles of those critical spawning tributaries. Further, protecting headwater streams through the BSCA is one way to help recover and delist species, like bull trout.

Montanans know that when we work together, we can craft collaborative solutions that solve complex public land management challenges, from wildfire to wildlife and from motorized trail use to native trout. The BCSA promises to result in positive impacts to the local economy through active forest management and trail maintenance and the creation of over 180 jobs annually. This legislation finds the balance between user groups on federal lands by creating recreation areas for winter motorized use and mountain biking while still allowing for the protection of backcountry hunting and fishing opportunities. The Blackfoot River Valley is a model in our country for what long-term collaborative conservation and restoration can achieve, and the BCSA builds on those decades of progress.

We urge you to support the Blackfoot Clearwater Stewardship Act as it will serve as a legislative model for the rest of our state and the country of how local collaboration can provide certainty for all stakeholders and succeed in truly benefitting both the environment and people. Thank you considering our organization's position and being part of this success story by helping to pass the Blackfoot Clearwater Stewardship Act.

Respectfully,

David Brooks
Executive Director
Montana Trout Unlimited

Clayton Elliott
Conservation Director
Montana Trout Unlimited

cc:

The Honorable Jon Tester, United States Senator
The Honorable Steve Daines, United States Senator
The Honorable Greg Gianforte, United States House of Representatives

October 15, 2021

Montana Trout Unlimited
312 North Higgins, Suite 200
P.O. Box 7186
Missoula, Montana 59807

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands, Forests, and Mining
Committee on Energy and Natural Resources,
366 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

The Honorable Mike Lee
Ranking Member, Subcommittee on Public Lands, Forests, and Mining
Committee on Energy and Natural Resources
366 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

Re: Blackfoot Clearwater Stewardship Act (S. 1493)

Dear Chairman Cortez Masto and Ranking Member Lee,

Montana Trout Unlimited (MTU) works to conserve, protect and restore coldwater fisheries and their watersheds. With more than 4,200 members represented by thirteen local chapters around the state of Montana, our organization supports conservation projects that benefit fish, wildlife, and people. That's why MTU is proud to support the Blackfoot Clearwater Stewardship Project (BCSA), S. 1493, that is pending before your subcommittee.

Each year thousands of anglers come to Montana from across the country to fish some of the greatest trout streams in the world. Among those is the Blackfoot River, an iconic river that is a model of what long-term restoration through collaborative processes looks like. The Big Blackfoot Chapter of Trout Unlimited was created in 1987 with the purpose of restoring this iconic coldwater fishery by working with diverse partners and private landowners to preserve the working landscapes and critical habitats that sustain the health of the watershed. The Chapter, along with MTU, numerous watershed groups and hundreds of landowners have worked to invest over $15 million on more than 750 restoration projects reconnecting tributaries, installing fish screens, and improving over 500 stream miles, all while improving agricultural and ranching

use and boosting the local economy through job creation. Thanks to that collaboration the Blackfoot and its tributaries are once again thriving with wild, native trout. The BCSA will provide meaningful protections for the critical habitats that partners have invested in restoring as well as ensuring access and sustaining the Valley's rural heritage and agricultural economy.

The BCSA adds to this legacy by protecting almost 80,000 acres of backcountry public lands containing pristine headwater streams. Places like the West Fork of the Clearwater River, Monture Creek, and North Fork of the Blackfoot River boast some of the highest quality fish habitat for native species like the westslope cutthroat trout and the Endangered Species Act threatened bull trout. The BCSA will protect hundreds of miles of those critical spawning tributaries. Further, protecting headwater streams through the BSCA is one way to help recover and delist species, like bull trout.

Montanans know that when we work together, we can craft collaborative solutions that solve complex public land management challenges, from wildfire to wildlife and from motorized trail use to native trout. The BCSA promises to result in positive impacts to the local economy through active forest management and trail maintenance and the creation of over 180 jobs annually. This legislation finds the balance between user groups on federal lands by creating recreation areas for winter motorized use and mountain biking while still allowing for the protection of backcountry hunting and fishing opportunities. The Blackfoot River Valley is a model in our country for what long-term collaborative conservation and restoration can achieve, and the BCSA builds on those decades of progress.

We urge you to support the Blackfoot Clearwater Stewardship Act as it will serve as a legislative model for the rest of our state and the country of how local collaboration can provide certainty for all stakeholders and succeed in truly benefitting both the environment and people. Thank you considering our organization's position and being part of this success story by helping to pass the Blackfoot Clearwater Stewardship Act.

Respectfully,

David Brooks
Executive Director
Montana Trout Unlimited

Clayton Elliott
Conservation Director
Montana Trout Unlimited

cc:

The Honorable Jon Tester, United States Senator
The Honorable Steve Daines, United States Senator
The Honorable Matt Rosendale, United States House of Representatives

Protecting Montana's wildlife,
land, waters and hunting & fishing
heritage for future generations.

October 18, 2021

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands, Forests, and Mining
Committee on Energy and Natural Resources,
366 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

The Honorable Mike Lee
Ranking Member, Subcommittee on Public Lands, Forests, and Mining
Committee on Energy and Natural Resources
366 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

Re: Blackfoot Clearwater Stewardship Act (S.1493)

Dear Chair Senator Cortez Masto and Ranking Member Lee,

The Montana Wildlife Federation (MWF) is Montana's oldest and largest sportsmen-wildlife conservation organization. We work to protect Montana's public lands, clean waters, and abundant fish and wildlife for the benefit of the hundreds of thousands of Montanans and people all over the nation who hunt, fish, and value Montana's outdoor heritage.

The lands that encompass the Blackfoot and Clearwater Valleys are held in high regard by sportsmen and sportswomen across the state. The high quality big game habitat supports thriving elk and deer populations, and the intact tributaries of the Blackfoot River support some of the last remaining strongholds of native fish species like the threatened bull trout. That's why MWF strongly supports the Blackfoot Clearwater Stewardship Act, legislation that represents over a decade of collaboration that has resulted in positive impacts for communities, fish and wildlife, and the local economy in Western Montana.

The BCSA would complete implementation of a collaborative proposal that has been developed by a variety of stakeholder groups in Montana including sportsmen, ranchers, snowmobilers, mountain bikers, guides and outfitters, timber industry professionals, and business owners. If passed, the legislation would protect vital fish and wildlife habitat while also supporting economic activity in the timber and recreation sectors.

PO Box 1175 | Helena, Montana 59624 | t: 406.458.0227 | e: mwf@mtwf.org | montanawildlife.org

Through the timber and restoration components of the Blackfoot Clearwater Stewardship Project, local communities have already seen millions of dollars invested and more than 130 jobs created and maintained annually. The BCSA would complete implementation of the project by further catalyzing restoration projects, designating recreation areas for mountain biking and snowmobiling, and protecting approximately 80,000 acres of high quality fish and wildlife habitat by designating additions to the Bob Marshall, Mission Mountains and Scapegoat Wilderness Areas.

Protecting the additional wilderness lands in the Blackfoot Clearwater Stewardship Project area is essential to not only the fish and wildlife that thrive there, but to Montana's $7.1 billion outdoor recreation economy. For the tens of thousands of hunters and anglers who rely on quality hunting and fishing experiences in Western Montana each year, the BCSA ensures that these interests will be protected for future generations. The BCSA is currently supported by over 160 entities, including dozens of sporting organizations, outfitters, guides and outdoor recreation related businesses.

Determining how federal land management practices can work for all stakeholders is a complex process that can sometimes pit different interests against each other. The BCSA is a shining example to the rest of the nation of how collaboration can lead to a project that benefits everyone.

On behalf of Montana hunters, anglers, and wildlife enthusiasts, we urge you to support the Blackfoot Clearwater Stewardship Act and work to get this important piece of legislation across the finish line.

Sincerely,

Frank Szollosi
Executive Director

Montana Wool Growers Assoc.
PO Box 1693
Helena, MT 59624

Phone (406) 442-1330
leah@mtsheep.org
www.mtsheep.org

September 21, 2021

The Honorable Joe Manchin
Chairman
Energy and Natural Resources Committee
Washington, D.C. 20510

The Honorable John Barrasso
Ranking Member
Energy and Natural Resources Committee
Washington, D.C. 20510

Dear Senators Manchin and Barrasso,

The Montana Wool Growers Association (MWGA) writes on behalf of the more than 450 member-families to voice concern over the proposed Blackfoot-Clearwater Stewardship Act. MWGA is opposed to adding additional area to the National Wilderness Preservation under this bill.

While this act does plan to maintain livestock grazing (in areas were allowed currently) and does prove to allow for some management of trees, we are concerned about the restrictive land designations within the Blackfoot-Clearwater Stewardship Act.

MWGA is a proud supporter of protecting and improving Montana's economy, realizing that recreation, tourism, and agriculture are all important sectors. MWGA does not support this act as currently written, due to concerns over effects to Montana's agriculture industry, and economy.

Respectfully,

Leah Johnson
Executive Secretary

CC: the MWGA Board of Directors

October 15th, 2021

The Honorable Chairman Manchin
The Honorable Ranking Member Barrasso
The U.S. Senate Committee on Energy and Natural Resources
366 Dirksen Senate Office Building
Washington, DC 20000

Dear Chairman Manchin and Ranking Member Barrasso

It is my pleasure to reiterate support for the Blackfoot-Clearwater Stewardship Act (BCSA) on behalf of MTB Missoula's 350+ members and broader constituency. As our area's voice on policy matters concerning mountain bike access, we see the BCSA as an example of collaborative land management problem solving at its finest. The genesis of this legislation involved the convening of diverse stakeholders and setting aside differences towards a common vision for a landscape we love.

As the Executive Director of a mountain bike organization, this bill sheds light on a best future for management decisions moving forward. The BCSA finds common ground that allows mountain bikers, snowmobilers, and the communities that rely on timber to vocally support large scale expansion of designated Wilderness in Western Montana. These statements are statistically validated through a 2020 Montana Voter Survey on Public Lands, finding an 87% approval rating among respondents who identified as mountain bikers.[1]

The bill expands Wilderness protections across 80,000 acres to preserve the landscape for generations to come, while codifying and improving the existing recreational uses there that increasingly drive the local economies. While land management policy decisions in Montana are often contentious, this piece of legislation demonstrates that we, the users of the land, are above partisan bickering and cynical attempts to divide our voice. It shows that common ground is much more common than it seems, and provides a strong model for the future.

This legislation is the product of a decade and half of collaboration, and provides winning results for Wilderness, for recreation, and for traditional working forests. It is through the good faith efforts of those involved that solutions like this are possible, and we look forward to participating in similar efforts across the state.

Sincerely,

John Stegmaier
Executive Director
MTB Missoula

[1] https://crown-yellowstone.umt.edu/voter-surveys/2020/2020-summary-analysis.pdf

MTB MISSOULA

ENR Public Lands, Forests, and Mining Subcommittee Hearing on Legislation
Senator Lisa Murkowski
October 19, 2021
Statement on S. 2524

S. 2524, my bill before this committee, would modify how payments under the Alaska Native Claims Settlement Act – or "ANCSA" – are considered for purposes of other federal programs for three groups of the most vulnerable Alaska Natives: the blind, disabled, and elders over age 65. In recognition of the low income of many Alaska Natives, and the need they have for federal assistance programs, ANCSA created a unique provision to exclude some of the income Alaska Natives receive pursuant to the Settlement Act from counting against them for purposes of qualifying for federal assistance programs.

In determining the eligibility of a household, individual Native, or descendants of a Native to participate in the supplemental nutrition assistance program, receive social security benefits, or receive benefits under any other federal needs-based program, Native corporation or trust distributions up to $2,000 per Alaska Native beneficiary, in the aggregate annually, do not count against a Native person for purposes of determining that eligibility. This $2,000 per qualified individual dividend or trust distribution income exclusion level hasn't been adjusted since ANCSA was enacted, 50 years ago. I have worked with Alaska Native Leaders to update, and inflation-adjust the exclusion to a higher dollar amount, $5,000, and I intend to continue to work for this long overdue adjustment to the ANCSA income exclusion provision generally.

The low-income exclusion cap affects all Natives but is particularly rough on those who receive Elder or Disability Monthly Distributions from their Native Trusts and/or Corporations, but who are nonetheless still very much in need of the benefits of federal needs-based programs. Some elders, for example, have had to decline to take the Corporation or Trust distributions in order to remain eligible for federal assistance programs. In July, 2019, Elder James Chokwak notified the Old Harbor Native Corporation Elder's Trust that, despite needing the monthly distribution to make ends meet for his family, due to his and his wife's need to remain eligible for Medicaid, he must decline the Elder Distribution. This outcome, whereby the critically needed distributions to low-income Alaska Natives, from their Settlement Corporations and Trusts, forces their ineligibility for federal assistance programs, was never intended by ANCSA or by Congress. We absolutely need to enact S. 2524 to correct this inequity for our Native Elders, the blind, and the disabled.

19 October 2021
Kirk Blaine
Southern Oregon Regional Coordinator
Native Fish Society
kirk@nativefishsociety.org
307-299-7834

Dear Chairman Manchin, Ranking Member Barrasso and members of the Subcommittee on Public Lands, Forests, and Mining:

Native Fish Society supports the conservation of the Smith River through the proposed S. 1538, the Smith River National Recreation Area Expansion Act. For numerous years, NFS has partnered with local communities and other organizations to help protect this beloved natural treasure.

Native Fish Society is a non-profit 501(c)(3) organization working to restore abundant wild fish, free-flowing rivers, and thriving local communities. It is our hope that with a groundswell of public support and advocacy we can create positive outcomes for fish, rivers, and communities.

The Smith River supports a diverse population of wild native fish including: ESA listed Coho Salmon, Fall Chinook, Winter Steelhead, and Coastal Cutthroat Trout. The Smith River National Recreation Area Expansion Act will make a 20-year mineral withdrawal in the basin permanent, safeguarding these remarkable habitats for fish. This would be a key conservation protection for the entire ecosystem.

This act is also crucial for the people and communities that value the Smith River and its tributaries. The current 20-year mineral withdrawal was the result of years of local, grassroots advocacy seeking to protect ecosystem health and clean drinking water sources for local communities.

Native Fish Society strongly supports the Senate Energy and Natural Resources Committee in moving S. 1538 forward to protect the waters of Northern California and Southern Oregon. We must act now to conserve these natural treasures for future generations.

Thank you for your time and consideration.

Sincerely,

Kirk Blaine
Southern Oregon Regional Coordinator
Native Fish Society

October 18, 2021

Joe Manchin, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

John Barrasso, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Manchin and Ranking Member Barrasso:

As the owner of a technology busines located in Bozeman, Montana, I am writing in support of the Blackfoot Clearwater Stewardship Act (BCSA). Although my business is not focused on recreation or the outdoors, directly, as a Montana business owner I recognize that opportunities across Montana - including our quality outdoor experiences - are a piece of what drives our economy, and what creates advantages to the opportunities in our diverse and vibrant communities.

The BCSA is a made-in-Montana piece of legislation that supports our $7 billion outdoor recreation economy, and supports 71,000 jobs as a result. Collaboration has always been what drives many of the common sense public lands solutions in Montana, and the process behind the BCSA is no different. Community members from Montana's Blackfoot and Clearwater Valleys created the BCSA, and that's why it's supported by 75% of people across the state. Businesses, interests in timber restoration, wilderness advocates and recreationists of all sorts have come together to help craft and to support this bill, gathering diverse recreation interests as well as interests in timber restoration, conservation, and economic opportunity.

The BCSA represents values shared among Montana community members and stakeholders who recognize that healthy public lands, waters and forests, and opportunities for recreation are what create a foundation for community health and a promising economic future.

Your swift support to move this Montana-made legislation through committee and on to becoming law is imperative. The rural communities of the upper Blackfoot and Clearwater areas rely on healthy and vibrant landscapes, and the passing of the BCSA would provide an economic boost for communities where businesses consider their outdoors to be a great advantage.

Although my business is miles from the areas included in the BCSA, I know inherently what is at stake if our outdoor recreation industry and public lands are compromised, and the elements included in the BCSA address the need to impart

protections for our Montana outdoor assets. Along with 75% of Montanans, I support this bill, and ask for your support in moving this bill through committee.

Thank you for your time and consideration.

Sincerely,

Daren Nordhagen
Co-Founder
Foundant Technologies, Inc.

OLD HARBOR
NATIVE CORPORATION

PO Box 71 Old Harbor, Alaska 99643
Phone: (907) 286.2286 Fax (907) 286.2287
Email: info@oldharbor.org

2702 Denali Street, Suite 100, Anchorage, AK 99503
Phone: (907) 278.6100 Fax: (907) 276.3441
www.oldharbornativecorp.com

October 15, 2021

The Honorable Catherine Cortez Masto
Chair, Subcommittee on Public Lands, Forest, & Mining
313 Hart Senate Office Building
Washington, DC 20510

The Honorable Senator Mike Lee
Ranking Member, Subcommittee on Public Lands, Forest, & Mining
361A Russell Senate Office Building
Washington, DC 20510

Re: TESTIMONY IN SUPPORT OF S. 2524

Chair Catherine Cortez Masto, Ranking Member Lee and Members of the Committee:

As Chief Executive Officer of the Old Harbor Native Corporation, the Alaska Native Claims Settlement Act Village Corporation for Old Harbor, and on behalf of our shareholders and our Native Community, I wish to express the strongest possible support for S. 2524. Alaska Natives residing in rural and remote Villages are recognized by many authoritative organizations and official agencies, including the U.S. Congress, U.S. Census Bureau, Indian Health Service, and the State of Alaska, as among the poorest of the poor.

Many Alaska Natives living in rural, and indeed many living in urban areas, are dependent not only on their Village and Regional Corporations for financial assistance such as distributions, educational scholarships, cultural programs, internships and elder benefits, but they also rely on federal programs such as housing, nutrition assistance, Medicare and Medicaid. Since 1976, Section 29 of ANCSA (43 USC 1626) has excluded the first $2,000 in Alaska Native corporate dividends in making determinations of eligibility for these programs

Congress first authorized Alaska Native corporations to establish settlement trusts in 1988 and since that time, many such Trusts have been established to provide for the long-term, multigenerational protection and growth of the value of our Alaska Native Settlement Trusts for the benefit of our shareholders. However, Congress has never amended ANCSA to create an exclusion for benefits received by Alaska Natives from the settlement trusts authorized by ANCSA. This is ironic, because settlement trusts are one of the most powerful tools Alaska Native Corporations have to help Alaska Natives combat poverty, and the many ills that accompany it.

S. 2524 provides for a narrow but much-needed and important improvement in the treatment of distributions from the Trusts to the most vulnerable of our people, our Elders, blind and disabled, especially during the COVID-19 Pandemic. Under S. 2524, distributions of Trust benefits to Alaska Native Elders (65 years or older), blind and disabled will not count against those individuals

TESTIMONY BY OLD HARBOR NATIVE CORPORATION
IN SUPPORT OF S. 2524
Page 2

for purposes of determining eligibility for governmental assistance programs. The legislation is very beneficial because it prevents Elders, blind and disabled from losing eligibility for important, life-sustaining benefits such as housing assistance and food stamps, by virtue of a distribution of benefits to them from their Alaska Native Settlement Trust.

By way of example, An OHNC Elder had to decline receiving his monthly Elder distributions because it would make him ineligible for Medicare and Medicaid. He would talk to our staff members on a regular basis, extremely distressed, because he was having trouble paying his monthly bills without his distribution from our Elder Settlement Trust. These heart wrenching calls and pleas for help are what initiated our request for this very important bill. Thus, for this hearing record, I would like to quote one of our Elders, James Chokwak (75), who stated:

"My Medicaid and Medicare was impacted by my OHNC elder distributions. For a while, I had to stop receiving Old Harbor Native Corporation Elder Settlement Trust monthly distribution so that my wife and I could keep our health benefits and have the option to go to Providence and Regional hospital. My wife and I have many health problems. I use the Elder's benefit to pay our monthly bills. We are struggling to get by every month. After paying bills, we have nothing. We need Medicaid, Medicare and the Elders distributions from Old Harbor to cover our bills. This legislation will help us and many Elders in the native community. Quyanaa"

Our Elders should not have to choose between health care and receiving an Elder distribution that will allow them to pay their bills each month.

S. 2524 is very targeted to Alaska Native Elders, blind and disabled and does not provide a broad comprehensive exclusion of income for eligibility determination purposes across the total population of Alaska Natives. While Old Harbor believes such an exclusion should ultimately be enacted, because ANCSA benefits should not cause the loss of other benefits to which Alaska Natives are otherwise entitled because they are U.S. citizens, Old Harbor also believes it very important to prioritize the needs of our Elders, blind and disabled.

For these reasons, I respectfully urge the Committee and the Congress to move this bill to enactment as soon as possible. Please let me know if I can provide any additional information or materials for the Committee as it considers this important piece of legislation.

Quyanaa – Thank you!

Respectfully yours,

Carl H. Marrs
Chief Executive Officer

OUTDOOR ALLIANCE

November 2, 2021

Sen. Catherine Cortez Masto
Chair, Subcommittee on Public Lands, Forests, and Mining
313 Hart Senate Office Building
Washington, DC 20510

Sen. Mike Lee
Ranking Member, Subcommittee on Public Lands, Forests, and Mining
361A Russell Senate Office Building
Washington, DC 20510

Re: October 19 legislative hearing

Dear Chair Cortez Masto and Ranking Member Lee:

On behalf of the outdoor recreation community, thank you for holding the October 19 Subcommittee on Public Lands, Forests, and Mining legislative hearing to consider a number of bills of significance for our community. Our views on individual bills are detailed below.

Outdoor Alliance is a coalition of ten member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, the Mazamas, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation's public lands, waters, and snowscapes.

S. 607, the End Speculative Oil and Gas Leasing Act

Outdoor Alliance strongly supports the End Speculative Oil and Gas Leasing Act. Climate change and the direct environmental impacts of fossil fuel development are sufficient reason alone for a rigorous reconsideration of what role is appropriate for these activities on public lands and waters moving forward. In addition to problematic environmental effects, however, oil and gas leasing has

significant direct effects on outdoor recreation, effects which have been exacerbated by actions of the last administration.

Since 2018, OA has partnered with Rocky Mountain Wild to monitor new oil and gas lease sales in six western states (Colorado, Montana, Nevada, New Mexico, Utah, and Wyoming). As part of Rocky Mountain Wild's Oil and Gas Watch program, we screened our recreation database (rock climbing sites, mountain biking, hiking, and skiing trails, and whitewater paddling runs) against new oil and gas lease parcels to identify potential recreation conflicts and important places that might be at risk. Over the past three years, we have flagged 95 parcels and more than 150,000 acres of public land made available for oil and gas leasing and containing recreational resources.

The process of reviewing and commenting on these lease sales was significantly complicated by shortened comment periods—in some cases as short as 10 days. Additionally, BLM's parcel review period was reduced under direction from the previous administration to no longer than 6 months from a previous average of 16 months. Simultaneously, Master Leasing Plans, which had proved useful tools for balancing oil and gas development with other resource values, were eliminated. Statewide leases were required every quarter, whereas previously sales were rotated through different field offices and regions in each state, resulting in a high level of (anonymous) nominations and proposed leases in areas with high value for recreation or conservation, as well as significant speculative leasing of low potential lands. The cumulative effect of these changes was to significantly reduce opportunities for public input, ramp up conflict between energy development and other resource values, and create long-term uncertainty for other resource values because of speculative leases.

In addition, perhaps in part stemming from compressed time frames, BLM in our experience has routinely failed to take a hard look at impacts to recreation and related socioeconomics in NEPA documents. At times this manifested as a complete failure to consider the effects of leasing on specific, developed recreation resources. In one example, BLM proposed, and then withdrew, lease parcels underlying Moab's world famous Slickrock trail. In another example, a lease sale was proposed for a parcel containing a National Interscholastic Cycling Association (NICA) high school race course, erroneously stating in the EA that "there are no developed recreation areas near or within the project area."

OUTDOOR ALLIANCE

Speculative leasing has proved to be a significant problem. In 2018, BLM offered 12.8 million acres for leasing, but only 1.4 million acres (11%) received bids, making 11.4 million acres available for noncompetitive bidding. At the end of fiscal year 2018, approximately half of all federal acreage set aside for oil and gas leasing was tethered to non-producing leases. Huge swaths of public land are being leased for next to nothing, and it is unclear what companies intend to do with the land. In the meantime, these leases complicate or foreclose conservation efforts or efforts by communities to invest in the outdoor recreation economy through the development of sustainable recreational uses and amenities.

The End Speculative Oil and Gas Leasing Act would help restore balance to public lands management by requiring the BLM to study a parcel's potential for mineral development and end the practice of leasing lands with a low potential for development to speculators. On public lands with low or no mineral potential, the bill would put the focus back on other resource values like outdoor recreation and wildlife habitat preservation. This common-sense change would ensure that communities are able to move forward with developing recreation infrastructure and engage in long-range planning without low-potential leases complicating efforts or hanging like a sword of Damocles over future goals.

S. 1214, the State Grazing Management Authority Act

Outdoor Alliance strongly opposes the State Grazing Management Authority Act. In recent years, we have been pleased to see proposals to turn over national public lands to states largely recede. We continue, however, to see proposals that would undermine public management of public resources by turning over aspects of ownership or control of public lands to states or outside entities. These proposals undercut the very concept of public lands and are intended to allow industry groups—here, grazers—to circumvent the laws and policies that assure balance among sometimes-competing uses.

S. 1459, PUBLIC Lands Act

Outdoor Alliance strongly supports the PUBLIC Lands Act. The bill's three titles comprise protections that enjoy strong support from California's recreation community and have been developed with broad community input.

OUTDOOR ALLIANCE

Title I, **Northwest California Wilderness, Recreation, and Working Forests**, was crafted after years of input from business leaders, conservationists, anglers, mountain bikers, fire management professionals, and more, and we appreciate efforts to consider the needs of a broad array of regional stakeholders in developing this legislation. Because of it, the title benefits the region's public lands, local communities, and the millions of visitors who come to experience northwest California's storied outdoor recreation. This bill secures a vision for well-balanced, landscape-scale conservation, promotes restoration of degraded watersheds, and improves fire management.

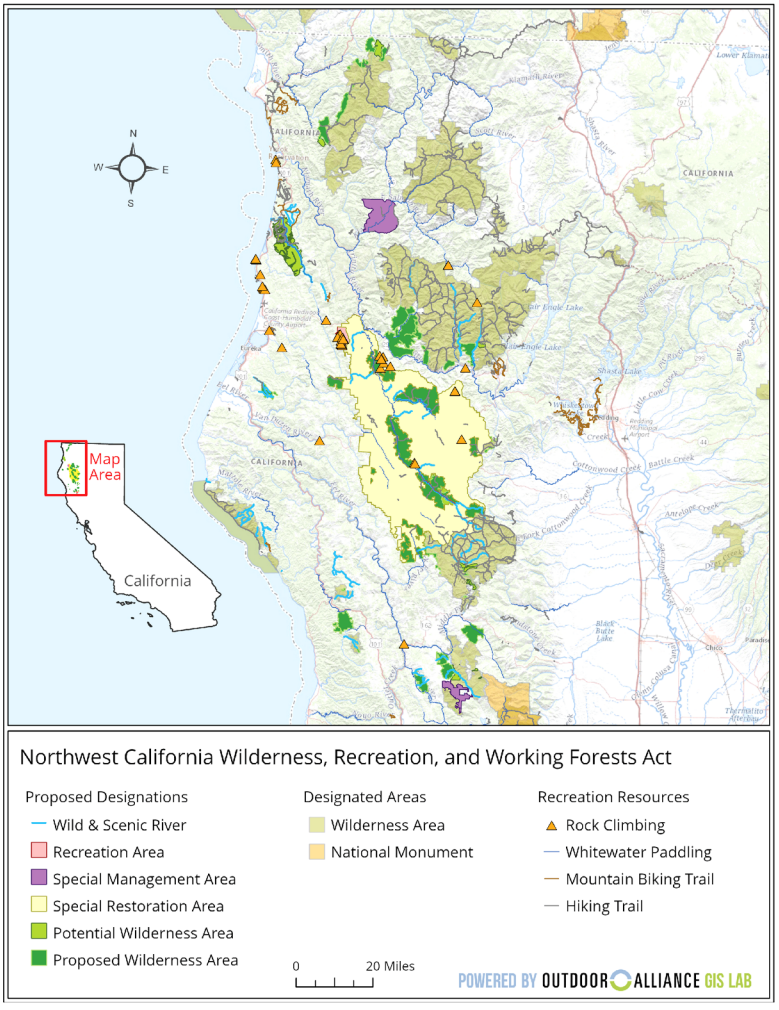
This title will conserve approximately 262,000 acres of public land as Wilderness, designate 379 miles of new Wild and Scenic rivers, and create a special restoration area of more than 700,000 acres. From the fog-shrouded redwood forests of Humboldt County to the sunny oak woodlands and grasslands of Mendocino, and the soaring peaks of the Trinity Alps Wilderness to the turquoise waters of the Wild and Scenic Smith River, this region is home to spectacular landscapes and world-renowned recreational opportunities.

In addition to protecting conservation values in the area, the title would expand opportunities for sustainable recreation. With the establishment of the Elk Camp Ridge Recreation Trail, the title would benefit northwest California by expanding mountain biking trails along the Elk Camp Ridge and in Del Norte County. It would permanently protect the South Fork Trinity River—a popular and valuable steelhead fishery—and study the feasibility of establishing the Bigfoot National Recreation Trail to highlight the botanical and biological diversity of the region. We greatly appreciate the title's attention to ensuring the protection and sound management of Wilderness climbing opportunities, as well as the inclusion of Land of the Lost—the closest sport climbing to Arcata and Eureka—in a special management area.

In addition to new Wild & Scenic designations for whitewater resources on the East Fork North Fork Trinity and Canyon Creek, paddlers enthusiastically support the protection of more than 48,000 acres of public land within the proposed Wilderness areas surrounding already-designated Wild and Scenic watersheds on the Trinity, Eel, and Black Butte Rivers. Moreover, 25 whitewater river access points will be protected within proposed Wilderness and special restoration areas, and potential

OUTDOOR ALLIANCE

Wilderness areas will ensure boaters can continue to paddle along the banks of the lower portion of Redwood Creek surrounded by the tallest living trees in the world.



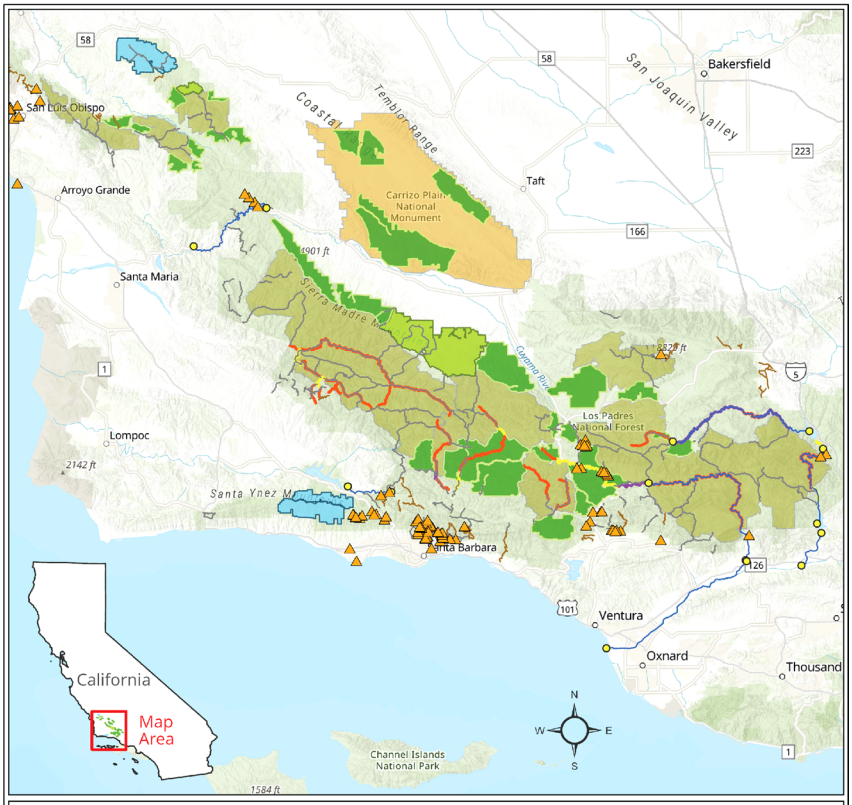
OUTDOOR ALLIANCE

The **Central Coast Heritage Protection** title similarly protects key conservation and recreation values. California's Los Padres National Forest is a popular destination for outdoor recreationists of many forms, from mountain bikers to wildlife viewers. The title would protect more than 262,000 acres of public land within the Los Padres Forest and Carrizo Plain National Monument, designate 159 miles of river as Wild and Scenic, and create two new scenic areas, Black Mountain and Condor Ridge. Santa Barbara County's Condor Ridge is within the Santa Ynez Mountains, and its unique climate creates an area of high biodiversity and critical habitat for southern steelhead.

In addition to safeguarding clean air and water for Californians, the title would create and expand opportunities for outdoor recreation. It designates a 400-mile-long Condor National Recreation Trail, supporting through-hiking and backpacking opportunities across the entire length of the Los Padres National Forest, from Los Angeles to Monterey County. It would also protect important and threatened wilderness characteristics around popular rock climbing areas in the Sespe Gorge along Highway 33. Paddlers support adding more miles to the Wild and Scenic Piru Creek, a waterway rare for the region that provides outstanding whitewater less than an hour drive from downtown Los Angeles.

Importantly, all proposed new Wilderness boundaries were drawn in order to preserve existing mountain biking trails, and the title would mandate that the Forest Service conduct future studies for improving mountain biking trail opportunities across the Los Padres National Forest. Additionally, the title protects trail corridors for numerous high priority trails identified by local mountain bikers through the Central Coast Concerned Mountain Bikers (CCCMB), an IMBA local group, and CCCMB and IMBA have worked as part of a coalition to adjust proposed boundaries in order to protect corridors for the Mono Alamar trail, the McPherson Peak Trail, and the Rinconada Creek/Mine trails, as well as make other priority trail adjustments.

OUTDOOR ALLIANCE



Central Coast Heritage Protection Act

Proposed Designations
- Proposed Scenic Area
- Potential Wilderness Area
- Proposed Wilderness Area

Designated Areas
- Wilderness Area
- National Monument

Proposed Wild & Scenic River
- Recreational
- Scenic
- Wild

Recreation
- Rock Climbing
- River Access
- Whitewater Paddling
- Mountain Biking Trail
- Hiking Trail

0 10 Miles

POWERED BY OUTDOOR ALLIANCE GIS LAB

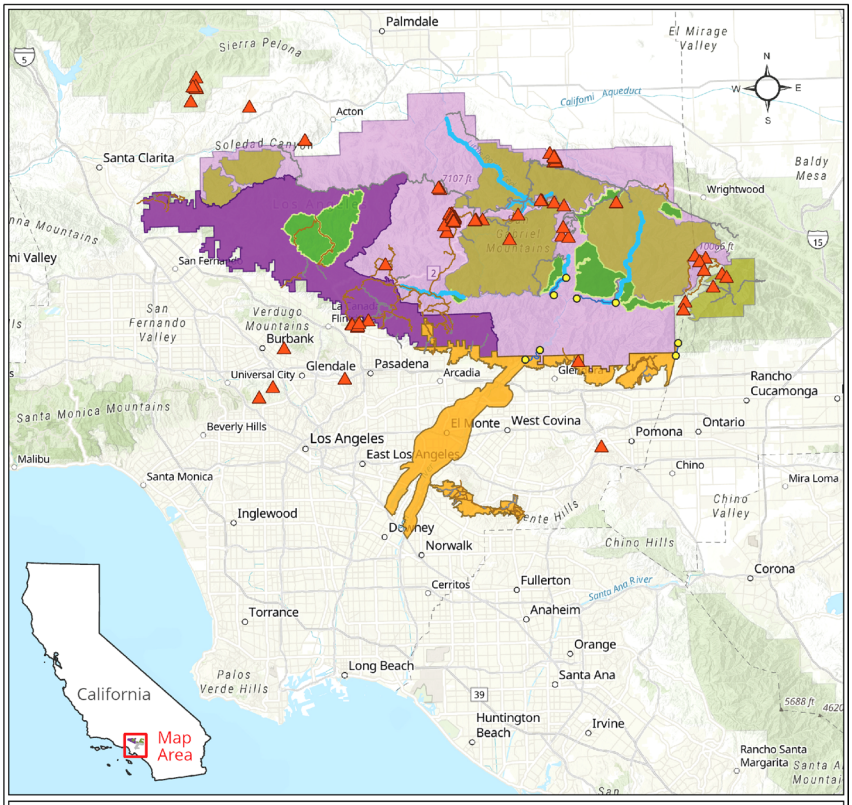
OUTDOOR ALLIANCE

Right on the edge of Los Angeles in the Angeles National Forest, the San Gabriel Mountains National Monument represents 70 percent of the open space in the Los Angeles metropolitan region and provides 30 percent of the region's drinking water. The **San Gabriel Mountains Foothills and Rivers Protection** title of the PUBLIC Lands Act will adding lasting protections to the San Gabriel Mountains, supporting the health and well-being of all Angelenos and helping to sustain the health of local businesses and the broader outdoor recreation economy.

We especially appreciate the various designations included in the bill that allow for multiple recreational uses. The San Gabriel foothills are an important urban/wild buffer zone and the gateway to the mountains for many millions of Angelenos who otherwise have limited access to open space and outdoor recreation. The establishment of a 51,000-acre National Recreation Area along the foothills and San Gabriel River corridor and Puente Hills will not only help improve that access, but will also ensure that these highly popular and heavily used areas receive the resources they need to be managed and maintained in a sustainable manner for the safety and enjoyment of all.

The title would increase opportunities for Angelenos to enjoy the outdoors by expanding the San Gabriel Mountains National Monument by nearly 110,000 acres to include the western portions of the Angeles National Forest. The title would establish an 8,417 acre Condor Peak Wilderness and a 6,774 acre Yerba Buena Wilderness. Additionally, the San Gabriel Wilderness would be expanded by 2,000 acres, and the Sheep Mountain by nearly 14,000 acres. The proposed Sheep Mountain Wilderness additions include a segment of the famous Pacific Crest Trail and the popular East Fork Trail. This area is famous for its rare mountain yellow-legged frog, the California spotted owl, and the many incredible trout streams perfect for fishing.

OUTDOOR ALLIANCE



San Gabriel Mountains, Foothills, and Rivers Protection Act

Proposed Designations
- Proposed Wild & Scenic River
- National Monument Expansion
- National Recreation Area
- Proposed Wilderness

Designated Areas
- National Monument
- Wilderness Area

Recreation Resources
- Rock Climbing
- River Access
- Whitewater Paddling
- Mountain Biking Trail
- Hiking Trail

0 10 Miles

POWERED BY OUTDOOR ALLIANCE GIS LAB

OUTDOOR ALLIANCE

The PUBLIC Lands act, as whole, comprises bills that reflect decades of thoughtful development and collaboration, and we strongly support its passage.

S. 1493, the Blackfoot Clearwater Stewardship Act

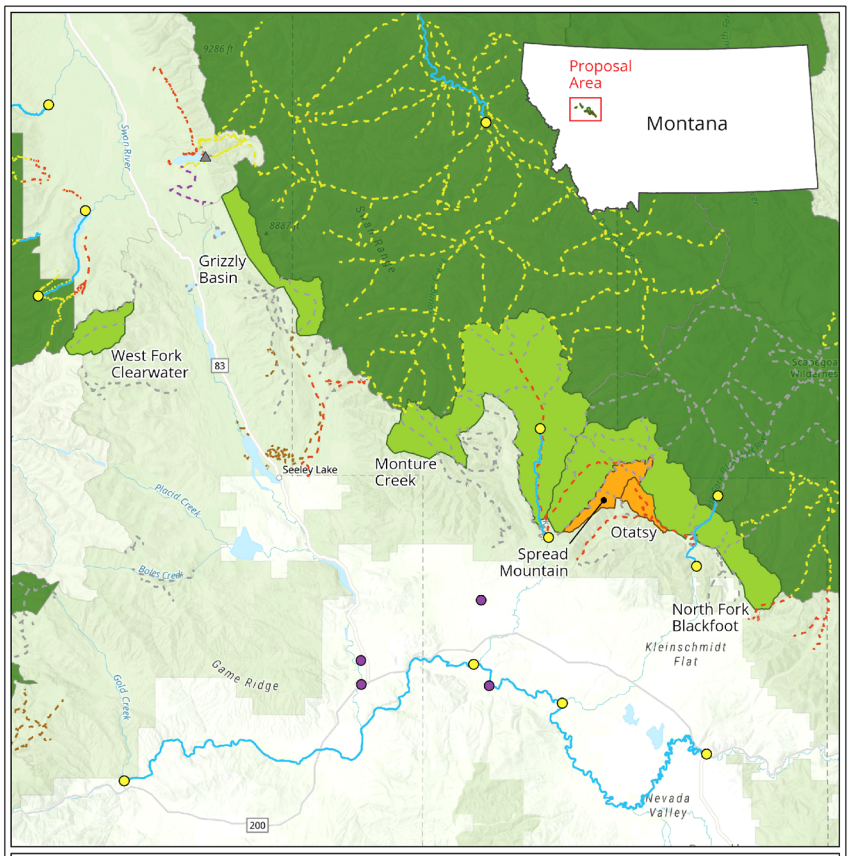
The Blackfoot Clearwater Stewardship Act balances forest health, recreation, and conservation, and in addition to enhancing the state and national outdoor recreation economy, the bill will help sustain thousands of forest restoration jobs that improve fish and wildlife habitat.

Eighty percent of Montanans and millions of annual Montana visitors recreate on Montana's public lands. The Blackfoot Clearwater Stewardship Act protects existing recreation opportunities like hiking, fishing the world-renowned Blackfoot River, and hunting in the famous Bob Marshall Wilderness, and identifies areas for new mountain bike and snowmobile access. The proposed Spread Mountain Recreation Management Area will preserve mountain bike access from Spread Mountain to Camp Pass, and the Otatsy Recreation Management Area would open 2,000 acres to high-quality snowmobiling near Ovando. Furthermore, the bill asks the Forest Service to study new recreation opportunities for varied users.

The bill will protect the health of the Blackfoot River and its native trout populations by protecting key tributaries, including the North Fork, Monture Creek, Morrell Creek, and West Fork Clearwater. The North Fork Blackfoot and Monture Creek are particularly valued by paddlers and would be excellent future candidates for Wild and Scenic designation. The bill preserves these important trout habitats and supports Montana's vibrant angling industry. This initiative protects wildlife habitat and wildlife corridors—important to game, like elk, and sensitive species like grizzlies, wolverines, and lynx—by adding nearly 80,000 acres to the Bob Marshall, Scapegoat, and Mission Mountains Wilderness areas.

The Blackfoot Clearwater Stewardship Act is a grassroots, Montana-lead effort to protect some of the state's most treasured headwaters. Because it balances the varied ways in which the state's public lands are used, it enjoys broad support from the timber, recreation, business, ranching, and conservation communities.

OUTDOOR ALLIANCE



OUTDOOR ALLIANCE

S. 1538, the Smith River National Recreation Area Expansion Act

Outdoor Alliance strongly supports the Smith River National Recreation Area Expansion Act. This legislation will protect the North Fork Smith River headwaters from the destructive effects of strip mining and safeguard its unique habitat and world class recreation opportunities.

The Smith River is the largest entirely free flowing river in California. Unfortunately, the Smith River National Recreation Area currently does not include the portion of the North Fork Smith in Oregon. Although relatively small in area, the bill contains the northern headwaters of the Smith River, which support a unique landscape, miles of pristine rivers and streams, and priceless recreation opportunities.

Current trends show that proximity to natural beauty and opportunities for outdoor recreation are tightly linked to increased desirability and economic development. The Smith River and its surroundings are already legendary in this regard, and the primary economic base for the region is its recreational opportunities, including fishing, hunting, whitewater paddling, cycling, hiking, backpacking, and surfing. Any damage done to the headwaters of the North Fork Smith has the potential to ripple down through all of these activities, causing significant harm to the region's economy. The legislation would protect the remaining 58,000 acres of North Fork Smith watershed, including at least 40 miles of hiking trails, a portion of the Kalmiopsis Wilderness, and 75 miles of river and tributaries, including three premier wilderness whitewater paddling reaches totaling 35 miles of rugged, remote, beautiful water of the highest quality.

S. 1589, the Oregon Recreation Enhancement Act

Outdoor Alliance strongly supports the thoughtful protections that would be enacted by the Oregon Recreation Enhancement (ORE) Act. We are particularly pleased to support legislation that designates Wilderness while also using other protective designations where more appropriate. This legislation would establish the following three designations:

OUTDOOR ALLIANCE

Rogue Canyon Recreation Area

The bill establishes a 98,000 acre Recreation Area on lands administered by the Bureau of Land Management adjacent to the Wild Rogue Wilderness Area. This includes lands along the upper reaches of the Wild and Scenic corridor often enjoyed for day use near Galice, as well as lands along the Bear Camp Road. While existing roads would remain, no new permanent roads would be constructed, wildfire management would continue to be permitted, and new mining claims would be prohibited. Lands would be managed for purposes of protecting, conserving, and enhancing the unique and nationally important recreational, ecological, scenic, cultural, watershed, and fish and wildlife values.

Wild Rogue Wilderness Expansion

The bill expands the existing Wild Rogue Wilderness Area to approximately 60,000 acres. Although river runners and trail users experiencing the Wild and Scenic Rogue River enjoy a backcountry experience from Grave Creek to Foster Bar, the river is not protected as Wilderness until you pass through Mule Creek Canyon and enter the lower reaches of the river corridor administered by the Forest Service. This Wilderness expansion would protect the river corridor along the entire length of the section of the Rogue River experienced as a multi-day river trip.

Molalla Recreation Area

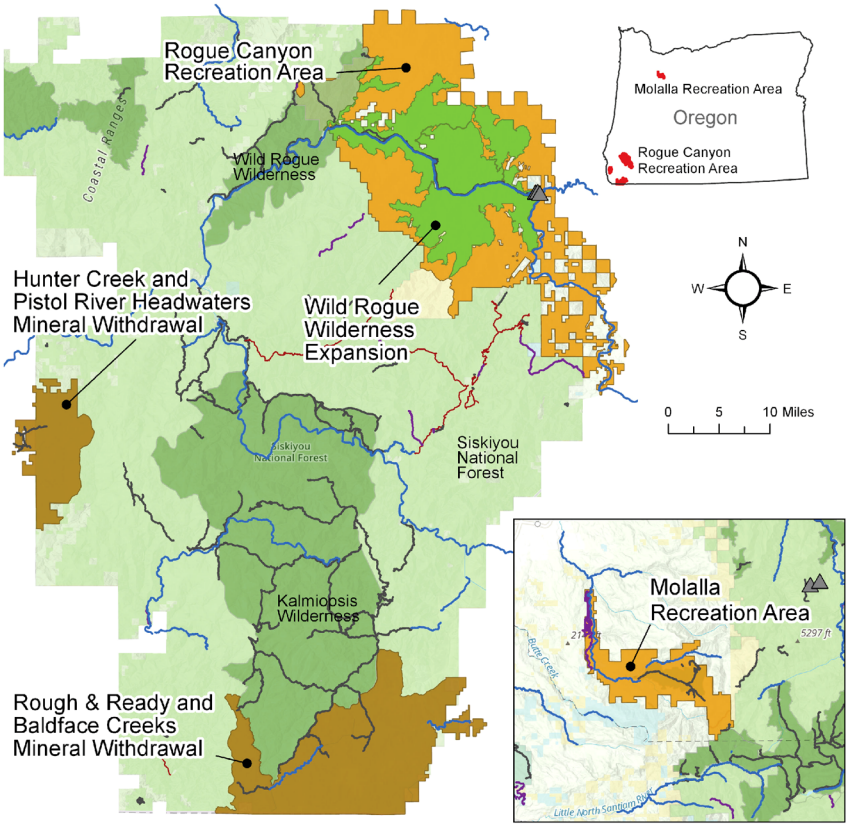
The bill establishes a 30,000 acre Recreation Area on the banks of the Molalla River in Clackamas County adjacent to the Table Rock Wilderness Area. The Molalla River Trails System, a network of approximately 20 miles of trail, winds through forested foothills and offers scenic views of the Cascade Range for hikers, mountain bikers, and equestrians who visit. While the Molalla was designated as a Wild and Scenic River in March 2019, this designation would provide complementary protection to the lands along the river corridor and ensure that they are managed for purposes of protecting, conserving, and enhancing the unique and nationally important recreational, ecological, scenic, cultural, watershed, and fish and wildlife values.

OUTDOOR ALLIANCE

Mineral Withdrawals

In addition to these protected areas, the ORE Act would protect more than 100,000 acres of federal lands along the headwater streams of Baldface Creek, Rough and Ready Creek, Hunter Creek, and Pistol River from new mining claims. These lands are located at the headwaters of rivers that include the Wild and Scenic North Fork Smith and Illinois Rivers that represent spectacular whitewater boating resources known for their exceptional water quality. While the Forest Service and Bureau of Land Management issued a 20-year administrative withdrawal from new mining claims in 2016, the legislation would make this protection permanent.

OUTDOOR ALLIANCE



Oregon Recreation Enhancement Act

POWERED BY OUTDOOR ALLIANCE GIS LAB

Proposed Designation
- Mineral Withdrawal
- Proposed Wilderness
- Recreation Area

Land Management
- Bureau of Land Management
- U.S. Forest Service
- State
- Wilderness Area

Recreation Resources
- Rock Climbing Site
- Whitewater Paddling
- Hiking
- Hiking | Mountain Biking
- Motorized

OUTDOOR ALLIANCE

* * *

On behalf of the human-powered outdoor recreation community, thank you for holding this hearing, and we look forward to working with the Subcommittee to advance legislation in support of recreation and conservation values on our public lands and waters.

Best regards,

Louis Geltman
Policy Director
Outdoor Alliance

cc: Adam Cramer, Chief Executive Officer, Outdoor Alliance
Chris Winter, Executive Director, Access Fund
Beth Spilman, Executive Director, American Canoe Association
Mark Singleton, Executive Director, American Whitewater
Kent McNeill, CEO, International Mountain Bicycling Association
Todd Walton, Executive Director, Winter Wildlands Alliance
Tom Vogl, Chief Executive Officer, The Mountaineers
Mitsu Iwasaki, Chief Executive Officer, American Alpine Club
Sarah Bradham, Interim Executive Director, the Mazamas
Keegan Young, Executive Director, Colorado Mountain Club
Chad Nelson, Chief Executive Officer, Surfrider Foundation

George Bradshaw
President
Larry Collins
Vice-President
Stephanie Mutz
Secretary
Chuck Cappotto
Treasurer

PACIFIC COAST FEDERATION of FISHERMEN'S ASSOCIATIONS

Michael Conroy
Executive Director
Glen H. Spain
Northwest Regional Director
Vivian Helliwell
Watershed Conservation Director
In Memoriam:
Nathaniel S. Bingham
Harold C. Christensen
W.F. "Zeke" Grader, Jr.

Please Respond to:
[X[California Office
P.O. Box 29370
San Francisco, CA 94129-0370
Tel: (415) 561-5080
Fax: (415) 561-5464

www.pcffa.org

☐ **Northwest Office**
P.O. Box 11170
Eugene, OR 97440-3370
Tel: (541) 689-2000

October 15, 2021
Response Email: mike@ifrfish.org

Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
Washington, DC.

RE: Statement of Support for S. 1538 – the Smith River NRA Expansion Act

Dear Senators:

The Pacific Coast Federation of Fishermen's Associations (PCFFA) strongly supports the Smith River National Recreation Area Expansion Act. PCFFA is the largest trade association of commercial fishing families on the West Coast, and has led the fishing industry in protecting the rights of fishing families and communities since 1976.

Expanding the Smith River National Recreation Area to include the North Fork of the Smith is completely aligned with the stewardship and conservation values embraced by West Coast fishermen. The Smith is one of our last great undammed rivers, making it a crown jewel of the salmon coast. We believe S. 1538 is good for our salmon, steelhead and for the communities that depend on the fishing industry.

In closing, we would like to observe that millions of dollars of State, federal, and private funds have been invested in making the Smith River one of the premier "salmon strongholds" along the Pacific Coast. S. 1538 will help protect these important investments and our coastal communities.

Sincerely,

Mike Conroy
Executive Director

THE PEW CHARITABLE TRUSTS

2005 Market Street, Suite 1700 215.575.9050 Phone
Philadelphia, PA 19103-7077 215.575.4939 Fax

901 E Street NW, 10th Floor 202.552.2000 Phone
Washington, DC 20004 202.552.2299 Fax
www.pewtrusts.org

Written Statement Submitted by The Pew Charitable Trusts to the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining

For the record of the legislative hearing held on October 19, 2021 Regarding S. 1411, S. 1459, S. 1493, S. 1538, and S. 1589

The Pew Charitable Trusts seeks to preserve ecologically and culturally significant U.S. public lands and rivers through legislative designations, as well as federal and state administrative protections. To accomplish these goals, we work closely with diverse stakeholders—such as local businesses, local governments, Indigenous Tribes, the outdoor recreation industry, travel and tourism organizations, veterans, sportsmen and women— to develop collaborative proposals that protect landscapes and local communities.

The COVID-19 pandemic has underscored how much Americans value the outdoors, with individuals actively seeking connections to public lands and rivers. It has also shown how important visitor spending is to states and local communities. According to the Bureau of Economic Analysis, outdoor recreation activities generate $788 billion each year in national economic output and support 5.2 million American jobs (2019 data). Our public lands and rivers are important economic drivers in rural and urban areas, and bills pending before the Subcommittee have the potential to assist in our nation's economic recovery.

Pew supports S. 1411, S. 1459, S. 1493, S. 1538, and S. 1589. We appreciate the Subcommittee holding a hearing on these initiatives. Our detailed position on each proposal is outlined below.

The Lander County Land Management and Conservation Act (S. 1411).
This legislation designates more than 14,000 acres of wilderness while also resolving longstanding land management issues in Lander County, Nevada. S. 1411 will protect Cain Mountain, enhancing ecological connectivity with other proposed wilderness areas in Churchill and Pershing Counties. It will also conserve the rugged peaks and streams of Desatoya Mountains, conserving habitat for fish and wildlife and enhancing opportunities for outdoor recreation.

The Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act (S. 1459).
The PUBLIC Lands Act conserves approximately 1.5 million acres of land and 600 miles of river throughout California, from the majestic old-growth forests and wild rivers of Northwest California, to the oak woodlands and lush and ecologically sensitive mountains of the Central Coast, to the majestic peaks and free-flowing waterways that serve as a backyard for more than 17 million Southern Californians. The bill will protect wildlife, enhance recreational opportunities, strengthen local economies, and establish new wildfire management procedures to enhance forest resiliency and allow for better coordination within fire management plans.

S. 1459 includes provisions from three bills that have previously been passed by the U.S. House on multiple occasions with bipartisan support: The Northwest California Wilderness, Recreation, and Working Forests Act (H.R. 878), the Central Coast Heritage Protection Act (H.R. 973), and the San Gabriel Mountains Foothills and Rivers Protection Act (H.R. 693). Each of these titles is the result of years of discussion and negotiation involving local businesses, elected officials, conservationists, and other stakeholders interested in preserving these wild lands and rivers.

The Blackfoot Clearwater Stewardship Act (S. 1493).
S. 1493 is the result of more than a decade of on-the-ground collaboration among a wide variety of stakeholders, including timber companies, ranchers, small businesses, outfitters, hunters, anglers, recreation enthusiasts, and conservationists. The bill will protect ecologically sensitive areas as wilderness, expand opportunities for outdoor recreation and tourism, promote forest and habitat restoration, and boost the number of local timber jobs.

S. 1493 would add 79,060 acres to the Bob Marshall, Scapegoat, and Mission Mountain wilderness areas, securing vital habitat for elk, deer, grizzly bears, bull trout, and other sensitive species. This region, adjacent to the iconic Bob Marshall Wilderness Complex, is frequented by hikers, campers, cross-country skiers, hunters, and anglers. The bill's proposed Otatsy Recreation Management Area will open 2,013 acres of public land to high-quality snowmobiling near Ovando and preserve prized mountain bike access to Spread Mountain, Center Ridge and Camp Pass.

The Smith River National Recreation Area Expansion Act (S. 1538).
S.1538 designates approximately 58,000 acres of public land as recreation areas and protects 74 miles of the North Fork Smith River and its tributaries as scenic rivers. The bill would protect diverse ecosystems and help boost local fishing and recreation industries in the region, and has the support of local leaders, commercial and sportfishing businesses, recreation groups, and conservation organizations.

In 1990, Congress enacted legislation to establish the Smith River National Recreation Area (NRA) to protect the watershed, but the boundary of the NRA only protected the California portion of this important river system, stopping at the Oregon border and leaving the North Fork of the Smith River and its tributaries unprotected. The Smith River is home to coho and

Chinook salmon, coastal cutthroat trout, the diverse Siskiyou Mountains forests, unique plants found nowhere else on earth, and towering redwoods. S.1538 will ensure that the headwaters and tributaries of this ecologically rich river habitat are protected, providing clean drinking water to thousands of Oregonians, safeguarding world-class fisheries, and supporting a plethora of outdoor recreational business and tourism opportunities.

The Oregon Recreation Enhancement (ORE) Act (S. 1589).
S. 1589 designates approximately 60,000 acres of wilderness and 128,000 acres of recreation areas in the Wild Rogue and Molalla areas of Oregon. This legislation would also permanently withdraw more than 100,000 acres of U.S. Forest Service land in southwestern Oregon located near the headwaters of several Wild and Scenic rivers and the Kalmiopsis Wilderness Area, protecting more than 140 miles of pristine Southwest Oregon rivers.

Oregon's rivers and ancient forests define the rugged character of the State and offer ecological richness that is almost unparalleled in the continental United States. S. 1589 will ensure access to clean drinking water for thousands of Oregonians in both rural and urban communities, help Oregon's extraordinary wild salmon populations to survive and thrive, offer economic benefits derived from outdoor recreation, and provide local communities with certainty that wildfire management will continue to be possible in the wilderness and recreation areas.

This legislation has been years in the making. Local businesses, sportsmen, veterans, and conservation organizations are support S. 1589's goal of safeguarding these special wild and rugged landscapes and providing additional protections for some of Oregon's most cherished Wild and Scenic rivers. Portions of this bill were included in H.R. 803, Protecting America's Wilderness and Public Lands Act, which passed the House of Representatives earlier this year.

The Subcommittee has previously received testimony in support of protecting these special lands and waters within Oregon and reported these measures as part of the Oregon Wildlands Act (S. 1548) on October 2, 2018.

Conclusion
Thank you for the Subcommittee's consideration of Pew's views on these bills. We welcome the opportunity to work together to improve and move them forward.

Contacts:
Marcia Argust, margust@pewtrusts.org
John Seebach, 202-540-6509, jseebach@pewtrusts.org

November 4, 2015

Blackfoot Clearwater Stewardship Project
c/o Jim Stone
Rolling Stone Ranch
PO Box 148
Ovando, MT 59854

Dear Blackfoot Clearwater Stewardship Project and the Montana Congressional Delegation:

We are proud to reaffirm our endorsement for the Blackfoot Clearwater Stewardship Project (BCSP) and ask the Montana Delegation to sponsor and enact legislation to implement all components of the proposal. This broadly supported proposal advances the interests of multiple and diverse stakeholder groups including Wilderness additions to the Bob Marshall and Scapegoat Wilderness areas, designation of the Otatsy Recreation Area, and provisions that will advance recreational opportunities and increase the pace and scale of forest restoration on the Seeley Lake Ranger District. Our local economy depends on active timber harvesting and management combined with a rapidly increasing recreation sector and our long-term economic success hinges on these activities being compatible and mutually beneficial for the health of our local communities and surrounding lands.

We feel strongly that the landscape-wide BCSP proposal has already demonstrated tremendous success in delivering on its forest restoration goals by forming and helping to advance the Southwestern Crown of the Continent Collaborative (SWCC). The SWCC, founded by Blackfoot Clearwater Stewardship Project members, has delivered over $50 million over the last five years to our surrounding landscape to implement forest restoration projects, treating over 120,000 acres of national forest lands and creating and maintaining an average of 160 full and part-time jobs per year. These accomplishments are incredibly important for our communities and demonstrate that the inclusive, collaborative approach of the Blackfoot Clearwater Stewardship Project is a formula for success.

Despite the achievements of this collaborative partnership to date, several important components of the proposal remain to be enacted. Delivering on the partnership's remaining goals is critically important for the long-term health of our County's communities and our iconic natural landscapes. We strongly urge the Montana Congressional Delegation to work together to enact the Blackfoot Clearwater Stewardship Project via legislation.

Sincerely,

POWELL COUNTY COMMISSIONERS

Ralph E. Mannix, Jr. Dan Sager Doug Crachy

PROFESSIONAL WILDERNESS OUTFITTERS ASSOCIATION

September 28, 2020

Professional Wilderness Outfitters Association
380 Outfitter Lane
Ovando, MT 59854

The Honorable Lisa Murkowski
Chairman, Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

The Honorable Joe Manchin
Ranking Member, Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, D.C. 20510

Re: Blackfoot Clearwater Stewardship Act (S. 1765)

Dear Chairwoman Murkowski and Ranking Member Manchin,

The Professional Wilderness Outfitters Association has been an enthusiastic endorser of the Blackfoot Clearwater Stewardship Project, and associated legislation, since it was first developed. Our hope is that the Blackfoot Clearwater Stewardship Act will become law this Congressional session, honoring the 15 years of collaborative work that went into creating the bill. There is no better time than now for Montana's wilderness and outdoor recreation economy to be protected.

The Professional Wilderness Outfitters Association was formed in the early 1960's. Our founders wished to ensure that our wilderness is maintained for the experience and enjoyment of all Americans and our guests from around the world. Our focus as wilderness outfitters is to provide an unforgettable, safe, and rewarding experience to visitors that will last a lifetime.

The Blackfoot Clearwater Stewardship Act landscape is actively used by our members and serves as the gateway to many of the wilderness experiences we provide to our guests. The Forest Service has managed these landscapes as wilderness for over three decades, and the passage of the Blackfoot Clearwater Stewardship Act will permanently protect these areas and honor the work the Forest Service has performed to maintain its wilderness character.

While we are a wilderness organization in name, and in focus, we support the non-wilderness components of this project and legislation as fervently as the wilderness aspects. Passage of this act will create two recreation management areas for snowmobiling and mountain biking, providing important recreation opportunities for residents and visitors alike.

The outfitters, guides, loggers, business owners, recreationists, conservationists, and ranchers from the Seeley-Swan and Blackfoot Valleys who came together to create this legislation have been patient with the legislative process and we hope that the Senate Energy and Natural Resources Committee recognizes the hard work of these Montanans and provides the bill with maximum opportunity for due process and passage before the end of this Congressional session.

Sincerely,

Mack Long - President

Ravalli County Collaborative

215 S. 4TH STREET SUITE A
HAMILTON, MT 59840

Ravalli County Montana

August 19, 2019

Senator Steve Daines
United States Senate
Washington, D.C.

Senator Jon Tester
United States Senate
Washington, D.C.

Representative Greg Gianforte
U.S. House of Representatives
Washington, D.C.

Ref: Blackfoot Clearwater Stewardship Project

Senator Steve Daines, Senator Jon Tester, and Representative Gianforte:

The Ravalli County Collaborative understands that Senator Tester has recently reintroduced into the United States Senate, the Blackfoot Clearwater Stewardship Act (BCSA).

We are not writing you to endorse the specific proposed provisions with the Act, since our focus is on Ravalli County and we are not familiar with the natural resource issues within the area addressed by the BCSA. However, we do wish to express our gratitude that you are willing to introduce legislation that reflects the 13-year process of negotiation by a local collaborative group, the Blackfoot Clearwater Stewardship Project (BCSP) that included ranchers, backcountry users, timber industry professionals, wildlife advocates, and motorized and mechanized recreationists.

We feel strongly that the management of our backyard National Forests is made better when local citizen's work together to provide proposals that come out of collaborative processes that apply inclusivity, transparency, representativeness, and compromise.

Sincerely,

Ravalli County Collaborative.

Steve Schmidt
Co-Chair

Larry Jakub
Co-Chair

MG:sls

Cc: Matt Anderson, Bitterroot National Forest Supervisor
RCC members

ROCKY MOUNTAIN ELK FOUNDATION

June 19, 2019

The Honorable Jon Tester
US Senate
311 Hart Senate Office Building
Washington, D.C. 20510

Senator Tester:

The Rocky Mountain Elk Foundation (RMEF) was recently contacted by your staff and members of the Blackfoot Clearwater Stewardship Project collaborative about your reintroduction of legislation to designate 80,000 acres of federal wilderness and 5,800 acres of mountain bike and snowmobile recreation areas in Montana's Blackfoot and Clearwater drainages.

RMEF's members have significantly contributed to wildlife conservation projects in this special area. RMEF helped secure a 7,800 acre addition to the Blackfoot Clearwater Wildlife Management Area in 1999 and most recently helped the Forest Service acquire a 640-acre parcel near Holland Lake in 2017 and an additional 640-acre parcel at the headwaters of Richmond Creek in the Swan Range in 2019. RMEF remains committed to conserving habitat for elk and other wildlife in the Blackfoot-Clearwater. The Blackfoot Clearwater Stewardship Act would provide permanent land protection for elk, deer, moose, bear and other wildlife and ensure residents and visitors have room to pursue their diverse recreational interests.

RMEF has taken a cautious approach to proposals to protect certain landscapes with wilderness designation. Peer-reviewed research demonstrates active forest management—including strategic vegetation management and prescribed burning—positively impacts elk herd nutrition, reproduction and desirable distribution through development of early successional forest habitat. Wilderness areas often lack the early successional forests that attract and sustain elk. However, we also understand wilderness areas provide a desirable hunting experience for back country hunters on foot or on horseback.

The Blackfoot Clearwater Stewardship Act seeks a balanced approach to landscape conservation in this area and is the result of more than ten years of collaboration among ranchers, loggers, outfitters, wilderness advocates, sportsmen groups and recreationists. Their agreement was reached with the degree of local input that should drive all collaborative federal land management decisions.

Reintroduction of this legislation presents a unique opportunity to permanently protect a large landscape in the Blackfoot-Clearwater drainage—and perhaps reach agreement on measures to achieve active forest management in other areas. RMEF believes approval of the Blackfoot Clearwater Stewardship Act should coincide with legislative approval of tools to help federal land managers develop early successional forest management projects. Approval of this bill should also correspond with release of certain Wilderness Study

ROCKY MOUNTAIN ELK FOUNDATION

Areas in Montana and their redesignation into other categories that would accommodate forest stewardship, travel management and proactive wildlife habitat management to address the epidemic of tree mortality.

Thank you for the opportunity to comment on this important legislation. I encourage you to contact me if you have any questions or require additional information.

Sincerely,

R. Kyle Weaver
President & CEO

SANDERS COUNTY
BOARD OF COUNTY COMMISSIONERS

1111 Main Street • P.O. Box 519 • Thompson Falls, Montana 59873

Anthony B. Cox, Presiding Officer
Glen E. Magera, Commissioner
Carol Brooker, Commissioner

Telephone (406) 827-6942
Fax (406) 827-4388
co.sanders.mt.us

November 14, 2019

To Whom It May Concern,

On behalf of, Sanders County, we support and endorse the Blackfoot Clearwater Stewardship Project (BCSP) and urge all members of our elected delegation to support reintroduction and passage of all the Blackfoot Clearwater Stewardship Act.

As an endorser, Sanders County understands that the County will be added to the BCSP's List of Supporters (available at www.blackfootclearwater.org), that Sanders County will be added to the congressional delegation letter urging reintroduction and passage of the act (available at www.blackfootclearwater.org/openletter), and that we may be referenced as a project supporter and periodically called upon to take action in support of the project's goals.

The contact information below confirms this endorsement and should be used for further communications with Sanders County regarding BCSP.

Sincerely,

absent
Anthony B. Cox, Presiding Officer
District No. 3

Glen E. Magera, Commissioner
District No. 2

Carol Brooker, Commissioner
District No. 1

October 14, 2021

The Honorable Joe Manchin
Chairman
Energy and Natural Resources Committee
United States Senate
Washington, DC 20510

The Honorable John Barrasso
Ranking Member
Energy and Natural Resources Committee
United States Senate
Washington, DC 20510

Dear Chairman Manchin, Ranking Member Barrasso and members of the Subcommittee,

On behalf of Save the Redwoods League and its thousands of members and supporters, I want to express our strong support for S.1538, which provides for completing the Smith River National Recreation Area.

The Smith River is the largest entirely free flowing river in California. The watershed includes some of the world's finest primeval redwood groves protected in Redwood National and State Parks (RNSP), and is recognized as a premier "salmon stronghold" where outstanding salmon habitat still remains. Protecting the headwaters of the Smith from the potential ravages of strip mining is of critical importance to the downstream health of the redwoods and the precious habitats that they provide. This is precisely what S. 1538 delivers.

For over 100 years, Save the Redwoods League has worked to protect coast redwood and giant sequoia forests. The League has been a partner in protecting more than 35,000 acres of coast redwood forest in the Smith River watershed. RNSP has been designated a World Heritage Site by the International Union for the Conservation of Nature (IUCN) and a Globally Significant Ecoregion by the World Wildlife Fund (WWF). Both of these distinguished designations call for protection of the headwaters of the Smith River as addressed by S. 1538.

Thank you for your assistance in protecting these previous investments and irreplaceable national resources.

Sincerely,

Samuel M. Hodder
President and CEO
Save the Redwoods League

111 Sutter Street, 11th Floor, San Francisco CA 94104 p 415 362 2352 f 415 362 7017 SaveTheRedwoods.org

Seeley Lake Community Council
P.O. Box 30
Seeley Lake, MT 59868

June 27, 2016

Senator Jon Tester
United States Senate
724 Hart Senate Building
Washington, DC 20510-2604

Dear Senator Tester:

At its last meeting the Seeley Lake Community Council unanimously endorsed the Blackfoot Clearwater Stewardship Project (BCSP).

This cooperative public-private stewardship project brings together a rarely seen collaboration of diverse constituents in our watershed: timber industry, outfitters, recreationists, hunters, anglers, wildlife advocates and conservationists in enthusiastic support.

In its implementation the BSCP will add employment opportunities, increase timber harvests and wild life habitat; it represents a unique made-in-Montana land management solution.

The BCP is a significant opportunity that must not be missed. We urge you to sponsor the necessary legislation and work with the entire Montana delegation to make the Blackfoot Clearwater Stewardship Project a reality.

Thank you for your help. I can be reached at 406-210-8576 or at kvs@kvs.org.

Klaus von Stutterheim
Chair

Seeley Lake Driftriders
PO Box 174
Seeley Lake, MT 59868
(406) 677-7777
driftriders@blackfoot.net
www.driftriders.org

DRIFTRIDERS
SEELEY LAKE, MT

January 21, 2016

Dear Blackfoot Clearwater Stewardship Project and the Montana Congressional Delegation:

We are writing to announce our renewed endorsement for the Blackfoot Clearwater Stewardship Project (BCSP) and ask Montana's Congressional Delegation to act as quickly as possible to legislate the proposal.

The Seeley Lake Driftriders Snowmobile Club, founded in 1984, is a non-profit group dedicated to maintaining an extensive, top quality snowmobile trail system in the Seeley-Swan Valley, including 365 miles of groomed trails and world-class areas for off trail riding.

The Driftriders are proud to be one of the original organizations responsible for the BCSP's trend-setting collaborative work that began more than ten years ago. Through a bold agreement with the Montana Wilderness Association in 2005, we were able to amend the Lolo Forest Plan and guarantee snowmobile access to one of Montana's premier winter recreation areas, the Elsina Bowls of the southern Mission Mountains. That spirit of collaboration directly resulted in the bigger, broader proposal now being proposed by the Blackfoot Clearwater Stewardship Project.

The Driftriders fully support the three goals of the BCSP: 1) to improve year-round opportunities for all forms of outdoor recreation, including through the designation of the 2,000 acre Otatsy Recreation Management Area which will open up a fantastic new playground for the snowmobiling community which is currently closed; 2) to improve the pace and scale of timber harvest and forest restoration; and 3) to set aside certain areas as Wilderness which have been managed that way for the past 30 years. Together, these components promise to make our economy and community stronger in the years ahead.

The Blackfoot Clearwater Stewardship Project has transformed the way business is done around here – where we once butted heads with one another, we now work together to find solutions that benefit everyone. We've accomplished a lot on our own to date, but we need the whole delegation's support to seal the deal that we set in motion a decade ago. We thank you for your attention to this opportunity, and the Driftriders look forward to partnering with you on making this proposal a reality.

Sincerely,

Shane Heupel
President, Seeley Lake Driftriders Snowmobile Club

David Brock Smith
State Representative
HOUSE DISTRICT 1
Curry, Coos, Douglas & Josephine Counties
900 Court St NE H-379
Salem, OR 97301
503.986.1401

Committees
Vice Chair-Environment & Natural Resources
Agriculture & Land Use
Education
Joint Ways & Means Sub on Natural Resources
Joint Legislative Policy & Research

OREGON STATE LEGISLATURE
900 COURT ST NE SALEM, OREGON 97301

November 2, 2021

Chairman Joe Manchin III
Ranking Member John Barrasso
304 Dirksen Senate Building
Washington, DC 20510

RE: Support for expansion of the Smith River National Recreation Area within Oregon Legislative District 01.

Dear Senator Merkley,

I wanted to thank you for your efforts regarding the North Fork of the Smith River watershed in Oregon, which is within my Oregon Legislative District and the headwaters of the Smith River in Oregon.

The Smith River is an important watershed in Southern Oregon and Northern California, providing critical salmonid habitat, drinking water and recreational opportunities. Much of these benefits are linked to the Smith River in Oregon, within the Kalmiopsis Wilderness. The U.S. Forest Service's North Fork Smith River Watershed Analysis states in part, "The North Fork of the Smith River watershed provides near-pristine spawning and rearing habitat for a highly productive fishery … Fall chinook, Klamath Mountain Province steelhead, anadromous cutthroat trout, resident rainbow and cutthroat trout use the watershed. The watershed appears to be an exceptional producer of anadromous cutthroat trout."

As you are aware, in July of 2017, the State of Oregon designated, not only the mainstem of the North Fork of the Smith River, but all its tributaries and associated wetlands, an Outstanding Resource Waters. These designations clearly outline Oregon's commitment to the importance of the North Fork of the Smith River watershed and its tributaries to Oregonians and Californians alike.

I support and thank you for your efforts and legislation to expand the Smith River National Recreation Area in Oregon's North Fork of the Smith River watershed. Please let me know how I may be of further assistance as your legislative process moves forward.

Respectfully,

David Brock Smith
Oregon House of Representatives
District 01
Curry, Coos, Douglas & Josephine Counties
Email: Rep.DavidBrockSmith@OregonLegislature.gov
Website: http://www.OregonLegislature.gov/SmithD

SMITH RIVER ALLIANCE

P.O. Box 2129, Crescent City, CA 95531
www.smithriveralliance.org

October 18, 2021

Senator Joe Manchin, Chairman
Senator John Barrasso, Ranking Member
Public Lands, Forests, and Mining Subcommittee
304 Dirksen Senate Building
Washington, DC 20510

RE: S. 1538, Smith River National Recreation Area Expansion Act

Dear Chairman Manchin, Ranking Member Barrasso and Members of the Subcommittee:

The *Smith River National Recreation Area Expansion Act* has strong support from southwest Oregon and northern California community leaders because it maintains a pristine North Fork Smith River. This is good for local communities and the travel and recreation industries along what is known as "America's Wild Rivers Coast."

We share this regional perspective. The Smith River Alliance (SRA) is a non-profit 501(c)(3) organization that worked with our elected representatives and partners on the campaign which established the Smith River National Recreation Area in 1990. SRA is based in Del Norte County California along the mainstem Smith River which is downstream from the 58,000 acres that would be added to the Smith River National Recreation Area with passage of S. 1538.

The downstream communities and their water suppliers including Del Norte County, the City of Crescent City, Gasquet Community Services District, Big Rock Community Services District, and the Crescent City-Del Norte Chamber of Commerce (representing over 300 businesses) are unified in their support for a permanent mineral withdrawal or mining ban --- an important provision of S. 1538.

Thank you for your assistance. We hope the bipartisan support for this legislation will expedite its passage.

Sincerely,

Grant Werschkull, Co-Executive Director

S. 1538 Smith River NRA Expansion
Response to USFS Comments
Prepared by Patty McCleary
Phone: (916) 799-9352; Email: patty@smithriveralliance.org
Oct. 19, 2021

Legislation Toplines

- S. 1538 proposes to protect 75 miles of Wild, Scenic, and Recreational Rivers (WSRs) in the North Fork Smith watershed in Oregon.
- Baldface Creek and its tributaries were proposed as WSRs were identified as eligible in the Siskiyou National Forest Eligibility Study completed in 1994.
- The legislation would adjust the NRA boundaries to add approximately 58,000 acres of the North Fork Smith watershed in Oregon to the Smith River NRA.
- The Oregon Environmental Quality Commission voted unanimously Thursday, July 17, 2017 to designate the North Fork Smith River in southern Oregon as the first Outstanding Resource Water in the State of Oregon. ORWs are defined as, "high quality waters that have extraordinary or unique character or ecological value, or are critical habitat areas, such that they constitute an outstanding state or national resource."

USFS Comments

Section 3: Wild and Scenic River Designations
Section 3 of this bill amends two existing wild and scenic river designations to add 25 segments totaling roughly 75 miles within the watersheds of the North Fork and mainstem of the Smith River. USDA supports wild and scenic river designations and recognizes the importance of protecting and enhancing identified river values for the benefit and enjoyment of present and future generations. While we support the goals of this bill, we would like to work with the subcommittee and bill sponsors to clarify some timing and technical concerns associated with the proposed designations.

USDA would like to ensure that any new segments are properly integrated into the National Wild and Scenic Rivers System with enough time to develop comprehensive river management plans (CRMPs) and to establish detailed boundaries in cooperation with Tribes, State and local governments, and interested stakeholders. The timeframes identified under Sections 3(b) and 3(d) of the Wild and Scenic Rivers Act for completing detailed boundaries and CRMPs can be challenging to meet. Therefore, we would like to work with the subcommittee and bill sponsors to identify ways to support timely completion of CRMP and boundary requirements. (USFS S. 1538 testimony pg. 9)

Response: The NWSRA sec. 3(b) requires the managing federal agency to establish river corridor boundaries and segment classification within one year of designation, and sec. 3(d)(1) requires the development of a comprehensive river management plan within three fiscal years after designation. We look forward to working with the Forest Service, the bill sponsor, and the committees of jurisdiction to identify and provide the necessary resources to fully implement the legislation upon passage.

The 'Club'

P.O Box 145, Ovando, Montana 59854

March 11, 2016

Dear Blackfoot Clearwater Stewardship Project and the Montana Congressional Delegation;

After ten years of community based collaboration, The 'Club' is proud to show our continued support to of the Blackfoot Clearwater Stewardship Project (BCSP). These diverse groups of landowners, business, agency and non-profits have continued to reach out to the local communities for guidance and vision for our recreational future. We believe the BCSP has strengthened our ability to work across boundaries on many resource solutions and has afforded our local community a voice to a sustainable future. The original foundation of our request to all of you stands true today:

> The 'Club' is an OHV community organization in the heart of the Blackfoot Valley; located in the small town of Ovando. The economy of all the rural communities in the Blackfoot are sustained by natural resources and an important part of that is a trail system that runs from Lincoln to Seeley Lake. This trail is critical for all modes of travel; more importantly it has multiple landowners who provide access for recreation. The ability to work with wilderness, recreation, and agency personnel has allowed our group to expand our system and at the same time protect the very landscape we use. We are proud to support this project because it has brought all of us together for a common cause which will create jobs, provide natural resource experiences and most importantly; protect the land we all love to call home. We urge the Montana Congressional Delegation to work together to enact the Blackfoot Landscape Stewardship Pilot Project legislative package. Thank you for your consideration

April, 2007.

If the concept of 'neighboring up' can sustain life over ten years, we feel the BSCP is as important today as it was before. 'The Club' also feels that it is time to move forward, this project stands to prove to communities all over the country that locally lead efforts are relevant and should not be overlooked. With those values in line, we ask all of you to come together and set a new standard for how we work, live and play in local, working landscapes in the Blackfoot of Montana.
Thank you.

Sincerely
'The Club'

Members: Ty, Alyssa, Wyatt Danials, Allen, Karalee Bard, Jim, Colleen, Brady Stone, Pat Bignell, Dan Massee, Ryen Nemmers, Tony Lapka, Jim, Norma Bauer, Jeff McNally, Racene Friede, Bill McCormick, Eloise McNally.

Kate Miller
Director of Government Affairs

October 19, 2021

The Honorable Catherine Cortez Masto, Chair
Subcommittee on Public Lands, Forests, and Mining
Senate Committee on Energy and Natural Resources
U.S. Senate, Washington, DC 20510

The Honorable Mike Lee, Ranking Member
Subcommittee on Public Lands, Forests, and Mining
Senate Committee on Energy and Natural Resources
U.S. Senate, Washington, DC 20510

RE: Subcommittee Legislative Hearing (10/19/2021).

Dear Chair Cortez Masto, Ranking Member Lee, and members of the Subcommittee:

I am writing on behalf of Trout Unlimited (TU), and our more than 340,000 members and supporters across the country who share in a mission to bring together diverse interests to care for and recover rivers and streams so our children can experience the joy of wild and native trout and salmon. Central to this mission is ensuring the health of our shared public lands and we offer our views on several of the legislative proposals listed for consideration during the Subcommittee's October 19, 2021 legislative hearing.

- S. 607, End Speculative Oil and Gas Leasing Act of 2021
- S. 1459, the PUBLIC Lands Act
- S. 1538, the Smith River National Recreation Area Expansion Act
- S. 1589, the Oregon Recreation Enhancement Act
- S. 1493, the Blackfoot Clearwater Stewardship Act

Thank you for considering our views.

Sincerely,

Kate Miller

October 19, 2021

Re: S. 607, End Speculative Oil and Gas Leasing Act of 2021

Trout Unlimited (TU) strongly supports passage of S.607, the End Speculative Oil and Gas Leasing Act of 2021.

In the 1920's our country promoted oil and gas development by giving companies long-term leases that essentially gave them "dibs" to extract natural resources from public land. At the time it helped boost local economies and spur development. 100 years later, much has changed: fishing, hunting and outdoor recreation are more important now than ever and economic drivers in our communities. But federal polices for oil and gas leasing and development on public lands have not kept pace and wide-spread speculation ties up public land with a right to explore, creates unnecessary conflict, and burdens state and federal agencies with reviewing frivolous lease proposals.

S. 607 will modernize BLM's obligations under the Mineral Leasing Act by directing the Secretary of the Interior to evaluate the development potential of lands prior to leasing, and authorizing leasing on lands with high and moderate development potential. The bill will also prohibit leasing on any lands found to have low or no development potential and require BLM to update development potential to inform oil and gas leasing decisions. Under the current system, once leased, low potential lands are not prioritized for other uses like conservation and recreation, regardless of development status. Importantly, the bill authorizes BLM to focus oil and gas development in regions where development and production might actually occur, a practice that would directly benefit coldwater resources.

In the West, 68% of native trout habitat is found on BLM lands with little to no oil and gas development or production potential. Of watersheds that can and do still support native trout in Montana, Colorado, Utah, New Mexico, Wyoming, Nevada, and Idaho, 73% of these watersheds are within or are composed of public lands. Of the 73%, over half is in areas of low/very low oil and gas development potential. Since 2017, millions of acres of lease parcels were offered up at breakneck pace, often at times for $1.50 per acre because of their low development and production potential. S.607 would help curb speculative oil and gas leasing and support responsible energy development by promoting a more balanced approach to multiple use management on our public lands.

We thank Senator Cortez Masto for her leadership on this legislation and urge the Committee to advance the bill.

For questions related to these comments, please contact the following:

Corey Fisher
Public Lands Policy Director
Corey.Fisher@tu.org

Kate Miller
Director of Government Affairs
Kate.Miller@tu.org

October 19, 2021

Re: S. 1459, the PUBLIC Lands Act

Trout Unlimited strongly supports S. 1459, the Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act. Our 10,000+ members in California depend on public lands for their fishing and hunting opportunities. Coldwater and terrestrial habitats on many of California's public lands, however, are suffering from a variety of ailments, including impacts associated with climate change (e.g., more frequent and severe wildfire and drought) as well the deterioration of vital infrastructure (roads, trails, boat ramps and campgrounds), illegal trespass cannabis cultivation, and inconsistent monitoring of resource conditions, fish and wildlife populations, and increasing recreational use.

The individual bills that comprise the PUBLIC Lands Act would help address all of these challenges, and were built on feedback from local communities, business interests, and other stakeholders over many years. This legislation will better protect and restore some of California's most iconic salmon, steelhead and trout waters, boost protection of biodiversity and landscape resilience to the hotter and drier conditions associated with climate change and improve more equitable access for all to the outdoors.

The Northwest California Wilderness, Recreation and Working Forests Act will help protect and restore famous steelhead and salmon fisheries and blacktail deer habitat, rehabilitate areas degraded by illegal cannabis grows, improve public access to some of California's most unique lands and waters, restore forest health and reduce risks to local communities from catastrophic wildfire. It will also help local communities capitalize on the region's reputation as one of the best areas for fishing, hunting and other outdoor recreation in the West. This video from Trout Unlimited provides context on the importance of public lands in northern California for fishing and the fishing economy.

The San Gabriel Mountains Foothills and Rivers Protection Act will better protect segments of the San Gabriel River through federal Wild and Scenic River designations. The San Gabriel River is one of the few streams in southern California that offer trout fishing, and scientists have documented remnant genes of the rare southern steelhead in native trout populations here. The Central Coast Heritage Protection Act will confer federal Wild and Scenic River designation on 159 miles of central California coastal streams and help conserve coldwater habitats and fishing opportunities in a semi-arid region where there are few coldwater fishing opportunities. Sespe and Piru Creeks in the Los Padres National Forest would benefit from Wild and Scenic River designation—these creeks are two of only three state-designated Wild Trout streams in southern California and Sespe Creek supports a population of endangered southern steelhead.

For sportsmen and women, there is no substitute for good habitat. We must better protect and restore the best of what remains, and sustain America's unique sporting heritage. The PUBLIC Lands Act would

do exactly that for some of the most productive fishing and hunting grounds in California. We thank Senators Padilla and Feinstein for their leadership on this legislation and urge the Committee to advance the bill.

For questions related to these comments, please contact the following:

Sam Davidson
Director of California Communications and Public Lands Policy
Sam.Davidson@tu.org

Kate Miller
Director of Government Affairs
Kate.Miller@tu.org

October 19, 2021

Re: S. 1538, the Smith River National Recreation Area Expansion Act

Trout Unlimited strongly supports S.1538, the Smith River National Recreation Area Expansion Act. Our 14,000+ members and supporters in California and Oregon depend on the Smith River for some of the best salmon and steelhead fishing in either state and have strongly supported previous efforts to better protect the entire Smith River watershed.

Up and down the West Coast, wild salmon and steelhead runs are in decline; some populations are close to extirpation. To recover and sustain these species, and the multi-billion dollar commercial, recreational, and tribal fisheries they support, we must strengthen protections for our best remaining coldwater habitats — those "strongholds" that continue to provide clean, cold water for fish and people and the ecological integrity to help buffer salmon and trout against the impacts of climate change. Typically, salmon and steelhead strongholds are rivers with existing legislative or administrative protections and stable fish populations which provide critical resiliency to regional almon and steelhead stocks.

The Wild and Scenic Smith River is one of the premier salmon strongholds on the Pacific Coast. But proposed industrial-scale mining in its headwaters could devastate water quality and the wild salmon and steelhead of this river. The Smith River National Recreation Area Expansion Act is timely, necessary, and broadly supported legislation that will permanently protect the Smith River by withdrawing the last 58,000 acres in the watershed now vulnerable to strip mining from new mining claims.

In addition, we note that this and other public lands conservation bills being heard today by this committee are the kinds of locally-driven initiatives that would help achieve the goals of the Biden Administration's America the Beautiful campaign and California's 30 x 30 initiative. We thank Senators Merkley, Wyden, Padilla and Feinstein for their leadership on this legislation and urge the Committee to advance the bill.

For questions related to these comments, please contact the following:

Dean Finnerty
Northwest Director, Anglers Conservation Project
Manager, Wild Steelhead Initiative
Dean.Finnerty@tu.org

Kate Miller
Director of Government Affairs
Kate.Miller@tu.org

October 19, 2021

Re: S. 1589, the Oregon Recreation Enhancement Act

Trout Unlimited strongly supports S.1589, the Oregon Recreation Enhancement Act.

As hunters and anglers, we know firsthand of the remarkable values found in watersheds like the Rogue and Molalla, along with the diverse hunting and angling opportunities provided by the Kalmiopsis Region in Southwest Oregon. The Rogue is home to exceptional runs of fall Chinook, summer and winter steelhead, as well as thriving populations of black bears, Roosevelt elk, and blacktail deer. Similarly, the Kalmiopsis Region provides some of the most intact habitat for anadromous species in the lower 48 states. The Molalla River accounts for production of over 25% of each year's run of endangered Willamette Basin winter steelhead and provides drinking water for more than 25,000 Oregonians who make their homes in the cities of Canby and Molalla. These rivers collectively represent some of our best hopes for recovery of salmon and steelhead populations and attract guides and sports anglers from around the West, supporting our region's travel and tourism economy.

We thank Senators Wyden and Merkley for their leadership on this legislation and the Committee for considering the bill in this week's hearing. Trout Unlimited supports S.1589 and we urge you to favorably advance the bill.

For questions related to these comments, please contact the following:

Dean Finnerty
Northwest Director, Anglers Conservation Project
Manager, Wild Steelhead Initiative
Dean.Finnerty@tu.org

Kate Miller
Director of Government Affairs
Kate.Miller@tu.org

From: Tim White
To: fortherecord (Energy)
Subject: S1493 - Public Comment - Opposition
Date: Tuesday, October 5, 2021 9:40:38 AM

Committee Members,

I am writing to oppose the Blackfoot Clearwater Stewardship Act as currently written. With the unprecedented wildfire seasons that have gripped this country over the last several years, we need to ensure there are opportunities to actively manage and battle the inevitable fires to come. Locking up recreational and management opportunities through wilderness designation puts clean water and air as risk for not only Montanas but the entire country.

I ask that you revise/rewrite this legislation.

Regards,

Tim White PE
Concerned Montanan
406-580-2568

November 1, 2021

Wild and Scenic Rivers
PO Box 1600
Brookings, Oregon 97415

The Honorable Joe Manchin
Chairman
Energy and Natural Resources
Committee
United States Senate
Washington, DC 20510

The Honorable John Barrasso
Ranking Member
Energy and Natural Resources
Committee
United States Senate
Washington, DC 20510

RE: Public Lands, Forests, and Mining Subcommittee Legislative Hearing, S. 1538, the *Smith River National Recreation Area Expansion Act*

Dear Chairman Manchin, Ranking Member Barrasso and Members of the Subcommittee,

I am a fifth generation Curry County, Oregon resident who deeply values and appreciates our wild and scenic river resources. Fishing and hiking amongst the giant redwoods on the Smith River are important traditions to my family and our way of life. S. 1538, the Smith River National Recreation Area Act is important legislation that supports the health, well-being, and economic future of our county, community, and bioregion. We are honored to be part of the diverse group of stakeholders and community interests that support this legislation.

Wild and Scenic Rivers is a non-profit corporation based in Brookings, Oregon with a mission to protect the rivers of southern Oregon and northern California from development. The organization is designed to inspire and support the protection and restoration of some of the last remaining undammed rivers in North America. Over the last decade we have hosted film festivals, educational programs, river cleanups, grass roots advocacy events and worked with local, state and national partners on protections, designations and legislation to protect our most prized rivers and region. **We strongly support S. 1538**.

Thank you for your assistance in the passage of the Smith River National Recreation Area Expansion Act.

Sincerely,

Alyssa Babin
Executive Director

cc: Honorable Jeff Merkley
Honorable Ron Wyden

October 18, 2021

The Honorable Chairman Manchin
The Honorable Ranking Member Barrasso
The U.S. Senate Committee on Energy and Natural Resources
366 Dirksen Senate Office Building
Washington, DC 20002

Dear Chairman Manchin and Ranking Member Barrasso,

On behalf of Wild Montana and our more than 3,400 members, thank you for the opportunity to submit this written testimony in support of S. 1493, the Blackfoot Clearwater Stewardship Act (BCSA).

About Wild Montana
In 2020, Montana Wilderness Association became Wild Montana. This transition included updates to our mission, which is to unite and mobilize communities to keep Montana wild. We are working to ensure that wildlife endure and thrive, headwaters remain cold, clear, and connected, large-scale wildlands are intact, connected, and resilient, and communities thrive.

Wild Montana was founded over 60 years ago by Montana hunters, conservationists, and small business owners to prevent further loss of Montana's wilderness heritage. Our founders were instrumental in the passage of the Wilderness Act of 1964, and our organization subsequently led the fight to win designation for virtually every wilderness area in the state, including the Scapegoat, Absaroka-Beartooth, Rattlesnake, Lee Metcalf, Great Bear, and Welcome Creek, as well as Wild and Scenic designations for the Flathead and Missouri Rivers.

Our members view Montana's remaining wild country as a public trust that should be managed so all will have access to certain values and experiences – great hunting, fishing, camping under the stars, and quiet mountain trails.

You can find these opportunities high in Montana's wild Swan Range at the headwaters of Morrell Creek in a place called Grizzly Basin. Perched above Morrell Falls, Grizzly Basin is a crescent-shaped hanging valley guarded by the sheer ramparts of Matt and Crescent Mountains. True to its name, Grizzly Basin is home to a healthy population of the mighty bruins. Remarkably, this area is almost entirely surrounded by the Bob Marshall Wilderness and yet sits outside the Wilderness boundaries, unprotected.

We are grateful for Senator Tester's leadership on public lands and for his support of this made-in-Montana legislation, S. 1493.

How it All Began

In 2001, snowmobilers and wilderness advocates in Seeley Lake struck an agreement that proposed new wilderness in exchange for establishing a winter recreation area in a highly desirable area for snowmobiling. The occasion was momentous because it broke years of contention and catalyzed a broader collaborative process that became the Blackfoot Clearwater Stewardship Project. As a result of this agreement, in 2003, the Lolo National Forest amended the Lolo National Forest Plan to allow winter motorized access in the negotiated area, known as the Elsina Bowls. The area that was exchanged for future wilderness designation, the West Fork Clearwater, would need to wait for the passage of federal legislation to become Wilderness.

In 2005, a larger group of stakeholders, including snowmobilers, wilderness advocates, outfitters, timber industry representatives, and sportsmen decided to sit down and talk about their interests across the entire Seeley Lake Ranger District of the Lolo National Forest. After years of fighting over land use, these diverse stakeholders were inspired to try to find additional common ground and build on the 2001 winter recreation agreement. The dialogue was facilitated by the Blackfoot Challenge, a nationally recognized collaborative group, and focused around shared interest in active forest restoration, increased recreational opportunities, and permanent protection for key lands.

In 2008, the stakeholders forged an agreement to protect priority lands as Wilderness, support forest management through restoration funding, and designate permanent recreation sites. Eventually, the group coalesced into the Blackfoot Clearwater Stewardship Project (BCSP), and for nearly 15 years, the group has championed its made-in-Montana, landscape-scale proposal, now the Blackfoot Clearwater Stewardship Act (S. 1493).

The story of the BCSP – a story of neighbors working together to find common ground – has become commonplace across the Northern Rockies in recent years. But the groundwork for innovative collaboration in this region was laid on the Seeley Lake Ranger District of the Lolo National Forest.

The members of the BCSP Steering Committee include:

- Smoke Elser - Retired Outfitter and Wilderness Educator
- Gordy Sanders - Pyramid Mountain Lumber
- Jack Rich - Rich Ranch Outfitting and Snowmobile Adventures
- Shannon Rich - Rich Ranch Outfitting and Snowmobile Adventures
- Jon Haufler - Ecosystem Management Research Institute
- Lee Boman – Former JC Penney Executive & Seeley Lake Community Foundation board member
- Jim Stone - Rolling Stone Ranch & Blackfoot Challenge
- Jordan Reeves - The Wilderness Society
- Mack Long - Bob Marshall Wilderness Outfitters

- Connie Long - Bob Marshall Wilderness Outfitters
- Addrien Marx – Former owner and manager of Rovero's Ace Hardware in Seeley Lake
- Tim Love - Former US Forest Service Seeley Lake District Ranger
- Erin Clark – Wild Montana
- Roger Marshall – Forester
- Alec Underwood – Montana Wildlife Federation
- Caryn Miske – Clearwater Resource Council

Our Vision for the Future

The BCSP promotes cooperative public-private stewardship across the southwestern Crown of the Continent and seeks to maximally implement the existing 1986 Lolo Forest Plan. For this iconic part of Montana, that means restoring forests, promoting recreation opportunities, and forever protecting habitat for grizzly bears, westslope cutthroat trout, and the most productive breeding ground for Canada lynx in the lower-48. S. 1493 includes legal and financial support for forest stewardship and restoration, permanent Congressional designations for nearly 80,000 acres of Recommended Wilderness on the Lolo National Forest, and expanded snowmobile and mountain biking opportunities between Seeley Lake and Ovando.

To date, many of the timber and recreation goals have been accomplished. The original 2001 agreement between the Seeley Lake Driftriders and Wild Montana legally opened the Elsina Bowls for cross-country snowmobile travel with a Forest Plan Amendment. Restoration and timber goals have been realized thanks to the Southwestern Crown Collaborative, one of ten pilot projects, nationwide, established by the Collaborative Forest Landscape Restoration Program (CFLRP) (see details below).

The greatest unmet goal, however, of the Blackfoot Clearwater Stewardship Project is Wilderness and Recreation Area designation.

Steps to Success

In July 2009, Sen. Jon Tester stood in front of the Seeley Lake Chamber of Commerce and announced that he had selected our proposal as one of three he would wrap into a new bill to break the stalemate on Montana's public lands: the Forest Jobs and Recreation Act (FJRA). FJRA was introduced in three successive sessions of Congress (2009, 2011, and 2013). That legislation passed out of the Senate Energy and Natural Resources Committee in 2013, with bipartisan support for the same Wilderness components in the BCSA. Unfortunately, the bill did not make it to the Senate floor for a vote.

Shortly after the introduction of FJRA in 2009, the collaborative achieved one of its primary goals – getting CFLRP passed through Congress. This program created funding opportunities for forest restoration and launched the Southwestern Crown of the Continent Collaborative (SWCC). To date, the SWCC has:

- created or maintained an average of 153 jobs, annually;
- supported $5.8 million in annual labor income;
- invested $34.5 million federal dollars, and led to overall investment of $91.4 million in the local economy;
- treated 28,589 acres in the Wildland Urban Interface for fire risk reduction;
- treated 57,040 acres for invasive weeds;
- sold more than 60 million board feet of timber volume to support regional mills;
- removed fish-blocking culverts and implemented other best management practices on 560 miles of Forest Service roads;
- reconstructed or maintained 3,431 trail miles for non-motorized and motorized recreation;
- restored 204 stream miles; and
- conducted wildlife habitat improvements on 62,763 acres.

The many successes of the Southwestern Crown Collaborative continue to demonstrate the power and longevity of the BCSP proposal. The trust and goodwill developed between BCSP partners has resulted in other tangible benefits too. In 2012, after the Colt Summit Restoration Project was litigated (a project that was developed with the support of the Southwestern Crown Collaborative), BCSP partners rushed to defend the project in court as intervenors and enlisted the help of Missoula County. As a result of our actions, the Colt Summit project continued, resulting in better fish and wildlife habitat while supporting the local timber and restoration economies.

Sixteen Years Strong

Sixteen years after residents of Seeley Lake and Ovando took the gamble of working together rather than against each other, the BCSP is stronger than ever and has become the gold standard for collaborative efforts in the West.

The BCSP has endorsements from all three impacted counties (Missoula, Powell, and Lewis and Clark). Additional endorsements include the Missoula and Seeley Lake Chambers of Commerce, Sanders County Commissioners, Confederated Salish and Kootenai Tribes of the Flathead Nation, Rocky Mountain Elk Foundation, Montana Outfitters and Guides Association, Montana Association of Christians, and The Conservation Alliance. In total, over 170 organizations, elected officials, government entities, and businesses have endorsed the BCSP.

In 2016, local members of the BCSP reached an agreement with the International Mountain Bicycling Association and local mountain biking club MTB Missoula on the BCSP's legislative proposal. The agreement would ensure backcountry cycling opportunities while continuing to protect secure habitat and free-flowing headwaters. These mountain biking groups have endorsed the BCSA.

The Missoulian and Helena Independent Record have editorialized in support of the BCSA, and the 2020 University of Montana Statewide Public Lands Survey found that 75% of Montanans support passage of the bill. This includes 75% of Republicans, 71% of Independents, and 82% of Democrats. The poll also indicates that 87% of mountain bikers support the legislation.

Common Sense Wilderness Protections

The BCSA will add nearly 80,000 acres to the Bob Marshall, Scapegoat, and Mission Mountains Wilderness Areas. Nearly all of these acres have been managed as wilderness by the Lolo National Forest since the completion of RARE I in 1972, and by default since long before that date.

The proposed Wilderness additions in the BCSA were first introduced for designation by Congress in 2009 as a part of Sen. Tester's Forest Jobs and Recreation Act. That bill was re-introduced in 2011 and again in 2013, when it also passed out of the SENR Committee. Prior to the Forest Jobs and Recreation Act, much of the lands proposed for addition to the Bob Marshall and Scapegoat Wilderness areas were previously introduced in at least a half-dozen House and Senate bills dating from 1984, 1986, 1988, 1992, 1994, and 1995. The 1988 legislation passed both the House and Senate by voice vote, only to be pocket vetoed by the President, to this day the only veto ever exercised to stop Wilderness legislation.

As a standalone bill, the Blackfoot Clearwater Stewardship Act was first introduced to the 115th U.S. Senate by Sen. Jon Tester in March 2017. During that session, the bill received a favorable SENR hearing. The bill was reintroduced in the 116th Congress, with a small revision to the bill language to protect tribal treaty rights, and received a second favorable hearing in September 2020. In May 2021 Sen. Tester reintroduced the bill to this 117th Congressional session as S. 1493.

With passage of the BCSA, Grizzly Basin and much of the Swan Range front would become part of the Bob Marshall, safeguarding some of the best grizzly and wolverine habitat in the lower-48. Monture Creek, the West Fork of the Clearwater River, the North Fork of the Blackfoot, and other critical bull trout tributaries that feed into the iconic Blackfoot River would also be permanently protected as Wilderness, providing a cold water insurance policy for the iconic Big Blackfoot River made famous by Norman Maclean's *A River Runs Through It*.

Bob Marshall and Scapegoat Wilderness additions would also secure the habitat of the largest mountain goat herd in the Crown of the Continent ecosystem and safeguard the migration corridors and summer range of Blackfoot Valley elk, essential to maintaining the strength of the region's hunting economy.

Not a single motorized trail or existing road will be closed or decommissioned as a result of this legislation. No private inholdings or private property will be affected. In fact, the BCSA opens nearly 2,000 acres to snowmobiles in the Otatsy Recreation Management Area and also maintains access for mountain bikes in the Spread Mountain Recreation Area, preserving

approximately 35 miles of backcountry single-track trail for bikes.

BCSA boundaries closely follow the 1986 Lolo Forest Plan. In the few exceptions where they do not, these modifications were included to reflect current conditions, follow more definable features, and incorporate winter and summer recreation agreements.

The following are detailed descriptions of the current management direction and boundaries of proposed Wilderness additions.

West Fork Clearwater Proposed Addition to the Mission Mountains Wilderness

The BCSA proposes 4,460 acres at the headwaters of the West Fork of the Clearwater River for addition to the Mission Mountains Wilderness. The old-growth forests of the West Fork Clearwater protect one of the most important bull trout spawning areas in Western Montana, provide critical habitat for grizzly bears, contain one of the most productive breeding area for Canada Lynx in the lower-48, and are an essential wildlife corridor between the Mission Mountains and the Swan Range/Bob Marshall Wilderness.

This area is currently managed as Management Area 20a (MA 20a), also commonly referred to as "grizzly core." It is non-motorized and not in the suitable timber base. The Lolo Forest Plan describes this management area's direction as *"(t)hat portion of the Forest designated essential grizzly bear habitat managed to maintain and enhance grizzly bear habitat through vegetative manipulation; classified as unsuitable for timber production with prescribed fire employed as the primary tool to improve or maintain grizzly bear habitat."*

The West Fork Clearwater is the only BCSA-proposed Wilderness addition that does not contain lands managed as Recommended Wilderness in the Lolo Forest Plan. However, this area was the *first to receive broad support for Wilderness designation* among the BCSP steering committee based on a 2001 agreement between the Seeley Lake Driftriders Snowmobile Club and Wild Montana (in exchange, the Lolo Forest Plan was amended to allow snowmobile use in the Elsina Bowls west of Seeley Lake).

Because of the 2001 agreement, the area's exceptional Wilderness character and wildlife values, and the connectivity to surrounding wildlands (including the Mission Mountains Wilderness and Tribal Wilderness), the BCSP Steering Committee unanimously supports designating the West Fork Clearwater inclusion to the Mission Mountains Wilderness.

The boundaries for the West Fork Clearwater proposed addition encircle the entirety of the West Fork Clearwater River's upper basin on Lolo National Forest lands – following the watershed's topographical boundary, making for easier enforcement by the Forest Service. The West Fork Clearwater Proposed Addition borders the Flathead National Forest on the north, including the 74,597-acre Mission Mountains Wilderness and the Sunset Ridge Roadless area. On the west, the

Proposed Inclusion borders the 91,778-acre Mission Mountains Tribal Wilderness, managed by the Confederated Salish and Kootenai Tribes. To the south, the area borders Lolo National Forest Inventoried Roadless lands managed as MA 20a "Grizzly Core" and outside of the suitable timber base. To the east, the area borders the 24,170-acre Marshall Creek Wildlife Management Area, managed by Montana Fish Wildlife and Parks.

Grizzly Basin Proposed Addition to the Bob Marshall Wilderness

The BCSA proposes 7,792 acres along the Swan Front and the headwaters of Morrell Creek for addition to the Bob Marshall Wilderness. This area, referred to as the Grizzly Basin proposed addition, falls entirely within Inventoried Roadless Area boundaries and is high-quality grizzly habitat. The management direction for this area can be broken down as follows:

a) Roughly half of this area, the entirety of the upper basin of Morrell Creek, is managed as MA12 (described as "Proposed Wilderness" in the Lolo Forest Plan). MA12 is to be managed in conjunction with the 1964 Wilderness Act and is, therefore, non-motorized and outside of the suitable timber base.

b) The other half of this area, along the Swan Front, is managed as MA11 and matches the Swan Front Recommended Wilderness in the Flathead Forest Plan. MA11, commonly referred to as "non-motorized backcountry," is described in the Lolo Forest Plan as: *Large, roadless blocks of land distinguished primarily by their natural environmental character managed to provide for a wide variety of dispersed recreation activities in a near-natural setting and for old-growth dependent wildlife species; classified as unsuitable for timber production.*

c) Less than 5% of the Grizzly Basin proposed addition, along its western edge, is classified as MA20, described in the 1986 Lolo Forest Plan as: *That portion of the Forest designated essential grizzly bear habitat managed to maintain and enhance grizzly bear habitat through vegetative manipulation; classified as suitable for timber production with timber harvest employed to improve or maintain grizzly bear habitat.* The portion of MA20 in the Grizzly Basin addition is entirely within the Inventoried Roadless boundaries, has never been logged, and largely consists of low value timber at the base of steep avalanche chutes.

Although the portions described in (b) and (c), comprising approximately half of the Grizzly Basin proposed addition, are not Recommended for Wilderness in the 1986 Lolo Forest Plan, these areas are proposed Wilderness because:

- They are currently managed as Wilderness for most intents and purposes;
- They abut the Swan Front Recommended Wilderness in the Flathead Forest Plan;
- They are entirely in Inventoried Roadless status and have never been roaded or logged;
- They retain exceptional Wilderness Character and wildlife values;
- Designation would not result in any loss of access or changes in recreation opportunity, and there are no system trails or roads; and
- The BCSP Steering Committee unanimously agreed to recommend this area as Wilderness.

To the east, the Grizzly Basin Proposed Inclusion borders the Bob Marshall Wilderness. To the north, the area borders the Swan Front Recommended Wilderness (inclusion to the Bob Marshall) on the Flathead National Forest. To the west, the area borders Inventoried Roadless lands managed as MA11 non- motorized and MA20 grizzly bear habitat (see above for additional detail).

Monture Creek Proposed Addition to the Bob Marshall Wilderness

The BCSA proposes 40,072 acres at the headwaters of Monture Creek for addition to the Bob Marshall Wilderness. Monture Creek is a major roadless drainage; it is 16 miles from the Monture trailhead to the current boundary of the Bob Marshall Wilderness. As such, Monture Creek is excellent habitat for bull trout and grizzlies (used by sows and cubs), and it is also one of the most important wildlife movement corridors anywhere in the Big Blackfoot watershed. The Monture Creek drainage connects the big wild country of the "Bob," with nearby state wildlife and private conservation lands. This area is also home to the largest herd of mountain goats in the vicinity of the Bob Marshall Complex. Trails in this vicinity – particularly along Monture Creek and Lodgepole Creek – are among the main portals into the Bob Marshall for pack and saddle stock. The watershed is an important cold-water reservoir for the legendary Blackfoot River, an insurance policy for outfitters and guides who depend on long and uninterrupted fishing seasons.

The Monture Creek proposed addition follows MA12 Recommended Wilderness with the addition of 288 acres of MA11 (non-motorized backcountry) to protect inventoried roadless lands within Monture Creek and 1,068 acres of MA24 and MA25 (suitable timber).

Small portions of MA11 were included as Wilderness in S. 1765 in the vicinity of Nome Point and Dunham Creek to extend protection to the Nome Point mountain goat herd, the largest in the Bob Marshall Complex. Those small portions of the Monture Creek proposed addition classed in 1986 as MA24 and MA25 fall within Inventoried Roadless Areas that have never been logged. There is also no loss or change to motorized access as a result of including these small areas as part of the proposed Wilderness addition.

These changes were also included so that the boundary would follow natural topographic features rather than an arbitrary line splitting the wild Monture drainage. In 1986, Champion owned lands above the Monture Creek trailhead that were subsequently acquired by the Forest Service, allowing the BCSA to improve the 1986 Recommended Wilderness boundary and strengthen protection of roadless Monture Creek by following Center Ridge.

Upon careful consideration, and with full support from Pyramid Lumber, the BCSP Steering Committee voted unanimously in support of the Monture Creek proposed addition.

The Center Ridge Trail has been excluded from the proposed Wilderness from its origin at the Monture Guard Station to the junction with FS Road 4397. The BCSP Steering Committee

modified the proposal in 2015 to exclude this portion of the Center Ridge Trail from the Proposed Wilderness due to a request by Seeley Lake and Missoula mountain bikers. Excluding this trail from the Wilderness proposal leaves open a desirable 30-mile mountain bike trail loop opportunity.

The Monture Creek proposed addition borders the Bob Marshall Wilderness to the north, and the North Fork Blackfoot proposed addition to the Scapegoat Wilderness to the east (currently managed as MA12 Proposed/Existing Wilderness). To the west and south, the area borders MA20 (grizzly core), MA11 (non-motorized backcountry), and some areas in the suitable timber base.

North Fork Blackfoot Proposed Addition to the Scapegoat Wilderness

The BCSA proposes 30,967 acres for addition to the Scapegoat Wilderness along the lower reaches of the North Fork Blackfoot River and surrounding areas. This area consists of exceptional fish and wildlife habitat for native trout and grizzly bears, among other species, and includes low-elevation landscapes that are underrepresented in the Bob Marshall Complex. With the input of community leaders, the boundaries of this proposed Wilderness were intentionally drawn well to the north and east of Ovando to provide maximum fire management flexibility.

Nearly the entire North Fork Blackfoot proposed addition follows the MA12 Recommended Wilderness boundary in the Lolo Forest Plan, and all of it is Inventoried Roadless. Other than the portion that is currently managed as MA12, the remaining 5% is managed as: a) MA11: non-motorized backcountry, unsuitable for timber harvest, and b) MA20: *That portion of the Forest designated essential grizzly bear habitat managed to maintain and enhance grizzly bear habitat through vegetative manipulation; classified as suitable for timber production with timber harvest employed to improve or maintain grizzly bear habitat* (Lolo Forest Plan).

Those portions that are MA11 and MA20 were included to protect the Wilderness character and wildlife values present on those landscapes, and because those areas are managed in large part as Wilderness, today. Their inclusion will not change motorized access. The BCSP Steering Committee unanimously agreed to the North Fork Blackfoot proposed addition.

The North Fork Blackfoot proposed addition borders the Scapegoat Wilderness to the north and the Monture Creek proposed addition to the Bob Marshall Wilderness on the west. To the south of the area are MA11 (backcountry non-motorized), MA20 (grizzly core), and some small areas in the suitable timber base.

It's time to reward nearly two decades of place-based collaboration

2021 marks 20 years since the breakthrough agreement between Wild Montana and the Seeley Lake Driftriders Snowmobile Club. That agreement has helped to sustain two decades of motorized winter recreation in Seeley Lake. But the handshake also included additions to the Mission Mountains Wilderness for the West Fork of the Clearwater River, requiring an act of Congress. Of course, the BCSP proposal has broadened in scope to include more benefits for

more Montanans, and enjoys the support of more than 170 local and regional businesses, organizations, and elected officials.

In the more than decade since the initial BCSP proposal was first agreed to with unanimous consent, the components of the agreement have been fully vetted. The first well-publicized hearings were held in the winter/spring of 2008-9, before introducing FJRA, with over 200 people attending between two different meetings in Seeley Lake and Missoula. Our commitment to transparency has never wavered, and we have held numerous public meetings since that time. Local and regional support has remained strong and consistently grown over the years. The 2020 University of Montana Public Lands Survey most recently indicated this support is at least 75% of Montanans.

The Covid-pandemic has highlighted the importance of public lands to Montanans, as well as the critical role that our outdoor recreation and tourism economies play in our state. Passage of the BCSA will not only protect important public lands and wildlife that Montanans and visitors from all of the world cherish and rely on, but will also protect the more than 9,000 annual guided outfitter days that occur on the Blackfoot River and support the local businesses who rely on anglers and hunters to buy gas, dry goods, meals, lodging, and other services as they pass through the Blackfoot and Clearwater Valleys. 89% of Montanans say that protecting public lands is important for their way of life. Passage of BCSA will continue to safeguard that quality of life. (See appended BCSA Outdoor Recreation Economy Report for additional details about the legislation's contributions.)

The BCSP has stood the test of time. From day one, we have acted in good faith by setting aside our differences in order to seek mutually beneficial solutions. Nobody gets everything they want in this proposal, but we all get a lot. That's why Wild Montana supports S. 1493 and urges the Committee to approve this legislation and send it to the floor for a full Senate vote.

Wild Montana appreciates the time and consideration of the members and staff of the Senate Energy and Natural Resources Committee and we welcome your communication.

Sincerely,

Ben Gabriel
Executive Director

80 S. Warren St., Helena, MT 59601 | 406.443.7350 | wildmontana.org

October 19, 2021

The Honorable Catherine Cortez Masto
Chair
Subcommittee on Public Lands, Forests, and Mining
U.S. Senate
Washington, DC 20510

The Honorable Mike Lee
Ranking Member
Subcommittee on Public Lands, Forests, and Mining
U.S. Senate
Washington, DC 2051

Dear Chair Cortez Masto, Ranking Member Lee, and Members of the Public Lands, Forests, and Mining Subcommittee:

On behalf of our more than one million members and supporters, The Wilderness Society (TWS) writes to express views on the bills being heard before the subcommittee on Public Lands, Forests, and Mining on October 19, 2021. We respectfully request that this letter be included in the hearing record.

S. 180, the Buffalo Tract Protection Act
TWS supports S. 180, the Buffalo Tract Protection Act, sponsored by Senator Heinrich. The bill would withdraw four tracts of land, totaling approximately 3,000 acres, managed by the Bureau of Land Management's (BLM) Rio Puerco Field Office from all forms of mineral development. These lands are located in the community of Placitas, New Mexico, where four of the largest gravel mines in New Mexico are already operating, including in areas immediately adjacent to residential development. Local residents, including Placitas and the Pueblos of Santa Ana and San Felipe, are seeking to limit further gravel mining due to impacts on air quality, recreation, wildlife corridors and conservation of cultural resources.

The BLM's Rio Puerco Resource Management Plan, completed in 1986, does not protect these areas from leasing or mining, but the substantial growth of the neighboring communities over the last 33 years has made the incompatibility of expanded gravel production with the public interest apparent. Withdrawal of the 3,000 acres encompassed in these four areas would not substantially reduce acreage available for leasing or mining in the region given the 3.6 million subsurface acres of federal mineral managed under Rio Puerco Resource Management Plan. However, because of their location in relation to Placitas and the Pueblos, withdrawal of these areas would make a significant difference for the local communities. In addition, the protection of recreation opportunities are important for public enjoyment, since these are public lands. We appreciate the timely action taken by Senator Heinrich to protect the overriding multiple uses present on these public lands and the quality of life and health of local communities.

S. 528, the La Paz County Solar Energy and Job Creation Act
TWS opposes S. 528, the La Paz County Solar Energy and Job Creation Act, which would sell 4,800 acres of public land to La Paz County without a defined public purpose for the conveyance. TWS opposes the large-scale sell-off of public lands, and we believe conveyances must have a legitimate public purpose that benefits the American people. Conveyances should also cover the minimum amount of land needed for the specified purpose.

Section 1008 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act provided for the conveyance of nearly 6,000 acres of public land to La Paz County. In 2020, the county executed an agreement with 174 Power Global to build a massive solar facility on up to 4,000 acres of that land. At this point, TWS is not aware that those acres have been developed or that any plans are in place for the remaining acreage that was conveyed to the county.

TWS supports the appropriate development of renewable energy on public lands, and believes that additional development associated with the planned 174 Power Global solar facility can be adequately considered through existing administrative processes that do not require the permanent conveyance of public lands out of public ownership. Additionally, due to the proximity of the lands covered by this bill to the Kofa National Wildlife Refuge, the bill should require that any negative environmental impacts be mitigated through conservation measures on the larger landscape and the environmental impacts, and benefits and impacts of the County's proposed use should be evaluated in compliance with the National Environmental Policy Act. We look forward to working with Congress to address these concerns.

S. 607, End Speculative Oil and Gas Leasing Act
TWS supports S. 607, the End Speculative Oil and Gas Leasing Act, from Senator Cortez Masto. Currently, public lands can be offered for leasing regardless of development potential or the presence of higher and better uses, like wildlife conservation, outdoor recreation, and watershed protection. This has resulted in millions of acres of public lands with low or no potential being leased for development. This practice, which is an unfortunate consequence of an outdated federal onshore oil and gas program shaped by industry, generates very little income to taxpayers and imposes significant fiscal, administrative and opportunity costs.

If passed, S. 607 would end the practice of leasing low and no potential lands for oil and gas drilling by requiring the BLM to assess all lands' mineral development potential before offering those lands for lease, and prohibiting leasing on any lands found to have low or no development potential. As a result, the bill would largely end speculative leasing, mitigate environmental risk, and reduce opportunity costs associated with reckless leasing where lands could be better managed for recreation, conservation, and responsible clean energy development.

S. 1214, State Grazing Management Authority Act
TWS strongly opposes, S. 1214, the State Grazing Management Authority Act, authored by Senator Lee. This bill could transfer broad decision-making authority on public lands to States and undermine the National Environmental Policy Act (NEPA), one of our bedrock environmental laws, by both ceding authority on reviews to States and creating categorical exclusions for damaging and often destructive activities including chaining and mulching. The bill would accomplish this by amending the Federal Land Policy and Management Act (FLPMA) to authorize cooperative agreements for livestock grazing management plans with States. Under the cooperative agreements, NEPA protections for public involvement and environmental protection on public lands would be vastly curtailed by both ceding authority on reviews to States and creating categorical exclusions for damaging and often destructive activities including chaining and mulching. Additionally of concern, any change to the type of grazing on an allotment could also be excluded from NEPA. For these reasons, TWS opposes this legislation.

S. 1411, Lander County Conservation and Land Management Act
TWS supports S. 1411, the Lander County Conservation and Management Act, with the amendments specified below. We strongly support the establishment of the Cain Mountain and Desatoya wilderness areas under section 202. These lands contain outstanding ecological, cultural, and recreational value, and their designation as wilderness will ensure that they are preserved for the continued enjoyment and use of all people. We appreciate the inclusion of section 206, which ensures that the legislation will not affect tribal treaty rights, or the continued traditional gathering of pine nuts in the wilderness areas, in accordance with the Wilderness Act. Section 103(a) would authorize Lander County to select from among specified parcels for conveyance for specified public purposes. We generally support public conveyance purposes; however, without knowing which specific parcels are to be conveyed, it is not possible to assess the impacts of the proposed conveyances. We request that the legislation be modified to ensure that lands for conveyance are specified, and that conveyances are carried out in accordance with the Recreation and Public Purposes Act.

S. 1459, the PUBLIC Lands Act
The Wilderness Society supports S. 1459, the Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act. This legislation combines three public lands bills that, taken together, would protect more than 1 million acres of California public lands. The bill includes the following sections:

San Gabriel Mountains Foothills and Rivers Protection Act
The San Gabriel Mountains Foothills and Rivers Protection Act would expand protections for the Angeles National Forest, which accounts for 70% of Los Angeles County's open space, and establish a new San Gabriel National Recreation Area to enhance recreational opportunities for park poor communities. This section expands the San Gabriel Mountains National Monument by 109,143 acres and adds 31,069 acres of wilderness and 45.5 miles of wild and scenic rivers. These places are home to many rare and endangered species such as the Nelson Bighorn Sheep and the Santa Ana Sucker. The nearly 50,000-acre National Recreation Area would establish a role for the National Park Service to work with local partners in providing education and enhancing

connections to recreational opportunities along the foothills and the San Gabriel and Rio Hondo Rivers.

Central Coast Heritage Protection Act
The Central Coast Heritage Protection Act would protect some of central California's most scenic and spectacular lands and watersheds and would ensure that a key part of California's wild heritage remains intact. Specifically, this section would designate nearly 245,000 acres of wilderness and would add 159 miles of creeks and rivers to the National Wild and Scenic Rivers System. This section would also establish the Condor National Recreation Trail and designate nearly 35,000 acres in two National Scenic Areas. Together, these designations would protect landscapes that sustain abundant recreation opportunities as well as iconic species like the California condor and southern steelhead trout.

Northwest California Wilderness, Recreation, and Working Forests Act
The Northwest California Wilderness Recreation and Working Forests Act would protect 260,000 acres of wilderness and 379 miles of wild and scenic rivers. This section creates a 730,000-acre restoration area to protect and restore forests, including ancient redwood forests, and improve water quality while reducing fire risks. It also establishes a partnership of federal, state and local entities to coordinate restoration of public lands damaged by illegal marijuana cultivation. Finally, the proposal helps build a strong outdoor recreation economy by providing new opportunities for hiking, mountain biking, motorized vehicle use, horseback riding, camping, hunting, and fishing.

The PUBLIC Lands Act protects key landscapes across California, provides for nature-based solutions to climate change, and creates more equitable access to the outdoors. For this reason, The Wilderness Society supports this legislation.

S. 1493, Blackfoot Clearwater Stewardship Act
The Wilderness Society supports S. 1493, the Blackfoot Clearwater Stewardship Act by Senator Tester. This legislation, more than 15 years in the making, is a made-in-Montana proposal that protects important headwaters streams as climate refugia for wild trout, promotes forest restoration, advances recreation access, and protects wilderness.

This proposal began in 2006 around a simple premise: that people of good faith could work together to solve land management problems in a way that works for everyone. For years, conservationists, hunters and anglers, outfitters and guides, recreation groups, and timber interests carried on this proud Montana tradition and hashed out a proposal that benefits conservation, restoration, and recreation. The result is the Blackfoot Clearwater Stewardship Act.

Conservation: The Blackfoot Clearwater Stewardship Act would permanently protect the North Fork of the Blackfoot River, Monture Creek, the Swan front, Grizzly Basin, and the West Fork of the Clearwater by adding these lands to the Bob Marshall, Scapegoat and Mission Mountains wilderness areas. These iconic Montana lands contain outstanding habitat for grizzlies, elk, wolverine, and other species, and provide

clean, cold water for the Big Blackfoot River, made famous by Norman Maclean's A River Runs Through It. These lands are an important reason why Montana is still recognized as the "Last Best Place." They deserve permanent protection.

Recreation: Montana's fastest growing economic sector is tourism and outdoor recreation, and the Blackfoot and Clearwater valleys have long been a favorite destination. The Blackfoot Clearwater Stewardship Act will help ensure this corner of Montana remains a world-class place to live and visit by providing a dazzling array of recreational opportunities.

The Otatsy Recreation Management Area would open 2,000 acres to high-quality snowmobiling near Ovando. The Spread Mountain Recreation Area will preserve prized mountain bike opportunities and create new riding opportunities outside the wilderness. The wilderness designations protect some of Montana's highest quality hunting habitat, as well as world-class opportunities for hiking, camping, fishing, and horseback riding. Finally, the proposal supports collaborative efforts based in Seeley Lake to develop and implement new trail-based recreational opportunities for motorized and non-motorized recreationists.

Forest Restoration: A key component of the collaborative stakeholder agreement that formed the basis for S. 507 is forest restoration. In 2010, the collaborative partners of the Blackfoot Clearwater Stewardship Project, with the support of Senator Tester, helped to establish the Southwestern Crown of the Continent Collaborative. To date, this project has created or maintained an average of 153 jobs per year, resulting in investments of over $47 million in the local economy. The project has produced over 50 million board feet of trees, restored over 50,000 acres of forest, treated 57,000 acres for noxious weeds, restored 200 miles of stream, and maintained 3,400 miles of multiple use trails.

The Blackfoot Clearwater Stewardship Act advances this collaborative forest restoration by expediting the environmental review of collaboratively developed forest restoration projects and requiring the Forest Service to develop and implement a landscape assessment to identify restoration priorities, as well as a ten-year schedule of restoration projects.

Public Support: The Blackfoot Clearwater Stewardship Act enjoys overwhelming support among key stakeholders and the public. Each affected county, as well as key timber, hunters and anglers, outfitters and guides, equestrians, mountain bikers, motorized recreation interests, and conservation groups all support the proposal. A recent public opinion survey found that Montana voters support the proposal by 4-1 margin, including three-quarters of Republicans and independents.

For these reasons, The Wilderness Society is proud to support S. 1493, the Blackfoot Clearwater Stewardship Act, and we urge the subcommittee to advance this important legislation.

S. 1538, Smith River National Recreation Area Expansion Act
The Wilderness Society supports S.1538, the Smith River National Recreation Area Expansion Act, introduced by Senator Merkley. This legislation would expand the Smith River National Recreation Area in California, by 58,000 acres into Oregon. The expansion would also protect 74 miles under the Wild and Scenic Rivers Act, designating specific segments of the North Fork Smith River as part of the National Wild and Scenic Rivers System (NWSRS). In 1990, Congress enacted legislation to establish the Smith River National Recreation Area (NRA) to protect the portion of the watershed in California. The established boundary of the NRA stopped at the Oregon border, which leaves the North Fork of the Smith River unprotected. S. 1538 would extend the boundary of the recreation area into Oregon, ensuring the protection of these critical resources. The Smith River not only harbors rare natural resources, it also provides a unique backcountry recreation experience. The enactment of this bill would protect the diverse ecosystems of the rivers, streams, and adjacent lands of the North Fork Smith River watershed and help boost the local fishing and recreation industries that many Oregonian families rely on. For these reasons, TWS supports S. 1538.

S. 1583, Lake Tahoe Restoration Reauthorization Act
The Wilderness Society supports S. 1583, the Lake Tahoe Restoration Reauthorization Act, by Senator Cortez Masto. Lake Tahoe is a national treasure that is in urgent need of continued protection and restoration. In 2000, Congress enacted the Lake Tahoe Restoration Act to protect and restore Lake Tahoe by providing much-needed funding for environmental protection, fire risk reduction, invasive species management, erosion control, endangered species recovery, and other activities. The law is set to expire and the S. 1583 is needed to ensure uninterrupted funding. The bill will reauthorize the Lake Tahoe Restoration Act through 2034. We urge you to support this vital legislation which will support the continued conservation and restoration of Lake Tahoe.

S. 1589, the Oregon Recreation Enhancement Act
The Wilderness Society supports S. 1589, the Oregon Recreation Enhancement Act. This bill designates two recreation areas, Molalla and Rogue Canyon, to protect and enhance their outstanding recreational opportunities and ecological, scenic, cultural, watershed and fish and wildlife values. It also expands the Wild Rogue Wilderness and makes permanent the existing time limited protections for the headwaters of several wild and scenic rivers in southwest Oregon, some of which are important sources of clean drinking water. This bill would benefit Oregon's people, environment and economy and we urge the committee to advance this broadly supported legislation.

Sincerely,

Drew McConville
Senior Managing Director, Government Relations
The Wilderness Society

February 15, 2018

Lisa Murkowski, Chairman
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Maria Cantwell, Ranking Member
Senate Energy and Natural Resources Committee
United States Senate
Washington, D.C. 20510

Dear Chairwoman Murkowski and Ranking Member Cantwell,

Winter Wildlands Alliance and its members would like to express support for the Blackfoot Clearwater Stewardship Act of 2017. Winter Wildlands Alliance is a national advocacy organization representing the interests of cross-country and backcountry skiers, snowboarders, snowshoers and quiet winter enthusiasts. Based in Boise, ID, Winter Wildlands Alliance has 39 grassroots groups in 16 states with a collective membership of more than 50,000. Our organization has three Montana-based grassroots groups - Montana Wilderness Association, Montana Backcountry Alliance, and Beartooth Recreational Trails Association - and a Montana-based staff member.

The Blackfoot Clearwater Stewardship Act is a balanced proposal for public lands management that protects important wildlands, supports a diversity of recreation opportunities, and supports the local timber industry through forest restoration projects. This legislation was developed by local, grassroots, stakeholders and has gained national support because it is a well thought out and inclusive proposal that protects wildlands and promotes both the outdoor recreation and timber economies.

Winter Wildlands Alliance champions public land management solutions that balance protections for human-powered winter recreation opportunities and winter wildlands with opportunities for other forms of winter recreation. This legislation does just that. It protects non-motorized winter recreation opportunities and winter wildlands by adding 80,000 acres to the Bob Marshall, Scapegoat, and Mission Mountains Wilderness areas and it improves motorized winter recreation opportunities by establishing the Otatsy Recreation Management Area, opening 2,000 acres of Forest Service land for motorized winter recreation.

In our increasingly polarized world it's refreshing to see a diverse group of local stakeholders collaboratively develop a public land management solution that works for their community and benefits a broad diversity of interests. We hope that your committee, and eventually Congress, will do justice to the Blackfoot Clearwater Stewardship Act and vote to pass this legislation.

Sincerely,

Hilary Eisen
Policy Director

PO Box 631 Bozeman, Montana 59771
(208) 629-1986 | heisen@winterwildlands.org
www.winterwildlands.org

Yavapai Cattle Growers

Re. Arizona Experiment Station Land Conveyance Act of 2021

The Yavapai Cattle Growers Association (YCGA) is in full support of the proposed land conveyance from the United States Department of Agriculture/ U.S. Forest Service to the University of Arizona V-V Ranch. This land conveyance would provide the University of Arizona (UA) with title to the 13.3 acres of land known as the V-V Ranch Headquarters near Camp Verde, AZ

Since 1995, the University of Arizona has operated the V-V Ranch as a component of the UA's Arizona Experiment Station which includes various research centers throughout the State that provide infrastructure necessary to generate and disseminate important agricultural knowledge and technology. The Ranch manages nearly 400 head of cattle and has infrastructure at the Headquarters and in Mahan Park near Happy Jack, AZ, which is a private inholding within the Coconino National Forest. The Ranch also owns a Forest Service grazing allotment consisting of approximately 80,000 acres of rangeland for cattle grazing.

The YCGA see this as an opportunity for the University of Arizona, a Land-grant University, to better perform in its ability to educate not only students, but other livestock producers and the public. Presently, the V-V Ranch winter headquarters, which is located on Coconino National Forest Land, has existing facilities and the need to build additional infrastructure for meeting rooms for instruction for students and be able to hold workshops and clinics for the public and livestock producers on new techniques and technology to improve livestock production. We see this as a "hands-on" laboratory for students to get practical experience in the management and day-to-day operation of a range livestock operation to better qualify them to get into range livestock production. The UA College of Agriculture and Life Sciences will benefit from this land conveyance as well by giving them the opportunity to host seminars and clinics for cattle producers and for citizens in our local communities in Yavapai County.

In closing, we support this proposed land conveyance as it also provides an excellent location for the University of Arizona, College of Veterinary Medicine to establish a range livestock teaching facility for the next generation of large animal veterinarians in Arizona. There is already funding available to build this facility, but it would be imprudent to invest those funds if the University does not have title to the 13.3 acres at the current Headquarters.

Sincerely,

CC:
Senator Manchin, Chairman of the Senate Committee on Energy and Natural Resources
Senator Sinema

○