

**STATEMENT
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**BEFORE THE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS
UNITED STATES SENATE
JULY 28, 2011**

CONCERNING

S.764, CHETCO RIVER PROTECTION ACT OF 2011

Chairman Bingaman and members of the Subcommittee, thank you for the opportunity to provide the views of the Department of Agriculture on S. 764, the Chetco River Protection Act of 2011.

S. 764 amends Sec. 3(a) (69) (A), (B), and (C) of the Wild and Scenic Rivers Act (the Act) to make technical corrections to the segment divisions for the Chetco River in Oregon. The bill would also add language to the Act to provide for withdrawal of the land within the entire river boundary (44.5 miles and all classifications), subject to valid existing rights, from all forms of appropriation or disposal under the public land laws; location, entry, and patent under the United States mining laws; and disposition under laws relating to mineral and geothermal leasing or mineral materials.

We support the legislation. The Chetco River was added to the National Wild and Scenic Rivers System in 1988 to protect its important anadromous fishery, water quality, and recreational values. The Chetco River supports significant populations of anadromous winter steelhead, fall Chinook salmon, and sea-run cutthroat with resident cutthroat and rainbow trout abundant in its upper reaches. The River has striking water color and clarity, and ability to clear quickly following storm events. It also contributes exceptionally pure and clean water to the domestic water supplies for the communities of Brookings and Harbor, Oregon. The withdrawal proposed in this bill will help protect these regionally significant values.

There are two technical corrections proposed in this bill. The first would move the divisional boundary to extend the wild segment of the river 2 miles. The second would move the divisional boundary to extend the scenic segment of the river 1.5 miles. Both changes better reflect the respective classifications. There is no change in the overall mileage of the designated portion of the Chetco River. These technical changes are consistent with the recommendation in the decision notice for the Rogue River-Siskiyou National Forest's comprehensive river management plan for the Chetco River which was signed in 1993.

The wild segment of the Chetco River was withdrawn from mining and mineral leasing when the

River was designated, as are all wild river classifications by the enabling legislation. To provide time for Congress to consider and take action on legislation introduced in June 2010 (H.R. 5526 and S. 3488), the Forest Service submitted a withdrawal request to the U.S. Department of the Interior, Bureau of Land Management to withdraw the approximate 5,610 acres within the scenic and recreational segments of the Chetco River boundary for 5 years in order to protect this area from future mining claims. This withdrawal request is consistent with the lands described in (this bill) S.764. We expect the withdrawal request to be published in the Federal Register within the next two weeks. All withdrawals are subject to valid existing rights and validity exams will have to be conducted on any proposed mining activity

S. 888, TO AMEND THE WILD AND SCENIC RIVERS ACT TO DESIGNATE A SEGMENT OF ILLABOT CREEK IN SKAGIT COUNTY, WASHINGTON, AS A COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

The Wild and Scenic Rivers Act, Public Law 90-542 (16 U.S.C. 1271 – 1287, as amended) protects the free-flowing condition, water quality, and outstandingly remarkable natural, cultural, and recreational values of some of our most precious rivers. It also provides an opportunity to build partnerships among landowners, river users, tribal nations, and all levels of government.

S. 888 amends Sec. 3(a) of the Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System. It adds 14.3 miles in two segments: 4.3 miles from the headwaters to the Glacier Peak Wilderness boundary classified as wild, and 10 miles from the Glacier Peak Wilderness boundary to approximately 1000 feet south of the Rockport-Cascade road classified as recreational.

We strongly support the legislation.

The segment to be designated by S. 888 is a tributary of the Skagit River, which was added to the National Wild and Scenic Rivers System in 1978. It is located on the Mt. Baker-Snoqualmie National Forest, approximately 100 miles northeast of Seattle, Washington and flows from the glaciers of the North Cascades into the upper Skagit River, the largest tributary to Puget Sound.

Illabot Creek provides exceptional spawning and rearing habitat for summer and fall Chinook, coho, chum and pink salmon; native steelhead; and, one of the largest populations of bull trout in the Skagit River watershed. Puget Sound Chinook, steelhead and bull trout are listed under the Endangered Species Act. Illabot Creek also supports the highest density of chum and pink salmon in the Skagit River watershed and provides habitat for wintering bald eagles. Eagles using the Illabot roost are a part of one of the largest concentration of wintering bald eagles in the continental United States.

Mr. Chairman, we recommend the Subcommittee consider designating all of Illabot Creek, from its headwaters to its confluence with the Skagit River (16.3 miles) as recommended in the Mt. Baker-Snoqualmie National Forest Plan (June 1990). This includes the lower 2 miles, classified as a recreational river, of which approximately 1.4 miles is in the Skagit Wild and Scenic River Corridor. With the designation of Illabot Creek as proposed in H.R. 1740, only 0.6 mile is not included in either Illabot Creek Wild and Scenic River or the existing Skagit Wild and Scenic

River corridor. The lower 2 miles includes some of the most important fish spawning habitat and an important foraging and roosting area for wintering bald eagles. Much of this area is in the Skagit River Bald Eagle Natural Area and dedicated to resource protection.

S. 925 THE MOUNT ANDREA LAWRENCE DESIGNATION ACT OF 2011

This legislation directs the designation of an unnamed 12,240 foot peak, located on the boundary between Ansel Adams Wilderness Area and Yosemite National Park approximately six tenths miles (0.6) northeast of Donahue Peak, as "Mt. Andrea Lawrence."

The management of the proposed Mt. Andrea Lawrence is shared between the Inyo National Forest and Yosemite National Park. We have consulted with the U. S. Department of the Interior - National Park Service in the preparation of this statement.

Ms. Lawrence was a successful Olympic athlete and a committed public servant, having served 16-years on the Mono County Board of Supervisors and founded the Andrea Lawrence Institute for Mountains and Rivers. She was a strong supporter of the work of the Inyo National Forest and Yosemite National Park. She worked tirelessly to protect the health and vitality of the environment and economies in the Eastern Sierra and the Sierra Nevada Region as a whole. Ms. Lawrence passed away at the age of 76 on March 31, 2009.

The Department has no objection to the enactment of S. 925 and notes that it would have no adverse impact to the management of the Inyo National Forest, or the Ansel Adams Wilderness. However, the Board on Geographic Names was created by Congress in 1947 to establish and maintain uniform geographic name usage throughout the Federal Government. It is Board policy not to consider names that commemorate living persons. In addition, a person must be deceased at least 5-years before a commemorative proposal will be considered. In accordance with the Board's interpretation of Wilderness Act of 1964, the Board on Geographic Names discourages naming features in congressionally designated wilderness areas unless an overriding need can be demonstrated. Although the Administration does not have any objections to the enactment of S. 925, maintaining consistency with the longstanding policies of the Board on Geographic Names is recommended.

The Department recognizes the contributions of Ms. Lawrence to both the United States and California, and concurs with the principles embodied in the legislation. Should the legislation be enacted, the Forest Service would work to ensure that our visitor information maps reflect the new designation, and understand that the National Park Service would do the same when their maps, signs, and other informational materials are replaced or updated.

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