

STATEMENT OF
CHRISTOPHER FRENCH, ASSOCIATE CHIEF
U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE
BEFORE THE
UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES, SUBCOMMITTEE ON
PUBLIC LANDS, FORESTS AND MINING

REGARDING:

- H.R. 204 – ACCURATELY COUNTING RISK ELIMINATION SOLUTIONS (ACRES) ACT
S. 462 – TRUCKEE MEADOWS PUBLIC LANDS MANAGEMENT ACT
S. 1349 – RUBY MOUNTAINS PROTECTION ACT
H.R. 1829 – APACHE COUNTY AND NAVAJO COUNTY CONVEYANCE ACT OF 2025
S. 2554 – ALASKA NATIVE LANDLESS EQUITY ACT
S. 2787 – GRASSLANDS GRAZING ACT OF 2025
S. 2968 – OUTDOOR AMERICANS WITH DISABILITIES ACT
S. 3493 – CARSON CITY PUBLIC LAND CORRECTION ACT
S. 3526 – A BILL TO PROVIDE FOR THE PROTECTION OF AND INVESTMENT IN
CERTAIN FEDERAL LAND IN THE STATE OF CALIFORNIA, AND FOR OTHER
PURPOSES
S. 3527 – MONTANA SPORTSMEN CONSERVATION ACT
H.R. 3937 – WABENO ECONOMIC DEVELOPMENT ACT
S. 2417 – STAR-SPANGLED SUMMIT ACT OF 2025
S. 2754 – CRYSTAL RESERVOIR CONVEYANCE ACT
S. 1981 – STRATEGIC GRAZING TO REDUCE RISK OF WILDFIRE ACT
H.R. 3872 – MERICA ACT OF 2025
S. ___ – SANTINI-BURTON MODERNIZATION ACT OF 2026

FEBRUARY 12, 2026

Chair Barrasso, Ranking Member Cortez Masto, and Members of the Subcommittee, thank you for the opportunity to appear before you today to provide testimony on 17 bills: H.R. 204 “Accurately Counting Risk Elimination Solutions Act,” S. 462 “Truckee Meadows Public Lands Management Act,” S. 1349 “Ruby Mountains protection Act,” H.R. 1829 “Apache County and Navajo County Conveyance Act of 2025,” S. 2554 “Alaska Native Landless Equity Act,” S. 2787 “Grasslands Grazing Act of 2025,” S. 2968 “Outdoor Americans with Disabilities Act,” S.

3493 “Carson City Public Land Correction Act,” S. 3526 “A Bill to Provide for the Protection of and Investment in Certain Federal Land in the State of California,” S. 3527 “Montana Sportsmen Conservation Act,” H.R. 3937 “Wabeno Economic Development Act,” S. 2417 “Star-Spangled Summit Act of 2025,” S. 2754 “Crystal Reservoir Conveyance Act,” S. 1981 “Strategic Grazing to Reduce Risk of Wildfire Act,” “H.R. 3872 “MERICA Act of 2025,) and S. ___ “Santini-Burton Modernization Act of 2026.”

A number of these bills include U.S. Department of the Interior (DOI) equities. We defer to DOI for its view on elements that would impact federal lands under its jurisdiction.

H.R. 204, “Accurately Counting Risk Elimination Solutions (ACRES) Act”

H.R. 204 requires the U.S. Department of Agriculture (USDA) and Department of the Interior (DOI) to include a publicly available report on hazardous fuels reduction activity acres in the yearly President’s Budget. This report must account for each acre only once regardless of whether multiple hazardous fuels reduction activities were carried out on that acre during the year. In addition, the report must identify the following: the location of the acres and if they are in the wildland-urban interface; the level of wildfire risk on the first and last day of the reporting period; the types of hazardous fuels activities completed; the cost per acre by treatment type; and the effectiveness of the hazardous fuels reduction activities on reducing wildfire risk.

The bill also requires the USDA and DOI to implement standardized procedures for tracking data related to hazardous fuels reduction activities. These procedures must include standardized data reviews of the accuracy and timely input of data used to track hazardous fuels reduction activities; verification methods that validate the data; an analysis of the effectiveness of the hazardous fuels reduction activities on reducing the risk of wildfire; and methods to distinguish which acres are located within and outside of the wildland-urban interface.

Further, the USDA and DOI are required to provide a report within two weeks after implementing the standardized procedures required describing the procedures and program and policy recommendations to address any limitations in tracking data related to hazardous fuels reduction activities. Not later than two years after the date of enactment, the Government Accountability Office shall conduct a study on the implementation of this Act, including any limitations with respect to reporting hazardous fuels reduction activities or tracking data related to hazardous fuels reduction activities.

The USDA agrees that accurately tracking hazardous fuels treatments and the reduction of wildfire risk to communities is important for accountability to the American public and will help provide a comprehensive understanding of wildfire risk reduction. Tracking each dollar spent improves our understanding of the funding needed to achieve the desired risk reduction to communities and better maintain our landscapes. Reducing risk often requires multiple treatments, such as mechanical thinning followed by prescribed fire, over a short period of time to achieve the desired risk reduction. Each treatment contributes to reducing risk. Once this phase is complete, treated

acres can be moved to a longer-term maintenance strategy to ensure risk is maintained at a reduced level through low-cost thinning or burning treatments conducted at the appropriate time scales, on average every 10 to 15 years. The USDA agrees that tracking risk reduction on an acre-by-acre basis provides essential information on how effective our treatment strategies are in protecting communities and creating resilient landscapes. The USDA also sees benefit in tracking and reporting on how many acres are treated with prescribed fire and how many acres have been thinned with mechanical or other treatments. We believe this approach enhances the ability of decisionmakers and the public to understand the connection between risk reduction and financial accountability.

The USDA supports the reporting of treatment locations, type of treatment, and cost of treatment across the landscape annually. The timing outlined in the bill on the first and last day of the reporting cycle will require continued development of metrics. Currently, the Forest Service has metrics to evaluate fire risk to communities, and these metrics continue to evolve with scientific testing, evaluation, and analysis. The sensitivity of these metrics to detect change in vegetative conditions at fine scale is continuing to be evaluated. Fine scale detection is critical to evaluate treatment effectiveness in reducing fire risk to communities. As our knowledge improves, we expect our metrics will also improve over time. Development of the standard structure and procedures will take time and coordination both internally and with DOI.

Finally, the USDA supports the ability to account for acres improved or maintained by wildfire because the maintenance of acres by wildfire will be critical to the long-term success of fire risk reduction to communities.

We want to ensure that reporting requirements will have the desired effect of both improving fiscal accountability and serving as a tool that can improve the health and resilience of our forests and communities to the threat of wildfire. USDA and DOI are diligently working toward a unification of Federal wildfire response and activities into a unified U.S. Wildland Fire Service within DOI, where practical and consistent with applicable law, and look forward to working with Congress to quickly implement this unification in support of a more efficient national wildfire response. As such, the USDA supports the intent of the bill and would like to work with the Subcommittee and bill sponsors to ensure the reporting requirements in the bill provide a full understanding of wildland fire risk to communities, the scope and effectiveness treatment efforts, and the costs of those efforts to the American people.

S. 462 – “Truckee Meadows Public Lands Management Act”

S. 462, “Truckee Meadows Public Lands Management Act” contains multiple provisions that impact management of National Forest System lands on behalf of the American public, including conveyance, disposal and transfer of land and legislated withdrawal. USDA supports the intent of the bill for several provisions that provide for economic development and conservation in Washoe County, Nevada would like to work with the subcommittee and sponsor

to clarify language and resolve outstanding issues, of which we describe here. USDA defers to DOI as to the effects of this bill on any DOI bureaus and the federal lands under their jurisdiction.

Title I – Public Purpose Conveyance and Disposal

Section 101 would convey parcels managed by the Humboldt-Toiyabe National Forest and Lake Tahoe Basin Management Unit to local and state government entities for a variety of public purposes. USDA would like to work with the subcommittee and sponsor to clarify the terms and processes to protect public interest.

The parcel proposed for conveyance to the Washoe County School District contains a small amount of critical habitat for Webber's Ivesia, a threatened plant species. USDA does not support conveyance of partial parcels due to the management challenges this creates. We recommend engaging U.S. Fish and Wildlife Service to discuss whether this parcel could be conveyed in its entirety. Additionally, there may be other provisions that appear to convey partial parcels.

Section 101 would convey multiple Santini-Burton Act (Public Law 96–586) parcels managed by the Lake Tahoe Basin Management Unit to local and state government entities. These environmentally sensitive lands were acquired by the Forest Service under the Act to maintain undeveloped open space, public access, to conserve wildlife habitat, and protect Lake Tahoe's water quality. USDA would like to work with the sponsor and subcommittee to address Incline Village General Improvement District's interests administratively. We have the authority to issue permits to local and state governments for purposes consistent with the Act.

Section 101 would also convey two large parcels of National Forest System land managed by the Lake Tahoe Basin Management Unit to the State of Nevada. These lands retain their national forest character, and the Department recommends pursuing administrative options rather than conveyance of either parcel. The parcel surrounding Thunderbird Lodge includes a large lakefront section contiguous with other National Forest System land on the west and south sides. It was acquired to provide public recreation access and is heavily used. It includes a developed recreation site with a paved parking lot, information kiosk, a historic road with high integrity, and Forest Service system trails and a Class 1 bike path is planned adjacent to the Lake Tahoe National Scenic Byway. The second parcel is adjacent to the southeast section of Marlette Lake and includes a portion of the Tahoe Rim Trail. The Forest Service and the Tahoe Rim Trail Association manage the trail under formal agreement, and the Forest Service and Nevada State Parks cooperate to facilitate access and maintenance. The parcel is not an inholding; it is adjacent to National Forest System lands to the east and the south. If this parcel were conveyed, the Forest Service would retain the historic Thunderbird Lodge property as an inholding, resulting in new management challenges.

Section 102 would require the Secretary of Agriculture to transfer administrative jurisdiction of lands identified for disposal or affordable housing to the Secretary of the Interior. The Secretary of the Interior would be required to conduct sales of federal land to qualified bidders subject to valid existing rights and sections 202 and 203 of the Federal Land Policy and Management Act of 1976. It would also require the sale of up to 33 acres of BLM and Forest Service lands for affordable housing.

USDA has worked for years with stakeholders to identify lands that could help generate proceeds for important natural resources and public purposes. We do not object to the disposal of the NFS lands identified in this section to support economic development and affordable housing and would like to work with the subcommittee and sponsor to clarify the terms and processes in this section to protect the public interest.

Title II – Tribal Trust Land

Section 204 authorizes the transfer of certain lands to be held in trust by the U.S. Government for the benefit of the Washoe Tribe of Nevada and California. The bill includes two parcels of National Forest System lands totaling approximately 495 acres. Most of this acreage was added to the Humboldt-Toiyabe National Forest by proclamation of Congress in 1950 and the remainder was acquired through a land exchange with a private citizen. These lands retain their national forest character and transfer will complicate rather than streamline land management and jurisdiction in the area, which is characterized by additional national forest, state parks and private holdings.

USDA has concerns related to wholistic management of National Forest System lands, access to energy infrastructure, continued public recreation access, checkerboarded jurisdiction, and the need to manage for sensitive species. USDA recognizes the interest of the Washoe Tribe of Nevada and California in obtaining tribal trust lands. USDA has generally supported land exchanges and transfers with federally-recognized Tribes and has a policy of honoring our trust relationship. USDA seeks to retain the lands in the National Forest System and work with the Washoe Tribe toward their goals through Tribal shared stewardship agreements. We would also be happy to work with the sponsor and the Tribe to identify other parcels in Washoe County such as Forest Service parcels near Mt. Rose.

Title VI – Withdrawal of Certain Land

Section 601 would withdraw approximately 58,383 acres of NFS lands on the Lake Tahoe Basin Management Unit and the Carson Ranger District of the Humboldt-Toiyabe National Forest from entry, appropriation, or disposal under the public land laws; location, entry, and patent under the mining laws; and operation of the mineral and geothermal leasing laws and mineral materials laws, subject to valid existing rights. This provision would address further expansion of the wildland urban interface and related impacts to the Lake Tahoe Basin Management Unit and the Humboldt-Toiyabe National Forest, including the Mt. Rose Wilderness.

USDA does not support the withdrawal of public lands. Any future management actions' impact on resources must be fully evaluated and analyzed, including National Environmental Policy Act compliance and additional public involvement, prior to development decisions. If any development actions were proposed, the comprehensive terms, conditions, and mitigation measures reflecting Federal and State environmental laws would ensure protection of the values and resources described in the legislation. Additionally, we would like to clarify that the Lake Tahoe Basin Management Unit is already withdrawn under the Water Infrastructure for Improvements to the Nation (WIIN) Act (Public Law 114-322) and a new legislative mineral withdrawal would be duplicative and unnecessary.

S. 1349 – “Ruby Mountains Protection Act”

S. 1349 would withdraw certain National Forest System and U.S. Fish and Wildlife Service lands in Nevada from leasing under the mineral leasing laws, subject to valid existing rights.

Section 2 requires DOI to withdraw approximately 309,272 acres of Forest Service lands located in the Ruby Mountains subdistrict of the Humboldt-Toiyabe National Forest in Nevada. Section 3 requires DOI to withdraw approximately 39,926 acres of U.S. Fish and Wildlife Service lands located in the Ruby Lake National Wildlife Refuge. S. 1349 also requires DOI to withdraw any lands acquired after the date of enactment within the boundaries of the Ruby Mountains subdistrict and Ruby Lake National Wildlife Refuge. The bill requires that USDA and DOI make maps available to the public at appropriate agency offices.

The Department does not support S. 1349. The objectives set forth in the legislation can be achieved without a withdrawal. Specifically, the resource protections from the legislation are duplicative of those provided by applicable Federal laws. Mapping of the area has determined that there is little to no potential for oil or gas resources because of unfavorable geologic conditions. In addition, the Humboldt-Toiyabe National Forest Land Management Plan would regulate the environmental effects of energy and mineral development activities on National Forest System lands to ensure cultural and natural resources are protected and sustainably managed. Any future management actions' impact on resources must be fully evaluated and analyzed, including National Environmental Policy Act compliance and additional public involvement, prior to development decisions. If any development actions were proposed, the comprehensive terms, conditions, and mitigation measures reflecting Federal and State environmental laws would ensure protection of the values and resources described in the legislation. In 2019, the Forest Service completed an environmental assessment determining that 52,533 acres in the Ruby Mountains were unavailable to oil and gas leasing.

Additionally, permanent withdrawal of federal lands from mineral leasing conflicts with President Trump's Executive Order 14154, “Unleashing American Energy.” USDA believes these lands will be better managed to achieve evolving national policy objectives under the

existing laws and land management plan and that withdrawal of these lands is unnecessary. The USDA defers to DOI on portions of the bill pertaining to the U.S. Fish and Wildlife Service.

H.R. 1829 – “Apache County and Navajo County Conveyance Act of 2025”

H.R. 1829 directs the Forest Service to convey three parcels of the Apache-Sitgreaves National Forest to two Arizona counties in order to expand existing cemetery sites: a 2.5-acre parcel to Navajo County, and both 2.5-acre and 8-acre parcels to Apache County. The bill directs that the counties pay for all costs associated with conveyance, including surveying and environmental analysis, and that the parcels revert to the Forest Service if they are not used as cemeteries.

Both the cemeteries in question have reached capacity, and the respective counties have engaged in communication and coordination with the Forest Service for many years to resolve the issue. While all parties agree on the need for cemetery expansion, 36 CFR 251.54 (ii)(e)(iv) prohibits the Forest from re-issuing a special use permit that authorizes expansion. The Counties and Forest attempted to resolve this issue administratively under the Townsite Act; however, this option, which requires the Counties to purchase the parcels at fair market value, was cost-prohibitive and did not move forward.

USDA supports the intent of this bill to resolve a long-standing local need to expand two cemeteries through conveyance without consideration to neighboring Counties. However, we would like to work with the Committee and bill sponsor to consider full or partial waiving of traditional cost-recovery efforts for internal analysis and survey work to ensure that these costs do not stand in the way of the conveyance moving forward.

S. 2554 – “Alaska Native Landless Equity Act”

S.2554 would amend the Alaska Native Claims Settlement Act of 1971 (ANCSA) to authorize Alaska Native residents of five Southeast Alaska communities (Haines, Ketchikan, Petersburg, Tenakee, and Wrangell) to form urban corporations. The legislation directs conveyance of specifically identified surface estate lands within the Tongass National Forest in the amount of 23,040 acres to each corporation, totaling approximately 115,202 acres. The bill directs conveyance of the subsurface estate of these parcels to the Sealaska Regional Native Corporation.

The ANSCA effected a final settlement of the aboriginal claims in Alaska through payment of \$962.5 million and conveyances of more than 44 million acres of Federal land. There was a distinction made in ANCSA between the villages in the southeast and those located elsewhere. Prior to the passage of ANCSA, Alaska Natives in the southeast received payments from the United States for the taking of their aboriginal lands. Because Alaska Natives in the Sealaska region benefitted from an additional cash settlement under ANCSA, the eligible communities received less acreage than their counterparts elsewhere. Congress named the villages in the

southeast that were to be recognized in ANCSA; the five communities addressed in S.2554 were not among those listed.

When three of the five Alaska Native communities applied to receive benefits under ANCSA they were determined to be ineligible. Notwithstanding the determination of ineligibility, Alaska Natives in these five communities were enrolled as at-large shareholders in the Sealaska Corporation, of which they comprise more than 20 percent of the enrolled membership.

The proposed conveyance of 23,040 acres to each new corporation conforms with the acreage provided to the ten Southeast Alaska communities that were recognized and determined to be eligible under the Alaska Native Claims Settlement Act (ANCSA). Unlike ANCSA, S.2554 does not require that the selected acres include the township in which all or part of the community is located, nor that it be contiguous and in reasonably compact tracts. The selected National Forest System lands are in 61 named parcels, including some that are split into distinct parts or include adjacent islands. The parcels range in size from 17 to 9,092 acres and are located across seven Forest Service Ranger Districts on the Tongass National Forest.

USDA recognizes the special relationship that Alaska Natives have to the lands of southeast Alaska. We acknowledge the Tongass National Forest plays a significant role in the economic health and prosperity of the region's local communities. USDA looks forward to further discussing with the Subcommittee and sponsor the implications of the bill particularly to the timber program on the Tongass National Forest as over 20 percent of the proposed conveyance is within the suitable timber base.

S. 2787 – “Grasslands Grazing Act of 2025”

S. 2787 would modify the Federal Land Policy and Management Act (FLPMA) to ensure that policies under 43 U.S.C. 1752 pertaining to ranchers who have grazing permits are applied consistently across national forests and grasslands in the sixteen contiguous Western states. As currently worded, 43 U.S.C. 1752 applies to permits for domestic livestock grazing on only the National Forests, while the bill language would extend this to the “National Forest System” which would include the National Grasslands. Importantly, both the current language and bill language restricts application of 43 U.S.C. 1752 to the sixteen contiguous Western States. This would notably exclude permits for domestic livestock grazing in Eastern states including Texas where there are several National Grasslands.

Over the last several years there have been annual appropriations riders that have recognized this disparity of policy for permits and leases for domestic livestock grazing between National Forests and National Grasslands and between the Western and Eastern states. These riders have in effect brought consistency, one year at a time, in application to permits for domestic livestock grazing. Modifying S. 2787 to additionally strike “sixteen contiguous states” would eliminate the need for one of these annual appropriations riders and would provide needed predictability for the Agency and Forest Service grazing permittees across the National Forest System.

USDA supports the intent of the bill and would like to work with the Committee on technical changes in the bill language. USDA recommends applying these authorities consistently not only across national forests and grasslands, but also across the eastern and western states. This would mean first priority for permittees for renewal of expiring permits, continuation of terms under new permits or leases, and availability of a statutory categorical exclusion to issue grazing permits that continue current grazing management not only on National Forests and Grasslands in the sixteen contiguous Western states, but across the entire National Forest System.

We would like to thank the bill sponsor and Committee for helping in our efforts to streamline and expand grazing on federal lands.

S. 2968 – “Outdoor Americans with Disabilities Act”

S. 2968 directs the Forest Service to prioritize the updating of Forest Service travel management plans and motor vehicle use plans. The bill also directs the agency to account for the total length of traversable approved roads per square mile, establishes new procedures for road closures, and prioritizes the inclusion and approval of roads in travel management plans for recreation activities. Furthermore, the bill directs coordination with other government and tribal entities to ensure that public land is disability-access land, ensure appropriate authority to change travel management plans after routes are designated, and ensure compliance with the Federal Land Policy and Management Act of 1976, as amended. Finally, the bill establishes a categorical exclusion from the National Environmental Policy Act (42 U.S.C. 4321 et seq) for road closure determinations made in accordance with the Act.

Road systems and conditions across U.S. National Forests and Grasslands vary widely. However, the agency is moving forward with increasing and improving National Forest System accessibility by rescinding and revising the Travel Management Rule to streamline planning, add exemptions for Other Power-Driven Mobility Devices (OPDMDs) and e-bikes, and use digital mapping platforms to connect Americans to motor vehicle access opportunities.

USDA supports the intent of this bill and lauds the authors’ commitment to providing access for individuals with disabilities. The Forest Service is interested in working with the Chairman to ensure that, as the agency pursues the president’s deregulatory agenda, this legislation will remain clear and authoritative. We are happy to work with the sponsor to provide technical assistance to ensure consistent implementation across the National Forest System. The Forest Service defers to the Bureau of Land Management on the aspects of the bill that impact their agency.

S. 3493 – “Carson City Public Land Correction Act”

Section 4 of S. 3493, “Carson City Street Connector Conveyance,” would require USDA to convey a portion of the land occupied by the Carson Ranger District Office, Humboldt-Toiyabe National Forest, to Carson City, Nevada, for a roadway. The bill would require Carson City to

pay the administrative costs of conveying approximately 0.45 acres of USDA land, without consideration. The bill also requires Carson City to construct a crosswalk across South Curry Street to the Forest Service Carson Ranger District Office within 90 days of the conveyance, in consultation with USDA. The bill does not require USDA to remediate or abate hazardous waste or materials or to remove improvements. The bill requires a survey to determine the acreage and legal description, as determined by the Secretary of Agriculture, as soon as practicable after enactment and authorizes minor corrections.

Section 7 specifies how proceeds generated from the bill may be distributed and requires the Bureau of Land Management (BLM) to develop an intergovernmental agreement with Carson City to manage the account. The funds shall be used for reimbursement of administrative costs associated with land adjustments; conducting wildlife habitat conservation and restoration projects; implementing hazardous fuels projects; acquiring environmentally sensitive land in Carson City; protecting and processing wilderness designations; capital improvements on BLM and Forest Service lands in Carson City; and for educational purposes.

The Department recognizes this is a long-standing issue and is committed to working with the delegation to continue towards a solution that works for all interested parties.

S. 3526 – “A Bill to Provide for the Protection of and Investment in Certain Federal Land in the State Of California, and for Other Purposes”

The Forest Service appreciates the Committee’s continued focus on improving forest health, reducing wildfire risk, enhancing recreation opportunities, and addressing long-standing remediation challenges on Federal lands in California. USDA supports many of the bill’s objectives related to forest restoration, fuels management, remediation of lands impacted by illegal activities, recreation access, and Tribal engagement. Our testimony focuses on provisions of S. 3526 affecting lands administered by the Forest Service; we defer to the Department of the Interior on provisions affecting lands under its jurisdiction.

Title I – Restoration

Title I of S. 3526 advances large-scale forest restoration, wildfire risk reduction, and remediation of Federal lands impacted by illegal activities. It establishes the South Fork Trinity-Mad River Restoration Area, requires collaborative restoration and fire management planning, and continues the California Public Land Remediation Partnership.

Specifically, the bill directs the Forest Service to produce fire management plans. The Forest Service does not currently utilize this specific tool; instead, it relies on the Fire Management Reference System (FMRS) to document plans, guides, and operating procedures for fire management across each Forest. Implementing the bill would require incorporation of the new direction into FMRS for all affected forests. The Forest Service also uses spatial fire planning within the Wildland Fire Decision Support System (WFDSS) to document land designations,

response strategies, and other requirements tied to agency policy and forest management plans. These spatial plans would need to be updated to reflect any new land designations and associated fire-response direction. The Forest Service would use these tools to satisfy the requirement to produce fire management plans.

Sec 101(h) would withdraw the restoration area from public land entry, mining activities, and mineral or geothermal leasing, except where valid existing rights already apply. It would also modify the existing Trinity County agreement by changing how gravel is extracted for road maintenance and by removing the ability to issue local permits for decorative stone extraction. Sec 103 would revise the Shasta-Trinity and Six Rivers forest plans without the analysis and public engagement required under the 2012 Planning Rule. USDA does not support the permanent withdrawal of federal lands from mineral and energy development as it conflicts with President Trump's Executive Order 14154, "Unleashing American Energy."

USDA shares the bill's commitment to restoring resilient landscapes and reducing wildfire risk and looks forward to working with the Committee to ensure the bill's direction can be implemented effectively and in alignment with existing planning requirements.

Title II – Recreation: Bigfoot National Recreation Trail, Trinity Lake Trail

Title II promotes recreation access and connectivity across National Forest System lands through the designation and study of trails, a visitor center in Weaverville, California, and partnerships intended to expand public recreation opportunities. The Forest Service is deeply committed to enhancing recreation opportunities and connecting all Americans to the outdoors. We look forward to working with the Committee to ensure these provisions complement existing programs.

Title III – Conservation: Designation of Wilderness and Wild and Scenic Rivers

Title III would designate new Wilderness, potential Wilderness, Wild and Scenic Rivers, Scenic Areas, and Special Management Areas on Federal lands in California.

Section 301 would add substantial acreage across the Shasta-Trinity, Six Rivers, Mendocino, Angeles, and Los Padres National Forests – and certain BLM lands – to the National Wilderness Preservation System. Several of these areas fall within the Wildland Urban Interface, which would limit the Forest Service's ability to reduce wildfire risk and manage for public safety. Many proposed additions also contain roads, trails, plantations, and other developments that might not meet established wilderness criteria and would benefit from further evaluation.

Section 304 designates roughly 216 miles of stream in and around the Shasta-Trinity National Forest as Wild and Scenic Rivers. These designations would constrain active management, and many stream segments have not been fully assessed for eligibility, free-flowing condition, or outstanding remarkable values required under the Wild and Scenic River Act.

The Administration does not support Wilderness or Wild and Scenic River designations due to their inconsistency with priorities for economic growth, energy development, and sustained-yield, multiple-use management of Federal lands.

S. 3527 – “Montana Sportsmen Conservation Act”

The Montana Sportsmen Conservation Act proposes releasing three Wilderness Study Areas (WSAs) in Montana to general federal land management. Two WSAs are on federal lands managed by the BLM. The Forest Service comments focus on the third WSA, the Middle Fork of the Judith Wilderness Study Area, located in the Helena-Lewis and Clark National Forest in central Montana.

The Act would release all 81,000 acres originally identified as a WSA under the Montana Wilderness Study Act of 1977. In accordance with the Montana Wilderness Study Act, in 1982 the Forest Service completed a Final Environmental Impact Statement and study of the Big Snowies and Middle Fork Judith WSAs. The Act required that these areas be monitored to ensure the WSAs’ potential for inclusion in the National Wilderness Preservation System was retained. At that time, the Forest Service recommended the Middle Fork of the Judith WSA be managed as non-wilderness primarily due to the presence of 14 miles of primitive roads and 36 miles of low-standard road, with motorized and mechanized use predating the 1977 Montana Wilderness Study Act. Subsequent land management plans, including the 2021 Helena-Lewis and Clark National Forest Plan, maintained this recommendation.

USDA supports S. 3527. The action proposed for the Middle Fork of the Judith WSA in the Montana Sportsmen Conservation Act aligns with historic agency recommendations dating back nearly four decades. If released, the wilderness study area direction would no longer apply, and management would follow the Forest’s 2021 land management plan forest-wide direction, and applicable area plan direction. Releasing the area would give land managers more flexibility to improve forest health, mitigate wildfire risk, and provide for multiple use values while retaining certain protections for the area.

H.R. 3937 – “Wabeno Economic Development Act”

H.R. 3937, the Wabeno Economic Development Act, would require the Secretary of Agriculture, acting through the Chief of the Forest Service, to convey a parcel of approximately 14 acres of National Forest System (NFS) land located in the Chequamegon-Nicolet National Forest to Tony's Wabeno Redi-Mix, LLC. The parcel, located on the Lakewood-Laona Ranger District, is adjacent to and southwest of the Town of Wabeno and can be accessed off Smith Rd. The parcel is surrounded on three sides by private land and adjacent to other Forest Service land on the fourth side to the south. It contains upland northern hardwood with a year of origin of 1927.

Subject to provisions in this Act, if the Tony’s Wabeno Redi-Mix, LLC offers to acquire the NFS property for market value, the Secretary shall, not later than 180 days after receiving the offer,

convey to Tony's Wabeno Redi-Mix, LLC all right, title, and interest of the United States in and to the property as described in the Act. As a condition of the conveyance, Tony's Wabeno Redi-Mix, LLC would be required to pay an amount equal to the market value of the land to be conveyed and all costs associated with the conveyance including for surveys, appraisals, and any environmental analysis required by Federal law.

The Act would also require the Department of Interior (DOI), in consultation with other federal agencies, industry stakeholders, and states to review federal permitting processes related to stone, sand, and gravel development on federal land, and to submit a report on this topic to the committee within 180 days of enactment. This report would overview current federal permitting processes and associated economic impacts, identify inefficiencies, and recommend legislative or administrative actions to streamline processes.

We have some minor technical concerns and look forward to working with the Committee as H.R. 3937 moves forward. We recommend the Committee seek DOI input on provisions under their jurisdiction.

S. 2417 – “Star-Spangled Summit Act of 2025”

S. 2417, Star-Spangled Summit Act of 2025 would require the Secretary, acting through the Chief of the Forest Service, to issue a special use permit to Provo, Utah, resident Robert S. Collins for the purposes of placing and maintaining a flagpole on “Kyhv Peak Lookout Point” in the Uinta National Forest. If Mr. Collins declined the permit the Forest Service would be required to issue the permit to another individual, nonprofit entity, or volunteer organization who has experience placing and maintaining a flagpole. S. 2417 would exempt the permittee from paying any associated fees and would authorize the Secretary to apply appropriate terms and conditions. S. 2417 would authorize the Secretary to issue, renew and terminate the permit early and exempts the action from NEPA.

USDA supports the intent of the bill and recommends revising the renewal language to require the permittee or covered entity to apply to renew the permit 180 days prior to the termination of the original permit instead of 180 days after the termination. This will minimize the need to remove and replace the flagpole during the 180 days following the termination. USDA also recommends changing “placing” to “installing” when referring to the approved activity. Access to the currently unauthorized flagpole site occurs via a user-generated trail. Therefore, USDA recommends an additional provision requiring that any access deemed necessary to install or maintain related flagpole infrastructure shall be constructed and maintained by the permittee and subject to Uinta National Forest Land and Resource Management plans, as well as the terms of the special use permit. USDA notes that the Forest Service currently has the authority to issue a flagpole permit to a qualified entity and would welcome the opportunity to proceed administratively in lieu of legislation. In either an administrative fix, or in H.R. 4684, as written, USDA would need to comply with consultation requirements under the Endangered Species Act and the National

Historic Preservation Act when reviewing the application. Additionally, we would also need to comply with NEPA.

S. 2754 – “Crystal Reservoir Conveyance Act”

S. 2754 directs the Secretary of Agriculture to convey approximately 45 acres of Grand Mesa, Uncompahgre, and Gunnison National Forest Lands comprising the Crystal Reservoir and surrounding lands to the City of Ouray, Colorado as soon as practicable after the date of enactment. The bill requires the USDA to convey the land at no cost to the City, with the exception that the City would be required to pay all costs associated with any surveys conducted for the purpose of accomplishing the conveyance.

Subject to a reversionary clause, the bill would require the city to grant an easement for each trail and road in existence on the date of the conveyance, to assume responsibility for the costs of Full Moon Dam and related infrastructure, and to maintain the land in perpetuity for public access for recreational activities. Further, the bill would prohibit any development, commercial operations, or construction, other than as needed for the operation and maintenance of Full Moon Dam, Crystal Reservoir, and related infrastructure, and would prohibit expanding the historical footprint of Crystal Reservoir in a manner that would harm any wetlands located upstream of the Federal land.

Following the conveyance, the bill directs the Secretary to allow the structure known as “Red Mountain Ditch” to continue to be used by the City for all decreed purposes under Colorado water law, including the diversion and delivery of water for storage in Crystal Reservoir. Finally, H.R. 5911 authorizes the City to use Crystal Reservoir for the storage of water and in-reservoir uses or releases of water for augmentation and other beneficial use, consistent with any water rights, and directs the City to manage all water rights associated with the Federal land in accordance with applicable water laws of the State.

The Forest Service acquired Crystal Reservoir, also known as Full Moon Dam, and its associated water rights in 2003. These rights authorize use for domestic, mining, milling, and irrigation of adjacent lands. Full Moon is a Forest Service-owned high-hazard dam. The reservoir is a highly visited, locally beloved, recreational opportunity off Highway 550 near Ironton Park.

We understand that this has been a long-standing interest of members of the community and are committed to pursuing a solution that works for all interested stakeholders. We look forward to working with the bill sponsor and the Committee as this bill moves forward.

S. 1981 – “Strategic Grazing to Reduce Risk of Wildfire Act

S. 1981, Strategic Grazing to Reduce Risk of Wildfire Act requires the Secretaries of Agriculture and the Interior to develop a strategic grazing strategy as a wildfire risk reduction tool within 18 months of enactment, consistent with applicable laws. The strategy would consider the use of vacant grazing allotments when permitted allotments are disrupted by drought, wildfire and other natural disasters and use of targeted grazing to reduce hazardous fuels, including on wildland

urban interface lands and other critical areas. S. 1981 also requires that the strategy consider recommending targeted grazing to communities and Tribes when providing technical assistance on reducing wildfire risk and implementing wildfire management strategies. The strategy also must consider the use of temporary grazing permits to reduce fuels, cheatgrass, and other invasive species as well as grazing outside of permitted animal use months for reducing fuels and invasive grasses. The strategy also must consider the use of targeting grazing for postfire recovery; the use of virtual fencing and other technology; the use of grazing in a way that avoids conflicts with other multiple uses; a workforce development plan; and the use of cooperative agreements. The Secretaries must develop the strategy in consultation with States, local governments, Tribes, utility authorities, firefighting agencies, NGOs, and other interested members of the community.

USDA supports S. 1981 and recognizes that livestock grazing can be used as a viable vegetation and resource management tool, including for wildfire risk reduction. USDA and DOI are diligently working toward a unification of Federal wildfire response and activities into a unified U.S. Wildland Fire Service within DOI, where practical and consistent with applicable law, and look forward to working with Congress to quickly implement this unification in support of a more efficient national wildfire response. We welcome the opportunity to look for ways to apply livestock grazing more strategically across Federal lands. We would like to work with the sponsor and committee on technical corrections as well as extending the deadline. USDA notes that the consultation and coordination requirements require additional time to complete such a strategy and we recommend extending the deadline to 3 years following enactment. We would also like to work with the sponsor to clarify some of the references to permits and grazing in the bill. USDA supports using emerging technologies such as virtual fencing that can be critical when applied in post-fire scenarios where rangeland infrastructure may be destroyed and recommends developing both a workforce and infrastructure plan that would include technology.

H.R. 3872 – “Merica Act of 2025”

H.R. 3872 would direct the Secretary of the Interior to make hardrock minerals available for lease in those lands covered by the Mineral Leasing Act for Acquired Lands (MLA). Hardrock minerals leases are currently available on other Federal lands under other Acts, as noted below.

The intent of H.R. 3872 is to make hardrock minerals – that is, minerals found in sedimentary or other rocks, base metals, precious metals, industrial minerals, and precious and semi-precious gemstones – available for lease under the MLA. The Secretary of the Interior would be directed to lease hardrock minerals for those acquired lands, under the same conditions as other minerals covered by the MLA such as coal, oil, and gas.

USDA supports H.R. 3872, which would have limited impacts on National Forest System lands. Most of the lands acquired by the Forest Service have been acquired under the Weeks Act, or authorities that have Weeks Act status, which provide leasing authority for hardrock minerals.

As such, H.R. 3872 is consistent with existing authorities and would have a limited impact on National Forest System lands. We defer to DOI on provisions under their jurisdiction.

S. – “Santini-Burton Modernization Act of 2026”

The Santini-Burton Modernization Act of 2026 amends Public Law 96–586 to expand the Forest Service’s authority in the Lake Tahoe Basin beyond land acquisition to include active land management. The bill acknowledges the cultural significance of the Basin to the Washoe Tribe of Nevada and California and authorizes transfers of land and funding to the Tribe and local governments for preservation and management purposes. It provides flexibility to use funds for forest health, water quality, recreation impact mitigation, cultural site protection, and scientific research, while enabling partnerships with federal, state, local, and tribal entities to implement projects that enhance environmental thresholds and public access. The Act requires an annual spending plan aligned with the Lake Tahoe Environmental Improvement Program and ensures funds remain available until expended, supplementing – not replacing – existing resources. These updates promote collaborative stewardship, cultural preservation, and ecological resilience in one of the nation’s most sensitive and iconic landscapes.

USDA supports the purpose and intent of the Act to continue the acquisition of sensitive parcels, increase effectiveness in managing National Forest System lands in the Lake Tahoe Basin, provide a mechanism and criteria for land transfers, and include the Washoe Tribe of Nevada and California alongside state and local agencies to support stewardship of the Tahoe Basin. We would like to work with the sponsor and subcommittee to clarify and refine certain elements of the Act, including ensuring that criteria for the annual spending plan are not only consistent with the Act’s purpose and intent but also in alignment with the goals and objectives of the Lake Tahoe Basin Management Unit’s Land Management Plan.