

**Statement of  
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U.S. Department of the Interior  
Senate Committee on Energy and Natural Resources  
Subcommittee on Public Lands, Forests, & Mining  
S. 1548, Oregon Wildlands Act  
July 26, 2017**

Thank you for the opportunity to testify on S. 1548, the Oregon Wildlands Act. S. 1548 would establish two new national recreation areas on forest lands in western Oregon (Title I), add over 280 miles of Oregon rivers on lands administered by the Bureau of Land Management (BLM) and Forest Service to the National Wild and Scenic River System (Title II), and establish new conservation designations in western Oregon (Title III).

Secretary Zinke, through Secretarial Order 3347, has pledged to expand access to America's public lands and increase hunting, fishing, and recreational opportunities nationwide. In addition, Secretary Zinke is focused on restoring full collaboration and coordination with local communities and making the Department of the Interior (Department) a better neighbor. While the Department supports the goals of S. 1548 that align with these important priorities, we are concerned that the bill as currently written could ultimately decrease public access, limit outdoor recreational opportunities, and impede management and harvest of timber and other forest products. 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.

**Background**

The O&C Lands Act of 1937 placed 2.2 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 in western Oregon also provide outstanding recreational opportunities, with over 5 million people visiting each year to enjoy hiking, camping, hunting, and fishing.

Timber harvests and the associated payments to counties decreased significantly in the mid-1990s, after the historic highs experienced in the late 1980s. The decrease was caused, in part, by management measures seeking to address the conservation and recovery of threatened and endangered species such as the northern spotted owl, coho salmon, and marbled murrelet. The Department manages the O&C lands, public domain forests, and other acquired lands under the 2016 western Oregon Resource Management Plans (2016 RMPs), along with guidance and

management recommendations derived from the 2011 Northern Spotted Owl Recovery Plan and 2012 Final Critical Habitat Rule, as well as a number of court decisions.

The 2016 RMPs provide direction for the management of approximately 2.5 million acres of BLM-administered lands and offer outcomes for tourism, recreation, and timber harvest, while still maintaining protections for the northern spotted owl, listed fish species, and water resources. With full implementation of the 2016 RMPs, the BLM estimates that it will be able to offer for sale 278 million board feet (mmbf) per year in total timber volume. At the same time, the 2016 RMPs will help increase fire resiliency, develop habitat for northern spotted owl and other species, and protect listed fish species and water resources.

### **Oregon National Recreation Areas (Title I)**

Title I of S. 1548 establishes the Rogue Canyon and Molalla National Recreation Areas on nearly 119,000 acres of intermixed O&C lands and public domain forests in western Oregon and provides guidance for the management of each area. Although the Department strongly supports efforts to increase access to and facilitate and enhance recreational opportunities on BLM-managed lands in western Oregon, we have concerns with the language of Title I and the impacts if it were to be implemented as written.

As discussed briefly above, the BLM's management of O&C lands and public domain forests is currently governed by a number of statutory requirements, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Clean Water Act, the O&C Lands Act of 1937, the Federal Land Policy and Management Act (FLPMA), and the relevant implementing regulations and plans. Under this framework, the BLM manages these lands for forest production in conformance with the principles of sustained yield and for other multiple uses.

The Department notes that the designations in this title involve O&C lands within the harvest land base established under the 2016 RMPs. We require additional time to conduct the detailed analysis necessary to evaluate the extent of potential impacts to timber harvest levels. As a result, the Department does not support this legislation as written.

We also believe that the management language for the proposed recreation areas is unclear and may impact existing commercial timber production activity that relies on rights-of-way held by adjacent private forest landowners and existing commercial recreational activity. Because of the size of the proposed areas, some of the bill's language may also limit access to existing trailheads and scenic opportunities. Therefore, the Department is concerned this language is inconsistent with Secretarial Order 3347 and Secretary Zinke's commitment to sustaining and creating recreational access.

Finally, we note that the maps for both of the proposed recreation areas were created for previous iterations of the legislation and may contain designations or other features unrelated to this bill.

Consequently, the Department would like the opportunity to provide updated maps that display the proposed areas in greater detail using the latest data.

### **Additional Wild & Scenic River Designations & Technical Corrections (Title II)**

Title II of S. 1548 would designate over 280 miles of Oregon rivers on lands managed by the BLM and Forest Service as recreational, scenic, or wild rivers under the Wild and Scenic Rivers Act. Title II also withdraws 16 miles of 6 Rogue River tributaries from land laws, mining laws, and mineral leasing laws and prohibits the Federal Energy Regulatory Commission (FERC) from licensing new water resource projects and associated facilities along these tributaries.

The Department believes that there may be alternative approaches for managing sensitive resources and would like to work with the sponsors and the Subcommittee to ensure the full range of uses and permitted activities continue on BLM-managed lands. As with the recreation areas proposed by Title I, the wild and scenic river designations involve O&C lands within the harvest land base established under the 2016 RMPs. We would need additional time to conduct the detailed analysis necessary to evaluate the extent of potential impacts to timber harvest levels. If Congress opts to add these segments to the National Wild and Scenic River System, we would like to work with the Subcommittee on clarifications and technical issues, including a correction to the amended language for the original Rogue River designation. We defer to the Department of Agriculture regarding wild and scenic river designations on lands managed by the Forest Service.

### **Wilderness Areas (Title III)**

Title III of S. 1548 would add approximately 60,000 acres of BLM-managed public lands to the existing Wild Rogue Wilderness in southwestern Oregon. This title would also designate approximately 23,000 acres of Forest Service-managed lands and approximately 7,000 acres of BLM-managed public lands as the Devil's Staircase Wilderness, also in southwestern Oregon. The Department supports Congressional action to resolve wilderness designations across the West, and we welcome opportunities to further those efforts. Congress has the sole authority to designate lands to be managed permanently as wilderness, and we believe that such proposals should be considered as part of a locally driven process that incorporates the views of a wide range of stakeholders.

The Department notes that the lands proposed for wilderness designation by S. 1548 generally serve as habitat for a diversity of plant and animal life for forest-dependent species, including Pacific salmon, steelhead trout, and green sturgeon, and provide important opportunities for fishing, rafting and boat tours, and hiking and backpacking, and other forms of outdoor recreation in the forested mountains of western and southwestern Oregon.

Pursuant to the priorities outlined by Secretary Zinke, the Department believes there may be alternative approaches for managing these resources, and we would like the opportunity to work with the sponsors and the Subcommittee to determine if wilderness designation is the best mechanism for managing these important resources and uses. If Congress opts to proceed with

designation of these lands as wilderness, we would like to work with the sponsors to ensure that the bill language is consistent with how the BLM manages other congressionally-designated Wilderness Areas. We defer to the Department of Agriculture regarding wilderness designations on lands managed by the Forest Service.

As with the proposed recreation areas and wild and scenic river designations, the wilderness designations outlined in this title involve O&C lands within the harvest land base established under the 2016 RMPs. We would need additional time to conduct the detailed analysis necessary to evaluate the extent of potential impacts to timber harvest levels. In addition, the Department notes that the maps for each of the proposed wilderness areas were created for previous legislation and may not reflect current land status data. For clarity, we would like the opportunity to provide updated maps of the proposed designations.

Finally, the Department has no objection to the transfer of administrative jurisdiction of 49 acres to the Forest Service, which is an isolated parcel with limited road access and is not included in future BLM timber sale plans.

### **Conclusion**

The Department is committed to increasing public access, expanding outdoor recreational opportunities, and increasing management and harvest of timber and other forest products. Therefore, the Department cannot support S. 1548 as written. We would be interested in working with the sponsors and the Subcommittee to address the specific concerns noted in our testimony with regard to the bill as drafted to accomplish our shared multiple use goals for BLM-managed lands.