

Statement for the Record
Bureau of Land Management
Department of the Interior
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands and Forests
S. 2963, Cathedral Rock and Horse Heaven Wilderness Act
April 21, 2010

Thank you for inviting the Department of the Interior to testify on S. 2963, the Cathedral Rock and Horse Heaven Wilderness Act. The Department supports the goals of S. 2963, which would bring into Federal ownership certain lands along the John Day River in Oregon, and designate those lands and adjacent public lands as wilderness. However, we would like to work with Senator Wyden and the Committee on several concerns and to make adjustments to the legislation as discussed below.

Background

Congress recognized the rugged beauty of the John Day River in central Oregon by designating it as a wild and scenic river in 1988 (Public Law 100-557). Last year, we built on the success of that designation when President Barack Obama signed into law Public Law 111-11, the Omnibus Public Land Management Act of 2009. Title I, Subtitle J, of that Act provided for a series of land exchanges and the designation of the Spring Basin Wilderness in Wheeler County along the east bank of the middle reaches of the John Day River.

Along the western bank of the John Day Wild and Scenic River, just to the south of Spring Basin Wilderness, are some equally outstanding lands proposed to become the Cathedral Rock Wilderness. The lands planned for designation range from the cliffs and canyons along the river heading westerly to steep rolling hills punctuated by rocky escarpments. Wagner Mountain is located in the center of the proposed wilderness and is the highest point in the area. The geology is dominated by ancient volcanics, composed of andesite flows, plugs, and domes. The entire area is covered in rhyolite ash-flows which produce dramatic red, white, and buff colored soils. Hunters and hikers alike enjoy the breathtaking scenery as well as the resident mule deer and elk populations, while rafters brave the John Day's rapids. Cultural sites showcase prehistoric fossils, stone tools, and rock art.

Four miles to the southwest of the Cathedral Rock region is the proposed Horse Heaven Wilderness. The name reflects Oregon's pioneer past when the flawless grasslands of the areas were a closely guarded secret. Today that secret is out and a wide range of recreationists enjoy the area's many opportunities. At more than 4,000 feet, Horse Heaven Mountain serves as a worthy centerpiece to a diverse landscape illustrating Oregon's high and low countries. Traveling south, rolling plains and steep terrain dominate the area; to the west, Muddy Creek is the area's lone perennial stream. Prairie steppes throughout connect hearty shrubs and woodlands that demonstrate steadfast resolve to thrive in the rocky soil.

S. 2963

S. 2963 provides for the establishment of two new wilderness areas to become components of the National Wilderness Preservation System. The bill also provides for the exchange of lands

between three private parties and the Federal government which would allow the consolidation of fragmented land patterns, and provide for two coherent wilderness areas. Should the land exchanges be completed, the additional land would greatly enhance the wilderness quality and manageability of the two areas proposed for wilderness.

Section 4 of the bill outlines a series of land exchanges with three private parties. Under section 206 of the Federal Land Policy and Management Act (FLPMA), the Bureau of Land Management (BLM) has the authority to undertake land exchanges that are in the public interest. Exchanges allow the BLM to acquire environmentally-sensitive lands while transferring public lands into private ownership for local needs and the consolidation of scattered tracts. In principle, the BLM supports the land exchanges envisioned by S.2963; however, we would like the opportunity to work with the sponsor and the Committee to address a number of specific concerns. Foremost among these concerns is the need to assess whether all of the lands proposed for acquisition merit management for wilderness values, and provide for public access and enjoyment of these lands.

The lands proposed for exchange out of Federal ownership are largely scattered sections of public land intermingled with private land. The BLM in Oregon has not had an opportunity to fully assess these lands (nearly 7,500 acres) to determine if they are appropriate for disposal or if there are significant impediments to transfer out of Federal ownership. The BLM believes that there may be cultural resource sites that could raise serious concerns or require mitigation. We recommend that the legislation allow the Secretary to withdraw specific lands from the exchange if any serious impediments are discovered.

Likewise, while the BLM is generally aware of the resource values on the private lands to be acquired by the Federal government, the BLM in Oregon would like the opportunity to analyze these lands more closely. Furthermore, the legislation should also ensure that all non-Federal parties are responsible for the remediation of any human safety concerns or hazardous materials on the lands to be exchanged out of present ownership.

The BLM supports the provisions of the bill requiring that all three exchanges be equal value exchanges, and that the appraisals be undertaken consistent with Uniform Appraisal Standards. We recommend minor modifications to the language to make it consistent with FLPMA.

Section 3 of S. 2963 proposes to designate Cathedral Rock Wilderness and Horse Heaven Wilderness on the lands that would be consolidated under the land exchanges envisioned by section 4 of the bill. When those land exchanges are completed, the Cathedral Rock Wilderness would include nearly 8,700 acres of public land and the Horse Heaven Wilderness nearly 7,800 acres. The BLM could manage these areas as wilderness following the exchanges, assuming that the exchanges occur and that the private lands exhibit wilderness characteristics. It should be noted that absent the largest exchange envisioned under S. 2963, these areas would be impracticable for the BLM to manage as wilderness. That proposed exchange with “Young Life” involves the core of both the proposed Cathedral Rock and Horse Heaven wilderness areas. As previously noted, the BLM would like time to evaluate the proposed non-Federal parcels for wilderness characteristics.

The current land patterns of both the proposed Cathedral Rock and Horse Heaven Wilderness Areas are extremely fragmented. The BLM manages approximately 4,700 acres in seven non-contiguous parcels within the Cathedral Rock area and less than 3,000 acres in two separate parcels within Horse Heaven. The land exchanges are, of course, optional for the three private parties. If, in the end, the largest private land owner decided not to pursue the exchange, managing the wilderness areas would be extremely difficult given the fragmented nature of the BLM landholdings in these two areas. The BLM encourages the Committee and the sponsor to address these concerns before moving the legislation forward. One option may be for the bill to designate these lands as “potential wilderness,” which would automatically become wilderness when the necessary exchanges are completed.

Additionally, the BLM would like to work with the sponsor and the Committee on boundary adjustments and management language modifications as is routine in such proposed designations. Specifically, the BLM would like to discuss boundary modifications to assure public access to the proposed wilderness areas and to make the areas manageable as wilderness.

Finally, S. 2963 envisions the land exchanges under the legislation being completed within two years of the date of enactment. Because of the complicated nature of the exchanges as envisioned by the bill, two years would very likely be insufficient time to complete the transactions.

Conclusion

The proposed Cathedral Rock and Horse Heaven Wilderness areas could be outstanding additions to the National Wilderness Preservation System if the critical exchanges envisioned by the legislation are completed. We look forward to working with Senator Wyden and the Committee toward that end.