

EXAMINING THE SPENDING, PRIORITIES AND THE MISSIONS OF THE BUREAU OF LAND MANAGEMENT AND THE U.S. FOREST SERVICE AND THE PRESIDENT'S FY 2012 BUDGET PROPOSAL

OVERSIGHT HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS
AND PUBLIC LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

—
Tuesday, March 8, 2011
—

Serial No. 112-7

—
Printed for the use of the Committee on Natural Resources



Available via the World Wide Web: <http://www.fdsys.gov>

or

Committee address: <http://naturalresources.house.gov>

—
U.S. GOVERNMENT PRINTING OFFICE

65-118 PDF

WASHINGTON : 2011

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON NATURAL RESOURCES

DOC HASTINGS, WA, *Chairman*
EDWARD J. MARKEY, MA, *Ranking Democrat Member*

Don Young, AK	Dale E. Kildee, MI
John J. Duncan, Jr., TN	Peter A. DeFazio, OR
Louie Gohmert, TX	Eni F.H. Faleomavaega, AS
Rob Bishop, UT	Frank Pallone, Jr., NJ
Doug Lamborn, CO	Grace F. Napolitano, CA
Robert J. Wittman, VA	Rush D. Holt, NJ
Paul C. Broun, GA	Raúl M. Grijalva, AZ
John Fleming, LA	Madeleine Z. Bordallo, GU
Mike Coffman, CO	Jim Costa, CA
Tom McClintock, CA	Dan Boren, OK
Glenn Thompson, PA	Gregorio Kilili Camacho Sablan, CNMI
Jeff Denham, CA	Martin Heinrich, NM
Dan Benishek, MI	Ben Ray Lujan, NM
David Rivera, FL	John P. Sarbanes, MD
Jeff Duncan, SC	Betty Sutton, OH
Scott R. Tipton, CO	Niki Tsongas, MA
Paul A. Gosar, AZ	Pedro R. Pierluisi, PR
Raúl R. Labrador, ID	John Garamendi, CA
Kristi L. Noem, SD	Colleen W. Hanabusa, HI
Steve Southerland II, FL	Vacancy
Bill Flores, TX	
Andy Harris, MD	
Jeffrey M. Landry, LA	
Charles J. "Chuck" Fleischmann, TN	
Jon Runyan, NJ	
Bill Johnson, OH	

Todd Young, *Chief of Staff*
Lisa Pittman, *Chief Counsel*
Jeffrey Duncan, *Democrat Staff Director*
Rick Healy, *Democrat Chief Counsel*

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS

ROB BISHOP, UT, *Chairman*
RAÚL M. GRIJALVA, AZ, *Ranking Democrat Member*

Don Young, AK	Dale E. Kildee, MI
John J. Duncan, Jr., TN	Peter A. DeFazio, OR
Doug Lamborn, CO	Rush D. Holt, NJ
Paul C. Broun, GA	Martin Heinrich, NM
Mike Coffman, CO	John P. Sarbanes, MD
Tom McClintock, CA	Betty Sutton, OH
David Rivera, FL	Niki Tsongas, MA
Scott R. Tipton, CO	John Garamendi, CA
Raúl R. Labrador, ID	Edward J. Markey, MA, <i>ex officio</i>
Kristi L. Noem, SD	
Bill Johnson, OH	
Doc Hastings, WA, <i>ex officio</i>	

CONTENTS

	Page
Hearing held on Tuesday, March 8, 2011	1
Statement of Members:	
Bishop, Hon. Rob, a Representative in Congress from the State of Utah ...	1
Prepared statement of	3
Gosar, Hon. Paul A., a Representative in Congress from the State of	
Arizona, Prepared statement of	57
Grijalva, Hon. Raúl M., a Representative in Congress from the State	
of Arizona	3
Prepared statement of	4
Statement of Witnesses:	
Abbey, Hon. Robert V., Director, Bureau of Land Management, U.S.	
Department of the Interior	12
Prepared statement of	14
Tidwell, Hon. Tom, Chief, U.S. Forest Service, U.S. Department of	
Agriculture	5
Prepared statement of	7

**OVERSIGHT HEARING ON “EXAMINING THE
SPENDING, PRIORITIES AND THE MISSIONS
OF THE BUREAU OF LAND MANAGEMENT
AND THE U.S. FOREST SERVICE AND THE
PRESIDENT’S FY 2012 BUDGET PROPOSAL.”**

**Tuesday, March 8, 2011
U.S. House of Representatives
Subcommittee on National Parks, Forests and Public Lands
Committee on Natural Resources
Washington, D.C.**

The Subcommittee met, pursuant to call, at 10:02 a.m., in Room 1324, Longworth House Office Building, Hon. Rob Bishop [Chairman of the Subcommittee] presiding.

Present: Representatives Bishop, Young, Broun, Coffman, McClintock, Tipton, Labrador, Johnson, Grijalva, DeFazio, Sarbanes and Kildee.

Also present: Representatives Gosar and Benishek.

**STATEMENT OF THE HON. ROB BISHOP, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF UTAH**

Mr. BISHOP. The Subcommittee will come to order. Apparently I am supposed to bang a gavel, wherever it went. It just got banged. The Chairman notes there is the presence of a quorum here, which under our rules is two.

So the Subcommittee on National Parks, Forests and Public Lands is meeting today to hear the testimony on the spending priorities and the missions of the Bureau of Land Management, the U.S. Forest Service and the President’s 2012 budget proposal. Under Committee Rule 4(f), opening statements are limited to the Chairman and Ranking Member of the Subcommittee so that we can hear from our witnesses more quickly. However, I ask unanimous consent to include any other Members’ opening statements in the record if it is received by the clerk by close of business today. Hearing no objection, so ordered.

I also ask unanimous consent that the gentleman from Arizona, Mr. Gosar, be allowed to join us on the dais and participate in the hearing. Once again, without objection, so ordered.

I look forward to hearing from our witnesses, but before that, I recognize myself for an opening statement. I want to thank you for appearing before this committee to present your respective

agencies' budget request. This is, of course, a challenging time for the Federal budget, just as it is for family budgets and millions of Americans. This year the House has decided to take the budget problem seriously. We know major changes are needed, and we cannot meet the challenge with the "business as usual" approach.

Last month the House passed a continuing resolution for the remainder of Fiscal Year 2011 that would cut \$100 billion from the President's request level. EPA was cut by \$3 billion, and some of their expansionist regulatory plans were specifically rejected.

The Forest Service and BLM were not treated similarly. Under the House language, for the rest of the year, the funding for the Forest Service will be reduced by \$38 million and for BLM by just under \$23 million. The Wildlands Order affecting BLM was wisely rejected, thank goodness. It is a taste of things to come, Mr. Abbey. The Senate, though, has yet to act—surprise, surprise—on a long-term current CR as we now begin consideration of our Fiscal Year 2012 budget.

Locked up in the agencies that you run is a vast amount of land with an abundant array of resources that, if properly and productively managed, could make an enormous contribution to our well-being. These agencies that you run could provide secure domestic sources of energy, minerals, food, fiber and, if you follow prior congressional orders, good-paying jobs. Properly managed, these lands could provide a fair return to the western, resource, Hispanic communities that provide schools, place and services without the assistance of property taxes. And despite the thinking of some in our urban areas on the coast, these economic and national security benefits can be obtained, while at the same time increasing public recreation access and use, as well as preservation.

So I look forward to hearing from you on your budget requests. From some of you, Mr. Tidwell, I look forward to hearing from you about gun ranges, cemeteries in Sardine Canyon, and perhaps even National Guard lands in Utah. But both of you have long careers in management of public multiple-use lands, and I want you to know, from working with the employees of your agencies at the local level, that there are a whole lot of professional, hard-working, reasonable people who work on the ground and report to you, sometimes without wide knowledge coming from Washington. So I ask you to let them know how much I do appreciate the work that they do on the ground.

And with that, just two personal notes. First of all, you will notice on the slides above you the amount of land that is owned by the Federal Government. One out of every three acres is owned by the Federal Government, and your domain is actually 93 percent in the West. We obviously have a great deal of impact by the decisions that you make. If it was reversed, that would be what the situation would be. I kind of like that picture myself.

Let me ask one last personal note, if I could. I urge both of you to assist with what I think is air traffic safety concerns. Similarly when I fly back and forth between home and here, that is a nice 4-hour flight. I see a lot of movies, I read a lot of books, I read constituent mail, and I also read about the activities that you guys are doing. I have to admit when I read about these issues, I will read a couple of paragraphs and then pull out my pillow and scream in

it and try to muffle the sound. I will read a few more paragraphs, and then I have to go to the bathroom and yell at the mirror. If not, I will hit some passenger that is there. So for the flight attendants and all those who fly Delta on Fridays and Monday, I am going to ask you not to do stupid stuff.

With that, I conclude my testimony, and I recognize the Ranking Member for five minutes.

[The prepared statement of Chairman Bishop follows:]

**Statement of The Honorable Rob Bishop, Chairman,
Subcommittee on National Parks, Forests and Public Lands**

Chief Tidwell and Director Abbey, I want to thank you for appearing before this committee to present your agencies' budget requests. As we all know, this is a challenging time for the federal budget just as it is for the family budgets of millions of Americans. This year the House has decided to take the budget problem seriously; we know major changes are needed and we cannot meet the challenge with a business-as-usual approach.

Last month, the House passed a Continuing Resolution for the remainder of FY11 that would cut over \$100 billion from the President's request level or \$60 billion from what was enacted. EPA was cut by \$3 billion and some of their expansionist regulatory plans were specifically rejected.

The Forest Service and BLM budgets were not similarly cut. Under the House language for the rest of this year, funding for the Forest Service would be reduced by \$38 million and the BLM would take a \$22.9 million reduction. The Secretary's Wild Lands order affecting BLM was wisely rejected.

Thank goodness for that.

It is a taste of things to come.

The Senate has yet to act on a long term current year CR as we now begin consideration of the Fiscal Year 2012 budget.

Locked up in the agencies you run is a vast amount of land with an abundant array of resources that if properly and productively managed could make an enormous contribution to our well-being. The agencies you run could provide secure domestic sources of energy, minerals, food, fiber, and good paying jobs. Properly managed, these lands could provide a fair return to Western resource dependent communities that provide schools, police and services without access to property taxes. And, despite the thinking of some in urban areas on the coasts, these economic and national security benefits can be obtained while at the same time increasing public recreational access and use.

So I look forward to hearing from you on your budget requests. Both of you have long careers in the management of public multiple use lands and I know from working with the employees of your agencies at the local level that there are many professional, hardworking and reasonable people who report to you. I ask you to let them know that I do appreciate the work they do. With that said, let us turn to the Ranking Member for an opening statement.

STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. GRIJALVA. Thank you very much, Mr. Chairman. Let me first congratulate you on your ascendancy to the Chair. We look forward to working with you, and look forward to your leadership on some very critical issues that this committee historically has undertaken, our public lands being the central piece of the discussion. So we will be having this in this session.

Let me begin also by welcoming Director Abbey and Chief Tidwell to the Subcommittee. While I have questions on many of the line items in your budget request, I wanted to focus on the Land and Water Conservation Fund at the outset. The President's proposes an \$87 million increase to the LWCF funding for the Forest Service and a \$20 million increase for BLM. Overall, the Administration is seeking the full authorized amount of

\$900 million for the program, while the Republican majority supports the lowest level of funding in history under H.R. 1.

Many of our colleagues seem genuinely perplexed by the workings of this trust fund and its goals. To be clear, the program is funded almost entirely by revenue from oil companies drilling in Federal water. So the so-called cuts to LWCF do not save taxpayers money; they simply redirect oil company revenue to nonconservation programs.

It is also inaccurate to call LWCF a land grab. The ability to acquire and manage sensitive parcels is a critical land-management tool. The fund acquisitions are selected through a rigorous planning process, and the lands are only purchased from owners who are willing to sell. And when critical parcels are available, they should be acquired.

Even as we work to meet existing maintenance needs, the current majority underfunded these agencies for a decade and would now use the maintenance backlog as a bar to planned acquisition. We can and we must do both. Historically, it has been during difficult times and economic hardship and war that we have turned inward to invest in the things which make our country strong at its core. Healthy, productive lands and forests are an investment that will pay dividends long after our current challenges have been solved.

I want to thank you both for being here. I look forward to your testimony.

Chairman, I yield back.

[The prepared statement of Mr. Grijalva follows:]

**Statement of The Honorable Raúl Grijalva, Ranking Member,
Subcommittee on National Parks, Forests and Public Lands**

Let me begin by welcoming Director Abbey and Chief Tidwell to the subcommittee.

While I will have questions on many of the line items in your budget requests, I wanted to focus on the Land and Water Conservation Fund at the outset.

The President proposes an \$87 million increase in LWCF funding for the Forest Service and a \$20 million increase for the BLM. Overall, the Administration is seeking the full, authorized amount of \$900 million for the program while the Republican majority supported the lowest level of LWCF funding in history in H.R. 1. Many of our colleagues seem genuinely perplexed by the workings of this trust fund and its goals.

To be clear, the program is funded almost entirely by revenue from oil companies drilling in federal waters; so-called “cuts” to LWCF do not save taxpayer’s money—they simply redirect oil company revenue to non-conservation programs.

It is also inaccurate to call LWCF spending a “land grab.” The ability to acquire and manage sensitive parcels is a critical land management tool. LWCF acquisitions are selected through a rigorous planning process and the lands are only purchased from owners who want to sell.

And when critical parcels are available, they should be acquired, even as we work to meet existing maintenance needs. The current Majority underfunded these agencies for a decade and would now use the maintenance backlog as a bar to land acquisition. We *can* and we *must* do both.

Historically, it has been during difficult times, economic hardship and war, that we have turned inward to invest in the things which make our country strong at its core. Healthy, productive, public lands and forests are an investment that will pay dividends long after our current challenges have been solved.

Thank you both for being here and I look forward to your testimony.

Mr. BISHOP. I thank the gentleman from Arizona for his testimony.

We will now hear from—and occasionally you are accurate, too. So that is OK.

Mr. GRIJALVA. Twice.

Mr. BISHOP. We will now hear from our witnesses. We have The Honorable Tom Tidwell, the Chief of the U.S. Forest Service in the U.S. Department of Agriculture; and Robert Abbey, who is the Director of the Bureau of Land Management, U.S. Department of the Interior.

Like all of our witnesses, your written testimony will appear in full in the hearing record. So we ask you to keep your oral comments to five minutes as outlined in the invitation letter that you received and according to our Committee Rule 4(a).

The microphones, as you know, are not automatic. So please press the button when you are ready to begin. And you understand, I am sure, from your various trips here the light system. The yellow light will appear once you have gone for four minutes. And then when the red light appears, we would ask you to conclude your statements there. With that, I appreciate the testimony.

Do either of you care who goes first? Well, Mr. Tidwell, do you want to start it off with this, and then we will ask Mr. Abbey to go after you?

**STATEMENT OF TOM TIDWELL, CHIEF, U.S. FOREST SERVICE,
U.S. DEPARTMENT OF AGRICULTURE**

Mr. TIDWELL. Well, thank you. Mr. Chairman, members of the Subcommittee, it is a privilege to be here today to discuss the President's 2012 budget request for the Forest Service.

Mr. Chairman, I want to thank you for acknowledging the hard work that our employees do out in the field. I do appreciate that, and I will make sure that I can share your comments. I, too, appreciate the support this committee has shown the Forest Service in the past, and I look forward to working with the Subcommittee to provide more of the things that the American public want and need from our Nation's forests and grasslands.

The President's budget is designed to support the Administration's priorities for maintaining and restoring the resiliency of America's forests. Additionally, the budget request reflects our commitment to fiscal restraint, with significant reductions to ensure that we are spending efficiently and focusing on the priorities of the American people. Our budget supports these priorities through four key objectives.

First, we want to restore and sustain the forest and grasslands by increasing the collaborative efforts to build support for restoration activities that create jobs.

The budget requests full funding for the Collaborative Forest Landscape Restoration Fund. It increases the emphasis on protecting and enhancing watershed health with the request of 80 million for a new Priority Watershed and Job Stabilization Initiative to fund large-scale projects.

It proposes a revised integrated resource restoration budget line item that will align our budget structure with the work that we are doing. This will facilitate using an integrated approach to developing project proposals that will result in more work, more jobs.

We will continue to track the traditional targets, such as board-feet, miles improved, but we will also track the overall outcomes of restoration and watershed improvements so that we can show that we are making a difference in a landscape scale.

We will also continue to incorporate climate change adaptation and mitigation strategies to increase the ecosystem's resistance to increasing frequency—to the increasing frequency of disturbances like fire, insect and disease outbreaks, invasives, flood and drought.

The second objective, the budget request also provides funding for wildlands fire suppression. This includes a level of preparedness that will continue our success to suppress 98 percent of the wildland fires during initial attack. It also includes a realignment in preparedness and suppression funds and more accurately displays costs. It provides for the FLAME fund to increase accountability and transparency for the cost of large fires. And further, to reduce the threat of wildfire to homes and communities, we want to do more work, more of the hazardous fuel work in the wildland-urban interface.

The third objective, we want to increase support for community-based conservation with America's Great Outdoors Initiative. We will do this by helping America to reconnect with the outdoors by increasing conservation education and volunteer opportunities through our youth programs, building on the success of our 28 Job Corps centers by supporting the creation of a 21st Century Conservation Service Corps program that will help build skills and provide work experiences for our youth. We want to continue to work with the States to use our State and private forestry programs to promote conservation and help keep private forests forested.

We are also requesting an increase in LWCF funding in our Forest Legacy Program to use conservation easements and land acquisition to protect critical forests and acquire public access.

And our fourth objective is to further support economic opportunities in our rural communities by supporting the recreational opportunities that not only add to the quality of our lives, but support these communities over \$13 billion in annual spending by the recreation visitors.

We want to encourage the biomass utilization and other renewable energy opportunities and explore ways to process the oil and gas applications and energy transmission proposals more efficiently.

And then last, we are proposing a framework for a 5-year reauthorization of the Secure Rural Schools Act, with 328 million in our budget request to fund the first year. Now, we want to work with the Subcommittee to consider options for mandatory funding for this proposal and also for the overall legislative proposal. Our goal is to increase collaborative efforts, to encourage greater public involvement and management of their national forests and grasslands.

To maintain and restore healthy landscapes, we need to take care of the ecosystem, but we also need to support healthy, thriving communities and provide jobs in our rural areas. Again, thank you for the opportunity to address the Subcommittee, and I look forward to answering your questions.

Mr. BISHOP. Thank you, Chief Tidwell.

[The prepared statement of Mr. Tidwell follows:]

**Statement of Tom Tidwell, Chief, U.S. Forest Service,
U.S. Department of Agriculture**

Mr. Chairman and members of the subcommittee, it is a privilege to be here today to discuss the President's Budget request for the Forest Service in fiscal year (FY) 2012. I appreciate the support this subcommittee has shown the Forest Service in the past, and I look forward to working together in the future to ensure that stewardship of our Nation's forests and grasslands continues to meet the desires and expectations of the American people. I am confident that this budget will allow the Forest Service to support this goal, while also reflecting our commitment to fiscal restraint and ensuring we are spending efficiently.

As the Secretary testified on March 1, 2011, we need to take some serious steps to reduce the deficit and reform government so that it's leaner and smarter for the 21st century. The FY 2012 budget USDA is proposing reflects the difficult choices we need to make to reduce the deficit while supporting targeted investments that are critical to long-term economic growth and job creation. To afford the strategic investments we need to grow the economy in the long term while also tackling the deficit, this budget makes difficult cuts to programs the Administration cares about. It also reflects savings from a number of efficiency improvements and other actions to streamline and reduce our administrative costs. It looks to properly manage deficit reduction while preserving the values that matter to Americans.

A healthy and prosperous America relies on healthy forests and grasslands and the benefits they provide: clean air and water, carbon storage, renewable energy, food and fiber, fertile soils, wildlife habitat, and recreation opportunities. The Forest Service delivers incredible value to the public by protecting and enhancing these benefits through forest health restoration, research, and financial and technical assistance to partners. Our national forests and grasslands help to sustain 224,000 jobs in rural areas and contribute an estimated \$14 billion to the Gross Domestic Product (GDP) each year through visitor spending alone.¹ In addition to managing 193 million acres on 155 national forests and 20 grasslands in 44 States and Puerto Rico, the Forest Service helps improve stewardship of lands outside the National Forest System. The agency partners with and provides technical assistance to other Federal agencies as well as Tribal, State and local governments; private landowners; and non-profit organizations for the betterment of the Nation's forests and grasslands. Furthermore, the agency is a leader in cutting-edge research on climate change, bioenergy, wildfire management, forest pests and diseases, ecological restoration and other conservation issues. The agency works to efficiently maximize limited resources and create a high return on investment for the American taxpayer.

The FY 2012 President's Budget request for the Forest Service totals \$5.1 billion in discretionary appropriations, a \$178 million decrease from the FY 2011 annualized continuing resolution, and a \$239 million decrease from the FY 2011 President's Budget request. This decrease is achieved through several program re-combinations that streamline operations and increase efficiency and through major reductions in programs, including Roads, Facilities and National Fire Plan programs and associated State and Private Forestry Programs. In addition, the FY 2012 budget includes \$44 million in targeted cost saving measures for the Forest Service through reduced travel and improved acquisition management procedures. These actions will allow us to focus limited resources on programs where we can achieve the greatest impact and that are of highest priority to the American people. Our budget priorities respond to the public's desire to make smart Federal investments that will allow us to pass on to future generations the beauty, wildlife, water and natural resources that we have today.

The FY 2012 budget for the Forest Service supports President Obama's America's Great Outdoors (AGO) initiative, the goals of the USDA's strategic plan, and Secretary Vilsack's "all-lands vision." It aims to maintain and enhance the resilience and productivity of America's forests through four funding priorities:

Enhancing Water Resources, Responding to Climate Change, Community-based Stewardship, and Jobs in Rural Communities.

Climate change, severe wildfires, disease and pests have all contributed to declining forest health. With the current forest health crisis threatening the future of our

¹USDA Forest Service. National Visitor Use Monitoring Results. <http://www.fs.fed.us/recreation/programs/nvum/>

forests, ecological restoration² is a key component to our FY 2012 strategy. We need to ensure that our forests are resilient in the face of future uncertainties. To most effectively address this forest health issue, we must work across landscapes and ecosystems, as well as across ownership boundaries. The Forest Service also aims to create jobs in rural areas, more actively involve local communities in caring for their land, and improve access to natural areas. Ensuring the sustainability of rural communities and increasing community collaboration in natural resources management are critical to the success of restoration efforts and the continued provision of goods and services from forest ecosystems. Finally, using forest biomass byproducts from ecological restoration activities as a source of renewable energy can help enhance U.S. energy security, economic opportunity, environmental quality, and global competitiveness. In FY 2012 we aim to strengthen biomass utilization efforts through our work with other agencies and our programs that encourage market development for woody biomass.

Our four key funding priorities highlight how we as an agency are continually working to ensure that we are responding to the needs of the American public.

Enhancing Water Resources

One of the most important services that the American people receive from forested landscapes is the provision of clean and abundant drinking water. An adequate supply of clean water is integral to the health and prosperity of the United States. Over half of the Nation's freshwater supply originates on public and private forest lands, and is the source of drinking water for more than 200 million people. The National Forest System (NFS) alone provides fresh water to approximately 66 million people, or one in five Americans. In addition, healthy rivers, lakes and streams are crucial to sustaining aquatic life, supporting terrestrial ecosystems, and providing high-quality recreation opportunities. Maintaining an adequate supply of clean water will be one of the biggest challenges of the 21st century as our forests and communities continue to deal with climate change, severe wildfires, invasive pests, severe storm events, and development pressures.

In June 2009, the Administration implemented the High-Priority Performance Goal (HPPG) initiative, asking agency leaders to deliver results on a limited number of priorities that are of high value to the American public. Ensuring that our national forests and private working lands enhance our water resources and are conserved, restored, and made more resilient to climate change is a USDA HPPG. In order to achieve this goal, the Forest Service in collaboration with the Natural Resources Conservation Service (NRCS) and Farm Services Agency (FSA) will be working to implement high-impact targeted practices that are expected to have the greatest impact on protecting water resources on over 6 million acres in priority landscapes. These priority areas include targeted acreage on national forests and private working lands in the Chesapeake Bay Basin, Great Lakes, Mississippi River Basin/Gulf of Mexico, and California Bay Delta/Sierras.

The Integrated Resource Restoration (IRR) budget line item, first proposed in the FY 2011 budget request, will allow us to effectively integrate interdisciplinary restoration treatments that will protect and improve our water resources. The FY 2011 budget request proposed to combine the Forest Products, Vegetation and Watershed Management, and Wildlife and Fisheries Management budget line items from previous years. In addition to these programs, Collaborative Forest Landscape Restoration, Legacy Roads and Trails, road decommissioning, and post-fire Rehabilitation and Restoration have also been added to IRR for the FY 2012 request. Moreover, the portion of hazardous fuels management funding work outside the wildland urban interface (WUI) has also been added to IRR for the FY 2012 request as the agency works toward restoring historic fire regimes on the non-WUI portion of NFS lands. Restoration projects require the integration of various stewardship activities. Thus, combining these programs will allow us to use resources more efficiently and will also create the vehicle that will allow the Forest Service to move toward restoring watersheds as a top priority. A new watershed condition metric will be used to evaluate improvements in watershed health using a national standard and provide clear accountability for the IRR program area. Specifically, we are proposing an \$80 million Priority Watershed and Job Stabilization initiative that will use the Watershed Condition Framework, State Forest Assessments, costs, and input from

²By restoration, we mean the process of assisting the recovery of resilience and the capacity of a system to adapt to change if the environment where the system exists has been degraded, damaged, or destroyed. Ecological restoration focuses on reestablishing ecosystem functions by modifying or managing the composition, structural arrangement, and processes necessary to make a terrestrial and aquatic ecosystem sustainable and resilient under current and future conditions.

local communities to prioritize projects to fund to make progress toward improving watershed condition class. Proposed projects will be developed by the Forest Service and will come from the Action Plans created for the priority watersheds identified as part of the Watershed Condition Framework. We will also continue to use some of our established targeted measures, as well as continue to track outcomes related to past measures. FY 2012 restoration projects will maintain and improve water quality and watershed function, improve fish and wildlife habitat, and integrate forest products production into stewardship and watershed restoration activities.

Responding to Climate Change

Climate change jeopardizes the benefits that the public receives from America's forests and grasslands, including clean air and water, forest products, and recreational opportunities. Many of the management challenges that we have faced over the past decades have been exacerbated by climate change, including catastrophic wildfires, changing water regimes, insect infestations, and disease. In FY 2012, the Forest Service will continue to focus on incorporating climate change adaptation into multiple program areas, which includes making ecosystems more resistant to climate-related stressors, increasing ecosystem resilience to disturbance driven by climate change, and facilitating landscape-scale ecological transitions in response to changing environmental conditions. This priority is again tightly tied to restoration and our IRR budget line item. Restoring key functions and processes characteristic of healthy, resilient ecosystems allows them to withstand future stressors and uncertainties. Examples of IRR projects include decommissioning roads to reduce the risk of erosion from severe storms, reducing fuels outside the WUI to reduce the risk that severe wildfire will damage resources near important watersheds or critical habitat, and reforestation to stabilize critical watersheds and soils impacted by natural events and to increase long-term carbon sequestration capacity.

The Forest Service has developed a Roadmap for Responding to Climate Change in order to guide the agency in achieving its climate change goals. The Roadmap focuses on three kinds of activities: 1) assessing current risks, vulnerabilities, policies, and gaps in knowledge; 2) engaging internal and external partners in seeking solutions; and 3) managing for resilience, in ecosystems as well as in human communities. The agency has implemented a scorecard to measure progress made by each national forest and grassland. The scorecard assesses agency capacity, partnerships and education, adaptation, mitigation, and sustainable consumption.

Our commitment to responding to climate change is underscored in the proposed Planning Rule, published for comment in the Federal Register on February 14, 2011. The Forest Service will begin to operate under the proposed Planning Rule in FY 2012 after it is finalized, emphasizing citizen collaboration and an all-lands approach to management planning, ecosystem restoration, and climate change mitigation. A new budget line item, Land Management Planning, Assessment and Monitoring, has been proposed for FY 2012. Combining the previous line items Land Management Planning and Inventory & Monitoring highlights the clear tie between gathering information through monitoring and making management planning decisions. This combination better aligns program funding with the objectives of the proposed Planning Rule, ensuring that planning, monitoring, and conducting assessments are coordinated across the landscape.

Our climate change research program will continue to help clarify how climate change is expected to affect our ecosystems and the services they provide and to inform decision-makers as they evaluate policy options. With two decades of climate change research, the USFS is the authority on how forest and range management can be modified to address the challenges of global change.

Community-based Stewardship

Working with local communities is critical to the success of restoration efforts and increasing ecosystem resilience across the landscape. Increasing collaboration with stakeholders can move conservation efforts from a scale of thousands of acres to hundreds of thousands of acres. Most importantly, working together with stakeholders from project planning to implementation helps build citizen support for ecosystem restoration projects. The importance of getting citizens and communities more connected and involved with the outdoors has been emphasized in AGO. AGO seeks to empower citizens, community groups, and local, State and Tribal governments to share in the stewardship responsibility for protecting, improving, and accessing natural areas and their resources, with the end result of a healthy, vibrant outdoor legacy for generations to come. The agency is committed to achieving greater community-based stewardship in pursuit of resilient forests as outlined in the America's Great Outdoors Report. The FY 2012 budget strategically allocates

resources to support exemplary local stewardship models and to catalyze new partnerships and innovations. The Forest Service will work towards the goals of AGO through multiple program areas.

Building on the sentiments of the American people, the AGO initiative seeks to maximize use of the Land and Water Conservation Fund (LWCF), which directs a portion of revenue from offshore oil and gas leases to conservation projects. The LWCF funds the Forest Service's Forest Legacy and Land Acquisition programs and provides local communities the opportunity to cost-share the conservation of priority forest land. The FY 2012 budget request funds LWCF at the fully authorized amount, which constitutes an increase of \$59 million for the Forest Legacy program and an increase of \$26 million for the Land Acquisition program from the FY 2011 annualized continuing resolution. Forest Legacy works with States, private landowners, and other conservation partners to protect environmentally critical forests threatened by land conversion through conservation easements. Project funding is based on a nationally competitive process. To date, the Forest Legacy program has leveraged more than \$630 million in non-federal matching funds to conserve over 2 million acres of non-Federal forest land. In FY 2012, 48 projects have been proposed for funding in 38 states. Forest Legacy projects keep working forests working, which keeps jobs in rural areas. Forest Legacy projects also provide public access to recreation in many areas. Land Acquisition supports a similar function. Its primary focus is on land acquisitions and donations on land adjacent to national forests. In FY 2012, 38 nationally prioritized lands have been proposed for funding. Recreation on national forest lands results in a boost to local economies and the creation of jobs. This budget request includes an increase of \$5.4 million for Recreation in support of AGO.

Protecting land that borders NFS lands and acquiring in holdings abates the threat of development. Subdivisions and houses being established immediately adjacent to our wild areas increases costs to the agency, particularly for programs such as fire suppression. We have invested in protecting wildlife for over a century. By fully funding LWCF, our budget will maintain our historic investments for the American people. In addition to LWCF, we also have other tools to increase our management efficiency and become better neighbors with our adjacent landowners and will use these as well. I would like to also draw the subcommittee's attention to the pilot land exchange program proposed in the landownership management budget line item, which will accentuate the benefits of consolidated land tenure on one of our National Grasslands.

In FY 2012 the Forest Service will commence implementation of the 2008 Farm Bill's Community Forest and Open Space Conservation Program. This program provides eligible Tribal governments, local governments, and qualified non-profit organizations cost-share grants for creating community forests through fee-simple acquisition. This budget request includes an increase of \$4.5 million for the Community Forest and Open Space Program. These forests will be able to provide public access and recreational opportunities, as well as protection of vital water supplies and wildlife habitat, demonstration sites for private forest landowners, and financial and community benefits from sustainable management.

The Forest Service will continue to expand community engagement in restoration efforts on National Forest System land through the Collaborative Forest Landscape Restoration Program (CFLR). Under the IRR budget line item, CFLR will provide for the continued implementation of the ten long-term projects selected in FY 2010 and will provide for the selection of additional long-term projects. CFLR projects are proposed through multi-stakeholder collaborative planning at a local level, and priorities are suggested by a Federal Advisory Committee. In 2010, CFLR funded 10 community restoration projects in Idaho, California, Colorado, Arizona, New Mexico, Montana, Washington, Oregon, and Florida.

Conservation education and volunteer opportunities will be a priority for the Forest Service as we implement AGO recommendations. We already have a variety of programs that have successfully connected youth to the outdoors, and we will continue to find opportunities for engaging youth in conservation efforts in FY 2012. The Lake Tahoe Generation Green program works with local community groups to engage at-risk high-school students in outdoor leadership and forest management activities. The Kids in the Woods program at the Apache-Sitgreaves National Forest is another example of a successful locally-based outdoor education program that has taught over 5,000 participants about a wide range of topics, including invasive species, water conservation, and responsible off-road vehicle use. The Chugach Children's Forest in Alaska connects village, rural and inner-city youth with a nearby national forest, while motivating local District Rangers to work alongside community officials and school superintendents, integrating community youth challenges with outdoor solutions. Volunteer opportunities will also expand across the Forest

Service, including wilderness stewardship, trail clearing, restoration of historic structures, and campground host duties.

Finally, the proposed Planning Rule establishes a framework that emphasizes a collaborative approach to land management planning, assessment, and monitoring. The Forest Service will work with the public, Tribes and other partners to develop, revise and amend land management plans, conduct assessments and develop and implement monitoring programs. Collaborative approaches build citizen support in identifying needs, establishing desired conditions, crafting alternatives for future management, and identifying information and monitoring needs.

Jobs in Rural Communities

In August 2009 in Seattle, WA, Secretary Vilsack spoke of the need for a “shared vision” that not only focuses on forest conservation, but also on supporting a forest economy that creates jobs and vibrant rural communities. The Forest Service is not only committed to providing benefits to the American people in the form of clean air and water, fish and wildlife habitat, timber, and recreation opportunities, but also in the form of jobs and sustainable rural communities.

Forests and grasslands are an important source of employment and rural development. More than 2.5 million Americans have forest-related jobs in fields ranging from ecological restoration to outdoor recreation services to the forest products industry.³ The Forest Service provides service contracts for many types of activities including tree planting, timber harvesting, noxious weed control, culvert replacement, and road reconstruction. Recreation on national forest lands also bolsters local economies and creates jobs. The 2010 National Visitor Use Monitoring Report found that spending by recreation visitors in areas surrounding national forests amounts to nearly \$13 billion each year.

Over the past year the Forest Service has worked to create and retain jobs in rural communities through the American Recovery and Reinvestment Act (ARRA) of 2009. The Forest Service received funding for two programs. Capital Improvement and Maintenance received funds to restore infrastructure that supports public, administrative, and recreation uses, while minimizing impacts to ecosystem stability and conditions. In addition, Wildland Fire Management received funds to protect communities from large fires and to contribute to the restoration of fire-adapted landscapes. Final completion of all ARRA projects is expected to occur in the next two fiscal years. However, the agency will continue to have a jobs focus. Job creation and rural development will be a priority in FY 2012.

One of the highlights of the IRR budget line item is creating job opportunities in rural areas. Creating job opportunities through landscape-scale restoration projects is a key component of the Priority Watersheds and Job Stabilization Initiative under IRR. Stewardship contracts and agreements will be a significant method for carrying out restoration efforts, and attention will be given to new and emerging markets for the wood removed during restoration activities, as well as the traditional uses for these products. Building a forest restoration economy will create new jobs in rural communities and help diversify the forest products industry to support the sustainability of local communities and the forest contractor infrastructure needed to perform restoration work. Also, we are working to further build a forest restoration economy around wood utilization by targeting grants to assist small businesses. Since 2005, the Woody Biomass Utilization Grant Program has awarded a total of \$30.6 million to 123 grant recipients in 21 States, including small businesses, non-profit organizations, Tribes, and State agencies, to further innovations in the wood products sector that lend to job creation.

The Forest Service has also invested in job creation for youth through Job Corps, a partnership with the Department of Labor. This program helps people ages 16 through 24 improve the quality of their lives through technical and academic career training. With Department of Labor funding, we operate 28 Job Corps Civilian Conservation Centers across the country that provide approximately 6,200 students per year with the skills they need to become employable and independent so that they can find meaningful jobs or further education. In March 2010, Secretary Vilsack unveiled a green Job Corps Curriculum that will help train underserved youth for jobs in the emerging green economy using national forests and grasslands as training sites for solar, wind and biomass energy demonstrations.

America's Great Outdoors hopes to build on the success of programs like Job Corps by creating a 21st Century Conservation Service Corps program that will remove barriers to employment and improve career pathways to jobs in natural resource conservation. This includes use of the Public Lands Corps Healthy Forests

³USDA, Forest Service. 2010. Draft National Report on Sustainable Forests. <http://www.fs.fed.us/research/sustain/>

Restoration Act of 2005, which expanded youth service opportunities while addressing important conservation and societal objectives. The Forest Service has a long-standing commitment to recruiting employees that contribute to workforce diversity; providing opportunities for disadvantaged youth to pursue natural resource careers; and creating the next generation of land conservationists. The Forest Service will expand on AGO Goal A (to develop conservation jobs and service opportunities that protect and restore America's natural resources) through the Youth Conservation Corps (YCC). This summer employment program aims to accomplish needed conservation work on public lands, provides gainful employment for 15- through 18-year olds from diverse backgrounds, and develops in them an understanding and appreciation of the Nation's natural environment and heritage.

To continue supporting the communities that we work in, the FY 2012 President's Budget proposes a five-year reauthorization of the Secure Rural Schools Act, named Payments to Communities, and includes \$328 million of discretionary funding for FY 2012. This Act provides annual payments to counties for schools and roads, forest restoration/protection, and fire assistance. The proposal modifies the existing framework to emphasize enhancing forest ecosystems, improving land health and water quality, and increasing economic development activities. The Administration is open to working with Congress to fund either through discretionary or mandatory appropriations.

Wildland Fire Management

The FY 2012 budget request continues to reflect the President's commitment to responsibly budget for wildfires, ensuring fire management resources are used in a cost effective manner in high priority areas. The 10-year average of suppression costs is fully funded, and the allocations between Preparedness and Suppression funds have been adjusted to ensure that readiness needs are fully funded for this fiscal year. The budget request includes a two-tier system for fire suppression. The Suppression account will be the primary source of funding for responding to wildfires, covering the costs of initial and smaller extended attack operations. The FLAME reserve account will provide better accounting of funds to cover fires escaping initial attack that are large and complex, as it did last year. This system ensures that funds are available to fight fires without diverting funds from other critical Forest Service programs and activities.

Conclusion

This President's budget request for FY 2012 takes a comprehensive, all-lands approach to conservation that addresses the challenges that our forests and grassland currently face, while also taking into consideration the need to reduce spending and to find the most efficient way to do our work.

The future of our country's forests and the valuable ecosystem services they provide depend on our ability to manage for an uncertain climate and uncertain market. This means landscape-level restoration, working across ownership boundaries, relying upon a foundation of strong science to guide decisions, and collaborating with Tribal, State, local, private, and other Federal stakeholders to achieve common goals. A comprehensive approach to restoring unhealthy ecosystems will help make our forests more resilient to stressors and disturbances related to climate change and protect our vital water resources. At the same time, we can significantly contribute to economic recovery and job support by building a forest restoration economy. Greater involvement of citizens and communities is key to successfully implementing restoration efforts at large geographic scales. Our vision in creating healthy landscapes not only includes creating healthy ecosystems, but also creating healthy, thriving communities around our Nation's forests and grasslands and providing jobs in rural areas. The FY 2012 budget request highlights these priorities.

I look forward to sharing more with you about our FY 2012 priorities and working with you in shaping the proposals laid out in this budget. Thank you for your time and attention, and I look forward to answering any questions you may have.

Mr. BISHOP. Director Abbey.

STATEMENT OF ROBERT ABBEY, DIRECTOR, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR

Mr. ABBEY. Chairman Bishop and members of the committee, once again it is a pleasure for me to appear before you.

As Chairman Bishop alluded to, I have one of the best jobs in all of America as far as working with the Bureau of Land

Management because each day I get to come to work and work with 10,000 of the most dedicated public servants that you will find anywhere in all of government at any level.

But today I appear before you to talk about the President's Fiscal Year 2012 budget request for the Bureau of Land Management. The BLM administers more than 245 million acres of land and approximately 700 million acres of subsurface mineral estate nationwide.

The BLM is a sound investment for America. The management of public land resources and protection of public land values results in extraordinary economic benefits to local economies and to the Nation. The BLM's management of public lands contributes more than \$100 billion annually to the national economy and supports more than 500,000 American jobs. Revenues generated from the public lands make the BLM one of the top revenue-generating Federal agencies, positively affecting the U.S. Treasury and directly benefiting the U.S. taxpayer.

The BLM's Fiscal Year 2012 budget request is \$1.1 billion, a decrease of 12 million from the 2010 enacted level. The budget proposal reflects the Administration's efforts to maximize public benefits, while recognizing the reality of the current fiscal situation and the need to reduce the Nation's budget deficit.

The proposed budget for the BLM makes strategic investments in support of important Administration and secretarial initiatives, including America's Great Outdoors, the New Energy Frontier, Cooperative Landscape Conservation, and Youth in America's Great Outdoors. Investment in these programs today will reap benefits not only today, but for years to come.

To enhance the conservation of BLM-managed lands and reconnect Americans to the outdoors, our budget calls for an almost \$30 million increase in support of America's Great Outdoors Initiative. This includes \$15 million for the BLM's 27 million-acre National Landscape Conservation System, which includes special areas such as designated wilderness, national monuments, national conservation areas and wild and scenic rivers. The budget also includes \$8.6 million to support programs and partnerships that engage youth in the outdoors and provide a paycheck to the young adults.

The New Energy Frontier Initiative recognizes the value of environmentally sound, scientifically grounded development of both renewable and conventional energy resources on public lands. President Obama and Secretary Salazar have stressed the critical importance of renewable energy to the future of the United States. Developing renewable energy creates jobs and promotes innovation in the United States, while reducing our country's reliance on fossil fuels. To encourage development on the public lands, the BLM budget proposes a \$3 million increase for renewable energy environmental studies.

In the conventional energy arena, the BLM expects its onshore mineral leasing activities to contribute \$4.3 billion to the Treasury in Fiscal Year 2012. The BLM focuses in 2012 on implementing our oil and gas program reforms that place a continued emphasis on oil and gas inspections, environmental enforcement and production monitoring.

The budget includes an increase of \$13 million for processing oil and gas applications for permits to drill. Also, the budget proposes to shift the share of the cost of oil and gas inspections activities from discretionary appropriations to industry fees, for a savings of \$38 million. A fee for nonproducing leases and an increase in the onshore oil and gas royalty rate are also included in our Fiscal Year 2012 budget proposal.

Other BLM priorities in the 2012 budget request includes the Secretary's Cooperative Landscape Conservation Initiatives, which call for bringing better science to the management of BLM's managed lands and includes a \$2.5 million increase. Also putting the BLM's wild horse and burro program on a sustainable track while ensuring humane treatment is a top priority. The BLM budget proposes \$75 million for this program.

Finally, the BLM's budget for Fiscal Year 2012 assumes legislative proposals to reform hardrock mining of both public and private lands.

The BLM's budget request provides funding for the agency's highest-priority initiatives, maximizes public benefits, and reflects difficult choices for reductions.

Mr. Chairman, members of the committee, again, thank you for the opportunity to testify, and I would be happy to answer any questions that you might have.

Mr. BISHOP. Thank you.

[The prepared statement of Mr. Abbey follows:]

**Statement of Robert V. Abbey, Director, Bureau of Land Management,
U.S. Department of the Interior**

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to appear here today to discuss the President's Fiscal Year (FY) 2012 budget request for the Bureau of Land Management (BLM).

The BLM, an agency of the U.S. Department of the Interior (DOI), is responsible for protecting the resources and managing the uses of our Nation's public lands, which are located primarily in 12 western States, including Alaska. The BLM administers more land—over 245 million surface acres—than any other Federal agency. The BLM also manages approximately 700 million acres of onshore subsurface mineral estate throughout the Nation. The BLM's unique multiple-use management of the public lands is accomplished by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources.

Meeting Our Nation's Needs

The BLM is a sound investment for America. Management of public land resources and protection of public land values results in extraordinary economic benefits to local communities and to the Nation. The BLM's management of public lands contributes more than \$100 billion annually to the national economy and supports more than 500,000 American jobs. Revenues generated from the public lands make the BLM one of the top revenue-generating Federal agencies, positively affecting the U.S. Treasury, and directly benefiting the U.S. taxpayer.

A key component of these economic benefits is the BLM's contribution to America's energy portfolio. The BLM expects its onshore mineral leasing activities to contribute \$4.3 billion to the Treasury in Fiscal Year 2012. The BLM currently manages more than 41 million acres of oil and gas leases, although less than 30 percent of that acreage is currently in production. More than 114 million barrels of oil were produced from BLM-managed mineral estate in Fiscal Year 2010 (the most since Fiscal Year 1997), and the almost 3 billion MCF (thousand cubic feet) of natural gas produced made 2010 the second-most productive year of natural gas production on record. The coal produced from nearly a half million acres of federal leases powers more than one-fifth of all electricity generated in the United States.

The BLM is also leading the Nation toward the new energy frontier with active solar, wind, and geothermal energy programs. The BLM has proposed 24 Solar En-

ergy Zones within 22 million acres of public lands identified for potential solar development, and in 2010 approved nine large-scale solar energy projects. These projects will generate more than 3,600 megawatts of electricity, enough to power close to 1 million homes, and could create thousands of construction and operations jobs. Development of wind power is also a key part of our Nation's energy strategy for the future. The BLM manages 20 million acres of public lands with wind potential; currently, there are 437 MW of installed wind power capacity on the public lands. Geothermal energy development on the public lands, meanwhile, accounts for nearly half of U.S. geothermal energy capacity.

Energy production is not the only way in which the BLM contributes to local communities and the national economy. The combined economic impacts of timber-related activities on BLM-managed lands, grazing-related activities, and activity attributable to non-energy mineral production from BLM-managed mineral estate total more than \$5 billion each year. Recreation on public lands also provides major economic benefits to local economies and communities. In 2010, more than 58 million recreational visits took place on BLM-managed lands and waters, contributing billions of dollars to the U.S. economy. The diverse recreational opportunities on BLM-managed lands draw crowds of backpackers, hunters, off-road vehicle enthusiasts, mountain bikers, anglers, and photographers. In an increasingly urbanized West, these recreational opportunities are vital to the quality of life enjoyed by residents of western states, as well as national and international visitors.

FY 2012 Budget Overview

The BLM's FY 2012 budget proposal reflects the Administration's effort to maximize public benefits while recognizing the reality of the current fiscal situation and the need to reduce the Nation's budget deficit. The proposed budget for the BLM makes strategic investments in support of important Administration and Secretarial Initiatives—including America's Great Outdoors, the New Energy Frontier, Cooperative Landscape Conservation, and Youth in the Great Outdoors. Investments in these programs today will reap benefits for years to come.

The BLM's total FY 2012 budget request is \$1.13 billion in current authority, one percent and \$12.0 million below the 2010 enacted/2011 continuing resolution level. The budget proposes \$933.8 million for the Management of Lands and Resources Appropriation and \$112.0 million for the Oregon and California Grant Lands Appropriation, the BLM's two main operating accounts. This represents a net decrease of \$25.3 million for these two accounts from the FY 2010 enacted/2011 CR level. While making strategic program increases of \$93.3 million for high-priority initiatives, the budget offsets funding increases for these priorities by implementing \$25.5 million in information technology and administrative and management savings; shifting \$42.4 million in energy and minerals inspection costs to industry; and reducing funding for lower priority programs. The budget also includes several important legislative proposals, including proposals to change the management of hardrock mining, collect fees to be used to remediate abandoned mines, charge a fee on new nonproducing oil and gas leases to encourage diligent development, extend expiring grazing permits, and reauthorize the Federal Land Transaction Facilitation Act and Service First authorities.

It also should be noted that engaging with partner organizations and volunteers in the management of the public lands has been and will continue to be crucial to the BLM's ability to fulfill our diverse mission and many responsibilities. Partnerships and volunteers are even more critical in lean budget times, such as those we are in now. Through partnerships with organizations and local communities, and through the generosity of volunteers, we effectively leverage our resources, and expand our ability to meet our public land management goals. Partnerships also help to foster a sense of stewardship and community for the people most closely connected to those lands.

America's Great Outdoors

In the rapidly urbanizing west, the BLM public lands are the backyard for over 40 million Americans living in more than 4,000 nearby cities and communities. Over 100 million acres of BLM-managed public lands are within a day's drive of 16 major urban areas. As steward of many of America's spectacular landscapes and some of its rich cultural and natural heritage, and given the proximity of the public lands to these population centers, the BLM is in a unique position to contribute significantly in advancing the President's initiative to reconnect Americans and our youth to the outdoors. The AGO initiative promotes the BLM's multiple-use mission by expanding opportunities for recreation activities—including hunting, fishing, and off-road vehicle use—while enhancing the conservation and protection of BLM-managed lands and resources. All of these activities have a place at the multiple-use

table and strengthen the BLM's connection to western communities and to visitors to the public lands.

The BLM's FY 2012 budget request includes \$29.9 million in programmatic increases for the AGO Initiative in the operating accounts. Of this amount, \$15.0 million will be used by the National Landscape Conservation System (NLCS); \$7.0 million will be used in the Recreation Management program; and \$7.9 million will be used in the Cultural Resource Management program. The land acquisition account includes a \$20.4 million increase for priority land acquisition. Many of these land acquisition projects will provide access to popular recreation areas, and others will preserve natural resources and landscapes and protect irreplaceable cultural and historic sites.

National Landscape Conservation System—The BLM's National Landscape Conservation System totals more than 27 million acres of public land that are designated by Acts of Congress or Presidential proclamations. These areas are managed to conserve, protect, and restore their conservation values, while allowing for appropriate multiple uses. NLCS units include National Monuments and National Conservation Areas, Wilderness Areas, Wilderness Study Areas, Wild & Scenic Rivers, and National Scenic & Historic Trails. The NLCS areas are very diverse, from red-rock deserts to rugged ocean coastlines, from deep river canyons to broad Alaskan tundra. Many areas are remote and wild while others are surprisingly accessible.

The NLCS supports local communities and economies in a variety of ways. Approximately one-third of recreation use of BLM lands occurs within units of the NLCS. These NLCS units include over 2,700 recreation sites and 22 visitor centers, serving 13 million annual visitors. Just outside of Las Vegas, Nevada, the extremely popular Red Rock Canyon National Conservation Area is visited by over 1 million people each year. These visitors generate over \$1.7 million in recreation fees, all of which are re-invested at the local site, and have an additional positive impact on the surrounding tourist economy. Rather than building extensive facilities within the NLCS, the BLM supports the creation of recreation facilities in nearby local communities. In New Mexico, for example, the BLM is working with the Las Cruces Museum of Nature and Science to locate a small visitor center within the city museum. The visitor center will provide educational opportunities about BLM-managed resources at the nearby Prehistoric Trackways National Monument, while tourism supports the local economy. In addition to recreation, the NLCS supports scientists making new discoveries, protection of critical habitat for threatened and endangered species, and protection of nationally significant cultural resources.

The proposed budget's \$15.0 million increase for the NLCS provides \$9.2 million for the National Monuments and National Conservation Areas program. Major priorities for the increased funding include expanding law enforcement capabilities to protect visitors and the natural resources; developing interpretive and environmental education products and programs to enhance visitors' understanding and appreciation of the resource values; and enabling scientific research that will enhance the Bureau's understanding of significant natural and cultural resources and facilitate better informed management strategies. The proposed budget includes increases of \$2.0 million for the National Scenic & Historic Trails program, \$2.0 million for the Wild & Scenic Rivers program, and \$1.8 million for the Wilderness Management program.

Recreation Management—BLM-managed lands provide a broad range of recreation opportunities such as hunting, camping, fishing, hiking, boating, horseback riding and shooting sports, and can accommodate many motorized activities, extreme sports, and special events. Western communities consider these activities an essential component to their economies and their quality of life. The BLM manages more than 600 Special Recreation Management Areas, along with over 3,500 primitive and developed recreation sites, campgrounds, day-use areas and other facilities, and 40 major visitor centers and visitor contact stations. Over 95 percent of BLM-managed lands and recreational areas are free to the public. The BLM also manages 15,000 miles of recreation use trails and another 98,000 miles of Back Country-Scenic Byways and public access roads and routes, and oversees 3,400 commercial and competitive use permits and concessions, supporting thousands of businesses and communities across the West.

The proposed \$7.0 million Non-NLCS budget increase for BLM recreation management will be used to improve visitor health and safety by improving operations at high-demand and urban growth-impacted recreation areas, address off-highway vehicle management, and support various other initiatives such as stewardship education and youth programs, the Visual Resource Management program, and visitor use monitoring efforts. Funds will also be used to expand partnerships that leverage resources and promote volunteerism, such as outdoor programs for disabled children and for wounded warriors (veterans).

Cultural Resource Management – The budget’s proposed increase of \$7.9 million for the BLM’s cultural resource management program (Non-NLCS) will be used to implement conservation strategies and partnerships to manage nationally significant cultural and paleontological resources. The BLM will use \$3.2 million of the increase for enhancing conservation and management actions to inventory, stabilize, monitor, and study cultural resources; facilitating partnerships that support community resource stewardship; and digitizing the inventory so that compliance reviews can be streamlined at a significant cost-savings. The BLM will use an additional \$2.0 million of the increase to enhance partnerships with state, local, and tribal governments, and with non-profit museums and universities that curate artifacts and specimens from the public lands. The remaining \$2.6 million will be used for enhancing other cultural resource management activities.

Land Acquisition—Input from the America’s Great Outdoors nationwide public listening sessions indicated that full funding of the Land and Water Conservation Fund (LWCF) program is a high priority. BLM’s total budget request for the LWCF land acquisition program is \$50.0 million, an increase of \$20.4 million over the FY 2010 enacted/2011 CR funding level. The increase helps BLM contribute to the Administration’s goal of fully funding the Land and Water Conservation Fund at \$900 million in 2012. The Budget funds 19 acquisition projects in eight states that will, at a landscape or ecosystem level, provide access to public lands; improve river and riparian conservation and restoration; conserve or protect wildlife habitat; preserve open spaces; provide for historic and cultural preservation; and create opportunities for public recreation. The BLM works with other federal agencies and multiple state, tribal, and local governments and non-governmental partners in determining the most critical lands to propose for purchase.

New Energy Frontier

The New Energy Frontier initiative recognizes the value of environmentally-sound, scientifically-grounded development of both renewable and conventional energy resources on the Nation’s public lands. The proposed FY 2012 budget for the BLM follows this approach and includes priority funding for both renewable and conventional energy development on the public lands.

Renewable Energy—President Obama, Secretary Salazar, and the Congress have stressed the critical importance of renewable energy to the future of the United States. Developing renewable energy resources is central to the Nation’s efforts to reduce greenhouse gas emissions, mitigate climate change, and protect the global environment. Renewable energy is also vital to our economic development and energy security. Developing renewable energy will create jobs and promote innovation in the United States while reducing the country’s reliance on fossil fuels.

The BLM made significant strides in promoting renewable energy development on the public lands in 2010, including the approval of nine large-scale solar energy projects, and release of a draft Solar Programmatic EIS to provide for landscape-scale siting of solar energy projects on the public lands. The agency also is reviewing over 45 wind energy applications, and continues to work on wind development mitigation strategies with wind energy applicants and other Federal agencies. BLM-managed lands also serve as important corridors for the transmission infrastructure needed to deliver renewable energy to the American people. To encourage and facilitate renewable energy development, the President’s FY 2012 budget for the BLM proposes a \$3.0 million increase over the FY 2010 enacted/2011 CR level. The increase will be used to conduct site specific studies of potential solar energy sites in Nevada, and regional studies of potential wind energy zones in Nevada and Oregon.

Conventional Energy—Secretary Salazar has emphasized that conventional energy resources on BLM-managed lands play a critical role in meeting the Nation’s energy needs. In 2010, conventional energy development from public lands produced 45 percent of the Nation’s coal, 14.1 percent of the natural gas, and 5.7 percent of the domestically-produced oil. The Department’s balanced approach to responsible conventional energy development combines onshore oil and gas policy reforms with effective budgeting to provide appropriate planning and support for conventional energy development, which has been the target of increased appeals and protests.

The BLM is committed to ensuring oil and gas production is carried out in a responsible manner. To accomplish this, the BLM performs various types of inspections to ensure that lessees meet environmental, safety, and production reporting requirements. The BLM has begun a pilot program using a risk-based inspection protocol for production inspections, inspecting first those leases with high levels of oil or gas production. The BLM plans to expand this risk-based strategy to the other types of inspections it performs. The risk-based strategy will help the BLM maximize the use of a limited inspection staff to better meet the inspection goals and requirements in the future.

The FY 2012 budget request essentially maintains the BLM oil and gas program capacity at the FY 2010 enacted/2011 CR level. An increase of \$13.0 million is proposed to offset a projected decline in fee collections for processing applications for permit to drill (APD) oil and gas on the public lands; a reduction of \$3.0 million is proposed to reflect the completion of an energy study required by the Energy Policy and Conservation Act of 2000. The budget also includes an increase of \$2.0 million to improve air quality monitoring associated with intensive oil and gas development. This funding will help the BLM ensure that energy development complies with NEPA and Clean Air Act requirements and will aid the BLM in minimizing or addressing potential litigation issues.

The Administration believes that American taxpayers should get a fair return on the development of energy resources on their public lands. A 2008 Government Accountability Office (GAO) report suggests that taxpayers could be getting a better return from Federal oil and gas resources in some areas. Subsequent GAO reports have reiterated this conclusion. The BLM and the Bureau of Ocean Energy Management, Regulation, and Enforcement are cooperating to conduct an international study of oil and gas revenues under different management regimes. The study should be completed and published later this year. To this end, the Administration proposes to implement the following reforms:

- In 2012 the BLM will begin to charge a fee to recover inspection costs for the oil and gas program, allowing a savings of \$38.0 million in requested funding. The fee would defray Federal costs and ensure continued diligent oversight of oil and gas production on Federal lands. Fee levels would be based on the number of oil and gas wells per lease so that costs are shared equitably across the industry.
- To encourage diligent development of new oil and gas leases, the Administration is proposing a per-acre fee on each nonproducing lease issued after enactment of the proposal. The \$4 per acre fee on new non-producing Federal leases would provide a financial incentive for oil and gas companies to either put their leases into production or relinquish them so that tracts can be released and developed by new parties.
- The BLM will propose a rulemaking in 2011 to increase the onshore oil and gas royalty rate from its current 12.5 percent level. The BLM expects that the royalty rate increase will increase oil and gas revenues by more than \$900 million over 10 years.

Cooperative Landscape Conservation/Sage-Grouse Habitat Management

The Secretary's Cooperative Landscape Conservation Initiative recognizes the need to understand the condition of BLM-managed landscapes on a broad level. The BLM is coordinating its efforts with other DOI bureaus and other partners through a network of Landscape Conservation Cooperatives (LCCs). The FY 2012 BLM budget request includes an increase of \$2.5 million to support the work of BLM resource managers through the LCCs. Funding will enable managers to conduct ecological assessments to provide a better understanding of adverse impacts to the health of BLM lands and the larger western landscapes of which they are a part, and to implement various land health treatments to help combat the effects of these impacts.

Although not part of the Initiative, the budget includes a related increase of \$2.0 million to enhance monitoring and assessment of habitat of the greater sage-grouse and the Gunnison sage-grouse, allowing the BLM to continue on-going efforts to conserve and protect important habitat. The BLM—which manages more habitat for the greater sage-grouse than any other government agency—has been working proactively on this issue on a number of fronts, including issuing guidance to its field offices that calls for expanding the use of new science and mapping technologies to improve land-use planning. With the increase, the BLM will implement broad-scale sage-grouse habitat monitoring activities to ascertain the effectiveness of habitat management and the effect of land use authorizations. This new broad-scale monitoring effort will fill critical data and information gaps necessary for sage-grouse habitat protection and restoration. Conservation efforts implemented on BLM-managed land will be of limited benefit if conservation practices are not monitored and applied uniformly across jurisdictional boundaries. Therefore, BLM has partnered with the U.S. Fish and Wildlife Service, the Natural Resource Conservation Service, the Agricultural Research Service and State fish and wildlife agencies in this effort, which will allow the BLM to determine where it should focus its sage-grouse habitat conservation efforts.

Youth in Natural Resources Initiative

Secretary Salazar has pledged through his Youth in Natural Resources initiative to create the next generation of conservation leaders using youth education, engagement, and employment programs. Many of today's youth have fewer opportunities than in previous generations to experience the outdoors, and the BLM is working to foster personal connections between young people and our Nation's public lands and resources. In order to promote stewardship and encourage the pursuit of careers in natural resources, the BLM employs young people through various programs to conduct natural resources work such as inventorying and monitoring, trails construction, and habitat restoration.

In 2010, the BLM received \$7.6 million to support programs and partnerships that engage youth in natural resource management; encourage young people and their families to visit, explore, and learn about the public lands; and promote stewardship, conservation, and public service. The Budget proposes to increase support for the Youth initiative by \$1.0 million through redirecting \$1.0 million in base funding provided to the National Fish and Wildlife Foundation to support a competitive grant program to develop new or expand existing youth job programs. In FY 2012 the BLM will continue to fund youth programs and partnerships and contribute to the Department's goal to increase by more than 50 percent (from 2009 levels) the employment of youth between the ages of 15–25 in the conservation mission of the Department by the end of 2012.

Other Priority Increases

Wild Horse & Burro Program – Putting the BLM's wild horse and burro program on a sustainable track is one of Secretary Salazar's and my top priorities. To achieve that end, the FY 2012 budget includes a proposed increase of \$12.0 million over the 2010 enacted level for efforts to enhance herd fertility control. The BLM is also contracting for a study by the National Academy of Sciences (NAS) to review previous wild horse management studies and make recommendations on how the BLM should proceed in light of the latest scientific research. The NAS expects to complete its review in early 2013. In the meantime, the BLM intends to reduce the annual number of wild horses gathered and removed from the range from 10,000 to 7,600 horses (a 24 percent reduction); continue to pursue public-private partnerships to hold excess horses gathered from Western public rangelands; and increase significantly the number of mares treated with fertility control, from 500 in 2009 to a target of 2,000. Congress has asked the BLM to find ways to manage these symbols of the West in a cost-effective, humane manner, and we are committed to do that.

Secretary's Western Oregon Strategy—The FY 2012 budget proposes an increase of \$3.0 million in the O&C account to help the BLM meet multiple concurrent objectives related to Western Oregon forestry management: increase the volume of timber offered for sale; support key resource management planning objectives; increase surveying for rare, uncommon, or endangered species; provide for landscape-level timber sale project environmental analysis; and facilitate joint implementation of a revised recovery plan for the northern spotted owl.

Abandoned Mines & Hardrock Mining Reform Proposals

The Budget proposes legislation to address abandoned mine land (AML) hazards on both public and private lands and to provide a fair return to the taxpayer from hardrock production on Federal lands. The first component of this proposal addresses abandoned hardrock mines across the country through a new AML fee on hardrock production. Just as the coal industry is held responsible for abandoned coal sites, the Administration proposes to hold the hardrock mining industry responsible for abandoned hardrock mines. The proposal will levy an AML fee on all uranium and metallic mines on both public and private lands that will be charged on the volume of material displaced after January 1, 2012. The fee will be collected by the Office of Surface Mining, while the receipts will be distributed by BLM. Using an advisory council comprised of representatives of Federal agencies, States, Tribes, and non-government organizations, the BLM will create a competitive grant program to restore the Nation's most hazardous hardrock AML sites on both public and private land each year. The advisory council will recommend objective criteria to rank AML projects to allocate funds for remediation to the sites with the most urgent environmental and safety hazards. The proposed hardrock AML fee and reclamation program would operate in parallel to the coal AML reclamation program, as two parts of a larger proposal to ensure that the Nation's most dangerous coal and hardrock AML sites are addressed by the industries that created the problems. The 2012 BLM budget request also includes an increase of \$4.0 million in regular

discretionary appropriations to address high priority AML sites, such as the Red Devil mine in Alaska.

The second piece of the legislative proposal would institute a leasing process under the Mineral Leasing Act of 1920 for certain minerals (gold, silver, lead, zinc, copper, uranium, and molybdenum) currently covered by the General Mining Law of 1872. After enactment, mining for these metals on Federal lands would be governed by a new leasing process and subject to annual rental payments and a royalty of not less than five percent of gross proceeds. Half of the receipts would be distributed to the States in which the leases are located and the remaining half would be deposited in the Treasury. Pre-existing mining claims would be exempt from the change to a leasing system, but would be subject to increases in the annual maintenance fees under the General Mining Law of 1872. However, holders of pre-existing mining claims for these minerals could voluntarily convert their claims to leases. The Office of Natural Resources Revenue in the Department of the Interior will collect, account for, and disburse the hardrock royalty receipts.

Reductions & Efficiencies

The BLM's Fiscal Year 2012 budget proposal reflects many difficult choices to produce a cost-conscious budget, while supporting priority initiatives and maximizing public benefits. Among the reductions in the proposed budget are the following:

- Alaska Land Conveyance Program: reduction of \$17.0 million as part of an effort to reevaluate and streamline the conveyance process. Most of the original 150 million acres are already under interim or final conveyance and the BLM will explore opportunities to further streamline the program to focus resources on completing the final transfers.
- Resource Management Planning Program: reduction of \$8.2 million for lower priority resource management planning activities. In 2012, the BLM will focus on completing ongoing planning efforts and continue developing strategies to improve the efficiency of its planning process.
- Management of Lands and Resources Appropriation: further reductions totaling \$3.3 million in base funding of several programs.
- Information Technology: \$3.5 million reduction.
- Construction Program: reduction of \$5.0 million in project funding.
- A reduction of \$600,000 reflects the discontinuation of funding for two one-time congressional earmarks.

The budget request also includes reductions that reflect the Accountable Government Initiative to curb non-essential administrative spending in support of the President's commitment to fiscal discipline and spending restraint. In accordance with this initiative, the BLM's budget includes a total savings of \$22.0 million, including \$11.5 million in savings in 2012 against actual 2010 expenditures in the following activities: \$5.5 million for travel; \$3.2 million for advisory and assistance services; and \$2.8 million for supplies and materials. These 2012 reductions build upon management efficiency efforts proposed in 2011 totaling \$9.1 million in travel and relocation, information technology, and strategic sourcing; and bureau-specific efficiencies totaling \$1.5 million.

Conclusion

The BLM's Fiscal Year 2012 budget request provides funding for the agency's highest priority initiatives, while making difficult but responsible choices for reductions to offset some of these funding priorities. Mr. Chairman, thank you for the opportunity to testify on the BLM budget request for Fiscal Year 2012. I will be pleased to answer any questions you may have.

Mr. BISHOP. I appreciate both of you and your testimony.

Traditionally as we start the round of questions, the Chairman begins with the questions. I am going to change that, at least for my side, and be the last one to go. So we will start a round of questions once again based on those who were here when we started the process by seniority with Representative Broun. You are recognized for five minutes.

Dr. BROUN. Thank you, Mr. Chairman.

Director Abbey, as you know, some environmental and antienergy groups are pressing to have oil and gas leases canceled that were signed and issued to the successful high bidders fol-

lowing BLM public auctions. Secretary Salazar has stated publicly in connection with their own plateau leases that once leases are signed, they provide the buyers with a property right that government agencies are bound to protect. Do you stand by the Secretary's definitive statement made to the Grand Junction Daily Sentinel on August 12, 2009?

Mr. ABBEY. Well, Congressman, there may be some times—

Dr. BROUN. Sir, this just requires a yes or no answer. Do you stand by that or not?

Mr. ABBEY. Well, I am not sure there is a yes-or-no answer.

Dr. BROUN. Well, the Secretary made the definitive statement that once leases are signed, buyers are given a property right that government agencies are bound to protect. That is what he stated himself. Do you not support that?

Mr. ABBEY. Unless they are overruled by the courts.

Dr. BROUN. Do you agree that it is important for the government to stand behind its contracts with private individuals and companies?

Mr. ABBEY. I do.

Dr. BROUN. As the Director of BLM, do you and your agency intend to protect the private property rights of those who hold Federal oil and gas leases that have been signed and issued?

Mr. ABBEY. We routinely defend those actions in court.

Dr. BROUN. Thank you, sir. Please keep that up.

Does BLM have any plans to cancel oil and gas leases that have been issued?

Mr. ABBEY. I am not aware of any at this point in time.

Dr. BROUN. Is it correct that the Mineral Leasing Act requires the BLM to issue oil and gas leases within 60 days following payment by the successful bidder of any remainder of the bonus bid in the first year's annual rental?

Mr. ABBEY. Sir, we routinely have to address protests that come about as a result of our leasing activities prior to issuing those leases.

Dr. BROUN. Doesn't the Minerals Leasing Act require the BLM to issue those leases—

Mr. ABBEY. It does provide a time frame.

Dr. BROUN. Since the BLM leases Federal oil and gas resources underlying national forests, do you intend to notify the Forest Service that the Department of the Interior will not cancel Federal oil and gas leases that have been issued for Forest Service parcels?

Mr. ABBEY. Sir, we routinely defer to the surface managing agency to make that determination.

Dr. BROUN. Well, are you notifying them that those leases will be upheld?

Mr. ABBEY. Which leases are you specifically asking?

Dr. BROUN. Those that have been signed and given out.

Mr. ABBEY. There are occasions when the Forest Service or other surface managing agencies may determine that the leasing of those lands are not appropriate.

Dr. BROUN. Well, the Secretary said that people have a property right, and that the government should uphold those leases, and you just indicated that you agreed with that. Mr. Abbey, a local forest supervisor in Wyoming recently signed a record of decision in

which she decided, she decided, that the government should cancel oil and gas leases that have already been issued. Since BLM leases Federal oil and gas resources underlying the national forest, how do you intend to notify the Forest Service that the Department of the Interior will not cancel those Federal oil and gas leases that have been issued for Forest Service parcels?

Mr. ABBEY. I would not notify the Forest Service of that fact. I would defer to the Forest Service to make that decision.

Dr. BROUN. So then you have testified incorrectly. You do not uphold those property rights that the Secretary said should be held inviolate?

Mr. ABBEY. Sir, what I specified is that unless there is a court ruling or decision that would overturn those leases, or an appeal for that matter.

Dr. BROUN. Well, this Forest Service supervisor in Wyoming just signed a record of decision saying that what you just stated is not fact.

Mr. Tidwell, what is meant by landscape planning in the land management planning rule? The definition provided in the draft rule is vague at best, would appear to all but ignore personal property rights. How do you envision the Forest Service managing at the landscape level irrespective of ownership or of the artificial boundaries—irrespective of ownership or other artificial boundaries as quoted from the plan?

Mr. TIDWELL. Our proposed planning rule, just like our current planning rule, deals with the National Forest System lands. Under the proposed rule we want to make sure that we are considering what else is going on on adjacent lands; to be aware of what plans the counties have, what plans the States have, even what plans adjacent private landowners have so that those assessments can be factored into the management of the national forest. We do not make any decisions for private land.

Dr. BROUN. Do you believe that property lines are, quote, “artificial boundaries,” unquote?

Mr. TIDWELL. No, I do not.

Mr. BISHOP. Thank you. I thank the gentleman. Time has expired.

I failed to recognize the gentleman from Michigan who has joined us, and I ask unanimous consent that he be allowed to join us on the dais and participate. Hearing no objection, thank you. We will get to you eventually here.

Now I turn to the distinguished Ranking Member from Arizona for questions.

Mr. GRIJALVA. Thank you, Mr. Chairman.

To both gentlemen, how would a government shutdown impact each of your respective agencies if that was to come to pass? Briefly, if you can.

Mr. TIDWELL. Well, I can reflect on what occurred back in 1995 when we did have a shutdown. And for the Forest Service, we plan to keep on our emergency services, our law enforcement, continue to respond to wildfires. But basically our facilities will be closed. Access to the national forests will be limited. Recreation facilities will, of course, be closed down. And depending on which contracts

we have operating, we will probably need to shut down at least some of those contracts.

Mr. ABBEY. Congressman Grijalva, certainly I do not believe that a shutdown serves anyone very well. Having said that, we have been asked by the Office of Management and Budget to review our emergency response plans as a contingency in case there is a shutdown. As Chief Tidwell indicated, we would continue to provide emergency services to make sure that such actions like inspections and enforcement of ongoing oil and gas operations are monitored to ensure safety and environmental protection of these lands. But in many cases actions for permitting new activities on public lands would cease.

Mr. GRIJALVA. Thanks.

Director Abbey, during the full committee hearing on the wildlands policy, you were asked whether you had statutory authority to elevate wilderness above all other uses of public lands. Is that what the Director's Order 3310 does?

And the other question: What authority did former Secretary Norton have to remove wilderness from the possible uses of public lands?

Mr. ABBEY. Let me answer your second question first. Secretary Norton's settlement agreement, as I understood it and read it, indicated that under section 603, the Federal Land Policy and Management Act, that that statutory authority had expired, and that authority was no longer available to inventory public lands and to designate new wilderness study areas.

But what that settlement agreement did not do is take away the statutory authority that we do have under Federal Land Policy and Management Act under sections 201 to conduct routine inventories of public lands and under section 202 to actually conduct land-use planning so that we could identify those lands that are deserving of special protection. In addition to sections 201 and 202, there are also sections 102, 103 and, I think, 302 of the Federal Land Policy and Management Act that provides clear directions to us relative to conducting inventories of public lands and then using that information as part of our land-use planning process.

Congressman Grijalva, I did not do a very good job in responding to that question the first time it came up in front of the full committee because I stated the obvious, that we already had statutory authority under Federal Land Policy and Management Act. When the question was raised again, the question was, what statutory authority do you have to elevate wilderness over other multiple uses, and I couldn't think of any authority that would do just that.

But the Federal Land Policy and Management Act does provide us, through our land-use spending process, to prioritize certain uses. We do so routinely. For example, through land-use planning we designate crucial or critical winter habitat for deer or antelope or other species. We designate utility corridors, which take priority over other multiple uses out there. We routinely identify other uses that take place on these public lands through that land-use planning process, including designation of renewable energy development zones for solar or wind. It takes priority over other multiple uses. So we do have statutory authority to do just that.

Mr. GRIJALVA. Thank you.

And as my time runs out, Chief Tidwell, I think my colleague from Arizona will probably follow up with that question, and it has to do with a situation in northern Arizona, 12-, 1,500 homes. The cooperation and consultation of the Forest Service is urgently needed in terms of fire protection, and it is a point that I am sure my colleagues will pursue as well. But it is something that all of us in the State are anxiously encouraging your agency to work with that community.

With that, let me yield back.

Mr. BISHOP. Thank you. Yields back.

The gentleman from Colorado Mr. Coffman.

Mr. COFFMAN. Thank you, Mr. Chairman.

For Mr. Abbey and the BLM. Director Abbey, I am extremely concerned about the policies and actions of the Bureau of Land Management, which actively discourages investment and drilling for oil and gas on Federal lands. As a member of Colorado's congressional delegation, I am interested in ensuring timely development of the Roan Plateau. In 1997, members of the Colorado congressional delegation amended the National Defense Authorization Act, also known as the Transfer Act, to transfer Navy Oil Shale Reserves 1 and 3, located in Colorado and referred to as the Roan Plateau, from the Department of Energy to the Bureau of Land Management. The Transfer Act specifically directed the Department of the Interior to, quote, unquote, "enter into leases as soon as practical with one or more private entities for the purpose of the exploration, production and development of petroleum," unquote. The Transfer Act also stipulates that such lands are to be managed in accordance with the Federal Land Policy and Management Act and other laws applicable to public lands.

Director Abbey, would you please provide the committee with your interpretation of the actions pursuant to the Transfer Act which Colorado directed the BLM to undertake with respect to Navy Oil Shale Reserves 1 and 3, otherwise known as the Roan Plateau?

Mr. ABBEY. Well, Congressman, as you are well aware, the Bureau of Land Management did conduct land-use planning of the Roan Plateau and identified certain areas that were appropriate for leasing. As a result of that land-use planning decision, it has been litigated, and we have been working through that litigation to try to resolve with the plaintiffs the issues that they raise. We have been unsuccessful in reaching a settlement relative to that litigation, and hopefully we will continue the dialogue. If not, we will go to court and defend our actions relative to the decisions that we had previously reached.

Mr. COFFMAN. Let me just interrupt you on one point, and that is that litigation does not prevent the BLM from moving forward as there has been a final record of decision. These decisions are in full force and effect regardless of litigation, and the BLM could move forward if you chose to do so; is that not correct?

Mr. ABBEY. If we chose to do so, that is true.

Mr. COFFMAN. Well, I am sorry. Then why aren't you moving forward? You are using the litigation as an excuse not to move forward.

Mr. ABBEY. Well, I think we are taking a wise approach to moving forward and doing the right thing right, and that is to the best of our ability to make sure that we can defend the actions of moving forward with the leasing program that we had approved through that land-use plan.

I don't think it serves anyone well for us to go forward, issue leases, and then have a court of law come back and say that those leases were issued illegally. So to the degree that we can resolve those issues, and we were very optimistic that we would be able to do that through the settlement negotiations, we were hopeful that we would reach a settlement that would allow some of the leases to go forward.

Mr. COFFMAN. Mr. Abbey, the Wildlands Order has ruined the business model that the oil and gas industry was subject to for decades, the Federal land-planning process taking away any incentive to invest real capital, intellectual capital and time. The Wildlands Order provides the BLM with the unilateral ability to strip away the property rights and make any capital that has been invested worthless. Under these circumstances, in your opinion, why would an oil and gas operator invest in Federal lands when there is no longer any certainty with respect to leases that the company has owned for years?

Mr. ABBEY. Well, I think there is quite a bit of incentive for the oil and gas industry to continue to pursue leases on public lands. Many of the companies are making all-time profits as a result of leasing and developing off public lands.

Congressman, let me just say that the wildlands policy does not affect any existing lease that has already been issued. The wildlands policy, as designed to be implemented, requires us to go forward, inventory public lands, identify which of those public lands may possess wilderness characteristics, and then, through a very public planning process, make a determination of whether or not any of those lands with wilderness characteristics should be designated as wildlands. There has been no wildlands designated as a result of the Secretary's order at this point in time.

Mr. COFFMAN. What steps has the BLM undertaken in the last 2 years to encourage onshore oil and gas development on Federal lands? Please provide examples.

Mr. ABBEY. Well, first and foremost, we have implemented some oil and gas leasing reforms to provide greater certainty to the industry itself that the lands that we offer for leases are the ones that have the greatest chance of being leased and withstanding any kind of appeal or litigation that may result from that leasing action, and that those lands are likely to be developed in a more timely manner than some of the other lands that have been previously leased in the past.

Mr. BISHOP. Thank you. Your time has expired. We will either follow up or have something written later on. Thank you.

I recognize the gentleman from Michigan Mr. Kildee.

Mr. KILDEE. Thank you, Mr. Chairman.

Chief Tidwell, I appreciate the commitment in your budget to the Land and Water Conservation Fund. In Michigan, LWCF has been vital to implementing a number of conservation efforts I have been proud to have worked on in this committee, including the protec-

tion of Grand Island—you have done a marvelous job up there, by the way—and protecting the interest of the inholders. They are happy, I think. The whole area has benefited from that. But I do appreciate your sensitivity to the inholders there. And also the Michigan wild and scenic rivers bill and my wilderness bill. They were all done, I think, in Dan's district there. But your predecessor, at least by tacit assent, allowed those bills to go through. And I am glad you are here today because I know of your deep interest in that area up there.

Can you tell us about the importance of the LWCF investments you propose and why this is the right time to make them?

Mr. TIDWELL. Congressman, thank you. When we looked at our proposed full funding for LWCF, it was based on what we have heard from the public, strong support for this program. And there are a couple of key objectives. One, the acquisition allows us to acquire key inholdings, critical habitat, often providing recreational access.

The other part of our program is our Forest Legacy Program where we have the opportunity to work with willing landowners to acquire a conservation easement that allows them to stay on their land, to be able to keep that ranch working, to be able to keep that private forested land forested.

That is the two key parts of this program. It has strong support. It is relatively small areas that we acquire each year. And also the other benefit is it reduces our administrative costs of management. When we can acquire an inholding, it just makes it a lot easier for us to be able to carry out our restoration work, to deal with wildfire, eliminate boundary lines that have to be maintained. So there is always an overall cost reduction through this program.

Mr. KILDEE. I really was impressed by the way you worked with the inholders on Grand Island. You came up with a rather unique way of protecting the inholders which satisfied both your interests and their interests, and it really came from—not from me. You came up with a plan which they said, bingo, when you announced that. But I appreciate the fact that you spent time with the inholders in trying to work out something that would be satisfactory.

But I just want to commend you for what you do. I walk through—not as much as I used to 34 years ago—but I do walk through the wilderness areas and find that you have done a good job keeping those lands just as they came from the hand of God. And thank you very much.

Mr. TIDWELL. Thank you.

Mr. BISHOP. The gentleman yields back.

Mr. KILDEE. I yield back. Thank you, Mr. Chairman.

Mr. BISHOP. Mr. Young, I understand you have a UC request.

Mr. YOUNG. Mr. Chairman, because of the length of this hearing, I have another hearing down there, I would like to submit for the record my questions for the Forest Service and the so-called BLM.

Mr. BISHOP. Without objection, so ordered.

The Chair recognizes Mr. McClintock for five minutes.

Mr. MCCLINTOCK. Thank you, Mr. Chairman.

Director Abbey, let me continue what Congressman Young has begun. Do you have an inventory of all oil and gas resources on BLM lands?

Mr. ABBEY. Have we done an inventory of all oil and gas resources? Is that your question? We have not.

Mr. McCLINTOCK. You have not.

Mr. ABBEY. No. But we have worked very closely with the USGS and the industry themselves to help—

Mr. McCLINTOCK. So you can't tell me, for example, how much in oil reserves we have on Bureau of Land Management land?

Mr. ABBEY. I don't have that information today, but I do believe USGS and others may have that information.

Mr. McCLINTOCK. And yet you are doing an extensive inventory of wilderness areas. So you are committing enormous resources to inventorying wilderness areas, but not to inventorying the oil and gas resources on your lands?

Mr. ABBEY. I am not sure we are expending extraordinary expenses to inventory public lands for wilderness, but we are inventorying public lands for wilderness characteristics.

Mr. McCLINTOCK. Well, getting to Mr. Young's implied point then, you are no longer the Bureau of Land Management, you are the Bureau of Land Closures. Why shouldn't we rename your agency to reflect your actual work?

Mr. ABBEY. Congressman, I think all you have to do is look at the allocations of public lands to the various extractive industries for the purposes and come to your own conclusion that we are fully multiple use.

Mr. McCLINTOCK. Chief Tidwell, how much board-feet per year are we currently harvesting from Forest Service lands?

The TIDWELL. In Fiscal Year 2010, we harvested a little over 2.5 billion board-feet.

Mr. McCLINTOCK. And yet 6 billion board-feet is what is necessary as a minimum to provide for healthy forests. In fact, 6 billion board-feet is half of what we were harvesting from our national forests in 1980 and the minimum needed for fuel reduction for healthy forests.

Do you have an explanation of the difference? Where we are harvesting a little over 2 million board-feet in 1980, 12 million—a billion, I should say, board-feet, can you explain the difference?

Mr. TIDWELL. The difference today is we are focused on restoring our Nation's forests. And so we are focused on doing the work that needs to be done to increase the resiliency to these systems to withstand the stresses.

Mr. McCLINTOCK. Again, overpopulation is an unhealthy condition for any living community, be it timber or animal populations. A forester long ago warned me that that excess timber is going to be taken out of the forest one way or another. It is either going to be burned out, or it is going to be carried out, but it will come out. We used to carry it out, and that not only provided for healthy forests, but also a healthy economy. Under your stewardship, we are doing exactly the opposite, and I would like an explanation.

Mr. TIDWELL. Congressman, there are greater needs out there, and we are able to accomplish. Last year we restored about 2.5 million acres, and we definitely have a need to do more. We

treated about 3.2 million acres to reduce hazardous fuels. There is a need to do more. We have a backlog of over 40 million acres that we need to treat hazardous fuels on.

Mr. MCCLINTOCK. With all due respect, I have hundreds of saw-mill families that are out of work today because of your policies. I would call that a distress. We have had much more intense forest fires over the past few years in my neck of the woods specifically because of the failure of the Forest Service to provide the sound forest management practices that were employed in 1980 when we were harvesting 12 billion board-feet a year out of the forests of this country.

What is the reduction of national forestlands open for domestic grazing? Actually, when—we talked about this before. We have seen a dramatic reduction in the amount of Forest Service land that is available to grazing. When are you going to reverse that policy?

Mr. TIDWELL. The majority of our lands, the National Forest Service lands, are still available for grazing. I do believe that in your State, in your district, there are a significant number of allotments that are vacant. Based on a variety of reasons, some of the permittees choose not to stock those allotments. We feel that grazing is one of the multiple uses that we need to maintain, not only to be able to maintain the ranch—

Mr. MCCLINTOCK. And yet the employment of these lands for grazing is going down, not up.

Mr. BISHOP. I am going to have to—your time is allotted on that. I appreciate that. We will follow up with other questions, or you can do that written as well.

Representative Sarbanes from Maryland is recognized.

Mr. SARBANES. Thank you, Mr. Chairman. I appreciate it.

Thank you all. We appreciate your efforts to manage these lands in a sensible way and the President's efforts in his budget to make sure that we are paying attention to our priorities.

There is a theme that—it is a running theme going back for as long as I have been here, which is not that long, a few years, around the issuance of permits, any kind of permit. So you have one narrative that says, why is the government not issuing more permits, whether it is for grazing, as we just heard, or often the discussion is about we need more permits issued with respect to the oil and gas industries so that they can enhance their production and so forth. So that is one narrative. Then there is another narrative which says, well, there are plenty of permits being issued. The problem is—in leases and so forth. The problem is that they are not being used. And, of course, these competing narratives are going to heat up now because as gas prices go up, everybody goes into their camps and starts to make their argument about what we should do in response to that.

But as far as I can tell, it is the case—and I would like you to speak to it—maybe, Director Abbey, you are in the best position to do this—that there are plenty of permits and leases that have been issued to the oil and gas industry on public lands that are not being used right now by the industry. In fact, it has gotten to the point where you have, I think, proposed putting some sort of a fee,

a per-acre fee, on these unused permits to try to encourage industry to actually take advantage of them.

So given what is coming, I think, in this debate, can you speak to that issue of the permits that are not being used that the industry currently holds?

Mr. ABBEY. I would be happy to, and it is a good question. As I shared with members of this committee before, the Bureau of Land Management has issued 41—has issued leases on 41.2 million acres of public lands. Of that 41.2 million acres, approximately 12.2 million acres are under production. So there are a number of acres that have been leased that have not been produced.

We have proposed as part of the 2012 budget proposal to implement a \$4-per-acre diligence fee on all new leases to encourage the industry who are seeking these leases to actually develop those leases in a timely manner and to provide a production so that we could address some of our national needs as we see them today.

The other aspect of our task and one of our responsibilities that we have is to move forward aggressively and try our best through the statutory authorities that are invested in us to diversify our Nation's energy portfolio, not only to make appropriate public lands available for conventional energy sources, but also to move forward and make appropriate public lands available for renewable energy such as solar, geothermal, wind and biomass.

So again, we all have a role to play, and the Bureau of Land Management understands the role that we have to play, and we are doing our best to provide energy resources to this Nation.

Mr. SARBANES. So I am curious. There must be theories in your Department as to why, of the 41.2 million acres for which permits have been issued to the industry, only 12.2 million are in production. Can you just give me a sense of that?

Mr. ABBEY. Well, from our perspective, a lot is driven by the market. If the market is low, you are not going to see a lot of activities on those areas that have been leased. If the market is as we see it today, very high, then you are going to start seeing actions relative to permits being—or applications for permits to drill to be filed with the Bureau of Land Management.

Mr. SARBANES. So as people get worked up going forward about the fact that we need to turn to our own resources here in this country and take advantage of what is available to us, they should not be directing that advocacy toward the government saying, why won't you issue more permits; they should be turning it toward the industry and saying, why won't you produce with the permits that you already have?

Mr. BISHOP. The time has expired.

Mr. SARBANES. I yield back.

Mr. BISHOP. I will give you one sentence to answer that if you want to, or we can wait and come back to it.

Mr. ABBEY. Certainly the public is going to blame everybody, and rightly so, because the price of oil is certainly high, and it is affecting all of us. As we look forward to again what the Bureau of Land Management is doing, last year we leased 3.2 million acres or thereabouts for oil and gas leases.

Mr. BISHOP. Thank you.

I recognize the gentleman from Colorado Mr. Tipton.

Mr. TIPTON. Thank you, Mr. Chairman. I appreciate Chief Tidwell and Director Abbey for being here as well.

I would like to follow up just a little bit, Director Abbey. Could you refresh my memory? There were 41 million acres, did you say, under lease?

Mr. ABBEY. We have leased 41.2 million acres, yes.

Mr. TIPTON. And 12.2—are all of the permits up to date; meaning everyone who has applied for a permit, have you approved them or rejected them?

Mr. ABBEY. We do have some backlog relative to applications for permits to drill in some of our district offices.

Mr. TIPTON. There is a backlog. And I think that is an important note for us all to understand. There is a big difference between leases and permitting. We aren't able to produce unless a permit is actually issued; is that correct?

Mr. ABBEY. That is true.

Mr. TIPTON. I had a question in regards to the wildlands policy. I think that you just made the comment that it does not affect any existing lease in terms of your opening testimony. I just completed a tour of the Third Congressional District, where we have a little better than 8.7 million acres of public lands just in my district right now. And I was informed by the BLM actually that in regards to lateral drilling, where you are going off public land over to BLM land, that that is going to be restricted under the wildlands policy. Would you care to comment on that?

Mr. ABBEY. I would say that that is a wrong description that someone gave to you.

Mr. TIPTON. That is out of your office. We will follow up with you on that. I appreciate that.

Mr. ABBEY. Share with me the name, and I will be happy to contact that individual myself.

Mr. TIPTON. You bet. I appreciate that.

You had talked a lot about your budget saying that for wind, solar, biomass—I liked the biomass concept because we have a terrible—as I am sure the Forest Service recognizes—threat of wild-fire, particularly in Colorado with the bark beetle infestation. But I would like to revisit a question that we had had with our last panel in regards to visiting with the Department of the Interior. Have you done any cost-benefit analysis in regards to developing an expansion of resources for wind and solar development?

Mr. ABBEY. You are asking me—

Mr. TIPTON. Yes, sir.

Mr. ABBEY.—have we done a cost analysis?

Mr. TIPTON. Cost-benefit analysis of dollars you are investing.

Mr. ABBEY. We have done some economic analysis as part of a programmatic EIS for both wind as well as what we are doing right now for solar.

Mr. TIPTON. Have you found those costs run far higher than coal, natural gas in terms of generating electricity?

Mr. ABBEY. It depends upon what kind of methodology you use. Certainly they are at this point in time higher.

Mr. TIPTON. I would encourage you to fully develop that. I think in the interest of the American consumer right now, young fami-

lies, senior citizens on fixed income, we all develop the—all support the all-of-the-above proposal right now. But this is a regulatory tax increase that we are effectively going to be passing on to the American people in terms of the costs of energy, and I think through our public resources we need to be working on those backed-up permits and maybe directing some more dollars to actually to be able to develop those resources here at home, because we do have a critical problem going forward.

Thank you, Mr. Abbey.

Chief Tidwell, I had a couple of questions for you. As you know, Coloradans, we have been struggling with the bark beetle infestation in our forests for some time now. Are you doing any additional measures, or are there any additional measures that you feel ought to be implemented to stop the spread of the bark beetle?

Mr. TIDWELL. Last year we significantly increased our efforts to deal with the bark beetle infestation there in Colorado, and we plan to maintain that level for the foreseeable future. Hopefully in the next couple of months, we will release our strategic plan to deal with bark beetle infestations throughout the West, and one of the things that that strategy will call for is an increased level of dedication within our constrained budget to address these problems. As you well know, in Colorado, public safety is the number one issue.

Mr. TIPTON. I want to get this one in, Chief, if I may. There are several oil and gas leases in White River National Forest that are in compliance with NSO stipulations and existing Colorado roadless rule. However, the Acting Regional Forester asked the BLM to pull the parcels from sale, citing uncertainty about the pending Colorado roadless rule. Why is interagency confusion regarding the roadless rule allowed to delay for the lawful leasing of these parcels?

Mr. TIDWELL. It is my understanding we are responding to a request from the State of Colorado to not go forward with those leases until we had completed the Colorado roadless rule. As to exactly why the State requested that, I don't know, but I am going to find out, and I will be glad to get back to you on that.

Mr. TIPTON. Great. I would appreciate that.

Chairman, I yield back.

Mr. BISHOP. Thank you.

I recognize the gentleman from Oregon Mr. DeFazio.

Mr. DEFazio. Thank you, Mr. Chairman.

Chief Tidwell, the integrated resource restoration budget line item—this is something you proposed last year—was not authorized by Congress. Now, I am a fan of not having too many stovepipes and too much bureaucracy and spending money well, but I am concerned about a number of very diverse programs that are being lumped into this account which have competing needs. And I am concerned about the transparency and accountability that might result from this. And if we were to approve your version of the integrated resource restoration account, would the Forest Service continue to establish and monitor progress toward completing specific targets on timber roads, watershed restoration and all of the diverse things that are in there? I am a bit concerned about this.

Mr. TIDWELL. Congressman, yes, we will. That was one of the criticisms we heard last year when we proposed this, so we changed our proposal so that we will continue to provide targets to our regions for the traditional accomplishments like board-feet, miles of stream improved, acres of wildlife habitat improved, but at the same time to be able to track the overall change in the condition of the watershed. We feel that by tracking both of these, the traditional targets, plus this overall watershed measure, that we will be able to do a better job to be able to show you the difference that we are making on the ground, and at the same time we will be able to be held accountable for the work that is getting done in those traditional targets.

Mr. DEFAZIO. So you can tell me that, should we approve this, you fully expect it will bring efficiencies that will get more money on the ground, more jobs created, more work done toward those goals.

Mr. TIDWELL. Yes. It will create efficiencies for the agency so that we can do a better job to put together integrated projects that are going to reduce some of our planning costs, some of the time our folks spend, and result in more jobs, more work being accomplished.

Mr. DEFAZIO. OK. I am all for dispensing with unnecessary bureaucracy but still will have concerns here.

The President included \$328 million of discretionary funding for the Secure Rural Schools Initiative for Fiscal Year '12. And I appreciate the fact that he proposed it in his budget. He recognizes the importance of this. He is attempting to deliver on campaign promises he made for a longer term solution for this problem, but I am wondering, where is that money going to come from in your account?

Mr. TIDWELL. The \$328 million is out of our discretionary budget request; and so it was a matter of making some trade-offs, reducing other programs so that we could provide that level of funding for the first year.

We want to work with the Subcommittee to pursue some options for mandatory funding. I know that that is really important to the counties, and I understand that, and I think it is essential. So we want to work with you to find other sources. But, as you mentioned, to be able to take \$328 million and take it out of our budget, especially in these economic times, it does demonstrate the importance of this program.

This is not the time for us to be able to stop Secure Rural Schools. I believe that there has never been a greater need with our counties than right now with the challenges that they face.

Mr. DEFAZIO. OK. Thank you, and I look forward to working with you on that, particularly if you have other ideas for offsets and sources for a longer term program. I worked through that a lot with the last Administration. We never quite got there, but I would be happy to engage in that discussion.

Director Abbey, you know, I guess this may be long, but if you can really briefly update me on the agency's progress toward developing a long-term forest management plan on the ONC lands. You have about one minute.

Mr. ABBEY. Well, sir, as you know, we are moving forward aggressively with implementing some pilot programs in the ONC forest in western Oregon to demonstrate how forest management practices could be achieved as far as achieving some of our mutual goals through timber harvesting and appropriate timber harvesting. We are very optimistic that those programs will be implemented at the end of this calendar year and so that we can learn from those pilots and design a program that will be sustainable over the long term in western Oregon.

Mr. DEFAZIO. OK. I think we will have to continue that discussion. My time has expired.

Mr. Chairman, I will stay for another round.

Mr. BISHOP. Thank you. There will be another round.

The gentleman from Idaho is recognized.

Mr. LABRADOR. Thank you, Mr. Chairman.

Mr. Abbey, it is good to see you again.

When Congressman Simpson and I met with you last month, one of our concerns was that the land previously studied for wilderness by Congress was subsequently released to then be locked up under your new wild lands authority; and during the hearing, during the meeting you assured us that BLM would take into account congressional action of this kind to minimize such outcomes. In fact, you noted in your last hearing here that you had written into the guidance documents directions to take into account congressional intent to avoid those kinds of things that happened.

My question is, under section 201 of the Federal Land Policy Management Act of 1976, under whose authority you purport to act. It states that land use plans shall be developed for the public lands regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses. Doesn't this statutory declaration conflict with your stated goal to consider congressional action when re-evaluating areas that have been considered for wilderness classification?

Mr. ABBEY. Congressman Labrador, I do not believe it conflicts. Under 201, we conduct routine inventory of public lands for many, many purposes. In the case of wilderness release language, Congress will designate certain areas as wilderness and in some cases will release wilderness study areas from further consideration for designated wilderness.

As I testified to in the previous hearing, we would certainly defer to the language as a result of those wilderness legislation and draw how we would move forward with the actions and how we would address such lands with wilderness characteristics and future planning. So I do not see that there is a conflict. We would, again, take into consideration the fact that Congress has reviewed these areas, they have chosen not to designate them as wilderness, and that would be a factor that we would consider in our land use plan.

Mr. LABRADOR. But you say that it is a factor. I mean, how big of a factor? Is this one of 500, one—I mean, that doesn't give me a lot of assurance if you just say that it is just a factor.

Mr. ABBEY. It is a factor, but it is a very large factor, especially if the legislation was recent.

In the case of Arizona, for example—I think I might have used this in my previous testimony—where we had a wilderness bill

passed in Arizona, I believe it was 1986, there were areas that were designated as wilderness. There were areas that were released—wilderness study areas that were released as a result of that legislation. Given the fact that it has been 20-plus years since that legislation, we would go back and revisit whether or not those areas possessing wilderness characteristics are deserving of designation as wild lands.

Mr. LABRADOR. OK. How long was this policy in development?

Mr. ABBEY. The policy itself?

Mr. LABRADOR. The wild lands policy.

Mr. ABBEY. We first started working on the policies back in the fall of 2009.

Mr. LABRADOR. And at any time during that development did you consider coming to Congress for collaboration or for assistance or just to discuss it with Congress?

Mr. ABBEY. We did not, and the reason why is that we never knew whether or not the Department would approve such a policy.

Mr. LABRADOR. Since this is a budget hearing, how much of your budget is taken up by litigation right now?

Mr. ABBEY. I don't have a figure, but I will say that there is quite a bit of litigation as a result of decisions that we make.

Mr. LABRADOR. OK. Can you get that information to me?

Mr. ABBEY. I am not sure we track it, Congressman, but we will certainly pull together what we can.

Mr. LABRADOR. OK. What expectation does the agency have concerning the staffing and budget requirements to carry out our wild lands policy?

Mr. ABBEY. We have existing staff that we would use to carry out and implement the secretarial order.

Mr. LABRADOR. So you are not going to add any additional staff?

Mr. ABBEY. Again, I am not aware of asking for any additional staff to conduct that business.

Mr. LABRADOR. So how are you going to be able to implement this policy without diverting from existing BLM missions?

Mr. ABBEY. Well, we redirect staff from other roles in order to help us implement the actions that are required under the secretarial order.

Mr. LABRADOR. Thank you. I yield back.

Mr. BISHOP. The gentleman yields back.

The gentleman from Arizona, Mr. Gosar, was here next.

Dr. GOSAR. Thank you very much, Chairman Bishop and Ranking Member Grijalva, for allowing me to speak this morning.

Director Abbey, I want to start my questioning by asking you some valuable perspective you may have relating to your experience as Nevada State Director of the U.S. Bureau of Land Management.

In 2004, Carson City, Nevada, suffered devastating wildfires which scorched over 8,700 acres across the entire west side of the city. The waterfall fire removed all vegetation on the steep mountains leading to threats from flooding and potential debris flows, as well as severe damage to surface water supplies. Carson City was able to get steady assistance from the Forest Service, Bureau of Land Management, and other Federal agencies to implement short- and long-term flood mitigation measures.

We are facing a very serious and similar issue in my district in Coconino County due to the damage caused by the Schultz fire. Major flooding has occurred, similar to what occurred in Nevada. It seems as if my community can learn from the way the BLM, the Forest Service, and other relevant Federal Government agencies took accountability for the management of the public lands affected by the disaster and ultimately worked cooperatively with the State, the county, and the city and the community to implement a master plan for flood mitigation and other future forest treatment management and rehabilitation initiatives. Can you discuss the partnerships that were formed following the waterfall fire and how that coalition was able to address not only the short-term but the long-term risk in this expeditious manner?

Mr. ABBEY. Well, first, let me thank you for bringing up that example. Because it is how government should work and it is working with local entities, as well as members of public and the communities, to move forward and pursue our many, many common goals. Some of these wild land fires can be devastating, as Chief Tidwell knows and I all too well.

In that particular case, in the watershed outside of Carson City, which is certainly so valuable to that community and the need for protection, everybody joined hands, working with State agencies, local governments, members of the public, and with stakeholders to move forward aggressively to try to secure that watershed and protect those valuable resources that had not been significantly impacted by that fire.

In those resources that had been significantly impacted by that fire, we moved forward to aggressively rehab that resource so that the impacts from that fire could be mitigated to the degree possible. As a result of that cooperation and as a result of the work that took place there on the ground by many, many people, we were able to salvage that watershed and protect the water resources for that community.

But I think, Congressman, there are examples throughout this Nation where people have come together to pursue those common goals and to, as you depicted, to accomplish some amazing things on the ground.

Dr. GOSAR. Well, I would look forward to having that cooperation with Mr. Tidwell as well, as we need that immediate type of response in my city.

Mr. Tidwell, you stated to my colleague, Mr. McClintock, of your prioritization with our agency for proper forest health and maintenance. A prominent project of particular interest in my district and State is the Four Forest Restoration Initiative, which puts communities in Arizona back to work in management and thinning of our forest. This is a golden opportunity to push timeliness on benchmarks, contracts, and cooperations, as well as the drain on the Federal resources as far as money. How do you see us expediting this, these benchmarks, and getting this project initiated and getting contracts adjudicated?

Mr. TIDWELL. Well, through a couple of actions we are taking. We have directed additional resources to the region to be able to focus on the work that is being proposed. We have a tremendous opportunity here to establish a model about how we can restore

large, large acres across the country. The collaborative approach that these folks have pulled together, I think, is just a model for the Nation. So we are going to direct additional resources.

We are also working with CEQ to see if we can find ways to be more efficient with doing the necessary NEPA analysis so that we can take the work from the collaborative and be able to move forward much faster than we normally have done in the past with our environmental assessments, with the environmental impact statements. We have an opportunity here to learn how we can do analysis on like over 100,000 acres at one time and to be able to move forward at that level of work, and so it is a very exciting proposal. It is just representative of many of the collaboratives around the country, but this is one we would want to focus on to be able to move forward and use it as a model.

Dr. GOSAR. Thank you.

I yield back the balance of my time.

Mr. BISHOP. I recognize the gentleman from Michigan for five minutes.

Dr. BENISHEK. Thank you, Chairman Bishop, for allowing me to attend your Subcommittee meeting. I request consent to address the witness.

Chief Tidwell, I am from the Upper Peninsula of Michigan; and I represent the northern 40 percent of the State, actually. We have a lot of trees in that area, three Federal forests. And I am new here. But people in my district, you know, my neighbors are loggers. I control private forests that I help manage.

It seems to me that people in northern Michigan tell me that the Federal forest, the cutting has diminished. The forest is actually overmature, and that it needs more cutting. I had some people in from the Forest Service in my office, and they basically told me they couldn't open more land to cutting because they didn't have it in their budgets. So, you know, in view of the fact that cutting trees down usually pays for itself, I am just wondering why we don't have it in the budget.

Now I understand you said you want the forest to be sustainable, but we are cutting the forests of northern Michigan at far below the sustainability rates and there are jobs involved here. A lot of people in my district depend on the forest for their livelihood, not only by cutting it down but for recreational use. And I would like to know what the story is on why it is not budgeted in the Department for them to—is that true? Or what can we do about getting more of our trees cut down to make the forest healthier and continue to be self-sustaining?

Mr. TIDWELL. Congressman, there are needs throughout this country in every State, in every region that we work with. There are needs to do more work, to do more restoration, to remove more timber. More biomass needs to be removed from our ecosystem.

What we have tried to do with our budget request is we put together a mix, a mix of funds to be able to do the entire mission. And part of that is the restoration. That is one of the reasons we are proposing the integrated resource restoration line item, so we feel we can gain some efficiencies to be able to get more work done. Also, to pursue the opportunities to take on planning on a much larger scale so we can increase our efficiencies to be able to finish

the analysis on much larger areas so that we can get forward doing more work.

The other thing that we are continuing to pursue is the use of stewardship contracting. It is a tool that allows us to be able to retain the receipts from that, the biomass that is removed, and be able to use that to address the restoration needs, whether it is new trails, deal with drainage on roads, new bridges, et cetera. Those are the things that we are focused on.

But you are correct. There is more work that needs to be done in your district, just like there is throughout, I think, almost every place we manage.

Dr. BENISHEK. Why don't we issue—why don't we start cutting these trees down? I don't understand why, if it makes a profit, that we are just not doing it. I mean, they used to do it. They used to cut more, and now we are not. So there has got to be a change in policy rather than a lack of resources, in my estimation.

Mr. TIDWELL. Well, there isn't a profit, and that is not what we focus on. We focus on doing the work that needs to be done, and that is what drives our budget request.

And so, and especially in today's market, you know, we are at some of the lowest prices in our timber market today that we have seen in many years. It did go up a little bit the last year, but it is at a very low level. In fact, exports have increased from private land because of the lack of the market in this country. So part of that is the market.

But for us to be able to do more work, we can find more efficiencies in our processes, be more efficient in our planning that needs to be done, or we can find ways to dedicate more budget resources to get more work done.

Dr. BENISHEK. I wish you would do that in northern Michigan, because there are so many people that depend on this for jobs. I mean, we still cut trees in the private land, and people are able to afford it and make money and pay their taxes on their forest land. I don't see why we can't do it here.

I mean, I am all for good stewardship of the land, but when you are making money you should be able to sell the trees and pay for the bidding out of the forests. You are going to make that much money, and the forest ends up being healthier. So I would, please, ask you to direct your priorities to use our resources more wisely, even if it involves cutting more of them down.

Thank you, Mr. Chairman.

Mr. BISHOP. Thank you.

I recognize the gentleman from Ohio, Mr. Johnson.

Mr. JOHNSON. Thank you, Mr. Chairman; and thank you, Chief Tidwell and Director Abbey, for taking the time to testify before this Subcommittee today.

Chief Tidwell, as you may know, a large portion of the Wayne National Forest is in my district in southeastern Ohio. The forest covers over a quarter million acres of Appalachian foothills, contains over 300 miles of hiking and all-terrain vehicle riding, mountain biking or horseback riding trails. Furthermore, there are nearly 120 miles of all-terrain vehicle riding trails in the Wayne National Forest.

According to a study by Ohio University, the off-highway vehicle industry has a direct economic impact of over \$1.8 million in 2008 in southeastern Ohio. It is safe to say that this number will increase as our economy begins to recover and more people come out to enjoy the off-road vehicle trails.

The Ohio University study concluded that the off-highway vehicle industry provides substantial economic benefits to southeastern Ohio. Furthermore, as the industry continues to mature, the direct impact will surely increase.

With that being said, would you please briefly comment on how the 2012 proposed budget reflects that the Forest Service is a willing partner when it comes to all responsible users, including responsible motorized recreation access to our national forests?

Mr. TIDWELL. In our 2012 budget request, we have asked for an increase in recreation funding to help address some of the opportunities we have for recreation and motorized recreation. We recognize, as you have pointed out, the significance of the economic opportunities. In fact, we estimate there are over a quarter of a million jobs that are associated with recreation activities just on the national forests around the country. It is essential. It is essential for the communities that are near these national forests, and it is essential for our quality of life to provide these recreational opportunities. So that is one of the reasons we have asked for additional funding in our recreation budget for 2012.

Mr. JOHNSON. Thank you.

I understand that the Wayne National Forest has a memorandum of understanding with the American Motorcyclists Association and the All-Terrain Vehicle Association that the parties agreed to in 2009 and that expires in 2014. The purpose of the MOU is to continue to develop and expand cooperation between the Forest Service and the recreational groups to find mutually beneficial trail programs, projects, and activities at the local level.

Mr. Chairman, I will submit the full MOU for the record.

But it seems clear to me that such MOUs are an effective way to help find areas of agreement between the off-highway vehicle industry and the Forest Service. Can you please address your opinion on the Wayne Forest MOU and if you are encouraging other national forests to consider signing similar MOUs in other regions?

Mr. TIDWELL. Yeah, I am not familiar with that MOU, but I do believe it is a good approach, and it is a necessary approach. For us to be able to determine a sustainable system of routes and trails and roads that can be used for motorized recreation, we need to bring people together; and I really appreciate it when the motorized community steps up to the plate, brings their knowledge, the information that they have to help us, you know, do that planning to be able to work with everyone that is interested in this issue. That is the way that we can come to a resolution with a strong agreement so that we can maintain a system of routes and trails that not only folks can depend on today but for years to come that they know they will have a place to ride.

Mr. JOHNSON. Well, I appreciate that. I am encouraged then, because I want to make sure that the economic impact is considered. It is a growing industry in southeastern Ohio. We certainly want to maintain the access to those lands for those industries.

With that, I appreciate your comments. Mr. Chairman, I will yield back the balance of my time.

Mr. BISHOP. Thank you.

I get to be the last one on the first round. So, Mr. Tidwell, let me concentrate on you. Mr. Abbey, I will get you second round if that is OK.

Let me follow up, Mr. Tidwell, if I could, on a question that Mr. DeFazio asked and one that I was interested in as well. Under the Integrated Resource Restoration Fund, obviously, we didn't like that in the past. Do you actually have current subaccounts listed in your proposed budget for all those elements that you are wrapping in together?

Mr. TIDWELL. We do show the targets as far as the board-feet that we expect to produce, the miles of stream improvement and the miles of wildlife habitat, et cetera. We do not have subaccounts that show how much money will be spent on, say, forest products, how much money will be spent on wildlife, how much money will be spent on fish. We felt that that was contrary to what we are proposing.

We want to be able to have one fund so that when folks come together, we sit down with our communities and our counties and our States and determine what work needs to be done on this landscape, we can then go about designing a project that will accomplish that work and then be able to have one fund that we can use that. Right now—

Mr. BISHOP. All right. Thank you. You answered the question. Let me move on quickly.

As I understand, Secure Rural Schools has never been part of your budget before as far as discretionary. That would be something that would be new and different.

Mr. TIDWELL. Yes.

Mr. BISHOP. I would also like to follow up on some things that Mr. Broun started on at the same time. Do you believe that property lines are considered artificial boundaries?

Mr. TIDWELL. They are not artificial boundaries.

Mr. BISHOP. All right. Then I need to ask a question about your landscape planning concepts, especially in the draft rule, which I have to admit is, at best, somewhat vague. So how do you envision the Forest Service managing landscape levels, in the words of your draft rule, irrespective of ownership or other artificial boundaries?

Mr. TIDWELL. The required assessments, we want to consider what activities are ongoing on adjacent lands, what activities are ongoing with the county so that we factor that into our planning. When we talk about boundaries, we want to make sure we recognize that things like the bark beetle infestations, the noxious weed infestation, they do not stop at any boundary; and so we want to make sure that we can coordinate our activities with those things that are going on on adjacent land.

So when we talk about the boundaries, of course we respect private land. We respect all boundaries. But, at the same time, we need to be able to understand that the issues don't stop at those boundaries. So we need to be aware of what is being proposed so we can work together to be able to do a better job.

Mr. BISHOP. You are talking about coordination, though, with those entities.

Mr. TIDWELL. Yes.

Mr. BISHOP. So how far, just as a standard, do you think your agency influence should extend outside of the artificial boundaries?

Mr. TIDWELL. It is not our influence that we are extending. We want to factor in what is going on outside of the boundaries so we can factor that into our planning.

Mr. BISHOP. I appreciate that.

I assume you are aware of Secretary Salazar's order with wild lands. Does, in any way, his wild lands proposal parallel your recommended wilderness areas on forest lands that you managed under Region 1 when you were back there, or do you have plans to manage recommended wilderness area in that same way on the national level?

Mr. TIDWELL. The guidance that we used there in Region 1 was to—during our planning process, we are required to identify lands that we recommend to Congress for your consideration for wilderness. And when we are going through that discussion with the public and with our counties and with our States, one of the things that we stress, we wanted to understand what were the existing uses. Is there snowmobiling? Is there OHV riding? Is there mountain biking? Is there roads that are in that area? Is there oil and gas leasing? I felt it is important that we factor that in before we make our recommendations.

Mr. BISHOP. And then make those recommendations to Congress.

Mr. TIDWELL. Make the recommendations to Congress.

Mr. BISHOP. So the process, you would do the inventory, you would then come to us before those final decisions would be made.

Mr. TIDWELL. Yes.

Mr. BISHOP. OK. Let me ask one last question that goes directly to what Mr. Broun said, and I have only got 30 seconds to do this. The statement that was made as far as supporting private contracts with individuals as property rights, I assume you accept that as well. Do you agree with the importance of the government to stand behind its contracts with private individuals and companies?

Mr. TIDWELL. We recognize private rights.

Mr. BISHOP. OK. I think the question then that was asked of Mr. Abbey that should have been directed to you was the situation in Wyoming in which the recommendation was indeed that those oil and gas leases should be abrogated. So do you approve of that decision that was made in Wyoming?

Mr. TIDWELL. The decision that we made in Wyoming is that the first decision went forward, and it was appealed. We went back and reviewed our decision; and, based on changed conditions, we came up with a different decision. Based on that, we have asked the BLM to withdraw the leases that were issued under the first decision.

Mr. BISHOP. That becomes problematic, but my time is up, and I appreciate that.

We now start the second round, and I will turn to the Ranking Member to begin that.

Mr. GRIJALVA. Thank you, Mr. Chairman.

Mr. Abbey, a colleague—I think the implication or maybe even the statement was that BLM was inventorying public land for wilderness and not for oil and gas. The situation to me is that the oil and gas industry, it conducts its inventory when it comes in through the process for permitting based on what they, as an entity, see as a viable source of energy for them, oil and gas. And so prior—and so, as you do multi-use inventories of BLM, which I assume goes on all the time, the wild lands policy to me is reinserting in there what former Secretary Norton took out, which was the ability to inventory wilderness. So if exploration drives oil and gas inventory, what drives the inventory that is necessary around issues like wilderness? Who explores for that?

Mr. ABBEY. Well, Congressman Grijalva, it is a recognition that conservation is part of our multiple-use mandate and wilderness management is part of that conservation initiative.

I do want to address the issue relative to oil and gas data and inventory. My crackerjack budget team reminded me that there were studies done between 2005 and 2008 relative to inventory and Federal mineral estates to determine where there is the highest mineral potential, or moderate to high mineral potential. And during those studies during that 3-year period the finding is that there were around 280 million acres with moderate to high oil and gas potential.

Mr. GRIJALVA. Thank you.

Chief, and this is in my part of the world, a southern Arizona question. There appears to be an upswing in the number of proposed mining projects on public lands in southern Arizona. For example, I understand that the same people involved in the Rosemont proposal are proposing a mining project near the community of Patagonia. And there are other proposals that have come to light over the past few months. There are also, as you know, thousands of abandoned mines in the area, as well as mines presently active and operating.

The question is, what process will the Forest Service use to assess the cumulative effect of all this mining under the resources of the Coronado National Forest? Each one is dealt with as you are doing with Rosemont. Should they dump the tailings on forest land or not? Question, it is done individually. There is a cumulative effect in southern Arizona that that question keeps rising. Is there a process by which you look at that total effect of mining?

Mr. TIDWELL. We are required to look at the cumulative effects of every activity that we do; and that is determined by the geology, the geographic area, and then also from the public. And so, depending on which project we are looking at, you know, we look at the cumulative effects of how that will affect the rest of concerns, issues, and the environment and then factor into what is the best way to move forward with these projects.

It is not—we are not possible to say look at everything at one time. We have to take these proposals as they come forward one at a time, but then we are required to do that cumulative analysis.

Mr. GRIJALVA. I think with the discussion is we need to permit this use. We need to have this extraction done. It is good for the economy—don't deny that—and energy. It is good for independence.

But as you see in many of these communities, there is also a great deal of opposition that occurs as well. And one of the questions coming up more and more prevalent in these areas is what is the cumulative effect of this extraction in the long term. I think that is going to be more and more of a demand on the agency as time goes on and as the activity around public lands increases.

Mr. TIDWELL. The concerns that we hear the most about are concerns about water quality and about air quality. And so, when you mention numerous proposals, that is one of the things we have to take a look into, is what is going to be the cumulative impact on water quality and also the impact on air quality.

Mr. GRIJALVA. Mr. Abbey, my time is up, but if I don't get to it, a litany of questions around wild horses and burros and the present management's strategy versus some other alternatives.

OK. Thank you. Yield back, sir.

Mr. BISHOP. And we will definitely have time to talk about wild horses later on. Boy, will we have time to talk about wild horses.

I recognize the gentleman from Georgia, Mr. Broun.

Dr. BROUN. Thank you, Mr. Chairman.

Chief Tidwell, Mr. Bishop just asked you the question that I asked previously about government standing behind the contracts with private individuals and companies. As the Secretary said, that it is private property; and you said that you agree with that. And then you just answered Congressman Bishop saying that you are withdrawing—recommending withdrawing the leases. These are two contradictory statements. Sir, both cannot be true. Which is factual? You made two statements that are totally contradictory. Which is factual, sir?

Mr. TIDWELL. We have the authority to make the decision on surface management of these leases, and we then request that the BLM follows that. In this case where there were leases issued and then that decision was appealed and no one knows if they could have gone forward or not, we then did the additional analysis and then came up with a decision.

Dr. BROUN. Then you are not going to recognize the private property rights of those lessors.

Mr. TIDWELL. We will work within their property rights.

Dr. BROUN. The answer is, no, you don't agree with that.

Sir, among the three accounts you have proposed \$230 million for land acquisition. Do you have a prioritization of the list of properties you are targeting to purchase, and are these acquisitions critical to the extent that cuts to other areas such as roads are justified? And have you calculated the funds that would be taken out of the local tax bases if you do, indeed, purchase these properties?

Mr. TIDWELL. Mr. Congressman, we always submit a list of properties to Congress for your consideration. You decide which properties we move forward with. And so, for 2012, we have submitted a preliminary list of properties that we would acquire under the fee acquisition and then also a list of properties where we have landowners that want to work with us to acquire a conservation easement under a forest legacy program.

So we submit both of those. They are relatively small parcels. These are things that the public feel strongly about, wanting to help be able to maintain, provide public access that we continue to

lose throughout the country with development. And then forest legacy programs, it helps people to stay on their land. It helps to keep these areas open. Open space provide wildlife habitat, be able to keep working ranches working, be able to keep this private forest forested. That is the purpose of these programs, and there is strong public support, and that is the reason, even in these tough budget times, where we felt that we should request full funding of LWCF.

Dr. BROUN. Sir, most of the American public think that we need to cut spending of the Federal Government. It is outrageous, and we cannot continue down this road. The Federal Government has a lot of assets—unused buildings, property, trees, other things—and, frankly, I believe that we need to start selling trees. We need to start selling properties and not acquiring more. When people are going bankrupt, as the Federal Government is doing, it is absolutely critical that you take an inventory of assets and start selling those assets and not continue to purchase more.

I think your proposal of buying more property is totally irresponsible, and I am totally against that. The American public in general would be totally against that.

You may have some groups that want to buy property. Certainly there are a lot of groups that would like to see the whole of that country, as indicated in this chart, all be under blue. But we cannot continue going down this road that we are going.

Sir, what Forest Service regulations exist that the Sixth U.S. Circuit Court of Appeals referred to in their recent ruling that requires the Service to consider banning gun hunting within the Huron and the Manistee National Forest, and what is your plan regarding this issue, and why do you pursue that plan?

Mr. TIDWELL. I am not sure if I—I am not familiar with that situation, but we—

Dr. BROUN. Well, if you will get back to me.

Mr. TIDWELL. We do not ban hunting on national forest land.

Dr. BROUN. No, sir. This is—the Sixth Circuit said you must consider banning gun hunting.

I have very limited time. What is the authority for the Federal Government to designate lands as wild lands, and is this an effort by this Administration to circumvent Congress' sole authority to designate lands as wilderness? And I ask you both that. You have about 10 seconds each to answer.

Mr. ABBEY. Let me take the first shot, Tom.

Sections 201, 202, 102, 103, and 302 of the Federal Land Policy and Management Act provides the statutory authority for us to conduct inventories and to use our land use planning process to designate certain lands as wild lands. It also allows us to apply management prescriptions on all public lands.

Dr. BROUN. Sir, my time has run out, but you do not have the authority to create a new land category, and you are trying to circumvent what this Congress and only Congress has the authority to do. You need to stop it, sir.

Mr. BISHOP. I am going to have to cut this off. I apologize for that; and we will be coming back on wild lands again, too.

Mr. ABBEY. I would welcome the opportunity to address it.

Mr. BISHOP. Probably not. But you will still have the opportunity.

Let me refer to the gentleman from Oregon for a second round. Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman.

This would be to both, because I understand both of your agencies submitted memos on December 15 to the United States Fish and Wildlife Service regarding the draft spotted owl recovery plan. I further understand that the memos outlined possible reductions in Northwest forest land harvest levels that would significantly impact rural communities' timber structure, Southwest Oregon. I guess—I have been told that I am misreading this or misunderstanding the discussion. I don't know. But, one, I have seen the memos, but I understand there is additional information that has been provided, and I believe we need to have a more open and public discussion of what are the implications here, and my constituents are very confused. Can either of you help me with this a little bit?

Mr. TIDWELL. Well, we are working closely with Fish and Wildlife Service on the spotted owl recovery plan and to make sure that things that are being considered that there is full consideration for the impacts on our need to do the restoration work, the impacts on the timber harvest industry. We need to factor all of that in to our efforts to be able to recover spotted owls. And so at this time I feel we are working very closely together and being able to share the information so there is full consideration of the consequences of some things that are being considered.

Mr. DEFAZIO. How about a public meeting where the three agencies could discuss where they believe this is going? Again, I am having tremendous confusion on both sides of this debate, and this is a very polarizing issue.

And then, further, I would reflect we have had—and the BLM in particular is working with two of the four of the gang of four scientists who created the Northwest forest plan, and they say that all of this extraordinary area that is off limits because of virtual owl circles is nothing they ever anticipated, nor is it necessary. And are we going to take care of all this, like, weird stuff like virtual owl circles in this recovery plan?

Because they say the management of the forest is what is key. And if you are managing the forest properly and you are not going into the active owl areas—but having these virtual circles, which basically leave you like one tree that you can harvest over a very large area, is creating an impossible situation. Is that going to be dealt with?

Mr. ABBEY. Well, Congressman DeFazio, let me address your earlier question.

The Bureau of Land Management, as well as the U.S. Forest Service, did provide comments on a draft recovery plan that was completed by the U.S. Fish and Wildlife Service. As Chief Tidwell mentioned, we have been working very closely after reviewing that draft to try to address some of the concerns that I think both bureaus had raised. We had an excellent meeting with the U.S. Fish and Wildlife Service just last week where we had the U.S. Forest Service as well as the Bureau of Land Management sitting down with the Fish and Wildlife Service, who has the ultimate authority for issuing a recovery plan.

Mr. DEFAZIO. Just keep your thought.

But, I mean, wouldn't it be possible to actually have that discussion in a public forum—you don't necessarily have to have people interrupting—or at least teleconference it or something so people could hear the discussion that is going on that is so critical?

Mr. ABBEY. I would defer to the U.S. Fish and Wildlife Service as to how they would like to handle their recovery plan process. But I do know that they have provided us a great deal of opportunities to provide input on their recovery plan. We appreciate that opportunity. We believe that the recovery plan that will likely be completed and finalized will reflect our input.

Mr. DEFAZIO. OK. But I guess we are kind of concerned about what that input is, other than the December 15 memo, but I don't think we are going to get there. But I guess then I will address my concerns more directly to Fish and Wildlife about conducting a more transparent process on something that is so critical.

You know, the Northwest forest plan was developed in secret. Didn't work out so well. I opposed it at the time. I was right. I said, it is not going to resolve the issues. It is going to lead to gridlock. It did.

So I am concerned that, as we move forward in this critical reiteration of this, that it be done in a way that is better understood and hopefully will work.

So, anyway, thank you. I appreciate that.

Thank you, Mr. Chairman.

Mr. BISHOP. The gentleman Colorado, Mr. Coffman.

Mr. COFFMAN. Thank you Mr. Chairman.

Chief Tidwell, your testimony before the committee today, as well as your written statement, do not contain any information regarding policies, procedures, and funding for the development and permitting of oil, gas, and mining activities on forest land. Based on this submission, I have several questions for you. Is the Forest Service sufficiently staffed to issue new or additional permits for oil, gas, or mining activities on forest Federal lands—I am sorry—Forest Service lands.

Mr. TIDWELL. We are staffed adequately. But there is a backlog, and we are working very closely with the BLM to find ways so that we can improve the deficiency of the permitting process so that we can address the backlog. But at this time there is a backlog.

Mr. COFFMAN. OK. If one of your employees stated that the Forest Service did not have enough money or staff to issue oil, gas, or mining permits, would you consider this to be an accurate statement?

Mr. TIDWELL. It would be accurate if they said that we are not able to do it at this time. Because we are not able to actually process every permit the day that we receive it, start working on it. So we have to take those in as they come, and we are continuing to work on our backlog and find ways to be more efficient. But we don't have the staffing to be able to deal with everyone the first day that they come in.

Mr. COFFMAN. Based on time, I am going to ask you to provide my office with written—and to the committee—with written answers to the following questions: How many oil, gas, or mining permits has the Forest Service issued over the last 2 years in Colorado

and Wyoming? How many permits are pending? And I would like details regarding how long these permits have been, quote, unquote, on hold, along with an explanation regarding any delays and a projected time line for the permits to be issued.

Mr. COFFMAN. Then, Mr. Abbey, I have a question now. Just a point of clarification. You are saying that the wild lands policy does not impact existing leases? I just want to get you on the record on that one.

Mr. ABBEY. It does not.

Mr. COFFMAN. OK. And so it obviously does impact future leases, does it not?

Mr. ABBEY. Potentially.

Mr. COFFMAN. I just want to say, it seems to me that there is some collusion, whether it is informal or it is formal, between BLM and some of these organizations that don't want oil and gas development like on places like the Roan Plateau in the State of Colorado, where you utilize your discretion to say oh, any litigation and I am simply going to block it from going forward, any development from going forward. And they know that if they put up any litigation, even though you have the discretion to allow it to go forward, that you are going to, you know, do that.

It seems to me what you are doing is you are just encouraging litigation from those people that want to block oil and gas development. It would seem to me that the operator or the one doing the oil and gas development, they can assess the legitimacy of those claims by the plaintiffs as to whether or not it is feasible to go forward. But it seems to me that you are working in concert with them so that Americans cannot develop American energy.

Mr. ABBEY. Well, I would take exception to that assumption, sir. Because we do, you know, go back and assess the litigation risk by reviewing the previous analysis that was done under the NEPA to determine whether or not it would withstand such a legal review, and we make a decision relative to whether or not we are willing to go forward with such risk. And, by that, if we believe firmly that the NEPA that had been completed covered all the bases and that we had a good chance of winning that litigation, we might make a decision to go forward and lease that area.

Mr. COFFMAN. Don't you think that the operator can make that assessment? In other words, if you say, you know, go forward, and the operator sees that there is a litigation risk out there, then the operator is going to make an assessment as to whether or not—what is the risk in terms of their investment relative to the risk.

Mr. ABBEY. We are the ones defending it in court. We are the ones that have to assess that risk.

Mr. COFFMAN. Well, let me just say something to both of you. I think that there is a lack of understanding here in Washington, D.C., as to the extent that we have a fragile economic recovery right now and that American families are suffering right now and a prolonged spike in energy costs will put this country into a second dip recession. And in the fragile recovery that we have right now—and a lot of this is in your hands, that you control the keys to whether or not Americans are allowed to produce American energy.

And with that, Mr. Chairman, I yield back and would like the answers back from the Director of the Forest Service when he can get to them.

Mr. BISHOP. Thank you.

Mr. McClintock.

Mr. MCCLINTOCK. Thank you Mr. Chairman.

Director Abbey, my ears perked up when you mentioned—and I want to be sure I understood this correctly—that you believe there are 280 million acres of BLM land that have moderate to high potential for oil and gas development.

Mr. ABBEY. Two hundred and eighty million acres of Federal mineral estate, not necessarily Bureau of Land Management land.

Mr. MCCLINTOCK. OK, 280 million acres owned by the Federal Government with mineral or oil or gas potential designated as moderate to high.

Mr. ABBEY. That is my understanding.

Mr. MCCLINTOCK. How many of those acres are actually being used for that purpose?

Mr. ABBEY. Well, I will say this, that the Bureau of Land Management has leased 41.2 million acres for oil and gas, and 12.2 million acres are under production.

Mr. MCCLINTOCK. Well, how much of the unutilized properties is because of permitting delays or litigation?

Mr. ABBEY. Very little.

Now there is some backlog in some of our resource area offices, as I mentioned earlier to a similar question that you asked. But, in many cases, there is no backlog. It is just that we are not getting the applications—

Mr. MCCLINTOCK. According to the McKenzie report, 2 billion barrels of oil is off limits to exploration and production in the Rocky Mountain region alone. Do you have an explanation for that?

Mr. ABBEY. I will say this, that production on public lands, on-shore public lands has increased in 2010 from what had been previously produced on public lands in 2009 and earlier.

Mr. MCCLINTOCK. Let me go to Chief Tidwell for a moment. The travel management rule was not a congressional mandate, so a lot of folks in my area are wondering why you are continuing to spend precious resources in implementing travel management plans that clearly exclude access to large numbers of people from our national forests. Several of the national forests in my district, for example, are shutting off the majority of HOV access under the travel management rule. Why haven't you issued guidelines to ensure that travel management plans are more balanced?

Mr. TIDWELL. We have issued those guidelines. The purpose of the travel management plans is to be able to sustain motorized recreation. That was the intent of the rule. We wanted to have a consistent approach that we would follow across the country to be able to also then have consistent mapping so that folks know where they can ride. They can stay on the designated trails and hopefully reduce the concern from cross country travel and some of the environmental effects. So the purpose is to sustain motorized recreation.

Mr. MCCLINTOCK. So the dramatic reduction in the public's access to the public's land is actually to help them have better access to the land. Is that the logic you are offering us?

Mr. TIDWELL. To restrict cross country travel that was resulting in significant environmental effects and strong, strong opposition that we refine our—spend a lot of time in court, yes, that was one of the key benefits of this approach.

Mr. MCCLINTOCK. That is an extraordinarily circular form of logic, Chief Tidwell. You are closing off vast amounts of our forests, our public lands to public access. I am being flooded by complaints of constituents in communities, and the answer you have given is just incredible to me.

But let me go on and just ask you about the Great Outdoors Initiative the President has been promoting that you mentioned to provide more access to the public lands. I would like to know how the Administration's budget proposal for \$3.2 million reduction in the trails budget and \$79 million reduction in the roads budget is targeted to decommission an additional 4,370 miles of roads is consistent with the Great Outdoors Initiative.

Mr. TIDWELL. The focus on the decommissioning is to address the environmental issues that are occurring from roads that are no longer needed beyond our system. And so by dealing with those environmental issues it allows us then to be able to focus our maintenance funding on maintaining the road system, the trail system that is needed. By doing this, we reduce our deferred maintenance; and we are able to then focus our limited roads budget on maintaining that system of roads that we need to keep in place.

Mr. MCCLINTOCK. Well, the clear pattern is one of closing off our national forests to the public.

And I would just conclude with, agreeing with Congressman Coffman. The two of you are entrusted with management of our Nation's most valuable resources, untold billions if not trillions of dollars worth of renewable timber, water, hydroelectricity resources, grazing lands, recreational resources, vast oil and gas reserves, mineral resources. Not only do you appear to be failing to manage these resources, you appear to have become an active obstacle to developing them to the sustainable prosperity of our Nation. And I would just warn you, particularly with oil and gas prices today, a day of reckoning is fast approaching when people are going to want heads to roll; and I think you are going to need to come up with some better answers than you have.

Mr. TIDWELL. I am sorry you feel that way. I think our record, if you look at the multiple use activities that occur across the national forest and grasslands, that you will see that there is very good balance of our focus on energy production, our focus on recreation, and our focus on restoring the national forests and dealing with fuels.

Mr. MCCLINTOCK. That is not what your customers are telling me.

Mr. BISHOP. I am going to have to interrupt both of you here on this. Time has expired. We can come back with another round or, actually, you could ask for a written response as well.

Representative Tipton.

Mr. TIPTON. Thank you, Mr. Chairman.

Chief Tidwell, when I read through your written report, I wasn't quite able to pick up, what is the wild fire management budget? Is it up, down, about the same?

Mr. TIDWELL. We are requesting a reduction in suppression funding. We will maintain our preparedness funding at the same level. We are also requesting a realignment between moving some of the suppression costs into preparedness where they rightfully belong. That is for our aviation contracts. But our overall preparedness budget stays the same, so we will have the same level of resources we have had in the past. But we are reducing our request in the flame fund and also for suppression, and that is based on the balances that we had when we started putting together our budget for 2012, that we felt that we had some sufficient balances there that we could request less funding and still be OK to cover the cost of even a moderate to high fire season.

Mr. TIPTON. OK. That is something you might want to keep a real eye on, and I know I don't have to tell you.

You know, in the third CD of Colorado we are one lightning strike, one dropped match from a huge wildfire. We have a lot of dead and fallen timber that is sitting there.

I want to follow up just a little bit on Congressman McClintock's—because I have had some of the same comments coming in as well in regards to the closing of access into our national forests. Were any public hearings held on that?

Mr. TIDWELL. Every forest and grassland that goes through their travel planning, they conduct numerous public meetings, have open houses to be able to get the information and be able to have the public be engaged in that process. There are often groups that spend many, many hours trying to reach agreement on the system of routes and trails that we can sustain over time so that folks know what they will be able—where they can go today and where they will be able to go tomorrow. And so that is the process.

It is probably—of everything that we do it probably has more public involvement because of the level of interest. And it is also—it is one of the things that folks work very hard to be able to find areas of agreement on what system of routes and trails we need to maintain.

Mr. TIPTON. Great. You know, I would like to learn a little more from you. I have had comment coming back from my constituents that they were not made aware of meetings, and we have some handicap access issues, being able to get back to streams and whatnot with road closures that are impacting a lot of folks in the third CD of Colorado. Thank you.

Director Abbey—this is probably for both of you. How many permits do you have backed up? Do you have a number?

Mr. ABBEY. I don't have a number. I do know that we issued close to 5,000 permits to drill in 2010. We anticipate issuing similar numbers in 2011. We anticipate, given the market, that the numbers of applications for permits to drill would increase in 2012.

Mr. TIPTON. So you had mentioned earlier in the first round there that you did have a backlog. You don't know what that number is?

Mr. ABBEY. I don't, but I could provide that to you.

Mr. TIPTON. OK. Chief?

Mr. TIDWELL. I don't have that number with me today, but I will provide that to you.

Mr. TIPTON. You know, if we could get that, and I would also like to know what the backlog time is associated with that in terms of being able to get out those permits as well.

Mr. TIDWELL. OK.

Mr. TIPTON. And, Director Abbey, this is for you, and it goes back to the wildlands issue. Ranchers, the oil and gas industry, local governments, and the mineral industry, motorized recreational users in our district have voiced strong opposition to the wildlands policy. I would like to know what efforts you made in terms of reaching out before it was announced—

Mr. ABBEY. We didn't have any formal outreach program designed to solicit input from any interest prior to issuing the secretarial order.

Mr. TIPTON. Do you think that was wise given these are the public's lands?

Mr. ABBEY. What we were trying to do is resurrect the policies that were in place prior to Secretary Norton entered into that Sullivan agreement in 2003. Pretty much what we have done is resurrected a policy and actions that were taking place under President Reagan, President Bush, and President Clinton on how we conduct inventories of public lands and how we evaluate those inventories to determine whether or not areas with wilderness characteristics should be protected.

Mr. TIPTON. Just to clarify again, there were no public hearings?

Mr. ABBEY. There was not.

Mr. TIPTON. There were none.

Why weren't local officials at least announced 2 days prior to the announcement of this proposal? There was no announcement even to public officials.

Mr. ABBEY. This was an administrative process. We moved forward with what we believe we had the authority to implement and that was long overdue.

Mr. BISHOP. Time is up here again. And once again, we will have you back for a wildlands hearing one more time as well.

Representative Gosar.

Dr. GOSAR. Chief Tidwell, I believe it is critical that the relevant government agencies work with local communities to expedite flood protection measures and to address the immediate threat posed by the postfire and floodland conditions, as I highlighted with Director Abbey in the Waterfall fire.

Currently not enough is being done. Coconino County has done all they can within the resources that they have available. Over \$10 million has been allocated by public agencies to address the emergency, including over \$3.5 million from the county. While some of these funds will be reimbursed due to the Federal disaster release designation, it is estimated another 15 million is going to be needed to adequately address the issue. Local entities simply don't have the resources to take the necessary measures within the next few months. If nothing is done prior to the monsoon season, up to 1,200 more homes will be at risk for floods, millions more in damages to infrastructure could occur, and more lives will be put in danger.

Earlier this week Senators McCain, Kyl and I sent you a letter requesting that during your visit to Arizona, you meet with Coconino County officials and homeowners in the community to discuss the Schultz fire remediation and flood mitigation efforts, which I will submit for the record if the Chair has the permission.

Ultimately, no substantive action can be done on the effect of Federal lands without the cooperation and commitment from the United States Forest Service. This disaster occurred in Coconino National Forest, and it is the Federal Government that bears the responsibility, if not a moral obligation, to assist my community with flood mitigation and recovery.

We were all taught as children that when you make a mess, you clean it up. Well, this mess was made by the Federal Government. It is time to clean it up. Critical work has to be done beyond laying straw and replanting shrubs. Mitigation projects on the National Forest, such as diversion channels, retention basins and even water barriers constructed by the remains of cut burned trees locked behind existing stumps are going to be necessary.

Will you come to northwest Arizona and see firsthand the time-sensitive work that must be done prior to the summer monsoon season? Will the Forest Service commit to helping the county and the residents put measures in place in time for the monsoon season to protect health and safety? And finally, considering the affected land is in the Coconino National Forest, will the Forest Service take the lead in the multiagency effort?

Mr. TIDWELL. I appreciate your invitation to come out there, and I will do everything I can to be able to get out there as soon as I can. You have my commitment that our folks will continue to work with the county and also with all of the other Federal agencies. There has been, I believe, a tremendous response, but at the same time, as you mentioned, with the rains that we received following the fire, we still had tragic situations, a tragic event, and we had a lot of flooding and damage.

I do understand there are some opportunities that we are pursuing right now to be able to look at some other structures that can be put into place to be able to deflect some of the potential flooding that is going to come, whether it is this year or the next year, And that is the thing that we need to continue to work on. And you have my commitment with all the resources we can bring to bear and everything that we can do to continue to work with the other Federal agencies and with the county. I believe there has been a strong collaborative effort, and folks have been doing a lot of good work. We just need to continue and be able to do what we can before the next monsoons come.

Dr. GOSAR. Well, I would like to ask you about the thinning of the forestland, because the Schultz Pass fire could have been avoided had we had proper thinning a few years ago. In your opinion, what prohibited this necessary forest management? Was it the lawsuit brought up by the environmental group funded by the taxpayer dollars under the Equal Access to Justice Act? Did the Forest Service not have the adequate funds allocated within its budget to finance the efforts on its own? Was it due to the low timber demand leading to below-average prices? I would appreciate the Forest Service's insight.

Mr. TIDWELL. I am not familiar with the history of what was proposed there prior to the fire. The three things that you have mentioned are often things that delay action. We continue to focus our thinning work, our hazardous fuel work in the wildland-urban interface so that we have a greater chance to be successful when a fire starts, successful to be able to suppress that.

I will be glad to get back to you as to what was the history with this area and what projects were proposed prior to this fire.

Dr. GOSAR. And for both of you, for the last remaining seconds—and you can respond later—do you have an idea in which we can satisfy the law's requirement, yet minimize the futuristic application of erroneous lawsuits? Because we seem to have this problem over and over and over that a postage stamp at the last minute allows a delay in procurement of forest thinnings, Snowbowl, a lot of different opportunities in Arizona. So I would like your comments in regards to how we could approach these egregious lawsuits. Thank you.

Mr. BISHOP. Thank you.

Let me try to hit both of you with some quick questions here. And since once again we are dealing with wildlands later on, I will try to eliminate that one for you. You can rest assured for a moment.

Mr. Abbey, are you currently in any stage—including brainstorming—in any stage of planning for any new or expanded national monuments with or without the Antiquities Act?

Mr. ABBEY. No.

Mr. BISHOP. Oh, great. That is the best answer I have heard today.

Mr. Tidwell, let me hit you up with a follow-up on what was just asked you. How much is budgeted for plaintiffs' fees under the Equal Access to Justice claims in your Department?

Mr. TIDWELL. Mr. Chairman, I don't have that number today, but I will get that to you.

Mr. BISHOP. Do you know how much you spent last year in that same arena?

Mr. TIDWELL. We will be able to give you an estimate of that.

Mr. BISHOP. You will?

Mr. TIDWELL. I will, yes.

Mr. BISHOP. Thank you.

Mr. BISHOP. Mr. Abbey, let me come back to you on the budget. For NLCS, which I still liked better when it was the National League Championship Series, what is the budget for the NLCS office itself in Washington?

Mr. ABBEY. I would have to provide that information to you later. I don't have that readily handy.

Mr. BISHOP. You are asking for an additional 15 million for NLCS. Is that directed at the office administration in Washington?

Mr. ABBEY. No way. No. We have over 80 percent of our plans that have been completed for the National Landscape Conservation Units. Those plans have called for specific actions that need to be implemented on the ground, including enhanced visitor services. The monies that we are requesting would go directly to on-the-ground activities.

Mr. BISHOP. What is the total budget for NLCS?

Mr. ABBEY. I could pull that up.

Mr. BISHOP. I am sorry for asking budget questions at a budget hearing. You haven't had a whole lot of those, I realize, today.

Mr. ABBEY. It is 78 million.

Mr. BISHOP. And you don't happen to have what the office expenses will be from that group?

Mr. ABBEY. For the Washington office? No, I do not.

Mr. BISHOP. You will have to do that later. I would appreciate getting that.

Mr. BISHOP. Mr. Tidwell, when you are doing your inventories, especially with your accounts for land acquisition, have you calculated the funds that would be taken out of the local tax base with any new land acquisition?

Mr. TIDWELL. It is not one of the things that we factor in. We look at the benefits of the proposal, and it is private property, that when a private property owner wants to sell their land to us, we work with those folks. And if their properties rate out high enough in our priority list, we send that list to Congress, and then Congress decides on which properties to go forward with.

Mr. BISHOP. It would be possible in the future as you make those proposals to come to Congress; you could do that kind of analysis, right?

Mr. TIDWELL. Yes. We could ask the property owners for how much tax they have been paying, yes.

Mr. BISHOP. Let me stop right now. Let us do another round, but I will go to Representative Grijalva first.

Mr. GRIJALVA. Thank you, Mr. Chairman.

Mr. Abbey, why are you not brainstorming some national monuments for the future?

Mr. ABBEY. The commitment we have, Congressman Grijalva, is to work directly with the local public to determine where those opportunities may exist. That is a commitment that Secretary Salazar has made. It is a commitment that I have made to the members of the public that I appear before and to Members of Congress. That is not to say that sometime in the future, with full public support, or at least with public support, that we may not recommend to the White House the use of the Antiquities Act to designate national monuments. At this point in time, I have not recommended, nor has Secretary Salazar recommended, any national monuments.

Mr. GRIJALVA. Thank you.

For both of the gentlemen, it has been stated here that oil and gas leases provide the holders with certain rights, and I think that question was posed to you two or three different times. However, these rights are not absolute, nor are they in perpetuity. I mean, they are subject to judicial review. They are subject to litigation. And am I correct in that second part, which wasn't stressed enough when the question was asked?

Mr. ABBEY. That is true.

Mr. GRIJALVA. Let us talk a little bit about "oil above all" policy in terms of extraction, not just all of the above. It seems to me that is where the concentration of discussion is today. With the understanding that two-thirds of the public land already under lease is not in production for whatever reason, maybe waiting until we do get to \$5 a gallon in order to maximize production and profit, what

guarantees, if any, that if we were to open up 280 million acres with a blanket lease, go in there, do what you want, forget natural resource protection, forget any other consideration, but let us just go after this, what guarantee do we have if two-thirds are not being used now that this is just—it is a movement of paper and possibly just speculation on the part of some companies?

I asked the question because I still believe that if we are really serious about it, then we have to hold these companies—and I am sure some of the leaseholders that have that public land or some of the big oil companies in this country—hold them accountable for production standards, not just issuing and issuing and issuing more permits. That process is relatively easy. If we are talking about independence, these companies should be held accountable. And even the \$4 an acre would at least bring some, some incentive for the companies to create production. I think there has to be an accountability issue to these leaseholders, and I don't see it. I don't know if you see any other mechanism other than the \$4.

Mr. ABBEY. Well, Congressman, I would hope that members of this Committee understand that it is not the public-land policies that have driven up the price of oil.

Mr. GRIJALVA. I yield back.

Mr. Chairman, with all due respect, I have to leave for another meeting, and it has been fascinating. Thank you.

Mr. BISHOP. Are you sure you are done?

Mr. GRIJALVA. Yeah, I am done. I am just going to leave you.

Mr. BISHOP. Nothing personal, I hope.

Mr. GRIJALVA. No. It is the parliamentarian with the people of Wisconsin.

Mr. BISHOP. I just have three last questions very quickly for Mr. Abbey, and then we will be in conclusion here anyway.

Mr. Abbey, first of all, going back to NLCS, last fall the Secretary raised the level to a directorate. How does this enhance the management of NLCS units?

Mr. ABBEY. It just puts that position that was formally the Director of the National Landscape and Conservation System on equal footing as our other Assistant Directors in Washington, D.C. We have six, I believe, Assistant Directors.

Mr. BISHOP. So it is an internal thing? It really doesn't have that impact on—

Mr. ABBEY. Exactly.

Mr. BISHOP. Will wildlands be considered part of NLCS?

Mr. ABBEY. Wildlands per se is not part—

Mr. BISHOP. If indeed there were wildlands.

Mr. ABBEY. It would not be part of the National Landscape Conservation System.

Mr. BISHOP. Thank you.

Director Abbey, I assume you are aware of the emergency closure of the Clear Creek Management Area in southern San Benito and Fresno Counties?

Mr. ABBEY. Somewhat.

Mr. BISHOP. This 31,000-acre emergency closure effectively closed the entire 70,000-acre area and has been viewed by some as the final move to close the entire area to OHV recreation. There have been reports—and I am thinking they are somewhat reliable—that

BLM openly discussed with EPA how to change or manipulate or write a report to support closing this unit even though there were apparently no health risks. What has your office done to investigate this type of rumor, or will you investigate this type of rumor?

Mr. ABBEY. We have worked very closely with the EPA to determine what risks are associated with the—I forgot exactly what materials were out there—but necessarily what best—asbestos, exactly. Thank you, Mr. Chairman. EPA provided us a risk assessment, which we did use in order to reach our decision.

Mr. BISHOP. Would you provide a copy of the communications between DOI and EPA on this issue?

Mr. ABBEY. We would be happy to.

Mr. BISHOP. Thank you.

Mr. BISHOP. With that, even though there are other questions—oh, I am sorry. I lied. Representative Labrador, do you have one final round of questions? I apologize.

Mr. LABRADOR. That is OK, Mr. Chairman. Thank you.

I just want to follow up on some of the questions that I asked. Mr. Abbey, I am still a little bit confused, and I am just going to use an example. You said that you were going to look at some designations 20 years later and decide whether that was now wildlands even though we had had congressional intent.

So, as you know, my colleague from Idaho has been working for 10 years on designating some wilderness areas in Idaho, and he has been working very hard on that, and he has tried to get a bunch of different groups working together. What I am worried about is that it sounds like if he is successful—which so far he has not been successful—if he is successful in passing CIEDRA, 20—and as you know, under CIEDRA there is going to be 332 acres designated as wilderness, but there is going to be a release of 130,000 acres. So that 130,000 acres that are released, under your policy, 10 or 20 years from now could be designated as wildlands. Is that correct?

Mr. ABBEY. It could be.

Mr. LABRADOR. So all that work that he has been putting in the last 10 years into getting groups with divergent views to agree, it is going to be for naught at this point?

Mr. ABBEY. Congressman Labrador, I would say it would not be. And the reason why I say that, first we compliment your colleague for using a collaborative process of bringing in the various stakeholders together to try to reach a consensus on which areas should be designated as wilderness and which ones should not. Again, we honor that process. But over time, circumstances change. Twenty years down the line, you may have public support for some additional wilderness within the areas that had been released under this legislation if it should be passed.

Mr. LABRADOR. Let us assume there is public support. Shouldn't that go through a public process and then through a congressional hearing?

Mr. ABBEY. It would go through a planning process first and foremost to designate areas as wildlands. And ultimately it would be the U.S. Congress who would have to decide whether or not to designate those areas as wilderness.

Mr. LABRADOR. I am a little bit surprised—if I remember correctly, in our last hearing you stated that there was no statutory authority. Today you tried to walk that back. But if we look at FLPMA, and you look at the declaration of policy, which is section 102, it says that the Congress shall exercise its constitutional authority to withdraw or otherwise designate or dedicate Federal lands for specified purposes, and that Congress must delineate the extent to which the executive may withdraw lands without legislative action.

Do you still agree with that policy?

Mr. ABBEY. I do.

Mr. LABRADOR. We have not delineated that any such designation as wildlands can be found, yet you are doing that without congressional approval.

Mr. ABBEY. Wildlands would be designated through our land-use planning process, which would take place under section 202 of the Federal Land Policy and Management Act. Congress doesn't designate transmission corridors. They don't designate crucial or critical wildlife habitat. In our case they would not necessarily engage in the discussion whether or not public lands had wilderness characteristics and then how best to manage those lands with wilderness characteristics. Ultimately it would come before Congress on whether or not you deem those areas worthy of wilderness designation. That is a congressional action.

Mr. LABRADOR. But you created a whole new designation without coming to the Congress to ask for any input or whether it was the advisable thing to do.

Can you give us a list of energy projects that have been delayed due to the wildlands proposal?

Mr. ABBEY. I would be happy to solicit affirmation from our field offices. I am not aware of any that had significant delays. Last time I testified on this issue, we identified a proposed potash lease in Utah where it took us a couple of weeks to go forward, inventory public lands to make a determination that those lands did not possess wilderness characteristics.

Mr. LABRADOR. Thank you. I yield back.

Mr. BISHOP. Thank you very much.

I will suppress any desire I have to say anything else at this stage of the game here. If there are no additional questions—I won't do it. I won't do it to you yet. If not, I want to thank our witnesses, the Chief and the Director, for coming here and giving your testimony in this budget oversight.

Members of the Subcommittee who have additional questions for the witnesses may propose those in writing, and the hearing record will be open for 10 days to receive those questions as well as responses. That is standard procedure.

Mr. BISHOP. With that, if there is no further business, once again our thanks for you spending your time with us here this morning. And without objection, the Subcommittee stands adjourned as if you have just heard the gavel being banged.

[Whereupon, at 12:18 p.m., the Subcommittee was adjourned.]

[Additional material submitted for the record follows:]

[A statement submitted for the record by Mr. Gosar follows:]

**Statement of The Honorable Paul A. Gosar, a Representative
in Congress from the State of Arizona**

Good morning, first I would like to take this opportunity to thank Chairman Rob Bishop and Ranking Member Raul Grijalva for allowing me to take part in today's hearing. My district, Arizona's First Congressional District, is almost seventy percent public land; that includes around 2.6 million acres of BLM land and 9.2 million acres of Forest Service land. The Bureau of Land Management and the U.S. Forest Service's budgets are essential to land management in my communities so I appreciate the Chairman's willingness to allow me to participate in this important discussion.

Secondly, I'd like to thank Director Abbey and Chief Tidwell for being here to discuss the President's budget priorities for their respective agencies. In your written testimonies, both of you assert the administration's acknowledgement that the government needs to reduce the deficit and reform government so it is leaner and more effective. In light of this affirmation, I have concerns that millions of dollars have been proposed in each of your respective agencies' budgets for the purpose of purchasing additional federal lands. This is particularly troubling because it appears this allocation was done at the expense of the management of existing federal lands.

In the Forest Service's FY2012 budget, over \$230 million is allocated for land acquisition, yet funding for the construction of roads, a critical infrastructure need for rural communities with a substantial amount of forest lands like in my district, is reduced by \$79 million. In addition, millions are cut from fire suppression programs and the Forest Health Management Account. I'm concerned these budget priorities do not meet the needs of my constituents, and the needs of our nation's ailing forests. Proper forest maintenance and management is very important to me and my community, particularly in light of a tragedy that occurred last year in Coconino County, Arizona.

As you know, last June, a wildfire destroyed more than 15,000 acres of steep terrain in the Coconino National Forest known as the Schultz Pass. The wildfire scorched the earth on this steep volcanic terrain, leaving little ground vegetation to absorb and hold back rainwater. In addition, the unusually high concentration of forest fuels, that had built up over decades, ignited and baked the usually crumbly volcanic dacite into a crystal-like and impervious substance, which take decades to break down enough for grass to grow.

On July 6th, 2010, the Forest Service Burn Area Emergency Response Team issued a report to the residents living near the base of the Peaks stating they would face a constant daily flooding threat from summer monsoon storms and publically urged them to purchase flood insurance. Two weeks later, before insurance could be enacted, nearly two inches of rain fell in less than one hour, causing flash flooding in the communities downstream from the Schultz wildfire burn area. Widespread flooding and debris disrupted and destroyed public infrastructure, impacted over 1,500 properties and directly damaged approximately 85 homes in the community, and claimed the life of a 12-year-old-girl.

Since the flood, the state, the county, and my community have worked to the best of its capabilities to address the effects of last summer's flooding. Members of the community have taken desperate measures to mitigate short-term flood risks by digging trenches, canals, and placing sandbags around their homes. Coconino County spent the summer responding to flooding by installing several miles of k-rails and providing 8,000 sand bags and over 10,000 feet of wattles to support resident's efforts to protect their families and their homes. In addition, they held community meetings, opened an information center to assist property owners, and deployed significant financial resources—over \$3.5 million to date to repair damaged drainage infrastructure and other flood emergency efforts. In total, county and state agencies have committed over ten million dollars to respond to the initial damages, but officials admit they do not have the resources necessary to build enough canals and infrastructure to head off future flooding.

A few weeks ago, engineers presented a plan to officials for a system of canals, retention basins and berms built to divert future flooding, but estimated it would cost at least \$15 million, even before the county pays some property owners for the right of way. Local entities simply do not have the resources to take the necessary measures within the next few months, let alone implement a long-term restoration plan. If no support from the relevant federal agencies is given to the effort prior to monsoon season, up to 1,200 more homes will be at-risk for floods, millions of dollars of more damage will be incurred, and more lives will be put in danger.

My community has a dire need for a coordinated multiagency effort to develop, fund, and implement a comprehensive flood mitigation effort that includes short-

term and long-term measures, on and off national forest system lands. I believe BLM Director Abbey has experience with this type of interagency cooperation while addressing a similar crisis in Carson City as the Nevada State Director of the U.S. Bureau of Land Management. My hope is he might be able to provide some insight into those efforts later in the hearing. In addition, I discussed the crisis in Coconino County with Secretary of Interior Ken Salazar at last week's full committee hearing on the President's Budget. The Secretary committed to working with Secretary of Agriculture Vilsack and the Forest Service to identify possible support the agencies under Interior's jurisdiction could provide to the effort. However ultimately, it is the Forest Service's responsibility to take action and properly address condition on its land, Coconino National Forest.

I believe the federal government bears a responsibility, if not a moral obligation, to assist my community with flood mitigation and recovery. Accordingly earlier this week Arizona Senators John McCain, Jon Kyl, and I wrote Mr. Tidwell a letter, which I would like to submit to the record Mr. Chairman, requesting that during your upcoming visit to Arizona you visit the Schultz Pass area and meet with Coconino County officials and homeowners in the community to discuss the Schultz Fire remediation and flood mitigation efforts

Coconino County is making progress on developing an engineered flood control plan and getting as many parties to the table as possible to assist in the efforts but to date, the service has not committed to mitigation projects on the national forest, such as diversion channels, retention basins, even water barriers constructed by the remains of cut burned trees, locked behind existing stumps. It is critical that these and other flood mitigation efforts begin immediately, which means the Federal Government, and most importantly the Forest Service, must utilize all resources at its disposal to mitigate short-term and long-term flood risks. With lives and property at risk, this matter deserves greater federal attention beyond just replanting vegetation and laying straw. We have a pending emergency and we need your direct assistance now.

I look forward to further discussing Schultz Pass and other federal land management issues today and ultimately working with you to address the pressing needs of our nation's public lands.

Thank you again Mr. Chairman for the opportunity to deliver an opening statement.

