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H.R. 822, H.R. 4806 and H.R. 4838

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON FORESTS AND FOREST HEALTH

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

Thursday, July 22, 2004

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C O N T E N T S

	Page
Hearing held on Thursday, July 22, 2004	1
Statement of Members:	
Inslee, Hon. Jay, a Representative in Congress from the State of Washington	4
Larsen, Hon. Rick, a Representative in Congress from the State of Washington	7
Prepared statement of	9
Nethercutt, Hon. George R., Jr., a Representative in Congress from the State of Washington	6
Prepared statement of	6
Neugebauer, Hon. Randy, a Representative in Congress from the State of Texas	60
Prepared statement of	62
Pombo, Hon. Richard W., a Representative in Congress from the State of California	2
Prepared statement of	3
Udall. Hon. Tom, a Representative in Congress from the State of New Mexico, Statement submitted for the record	60
Walden, Hon. Greg, a Representative in Congress from the State of Oregon, Prepared statement of	67
Statement of Witnesses:	
Chase, Gene L., C & C Contracting, Inc.	33
Prepared statement of	36
Fadden, Chris, Vice President, Washington State Snowmobile Association	48
Prepared statement of	50
Husmann, Ed, Sky Valley Resident and Snohomish County Farm Bureau Member	28
Prepared statement of	30
Pope, Art, Executive Director, Northwest Youth Corps	63
Prepared statement of	64
Reardon, Aaron, Snohomish County Executive	44
Prepared statement of	46
Rey, Hon. Mark, Under Secretary for Natural Resources and Environment, U.S. Department of Agriculture	12
Prepared statement of	13
Sax, Jeff, County Council Member, District 5, Snohomish County, Washington	22
Prepared statement of	25
Town, Mike, Friends of the Wild Sky	39
Prepared statement of	41

LEGISLATIVE HEARING ON H.R. 822, TO ENHANCE ECOSYSTEM PROTECTION AND THE RANGE OF OUTDOOR OPPORTUNITIES PROTECTED BY LAW IN THE SKYKOMISH RIVER VALLEY OF THE STATE OF WASHINGTON BY DESIGNATING CERTAIN LOWER-ELEVATION FEDERAL LANDS AS WILDERNESS, AND FOR OTHER PURPOSES; H.R. 4806, TO PROVIDE FOR A LAND EXCHANGE INVOLVING FEDERAL LANDS IN THE LINCOLN NATIONAL FOREST IN THE STATE OF NEW MEXICO, AND FOR OTHER PURPOSES; AND H.R. 4838, TO ESTABLISH A HEALTHY FOREST YOUTH CONSERVATION CORPS TO PROVIDE A MEANS BY WHICH YOUNG ADULTS CAN CARRY OUT REHABILITATION AND ENHANCEMENT PROJECTS TO PREVENT FIRE AND SUPPRESS FIRES, REHABILITATE PUBLIC LAND AFFECTED OR ALTERED BY FIRES, AND PROVIDE DISASTER RELIEF, AND FOR OTHER PURPOSES.

Thursday, July 22, 2004

U.S. House of Representatives

Subcommittee on Forests and Forest Health

Committee on Resources

Washington, D.C.

The Subcommittee met, pursuant to notice, at 11:05 a.m., in Room 1334, Longworth House Office Building, Hon. Richard W. Pombo, [Chairman of the Committee on Resources] presiding.

Present: Representatives Pombo, Walden, Flake, Inslee, Tom Udall, and Herseth.

Also Present: Representatives Larsen and Nethercutt.

STATEMENT OF THE HON. RICHARD W. POMBO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

The CHAIRMAN. The Subcommittee on Forests and Forest Health will come to order.

Good morning. Today, we will hear three bills: H.R. 822, which would designate 106,000 acres as the Wild Sky Wilderness in Washington State; H.R. 4838, which would create the Healthy Forest Youth Conservation Corps; and H.R. 4806, which would facilitate a land exchange between Lubbock Christian University and the Lincoln National Forest in New Mexico.

The CHAIRMAN. I ask unanimous consent that Representative Nethercutt have permission to sit on the dais and participate in the hearing. Hearing no objection, so ordered.

Under Committee Rule 4(g), the Chairman and the Ranking Minority Member can make opening statements. If any other Members have statements, they can be included in the hearing record under unanimous consent.

I would first like to recognize our colleagues from Washington, Mr. Nethercutt and Mr. Larsen, who are requesting this hearing. The proposed Wild Sky Wilderness has been a big issue in the State of Washington. And after meeting recently with Mr. Nethercutt, I agreed to hold a hearing on H.R. 822 to discuss and further examine its merits.

As the Chairman of the Resource Committee, I have had many wilderness bills sent my direction. To expedite review of these bills, the Committee has carefully crafted guidelines that all reasonable and sound wilderness proposals should meet. My criteria simply requires bills to meet the standards and intent set forth in the 1964 Wilderness Act.

Often in the past, wilderness areas have been designated without good-faith consultation and demonstrated local support, and I believe that is wrong. Local communities and economies are particularly effective by wilderness designations. They must have a say in the legislation affecting them, their community and their way of life. The hearing today will help in this regard.

Simply said, a segment of H.R. 822, the Wild Sky Wilderness Act is not consistent with the Committee's guidelines or the Wilderness Act. Much of the proposed wilderness area does not meet the actual definition of wilderness. Wilderness, as written in the 1964 Act, is, and I quote, "An area where the earth and its community of life are untrammeled by man and an area of undeveloped Federal land retaining its primeval character and influence." Yet H.R. 822 has miles of roads, culverts, bridges and dams, and this is not wilderness.

Last year, the Administration stated on the record that the Wild Sky Wilderness proposal would include roughly 16,000 acres of land deemed not suitable by the Forest Service. This includes some 8,000 acres of previously harvested and roted land, roughly 2,000 acres of private land, about 3,000 acres of public access routes and close to 3,000 acres for Forest Service boundary adjustments.

The authors of this bill also claim that the wilderness would protect outdoor opportunities of the area. Yet due to endangered species in the area and late successional reserve requirements, it would be nearly impossible for the Forest Service to create any new

trails in much of this area. The reality is that existing management restrictions, in the opinion of the local Forest Service, would likely preclude the building of any new trails in the area. Thus, there would be less access, not more, for this area.

To sum up, I would like everyone to take a look at the picture of the bridge. This bridge is located near the center of the proposed area. How can this be considered untrammeled by man? With all of this said, I am willing to work with Mr. Nethercutt, and Mr. Larsen, and Senator Murray on the legislation to address those concerns and move a bill that is supported by the communities, protects from wildfire and other natural disasters and is consistent with the Wilderness Act. Unfortunately, a line has already been drawn in the sand. Yesterday, Senator Murray stated that anything less than a wilderness designation for the entire area would basically be unacceptable.

Mr. Nethercutt has already expressed his enthusiasm to work with the Committee on this bill that is good for all of the State of Washington, and I am hopeful that my other colleagues in the House share this willingness.

[The prepared statement of Mr. Pombo follows:]

Statement of The Honorable Richard Pombo, Chairman, Committee on Resources

I'd first like to recognize and thank our colleagues from Washington, Mr. Nethercutt and Larsen, for requesting this hearing. The proposed Wild Sky Wilderness has been a big issue in the State of Washington, and after meeting recently with Mr. Nethercutt, I agreed to hold a hearing on H.R. 822 to discuss and further examine its merits.

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Often, in the past, wilderness areas have been designated without good-faith consultation and demonstrated local support—this, is wrong. Local communities and economies are particularly affected by wilderness designations—they must have a say in legislation affecting them, their community and their way of life. The hearing today will help in this regard.

Simply said, a segment of H.R. 822, the Wild Sky Wilderness Act, is not consistent with the Committee's guidelines or the Wilderness Act. Much of the proposed wilderness area does not meet the actual definition of wilderness. Wilderness, as written in the 1964 Act is "an area where the earth and its community of life are untrammeled by man" and "an area of undeveloped Federal land retaining its primeval character and influence." Yet, H.R. 822 has miles of roads, culverts, bridges and dams—this is not wilderness. Last year, the Administration stated on the record, that the Wild Sky wilderness proposal would include roughly 16,000 acres of land deemed not suitable by the Forest Service. This includes some 8,000 acres of previously harvested and roaded land, roughly 2,000 acres of private land, about 3,000 acres of public access routes, and close to 3,000 acres for Forest Service boundary adjustments.

The authors of this bill also claim that the wilderness would protect "outdoor opportunities" of the area—yet, due to endangered species in the area and late successional reserve requirements, it would be nearly impossible for the Forest Service to create any new trails in much of the area. The reality is that existing management restrictions (and the opinion of the local Forest Service) would likely preclude the building of any new trails in the area. Thus, there would be less access, not more, for this area.

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The CHAIRMAN. I would now like to recognize Mr. Inslee, the Ranking Minority Member, for any statement he may have.

STATEMENT OF THE HON. JAY INSLEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Mr. INSLEE. Thank you. I want to thank Mr. Pombo for convening this hearing as well.

I think John Muir said it best. He said, "In God's wildness lies the hope of the world, the great, fresh unblighted, unredeemed wilderness." And now after years of bipartisan effort, Congress has a chance to protect the Creator's handiwork, provide a new jewel in our national crown of wilderness and pass the new wilderness bill in Washington State in 30 years, the Wild Sky, which is truly a bipartisan achievement.

This is great country. I went up there and climbed Baring Mountain last Sunday, and I just want to share just a couple bits of information with the Committee, just a couple pictures. Some will be obvious, some will not.

Here is the first picture. When you are in the Wild Sky wilderness, you feel like you are in the wilderness. I was there, and scraped knees and all, I was in the wilderness.

Second picture. To answer a myth that the only people who enjoy wilderness are sort of fit athletes, here is a guy, you will see his gray hair—I don't know if his gray beard shows—going up on the mountain. This is not just for Olympic athletes. You find old folks enjoying the woods.

Next picture please.

And most importantly, who you find in the woods, when I just got out of the car at the Baring Mountain trailhead, this is the family, the Rowl [phonetic] family from Woodinville, Washington, out for maybe their kids' first hike. And those of us who know the value of wilderness, a lot of us had our first hike with dad or mom, and this is a tradition that this Wild Sky wilderness is intended to create. And if you see these kids, if you look at their eyes, you know what we are really talking about. So the young and old enjoy it, the rural, the urban, the rich and poor. This is for all folks.

Second point I want to make. This wilderness, Wild Sky, is probably the most carefully worked wilderness bill for several years for two reasons:

One, it made accommodations for multiple uses, for bikes, for horses, for the disabled community, changes to accommodate the snowmobile community. It was very cleverly worked.

Third, this bill has the most important timber in it, which is the low-level timber which protects the cardiovascular system of Northern Washington and the Skykomish drainage because we understood, and the drafters of this bill understood, that the low-level timber provides shade, filtration of water and help with the salmon

that are so needy, and these are the salmon that get higher in the Cascades than any other salmon run probably in the State of Washington. This protects low-level timber.

And fourth point, and this is one where there is more than a modest degree of disagreement of good, sincere people, including Mr. Pombo and myself. It is a gross misinterpretation of the wilderness bill to suggest that the U.S. Congress is constitutionally prohibited from declaring wilderness where a human being has walked. If we did that, we would never, ever declare a wilderness.

As one of the creators of this said—Henry Jackson—who said, "A serious and fundamental misinterpretation of the Wilderness Act has recently gained some credence, thus, creating a real danger to the objective of securing a truly national wilderness preservation system. It is my hope to correct this false so-called 'purity theory,' which threatens the strength and broad application of the Wilderness Act."

As did Republican Mark Hatfield, who said the same thing, who said, "I am not a lawyer, but the effect of such an interpretation would be to automatically disqualify almost everything. For few, if any, lands in this continent or any other have escaped man's imprint to some degree." And that is why he allowed a wilderness in the Eagle Cap wilderness to include previous logged lands, a good Republican Senator.

That is why the originator of the bill, Representative Saylor, said, "I have fought too long, and too hard, and too many good people in this House and across this land fought with me to see the Wilderness Act denied application by this kind of obtuse or hostile misinterpretation or misconstruction of the public law and the intent of Congress of the United States."

Protecting these lowest-level forests, these lowest-level forests are not the lowest priority. They are the highest priority, and we can't part out the Wild Sky wilderness sort of like a used car and lop off these most high-priority forests in this entire system. It is not fair to the salmon, it is not fair to the timber, and most importantly it is not fair to those kids who deserve a functioning ecosystem, and that is why this bill needs to pass, which is a bipartisan effort of many, many people who have worked many, many years in this regard.

Let me see if I have a last point. You are waiting for it, Mr. Pombo, is that right, my last point?

[Laughter.]

Mr. INSLEE. The last point I just want to make is this thing is probably, you are never going to get total unanimity on any wilderness bill, but I have seldom seen such a broad consensus that has been developed. You have mayors, and city councils and probably 96/98 percent of the population within an hour of this wilderness, and I hope that their will is followed by this Committee.

Thank you, Mr. Pombo.

The CHAIRMAN. I would like to recognize, in deference to Mr. Nethercutt, I would like to recognize Mr. Nethercutt for a very brief statement before we go to the author of the bill.

STATEMENT OF THE HON. GEORGE R. NETHERCUTT, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Mr. NETHERCUTT. Mr. Chairman, I want to thank you. I appreciate your kindness and courtesy in holding the hearing today. It has been 4 years since the whole Wild Sky issue was presented, and it is a tribute to you, sir, that you would hold a hearing. And I appreciate your willingness to do so and have disparate views, I am sure, be presented here.

I want to tell you that I had a chance to go to Wild Sky. I have talked with you about this area. And it is beautiful. It is gorgeous country. I went with former Governor Dan Evans and Mike Town, one of the witnesses today. I have also talked with those who are not in favor of a Wild Sky wilderness measure. I met with Ed Husmann in his home, talked to Jeff Sax—two of the witnesses here today—and I respect their views, too. There is controversy about this issue.

Mr. Larsen and I have had a good working relationship, I believe, trying to come to some consensus. And I have asked my staff to look for ways that we can get to the result I think everybody wants, and that is preservation of the area, with due respect for the various parties who are part of the region and part of the area. So I am looking forward to finding some common ground with you, Mr. Chairman. I do believe this is a beautiful area that would be preserved, and I think we have to be open to ideas about how we can reach the common objective, and that is to provide the resources for people in the future, but also access for all.

So I am pleased to be with you. I look forward to listening to the witnesses and gaining the benefit of the testimony of all who are here today, and I thank you all for letting me sit on the panel and be a participant.

[The prepared statement of Mr. Nethercutt follows:]

Statement of The Honorable George R. Nethercutt, Jr., a Representative in Congress from the State of Washington

Mr. Chairman, I want to thank you, I appreciate your kindness and courtesy in holding the hearing today.

It has been 4 years since the whole Wild Sky issue was presented and it is a tribute to you, sir, that you would hold a hearing and I appreciate your willingness to do so and have disparate views I'm sure be presented here.

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I do believe this is a beautiful area that should be preserved. And I think we have to be open to ideas about how we can reach the common objective and that's to provide resources for people in the future and but also access for all. So, I'm pleased to be with you. I look forward to listening to the witness and gaining the testimony—the benefit of the testimony—of all who are here to day and I thank you for letting me sit on the panel and being a participant.

The CHAIRMAN. Well, thank you, Mr. Nethercutt. I appreciate the kind words. I am sure that your constituents and Mr. Larsen's constituents that are here today that have been following this issue with such great interest in the Washington press expected to walk in this morning and see me in a red suit with horns and a pitchfork.

[Laughter.]

The CHAIRMAN. But I do appreciate your kind words.

Mr. Larsen, we have a slight issue. We are going to recess the Committee for about 5 minutes, and Mr. Larsen and I are going to run down the hallway, and we will be right back.

[Recess.]

The CHAIRMAN. I would like to introduce our first witness. We have the primary author of the legislation, Rick Larsen, who represents the Second District of Washington, and as I understand it, in whose district most, if not all of this, Wild Sky area is included.

Mr. Larsen?

STATEMENT OF THE HON. RICK LARSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Mr. LARSEN. Thank you, Chairman Pombo, and Ranking Member Inslee and members of the Subcommittee. I want to thank you, Chairman, for holding this hearing today. It has been a long road to get here, and it has been a rocky one in some respects, a smooth one in other respects, but I really do appreciate the chance to be here and the opportunity to have this hearing.

As the bill's prime sponsor, I am asking you today to support H.R. 822 and to pass it favorably, with some modifications, which I will discuss in my testimony. I would also like unanimous consent to enter into the record a packet that I think you may have already, but there have been some additions, a response to your letter outlining the criteria that you had hoped for in wilderness areas. I have that packet, plus some additions, and with unanimous consent, I would like to enter that in the record.

The CHAIRMAN. Without objection.

[NOTE: The information submitted for the record has been retained in the Committee's official files.]

Mr. LARSEN. Thank you. H.R. 822 represents the next step in a long line of successful bipartisan efforts in Washington State to designate wilderness areas where people can be assured of clean places to hunt and fish in the future. The Wild Sky is a hands-on wilderness.

Congress passed the last Wilderness Act for Washington State in 1984 when a bipartisan effort brought a bill to President Ronald Reagan or signature that created, among other wilderness areas, the Henry M. Jackson Wilderness.

It is now time to create the next generation of wilderness for Washingtonians.

The Wild Sky Wilderness Act is unique. It is unique in that it includes lowlands around the Skykomish River and its tributaries, easily accessible to the surrounding population. As a result, it has earned the support of the Washington Coalition of Citizens with Disabilities. Inclusion of lowlands has the added benefit of

providing protection for fish in these tributaries, leading groups like the Wild Steelhead Coalition to endorse it.

The Wild Sky Wilderness Act has strong bipartisan support. Our colleague, Representative Jennifer Dunn, is a co-sponsor. In the packet, you will find a letter signed by seven local Republican legislators, including the Washington State Senate Majority Leader. Former Republican Governors and our current Democratic Governors support passage. Likewise, the packet includes a letter of support from Democratic State legislators.

The Wild Sky Wilderness Act has local support. The mayor of the town of Index, the closest local Government to the proposed wilderness said he believes the Wild Sky wilderness will be the best thing that ever happened to his valley. The cities of Monroe and Snohomish, both located on Highway 2 heading out to the Wild Sky, have passed resolutions of support.

The Wild Sky Wilderness Act has strong business support. REI, Incorporated, the Nation's largest consumer cooperative, with its focus on the outdoor adventure industry, is an endorser, as are David and Lynn Meier, co-owners of A Stone's Throw Bed and Breakfast and A Cabin in the Sky vacation rental. Additionally, the Snohomish County Economic Development Council supports the proposal.

I want to provide two words about the process that got us here: inclusiveness and compromise.

My staff and Senator Patty Murray's staff, the prime sponsor in the Senate, have worked over the last 3 years to answer many of the concerns brought by several groups. The result has been that an original idea of 120,000 acres became a 106,000-acre bill proposed in H.R. 822. Additionally, over the last 6 weeks, my staff, Senator Murray's staff and Representative George Nethercutt's staff, have worked very hard to further refine the bill.

Although that work is not now reflected in the map that currently accompanies H.R. 822, I support these changes that cut an additional 2,500 acres from the bill since they address issues related to roads, private property, snowmobile access and a proposed repeater site.

This inclusiveness has led many outdoor groups to support the bill or express neutrality, when traditionally they may have generally opposed wilderness.

As you can tell, the Wild Sky proposal is a product of compromise. I would argue that now we are in the "nip and tuck" stage of the proposal and any major changes would represent an "extreme makeover" and undercut the value of this bill.

A recent poll in my district shows that the public views the Wild Sky proposal favorably by a 79-percent to 18-percent margin. My office has received 3,684 letters and e-mails in support, and I have received 142 against.

Now, I do not want to minimize remaining opposition to the Wild Sky bill nor do I want to overstate it. It should be put in the context of the 3 years of hard work that has gone into creating this next generation of Washington State wilderness. This work has resulted in a bill that has gained broad support from local communities, businesses and a strong bipartisan group of elected officials in the best tradition of past Washington wildernesses.

So I ask the Subcommittee to consider H.R. 822, with these modifications, and schedule a markup as soon as possible so that we can celebrate the 40th anniversary of the Wilderness Act with an excellent addition to the Nation's wilderness areas.

Thank you.

[The prepared statement of Mr. Larsen follows:]

Statement of The Honorable Rick Larsen, a Representative in Congress from the State of Washington

Chairman Walden, Ranking Member Inslee, and members of the Subcommittee:

Thank you for holding this hearing on H.R. 822, the Wild Sky Wilderness Act of 2003. As the bill's prime sponsor, I ask you to support H.R. 822 and pass it favorably with modifications, which I will discuss in my testimony.

H.R. 822 represents the next step in a long line of successful bipartisan efforts in Washington state to designate wilderness areas where people can be assured of clean places to hunt and fish in the future. The Wild Sky is a hands-on wilderness.

Congress passed the last Wilderness Act for Washington State in 1984 when a bipartisan effort brought a bill to President Ronald Reagan for signature that created among other wilderness areas the Henry M. Jackson Wilderness.

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This inclusiveness has led many outdoor groups to support the bill or express neutrality when they traditionally might have generally opposed wilderness.

As you can tell, the Wild Sky proposal is a product of compromise. I would argue that we are in the "nip and tuck" stage of the proposal and any major changes would represent an "extreme makeover" and undercut the value of this bill.

A recent poll in my district shows that public views the Wild Sky proposal favorably by a79 percent to 18 percent margin. My office has received 3,684 letters and e-mails in support. I have received 142 against.

I do not want to minimize remaining opposition to the Wild Sky. Nor do I want to overstate it. It should be put in the context of the three years of hard work that has gone into creating this next generation of Washington state wilderness. This work has resulted in a bill that has gained broad support from the local

communities, businesses and a strong bipartisan group of elected officials in the best tradition of past Washington wildernesses.

I ask the Subcommittee to consider H.R. 822 with modifications and schedule a mark-up as soon as possible so that we can celebrate the 40th anniversary of the Wilderness Act with an excellent addition to the nation's wilderness areas.

The CHAIRMAN. Thank you, Mr. Larsen.

I realize that you have been working on this bill for a long time and, as just about anything that we do, in order to get a good bill through, it takes a lot of compromise in order to get there.

I guess the major question I have for you is the purpose of doing this in Wild Sky, the purpose of having a bill to protect that area, I am assuming it is so that an area that is relatively pristine in its nature would be protected from logging, mining, development of any kind and that that is really the underlying goal that you have.

Mr. LARSEN. I think it is more than that, Mr. Chairman. The fact that this is located relatively close to Highway 2, and it is within an hour's driving distance of a large part of the Central Puget Sound population, and that the inclusion of its lowlands mean that we have accessible wilderness area, that is, it is not just rocks and ice, but it is places that people can get to and preserving that area, so that we know that that area will always be there for accessibility, I think that is more the driver, as opposed to just trying to create a wilderness to stop logging, stop mining and so on.

My view is that we have an opportunity that creates an accessible wilderness area that is unique, and we should take that opportunity.

The CHAIRMAN. You stated, in your statement, that any major changes would represent an extreme makeover and undercut the value of the bill. On the areas that, in my mind, don't qualify as wilderness, and I have had this discussion with you before, I can see the value in protecting those, and you and the others from Washington State have all made it perfectly clear that you wanted that area protected.

If we can come up with a designation that protects that and maintains it in its current state, but does not classify it as wilderness, would that not satisfy your desire to have those lowlands protected and reserved for future generations?

Mr. LARSEN. I would like to see H.R. 822 with the modifications that we have developed over the last 6 weeks that have passed. Recalling the conversation that we had earlier this week, I think we ought to see where this hearing takes us, have the hearing and see where it takes us. I think that is maybe some of the language that we have used. We are probably going to need a breather after today would be my guess, and probably a well-deserved and well-earned breather. But I would like to, we have worked very hard on this bill over the last 3 years. I understand that obviously others will want to see changes in it as well. I would like to see H.R. 822 passed, again with the modifications that we have worked out over the last 6 weeks.

The CHAIRMAN. Well, I look forward to working with you and the rest of the Washington delegation to try to iron this out and figure out if there is a way that we can move a bill forward that everybody can be happy with. So thank you very much for being here to testify.

Mr. LARSEN. Thank you.

The CHAIRMAN. Mr. Inslee?

Mr. INSLEE. Thank you.

First, thanks, Rick, for your diligence on this and all of the other Members, Senator, Congressman Nethercutt, and everybody who has been working on this so hard because I think you have put a lot of sweat equity into it, principally in listening, which has been pretty important in this process.

Later in the day, there might be one individual who expresses a concern about traffic on Highway 2. This is the highway that goes in the Southern part of the wilderness. It has about 20- to 40,000 people a day use it. There was a concern or maybe a concern expressed that this would create enormous safety issues.

Could you comment on that, what may be done to resolve any issues on Highway 2 that we have been working on?

Mr. LARSEN. Sure. I think it is obviously going to be important to hear from Councilman Sax on the specifics, and I appreciate those concerns.

To understand U.S. Highway 2, it is not a country road. It is a U.S. highway, and it stretches from Everett to Boston and is a major East-West corridor in Washington State. So it does get a lot of traffic. Traffic issues on Highway 2 have been longstanding. Whether or not the Committee acts on this bill, the traffic issues won't go away. They are mainly consisting of safety and of congestion.

Addressing them is important. And just for the record, in the Transportation Equity Act bill that we are all working hard to try to get through Congress, there is $1.4 million identified for the Cities of Monroe and Sultan for both traffic safety and traffic congestion improvements on Highway 2 to address these longstanding concerns.

In addition, I think it is important to note that not only the mayor of Index, but the Cities of Monroe and Snohomish on Highway 2, have passed resolutions in support of the Wild Sky bill, despite ongoing concerns about traffic on Highway 2. So I think it is a good story to tell about the work that is being done to address these issues of safety and congestion.

Mr. INSLEE. Just a comment. My sort of belief is that 20- to 40,000 people use that highway now. At the most, if you figure another 100 cars might come into the wilderness because it is wilderness, that is about the biggest number I have ever seen on a wilderness trail. That is at the Snow Lakes wilderness over in the Alpine Lakes wilderness. That is .005.5 percent increase. I don't see this as a reason to hold up this Wild Sky.

Could you just enumerate a little about, you know, this is a finished product or we hope to be a finished product, could you just enumerate, with some more specificity, the changes that you made in response to local constituents' concerns in regard to the boundaries in application of this.

Mr. LARSEN. Since the 106,000-acre proposal?

Mr. INSLEE. Well, you can start at the beginning. How about since the first inception of the idea?

Mr. LARSEN. The first idea, the 120,000-acre proposal included an area basically southeast of the current proposal, Windy Ridge,

and is largely used by outdoor recreational folks, snowmobilers and so on, and we just took that entire part out, about 14,000 acres. So that never actually made it into the bill.

Since introduction of the bill, and over the last 6 weeks, I have been working with Representative Nethercutt and Senator Murray to cut an additional 2,500 acres out to accommodate concerns about the location of a proposed repeater site that would have been inside the boundary of the proposed wilderness and required helicopter access. Well, that repeater site has been switched to a site, and we basically carved out that area, so it is not in the wilderness at all.

There have been some road issues that cropped up on the map when it was redrawn that we carved out as well. There is a section in the northeast part of the bill, 1,800 acres or so, where there are roads that we carved out that are used by snowmobilers. And there are areas inside, some private inholdings inside that have roads leading to them, where the roads have, we have basically "cherry-stemmed" along those roads to get to the private inholdings, so those roads are not included in the changes.

Mr. INSLEE. Thank you.

Mr. LARSEN. Mr. Chairman, you have been very gracious already, and I look forward to your continued graciousness on this issue.

The CHAIRMAN. Well, I look forward to working with you and the rest of the delegation to get this through, and I appreciate you taking the time to testify before the Committee this morning.

Mr. LARSEN. Thank you. I am going to head back to our other committee. And I may be back, if I may get permission to sit up on the dais, if I get a chance to return.

The CHAIRMAN. Yes. Hopefully, you will have a chance to return. I am not trying to cut off any of the other Members from having a chance to ask Mr. Larsen questions, but we have been called for a vote down the hall, and we are going to recess temporarily.

[Recess.]

The CHAIRMAN. The Committee will now come to order. I would like to introduce Panel 2. We have The Honorable Mark Rey, Under Secretary for Natural Resources and the Environment at the Department of Agriculture.

Mr. Rey, again, welcome back to the Committee. When you are ready, you can begin.

STATEMENT OF THE HON. MARK REY, UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT, U.S. DEPARTMENT OF AGRICULTURE

Mr. REY. Thank you, Mr. Chairman, and thank you for the opportunity to testify on the three bills on your docket this morning. I will simply summarize my complete statement and submit that for the record.

With regard to H.R. 822, the Administration does not oppose the passage of the legislation, the designation of Wild Sky wilderness as a component of the National Wilderness Preservation System. We recognize and commend the Washington delegation for its ongoing collaborative approach and local involvement to contribute to the bipartisan support for the bill. There are some issues that we would like to work with the Committee and the bill sponsors on to improve H.R. 822.

While the vast majority of the lands described in H.R. 822 are appropriate for wilderness designation, the 16,000 acres of the bill would not be considered suitable for wilderness designation under the existing Forest Service regulations and planning directions and that the current allocation of these lands could be protected in another way.

The Department supports the administrative provisions in the bill, particularly provisions for a repeater site to provide communication for safety and health purposes. The Department also supports the provisions for land exchange in the Glacier Peak wilderness and provisions for management of the existing SNOTEL site in that wilderness. So, in sum, the Department does not oppose enactment of H.R. 822.

The Department does not oppose enactment of H.R. 4806, the Pine Springs land exchange.

With regard to H.R. 4838, the Healthy Forest Youth Conservation Corps Act, I am testifying today not only on behalf of the Department of Agriculture, but the Department of Interior as well. The Departments are supportive of the concepts embodied by H.R. 4838, particularly the recognition of the importance of the work conducted by State's Natural Resources, Agriculture and Forestry Departments, and we recognize the values associated with providing opportunities for Youth Corps to be more proactive in Healthy Forest work.

We would, however, like to bring to the Committee some issues the departments have identified with H.R. 4838 that might require further consideration.

We have significant concerns, for example, with the inclusion of youth, Age 16 and 17, in some of the programs authorized by H.R. 4838. Wildland fire suppression or forest and watershed restoration work authorized under H.R. 4838 pose threats to their safety that cannot be mitigated. As you are well aware, firefighting is an arduous and dangerous job that requires a certain amount of maturity, decisionmaking capability and perspective in order to perform safely. Federal firefighting agencies recognize that this level of maturity cannot be expected of 16- and 17-year-old individuals and, through policy, will not place these individuals in hazardous roles.

We would like to work with the Committee to address that issue and others in this legislation. And, with that, I would be happy to respond to any of the questions of the members of the Committee.

[The prepared statement of Mr. Rey follows:]

Statement of Mark Rey, Under Secretary for Natural Resources and Environment, U.S. Department of Agriculture, on H.R. 822, Wild Sky Wilderness Act of 2003; H.R. 4806, Pine Springs Land Exchange Act; and H.R. 4838, Healthy Forest Youth Conservation Corps Act of 2004

Mr. Chairman: Thank you for the opportunity to appear before you today to provide the Department's view on H.R. 822 to enhance ecosystem protection and the range of outdoor opportunities protected by law in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness; H.R. 4806 to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico; and H.R. 4838 to permit young adults to perform projects to prevent and suppress fires, and provide disaster relief on public land through a Healthy Forest Youth Conservation Corps.

H.R. 822—Wild Sky Wilderness Act of 2003

H.R. 822 would designate approximately 106,000 acres of additional wilderness on the Mt. Baker-Snoqualmie National Forest in the State of Washington. It directs the Secretary to assure adequate access to private in-holdings within the Wild Sky Wilderness and establish a trail plan within and adjacent to the wilderness. The bill authorizes the use of helicopter access to construct and maintain a joint Forest Service and Snohomish County repeater site to provide improved communication for safety, health, and emergency services.

H.R. 822 also requires the Secretary to exchange specified lands and interest in land with the Chelan County Public Utility District. If the District offers to the Secretary approximately 371.8 acres within the Mt. Baker-Snoqualmie National Forest, in exchange for a permanent easement, and the Secretary accepts title, the Secretary must convey to the District a permanent easement including helicopter access, consistent with such levels as used as of the date of this bill's enactment, to maintain an existing SNOTEL site on 1.82 acres on the Wenatchee National Forest. The SNOTEL site is currently used to monitor the snow pack for calculating expected runoff into hydroelectric projects. If, after the exchange occurs, Chelan County notifies the Secretary that they no longer need to maintain the SNOTEL site, the easement will be extinguished and all rights conveyed pursuant to the easement would revert to the United States.

The Department does not oppose the designation of the Wild Sky Wilderness as a component of the National Wilderness Preservation System. We recognize and commend the delegation for its collaborative approach and local involvement that contribute to bipartisan support for this bill. However, the Department would like to work with the Committee to improve H.R. 822.

While the vast majority of the lands described in H.R. 822 are appropriate for wilderness designation, the Department has significant concerns with approximately 16,000 acres. These acres would not be considered suitable for wilderness designation under the provisions of the 1964 Wilderness Act or under existing Forest Service regulations and planning direction. The Department believes that the current allocation of these lands under the Mt. Baker-Snoqualmie Forest Plan continues to be the most suitable designation for these acres.

The lands that we believe are appropriate for designation under the Wilderness Act, approximately 90,000 acres, consist of all of the Eagle Rock Roadless Area and portions of Glacier Peak A, B, K, and L. These areas retain their undeveloped character and are largely without permanent improvements or human habitation. Limiting the wilderness designation to these lands would address many of the Department's concerns.

The areas we propose for exclusion from wilderness designation include low elevation forests that have been utilized for timber harvest and mining over the last 80 years, still showing visible evidence of road building, logging and mining activities. The areas also include approximately 27 miles of existing roads, some of which are all weather, drivable, and graveled. Several of the roads receive significant visitor use associated with recreation opportunities. The Rapid River Road is such a travel way and we recommend excluding it, in its entirety, from wilderness designation. The types of recreation experiences enjoyed by users along the Rapid River Road corridor include driving for pleasure, nature photography, fishing, picnicking and dispersed camping at a number of pull-off sites along the road. In the winter snowmobiles use this road as a part of the snowmobile trail system, traveling to its end point.

Another concern lies with roads, both outside and adjacent to the proposed wilderness boundary that have narrow corridors subject to landslide and river bank erosion. This situation poses significant public access and resource management issues, as the proximity of the proposed boundary could result in constraints related to necessary repairs and road reconstruction work. We would like to work with the Committee on more appropriate boundaries.

Further, we propose the exclusion of most of the approximately 2,400 acres of private patented mining claims and private timberlands. A boundary adjustment in the Silver Creek drainage would remove most of the private lands from the proposed Wilderness.

Finally, the approach to naming these disconnected areas of land collectively as the Wild Sky Wilderness may cause public confusion, particularly since some of the areas proposed for designation are immediately adjacent to the existing Henry M. Jackson Wilderness. In order to minimize administrative costs and reduce public confusion, the Department suggests designating only Eagle Rock Roadless Area as Wild Sky Wilderness. The Glacier Peak Roadless Areas A,B,K, and L should become additions to the adjacent Henry M. Jackson Wilderness.

The Department supports the administrative provisions in the bill, particularly provisions for a repeater site to provide improved communications for safety and health purposes. The Department also supports the provisions for land exchange in the Glacier Peak Wilderness and provisions for management of the existing SNOTEL site in that wilderness.

H.R. 4806—Pine Springs Land Exchange

H.R. 4806 would authorize the Secretary of Agriculture to exchange with the Lubbock Christian University all right, title and interest in approximately 80 acres of National Forest System land within the Lincoln National Forest, New Mexico upon receipt of acceptable title approximately to 80 acres of non-federal land. The University has operated a summer camp in the Lincoln National Forest on 40 acres that it owns for over 40 years. The University seeks to exchange 80 acres that it owns elsewhere in the Forest for 80 acres immediately adjacent to its existing camp. The bill directs that the exchange be equal in value, that the appraisal conform to federal appraisal standards and that the proponent of the exchange and the United States share the costs of the exchange equally. The bill authorizes cash equalization payments in excess of 25% of the value of the federal land and reduction in the amount of land offered by the United States to equalize values.

The Forest Service and Lubbock Christian University have discussed an administrative land exchange since 2001, roughly comprising the lands described in the bill. While the Department is not opposed to the exchange, we would like to work with the committee and the bill's sponsor on amendments to insure potential issues related to floodplains, wetlands, threatened and endangered species, water rights and outstanding mineral rights are adequately addressed.

H.R. 4838—Healthy Forest Youth Conservation Corps Act of 2004

H.R. 4838 would establish a Healthy Forest Youth Conservation Corps and would authorize the Secretary of Agriculture and the Secretary of the Interior to enter into contracts or cooperative agreements with existing state, local, non-profit conservation corps, or Indian Tribe or state natural resources, agriculture, or forestry departments, to carry out projects to prevent fire and suppress fires, rehabilitate public land affected or altered by fires, and provide disaster relief. The bill directs the Secretaries to give priority to certain projects, including those that will: (1) reduce hazardous fuels on public lands; (2) restore public land affected or imminently threatened by disease or insect infestation; (3) rehabilitate public land affected or altered by fires; (4) assess windthrown public land at a high risk of reburn; and (5) work to address public land located near a municipal watershed and municipal water supply.

As to H.R. 4838, I am testifying on behalf of both the Department of Agriculture and the Department of the Interior today. The Departments are supportive of the concepts embodied by H.R. 4838, particularly the recognition of the importance of the work conducted by state natural resources, agriculture, and forestry departments, and we recognize the values associated with providing opportunities for youth corps to be more proactive in healthy forest work. We would however, like to bring to the Committee some issues the Department has identified with H.R. 4838 that may require further consideration by the Committee.

In many respects, with the exception of including youth aged 16 and 17, the goals of H.R. 4838 are consistent with already existing authorities that the Department has supported, including the Healthy Forests Restoration Act (HFRA) [P.L.108-208], Public Land Corps Act of 1993, P. L. 103-82 Title II, and the Youth Conservation Corps Act of 1970, P. L. 91-378.

However, we have significant concerns, with the inclusion of youth aged 16 and 17 in the programs authorized by H.R. 4838. Wildland fire suppression or forest and watershed restoration work authorized under H.R. 4838 pose threats to their safety that cannot be mitigated. The Administration has concerns about the Committee's expectation regarding the authorization of specific appropriations contained in the bill given current and future funding constraints.

As you are well aware, firefighting is an arduous and dangerous job that requires a certain amount of maturity, decision-making capability, and perspective in order to perform safely. Federal fire agencies recognize that this level of maturity cannot be expected of 16- and 17-year-old individuals and, through policy, will not place these individuals in hazardous roles.

While some states allow individuals under the age of 18 to perform hazardous fire suppression duties on the fire line, this practice is not allowed by federal fire agency policy. In August 2003, the Forest Service and the Department of the Interior each established the policy that persons under the age of 18 years old will not perform hazardous or arduous duties during wildland fire management operations on federal

jurisdictions, even if the minors are supervised by states or other entities. While legal minors are not to be employed in hazardous fire-line positions, the policy does allow them to perform fire prevention, support, logistical, or other duties away from the fire-line—activities which, if performed under agreements with existing state, local, and non-profit youth conservation corps, are consistent with H.R. 4838.

Similarly, hazardous fuels reduction treatments or restoration activities require operating power equipment such as chainsaws, brushsaws, or using prescribed fire. This is extremely hazardous work, frequently on steep terrain in dense forest environments. We do not support an authorization for 16 and 17 year olds to use chainsaws or other power equipment in such hazardous situations.

This concludes my statement, I would be happy to answer any questions that you may have.

The CHAIRMAN. Thank you, Mr. Rey. I am going to claim my time and yield to Mr. Nethercutt.

Mr. NETHERCUTT. Thank you, Mr. Chairman.

Thank you for testifying, Mr. Secretary. I appreciate your experience in these kinds of areas and issues. I heard you testify that certain acreage in the proposal, as presented in 822, is not suitable for wilderness designation—I think that is what you said—but could be protected in another way. What do you mean by that, as you testify to that extent?

Mr. REY. It could be protected by another designation incorporated into the statute, either a national recreation area or a backcountry nonmotorized use designation. It would have the same net effect in terms of how the area is protected. It just wouldn't assign the wilderness title to an area that arguably lacks wilderness attributes.

At the same time, as I have testified and have testified before the Senate, we don't oppose enactment of the bill as written. There are—and there have been in the past—instances where Congress has included areas in wilderness designations that lack wilderness attributes and indeed had roads. So we haven't been exactly purists in the past. So the Department is not a purist at this point.

Mr. NETHERCUTT. What impact, if any, would there be on the Forest Service of wilderness designation versus other designation of protection?

Mr. REY. Probably minimal impact would be my guess.

Mr. NETHERCUTT. You indicated the President, you expected, would be willing to sign 822. Would he also be willing to sign a measure that could be agreed upon by this Committee or by the Chairman, after consultation and discussion? Anything that you know of that would prevent him from signing legislation?

Mr. REY. No. We are supportive of the bill as introduced. If additional refinements can be made, we would be supportive of that as well.

Mr. NETHERCUTT. All right. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Inslee?

Mr. INSLEE. Thank you, Mr. Rey. I just want to make sure that I understand. As far as you know, the Members of Congress from Washington in the First, Second, Third, Fifth, Sixth, Seventh, Eighth and Ninth support the underlying bill. The Member from the Fourth does not oppose it. The Executive Branch of the U.S. Government does not oppose the bill as currently written; is that your understanding?

Mr. REY. That is correct. I don't know for sure about the Members, but I will take your word for it.

Mr. INSLEE. I think I counted them pretty well.

You said, quite candidly, that there have been occasions where Congress has adopted wilderness that includes area that have been affected at one time by human intervention. Would you agree with me that, in fact, that actually may be even almost a majority of wildernesses have had some property included in them that, in some fashion, at one time or another, have been changed in a visible way by human intervention?

Mr. REY. I don't think I could agree that the majority do, particularly if you consider the large acreage of wilderness estate in Alaska, which are pristine. But I think it is fair to say that it is not highly unusual for Congress to have included in previous wilderness bills areas that have had evidence of human impact, including road construction. I—

Mr. INSLEE. So, when Congress—I am sorry. Go ahead.

Mr. REY. I sort of view that as an affirmation that the construction of a road doesn't unalterably destroy the wild nature of an area.

Mr. INSLEE. So, when Congress, in 1964, adopted the Shining Rock wilderness in North Carolina, which almost the entire wilderness had been railroad logged between 1906 and 1926, and 38 years later Congress suggested and declared it wilderness area, you don't think that created any difficulty for the Forest Service or was an adverse decision by Congress, do you?

Mr. REY. I am not sure what position the Administration in place at that time took in that bill, but I think that the area now, having regrown from that turn-of-the-century logging, doesn't exhibit much impact of human influence, except to someone who is a specialist and can go back and look at and look for the relatively limited evidence of human intervention.

Of course, in our Eastern forests, they recover very quickly. The movie "Last of the Mohicans" was shot on Duke Power Company-managed timberland.

Mr. INSLEE. So, in the Mission Mountains wilderness area in Montana, in 1975, when it included acreage that had been logged, you don't think that creates any difficulty for the Forest Service, does it, that Congress declared that to be a wilderness area?

Mr. REY. Again, I don't know what the Administration in place in 1975 said about the passage or enactment of that legislation, but we are managing that area as a wilderness now without differentiation.

Mr. INSLEE. How about the 1984 wilderness designation of the Boulder Creek wilderness in Oregon that had old harvest units in it that are now included in the wilderness, does that cause the Forest Service any difficulty in managing the wilderness?

Mr. REY. I think my answer to that would be the same as my answer to the two previous questions.

Mr. INSLEE. How about the Great Swamp wilderness New Jersey adopted in 1968 that had miles and miles of road that were in the wilderness, does that cause you any difficulty?

Mr. REY. No. In fact, I think that it demonstrates that road construction does not necessarily decimate the wild character of an area.

Mr. INSLEE. The fact of the matter, I think what we come up with is the conclusion that wilderness has been successful in designation of areas that at one time or another have been changed by humans, and it becomes old growth over time, and the Forest Service enjoys its responsibility; is that a fair statement?

Mr. REY. We have been fully willing to implement the wilderness designations that Congress has enacted.

Mr. INSLEE. Thank you. I didn't ask you whether it was truthfully willing, but that is OK.

Mr. REY. I would say cheerfully willing.

Mr. INSLEE. That will do.

[Laughter.]

Mr. INSLEE. Thank you, Mr. Rey.

Mr. REY. Thank you.

The CHAIRMAN. I would ask unanimous consent that Mr. Larsen be allowed to sit on the dais and participate in the hearing. Without objection, so ordered.

Mr. Rey, I find it somewhat ironic that, as we go through this hearing, that we hear, on the one hand, the argument that all of these areas that have been designated wilderness in the past have roads in them and that they are in their pristine, natural beauty and natural condition, and yet in the midst of all of the huge debate over roadless areas and how that if a road is built in an area it destroys it, and I find that somewhat ironic in going through this debate.

But I do want to ask you one question. If I could have Mr. Inslee's picture on with the two kids, if you have that one there.

Do you see anything in that picture that would be inconsistent with a wilderness area?

Mr. REY. Well, I think that was taken at a trailhead, so I wouldn't expect to see an automobile in a wilderness area, but I am assuming that that was the trailhead that led to the wilderness, and that is probably our parking area adjacent to what would be the wilderness boundary.

The CHAIRMAN. In terms of access to these areas—and on this I do agree with Mr. Inslee that we need to have better public access into some of these areas because of pictures like that where kids have the opportunity to go in—I have concerns about, in terms of the designation of so many different areas as wilderness, about what impact that has on public access. And if you could clarify for the Committee, in terms of public access into a wilderness area, what are the limitations on that?

Mr. REY. No motorized use.

The CHAIRMAN. So it is at the edge and as far as you walk in?

Mr. REY. Right. And in the past, where Congress has included areas with roads as wilderness, we have generally closed the roads, not generally, unless the legislation specified otherwise, we have closed the roads and started to restore them to natural condition.

The CHAIRMAN. The Wilderness Act is pretty specific about what wilderness is. In reading directly out of the Act, "The earth and its community of life are untrammeled by man, where man himself is

a visitor who does not remain. Undeveloped Federal land, retaining its primeval character and influence without permanent improvements, the imprintment of man's work substantially unnoticeable."

In part of this area, and I believe that we are all in agreement on 90,000 acres or 90-plus thousand acres in this particular bill, but in part of this area that is included, there are roads, bridges, culverts that are built in those areas. Do you believe that that fits the definition of wilderness?

Mr. REY. Again, it doesn't fit the statutory definition or the definition that we use in the Forest Service's planning regulations, which is why those areas weren't recommended by the Forest Service for wilderness inclusion. But the question of how expansive or restrictive you want to make that definition, as far as it relates to specific areas, is ultimately a congressional prerogative not an executive branch prerogative.

The CHAIRMAN. I am fully aware we have the ability to do that. We have done it in the past, but in terms of protecting an area—and Mr. Larsen, Mr. Nethercutt and others have told me that they really do believe that that 16,000 acres needs to be protected—if it was designated as a national conservation area, national recreation area, backcountry area, would there be development, logging, mining, any activities that would destroy the pristine nature of the area that Mr. Inslee so eloquently described?

Mr. REY. In the current Forest Service, nonmotorized backcountry use designation for the area, none of those activities would be allowed. If, as a matter of creating an alternative designation for the purposes of this legislation you were to do so, it would help if you stipulated what you didn't want to have happen in those areas as well because we wouldn't have the immediate reverence to the Wilderness Act to draw upon, so it would probably be best to be more expressed in the legislation if you choose an alternative designation.

Should you decide to do so, the simpler approach would be either backcountry nonmotorized use or a national recreation area. Those are both designations with which the Forest Service is familiar.

The CHAIRMAN. So, as long as we are specific about what is allowed and what is not allowed, you believe the Administration would be able to enforce that?

Mr. REY. I don't think we would have any trouble with doing that, no.

The CHAIRMAN. Thank you.

I would like to recognize Mr. Udall.

Mr. TOM UDALL. Thank you, Mr. Chairman, and welcome, Mr. Rey. Good to have you here today.

I am asking questions on H.R. 4838, which I think is a part of your testimony, also—

Mr. REY. That is correct.

Mr. TOM UDALL.—the Healthy Forest Youth Conservation Act. And my first question is you already have a policy in place about 16- and 17-year-olds working in these hazardous situations, is that correct, both in the Department of Interior and the Department of Agriculture?

Mr. REY. That is correct.

Mr. TOM UDALL. And our legislation, the legislation I am working with Representative Walden on, doesn't have anything in it that would waive that policy or push that policy aside in any way. Our legislation doesn't conflict with that, so I just wonder why you even raise that issue. We are not trying to violate that policy. I don't think we are advocating that we send young people into that situation. If you have that policy, I would assume you would, with this legislation, be able to make it consistent with the legislation, couldn't you?

Mr. REY. I think, obviously, we can work on this because I think we share the same intent. Our reading of the legislation is that it would provide the opportunity for 16-and 17-year-olds to engage in all of the activities listed in the legislation. And a fair reading of that would be that it would contravene the existing policy we have in place, but if that is not the intent, we can easily work on language to correct that situation.

Mr. TOM UDALL. That would be good. And you don't have any problem with young people, and I am reading here from Page 3 of the bill, with young people performing rehabilitation and enhancement projects to prevent fire.

Mr. REY. No.

Mr. TOM UDALL. And here are some of the additional tasks, rehabilitating public land affected or altered by fires or providing disaster relief, those kinds of activities you wouldn't have a problem with these Youth Conservation Corps carrying out.

Mr. REY. Correct. Those are all inherently nonhazardous. In the existing Youth Conservation Corps work that we do, we obviously keep the young people that work on the national forests or the Department of Interior lands out of hazardous situations, and we limit the amount of mechanized equipment that we allow them to operate. We don't let them operate chainsaws very frequently or any other equipment that could end up causing them harm.

Mr. TOM UDALL. Now, shifting to funding, in your statement on Page 4, the third paragraph from the bottom, you talk about funding constraints. And I am not sure what that language means there. Are you saying you oppose it because there is a $25 million appropriation for successive fiscal year in there? I don't understand that language. It is very amorphous. Could you just come out and flat say what you mean? You know, the budget is in such a bad situation, you don't agree with spending any money on this, I mean, what is the—

Mr. REY. I think the simplest way to express the concept embodied in there is that we don't necessarily believe that we will meet a $25-million authorization with a similar amount budget request, and we don't want anybody to have the expectation that if this bill passes this year, that there will necessarily be $25 million available for this kind of work.

That having been said, typically, when Congress passes a new piece of legislation with an authorization, it is an incentive, when we put together the next year's budget, to reflect that with some financial support for the program, but we are not in a position at this moment to tell you how much that is going to be.

Mr. TOM UDALL. But one would think that, from your testimony, you believe that these are worthy activities and something worthy of being supported in terms of budget resources.

Mr. REY. Yes. And there are a lot of options we can look at. Assuming the bill is enacted, some of the work that we do through commercial contracts right now could be done through these kind of Youth Corps, and we can use some of the money that we would use for commercial contracts to support this. So there are some allocations that can be made if the bill is enacted.

Mr. TOM UDALL. Thank you, Mr. Rey.

I would yield any additional time to Mr. Inslee.

Mr. INSLEE. Thank you. Some of these questions precipitate a couple.

The CHAIRMAN. If the gentleman would suspend for a minute. I recognize Mr. Inslee for 5 minutes for a second round of questions.

Mr. INSLEE. Thank you. I appreciate that, Mr. Chair.

First off, I just want to note Mr. Pombo asked about this picture. It is actually kind of interesting. Where this picture was taken, it is at a trailhead, and it would be outside the boundaries of the wilderness, but interestingly enough there is a trail from that location that goes into Barkley Lake—it is about a mile or two—which was consciously excluded from the wilderness.

And the reason the drafters excluded it is they wanted to preserve the right for like Boy Scout groups to go in there with 15, 20 kids, which has historically been the situation, but which was not allowed in the wilderness without a particular permit. That is just one sort of more example I think that the drafters have been careful to preserve individualized recreation that these kids can enjoy.

But that leads to my next question. I guess what I sort of hear you say, Mr. Rey, that you think if you called these 16,000 acres nonmotorized recreation areas, it would be functionally equivalent to a wilderness designation. But I am not sure that is true. There are distinctions in management of wilderness and nonmotorized recreational areas, are there not?

Mr. REY. I will speak now to the Forest Service administrative nonmotorized backcountry recreation designation.

The primary differences in management go into some of the preventive activities regarding fire suppression and also fuel reduction work. We won't do fuel reduction work in a wilderness area. We may do fuel reduction work, if it is necessary, in a backcountry, nonmotorized recreation area. But aside from the Forest Service administrative designation, which is just one example of near functional equivalent to wilderness, whatever alternative designation you choose, should you choose to do so, you can stipulate what the Congress wants done or not done as you wish.

Mr. INSLEE. So there are differences on fires, there are differences on fuels reduction. There is also a difference on actually campfires. You can't have a campfire in a wilderness area, can you?

Mr. REY. Yes.

Mr. INSLEE. You can. How about size of parties? There is a requirement on size of parties in a wilderness area, at least the ones I am familiar with in Washington.

Mr. REY. Yes, that is not a universal requirement. Limitations on party size are usually done on a case-by-case basis.

Mr. INSLEE. Let me ask you about trails. Mr. Pombo has expressed a need for access to people, which I agree with in wilderness areas. I have hiked on literally hundreds of miles of maintained trails in wilderness areas, including the Alpine Lakes wilderness. We do a 25-mile, 1-day jaunt through there, with all kinds of pretty well-maintained trails. There is nothing in a wilderness designation that prevents building a foot trail in the wilderness, is there?

Mr. REY. No. We maintain foot trails in wilderness areas, generally.

Mr. INSLEE. But you do it through hard, manual labor without using mechanical. Is that basically the situation?

Mr. REY. That is right. This is a little bit more expensive.

Mr. INSLEE. And if you see those sherpas hauling that stuff around, would you thank them for me? That is tough work.

Mr. REY. Well, we will put some of the youth, in this Youth Conservation bill on that task.

Mr. INSLEE. There you go. Thank you.

The CHAIRMAN. Does anyone have any further questions they would like to ask Mr. Rey before I dismiss him?

[No response.]

The CHAIRMAN. Thank you very much, Mr. Rey.

Mr. REY. Thank you.

The CHAIRMAN. Again, we appreciate, as always, your willingness to come before the Committee and testify.

I would now like to call up our third panel. On Panel 3, we have Jeff Sax, Councilman with Snohomish County; Ed Husmann, Sky Valley Resident and Snohomish County Farm Bureau member; Mike Town, Friends of the Wild Sky; Gene Chase, Snohomish County resident; Chris Fadden, Vice President, Washington State Snowmobile Association; and Aaron Reardon, Snohomish County Executive.

I would like to remind the witnesses that, under Committee Rules, you must limit your oral statement to 5 minutes, but your entire written statement will appear in the record. And to make that easier for you, the series of lights on that little box that you have got in front of you there gives you an indication. The green light is when your time begins, the yellow light, it is time to wrap it up, and then the red light I would appreciate it if you would conclude your statements.

Mr. Sax, thank you for being here. We are going to begin with you.

STATEMENT OF JEFF SAX, COUNCILMAN, SNOHOMISH COUNTY, DISTRICT 5

Mr. SAX. Good morning, Chairman Pombo, members of the Committee, ladies and gentlemen. My name is Jeff Sax, and I live in Snohomish, Washington, and represent the Fifth Council District on the Snohomish County Council. I am here today to testify on behalf of the Snohomish County Council to enter our concerns about H.R. 822, the proposed Wild Sky bill.

Much of the proposed Wild Sky area lies in Snohomish County and in my council district. Snohomish County covers 2,090 square miles and is one of the largest counties in Washington. Snohomish County's varied topography ranges from saltwater beaches, rolling hills and rich river bottoms in the West to dense forests and alpine wilderness in the mountainous East.

Looking at the beauty of our county, it is no surprise that you would seek to protect it. While 106,000 acres may seem like a small proposal, let me put that size into perspective for you. In Washington State, we are required to manage our planning under the Growth Management Act. The GMA was adopted because Washington State found that uncoordinated and unplanned growth posed a threat to the environment, sustainable economic development and quality of life in Washington. Known as the GMA, the Act—Chapter 36.70A RCW—was adopted by the State legislature in 1990 and has been amended several times.

The GMA requires State and local Governments to manage Washington's growth by identifying and protecting critical areas and natural resource lands, designating urban growth areas and preparing comprehensive plans and implementing them through capital investments and development regulations. This approach to growth management is unique among States.

Within the framework provided by the Act, local governments have many choices regarding specific content of comprehensive plans and implementing development regulations, all of which are required to be evaluated through the State Environmental Policy Act, SEPA, which is Washington State's version of the National Environmental Policy Act, NEPA.

As such, under GMA, we have currently set aside 189 square miles out of the 2,090 square miles in our county to be designated for urban growth and intend to add only 11.9 miles, at the maximum, square miles to that in planning for the next 20 years of growth, as required by State law. The proposed Wild Sky area encompasses 165.6 square miles, nearly equivalent to all of the area in our county that will allow growth. Thus, for the Nation, this is a small impact. For our county, the impact is very large. It is an impact that should be evaluated through the SEPA and NEPA process.

However, our primary concern is not the size of the proposal or the designation, but that Wild Sky proposal does not follow the intent of the 1964 Wilderness Act. I have read the letter from Chairman Pombo to Congressman Larsen with my fellow council members and representatives from neighboring King County. Several of them were original supporters of the Wild Sky bill and remain supportive of some type of protection for the area. However, they too share Chairman Pombo's concerns.

Opposition to the current Wild Sky proposal by Congressman Larsen and Senators Murray and Cantwell is based on straightforward requirements of Federal law. Federal law provides explicit criteria which must be met to justify wilderness area designation. The problem is that the bill doesn't meet these criteria.

I will pass by some of my written testimony, since it is already entered, and I would like to get down to the transportation side that we have discussed in earlier questions. I would like permission

to enter into the record, if possible, letters from delegation member cities and the county with reference to transportation on Highway 2.

Snohomish is the third-most populace county in the State and one of the fastest-growing. The county's population, as of April 2001, is 618,000. Between 1990 and 2000, the population grew by about 30 percent. The unincorporated outside of urban areas' population is about 294,000. The incorporated inside of cities is 324,000. The Federal Government's NPO Puget Sound Regional Council, the population forecast for Snohomish County for Year 2010 is about 706,000; in 2002, 833-.

We are in the process of laying the plans out now, according to the GMA, to accommodate an estimated 250,000 new residents to the county over the next 20 years. Much of that growth will be in cities near Wild Sky, and one of the obstacles facing it is providing transportation infrastructure.

Senator Murray has publicly commented that the intent of the legislation is to protect the area for outdoor enthusiasts. In Washington State, outdoor recreation is more than just a leisure activity. It is also a key part of our economy. If the estimates quoted by Senator Murray are indeed accurate, this wilderness designation will provide access to almost 2.3 million Puget Sound residents and an untold number of tourists to Wild Sky. We simply can't accommodate this project traffic.

It is essential that we improve access to this area if this bill becomes law, particularly U.S. Route Highway 2, which is part of the Cascade Scenic Loop, encompassing three Federal highways, U.S. 2, I-90 and I-405. Doing so will make it easier for visitors to enjoy the area and support the local economy by purchasing goods and services in neighboring communities.

I have met with members of the Highway 2 Safety Coalition, and they too share my concerns about this corridor. You will see some of those concerns in the record.

In the past 20 years, Washington State DOT statistics indicate a total of 7,400 collisions and approximately 113 deaths; 5,135 persons injured on the corridor between Snohomish and Stevens Pass. The average daily vehicle through Monroe is approximately 44,000. These figures increase substantially on special and holiday weekends to over 104,000 vehicles in Sultan alone.

Highway 2 is a two-lane road, locally known as "the highway of death." In the past 35 years, there have been no capacity improvements to this highway yet. East Snohomish County—my district—has grown and will continue to grow substantially.

Mr. Chairman, if I could, could I continue for a few more minutes, if possible?

The CHAIRMAN. I would really prefer that you wrap it up.

Mr. SAX. Let me wrap it up then, sir.

In the end, with all of the flaws of the proposal duly noted, it is not wholly impossible to revise the legislation so that it can meet the requirements of Federal law and gain true bipartisan support at the local level, State and Federal levels.

I ask you to consider suitable alternatives that may be worked out in order to achieve true bipartisan support of Wild Sky and bring before a bill that meets the intent of the Wilderness Act,

allows access to the area and, above all, allows the voice of the community to be heard.

That concludes my remarks.

[The prepared statement of Mr. Sax follows:]

Statement of Jeff Sax, County Council Member, District 5

Good morning, Mr. Chairman, members of the Subcommittee, Ladies and Gentlemen. My name is Jeff Sax and I live in Snohomish, Washington, and represent the Fifth Council District on the Snohomish County Council. I am here today on behalf of the Snohomish County Council to enter our concerns about the H.R. 822, the proposed Wild Sky bill.

Much of the proposed Wild Sky area lies in Snohomish County, and in my council district. Snohomish County covers 2,090 square miles and is one of the largest counties in Washington. Snohomish County's varied topography ranges from saltwater beaches, rolling hills and rich river bottom farmlands in the west to dense forest and alpine wilderness in the mountainous east. Looking at the beauty of our county, it is no surprise that you would seek to protect it.

While 106,000 acres may seem like a small proposal, let me put that size into perspective for you. In Washington State, we are required to manage our planning under the Growth Management Act (GMA).

The GMA was adopted because the Washington State Legislature found that uncoordinated and unplanned growth posed a threat to the environment, sustainable economic development, and the quality of life in Washington. Known as the GMA, the Act (Chapter 36.70A RCW) was adopted by the Legislature in 1990 and has been amended several times.

GMA requires state and local governments to manage Washington's growth by identifying and protecting critical areas and natural resource lands, designating urban growth areas, preparing comprehensive plans and implementing them through capital investments and development regulations. This approach to growth management is unique among states.

Rather than centralize planning and decision-making at the state level, the GMA built on Washington's strong traditions of local government control and regional diversity. The GMA established state goals, set deadlines for compliance, offered direction on how to prepare local comprehensive plans and regulations and set forth requirements for early and continuous public participation.

Within the framework provided by the mandates of the Act, local governments have many choices regarding the specific content of comprehensive plans and implementing development regulations, all of which are required to be evaluated thru the State Environmental Policy Act (SEPA), Washington State's version of NEPA.

As such, under GMA, we have currently set aside 189 square miles, out of 2,090 total square miles, in our county to be designated for urban growth and intend to add only 11.9 miles to that in planning for the next 20 years of growth, as required by state law. The proposed Wild Sky area encompasses 165.6 square miles, nearly equivalent to all of the area in our county that we will allow growth. Thus, for the nation this is a small impact, for our county the impact is very large. It is an impact that should be evaluated through the NEPA/SEPA process.

However, our primary concern is not so much the size of the proposed designation, but that Wild Sky proposal does not follow the intent of the 1964 Wilderness Act. I have reviewed the letter from Chairman Pombo to Congressman Larsen with my fellow council members and with representatives from neighboring King County. Several of them were original supporters of the Wild Sky bill and remain supportive of some type of protection for the area, however, they too share Chairman Pombo's concerns.

Opposition to the current Wild Sky proposal by Congressman Larsen and Senators Murray and Cantwell is based on the straightforward requirements of federal law. Federal law provides explicit criteria which must be met to justify wilderness area designations. The problem is that this bill doesn't meet these criteria.

In his letter, Chairman Pombo laid out a set of principles that all proposals for wilderness designation must meet before passing out of committee. Among them, proposals should adhere to outstanding Wilderness Study Area recommendations, including those areas deemed unsuitable.

As you know, the National Forest Management Act requires the Forest Service to draft and implement forest plans and revise them every 15 years, analyzing and identifying potential wilderness. Of the 106,000 acres in the Wild Sky proposal, Abigail Kimbell of the U.S. Forest Service reports that currently 16,000 acres are unsuitable for wilderness designation as they include 35 miles of roads that are in

predominantly low elevation forests that have been utilized for both timber and mining in the last 80 years. In fact, her proposal suggests that based on the 1994 forest plan only 33,000 acres are truly suitable for wilderness designation.

The Northwest has long relied on the revenue and economic activity produced by management activities on our national forests. As you may know, the Northwest experienced extreme economic, political and social upheaval in the early 1990's following the Endangered Species Act (ESA) listing of the northern spotted owl. As a result, the Clinton Administration developed the Northwest Forest Plan in an attempt to balance the important goals of species protection, management of our national forests and much needed economic activity.

Prior to the ESA listing of the northern spotted owl and the Northwest Forest Plan, nearly one-third of the Northwest's federal timberlands were available and allocated to sustainable management. Today only twelve-percent of the Northwest's federal timberlands are allocated to management activities as "matrix" lands. The current Wild Sky proposal would remove 5,002 acres of matrix suitable/available for scheduled timber harvest, both full and partial yields, from management activities.

Snohomish County and Washington State also rely on timber harvesting revenues. Harvested timber in Washington State yields revenues that fund our education system and public service agencies, including city and county government. The Department of Natural Resources is the steward of approximately 3 million acres of state uplands in Washington State. As such, we have a vested interest in ensuring that access is maintained to property held by the county and the state Department of Natural Resources.

These trust lands also provide revenue from the sales of timber, leases, and other resources. In the last fiscal year, DNR generated $260 million in non-tax revenue, including $67.9 million for statewide school construction and $58.2 million for counties and other local taxing districts.

If we are not allowed to maximize our abilities to access and harvest these lands, forecasted revenue and programs funded by those monies are affected. Furthermore, wildfire, floods, insects and disease simply do not recognize federal-state land boundaries and any inability to manage our federal forestlands only puts state, local and private lands at greater danger from the risks of catastrophic events. I submit to you a breakdown from our Public Works department outlining the damage and cost of repair from a flood that took place on October 19, 2003.

The City of Index, population 157, which lies in my district and would be nearly surrounded by the proposed Wilderness Area, is one example of a local jurisdiction partially funded by timber revenue. This raises two curious questions. First, how would a community so small be able to absorb any impacts from lost timber harvest dollars? Second, and following on another concern raised by Chairman Pombo in his criteria, is risk assessment. How would the city of Index be able to mitigate fire and protect their city when they are surrounded almost entirely by a wilderness area?

All large federal government projects normally go thru the NEPA process to determine impacts. Wilderness legislation does not require the NEPA process as was required in the Interstate 90 Land Exchange Act of 1998. I have not seen plans that call for risk assessment in my district, which must be consistent with fire management plans and allow for appropriate mechanized access for wildfire containment or disease control. Given our region's current drought condition and numerous fires already this year, this principle must be addressed.

Abigail Kimbell, Associate Deputy Chief, U.S. Forest Service and John Phipps, Mt. Baker Snoqualmie National Forest Supervisor, have both raised questions about Wild Sky's adherence to the original 1964 Wilderness Act, bringing attention to the issue of man's already noticeable imprint in the area.

To remove that imprint, John Phipps, Mt. Baker Snoqualmie National Forest Supervisor wrote to Congresswoman Jennifer Dunn on June 5, 2002, "...the estimated cost to restore these roads to a wilderness character and convert 12 miles to trail is estimated at $6.5 million." The Congressional Budget office estimated that the total cost of Wild Sky between 2004 and 2008 will be $18 million.

As an elected official, I cannot justify using hard earned taxpayer dollars to remove infrastructure that they already paid for. Our state is starved for transportation infrastructure dollars and it just doesn't make sense to take $18 million to remove roads in order to restore "wilderness character."

Rather, I would suggest that you consider removing these questionable areas from the legislation and dedicate funds to improving access to the area. It would make more sense to use those dollars for improvements in the Cascade Scenic Loop, namely U.S. Highway 2, so that visitors could more easily and more safely access the proposed wilderness area.

The need for safety improvements in that corridor has been stated time and time again. Multiple appeals have come to Congress from our local mayors, State

Representatives Kirk Pearson and Dan Kristiansen and State Senator Val Stevens. I am asking you today to consider funding a corridor study for U.S. Highway 2 between the city of Snohomish and Stevens Pass, the area bordering the proposed Wild Sky area and serves as its only access road. This is the initial step needed in a process to improve safety and capacity on this highway.

Snohomish is the third most populous county in the state, and one of the fastest growing. The county's population as of April, 2001 was 618,600. Between 1990 and 2000, Snohomish County population grew by about 30%. The unincorporated (outside cities) population is 294,088 and the incorporated (inside cities) population is 324,512. According to the Puget Sound Regional Council (1995), the population forecast for Snohomish County for year 2010 is 706,959, and for 2020 is 833,661.

We are in the process of laying out plans now, in accordance with the Growth Management Act, to accommodate an estimated 250,000 new residents to our county over the next twenty years. Much of that new growth will be in the cities near Wild Sky and one of the biggest obstacles we face is providing transportation infrastructure.

Senator Murray has publicly commented that the intent of this legislation is to protect the area for outdoor enthusiasts. In Washington State, outdoor recreation is indeed more than just a leisure activity it is also a key part of our economy. If the estimates quoted by Senator Murray are indeed accurate, this wilderness designation will bring nearly 2.3 million visitors and untold numbers tourists to the Wild Sky area. We simply can't accommodate this projected traffic.

It is essential that we improve access to the area if this bill becomes law, particularly U.S. Route 2, which is part of the Cascade Scenic Loop, encompassing three federal highways, US-2, I-90 and I-405. Doing so will make it easier for visitors to enjoy the area and support the local economy by purchasing goods and services in neighboring communities.

I have met with members of the Highway 2 Safety Coalition and they too share my concerns about this corridor. This coalition is comprised of local elected officials, businesspersons, administrators and concerned citizens working in partnership with the Washington Department of Transportation, Snohomish County, and all five city officials in the area.

In the past 20 years, Washington State Department of Transportation statistics indicate a total of 7,454 collisions with approximately 113 deaths, and 5,135 persons injured in the corridor between Snohomish and Stevens Pass. The average daily vehicle flow through Monroe is approximately 44,000; through Sultan 24,000 and Goldbar 12,000. These figures increase substantially on special and holiday weekends to over 104,000 vehicles in Sultan alone.

U.S. Highway 2 is a two-lane roadway known locally as "the highway of death." In the past 35 years, there have been no capacity improvements to this highway, yet East Snohomish County—my district—has grown and will continue to grow substantially.

I would like to submit for your review letters from our Washington State Senator Val Stevens, Representative Dan Kristiansen, Representative Kirk Pearson, the Highway 2 Safety Coalition, Snohomish County Committee for Improved Transportation, Snohomish County Economic Development Council, local chambers of commerce, local business leaders and constituents in support of the corridor study.

Another question that still lingers with the legislation is allowances for property protections if they exist within or adjacent to a potential wilderness area. It is my understanding, again from Chairman Pombo's correspondence, that all exceptions, such as those for snowmobile use, should be specifically called for in the legislation. Currently they are not. The area is frequented by snowmobiles, off road vehicles and private property holdings accessed by float plane. While it is my understanding that these stakeholders have been assured access, I cannot find those exceptions in the legislation as it is currently drafted.

Finally, Chairman Pombo calls for community involvement, approval from the entire congressional delegation and adequate notice and local public hearings. To date, despite requests from the public and the Snohomish County Council, not a single Congressional hearing has been held in the district to collect input from the citizens it would affect. Meetings that were held were based on pending legislation, not the actual bill and maps before you. In the past few weeks, we've read about possible compromises in the newspaper, but have yet to see the alternatives on a map or in writing.

Most disconcerting is the fact that the bill's sponsor, Congressman Larsen, a former member of the Snohomish County Council, has yet to ask for the opinion of the Council on this bill. Neither has Senator Murray or Senator Cantwell. Senator Murray promised last year at a Wild Sky Senate hearing on June 4th that she would seek local input and yet we've seen no efforts put toward that promise. In

fact, neither Senator Murray or Cantwell, nor Congressman Larsen have responded to letters sent by our Council to their offices. Our new young executive, Aaron Reardon, who is here to testify on behalf of the County, also has yet to discuss this matter with the Council. Clearly this is not community involvement, involvement that would have come thru NEPA & the EIS process.

However, we hear regularly from Forests for People, who have over 1,400 members directly impacted by this legislation, about their opposition to Wild Sky in their backyard. The Snohomish County Farm Bureau as well as the Washington State Farm Bureau Board of Directors has also contacted my office in opposition to Wild Sky. One of the bill's original proponents, King County Council Representative Kathy Lambert, whose district would also include the Wild Sky area, has taken a second look at the current bill and raised the same questions as I have before you today in opinion editorials in our state. Many who are listed on the proponents list are taking a second look at the legislation.

The original intent of the Act, which we would like to see preserved, says among other things that Wilderness is "...an area where the earth and its community of life are untrammeled by man, ...an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, ...with the imprint of man's work substantially unnoticeable."

This is not to say that there aren't lands in the Mount Baker-Snoqualmie eligible under the 1964 Wilderness Act that would help meet the goals of Wild Sky. I am not opposed to that. In fact, limiting the designation to these boundaries is an alternative that should be considered, along with ensuring a transportation infrastructure that is safe and can accommodate Senator Murray's predicted increase in traffic as we open this wilderness to 2.3 million local residents and untold tourists. Perhaps the 16,000 acres in question by the U.S. Forest Service could be maintained as national forest, or a national recreation area or other designation as a means of compromise—one that allows this bill to become reality.

With all of the flaws in the proposal duly noted, it is not wholly impossible to revise the legislation so that it can meet the requirements of federal law and gain true bipartisan support at the local, state and federal government levels. I ask you today to consider suitable alternatives that may be worked out in order to achieve true bipartisan support of Wild Sky and bring forward a bill that meets the intent of the Wilderness Act, allows access to the area and, above all, allows the voice of the community to be heard.

Mr. Chairman, that concludes my written testimony. I appreciate the opportunity to be here to today and welcome any questions you or the committee may have.

The CHAIRMAN. Thank you, sir.

I would now like to recognize Mr. Husmann for his statement.

STATEMENT OF ED HUSMANN, SKY VALLEY RESIDENT AND SNOHOMISH COUNTY FARM BUREAU MEMBER

Mr. HUSMANN. Good morning, Mr. Chairman, Members, ladies and gentlemen. I am Ed Husmann, and I have lived a few miles from the Wild Sky area for more than 25 years in Sultan, Washington. I am here today on behalf of the Snohomish County Farm Bureau, the Chelan/Douglas County Farm Bureau, more than 2,000 citizens who have joined Forests for People, myself and many others who have entrusted me to convey to you our opposition to the Wild Sky Wilderness Act of 2003, H.R. 822.

I would formally like to request, with the Chairman's consent, to submit into the hearing record the following letters, memos, petitions in opposition to H.R. 822, as well as other supporting documents.

The CHAIRMAN. Without objection, it will be included as part of your testimony.

[NOTE: Numerous letters and statements submitted for the record on H.R. 822 have been retained in the Committee's official files.]

Mr. HUSMANN. I have here more than 100 letters just recently written, of particular note from former Speaker of the House Clyde Ballard, who served 20 years in our legislature and 7 years as speaker, also letters from State Senator Val Stevens, Representative Christensen, Pearson, Commissioners Ted Anderson, Don Munks, the mayor of Skykomish, and of course Skykomish resides right next to the wilderness area.

I would submit that we do not need any more wilderness in Snohomish County, as for that matter, the State of Washington. Forty-seven percent—our national forest here in the State of Washington is 47 percent designated wilderness right now. Just exactly how much wilderness do we need?

Snohomish County's portion of the Mount Baker—Snoqualmie National Forest will be 63-percent wilderness if Wild Sky passes into law. Is this appropriate or fair? Is this really the right thing to do?

I believe the more appropriate question that we should be addressing is how much wilderness do we need? I am finding that, even today, after more than 3 years of Wild Sky, very few people know of it. Even fewer know what a wilderness is. In Mr. Ballard's letter, the second sentence says it all. "The more details I become aware of—" he is just becoming aware, and 47 percent of our State is now wilderness. How did we get there? How unaware are we?

Two meetings in Snohomish County in over 3 years on Wild Sky. Testimony? No testimony was taken, no wilderness education, no economic studies, no EIS or NEPA, no studies on access or impact studies to the surrounding communities. In fact, the EDC letter that you have contains no factual or study information. It was merely a letter written from the lady who wrote it. I don't think that is much community involvement.

Is the area suitable? Well, if you obey the law, the 1964 Act, which I think is fairly clear, the answer is, no. You may find a 5,000-acre piece here or there that comply with the provisions, but is that a mandate to designate?

Now, I don't think anyone in this room is implying or plotting to destroy this wonderful area, certainly no one I know. I am not so sure that Mr. Town and I don't want the same things here—a beautiful forest that we can access and enjoy, forests that are safe, healthy forests that radiate their majesty. Now, I don't know about virgin forests or pristine or former glory or poor habitat or ancient, and actually I should know about ancient. The kids say I am older than dirt.

What I do know about this place, the area of Wild Sky, is that it is beautiful. I also know that there has been lots of mining and logging up there not so long ago. And as Mr. Town so accurately points out, this area has recovered, even to its former glory, whatever that means. And all this happened under the stewardship and watchful eye of the Mount Baker-Snoqualmie National Forest. I say bravo to the national forests and their employees. That brings me to the point why this exercise if it is already pristine?

The place where Mr. Town and I seem to part company is in the area of trust. Now, as I recall, the Wilderness Act says that only the forces of nature are to work in a wilderness area—forces like fires, floods, insects, and viruses. Actually, the way I read it, at-

tempting to restore habitat, trammeling, is definitely against the law. The National Forest, like us, can only watch, at least the way I read it. No work or managing is to be done. I believe the National Forest is doing a good job, and I trust that they will continue to do so; Mr. Town and the Wild Sky supporters don't.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Husmann follows:]

Statement of Ed Husmann, Sky Valley Resident, and Snohomish County Farm Bureau Member

Good morning Mr. Chairman, Members, Ladies and Gentlemen. I am Ed Husmann and I have been a resident of Sultan, Washington for 25 years, which is located a few miles west of the proposed Wild Sky wilderness area. My wife and I own twenty-three acres, with a small orchard operation, that has a direct view of the western edge of the area we are discussing today. I recently retired after 30 years of service as a Captain with United Airlines. I was also a Navy Pilot and served in Vietnam and retired in 1984 with a rank of Commander. I have a BS degree in Metallurgical Engineering, from the University of Nevada-Reno. I also completed my teaching certification at Trenton State College and Postgraduate studies at Rutgers University. I taught at Somerset County Vocational High School, New Jersey for approximately 5 years in the 1970's. I have 4 daughters and one son, along with two stepsons and a stepdaughter. My wife and I have 6 grandchildren. I currently am a Board Member of the Snohomish County Farm Bureau.

I am here today on behalf of myself, the Snohomish County Farm Bureau, the Chelan/Douglas County Farm Bureau, the more than 2,000 local citizens who have joined Forests for People, as well as many others who have entrusted me to voice their opposition to H.R. 822, the Wild Sky Wilderness Act of 2003. I would like to point out that our State Farm Bureau Policy book includes Forestry in the definition of Agriculture (Encl. 1) and that this policy book contains many policy statements that preclude support for this most restrictive federal land use designation. For clarity, I would also indicate to you that Chelan County is directly east of Snohomish County and shares a boundary line through the neighboring Sen. Henry M. Jackson Wilderness Area. Recently, Chelan County has suffered devastating forest fires and as we meet here today yet another forest fire is burning in the Icicle Creek drainage area. The citizens of Chelan County maintain a keen interest in any activity that may increase their exposure to losses from catastrophic wildfires.

I would like to formally request, with the Chairman's consent, to submit into the hearing record the following letters, memos, and petitions in opposition to H.R. 822 as well as other supporting documents.

Having lived and recreated in the Wild Sky area for the last 25 years, I know the area very well. Furthermore, my wife, children, grand children, and I have all participated in both motorized and non-motorized recreational activities in the proposed "Wild Sky" area over these years. I have day hiked, backpacked, off road motorcycled and mountain biked throughout this area. I have backpacked into Lake Isabel and my children and I have flown into Isabel for a picnic in a friend's floatplane. We enjoy these diverse activities and do not want to change any recreational opportunities afforded us, or for that matter, anyone, in this area. We only hope that the people using this, or any outdoor area, would use common sense, and are considerate of both the land and others in the area. Unfortunately, these qualities cannot be legislated.

I would like to point out that the list of organizations in support of the "Wild Sky" (Encl. 2) might not, necessarily reflect the views of its members or patrons. The list published on the Wild Washington Campaign website lists, in particular, REI (Recreational Equipment Inc.), The Mountaineers and WTA (Washington Trails Association). I have been a member of REI for more than 30years and have spent an enormous amount of money at their stores and through their catalogue. I can tell you that my wife would rather shop at REI than Nordstrom's. We do not appreciate REI spending "our" dividends on lobbying "Wild Sky" into existence. We also belong to the Mountaineers and the WTA (Washington Trails Association). As a member in good standing of all of these organizations, I can report that the membership was never asked about taking a position on this legislation. We participated in "National Trails Day" both last year and this year. It was very interesting that one of the repair projects this year in the Darrington area was in a wilderness area. My friend and I volunteered for the "extreme" repair project and were among the 8 of the 75 volunteers that agreed to endure the "tough day". Mind you, both my friend and

I are over 60 while the others were much younger. Wilderness areas are not friendly to us older folks! As a point of interest, the Forest Ranger stated that they used dynamite to move deadfalls and stumps in wilderness areas. That surprised me, but I was told that it was not "mechanical transport".

Although I have tried, I have yet to understand why this area needs to be protected. What is the threat to this area? All of this land is part of the Mount Baker-Snoqualmie (MBS) National Forest. Are the "Friends of Wild Sky" implying that the Federal government and the Forest Service are plotting to destroy this beautiful area? Last year, as well as today, Mr. Town testified (Encl. 3) on behalf of "Friends of Wild Sky". In his testimony before the Senate Energy and Natural Resources Subcommittee, Mr. Town described the Ragged Ridge area as "wilderness in the truest sense" and an area of "core security habitat." He states the lower North Fork of the Skykomish Valley contains "beautiful ancient forests." He describes extensive "virgin" forests in the upper Trout and Howard Creek areas. He reported that the areas that were logged around 1920 are now recovering naturally and that previously harvested stands in the North Fork area had grown back on their own, without protection, and have now almost returned to their "former glory." "Other than the occasional stump, these forests appear quite natural to almost all visitors as they assume the characteristics of true ancient forest." The truly amazing statement here is that Mr. Town claims this area has returned to a "true ancient forest" and I find that confusing. Am I to understand that the loggers were correct all along—we can harvest the resources and these areas will return to their natural ancient state? Sounds like we owe a "BRAVO" to the employees of the Forest Service for a job well done. This is certainly contrary to environmentalist claim that once harvested these lands are somehow "lost forever."

Contrary to the claims you may have read, local community involvement concerning this issue has been severely lacking. To date there have been only three quasi-public meetings in Washington State and all occurred before the Wild Sky legislation was crafted and the formal maps prepared. There was no public testimony ever heard at these meetings nor was there opportunity for such, and there are no mysterious file cabinets containing such materials as was claimed during the Senate hearing I attended in 2003. Furthermore, the meeting held in Seattle clearly cannot be considered local "community involvement." The Wild Sky wilderness proposal is the quintessential example of a devil hiding in the details

It is certainly not a bipartisan issue here in Snohomish County, which by the way, is where the land in question is located. You have letters on record from the Snohomish County Republican Party, Snohomish County Council, and elected officials from the 39th Legislative District, Sen. Val Stevens, and Representatives Kristiansan and Pearson (Encl. 4) Also, at the 2004 Snohomish County Republican Convention, a NO-Wild Sky resolution was passed unanimously.

U.S. Highway 2, commonly referred to as the "Highway of Death", is the only access to this proposed wilderness area. It is deplorable that Senator Murray and Congressman Larsen would consider legislation that they say would generate additional traffic to this highway without, at the same time, working on ways to improve highway safety. It is ironic that if Wild Sky becomes wilderness, the Congressional Budget Office estimates the Federal government will have to spend millions of our tax dollars to destroy roads and any other evidence of man, in an attempt to create a wilderness where one presently doesn't exist. In addition, and to add to this ridiculous travesty, no formal studies have been done to determine either the environmental or economic impacts on surrounding communities served by the Cascade Loop Scenic Highway. Even more disturbing, is the misunderstanding of the impact this bill will have on the recreational opportunities in this area. I fail to understand why the supporters of the Wild Sky proposal did not first request to have this proposal reviewed under the National Environmental Policy Act as was recently done with the I-90 wilderness proposal in my state. Mr. Chairman and members of the Subcommittee, I urge you to ask the Wild Sky proponents if they would object having Wild Sky go through the NEPA process just like any other major proposal affecting public lands. I would hate to think that management of our Federal lands has gotten to the point where there was more formal environmental analysis done for the last outhouse placed on the Mt. Baker-Snoqualmie National Forest than there was for the Wild Sky Wilderness proposal.

Let's be truthful. The 1964 Wilderness Act is really quite clear. It is the law and the intent is easily understandable. I believe in the "purity" of this law, it clearly states wilderness areas are for the enjoyment of the American people the only actual species mentioned in the Act. This important legislation states that areas of wilderness, in their natural state, may be set aside and protected from the works of man, untrammeled by man. Wilderness areas are to be managed so as to maintain their natural condition, affected primarily by the forces of nature. Now, that's pretty

clear, a wilderness has to have these characteristics prior to consideration for designation. Going into an area with bulldozers and track hoes to create a wilderness is definitely not what Senator Henry "Scoop" Jackson had in mind when this law was passed. It has to be wilderness to start with, no advanced degree required to understand that. Only the forces of nature may work in these areas, no chain saws and travel is by foot or horse, no mechanized transport. The American people may visit, you may look and enjoy the quiet but that is it, it is not a recreational (Enc. 7, pg3, Q2) area, it is a museum, look but don't touch. Pretty simple, and it makes the Wild Sky Wilderness proposal an entirely different proposition.

The National Visitor Use Monitoring Results (Encl.5) indicates wilderness use is a relatively small percentage and narrow demographic portion of the Forest visitors. Nationally, there were 257 million (Encl.10, pg 8) visits that included 14.3 million wilderness visits. Additionally, another 258 million people enjoyed viewing National Forest scenery from non-Forest Service managed travels ways. I strongly suspect that the bulk of travel ways refers to roads and vehicles. These numbers strongly demonstrate that people use roads. More people enjoyed the National Forest via "travel ways" then all other visits combined. How can you justify closing roads in the face of these figures? And, wilderness visits, we have nearly half our National Forest locked up in wilderness now and only 5% of the site users go there. Even more graphic is adding those who basically sight see from their cars—wilderness visits become 2%. These are sobering statistics when considering the destruction of our forest roads, infrastructure, in the Wild Sky area at a cost of $18million or more to the taxpayers?

Specifically, in the MBS area (Encl. 5, pg 8,9) there were 10.3 million site visits of which .779 million were to wilderness. That's 7% of the site visitors use wilderness. This does not count the visitors that drive though for the scenic value of the Forest, which may be a figure that exceeds that of the site visitors. Why are you considering more wildernesses?

In summary, this area is not wilderness to start with. Wilderness already comprises 47% of our National Forests in our State. Isn't this enough? If Wild Sky is enacted the National Forest in Snohomish County alone will be 63% wilderness designated land. Is that reasonable? This proposal is fraught with technical and legal problems. Many citizens including our elected officials are ignorant regarding this proposal (Encl. 6), its implications and even it's location. Those who do understand agree that this legislation will not enhance the economy. Either way, I am at a loss as to understand how you could make an educated decision without any formal studies or data.

Officials at the Mount Baker-Snoqualmie National Forest do not appear to be excited about endorsing this idea and have clearly stated that no new trails would be constructed in this area regardless of Wild Sky (Encl 7, pg3, Q2). In addition, the cost of building trails in this area would exceed $100,000 per mile. New trails were one of the key promises made by the proponents of this bill. It now appears that this area is a habitat area for the Grizzly Bear, which, among other things, requires that no new trails be built.

The Farmers and Cattleman (Encl. 8) who are traditional stewards of the land do not support this proposal. The issues of right of way, private property and safety all spell litigation. A potential lawsuit has already been filed (Encl. 9). In all the information that I have seen, read and heard, I am unable to find any compelling reasons to continue expending valuable energy on this legislation that further restricts our individual freedoms. Given the campaign season in full swing, this proposal has become a political issue and its merits good or bad are completely obscured by the politics of the day. Lastly and most sadly if this legislation is passed, some of the recreational freedoms that I, and my neighbors enjoy in this area will become Federal criminal offences, except walking and horseback riding. I strongly believe that the "Peoples House" should view this bill for what it is and give it no further action. Just say NO for "we the people".

As Teddy Roosevelt once stated "If your horse is dead, dismount".

As a postscript to my testimony, I would like to share with you a true story that I believe you are familiar with. This story is about consequences of our political meddling with Nature.

There is a coined phrase that I hear often "...we need to 'preserve, protect, the owls, fish, trees, etc, the list is endless,' for our children and future generations."

This is a story about children, my children and their children and the "children's pool" in La Jolla California. One of my daughters and her family, two grandchildren, all reside in La Jolla. The children's pool was built a long time ago, in fact it all started in June of 1931. Ellen Scripps Browning donated an enormous sum, at that time, of money and in conjunction with the State of California, built a wall on the sea shore in the city of La Jolla. The surf in the area was rough and dangerous

for the children. The wall was constructed to form a pool—a tide pool—for the children to swim, play, explore and discover sea life.

This pool was built and put into a trust "to be forever" held by the City of San Diego (Encl. SD). The purpose being spelled out explicitly;

1) Exclusively for a public park and bathing pool for Children
2) The absolute right to fish
3) The state retains the mineral rights

In trust forever, the Children's Pool.

This was a wonderful thing for about 50 years. Beginning in the 1980's and furthered by the enlightened plant and animals FIRST movement, occasional visits to the area by Sea Lions became a concern for the Fiends of Sea Lions. It seemed that human activity in the children's pool disturbed the Sea Lions and it made the creatures nervous and shy about entering the children's pool. So, off to the City Council the Friends of Sea Lions marched, with their complaint. All this human activity was in fact disturbing the Sea Lions and the City needed to correct the problem.

After many meetings, with the Friends of Sea Lions attending in force, the children and their parents were at the pool, a bipartisan agreement was forged—Sea Lions Yes, children No.

As no one was allowed to hassle the Sea Lions, they populated the pool in force. Since these are marine mammals worthy of special recognition, the children's pool became a Marine Preserve. Well this activated the Marine Mammal Protection Act provisions, everyone out of the pool, and no fishing either.

Well, the water in the pool was polluted with Sea Lion fecal material and, in reality; no children were in the pool anyway. For the past few years no one would want to go there anyway because of the smell and the mess—except a few angry Dads. They donned their wetsuits, masks, fins and snorkel, and entered into the pool. Of course the police had been tipped and the "invaders" were arrested as they exited the waters. No one went in after them, not in that water. They were handcuffed and carted off to jail.

The status at this time, well, I believe some of the human "invaders" were forced to pay the $1,000 fine imposed by the National Marine Fisheries Service. Apparently you can now merely stroll in the area, gas mask recommended, while populations of sea lions are exploding all over the west coast.

To me the parallels are frightful. What in fact are we doing?

Thank you for the opportunity to testify before this committee today.

The CHAIRMAN. With all apologies to our witnesses, we have been called over to the House Floor. We have a series of three votes. It will probably be about 30 minutes that we will be in recess. Again, I do apologize to you for it, but we have no control over what they do on the floor. So as soon as we complete the votes, we will come back into the hearing and Mr. Town will be recognized for his testimony.

The Committee stands in recess.

[Recess.]

Mr. WALDEN. [Presiding.] I am going to call back to order the Subcommittee on Forests and Forest Health. When we, as I understand it, when we left off, we have heard from two of the witnesses; is that correct? And we have four to go.

I would now recognize Mr. Town for his statement. Good afternoon, and thanks for bearing with us on a rather hectic day. And we do appreciate Mr. Town's testimony. Let us move on now. We will get to him in a minute.

Shall we go to Mr. Chase?

STATEMENT OF GENE L. CHASE, SNOHOMISH COUNTY RESIDENT

Mr. CHASE. Good afternoon. I have to change my speech. It originally said good morning.

Mr. WALDEN. That is the way my day has gone too.

[Laughter.]

Mr. CHASE. Yes, that is true.

My name is Gene Chase, and I have lived, and worked and recreated in this Wild Sky area for the past 59 years. I am a lifelong resident of Snohomish County, having grown up in Everett, Washington, attended the University of Washington's College of Forestry, and now reside in Arlington. There are two Arlingtons—Arlington, Washington, and Arlington back here. I was a board member of the Arlington School District and currently a trustee of the Everett Community College.

Since the 1950s, I have fished, hiked, hunted and worked in these areas. In addition, my family and I have owned 5 acres on the North Fork of the Skykomish for 45 years. Because of my lifelong attachment and commitment to the local communities of Snohomish County, the reason for my coming back here today, and the focus of my testimony, is to stress with each of you how important it is to study the Wild Sky wilderness proposal very, very carefully.

I first began to practice forestry in the Wild Sky area in the 1960s, where I was surveying, working as a young forester for State Forestry and surveying some mining claims. I then went on and worked on some Forest Service timber sales in all of these areas and processed them.

A side that amazes me is I realize now that the people I practiced forestry with in the 1960s and 1970s, we did a better job than we thought we were doing because now they are being considered for wilderness area. So we think we did a pretty good job, but maybe we are patting ourselves on the back.

Since 1986, I have owned and operated my own boat-building company, specializing in timber sale road construction, road decommissioning, putting in fish-friendly culverts on portions of the Wild Sky, other areas of the Mount Baker-Snoqualmie, the Olympic National Forest and o on.

I also want the Committee to know that Congressman Rick Larsen, whose family are friends of mine, and I have privately met on several occasions to discuss my deep concerns with this wilderness proposal. While I retain a high regard for Congressman Larsen, who represents our district well, I have to admit that I have some serious concerns about the suitability of the lands included in this legislation.

I want to talk briefly about the apparent lack of process in this. We have really only had two, not hearings, but as I have sort of worked it, meetings out there on it, and there hasn't been enough, I feel, hearing and input involved in it. The original Wild Sky was not drafted until 2002. Whereas, those meetings were held I believe in 2000 and 2001. I would like you to take time to hold an important hearing out on the West Coast, if possible. That may not work, but I would like to have you look at it.

I am trying to acquaint you with the area and stress that I have worked this area as a forester, as a road builder as a road decommissioner. When I was a young man, and a lot thinner, I used to crawl around and crawl up and down these trails and fish them and so on. So I do understand it.

Portions of this area butt up against the Henry Jackson Wilderness Area. Senator Henry "Scoop" Jackson was another good old

Everett boy. As an Eagle Scout, he hiked many of these areas. Scoop understood what wilderness was, and he understood what wilderness wasn't. In my opinion, the proponents of this legislation do not understand wilderness the way that Scoop Jackson understood the meaning of wilderness.

Presently, the Mount Baker-Snoqualmie National Forest administers eight wilderness areas, totaling 720,000 acres. Nearly 42 percent of the 1.7 million acres on the forest are not wilderness yet they are reportedly used by only 13 percent of the national forest visitors, even though 55 percent of Washington's population lives within an hour drive of a wilderness area.

I want the Committee again, and we have touched on it here earlier, to realize that there are entrances of man involved there. There is substantial human improvements within the Wild Sky area. There are 29 miles of road, 99 culverts, 60 of them rated as high risk of failure, 7 bridges, 1 concrete one which you have seen the picture of, and there is 6,000 acres that were previously harvested for timber. There are 3 dams, some that are abandoned, and there are cabins and so on. So this area is not untrammeled or so on. The issue, again, is of it has been visited by man, it has been worked by man, and so I think that those areas should be looked at.

The next area I would like to talk about a little bit is the new trails. It has been bandied about by the Forest Service and so on, on building new trails. I think the issue here that should be studied is on this issue of the grizzly bear habitat. Even if you designate it and want to do it, I suspicion that you are going to have some serious problem with the grizzly bear habitat and the ability to build trails.

I have, as a taxpayer and so on, I have sort of a question about building new trails on the Mount Baker-Snoqualmie. Right now, we have several trails closed. We have major roads that were washed out in the winter flood, and those are not being handled, so why set up expectations with more things when you can't take care of what you have already?

I think as a professional forester—and I look upon myself as that, in that I graduated in forestry, though the Everett Herald thinks I am a logger—I have one thing to look at is the wildfire issue. This has to be addressed more carefully of how you handle it. Mr. Rey addressed it a little bit, but we should do some more studying on how we are handling fuel loading and so on in there.

I am trying to make sure that I—thank you. I am going to wind it up.

In the end, I guess I would ask you—in closing, I ask you to delay moving this legislation forward so as to allow further analysis and study. In my opinion, this is precisely what NEPA process is all about, and this Subcommittee needs to look no further than the proposed I-90 Wilderness in Washington in 1998, where Congress requested an EIS to be involved. To me, this seems like a very prudent and responsible path forward and will go a long ways toward ensuring that Wild Sky receives appropriate protection.

Thank you.

[The prepared statement of Mr. Chase follows:]

Statement of Gene L. Chase, C & C Contracting, Inc.

Good morning, Mr. Chairman, members of the Subcommittee, ladies and gentlemen. Thank you for the opportunity to discuss my perspective, experiences, and concerns with the Wild Sky wilderness proposal. My name is Gene Chase, and I have lived, worked and recreated in the Wild Sky area for the past 59 years. I am a lifelong resident of Snohomish County, having grown-up in Everett, Washington, attended Forestry School at the University of Washington, and now reside in Arlington, Washington (yes, there is another Arlington and another Washington). I am a former Board Member of the Arlington School District, and I am presently a Trustee for the Everett Community College.

Since the 1950's, I have hiked, fished, camped, and worked in most of the areas now proposed for inclusion in the Wild Sky wilderness designation. In addition, my family and I have owned 5 acres on the North Fork of the Skykomish River adjacent to the Wild Sky area near Index, Washington for 45 years. Because of my lifelong attachment and commitment to the local communities of Snohomish County, the reason for my coming back here today and the focus of my testimony is to stress with each of you how important it is to study the Wild Sky wilderness proposal very, very carefully.

I first began to practice forestry in the Wild Sky area in the 1960's where I was initially involved with surveying several of the former state forestlands mining claim parcels that you now see on the current wilderness proposal map. Beginning in the 1980's, I worked throughout the entire Skykomish River area as a forest manager for a now-closed plywood company. More specifically, I was personally involved in the administration of Forest Service timber sales in areas that are now surprisingly being proposed for wilderness designation under the legislation before you today. As an aside, I must be a better forester than I thought if lands I was involved in previously harvesting are now somehow now eligible for wilderness designation under the 1964 Wilderness Act. Also during the 1980's I was a very active participant in our local roadless area review process, more commonly known as RARE I and RARE II, as well as an active participant in the process of creating the Alpine Lakes Wilderness and Henry M. Jackson Wilderness areas.

Since 1986, I have owned and operated my own road contracting company. For the past 18 years, my firm has constructed roads and trails, decommissioned roads, abandoned roads, and installed fish friendly culverts on several portions of the Wild Sky area, as well as other forested areas of the Mt. Baker-Snoqualmie National Forest, the Wenatchee National Forest, and the Olympic National Forest.

I also want the Subcommittee to know that Congressman Rick Larsen and his family are friends of mine, and that he and I have privately met on several occasions to discuss my deep concerns with this wilderness proposal. While I retain a very high regard for Congressman Larsen who normally represents our District very well, I have to admit that I have some very serious concerns about the suitability of the lands included in his legislation.

I want to bring to the Subcommittee's attention the apparent lack of process with this legislation. Although you have heard testimony about alleged extensive public involvement and local public hearings concerning Wild Sky, the truth of the matter is there has never been a public hearing in Washington State concerning this, or any other legislation, specifically pertaining to Wild Sky. At best, there were three local information sessions during the summer and fall of 2001 during which time a map was distributed showing "wilderness areas under consideration." The original Wild Sky legislation was not even drafted until the spring of 2002, well after these information sessions occurred. For the record, this is only the second public hearing on Wild Sky that has ever occurred—the first being before the Senate Energy and Natural Resources Committee in June, 2003. I would hope this Subcommittee will take the time to examine the record of the Senate committee hearing as many key concerns were entered into the record at that time. As you know, the companion legislation to H.R. 822 has twice passed the Senate by unanimous consent. The Senate has a long tradition of adopting wilderness legislation that is supported by both Senators from the affected state regardless of the merits of the legislation, and in exchange Senators from other states do not introduce wilderness legislation affecting states other than their own. Incidentally, Mr. Chairman, I want to thank you and this Subcommittee for taking the time to hold this important hearing to allow a full and fair airing of both the problems and opportunities with Wild Sky.

The 1964 Wilderness Act explicitly defines wilderness to be "Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which generally appears to have been affected primarily by the forces of nature, and with the imprint of man's work substantially unnoticeable." In my

opinion, the plain meaning of this statute precludes creating wilderness areas for lands that previously that have had logging roads and spur roads constructed on them. In the case of Wild Sky, I have built and then decommissioned some of these roads that are now a source of controversy at today's hearing.

As we all know, the 1964 Wilderness Act was a watershed event for land conservation in America. At the time of its passage, one of the Act's prime sponsors, Idaho Senator Frank Church, ideally hoped that one day the wilderness preservation system would grow to be 50 million acres. Well, today we have over 100 million acres of wilderness in our country. Portions of the proposed Wild Sky wilderness are adjacent to the Henry M. Jackson Wilderness Area named in honor of another Senator who understood and was a strong supporter of wilderness. Senator Henry "Scoop" Jackson was an Everett, Washington native and as an Eagle Scout he hiked many of these areas adjacent to the wilderness that now bears his name. He understood wilderness. He knew what was wilderness and what it wasn't. I have serious doubts as to whether those who were involved with this proposal understand the meaning of wilderness the way that Scoop Jackson did. Presently, the Mt. Baker-Snoqualmie National Forest administers 8 separate Wilderness Areas now totaling 721,781 acres. In fact, nearly 42% of the 1.7 million acres on the Forest are now Wilderness yet they are reportedly used by only 13% of the national forest visitors even though 55% of Washington's population now lives within a one-hour drive of a local wilderness area.

I was also an active participant in the development of the current Forest Plan for the Mt. Baker-Snoqualmie National Forest. The Forest Plan Environmental Impact Statement (EIS) specifically analyzed the wilderness attributes of 29 separate roadless areas on the Forest and concluded that only 6 roadless areas had demonstrable wilderness potential. Only one of these areas, Eagle Rock, is located within the current boundaries of the Wild Sky Wilderness proposal. The Eagle Rock roadless area encompasses only 33,177 acres (vs. 106,349 acres in H.R. 822).

It is important for this Subcommittee to clearly understand there are substantial human improvements within the proposed boundaries of Wild Sky. These include:

- 29 miles of roads
- 99 culverts (60 rated as high risk of failure)
- 7 Bridges, including 1 Concrete Bridge in West Cady Creek
- 6,600 acres that were previously harvested for timber
- Old Dam (not functioning) at Lake Isabel
- Breached Concrete Dam at Rock Lake
- Dam and pipeline at Simms Lake
- Dam and pipeline at Sunset Lake
- Concrete foundation for ore processor in West Cady Creek
- USFS Cabin at Lake Isabel
- USFS Fire Lookout on Evergreen Mountain
- Cabins and Mining Equipment on private property in the Silver Creek area

Furthermore, the actual number of older roads within the Wild Sky may actually be at least 60 miles, as the above-referenced mileage comes from Forest Service system roads that did not include unnamed and unnumbered so-called temporary roads that were also built for harvesting purposes. The Forest Service estimates the mileage of this type of road is likely greater than the 29 miles of system roads identified above.

I believe this Subcommittee needs to grapple with whether or not some of the lands within the Wild Sky proposal are actually suitable for designation as wilderness as described in the 1964 Act. I am not alone in this view. In a June 2002 letter to Congresswoman Dunn concerning the Wild Sky wilderness proposal, the Mt. Baker-Snoqualmie Forest Supervisor wrote, "within Washington state wilderness areas this definition has never included such substantially noticeable imprint of man's (sic) work. I feel that including these areas would be a change in the standard used by Congress in considering wilderness suitability (emphasis added)."

In this same letter, the Forest Supervisor also addressed the issue of the costs of changing the current recreational access within the Wild Sky area if it were to be designated as wilderness. Specifically, the cost of new trail construction, if any were to occur within the wilderness proposal area, was estimated to be approximately $100,000 per mile. In addition, the cost of converting about a third of the existing roads in the Wild Sky area to trails was estimated at $6.5 million. The Congressional Budget Office estimated the cost of the Wild Sky wilderness legislation to be approximately $18 million, principally because of the cost of removing roads. Based on my experience, these cost estimates are likely conservative.

Although H.R. 822 specifically calls for a new trail plan and system of hiking and equestrian trails within the Wild Sky, according to the Forest Service this language is likely in conflict with existing requirements based on the Endangered Species Act

for protection of grizzly bear core habitat that would actually limit any new trail construction in the proposed wilderness area. In addition, the Forest Service reports that spotted owl habitat requirements for Late Successional Reserves under the Northwest Forest Plan would also limit new trail construction. In fact, in the aforementioned letter, the Forest Supervisor stated, "contrary to popular belief, congressionally designated wilderness areas are not recreation resources per se." In this letter the Forest Supervisor goes on to say, "if designated as wilderness it is likely that the Forest would adopt the position that no new trails should be built inside the Wild Sky (emphasis added)." I have a hard time understanding how the public is served through limiting access by visitors to the Wild Sky area.

I seriously question the need to decommission roads and make them into trails. Presently, there remains a serious backlog of needed road maintenance and trail work on the Mt. Baker-Snoqualmie National Forest and this situation was made significantly worse by the storms of this past winter which resulted in over $10 million in damage on the forest. Even before this storm event, several existing trails were already "closed" on the Mt. Baker-Snoqualmie due to lack of money. Therefore, I recommend to this Subcommittee that these restrictions and limitations be further analyzed before adopting this legislation so as to avoid creating unreasonable, or unobtainable, public expectations for outdoor recreation in the Wild Sky area.

In addition, there are approximately 2,200 acres of private land within the proposed wilderness area. The Forest Service estimates it would cost approximately $2.2 million to acquire these private lands.

As a professional forester, it is important for the Subcommittee to understand that although the Wild Sky area is in western Washington which normally does not experience regular forest fires, there is and will remain a very real risk of catastrophic loss of this area to wildfire. The 1990 Forest Plan identified that most ecosystems of the Western Cascades developed under a fire regime of infrequent but very large, and high intensity, stand replacement fires on a return interval of once every 250 to 500 years and these fires were often catastrophic. Therefore, catastrophic wildfire in the Wild Sky area it is not a question of "if", but "when". At this point I am unaware of any efforts by local communities to develop Community Wildfire Protection Plans under the recently enacted Healthy Forests Restoration Act. In my opinion, development of these plans may be warranted as the Forest Plan Record of Decision anticipates that under current wilderness standards and guidelines, "it is possible that once every 20 years or so, an individual fire may approach 1,000 acres in size." Without adequate regard to the threat of wildfire in the Wild Sky area, we put neighboring private and state lands, as well as the local communities, in very real danger.

Although the Mt. Baker-Snoqualmie National Forest is one of the most productive national forests in the United States, there are sadly only 53,740 acres, of out of 1.7 million acres, allocated to matrix management under the Northwest Forest Plan. Of these matrix lands, 7,653 acres or over 14%, now reside within the Wild Sky proposal area. I have personally had to suffer the hardships of the timber depression following the spotted owl crisis of the early 1990's when my former employer had to close a local plywood mill. Somehow, it appears patently unfair to me, my former co-workers, and friends in rural Snohomish County to further reduce the now minimal amount of federal lands allocated for multiple-use management. In addition, designating these matrix lands as Wilderness would require an amendment to the Northwest Forest Plan. Recently, environmental supporters of the Wild Sky wilderness proposal appealed the proposed Sky Forks Thin Project, in part citing that the proposed thinning units were adjacent to the proposed Wild Sky wilderness area. The Forest Service negotiated with the appellants to resolve this appeal by removing thinning units that were adjacent to the proposal area that resulted in a significantly smaller project. Thus, even the prospect of a wilderness proposal has resulted in precluding Forest Service activities and uses up to the boundary of the actual area.

It is also important for the Subcommittee to understand that all wilderness areas on the Mt. Baker-Snoqualmie National Forest are designated Class I Airsheds under the Clean Air Act. If the Wild Sky proposal were to be enacted, it is presumed the Wild Sky area would be similarly designated as a Class I Airshed. The future impacts of such a designation on nearby private lands (up to a 50-mile radius) for current and future agricultural, forestry, commercial, and industrial activities are unknown at the present time and need to be evaluated.

H.R. 822 does not provide for a specific exemption that would allow for the use of motorized equipment to decommission roads and bridges inside the wilderness proposal area. It is my understanding this issue was identified as a needed exemption during the June, 2003 hearing on S. 391 before the Senate Energy and Natural Resources Committee. There are numerous culverts within the Wild Sky area that

need to be maintained, cleaned, etc., which can be done by hand labor. However, culvert replacement or removal can only be done by machine and current wilderness designations all restrict mechanized equipment. The proponents of this legislation like to cite the potential protection of important salmon spawning habitat as a benefit of wilderness designation. Unfortunately, if a culvert were to become blocked or washed out in a wilderness area, miles of salmon spawning habitat could be lost without the ability to bring machines in to make needed repairs. For example, two years ago it took almost a day to get permission to bring in a medic helicopter to simply take an injured hiker out of one of the wilderness areas.

I could not help but note that the Wild Sky wilderness proponents recently stated to Chairman Pombo that the Forest Service is 10 years overdue on making wilderness recommendations under their NFMA planning obligations and use this argument to state that the Congress should move forward with legislative action. This is incorrect. The Record of Decision for the Mt. Baker-Snoqualmie Land and Resource Management Plan was signed on June 8, 1990. The 1984 Washington Wilderness Act stated that "the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years..." Thus, the wilderness suitability analyses, forest plan standards and guidelines, and NEPA analyses associated with the Mt. Baker-Snoqualmie Forest Plan (which included substantial public involvement) are still fully within the timeframes described by the National Forest Management Act.

In closing, I ask that you delay moving this legislation forward to allow for further analysis and study. In my opinion, this is precisely what the NEPA process is intended for, and this Subcommittee needs look no further than the proposed I-90 Wilderness in Washington State where in 1998 Congress directed that an Environmental Impact Statement be completed before finally deciding on which areas to formally designate as wilderness. To me, this seems like a very prudent and responsible path forward and will go a long way towards ensuring that Wild Sky receives appropriate protection.

That concludes my written testimony, Mr. Chairman. I would like to thank you for the opportunity to be here today and would be happy to attempt to answer an questions you or the committee might have.

Mr. WALDEN. Thank you, Mr. Chase. I am a little disappointed in your comments. However, you left out the most important Arlington, and that is Arlington, Oregon, which is my district.

[Laughter.]

Mr. CHASE. My apologies.

Mr. WALDEN. Yes, we will work on you.

[Laughter.]

Mr. WALDEN. Mr. Town, welcome. Please give us your comments, sir.

STATEMENT OF MIKE TOWN, FRIENDS OF WILD SKY

Mr. TOWN. Chairman Pombo, Congressman Inslee, and members of the Subcommittee, I would like to thank you for giving me the opportunity to testify today on behalf of the proposed Wild Sky Wilderness bill. I would also like to thank Congressman Larsen, Senator Murray and other members of the Washington congressional delegation who have championed this important legislation and would like to ask that my full statement be included in the Committee record.

My name is Mike Town, and I am testifying today on behalf of Friends of the Wild Sky, an association of local residents and concerned citizens who support permanent protection for the Wild Sky country. My background includes an undergraduate degree in terrestrial ecosystems analysis and work experience in silviculture with the United States Forest Service. My wife and I are both

science teachers, and we moved into the beautiful Skykomish Valley in 1988, and we continue to live in the shadows of the Wild Sky.

I am testifying today based on my personal experience and knowledge of the Wild Skykomish Country. As an avid outdoorsman, I have spent the last 16 years exploring this beautiful area.

Within the boundaries of the proposed Wild Sky Wilderness are lush old-growth forests, thousand-foot cliffs, pristine rivers, and secluded alpine lakes. The proposal protects over 25 miles of the Skykomish River, which provides habitat for endangered species, world-class white water and renowned fishing. Other watersheds in the proposal contribute to clean and safe drinking water for the city of Everett, and the forested slopes reduce the potential for downstream flooding. Recreation abounds in the Wild Sky, as backcountry skiers, anglers, hunters, hikers, horseback riders and campers flock to this spectacular area. This steady flow of visitors is important to the economic stability of small towns in the Skykomish Valley.

To prepare for today's hearing, I went out and investigated on the ground issues raised in testimony last year before the Senate Subcommittee on Energy and Natural Resources. Last year, it was claimed that approximately 27 miles of existing roads would be impacted. This overstates the effect of the proposed wilderness by not taking into account roads that have already been permanently decommissioned by the Forest Service or otherwise closed by the Agency or closed by acts of nature that prevent access. In reality, the Wild Sky Wilderness would impact only about 2 miles of roads that are currently passable by passenger vehicles.

Small areas within the Wild Sky proposal had been affected by railroad logging in the 1920s. These areas are already recovering naturally from this impact. These stands, left to grow back on their own, have now almost returned to their former glory. Other than the occasional stump, these forests appear quite natural to almost all visitors as they assume the characteristics of true ancient forests.

These previously impacted areas are crucial to protect stream habitat and to help ensure the survival of salmon, steelhead and bull trout.

Concerns raised last year were appropriately rejected by the Senate Committee on Energy and Natural Resources on a bipartisan basis and later by the full Senate. I hope that this Committee will similarly reject those claims.

Mr. Chairman, local support for Wild Sky is strong in the valley and includes endorsements by many local officials, businesses and over a thousand local valley residents who have voiced their support for the creation of the Wild Sky Wilderness.

I would also like to add that this area serves as a leading laboratory for students of my wife and I who have taken to them into the Wild Sky to enjoy the beauty of this country while learning lessons about geology, history, culture, ecology and botany.

My favorite memory of the Wild Sky is introducing my students to a wild salmon spawning site, one of the few places left in the Cascades where spawning salmon are so numerous that you can walk across the river on their backs. This river's headwaters is in

the Wild Sky which still allows for one of the greatest spectacles of nature. Watching this display of nature with my students, I am reminded that the wilderness is not just about the present, but rather is about the preservation of the ancient attributes of nature.

I cherish the hope that my teenage students will have the ability to share this experience with their grandchildren. Permanently protecting the Wild Sky Country lets this happen. It is a gift to the ages and a powerful legacy of this Congress. I urge the members of this Committee to support passage of the Wild Sky Wilderness bill.

[The prepared statement of Mr. Town follows:]

Statement of Mike Town, Friends of the Wild Sky

Chairman Walden, Congressman Inslee, and other Members of the Subcommittee, I would like to thank you for giving me this opportunity to testify today on behalf of H.R. 822 the Wild Sky Wilderness Act. I'd also like to thank Senator Murray, and Congressman Larsen for sponsoring this important legislation and working diligently over the past three years to develop and promote the Wild Sky Wilderness proposal and House Members Jennifer Dunn, Jay Inslee, Norm Dicks, Brian Baird, Adam Smith and Jim McDermott for co-sponsoring this important legislation. I would like to further thank Congressman Nethercutt for his willingness to collaborate with staff from Senator Murray and Congressman Larsen's offices to work out differences in the boundaries.

My name is Mike Town and I am testifying today on behalf of the Friends of the Wild Sky, an association of local residents and concerned citizens who support permanent protection for the Wild Skykomish Country. My background includes an undergraduate degree in Terrestrial Ecosystems Analysis and work experience in silviculture with the USDA Forest Service. Currently I am a high school science teacher. My wife, who is also a science teacher, and I first moved into the beautiful Skykomish valley in 1988, and we continue to live in the shadows of the Wild Sky country.

I am also testifying today based on my extensive personal experience and knowledge of the Wild Skykomish Country. As an avid outdoorsman I have spent the last 15 years exploring the beautiful Skykomish area. Each year I hike, ski, and snowshoe more than 200 miles to the forests, high country meadows, secluded lakes and numerous mountain streams in the proposed Wild Sky Wilderness. My wife and I have written a newspaper column on the wonders of the Wild Sky region for our local newspaper the Monroe Monitor. Each summer I teach college courses on mining, ecology, and history within the boundaries of this wilderness proposal.

I would like to take the entire Committee to see this special place, but the best I can do today is to try to describe in words why the Wild Skykomish Country is a perfect candidate for designation to our National Wilderness Preservation System.

Within the boundaries of the proposed Wild Sky Wilderness are lush old growth forests, high peaks over 6000 feet tall, breathtaking waterfalls, 1000-foot cliffs, pristine rivers and secluded alpine lakes. The proposal protects over 25 miles of the Skykomish River, which provides habitat for endangered species, world-class white water and renowned fishing. Other watersheds in the proposal contribute to clean and safe drinking water for the City of Everett and the forested slopes reduce the potential for downstream flooding. Recreation abounds in the Wild Sky as backcountry skiers; anglers, hunters, hikers, horseback riders and campers flock to this spectacular area. This steady flow of visitors is increasingly important to the economic stability of small towns in the Skykomish valley.

Since the Members of the Committee can't go there, I'd like to describe this special place—moving west to east:

Ragged Ridge

The wild country directly north of Gold Bar and Index is an area of high lakes and ridges. From Arsenic Meadows to Northstar Mountain, one can wander through some of the loneliest terrain in the Cascades. Extensive middle elevation forests, mostly western hemlock and silver fir, cover the hillsides, with scenic parklands of mountain hemlock above. This is an area without established trails—this is wilderness in the truest sense, a great big blank spot on the map. It's a place where just about nobody ever goes, or, in more scientific terms, "core security habitat," for many kinds of wildlife. This area also includes many streams, which form the

headwaters of the Sultan River, which provide clean drinking and irrigation water to the City of Everett, and many residents in southern Snohomish County.

Lower North Fork Skykomish Valley

The lower fifteen or so miles of the North Fork valley contain beautiful ancient forests with several trees over 8 feet in diameter. Some of this area was railroad logged in the 1920's and 1930's. During this time only the highest value trees were taken and much of the biological legacy survived. Most importantly, these areas were never replanted, and a diverse, naturally regenerated forest has grown back. There are many miles of these forests along the North Fork road, and from high vantage points in the Wild Sky they form a continuous green blanket over the entire lower valley. Many areas within this area include low elevation forest, which lie close to the river and are important for water quality and fish health.

Eagle Rock Roadless Area

This country inside the Jack's Pass road loop is east and south of the lower North Fork, west of the Beckler River valley and north of Highway 2. The Eagle Rock area contains some of the most rugged mountain terrain in the Skykomish area, with sharp, jagged Gunn, Merchant and Baring peaks prominently visible from highway 2. Only one formal trail enters the area, to scenic and popular Eagle Lake at the end of Paradise Meadow.

This is a place of many diverse attractions. On its southern edge, some of the most impressive old growth forests in the Cascades grows on low, south facing slopes just north of the village of Grotto. A large area of Alaska cedar forest is found near Eagle Lake, and further north, the valleys of upper Trout and Howard creeks support extensive virgin forest. Seldom visited lakes like Sunset and Boulder lay at the heads of valleys, offering outstanding fishing. Botanically significant areas like Paradise Meadow display rare orchids, and carnivorous sundews as well as a bouquet of flowers in the early summer. The central and northern reaches of the Eagle Rock area are little visited, and mysterious. Summits such as Conglomerate Point and Spire Mountain see only a few visitors in any year while other places like Bear Mountain and upper Bear Creek valley may go a decade or more without seeing any humans.

West Cady Ridge

As one moves further up the North Fork Skykomish, the land begins to change. Rather than the sharp peaks, and fearsome brush and cliffs of Eagle Rock, the terrain opens up and the mountains grow gentler. Long ridges topped by extensive flower meadows provide extensive bear habitat and important wildlife corridors to other areas in the Cascades. This is a friendly, inviting country, slightly drier than areas further west. There are a number of popular trails, such as West Cady ridge and Scorpion Mountain. Certain other areas lend themselves well to off-trail wandering through open forests and meadows.

As you can see, the Wild Sky country is a land of contradictions. It is rimmed by powerful mountains, cut by turbulent streams, punctuated with biologically diverse forests and meadows and filled with habitats for a wide range of common and rare species. Its pure waters provide adventure for white water rafters, habitat for fish, drinking water for Snohomish County, and flood control for downstream residents. Its recreational benefits are endless and its ecological significance so valuable that this area demands permanent protection.

Unfortunately, the Wild Sky area was excluded from consideration in the 1984 Washington Wilderness legislation and left hanging at the end of the 107th Congress. However, 20 years after the creation of the last wilderness in Washington State, Congress can revisit the Wild Sky and grant the protection this unique and beautiful area deserves.

Some have tried to portray the Wild Sky Wilderness area is not worthy of protection. I have had a chance to review their testimony submitted last year to the Senate Energy and Natural Resources Subcommittee on National Parks, Recreation, and Public Lands and Subcommittee on Forests and Forest Health. For the past 6 months, I investigated on the ground the issues raised. Here's what I've seen:

It was pointed out that a small portion of the Wild Sky area had been previously logged. However, almost all of these areas are mostly at lower elevations, and most are already recovering naturally from the railroad logging that occurred during the 1920's and 1930's.

For example, along the North Fork of the Skykomish there are forest stands that were logged about 80 years ago. These stands, left to grow back on their own rather than being reforested with a monoculture of Douglas fir, have almost returned to their former glory. Now they feature species diversity, multi-layer canopies and an abundance of ecologically important reproductive niches. These forests are in direct

contrast to the second growth forest started from reforested trees, which are so abundant throughout the portions of the Cascades, which have been previously logged. Other than the occasional stump, these forests appear quite natural to almost all visitors as they assume the full characteristics of ancient forests.

Another example of past logging is seen in the area of lower West Cady Creek, a tributary stream of the North Fork Skykomish River. This valley was partially logged, but extensive areas of old growth forest remain. Ten years ago the most significant logging road in this valley was decommissioned and the logged areas have now stabilized soils and begun to contribute significant ecological values. This vibrant lowland valley must be included in the Wild Sky Wilderness to protect the integrity of the remaining old growth and mature second-growth forests, water quality, and important wildlife corridors. It also provides a logical and manageable Wilderness boundary by excluding a non-Wilderness finger intruding deeply into the proposed Wilderness.

It is important to include these previously impacted areas in the Wilderness in order to protect stream habitat to help ensure the survival of salmon, steelhead and bull trout. It is also important for these low elevation forests to be better represented in Washington's Wilderness Areas, to fully reflect this especially important type of ecosystem and wild landscape, which promotes biodiversity and is absent in so many other wilderness areas in the state.

It was claimed that the area includes approximately 27 miles of existing roads, some of which are all weather, drivable and graveled. Actually, the Wild Sky Wilderness would impact only about 2 miles of roads that are currently passable by passenger vehicles. The objections overstate the effect of the proposed Wilderness by not taking into account roads that have already been decommissioned—i.e., non-drivable and permanently closed by the Forest Service—and other roads that are currently gated or otherwise closed by the agency to prevent access. Landslides, washouts, and vegetation close a number of other road segments, or other random acts of nature.

It was also suggested that the Rapid River road receives high levels of visitor use for recreation purposes, and should be excluded. It's important to clarify that the Wild Sky Wilderness proposal would only impact approximately 1 mile of the upper section of this road. The lower 5 miles of this road would remain open.

The last mile of the Rapid River Road, which passes through towering stands of ancient forest, actually gets very limited visitation because it is rough and accesses only one dispersed recreation site. Many drivers stop at the Meadow Creek trailhead that is located outside of the wilderness boundary. In fact, last year I spent 4 hours along this section on Saturday of Memorial Day weekend—a beautiful sunny day, and did not see a single vehicle on the upper section of this road. In any case, it is important to close the upper portion of Rapid River Road for a number or reasons: the closed road could be converted into a barrier-free trail that is wheelchair accessible; closure will protect significant ancient forest and important riparian areas; and it will leave this low elevation area, which is open almost all year, accessible by a short hike. Indeed, leaving the last mile of this road in the Wild Sky provides a great opportunity for a family wilderness experience.

Past mining activity was raised as an issue but it is not as significant as is contended. While large areas of the Cascades have experienced the region's mining history, no major mine site ever existed in the Wild Sky proposal. Mining in this area was mostly limited to small claims that were worked sporadically for short periods up until the 1950's. Today the visible evidence of mining activity is limited to an occasional mine portal, some old road disturbances and rare dilapidated miner's shacks, and most of these are actually on private lands which are surrounded by National Forest land.

What the critics of the Wild Sky choose not to discuss is the strong local support for the Wild Sky in the valley and its endorsement by many local officials, businesses and over 1000 valley residents who signed a petition asking for the creation of the Wild Sky Wilderness. The Monroe City Council unanimously passed a resolution in support of Wild Sky and the Mayor of Index, the closest town to the proposal, testified before the Senate committee in 2002 in support of wilderness designation.

Clearly, people in Snohomish County and eastern King County care about the quality of life they get from the Wild Sky country whether it be in the form of accessible wilderness oriented recreation, pure drinking water or the knowledge that the ancient forest and salmon will continue to provide solitude, serenity and enjoyment which is guaranteed with Federal Wilderness protection.

The critics also ignore the open process Congressman Larsen and Senator Murray pursued in drafting the Wild Sky legislation. I attended the public meeting at Monroe where about a hundred interested people asked questions and gave input on the proposal. From my observations, most of the questions and observations were

typical for a proposed Wilderness Area. I believe all the concerns have been addressed through the process. One example was the inclusion of a beautiful and ecologically significant grove of ancient cedars, which was added from a request from a local, Index resident. Another example was the deletion of many acres on Johnson and Windy Ridges brought about through meetings conducted by Senator Murray and Congressman Larsen with the snowmobile association.

Finally, I would like to add that as science teachers this area serves as a living laboratory for our students who enjoy the beauty of the Wild Sky while also learning lessons about geology, history, culture, ecology and botany. My favorite memory is introducing my students to a wild salmon spawning site, which is one of the few places left in the Cascades where spawning salmon are so numerous that you could walk across the river on their backs. This river's headwaters are in the Wild Sky and it is the wilderness character of the forests along its banks, which still allow for one of the greatest spectacles in nature.

When I am watching this display of nature with my students, it often dawns on me that wilderness is not just about the present, but rather is about the preservation of the ancient attributes of nature. I cherish the belief that with federal protection my teenage students will have the ability to share the experience of spawning wild salmon with their grand children. Permanently protecting the Wild Sky country lets this happen. It is a gift to the ages and a powerful legacy of this Congress. And it is my hope that the lowland forest, which makes up the heart and soul of this Wilderness proposal, continue to provide the inspiration to old and young alike, as an integral part of the Wild Sky Wilderness.

In closing, I want to commend the members of the Washington State delegation for bringing disparate interests together—from timber companies, backcountry horsemen and environmentalists to residents and elected officials from local communities—to support this legislation. Washingtonians are committed to Wilderness and preserving our State's natural heritage. The members of the delegation deserve thanks for crafting this wilderness bill and for continuing the bipartisan tradition that has been so successful for wilderness protection in Washington State during the last 4 decades. I urge members of this Subcommittee to accept the boundaries of the current proposal as modified by our delegation from the original H.R. 822 and advance the Wild Sky Wilderness Bill to the House Floor for immediate action.

Mr. WALDEN. Thank you, Mr. Town. I appreciate your comments this afternoon.

Mr. Reardon, you are up next. I look forward to your comments. Thank you for being here.

STATEMENT OF AARON REARDON, SNOHOMISH COUNTY EXECUTIVE

Mr. REARDON. Well, thank you, Mr. Chairman. Chairman Pombo, Chairman Walden, Representative Inslee and other members of the Subcommittee, I am honored for the opportunity to testify before you today on such an important issue for the citizens of Snohomish County.

I am testifying today to express my strong support for the Wild Sky Wilderness Act, H.R. 822. This is an issue that I have followed closely over the last 3 years, first, as a member of the Washington State House of Representatives and then as a State Senator and now a Snohomish County Executive.

The support for Wild Sky Wilderness is incredibly strong in Snohomish County. Thirty-five current elected officials, both Republicans and Democrats, representing Snohomish County citizens at the city, county and State Government level, have enthusiastically endorsed this proposal, and currently more than 30 local businesses support the proposal as well.

This proposal's support extends far beyond our county boundaries. All told, more than 120 current and former elected officials across Washington State have endorsed this proposal, including the

Republican majority leader of the Washington State Senate, and nearly 70 businesses and more than 50 organizations have also lent their support to this issue.

There has been an inclusive public process on H.R. 822. This support has been evident early on and has only grown over the last 3 years, as Senator Murray and Representative Larsen reached out to members in the Second Congressional District. In late summer, early fall of 2001, before the proposal was even a bill, Senator Murray and Representative Larsen organized two informational meetings in Index and in Monroe, two areas close to the proposal. Both meetings were well-intended. And in true Snohomish County spirit, dialog was healthy. Issues came out of these two meetings that were then included in the proposal.

Other local meetings took place when the Cities of Monroe and Snohomish considered and passed resolutions in support of the Wild Sky Wilderness bill in 2003.

Of course, in Washington, D.C., this proposed legislation has also been carefully considered and reviewed by the public and elected officials alike in both the Senate and the House. In fact, it has been heard five times prior to today's hearing.

Senator Murray and Representative Larsen have done an exceptional job of crafting this legislation. It takes into account all sides of an issue and in particular those raised in public meetings. What stands out to me in this process is the public nature and the thoughtful deliberation in which all parties sought agreement.

This proposal will protect 106,000 acres of snow-capped peaks, alpine meadows, old-growth forests and wild streams and rivers. The north folk of the Skykomish River, which runs directly through the proposed Wild Sky Wilderness, is one of the most productive salmon streams in the Puget Sound area. And as municipal Governments struggle to meet the challenge of restoring salmon habitat, preserving this ecologically critical area will go very far as we try to promote salmon recovery.

The wild areas conserved as part of this proposal will ensure the protection of our water and air quality as well. In many cases, safe, clean drinking water depends on permanent protection of wild watersheds. The Wild Sky proposal includes part of the Sultan River basin watershed, which supplies drinking water for the city of Everett and most of the smaller communities in the South part of Snohomish County.

Ray Stephanson, the mayor of Everett, has made this point abundantly clear. If I may quote, "Protecting the Wild Sky area as wilderness is important for the citizens of Everett. In additional to local economic and recreational benefits, the proposal would permanently protect the headwaters which fed Spada Lake, the primary source for the city of Everett's drinking water."

As the population of Snohomish County grows, permanently protecting wild areas like those in the Wild Sky is critical in order to safeguard the quality of life that we enjoy here in the Pacific Northwest. From large cities like Everett to small towns like Index, from as far south as Lynnwood and as far north as Stanwood, this proposal defines the enduring values of our communities.

Increasingly, wild areas are critical to sustaining local economies in Snohomish County. Wilderness means jobs, sustainable jobs—

sustainable jobs in industries like tourism, recreation and vacation rentals that have always shown steady growth over the last decade. A recent report, "Prosperity in the 21st Century West," analyzed Federal economic statistics from 400 western counties and found that new businesses, investments and residents tend to locate near public lands. Treport found that the better protected those public lands, the more they contribute to the economic vitality of a region.

More than 30 local businesses, ranging from restaurants to sporting goods, vacation rentals, have all endorsed the Wild Sky proposal and, in part, because of the expected benefits to their business. Washington State, of course, is renowned for our wild forests which bring thousands of dollars and visitors to our communities and our cities. Many of these communities serve as gateways to national forests and wilderness areas.

In closing, as one who was born and raised in Snohomish County and who now serves in its chief elected capacity, I marvel at the industrious nature and competitive spirit of our citizens. Whether it is landing the Boeing 7E7 or competing against the rest of the country for the 21st Century biotechnology jobs, our citizens know what they want, and they go after it.

Snohomish County citizens are strong-willed, independent and earnest. We are that way because of our heritage. From commercial fishermen to loggers, from building the best airplanes in the world or working to find a cure for cancer, our families embrace the origin of our community.

The Wild Sky Wilderness proposal reminds us who we are, from where we came, and why we have worked so hard. We work hard to build a better community for our children and to preserve those values indicative to Snohomish County spirit.

The Wild Sky Wilderness proposal is emblematic of the enduring values of every citizen of Snohomish County, and I urge this Committee's support.

Thank you.

[The prepared statement of Mr. Reardon follows:]

Statement of Aaron Reardon, Snohomish County Executive

Chairman Walden, Representative Inslee and other members of the Subcommittee, I am honored for the opportunity to testify today on such an important issue for Snohomish County and our citizens.

I am testifying today to express my strong support for the Wild Sky Wilderness Act (H.R. 822). This has been an issue that I have followed closely over the last three years as a member of the state House of Representatives, then as a State Senator and now as Snohomish County Executive.

Snohomish County is a special place to live, in large part because of its unique natural heritage. Its varied topography ranges from saltwater beaches, rolling hills and rich river bottom farmlands in the west to dense forest and alpine wilderness in the mountainous east.

The people who live here are equally impressive. Whether from urban areas like Everett or Edmonds or small rural communities in the Skykomish River Valley Cascade foothills like Index and Monroe, Snohomish County residents value our communities, our families and our environment.

Unprecedented Local Support

As a result, the support for the Wild Sky Wilderness is incredibly strong in Snohomish County. Thirty-five current elected officials (both Republicans and Democrats) representing Snohomish County citizens at the city, county and state government levels have enthusiastically endorsed this proposal. More than 30 local businesses located in the Skykomish Valley in the small communities of Monroe, Sultan, Gold

Bar, Index and Skykomish, and Baring in neighboring King County, have joined the chorus of support for this proposal.

Of course, the support for this proposal is not limited to county boundaries. All told, more than 120 former and current elected officials throughout Washington State have endorsed this proposal. Nearly 70 businesses and more than 50 organizations have also expressed their strong support.

Inclusive Public Process

Moreover, this support has been evident early on and has only grown over the last three years as the proposal has been carefully developed by Senator Patty Murray (D-WA), Representative Rick Larsen (D-WA) and others in the Washington Congressional delegation.

In late summer and early Fall of 2001, before the proposal was even a bill, Senator Murray and Representative Larsen organized two public informational meetings for local citizens who live closest to the proposal. A packed house met in the scenic town of Index adjacent to the proposal and another well-attended public meeting took place in Monroe, the largest city within 15 miles of the proposed area. In true Snohomish County fashion, there was a healthy debate on both sides of the issue, including calls for protection of an old growth grove that had been left out of the initial proposal and concerns about impacts on snowmobile use.

Other local public meetings took place when the cities of Monroe and Snohomish considered and unanimously passed resolutions in support of the Wild Sky Wilderness bill in 2003. Both city councils talked about the importance of protecting this unique natural treasure to preserve the quality of life that our citizens enjoy.

In Washington, D.C., this proposed legislation has also been carefully reviewed by the public and elected officials. Committees in both the U.S. Senate and the U.S. House of Representatives have considered the Wild Sky legislation five times prior to today's hearing.

Senator Murray and Representative Larsen have done an exceptional job of crafting this legislation. It takes into account all sides of the issue, and in particular those raised in public meetings. What stands out in this public process is the thoughtful deliberation by parties on all sides. This began early in the process—even before the introduction of the bill into Congress. For example, language was added after Representative Dunn worked with the Sea Plane Pilots Association. Because of her hard work, the Sea Plane Pilots Association endorses this proposal.

Similar discussions were had to successfully address potential concerns raised by mountain bikers, back country horsemen, timber companies, private inholders, youth groups and disabled individuals. Thanks to the bi-partisan work of the Washington State congressional delegation, this bill has an unprecedented level of public support.

Benefits of a Wild Sky Wilderness to Snohomish County

The Wild Sky Wilderness will bring a host of benefits to the citizens of Snohomish County.

Preserving our Natural Heritage

This proposal will protect 106,000 acres of snow capped peaks, alpine meadows, old growth forests and wild streams and rivers. The north fork of the Skykomish river which runs directly through the proposed Wild Sky Wilderness is one of the most productive salmon streams in the Puget Sound area. As municipal governments struggle to meet the challenge of restoring salmon habitat, preserving this ecologically critical area will go along way to promoting salmon recovery.

Safe & Clean Drinking Water

The wild areas conserved as part of the proposal will ensure the protection of our water and air quality. In many cases safe, clean drinking water depends on permanent protection of wild watersheds. For example, the Wild Sky proposal includes part of the Sultan River basin watershed, which supplies drinking water for the City of Everett and most of the smaller communities in the southern part of the county.

Ray Stephanson, the Mayor of Everett has made this point abundantly clear, "Protecting the Wild Sky area as Wilderness is important for the citizens of Everett. In addition to local economic and recreational benefits, the proposal would permanently protect the headwaters which feed Lake Spada, the primary source for the City of Everett's drinking water."

Quality of life

As the population of Snohomish County grows, permanently protecting wild areas like those in the Wild Sky is critical in order to safeguarding the quality-of-life we

enjoy here in the Pacific Northwest. From large cities like Everett to small towns like Index, from as far south as Lynnwood to as far north as Stanwood, this proposal defines the enduring values of our communities. Residents of larger cities also value these wild areas as a welcome escape from the hustle and bustle of urban life.

As Donnetta Walser, the Mayor of Monroe put it, "Wilderness is important to Monroe not just because of the economic opportunities it will bring but also because it is essential to the quality of life that our residents enjoy. We enjoy having a foot in both worlds—being close to a big city like Seattle while being minutes away from permanently protected mountains, forests and rivers."

Economic benefits

Increasingly, wild areas are critical to sustaining local economies in Snohomish County. Wilderness means jobs—sustainable jobs, in industries like tourism, recreation and vacation rentals that have shown steady growth over the last decade. A recent report, Prosperity in the 21st Century West [1], analyzed federal economic statistics from 400 western counties and found that new businesses, investments and residents tend to locate near public lands. The report found that the better protected those public lands are, the more they contribute to the economic well being of local families and businesses.

For this reason, more than 30 local businesses, ranging from restaurants to sporting goods to vacation rentals have endorsed the Wild Sky Wilderness proposal, in part, because of the expected economic benefits to their businesses. Washington State is renowned for its wild forests which provide world class opportunities to hunt, fish, kayak, horseback ride and relax. These visitors bring thousands of dollars each season to our cities and towns, many of which serve as gateway communities to national forests and wilderness areas.

Kem Hunter, the current Mayor of Index, located adjacent to the proposed Wild Sky Wilderness put it this way, "I've lived in this area for 26 years...I'm interested in an economy that's based upon jobs that stay with us such as those tied to the recreational opportunities that this Wilderness area would protect."

In closing, as one who was born and raised in Snohomish County and now serves in the capacity of its chief elected official, I marvel at the industrious nature and the competitive spirit of our citizens. Whether it's landing the Boeing 7E7 or competing against the rest of the country for 21st century biotech jobs, our citizens know what they want and they go after it.

Snohomish County's citizens are strong willed, independent and earnest. We are that way because of our heritage. From commercial fisherman to loggers, from building the best airplanes in the world or trying to find a cure for cancer, our families have seen the good times and they've learned from the bad. The Wild Sky Wilderness proposal reminds us who we are, from where we've come and why we work so hard.

We work to build a better community for our children and to preserve those values indicative to the Snohomish County spirit. The Wild Sky Wilderness proposal is emblematic of the enduring values of every Snohomish County citizen.

Finally, Mr. Chairman, I have a letter from 34 elected officials in Snohomish County who support this bill. I would like to ask that the letter be included as part of the official hearing record.

Mr. WALDEN. Thank you for your comments, Mr. Reardon.

Now, we need to hear from Mr. Fadden. Thank you for coming today. We look forward to your comments.

STATEMENT OF CHRIS FADDEN, VICE PRESIDENT, WASHINGTON STATE SNOWMOBILE ASSOCIATION

Mr. FADDEN. Thank you, Chairman Walden, Committee members. I would like to thank you for allowing the Washington State Snowmobile Association the opportunity to testify on H.R. 822 Wild Sky. WSSA became involved almost 3 years ago when several members attended a Wild Sky workshop in Monroe. WSSA was asked by those members to take action against this legislation. WSSA officials and members wrote letters and sent e-mails to

[1] Prosperity in the 21st Century West, Sonoran Institute. 2004. http://www.sonoran.org/programs/prosperity.html

Congressman Larsen and Senator Murray's offices asking that alternatives be sought out, such as a National Recreation Area or a new concept of a Backcountry Recreation Area.

On December 5th, 2001, members of WSSA met with the aides from Congressman Larsen, Congresswoman Dunn, and Senator Marry's offices to discuss the wilderness area proposal. We supplied maps of the 2001 proposal with overlays that illustrated areas of motorized use. We suggested that for those areas an NRA would be a more appropriate designation, but were informed that the areas we had identified would be too small to manage as NRAs.

When we offered the idea of Backcountry Recreation Area, we were told that the designation did not exist and that they would not spend the time writing the legislation for it.

During the meeting, we were told by the Congressman and Senator's Aides that other user groups, including motorcyclists, mountain bikers and horsemen had met with them that day and had conveyed that they had little or no user areas inside the proposed boundaries. They did not foresee any conflict for their recreation and the proposed wilderness.

After several failed attempts at getting other motorized groups back at the table, WSSA found itself the solitary motorized group in opposition to the proposed legislation. At that point, WSSA board members asked that I take the lead and try to negotiate motorized user areas out of the proposal.

I then met several times with Senator Murray's aides, drawing lines on maps and discussing terrain features. When I brought up any other motorized use of an area, I was advised to remember that I was there to inform them only of snowmobile areas. After 5 months of bargaining, WSSA was asked to support the legislation for all the areas but one snowmobile area was removed. Eagle Lake area is inside the boundary still, and basically it was pointed out to us that if we removed it, it would be "cherry stemming," and it caused an issue with the boundaries. I replied that WSSA would not support the wilderness bill, but offered that the Association may agree to remain neutral.

After speaking to several WSSA board members, I was directed by the president at the time, Glenn Warren, to draft a letter agreeing to a stance of neutrality that he then approved for me to deliver to Senator Murray on May 16th, 2002.

For clarification, the definition of "neutral" is not taking sides; not belonging to, favoring or assisting in any side of war, dispute, contest or controversy. We have seen in the past where we have been marked as supporting the bill, and I don't think that is quite true.

Since that time, WSSA has haggled over a few boundary lines on maps that were added after the initial agreement, and they have since been removed. WSSA has had some internal turmoil over the neutral stance that the previous board had taken on Wild Sky. Earlier this year, at our annual meeting, a motion was made and passed to send a letter to Chairman Pombo, stating that in general WSSA does not support wilderness, without specific reference to Wild Sky, and that WSSA questions the validity of the 16,000 acres in the Wild Sky bill that apparently does not meet the wilderness definition. A member sent a letter out stating that we were

opposing Wild Sky without the knowledge of the board, when in fact we were only asking that the Resource Committee take a closer look at the 16,000 acres in question.

I would like to state for the record that the Washington State Snowmobile Association will remain neutral on H.R. 822 "Wild Sky" through the end of this 108th Congress. If this bill does not pass during this Congress and is reintroduced in the 109th Congress, WSSA will reconsider its position.

I would like to close by stating that WSSA has worked hard to represent snowmobilers in Washington State and negotiate a favorable outcome for our membership through involvement in drafting this legislation. While WSSA has agreed not to support nor oppose Wild Sky, recent opposition from other user groups and local Government representatives should indicate that a more careful review may be warranted. It is my sincere hope that you, the Resources Committee, carefully consider and evaluate the concerns brought forth today, knowing that over in Washington, the choices you make will have a very real impact on the people who currently recreate in the area known as Wild Sky.

Thank you for your time.

[The prepared statement of Chris Fadden follows:]

Statement of Chris Fadden, Vice President, Washington State Snowmobile Association

Chairman Walden and Committee Members,

I would like to thank you for allowing the Washington State Snowmobile Association the opportunity to testify on H.R. 822 "Wild Sky".

WSSA became involved almost 3 years ago when several members attended a "Wild Sky work shop" in Monroe, Washington, on September 6, 2001 and were asked to take action against this legislation. WSSA officials and members wrote letters and sent emails to Congressman Larsen and Senator Murray's offices asking that alternatives be sought out such as a National Recreation Area or a new concept of a Back Country Recreation Area.

On December 5th, 2001, members of WSSA met with aides from Congressman Larsen, Congresswoman Dunn, and Senator Murray's offices to discuss the Wilderness area proposal. We supplied maps of the 2001 proposal with overlays that illustrated areas of motorized use. We suggested that for those areas, a National Recreation Area (NRA) would be a more appropriate designation but were informed that the areas we had identified would be too small to manage as NRA's. When we offered the idea of a Back Country Recreation Area we were told that the designation did not exist and that they would not spend the time writing the legislation for it. During the meeting we were told by the Congressman and Senator's Aides that other user groups including Motorcyclists, Mountain Bikers and Horsemen had met with them that day and had conveyed that they had little to no user areas inside the proposed boundaries. They did not forsee any conflict with their recreation and the proposed Wilderness.

After several failed attempts at getting the other motorized groups back at the table, WSSA found itself the solitary motorized group in opposition to the proposed legislation. At that point WSSA board members asked that I take the lead and try to negotiate motorized user areas out of the proposal.

I then met several times with Senator Murray's Aides, drawing lines on maps and discussing terrain features. When I brought up any other motorized use of an area I was advised to remember that I was there to inform them only of snowmobile areas. After five months of bargaining WSSA was asked to support the legislation all but one of the snowmobile areas was removed (Eagle Lake, an area pointed to as being essential, included to prevent "cherry stemming"). I replied that WSSA would not support the Wilderness bill, but offered that the Association may agree to remain neutral.

After speaking to several WSSA board members, I was directed by the President Glenn Warren to draft a letter agreeing to a stance of neutrality that he then approved for me to deliver to Senator Murray on May 16th 2002.

For clarification, the definition of "neutral" is: not taking sides; not belonging to, favoring, or assisting any side in a war, dispute, contest, or controversy.

Since that time, WSSA has haggled over a few boundary lines on the map that were added after the initial agreement, and they have since been removed. WSSA has had some internal turmoil over the neutral stance that the previous board had taken on Wild Sky. Earlier this year at our annual meeting, a motion was made and passed to send a letter to Richard Pombo, as House Resource Committee Chair, stating that in general WSSA does not support wilderness (without specific reference to Wild Sky), and that WSSA questions the validity of the 16,000 acres in the Wild Sky bill that apparently does not meet the wilderness definition. A member sent a letter out stating that we were opposing Wild Sky without the knowledge of the board, when in fact we were only asking that the Resource Committee take a closer look at the 16,000 acres in question.

I would like to state for the record that the Washington State Snowmobile Association will remain neutral on H.R. 822 "Wild Sky" through the end of this 108th Congress. If this bill does not pass during this Congress and is re-introduced in the 109th Congress WSSA will reconsider its position.

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Thank you for your time.

Mr. WALDEN. Mr. Fadden, thank you for your time and for your work on this legislation and your comments today.

I would like to enter into the record now correspondence we have received, some 265 letters and e-mails from people who are opposed to the legislation in its present form. And so without objection, those will be entered into the record.

[NOTE: The information submitted for the record has been retained in the Committee's official files.]

Mr. WALDEN. I have wrestled with whether to say this or not, but I am going to because I think Mr. Reardon said, he talked a lot about process and the open process that has occurred here in the hearings and all, and I am not aware of any hearings in this Congress on the House side, other than this one, on this particular bill.

You know the frustration I have had is back last fall, Senator Murray put a hold on a bill of mine to help provide some refunds to farmers who had not gotten water in 2001, yet paid for the delivery of that water. It was late at night. I was back in Oregon, and I got a call from my senior Senator. She apparently wanted a hearing on this legislation. And I wasn't Chairman of the Subcommittee at the time, but I indicated I don't have a problem having a hearing on any bill. I couldn't pledge to support the bill without ever seeing it.

I never heard again from Senator Murray or her staff to my staff until about a month ago, when we had a bill that Senator Wyden and I had been working on to transfer some forest land to a parks and metro rec district in Bend, Oregon, the most rapidly growing county in my State. It had unanimous support in the Senate. She put a hold on that bill and never called. The staff never called us. Suddenly, there is a hold on this bill.

Now, we worked around it because we had an identical bill on the House side that Senator Wyden had sent over, so we sent that through. So she has still got a hold on my parks bill. It doesn't matter now. So I called her. I said, "Why? What is going on here."

"You know what you have to do."

It is like, "Do you ever think about coming over, sitting down and talking? I mean, I told you I have actually made requests for a hearing and talked to the Chairman about it." So anyway that conversation went nowhere.

So I just want you to know that, that in this process it always seems to me to be more productive when it is open, hearings occur, and discussions occur like among I am sure the three Washingtonians that are here today. And, frankly, I don't like to deal with people in that sort of "take a hostage and put a gun at your head" mentality, and I just hope in this process, as you all work out your differences here, and among yourselves—these two gentlemen, especially, I know, put a lot of work into this, and I assume my Ranking Member here has as well. And so I think that is a better process to go through, and my faith in them is why I certainly have supported holding this hearing.

I want to ask each of you, I have seen various studies that show wilderness is good for local economies and bad for local economies. This is that seesaw, yin-yang, I say it is good, you say it is bad. The Mount Baker-Snoqualmie already has 42 percent in wilderness is my understanding, but recreation statistics show only 13 percent of recreationists visit it, and so I guess the question from each of you that I would like—that and one other—is will creating more wilderness truly add more jobs to the economy? And I know that is important.

The second question I have comes about from some work we are doing up on Mount Hood on a wilderness proposal. An initial proposal came out, and we all kind of learned quickly that you can't mountain bike, and I don't mean motorized, other than by muscle power, in a wilderness area. And I wonder if that issue has come to light here and if it is an issue at all. In my hometown, mountain biking has become a huge sport, and again muscle-powered mountain biking, and I just wonder if there are mountain bike trails here and if you all are looking at that, if that has become an issue.

So maybe if you could address both of those questions and just kind of go—we will start, well, I assume snowmobile folks, if you want to start out, Mr. Fadden.

Mr. FADDEN. Wilderness, obviously, we are a motorized group, and wilderness would stop us from using any of those areas which would, in fact, hurt the local economies because we wouldn't be visiting those areas any more. I don't have the exact numbers, but we do spend per person at least $2,000 a year on overnight-type accommodations. So it would be a big economic impact.

Mr. WALDEN. Do you know anything about nonmotorized mountain biking?

Mr. FADDEN. The nonmotorized mountain biking, we have spoke with them, on occasion, about those areas, and they don't have any current trails in there, but this would stop them from creating any new trails.

Mr. Chase, I believe.

Mr. CHASE. Yes. I am not an economist, but I perceive that wilderness would do less because it is going to be more restrictive. You are not going to have snowmobilers in there. You are not going to have other people in there. And I am another step down the road because you might say I wear the resource flag of building roads and so on. But if you skip over that and just stay with the current situation, it will be less dollars going into there because there will be less visitors and less things to do.

Mr. WALDEN. All right. Thank you. And do you know anything about mountain biking issues?

Mr. CHASE. No, that is the new generation.

[Laughter.]

Mr. WALDEN. It sure is. Those bikes are a couple thousand bucks I have discovered, too.

Mr. Reardon?

Mr. REARDON. Thank you, Mr. Chairman. As I referenced in my testimony, a recent report of "Prosperity in the 21st Century West" does identify economic investment following public lands. In terms of the details of wilderness, I don't have that information on me, but would be happy to forward that to the Committees.

I also point to a document in the record from the Snohomish County Economic Development Counsel, which the whole focus is to expand the economy to generate revenues without having to raise taxes, and they are indeed supportive of this legislation.

In terms of mountain biking, as the owner of a specialized "stump jumper," it does not at all discourage me that I can't mountain bike in the wilderness. There are plenty of places in Washington State that afford me that opportunity, in fact, around the Pacific Northwest. And as a resident of the community, and a lifelong resident of the community, I am more than happy to designate this as wilderness, to keep it open for hiking, so my daughter, and my wife and I can enjoy it.

Mr. WALDEN. Thank you.

Mr. Town?

Mr. TOWN. On your mountain bike question, first, we have a—the local mountain bike group has supported the Wild Sky since the very beginning. There also is language in the bill that does a trail study in surrounding areas, not within just the Wild Sky area itself.

I am a mountain biker and do considerable mountain biking, and I would find it very difficult to mountain bike anywhere within the Wild Sky area business of the steepness of the terrain. However, there are roads that go through the Wild Sky area that will remain open that I have mountain biked quite peacefully and happily.

On the economic issue, just a real quick one. I am also not an economist, but it seems that a lot of wilderness areas are pretty remote, and the reason the visitation numbers are probably low is because of the remoteness. On the Wild Sky, this is much closer to populated areas, and I think that it will increase some visitation, and there will be some economic benefits because of that.

Mr. WALDEN. I am going to have to excuse myself. I have to go chair yet another subcommittee, the one I have been chairing before. So I am going to turn the gavel over to Mr. Flake at this

point, and then I will look to the record for the responses from the other two gentlemen.

Thank you, again, for all of your input on this legislation, and to Mr. Nethercutt and Mr. Larsen for your work on it as well.

Mr. FLAKE. [Presiding.] Thank you.

I will now recognize Mr. Inslee.

Mr. INSLEE. Thank you. Just on that note on bicycling, it was interesting, when I was coming back Sunday from this climb of Mount Baring, on the ferryboat I ran into a pal of mine who had just been mountain biking at Gold Bar. There is a lot of great mountain biking at Gold Bar, and he thought the Wild Sky was a great idea as long as we have facilities outside the wilderness, which we have got plenty of, and he is happy about it.

I want to address this issue of National Recreation Areas, which I am opposed to, as far as being a solution here, because I think they are kind of a half-baked quasi wilderness that really don't cut the mustard here for three reasons:

One, they do allow other uses that are not allowed in the wilderness, at least in some circumstances. In fact, in the Eagle Cap wilderness, the statute actually would allow logging, mining and grazing. Now, that may not be, here, specifically the situation, but I don't think we should muddle that.

Second, there is a public understanding, when you declare something a wilderness, the people in the State of Washington get it. They know what that means. If we start muddling around with different designations, you don't know what you are talking about.

Third, you have got really just little slivers. If you cut out 16,000 acres of this, it is just little, tiny slivers, and it would just drive everyone nuts to manage them. In fact, if somebody could put the map up—could we put the map of it up there just to show what we are talking about if we cut these little slivers out of it. And maybe, Mike, could you just show where those little slivers would be if you cut 16,000 acres out? I don't think it is designated on the map, but I think you know where it would be. This is going to be an approximation, but just to give you—

[Mr. Town approached the map and was speaking off-microphone.]

Mr. FLAKE. Excuse me. Could the gentleman speak with a mike so it can be on record?

Mr. INSLEE. I don't know if it is possible. Why don't you just point it out quietly, and then go back and speak. How is that?

[Mr. Town pointed the area out on the map.]

Mr. INSLEE. The point I want to make is these are noncontiguous little, tiny parcels, sometimes 200 feet wide, and the Forest Service would have to manage three different types of forests sometimes within 350 feet. And people are going to be going from regular Forest Service land to national recreation land, to wilderness designation, within about 300 feet, with different rules on whether you can start a campfire, how many people can be in your party. I just think that is really, really bad policy to carve up our forests in such little, tiny spots. I think it creates unnecessary problems.

I want to ask, Mr. Town, if you could—this may be difficult because we don't have a mike—but if you can describe all of the

accommodations that were made from day one to accommodate people's concerns about recreation and resource use issues.

Mr. TOWN. If I may use the map again.

Mr. INSLEE. Mr. Chair, could we try that if he speaks very loudly?

Mr. FLAKE. I will ask the recorder if that is possible.

Would you bring the map over closer to the mike.

Mr. INSLEE. Yes, why don't you bring the map over where he is.

Thank you.

Mr. INSLEE. Just hold it behind him.

Mr. TOWN. If I talk as loud as I can from here, is the mike picking me up?

Mr. FLAKE. Yes. It sounds like that is OK.

Mr. TOWN. The original proposal, which was submitted at a public meeting in Monroe a number of years ago, was over 120,000 acres, and a lot of people had input on that. And based upon the input of the people who were at that meeting and subsequent meetings, what happened is this area here was, and this area in here, and a portion of this area here was taken out of the proposal because of concerns raised predominantly by local snowmobilers.

This area here was taken out of the proposal because of this issue that Mr. Inslee mentioned before about group sizes—church groups and Boy Scouts—in order to get to Barkley Lake.

This area here was taken out of the proposal in order to accommodate some concerns raised by the timber industry.

This area here was taken out of the proposal because of some mineral issues on some old mining claims and some private land issues.

These areas along the North Fork corridor were expanded, based upon concerns raised by the Forest Service and some other folks.

So it started out as 120-, and then a lot of areas have been taken out, based upon public involvement, public discussion, to get to the original 106,000-acre proposal. And then, subsequently, another 2,000 acres was taken out just recently based upon some other issues that were raised, predominantly access issues, like, for example, this area here.

I may also add that there was some additions that were made because of public input, and basically there is a great stand of old growth that was added in this area because of a local citizen who discovered that particular stand of trees.

Mr. INSLEE. Thank you. I don't know what our situation is. I do have some more questions, but I will defer.

Mr. FLAKE. We need to move along at this point.

Mr. Nethercutt?

Mr. NETHERCUTT. Thank you, Mr. Chairman.

Thank you all for your testimony. We really appreciate your being here.

I notice that Mr. Reardon, and Mr. Sax, and Mr. Town mentioned the likelihood of increased visitation, steady growth. Is it your conclusion that the growth will be increased if this area is preserved, as opposed to having it occur without it being preserved? Do you understand my question? Are you assuming that there is going to be an increase in growth and an increase in visitation because of it?

Mr. SAX. Would you like me to—

Mr. NETHERCUTT. Yes, sir. Maybe Mr. Sax or Mr. Town or Mr. Reardon or anybody else who wants to testify.

Mr. SAX. Thank you very much, Representative Nethercutt, for the question.

On a personal note, I would like to thank you, as the only statewide elected representative at the Federal level, to come and actually speak with me about the Wild Sky proposal.

I look at Highway 2 in the corridor from Seattle all the way to Chelan as kind of the driveway for recreation in the Puget Sound area. Enormous amounts of people leave the urban metropolitan area on the weekends and on holidays and travel over. There are many opportunities for wilderness recreation on that driveway.

Putting Wild Sky within a wilderness area, in its present form—the 106,000 acres as proposed—I think will actually diminish, it is my belief that it will diminish the activity for the cities of Index, perhaps increase Index, but decrease for Gold Bar, Sultan, because people will choose to bypass, those people that would like to recreate in a way that a wilderness perhaps prohibits. They will go over the mountain into Chelan County to participate in those activities.

So my thought is the wilderness would probably restrict and decrease the activity in the national forest should it become wilderness.

Mr. NETHERCUTT. How about you, Mr. Town? What is your take on it or do you see any change or any difference between one or the other?

Mr. TOWN. Well, I don't know if I can answer anything specifically on growth. But in terms of visitation, I think that visitation will increase by a slight factor in this area because of it becoming wilderness.

I disagree a little bit with the idea that people won't come here because it is wilderness. If this was an area in which we were taking user groups that were using this area, for example, dirt bikers and snowmobilers, and saying that they no longer could use this area, perhaps they would recreate in another area. But, realistically, right now within this proposal, the dirt bike crowd, for example, the ATV crowd, most of the ATV in this area, in the Highway 2 corridor, occurs outside of the proposal in a place called Reider Pit. It is a tremendously fabulous place to dirt bike. So I doubt people will leave because Wild Sky is part of it.

On the snowmobile side, most of the snowmobile activity in the Highway 2 corridor also occurs currently outside of the wilderness proposal. And when the wilderness proposal becomes law, it still will occur in those areas. I doubt people will bypass those existing areas just because they are gone.

Mr. NETHERCUTT. How about you, Mr. Reardon?

Mr. REARDON. Snohomish County is a fast-growing place. it is going to keep growing regardless of Wild Sky or not. I think what it comes down to, Congressman, is the kind of growth that we are looking to attract. This designation of wilderness gives us an opportunity to identify it, to work toward it. That is why the local mayors of Index, Monroe and the outlying areas support the proposal because the old type of growth isn't coming back. It is not sustainable, and we are looking for options that are sustainable.

So I think, in terms of that, growth is going to occur, but it gives us a chance to really identify the future that is possible in Snohomish County and go after it.

Mr. NETHERCUTT. Let me ask, quickly, in the 30 seconds I probably have left, would you all support, assuming there is some bill that gets through this system and is preserving this area, would you support, and do you think there is a need for additional infrastructure assistance, highway money or other assistance that might help meet whatever growth or whatever changes might come with respect to this legislation?

Mr. REARDON. In terms of the transportation side, as a former State lawmaker, both in the House and the Senate, I can say that, regardless of Wild Sky or not, the State of Washington needs money. We need to move on the transportation bill that is before the Congress, before the President, and the State of Washington needs to do their job as well.

Wild Sky, I don't want to say is irrelevant, but it is, at this juncture, not a piece of the puzzle that is going to make a significant difference in my opinion.

And you had a second question, Congressman? I am sorry.

Mr. NETHERCUTT. No, that was it. I was just going to make sure—Mr. Sax, would you agree, as a public official?

Mr. SAX. I would agree with our executive that we are transportation starved. And as Congressman Larsen talked about $1.4 million coming to two local communities, that is a nice help.

We have been told, in order to provide true infrastructure enhancements on the Highway 2 corridor, we need to do a corridor study, 68 miles of Environmental Impact Study—it is an $8-million, 2-year study—just to start receiving Federal State allocations of funds to improve the roads. It is a terrible highway, and I would say that with or without Wild Sky, infrastructure does need to come to Snohomish County.

My question is why spend $18 million, as Congress has forecasted, to remove the infrastructure should we put this wilderness in place, rather than spend that $18 million creating access to something that would be enjoyable to attend or to participate in.

Mr. NETHERCUTT. Thank you.

Mr. FLAKE. Thank you. We need to move along here, quickly, if we can.

Mr. Udall, if you could go quickly, if we can. I believe we need to end at 2:00, and we have two more quick witnesses.

Mr. TOM UDALL. Thank you, and let me thank the panel for being here and say that I applaud Rick Larsen, and Representative Nethercutt, and Senator Murray for working in a bipartisan way on this legislation.

And with that, I would yield to Representative Inslee.

Mr. INSLEE. Thank you. I will just hopefully make a couple of points.

First, I want to make sure that we heard the words of Senator Henry Jackson's son, Peter Jackson, who in the record wrote to say, "The argument that evidence of past human impacts of old logged areas, roads, culverts, lookout stands, cabins and the like disqualify those Federal lands from designation as wilderness, pursuant to the Wilderness Act of 1964 is simply wrong. I am troubled

and surprised that it would be raised again, fully 3 decades after my father," Senator Jackson, "Congressman Saylor, Republican architect of the wilderness bill, and others who actually wrote the Wilderness Act said exactly that, and the entire Congress agreed."

I think that is powerful language from the son of the fellow who wrote the Act.

I want to ask Mr. Town about the recovered areas, areas that originally were logged and now are growing back. I think we have a picture. If you could bring that picture, Mr. Town, I just want to ask you about that. I am told this is a picture taken in an area that had been logged. If you can just tell us what we see there.

Take that over to Mr. Town, if you will, please, so he can point to it if he wants to.

Mr. TOWN. This picture, Congressman Inslee, shows an area that was logged in the 1920s, and now it has returned to basically what most people would consider somewhat of a pristine state. It is right near the banks of the North Fork of the Skykomish River.

And I think one of the issues of this 16,000 acres is that a lot of this acreage is right on the banks of the river, and the river itself maintains its water quality because of these forests.

If I may draw an analogy in terms of the Wild Sky, the Wild Sky is like a human being. The North Fork of the Skykomish River is basically the most important portion of what is coming out of the Wild Sky to downstream residents. If you remove those low-elevation forests along the banks of the North Fork of the Skykomish River, what you really are doing is you are taking the heart and soul out of this proposal just like as if it was a human being. And that is what this issue, in terms of previously logged areas, most of those previously logged areas look exactly like this photograph.

Mr. INSLEE. Thank you. I have one more question for Mr. Sax, briefly.

I have real, real trouble with people asserting there hasn't been a lot of public input in this process. Eighteen Snohomish County elected officials support this. Sixty-five mayors within an hour of this area support it. Eight members of the congressional delegation, two Senators and one Governor support this.

There have been multiple, multiple public meetings on this, and I just really can't understand Mr. Sax's statement. I understand there was a meeting in Monroe, one in Index. Did you go to those? Did you have an opportunity to attend those?

Mr. SAX. I was not able to attend those meetings.

Mr. INSLEE. Is that Mr. Larsen's fault?

Mr. SAX. That is not Mr. Larsen's fault. I did not receive an invitation to the meetings.

Mr. INSLEE. But other people showed up, didn't they?

Mr. SAX. And there was also a great deal of opposition that showed up to the meetings.

Mr. INSLEE. And I am sure they were listened to with great—in fact, a lot of their ideas were taken into consideration.

Anyway, thank you very much, and I appreciate all of your testimony.

Mr. FLAKE. Thank the gentleman.

The gentleman from Washington wanted to make a closing statement.

Mr. LARSEN. Thank you, Mr. Chairman.

I want to again thank Chairman Pombo and Chairman Walden for helping to make this hearing happen. And I want to thank my colleague from Spokane, Congressman Nethercutt, as well as Senator Murray, for all of the work that everyone has been doing on this, and of course Mr. Inslee as well.

I want to thank all of the attendees who, I think, going through my list, I think all of them are constituents, and we live about as far north and west as you can get from this place in the Continental United States, and for them to make a trip out here for 4 hours of hearing is a great feat on their part, and you all deserve a lot of thanks for that.

Chris Fadden, I want to thank you very much. We have had this issue of snowmobiles, snowmobilers and where are you on these issues, and I think you cleared it up very well today, and I really do appreciate that.

We also ought to note that not only is Gene Chase not a logger, but a road contractor, not only a family friend, but was selected this year as Washington State's Community College Trustee of the Year and deserves a lot of thanks for his efforts on behalf of higher education in Washington State as well.

Thank you, Mr. Chairman.

Mr. FLAKE. Thank you, and I would like to thank the panel. You are done. Thank you very much.

[Laughter.]

Mr. FLAKE. I knew that would draw applause. Thank you. I thank the members for their questions as well.

Mr. FLAKE. Since Mr. Neugebauer is not yet here, we will go ahead and call Art Pope. Mr. Pope is here, right?

[Pause.]

Mr. FLAKE. Thank you, Mr. Pope, for coming. He is the Executive Director of the Northwest Youth Corps. And before getting to your testimony, and I apologize, we won't have time for questions, given our congressional schedule. We need to be finished at 2:00, but Mr. Udall wanted to make a statement quickly or enter a statement into the record.

Mr. TOM UDALL. I will just be very brief here, Mr. Chairman.

This is a bill that Representative Walden and I are both working on, which would allow the Secretaries of Agriculture and Interior to contract directly with the Youth Service and Conservation Corps to carry out rehabilitation and enhancement projects in our parks and forests, placing a priority on those projects that prevent and suppress wildfires in the wild and urban interface.

This partnership between the Federal Government and the Nation's Service and Conservation Corps will provide cost-effective assistance in preventing forest fires and providing disaster relief to at-risk communities.

I have one of these conservation corps, called the Rocky Mountain Conservation Corps, in my district. You have disadvantaged youth working in a variety of situations. I think working in the forests could make a real difference to their lives and to healthier forests.

And with that, Mr. Chairman, I would ask that my full statement be put in the record, and let us proceed with the panel.

[The prepared statement of Mr. Tom Udall follows:]

Statement of The Honorable Tom Udall, a Representative in Congress from the State of New Mexico, on H.R. 4838

Mr. Chairman, I would like to thank you for holding a hearing on H.R. 4838, The Healthy Forest Youth Conservation Corps. This legislation will allow the Secretaries of Agriculture and Interior to contract directly with Youth Service and Conservation Corps to carry out rehabilitation and enhancement projects in our parks and forests, placing a priority on those projects that prevent and suppress fires. This partnership between the federal government and the nation's service and conservation corps will provide cost-effective assistance in preventing forest fires and restoring damaged forest lands.

In addition to providing additional resources to control forest fires, the program will offer important work experience to low income, disadvantaged, and often minority youth between the ages of 16-24 who, through the corps, will develop the skills and habits they need to become productive citizens.

Research has shown that youth who complete corps programs have higher rates of employment and earn more than their counterparts. Corps members also score higher on measures of personal and social responsibility and are more likely to earn a college degree. Finally, not even taking into account the obvious cultural and financial benefits to society from protecting at-risk youth, corps generate $1.60 in immediate benefits for every dollar in costs.

I encourage my colleagues to support the Healthy Forest Youth Conservation Corps Act to enable local youth corps to work with the federal government to protect their communities. This is an opportunity to utilize cost-saving human resources to conserve, maintain and protect Federal land. It is an investment in our environment and in our country's youth. I look forward to working with you, your staff, and Congressman Walden on this legislation that will help provide a positive, long-term solution to a pressing need in our Nation's forests. Thank you very much.

Mr. FLAKE. All right. We will do so. And because of time constraints, we will actually go to Mr. Neugebauer first and welcome his statement in explanation of this bill.

Thank you for coming.

STATEMENT OF THE HON. RANDY NEUGEBAUER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS, NINETEENTH DISTRICT

Mr. NEUGEBAUER. Thank you, Mr. Chairman. I want to thank you for allowing me to testify today regarding H.R. 4806.

This bill provides for a land exchange between the Lincoln National Forest in New Mexico and Lubbock Christian University in my district. I believe this land exchange is in the best public interest, and it is fair and provides mutual benefit for both parties.

Lubbock Christian University owns and operates Pine Springs Camp, which is located on 40 acres in the Lincoln National Forest. LCU also owns 80 acres of undeveloped land, which is an in-fill tract northwest of the camp, and this tract is surrounded fully by national forest land and has limited access.

LCU would like to expand Pine Springs Camp in order to accommodate the growth of the number of campers since 1994. At that time, about 650 youth attended summer camp at Pine Springs each summer. Today, almost 1,250 young people are attending Pine Springs.

In order for Pine Springs to have room for additional campers and activities, LCU has proposed to exchange the 80 acres of undeveloped land that they own for 80 acres of land which borders the existing camp. The land that LCU proposes to acquire from the Forest Service is composed of two 20-acre tracts and one 40-acre

tract. Pine Spring Camp would use the land for athletic fields and for possible amphitheater and new housing in the future.

LCU is a nonprofit entity. Pine Spring Camp was deeded to the university in 1996 and has become an important part of LCU. Each summer, 10 1-week camp sessions are held at Pine Springs, and in the off-season the camp is used for college youth groups and church retreats. Summer camp sessions are staffed by church and youth minister volunteers and LCU students. Camp fees cover operating costs and camp improvements are made by volunteers through donations. Just like the university, Pine Springs camp is operated on a nonprofit basis.

Without the land exchange with Lincoln National Forest, Pine Springs Camp has really no effective options for accommodating any increased demand for the programs that they are offering at the camp. The option of developing the 80-acre tract inholding that the camp has would be cost prohibitive and really I don't think is in the best interests of the national forest because, like I said, it is completely surrounded by national forests, and this would be a development that would be adjacent to a national forest all the way around it. Selling the inholding and using the proceeds to purchase additional land would also be difficult.

LCU first met with the Forest Service regarding possible land exchange in April of 2001, and LCU worked with the Forest Service on an initial proposal and resolved the outstanding issues with a camp deed. As LCU learned more about the land exchange process, the length of time involved and possible expenses, they contacted my predecessor, Congressman Larry Combest, to further discuss that process.

Last year, LCU asked me to work on a legislative exchange in order to expedite the process and help reduce the expenses that would make the exchange infeasible for them. Through this proposal and preliminary feasibility process, LCU informs me that Lincoln National Forest has remained interested in the exchange and supportive of the university's request because the forest would like to acquire the LCU's undeveloped 80 acres.

H.R. 4806 moves this land exchange forward and helps reduce the expenses to both parties. As I mentioned previously, as a nonprofit, LCU has been concerned with the uncertainty in cost and time involved in the direct exchange with the Forest Service.

Mr. Chairman, I will put the rest of my statement in the record, in order for time here, but I think you begin to get the gist that all of the parties have agreed to that. What the university would like to do is not spend all their money with lawyers in the long-term process of working through this exchange, and since all parties have agreed to go ahead and make the exchange, allowing the Forest Service to have this 80 acres of pristine land back and not have a donut hole in the middle of it, and it would also provide growth opportunity for the church to operate that camp.

I would be glad to answer any questions.

[The prepared statement of Mr. Neugebauer follows:]

Statement of The Honorable Randy Neugebauer, a Representative in Congress from the State of Texas, on H.R. 4806

Chairman Walden, Ranking Member Inslee and members of the Forest and Forest Health Subcommittee, thank you for allowing me to testify today regarding H.R. 4806.

This bill provides for a land exchange between the Lincoln National Forest in New Mexico and Lubbock Christian University in my district in Texas. I believe this land exchange is fair and provides benefits for both parties.

Lubbock Christian University (LCU) owns and operates Pine Springs Camp, which is located on 40 acres in the Lincoln National Forest. LCU also owns an undeveloped 80-acre inholding a few miles northwest of the camp. This tract if fully surrounded by National Forest land.

LCU would like to expand Pine Springs Camp in order to accommodate the growth in the number of campers since 1994. At that time, about 650 youth attended summer camp at Pine Springs each summer. Today, more than 1250 youth attend the week long sessions.

In order for Pine Springs Camp to have room for additional campers and activities, LCU has proposed to exchange its undeveloped 80-acre inholding for 80 acres of National Forest land that borders the existing camp. The land LCU proposes to acquire from the Forest Service is composed of two 20-acre tracts and one 40-acre tract. Pine Spring Camp would use the land for athletic fields, an amphitheater and new housing.

LCU is a non-profit entity. Pine Springs Camp was deeded to the University in 1996, and has become an important part of LCU. Each summer, 10 one-week camp sessions are held at Pine Springs, and in the off-season, the camp is used for college, youth group and church retreats. Summer camp sessions are staffed by church and youth minister volunteers and LCU students. Camp fees cover operating costs, and camp improvements are made by volunteers and through donations. Just like the University, Pine Springs Camp is operated as a non-profit.

Without the land exchange with the Lincoln National Forest, Pine Spring Camp has no effective options for accommodating the increase in camper demand. The option of developing the 80-acre inholding as a new camp would be cost prohibitive. Selling the inholding and using the proceeds to purchase additional land near the camp would also be a difficult process.

LCU first met with the Forest Service regarding a possible land exchange in April of 2001. LCU worked with Forest Service on an initial proposal and resolved some outstanding issues with the camp deed. As LCU learned more about the land exchange process, the length of time involved and the possible expenses, they contacted my predecessor, Congressman Larry Combest, to further discuss the process.

Late last year, LCU asked me to work on a legislative exchange in order to expedite the process and help reduce expenses that would make the exchange infeasible for them. Through this proposal and preliminary feasibility process, LCU informs me that the Lincoln National Forest has remained interested in the exchange and supportive of the University's request.

H.R. 4806 moves this land exchange forward and helps reduce expenses for both parties. As I mentioned previously, as a non-profit, LCU has been concerned with the uncertainty in costs and time involved in a direct exchange with the Forest Service. The legislation helps move the process along yet still includes a full land appraisal and review of the exchange. H.R. 4806 also allows the National Forest Service to reduce the amount of land conveyed to LCU in order to equalize the value of the land exchange, if necessary.

By expanding Pine Springs Camp from its existing location through acquiring the federal lands, LCU will have space to allow for future growth. By acquiring LCU's inholding, the Lincoln National Forest will increase the Forest Service's undeveloped land within the forest. Ownership of the inholding will facilitate the Forest Service's management of this area of the Lincoln National Forest and give the Forest Service full discretion over how this land is used in the future.

H.R. 4806 provides for the straightforward exchange of a small amount of land between the Forest Service and LCU. This legislation is non-controversial, and the exchange provides significant benefits to both parties. A lengthy and expensive exchange, however, reduces benefits and makes this exchange less appealing to both sides.

Mr. Chairman, on behalf of my constituents at LCU and Pine Springs Camp, I ask that your Subcommittee help move this exchange through the legislative process during the remainder of this session of Congress.

Thank you for the opportunity to testify today. I would be happy to answer any questions you may have.

Mr. FLAKE. Thank you. We decided to forego questions so that we can get through the panel, and we will enter the entire statement into the record.

Thank you for testifying on behalf of your bill today.

Mr. NEUGEBAUER. Thank you.

Mr. FLAKE. We appreciate it.

We will now go to Mr. Pope and ask you to summarize, in 5 minutes, your statement, and the entire statement will be entered into the record.

Thank you so much for being here.

STATEMENT OF ART POPE, EXECUTIVE DIRECTOR, NORTHWEST YOUTH CORPS

Mr. POPE. Thank you. Mr. Chairman, members of the Committee, I am honored to be here today to testify in support of H.R. 4838, the Healthy Forest Youth Conservation Corps Act of 2004.

I want to thank Representative Walden, from my home State, and Representative Tom Udall for sponsoring this bill.

I am the Director of Northwest Youth Corps. And though our offices are located in Eugene, Oregon, our youth crews work on projects throughout the State, as well as in Washington, Central Idaho and Northern California.

I am also testifying on behalf of the National Association of Service and Conservation Corps, NASCC, which represents more than 100 corps programs and 23,000 corps members in 32 States and the District of Columbia. I have attached detailed descriptions of Northwest Youth Corp and NASCC for the record.

As of July 8th, five Western States—Alaska, Arizona, Colorado, New Mexico and Washington—all reported large, active fires. At that time, 40,470 fires had consumed 2.9 million acres since the start of the year. Right now, large, highly active fires are burning in Alaska and California. Fire danger in the West remains high, and continued drought conditions are expected to extend the West's fire season again this year.

The National Fire News notes that once firefighters control a wildland fire, another group of quiet heroes move into the area to start the healing. After a fire, extensive work is often needed to control erosion and protect water quality. Land management professionals often turn to corps programs for the resources they need to start the stabilization and reforestation process.

For example, in 2003, the 1,000 corps members in our programs built or maintained 367 miles of trail, pruned 257 acres of conifers, completed fuel reduction work on 147 acres, removed noxious weeds from 1,000 acres, planted 8,230 trees and covered 45 acres, collecting seeds needed for habitat restoration work.

In 2001, the Southwest Youth Corps in Durango, Colorado, thinned or cleared 175 acres, created defensible space around 20 structures, removed 33 truckloads of wood and created a series of fire breaks 1 to 4 miles long and 40 to 400 feet wide.

In 2003, the Youth Corps of Southern Arizona partnered with the Apache-Sitgreaves National Forest, the Coronado National Forest and the Chiricahua National Monument to cut and pile excess fuels in order to reduce the potential for catastrophic fire.

The nearly 90,000 alumni of the California Conservation Corps have dedicated more than 50 million hours to protecting and enhancing the environment and another 6 million hours to responding to emergencies like fires, floods and earthquakes.

Corps programs offer Federal, State and local land management agencies a flexible, experienced workforce able to respond to emergencies and disasters on short notice. In 2001, 16 Corps programs engaged more than 1,400 Corps members who provided 500,000 hours of service in our national forests. During this period, the Forest Service invested $4.2 million in these partnerships, while Corps programs contributed an additional $2.4 million in matching dollars.

Today's Corps programs are direct descendants of the Civilian Conservation Corps of the Depression era. Like the legendary "C's," corps programs are proven strategy for giving people the chance to change their communities and their lives. Corps give young people a chance to step up to a challenge, a chance to make a difference and sometimes just a vitally needed second chance.

Working under the leadership of adults who serve as mentors and role models, Corps participants discover the pride in their abilities, learn the importance of teamwork and experience the recognition that comes from making a positive investment in their communities.

Nationally, approximately 60 percent of Corps members are young people of color, 50 percent enroll without a high school diploma or GED and 55 percent come from homes where the annual income is less than $15,000.

H.R. 4838 provides the additional resources needed to prevent and fight forest fires, protect rural communities and restore fire-damaged land. It will help Corps programs to meet the needs of our youth and help our young people to become productive members of society.

Mr. Chairman, members of the Committee, thank you for the opportunity to testify on this important legislation.

[The prepared statement of Mr. Pope follows:]

Statement of Art Pope, Director, Northwest Youth Corps, Eugene, Oregon, on H.R. 4838

Mr. Chairman and members of the Subcommittee, I am honored to be here today to testify in support of H.R. 4838, the Healthy Forest Youth Conservation Corps Act of 2004. I want to thank Chairman Walden, from my home state of Oregon, and Rep. Tom Udall for their leadership.

I am the Director of the Northwest Youth Corps (NYC). The NYC is headquartered in Oregon but also does work in Idaho, Washington State, and California. I am also testifying on behalf of the National Association of Service and Conservation Corps (NASCC) which represents the corps movement in Washington and consists of more than 100 corps, enrolling 23,000 corpsmembers in 32 states and the District of Columbia. I have attached detailed descriptions of the NYC and NASCC for the record.

Based on our work in Oregon and reports from my colleagues around the country, I am convinced that corps have an important role to play in preventing forest fires and other natural disasters that endanger our forests, providing appropriate assistance to communities threatened by fires, and helping communities recover from the devastation caused by fires.

As of July 8, five states—Alaska, Arizona, Colorado, New Mexico, and Washington—were reporting large, active fires and almost 300 large fires had been contained since January 1, 2004. In addition to these large fires, the National Interagency Fire Center reported that there had been 40,470 fires consuming 2.9 million

acres since the start of the year. According to press reports, the extreme drought is expected to extend the West's fire season and drier than normal logs and trees are expected to fuel further fires as the heat wave conditions continue.

According to the National Fire News "as firefighters control wildland fires, another group of quiet heroes move into the area to start the healing. After a wildland fire, the land may need stabilization to prevent loss of topsoil through erosion and prevent the movement of dirt into rivers and streams. Land management specialists and volunteers jump start the renewal of plant life through seeding and planting with annuals, trees, and native species that help retain soils and fight invasive weeds. It's a long term process that comes alive as the wildland fires die down."

This is exactly the kind of work at which corps excel. In fact, we are already doing this work. Legislation such as H.R. 4838 will provide the federal government with the resources necessary to continue to utilize corps and cost-effectively fight wildfires. At the same time, this bill targets disadvantaged youth and encourages them to help themselves by helping their communities. For example:

In 2003, NYC Corpsmembers built or maintained 367 miles of trail, pruned 257 acres of conifers, performed fuel reduction on 147 acres, removed noxious weeds from 1,000 acres, planted 8,230 trees, and collected seeds on 45 acres.

Between April and October, 2001, the Southwest Youth Corps in Durango, Colorado thinned or cleared 175.5 acres, created defensible space around 20 structures, removed 33 truckloads of wood, and created a series of fire breaks that extended between one and four miles and were between 40 and 400 feet wide.

In the past year, the Utah Conservation Corps did thinning in a wildland fire-urban interface zone outside of Park City that was a partnership between a homeowner's association and Utah Department of Forestry. In the past, it has carried out "soil stabilization" projects in the Bridger-Teton National Forest that included the rehabilitation and re-routing of trail in burn areas and building drainage structures.

In 2003, the Youth Corps of Southern Arizona have partnered with Apache-Sitgreaves National Forest, the Coronado National Forest, and Chiricahua National Monument. Corpsmembers cut and piled excess fuels in preparation for a burn as part of a hazardous fuel reduction project. They also thinned and removed trees for habitat improvement on the Apache-Sitgreaves. The YCOSA worked with Ramsay Canyon, a facility of The Nature Conservancy in southern Arizona to remove hazardous, flammable material from buildings. Work to create defensible space was conducted several weeks prior to a fire and the Corps has received credit for saving the buildings. In the past, three camp crews were sent to fires on BLM and USFS areas (once in Wyoming and twice in Arizona.)

The Coconino Rural Environment Corps located in Flagstaff, Arizona thins hundreds of acres of federal, state, county, city, and private lands every year. The Corps has created multiple partnerships in local communities to mitigate the hazards of catastrophic wild fires. Summit Fire Fuels Reduction Partnership has thinned land around more that 30 homes in its local community. The Partnership also provided the local Native American Reservations with more than 400 cords of fire wood. Partnering with County and City Waste Management the partnership found a way to transport fire wood to community members in need with little to no cost to the project. The partnerships have also increased community awareness to the dangers of wildfire and the risks that may be associated with living in one of the most fire prone forests in the world, thus creating a more fire wise community.

The CREC thins more than 500 acres a year and returns more than 4000 acres to native grasslands. Forest restoration has also been a large portion of the forestry work CREC has done over the last several years.

The Western Colorado Conservation Corps (WCCC) has done access and egress in urban interface in the Black Canyon of the Gunnison National Park housing area to insure safe passage for emergency response workers. Corpsmembers have been trained in firescaping around new suburban neighborhoods as cities spread into rural areas to provide both visually aesthetic and fire resistant landscape around structures of value and along the avenues of emergency response.

In 2003, The Minnesota Conservation Corps responded to 45 wildfires that totaled 30,656 acres. It completed 920 home and property assessments (fire wise) relating to wildfire danger and defensible space and made recommendations to the home owners on how to make their property safer in the event of a wildfire.

Corpsmembers also provided about 8,720 hours in indirect fire suppression activities including 5 miles of fire break construction, 400 acres of timber stand improvement, and 5,560 acres of prescribed burns.

In any given year, MCC plants 150,000 plus trees in areas that may or may not have been impacted by previous fires. MCC also completes 150 Forest Inventory Analysis (FIA) plots each year for the Minnesota Department of natural resources

Division of Forestry. These plots are then used in a variety of Forestry models including a wildfire model.

The California Conservation Corps (CCC) is the nation's oldest, largest and longest-running youth conservation corps. Nearly 90,000 young men and women have worked more than 50 million hours to protect and enhance California's environment and communities and have provided six million hours of assistance with emergencies like fires, floods and earthquakes.

This June the CCC laid plastic and sandbags on Delta levees to prevent flooding; fought fires in Santa Barbara and Madera counties and surveyed for the glassy-winged sharpshooter (a major agricultural pest that cause Pierce's disease in grapevines and other diseases in other plants and has caused the loss of millions of dollars to wine grape growers) in Solano County. At the request of the San Joaquin County Office of Emergency Services and the state Department of Water Resources, 200 corpsmembers and staff were dispatched. The 15 crews placed heavy plastic sheeting and sandbags to protect 13.5 miles of interior levees not designed to hold flood waters. Corps headquarters or satellites sending crews included Chico, Delta, Fresno, Los Angeles, Monterey Bay, Norwalk, Placer, Pomona, Redding, San Luis Obispo, Siskiyou and Tahoe.

At the same time, the CCC responded to the Delta levees, three crews were dispatched to the Gaviota Fire in Santa Barbara County. Corpsmembers from the Los Padres and Pomona centers assisted the California Department of Forestry and Fire Protection with logistical support.

As crews finished up with the Gaviota Fire this month, the CCC was called upon to respond to the Source Fire in the Sierra National Forest, under the direction of the U.S. Forest Service. Fresno and Pomona corpsmembers provided assistance at the fire camp. As I have indicated, corps have experience working with federal, state, and local land management agencies. In 2001, 16 NASCC Corps engaged more than 1,400 corpsmembers in projects in national forests and corpsmembers provided more than 500,000 hours of service. Indeed, the Forest Service invested $4.2 million in partnerships with Corps and leveraged an additional $2.4 million in match.

Corps do fee-for-service work and meet the test of the marketplace everyday. If we don't meet or exceed expectations our partners go elsewhere. Enactment of H.R. 4838 and corresponding funding will enable us to do more.

Corps are the direct descendents of the Civilian Conservation Corps (CCC) of the Depression era. Like the legendary CCC, today's Corps are a proven strategy for giving young men and women the chance to change their communities, themselves, and their families. By providing opportunity to young people who need a second chance, corps turn potential problems into valuable resources.

Approximately 60% of NASCC corpsmembers are young people of color, 50% enroll without a high school diploma or GED and 55% come from homes where the annual income is less than $15,000. A rigorous, random assignment evaluation conducted by Abt Associates/Brandeis University reports positive outcomes for young people who join a corps. The Abt Associates/ Brandeis University study also found that:

- significant employment and earnings gains accrue to young people who join a corps;
- arrest rates drop by one third among all corpsmembers;
- out-of-wedlock pregnancy rates drop among female corpsmembers; and
- corps generate $1.60 in immediate benefits for every dollar invested.

Corps engage primarily young people ages 16-25 in service, training and educational activities. The corps model places young people under the leadership of adult leaders who serve as mentors and role models.

In return for their efforts to restore and strengthen communities, corpsmembers receive: 1) a stipend; 2) classroom education to improve basic competencies and secure credentials; 3) technical skills training; 4) supportive services; and 5) a post-service educational award. Young men and women learn to value their personal contribution, learn the importance of teamwork and experience the recognition that comes from making a positive investment in their community.

Corps are established pathways to re-integrate vulnerable young people into society. The supportive environment, the power of providing service to their own neighborhoods and the value of paid work to self-esteem combine to strengthen the ties between a young person and his or her community.

H.R. 4838 provides needed additional resources to meet the challenges posed by forest fires. Funding corps to thin forests generate community volunteers, and restore land after a fire occurs is a cost-effective way to reduce the danger of fires and their aftermath.

Mr. Chairman, thank you again for the opportunity to testify on this important piece of legislation.

Mr. FLAKE. Thank you for your testimony.

I live in Arizona, just off the Rodeo-Chediski fire or I grew up in that area and saw so many youth groups come up after the fire and continuing to help out in the area there.

Do you want to make any statement after this, quickly, before we thank the witness?

Mr. TOM UDALL. No, I just want to thank the witness and appreciate your courtesies, Mr. Chairman.

Mr. FLAKE. Thank you.

Thank you so much for waiting so long for the other panel and for delivering your testimony, and it will be printed in the record. And any questions that members might have, if you could respond to that in writing, I believe the hearing record will be open for 10 days for additional questions and answers.

So thank you, and there being no further business before the Subcommittee, the Subcommittee stands adjourned.

[Whereupon, at 2:01 p.m., the Subcommittee was adjourned.]

[The prepared statement of Mr. Walden submitted for the record follows:]

Statement of The Honorable Greg Walden, a Representative in Congress from the State of Oregon, on H.R. 4838

As sponsor of the Healthy Forest Youth Conservation Corps, I'd like to say that the original intent was to include this provision in the Healthy Forests Restoration Act but could not do so because of a last-second agreement during conference to exclude all extra provisions. The primary purpose of this bill is simply to provide at-risk and low-income youth a chance to learn skills and become educated in forest restoration. Hopefully, then, these young adults will be able to join the existing and expanding workforce being deployed on our federal forests in fuels reduction, post-fire rehabilitation and other forest health projects. This is not only important for broadening opportunities for young people but it should also help provide new recruits for private companies as we greatly expand the size and number of fuels reduction projects authorized in HFRA. So it is not the intent of this bill to create competition for existing jobs but rather to help provide a pool of trained workers for companies to draw from. As we address the massive scope of the forest health problem on our federal lands,—190 million acres at risk of catastrophic fire—we will need to apply a broad array of projects and partnerships, private and public, across the landscape. The Healthy Forest Youth Conservation Corps will play a small but important role in this important endeavor.

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