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**Written Statement of Marcia Argust
Director, U.S. Public Lands and Rivers Conservation, The Pew Charitable Trusts
Regarding S. 241, S. 2804, S.2875, S.4599, and S. 1695
For the record of the legislative hearing held on November 18, 2020
In the Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining**

The Pew Charitable Trusts seeks to preserve ecologically and culturally significant U.S. public lands and rivers through legislative designations, as well as federal and state administrative protections. To accomplish these goals, we work closely with diverse stakeholders—such as local businesses, local governments, Indigenous Tribes, the outdoor recreation industry, travel and tourism organizations, veterans, sportsmen and women— to develop collaborative proposals that protect landscapes and local communities.

The COVID-19 pandemic has underscored how much Americans value the outdoors, with individuals actively seeking connections to public lands and rivers. It has also shown how important visitor spending is to gateway communities. According to newly released figures from the Bureau of Economic Analysis, the outdoor recreation industry generates \$788 billion each year in national economic output, and supports 5.2 million American jobs. Outdoor recreation on public lands and rivers is an economic driver in rural and urban areas, and bills pending before the Subcommittee have the potential to assist in our nation’s economic recovery.

Pew supports S. 241, S. 2804, S.2875, S.4599; we strongly oppose S. 1695. We appreciate the Subcommittee holding a hearing on these initiatives. Our specific position on each proposal is outlined below.

The Colorado Outdoor Recreation and Economy (CORE) Act (S. 241). This bill would protect 400,000 acres of public land in Colorado through new wilderness designations in places like Mount Sneffels and Hoosier Ridge, mineral withdrawals in the Thompson Divide, and the preservation of recreation and conservation management areas in places like Tenmile Range that provide opportunities for hiking and mountain biking.

It would also preserve important wildlife conservation areas like the Porcupine Gulch Wildlife Conservation Area, which includes Colorado’s only migration corridor over Interstate 70 for elk,

bear, mule deer, and other wildlife. In addition, the bill would honor the military legacy of the state and the U.S. Army's 10th Mountain Division through the designation of the Camp Hale National Historic Landscape.

S. 241 improves upon four previously introduced lands bills: the *Continental Divide Recreation, Wilderness, and Camp Hale Legacy Act*, the *San Juan Mountains Wilderness Act*, the *Thompson Divide Withdrawal and Protection Act*, and the *Curecanti National Recreation Area Boundary Establishment Act*. The current legislation reflects years of coordination with hikers, campers, ranchers, sportsmen, elected officials, recreation groups, counties, and local business and energy companies. These individuals and groups came together to achieve consensus on appropriate protections for the region, and a program to support local communities through leasing and energy generation of excess methane from existing and abandoned coal mines in the North Fork Valley.

The Pershing County Economic Development and Conservation Act (S. 2804). This initiative is the product of a balanced, bipartisan, and locally driven process supported by a diverse group of public lands users. The group's consensus product, S.2804, would protect areas of significant ecological value and provide new opportunities for economic development by consolidating checkerboard lands, and resolving other longstanding public lands issues in Pershing County, Nevada.

Pew strongly supports the conservation designations in this bill, as it would provide wilderness protection for approximately 136,000 acres of land in Nevada's Great Basin Desert, conserve critical wildlife habitat, geologic wonders, and outdoor recreation opportunities. The wilderness designations would permanently protect magnificent high desert landscapes with pinyon-juniper forests, sagebrush valleys, rugged canyons, and dramatic mountains that are home to a variety of wildlife such as sage grouse, pronghorn, mule deer, and bighorn sheep.

We have previously expressed concerns with some of the bill's other provisions. While we describe these concerns below for the record, we note that all stakeholders have been working together in good faith to resolve them, and we are confident that each of these issues can and will be resolved soon.

Section 204 would release 48,600 acres of Wilderness Study Areas (WSAs), permitting development to take place on lands that are currently managed for conservation values. Section 103 would make approximately 150,000 acres of federal land available for sale. That land, along with land conveyed elsewhere under Title I, could result in an increase in industrial development. While Pew would not support these changes in land management or ownership on their own, we recognize that these provisions are balanced by significant conservation gains in Title II of the legislation.

Pew also recognizes the need to resolve the long-standing checkerboard ownership pattern of land in Pershing County. We support the intent of these conveyances: consolidating the checkerboard of federal and non-federal ownership in this region by removing partially-

encumbered land from the federal estate and using the proceeds to acquire other land in the county, including land that would assist the Bureau of Land Management (BLM) implement conservation and recreation management goals. We look forward to continue working with Senator Cortez-Masto and the Subcommittee to address these issues.

As the Subcommittee considers the request of the United States Navy for an expansion of Naval Air Station (NAS) Fallon, and subsequent mitigation that would be necessary if an expansion were allowed, we urge the Subcommittee to ensure that as a condition of the expansion, the Douglas County Economic Development and Conservation Act (S.2890), the Lander County Land Management and Conservation Act (S.3465), and the Ruby Mountains Protection Act (S. 258) are enacted in addition to the Pershing bill. We also urge the Subcommittee to address the needs of Churchill County, the Walker River Paiute Tribe, and the Fallon Shoshone Paiute Tribe as part of any reauthorization and expansion of NAS Fallon.

The Smith River National Recreation Area Expansion Act (S.2875). The bill would expand the Smith River National Recreation Area by 58,000 acres and protect 74 miles under the Wild and Scenic Rivers Act, including Baldface Creek, Chrome Creek, and nearby streams. If enacted, the bill would protect these diverse ecosystems of the rivers, streams, and adjacent lands of the North Fork Smith River watershed and help boost the local fishing and recreation industries that many Oregonian families rely on.

In 1990, Congress enacted legislation to establish the Smith River National Recreation Area (NRA) to protect the portion of the watershed in California, but the boundary of the NRA stopped at the Oregon border, leaving the North Fork of the Smith River and its tributaries unprotected. S. 2875 would extend the boundary of the recreation area into Oregon, ensuring the protection of these critical resources.

The Smith River is home to a rich assemblage of life forms, including Coho and Chinook salmon, Coastal Cutthroat trout, the diverse Siskiyou Mountains forests, unique plants found nowhere else on earth, and spectacular redwoods that tower over the lower riverbanks. The Smith River NRA's scenic beauty, world-class fisheries, and exceptional water quality attract adventurers who partake in water sports, fishing, hunting, camping, and sightseeing. The waters in the area are also the source of clean drinking water for the surrounding communities.

The NRA expansion would permanently withdraw the land from new mining claims, helping to protect this sensitive area from proposed nickel strip mines. In addition, the legislation would task the Forest Service with the preparation of an updated recreation plan to identify specific plans for the entire NRA and to produce a special study of streams, fens, wetlands, and potentially unstable and vulnerable aquatic habitat areas.

The bill is a product of various interests coming together to find common ground and it is supported by local elected officials, sport and commercial fishing industry representatives, and conservation organizations.

The Pecos Watershed Protection Act (S. 4599). The bill will protect over 150,000 acres of the Pecos River Watershed from all publicly owned minerals including oil and gas, as well as gold, silver, copper and other hard rock minerals. In so doing, S.4599 would protect the clean drinking water for communities in both New Mexico and Texas.

Beginning at an elevation of over 12,000 feet, the Pecos River Watershed extends from the north-central Sangre de Cristo Mountains and continues south and east before reaching the New Mexico-Texas state line at an elevation of approximately 3,000 feet. These waters are among New Mexico's most outstanding aquatic resources for people, plants, and animals alike. For centuries, the watershed has supported thriving ecosystems and communities. The Upper Pecos has sustained the Pecos Pueblo peoples, for generations, and to this day, remains culturally and materially significant to their communities. The Upper Pecos also sustains rich traditions of farming and ranching and other traditional uses, all of which depend on clean water.

In the 1990s, toxic waste spills and irresponsible mining activities caused severe contamination of the area. Remediation of that contamination took decades and required millions of dollars. S.4599 would help prevent a repeat of these actions, safeguarding these waters for future generations.

The Human-Powered Travel in Wilderness Areas Act (S. 1695). By amending the Wilderness Act to allow the use of mechanized vehicles, such as bicycles, S. 1695 would permanently weaken statutory protections for all wilderness areas designated by Congress since 1964 and Pew strongly opposes it.

Nearly 57 years after its passage, the Wilderness Act is considered the "gold standard" of public lands protection. The National Wilderness Preservation System includes some of the most remote, ecologically important, and undisturbed landscapes in the United States. Because Congress intended for Wilderness protection to preserve these landscapes in a primitive, unspoiled state, motor vehicles and most other forms of mechanical transport are not allowed in Wilderness areas. These prohibitions include bicycles, wheeled cargo carriers, and other non-motorized forms of mechanical transportation.

Wilderness proposals are typically developed over years of collaboration with local stakeholders and their Members of Congress. Recreational users, including the mountain biking community, are often active participants in these efforts. Congress has a broad spectrum of tools that it can use to protect public lands. While mechanized activities are not permitted in designated wilderness areas, other protective designations, such as National Parks, National Monuments, National Conservation Areas, National Recreation Areas, National Wildlife Refuges, and others provide ample opportunities for mechanized recreational activities. .

While Pew opposes S. 1695, we welcome the opportunity to work with the Subcommittee and with members of the mechanized recreation user community to address their specific concerns about access to public lands in ways that will not undermine the integrity of the Wilderness Act.

Contact

Pew appreciates the opportunity to submit these views for the Subcommittee's consideration, and we would welcome the opportunity to work with the Committee to improve these bills. Please contact John Seebach at 202-540-6509 or jseebach@pewtrusts.org or Nicole Cordan at 503-703-3733 or rcordan@pewtrusts.org if you have any questions regarding our views on this legislation.