

TESTIMONY OF  
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BEFORE THE  
UNITED STATES HOUSE OF REPRESENTATIVES  
COMMITTEE ON NATURAL RESOURCES  
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS

LEGISLATIVE HEARING  
H.R.279 - ROADLESS AREA CONSERVATION ACT OF 2021

May 11, 2022

Chair Neguse, Ranking Member Fulcher, and Members of the Subcommittee:

My name is Thomas O'Keefe, and I am the Pacific Northwest Stewardship Director for American Whitewater and Policy Advisor for the Outdoor Alliance representing the voices of paddlers, backcountry skiers, hikers, mountain bikers, surfers, and climbers, who have a direct and intensely personal interest in the conservation and management of our public lands.

I am here today to testify in support of H.R. 279, The Roadless Area Conservation Act of 2021. This bill would provide lasting protection for Inventoried Roadless Areas within the National Forest System, and builds on the success of the 2001 Roadless Area Conservation Rule.<sup>1</sup> Roadless Areas represent roughly one-third of all National Forest System lands, or approximately 58.5 million acres that comprises 2% of the land base in the conterminous United States.<sup>2</sup>

*About American Whitewater and Outdoor Alliance*

Founded in 1954, American Whitewater is a national river conservation nonprofit with a mission to protect and restore America's whitewater rivers and to enhance opportunities to enjoy them safely. Our conservation and restoration work is infused with recreational knowledge and enthusiasm, and our recreation work is driven by a deep conservation ethic. We call this integrated approach to our mission river stewardship and pursue it in

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<sup>1</sup> Roadless Area Conservation, 66 FR 3245 (January 12, 2001).

<sup>2</sup> Welcome to Roadless Area Conservation, USDA Forest Service, <<https://www.fs.usda.gov/roadmain/roadless/home>>, Accessed 9 May 2022.

three tracks: Protect, Restore, and Enjoy. When we spend more time on rivers, we become better stewards and better advocates for their protection.

I am also here today in my capacity as a Policy Advisor for the Outdoor Alliance. Outdoor Alliance is the only organization in the United States that unites the voices of outdoor enthusiasts to conserve public lands and ensure those lands are managed in a way that embraces the human-powered experience. We are a nonprofit coalition of national advocacy organizations that includes American Whitewater, American Canoe Association, Access Fund, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, American Alpine Club, Mazamas, Colorado Mountain Club, and Surfrider Foundation. By connecting millions of outdoor enthusiasts, Outdoor Alliance works to protect, promote, and enhance human-powered recreation, and ensures the best protections for places that matter to the outdoor recreation community.

### *Personal Connection to Roadless Areas*

I come before the Committee today as an individual who has witnessed firsthand the benefits of protected Roadless Areas in our National Forests.

- I participate in outdoor recreation with my friends and family and have personally enjoyed the opportunities Roadless Areas provide for kayaking and canoeing, hiking, and mountain biking.
- I am a scientist, with a doctoral degree in aquatic ecology, who has conducted research in the temperate rainforest of the Pacific Northwest; I understand firsthand the research value of intact riparian forests as important reference sites to enhance our understanding of ecosystem processes.
- I understand and value the important role of our National Forests in providing domestically-sourced wood products. I have constructed furniture, including the desk I sit at, from wood obtained from our local National Forest.
- I currently serve on the board of two Forest Collaboratives,<sup>3</sup> where we have designed projects to provide timber resources for local mills while investing in important forest and aquatic restoration efforts. I also recognize that law, policy, and common sense dictate that not all areas are appropriate for all uses; in exercising the most judicious use of our public lands, some areas must be managed for conservation purposes.<sup>4</sup>

### *Benefits of Roadless Area Conservation*

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<sup>3</sup> See "Collaboration" as defined under 36 CFR 219.19.

<sup>4</sup> See "Multiple Use" as defined under 16 U.S. Code § 531(a) and Response to Comment on Agency Authority at Roadless Area Conservation, 66 FR 3252 (January 12, 2001).

The Roadless Rule is an important conservation tool that protects many of our most valued backcountry recreation areas. The 58.5 million acres covered by the Roadless Rule are among the most wild and undeveloped areas in the nation. They provide high quality settings for backcountry recreation, buffer protected areas (e.g. National Parks and Wilderness Areas) from external stressors, provide critical headwater protection for watersheds that provide clean drinking water, and they serve a critical role in carbon sequestration that helps mitigate the effects of climate change.

In many locations throughout the nation, Roadless Areas are located at lower elevations from wilderness and include scenic landscapes and ancient forests. While these backcountry landscapes have many attributes of wilderness, they do not have prohibitions on mechanized travel, thus allowing the use of mountain bikes as well as permitting motorized travel.<sup>5</sup> These lands provide backcountry recreational opportunities that are accessible and can be enjoyed by millions of Americans and their families who hike, paddle, climb, mountain bike, ski, and snowshoe.

More than 240 million people live within 100 miles of a National Forest or National Grassland providing access to abundant opportunities for spectacular outdoor recreation, including boating, hiking, camping, hunting, fishing, mountain biking, backcountry skiing, and other activities that provide public health benefits and strengthen the economic well-being of rural communities.<sup>6</sup> I am one of those individuals and some of my own experiences recreating in Roadless Areas include the following:

- Maple Pass Loop, Sawtooth Roadless Area, Okanogan-Wenatchee National Forest, Washington.

I have had the opportunity to enjoy this spectacular day-hike with friends and family, a hike that is so popular it is not uncommon to see hundreds of people out on a summer weekend with cars filling the parking lot and parked along the highway. The Washington Trails Association describes this hike as follows: “if ever there was a hike to satisfy all a hiker's desires, this one comes as close as any. A loop hike with many fabulous changing faces throughout the seasons, Heather-Maple Pass features ridgelines blanketed in wildflowers in summer, lakes ringed with golden larches in fall, and before the highway closes for the season, a dramatic place to experience early winter's snows.”<sup>7</sup>

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<sup>5</sup> See “Values and Features” At Roadless Area Conservation, 66 FR 3245 (January 12, 2001).

<sup>6</sup> U.S. Forest Service Reports Visitors, Local Communities Receive Health, Economic Benefits from Visiting National Forests and Grasslands, USDA Forest Service, Press Release No. 0148.13, July 19, 2013,

<https://www.usda.gov/media/press-releases/2013/07/19/us-forest-service-reports-visitors-local-communities-receive-health>.

<sup>7</sup> Heather - Maple Pass Loop, Washington Trails Association Website, <https://www.wta.org/go-hiking/hikes/maple-pass>, Accessed 9 May 2022.

- White Sand Creek, North Fork Spruce - White Sand Roadless Area, Nez-Perce Clearwater National Forest, Idaho.  
I have enjoyed a day kayaking on White Sand Creek through a remarkably beautiful and wild landscape known for its beauty and opportunities to see wildlife. The whitewater in this upper tributary of the Lochsa River is exceptional and the water quality is superb.<sup>8</sup>
- Cutthroat Trail, Liberty Bell Roadless Area, Okanogan-Wenatchee National Forest, Washington  
Roadless areas permit mechanized travel, and this trail is a favorite mountain bike journey I have enjoyed with my sons and their friends. The first 1.7 miles climbs a mellow 400 feet as it follows Cutthroat Creek to Cutthroat Lake that provides an exceptional destination for swimming in a crystal clear mountain lake. From the lake, the trail climbs another 1900 feet to Cutthroat Pass at 6800 feet with gorgeous mountain views along the way.<sup>9</sup>
- Alexander Springs Creek, Alexander Springs Roadless Area, Ocala National Forest, Florida.  
Roadless Areas in the eastern United States are more limited but do exist. On a trip to the Ocala National Forest with my son we had an opportunity to swim in the crystal clear waters of Alexander Springs and journey down Alexander Springs Creek by canoe and into the Alexander Springs Roadless Area where one can experience a sub-tropical forest ecosystem.

In addition to the experiences I have personally enjoyed, Roadless Areas provide opportunities for many Americans seeking backcountry experiences. These include recreation gems like the Pacific Crest Trail, which passes through several roadless areas in the Cascades and Sierras on the West Coast; alpine summits like Wyoming's Franc's Peak—the highest peak in the Absaroka mountains; Montana's Hyalite Canyon—a world-renowned ice climbing destination; climbing and backcountry skiing at Washington Pass and Liberty Bell at the Headwaters of Washington's Methow Valley; mountain biking on the Maah Daah Hey Trail in western North Dakota, Kettle Crest of Washington, and Tea Creek Mountain in West Virginia; stellar hiking and camping adjacent to the Dolly Sods and Otter Creek Wilderness in West Virginia; and paddling in the headwaters of the Gauley in the West Virginia Highlands and South Fork Salmon in Idaho.

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<sup>8</sup> White Sand Creek, American Whitewater, National Whitewater Inventory, <<https://www.americanwhitewater.org/content/River/view/river-detail/646/main>>, Accessed 9 May 2022.

<sup>9</sup> Cutthroat Trail, MTB Project, <<https://www.mtbproject.com/trail/5187643/cutthroat-trail>>, Accessed 9 May 2022.

These opportunities to experience and enjoy Roadless Areas have an economic benefit and contribute to the \$689 billion outdoor recreation economy.<sup>10</sup> Specific to Roadless Areas, one study has estimated that Roadless Areas provide at least \$8.5 billion in recreation and passive use benefits, while spurring substantial regional economic contributions in terms of employment, income, and output that make rural communities more attractive for those seeking the amenities of close-to-home recreational opportunities.<sup>11</sup> These areas also offer the potential to support efforts to address equity issues with access to the outdoors and provide opportunities for introductory experiences into the backcountry.

In addition to the recreational benefits and the associated contribution to the economy, Roadless Areas also provide a multitude of ecosystem services representing benefits society derives from intact and healthy ecosystems.<sup>12</sup> Some of these benefits include high quality drinking water,<sup>13</sup> habitat for fish and wildlife including commercially important species,<sup>14</sup> carbon sequestration necessary to decrease the net flux of carbon dioxide into the atmosphere to reduce global climate change,<sup>15</sup> and buffers that reduce isolation and provide connectivity for other protected lands.<sup>16</sup>

### *Impacts of Roads*

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<sup>10</sup> This figure represents Total Gross Domestic Output for Outdoor Recreation, Outdoor Recreation Satellite Account, U.S. and States, 2020, Bureau of Economic Analysis, U.S. Department of Commerce, At Table 8, <<https://www.bea.gov/sites/default/files/2021-11/orsa1121.pdf>>.

<sup>11</sup> Hjerpe, E. and G.A. Aldrich, 2018, Economic Values and Contributions of Roadless Areas, A Conservation Economics Institute Report <[https://www.conservationecon.org/files/ugd/5fc209\\_82060588bf6d4fd7ba2e4e973dc8a8f5.pdf](https://www.conservationecon.org/files/ugd/5fc209_82060588bf6d4fd7ba2e4e973dc8a8f5.pdf)>, Accessed 9 May 2022.

<sup>12</sup> More About Ecosystem Services, USDA Forest Service, <[https://www.fs.fed.us/ecosystemservices/About\\_ES/](https://www.fs.fed.us/ecosystemservices/About_ES/)>, Accessed 9 May 2022.

<sup>13</sup> Of the watersheds on National Forest System land, 661 contain Inventoried Roadless Areas and 354 of those watersheds serve as source areas of drinking water used by millions of people across the nation. At Roadless Area Conservation, 66 FR 3246 (January 12, 2001).

<sup>14</sup> 75% of Southeast Alaska commercial salmon catch is produced by Tongass rivers, lakes, and streams, translating to 40 million salmon with a dockside value of over \$68 million annually (2020). Tongass National Forest Salmon Factsheet, <[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd918446.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd918446.pdf)>, Accessed 9 May 2022.

<sup>15</sup> Carbon sequestration continues in forests that are centuries old; in contrast, decomposition rate often exceeds primary productivity in disturbed forests. See Luyssaert, S., E.D. Schulze, A. Börner, A. Knohl, D. Hessenmoller, B.E. Law, P. Ciais, and J. Grace, 2008, Old-growth forests as global carbon sinks, Nature 455: 213-215.

<sup>16</sup> Talty, M.J, K.M. Lacroix, G.H. Aplet, and R.T. Belote, 2020, Conservation value of national forest roadless areas, Conservation Science and Practice, e288, <<https://doi.org/10.1111/csp2.288>>, Accessed 9 May 2022.

Our National Forest road network includes approximately 380,000 miles of roads,<sup>17</sup> more than eight times the length of the Interstate Highway System. The Forest Service currently does not have the budget to maintain all these roads. Building new roads in currently undeveloped areas is not fiscally responsible and would result in significant impacts to aquatic and terrestrial ecosystems.

These impacts include establishment of non-native plants and pathogens, alteration and disruption of the hydrologic network and aquatic habitat connectivity, increased levels of sediment that have impacts on both habitat and physiology of aquatic organisms, and landslides or mass wasting events associated with catastrophic failure of stream crossings that can have devastating long-term impacts on aquatic habitat.<sup>18</sup>

Site-specific example:

This past year I personally witnessed the failure of multiple culverts over a 30 mile stretch of the Sitkum-Solduc Road (Forest Road 2900) on the Olympic National Forest as a result of a Category 5 atmospheric river event.<sup>19</sup> This road serving as the access to the Calawah River Valley is now closed to the public.<sup>20</sup> The culverts that failed were known to be undersized and identified for replacement and the Calawah River is a “Focus Watershed” for protection and restoration of salmon and steelhead habitat.<sup>21</sup> Despite the importance of this road to the community and the known risk to aquatic ecosystems of delaying the required maintenance, resources were not available to address the susceptibility of the road to high intensity storms that are increasing in frequency. The road remains closed to the public, the date of repairs uncertain, and sediment continues to bleed into the river system as the road prism further deteriorates and future repair costs escalate.

The Forest Service needs to focus attention on management and maintenance of the existing road network and does not have the resources or capacity to develop new roads.

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<sup>17</sup> National Forest System Facts, <[https://www.fs.fed.us/eng/road\\_mgt/factsheet.shtml](https://www.fs.fed.us/eng/road_mgt/factsheet.shtml)>, Accessed 9 May 2022.

<sup>18</sup> The Four Landscapes with Major Road Systems (pp. 319-350). In Forman, R.T.T., D. Sperling, J.A. Bissonette, A.P. Clevenger, C.D. Cutshall, V.H. Dale, L. Fahrig, R. France, C.R. Goldman, K. Heanue, J.A. Jones, F.J. Swanson, T. Turrentine, and T.C. Winter. 2003. Road Ecology: Science and Solutions. Island Press, Washington.

<sup>19</sup> Flood Damage Causes Road Closures, Olympic National Forest, Release Date: Dec 20, 2021, <<https://www.fs.usda.gov/detail/olympic/news-events/?cid=FSEPRD981170>>, Accessed 9 May 2022.

<sup>20</sup> Olympic National Forest, Forest Closure Order 06-09-21-06, <[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd979289.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd979289.pdf)>.

<sup>21</sup> Calawah River Watershed Restoration, Olympic National Forest, <<https://www.fs.usda.gov/detail/olympic/home/?cid=stelprdb5374300>>, Accessed 9 May 2022.

## *Public Policy for Roadless Area Conservation*

The mission of the Forest Service is to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations.<sup>22</sup> When it comes to managing public land, the agency has an obligation “to develop and administer the renewable surface resources of the national forests for multiple use and sustained yield of the several products and services obtained there from,”<sup>23</sup> but this is “not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.” Indeed, “some land will be used for less than all of the resources.”<sup>24</sup>

The Roadless Rule was established in 2001 following years of scientific study, more than 600 public hearings across the country, and 1.6 million official public comments,<sup>25</sup> with 95% voicing support for strong protection of Roadless Areas. At the time, it was the most robust public engagement in the history of federal rulemaking and a process that I personally participated in.

In response to public comment, the Roadless Rule allows common-sense exemptions for public health and safety, road realignment to address safety or resource damage, personal use such as harvesting a Christmas tree, actions to improve habitat, and access to mining claims. The Roadless Rule is also well-designed to allow for effective wildfire management, including provisions for science-based fuels management strategies intended to maintain or restore ecosystem composition and structure to reduce the risk of uncharacteristic wildfire. Fire suppression activities are not limited by the Roadless Rule, and fire managers are able to use appropriate strategies to protect communities and resources. Many fire-adapted forests in unloaded landscapes have been less affected by fire suppression compared with developed areas, as shown by a recent study that found no significant difference in wildfire severity in roadless versus roaded areas across 11 western states.<sup>26</sup>

The Roadless Rule is consistent with the mission of the Forest Service, is in the public interest, and is widely supported by the American people. The American people continue to support strong conservation protections for public lands and Roadless Areas in National Forests.

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<sup>22</sup> <<https://www.fs.usda.gov/about-agency/meet-forest-service>>, Accessed 9 May 2022.

<sup>23</sup> 16 U.S. Code § 529

<sup>24</sup> 16 U.S. Code § 531(a)

<sup>25</sup> Roadless Area Conservation, 66 FR 3244-3273 (January 12, 2001).

<sup>26</sup> Johnston, J.D., J.B. Kilbride, G.W. Meigs, C.J. Dunn, and R.E. Kennedy, 2021, Does conserving roadless wildland increase wildfire activity in western US national forests?, Environmental Research Letters, 16 084040, <<https://doi.org/10.1088/1748-9326/ac13ee>>.

*Support for Mt. Hood and Columbia River Gorge Recreation Enhancement and Conservation (REC) Act of 2022 and Smith River National Recreation Area Expansion Act.*

I am pleased the Committee is also taking testimony at this hearing on the Mt. Hood and Columbia River Gorge Recreation Enhancement and Conservation (REC) Act of 2022 and Smith River National Recreation Area Expansion Act. We support these bills and appreciate the outreach the sponsors have made to the outdoor recreation community as well as many other stakeholders who derive a multitude of benefits from our public lands. As an individual who has recreated in the Smith River National Recreation Area and Mt. Hood National Forest, I have enjoyed experiences in the landscapes and on the rivers included in these legislative proposals with my friends and family.

*Conclusion*

Our Nation's Roadless Areas provide high quality settings for backcountry recreation, buffer protected areas from external stressors, provide critical headwater protection for watersheds that provide clean drinking water, and they serve a critical role in carbon sequestration that helps mitigate the effects of climate change. For these and many other reasons, The Roadless Area Conservation Act of 2021 (H.R. 279), is in the public interest and builds on the success of the 2001 Roadless Area Conservation Rule. I urge the Committee to move this legislation forward and welcome any questions Members of the Committee may have.