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July 11th, 2023

Senator Catherine Cortez Masto, Chair
Public Lands, Forests, and Mining Subcommittee
304 Dirksen Senate Building
Washington, DC 20510

Senator Mike Lee, Ranking Member
Public Lands, Forests, and Mining Subcommittee
304 Dirksen Senate Building
Washington, DC 20510

Re: Public Lands, Forests, and Mining Subcommittee Legislative Hearing: S.1254, Wild Olympics Wilderness and Wild and Scenic Rivers Act; S.1634, Colorado Outdoor Recreation and Economy Act; S.1776, PUBLIC Lands Act; S.1890, Malheur Community Empowerment for the Owyhee Act; S.2149, A bill to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, and for other purposes; and S.636, Dolores River National Conservation Area and Special Management Area Act.

Dear Chair Cortez Masto and Ranking Member Lee:

On behalf of the whitewater paddling community, American Whitewater writes to express our appreciation for holding a hearing on S.1254, Wild Olympics Wilderness and Wild and Scenic Rivers Act; S.1634, Colorado Outdoor Recreation and Economy Act; S.1776, PUBLIC Lands Act; S.1890, Malheur Community Empowerment for the Owyhee Act; S.2149, A bill to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, and for other purposes; and S.636, Dolores River National Conservation Area and Special Management Area Act. These legislative proposals before the Committee would afford new protective designations for whitewater rivers that our members value and that protect the recreational paddling experience.

About American Whitewater

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with approximately 50,000 supporters, 7,000 dues-paying members, and 100 locally

based affiliate clubs, representing whitewater enthusiasts across the nation. American Whitewater's mission is to protect and restore America's whitewater rivers and to enhance opportunities to enjoy them safely. The organization is the primary advocate for the preservation and protection of whitewater rivers throughout the United States, and connects the interests of human-powered recreational river users with ecological and science-based data to achieve the goals within its mission. Our vision is that our nation's remaining wild and free-flowing rivers stay that way, our developed rivers are restored to function and flourish, that the public has access to rivers for recreation, and that river enthusiasts are active and effective river advocates. Our members live, work, and recreate in the watersheds that would be protected by S.1254, S.1634, S.1776, S.1890, S.2149, and S.636 that are before the Committee. Our specific comments on the individual bills follow.

Support for S.1254, Wild Olympics Wilderness and Wild and Scenic Rivers Act

American Whitewater strongly supports S. 1254, *Wild Olympics Wilderness and Wild and Scenic Rivers Act*, introduced by Senator Murray. Washington State's Olympic Peninsula includes free-flowing rivers that flow through ancient forests. Such stunning scenery not only provides world-class recreational opportunities for whitewater boating and other activities, it protects critical salmon and steelhead habitat and safeguards clean drinking water sources. With a history of more than ten years of local grassroots support, this bill would designate 19 new wild and scenic rivers, plus their tributaries, and more than 125,000 acres of wilderness.

Prior to introduction of the Wild Olympics legislation, American Whitewater joined local advocates in developing a conservation plan that is tailor-made for the diverse local recreation, access and economic needs of the Olympic Peninsula. Many of our members live, work, and recreate on the Olympic Peninsula. In joining the locally-led coalition, American Whitewater and our local members worked with the offices of Senator Murray, Representative Kilmer, and former Congressman Norm Dicks for more than five years to craft a carefully balanced proposal that provides the strongest possible protection for salmon habitat, clean water and recreational opportunities while accommodating input and responding to requests from a broad array of diverse local communities and stakeholders.

The final compromise legislation is the result of an exhaustive, multi-year public process on the Olympic Peninsula including extensive local community input from Tribes, conservation groups, timber communities, business leaders, shellfish growers, farmers, local elected officials, hunters, anglers, whitewater boaters, mountain bikers, hikers, federal and state land managers, and the general public. A motivating factor for our interest in protecting these wild and free-flowing rivers is so that current and future generations can enjoy them and the recreational experience

they provide can be protected and enhanced. Preserving and enhancing recreational access has been an important goal for our organization and that is reflected in this legislation and accompanying maps. Roads and trails can be maintained and existing uses of the rivers and forests will be protected and enhanced. The legislation was carefully crafted to ensure no Forest Service system roads are included within the proposed wilderness. This ensures continued access and consistency with the ongoing access and travel management process administered by Olympic National Forest that makes all decisions related to road maintenance. Recent investments through the Bipartisan Infrastructure Law and Inflation Reduction Act are currently being invested in roads and transportation infrastructure outside our proposed wilderness boundaries; this ensures a complementary approach of investing in maintenance of existing infrastructure to provide access while protecting unroaded backcountry landscapes.

Support for S.1634, Colorado Outdoor Recreation and Economy Act

American Whitewater strongly supports S. 1634, *Colorado Outdoor Recreation and Economy Act (CORE Act)*, introduced by Senator Bennet and co-sponsored by Senator Hickenlooper. As outdoor recreationists passionate about the protection of the natural landscapes where we enjoy our varied pursuits, we strongly support the thoughtful protections embodied in the CORE Act. In addition to its essential protections for conservation values, the bill also protects hundreds of miles of trails, scores of climbing sites, more than 20 miles of whitewater paddling opportunities, and valued backcountry ski terrain. We are particularly pleased to support legislation that designates Wilderness while also using other protective designations where more appropriate.

The landscapes and watersheds that are protected within the CORE Act are cherished by American Whitewater members and recreationists of all backgrounds. The Thompson Divide, which would see extractive industries prohibited, while maintaining invaluable grazing for local ranchers, provides iconic vistas and protects water quality for important recreation on the Crystal River. Curecanti National Recreation Area will protect the Gunnison River as it runs through the iconic Black Canyon. These areas protect some of the premiere whitewater runs in Colorado, featuring crystal clear water, high quality rapids, and spectacular scenery. These watersheds are characterized by high alpine mountain peaks sitting against picturesque forest that the legislation appropriately recognizes, as well as unique opportunities for all types of recreation.

All of the proposed designations in the CORE Act have been carefully vetted by recreation groups, and designations protect and enhance recreational opportunities like hiking, climbing,

skiing, and mountain biking. The mineral withdrawals and resource protections in this bill further preserve the scenic and natural qualities of these landscapes.

The areas encompassed in the CORE Act are beloved by our members and many river enthusiasts, and outdoor adventurers of all backgrounds. On behalf of the whitewater paddling community, thank you again for holding this hearing, and we look forward to continuing to work with you in support of conservation and recreation values on our country's public lands and waters.

Support for S.1776, PUBLIC Lands Act

American Whitewater strongly supports S. 1776, *Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act*, introduced by Senator Padilla and co-sponsored by Senator Feintsein. It includes three titles that would provide important protections for rivers enjoyed by the whitewater paddling community.

The Northwest California Wilderness, Recreation, and Working Forests Title of this legislation would designate 379 miles of new Wild and Scenic Rivers in Northwestern California's Klamath Mountains and Coast Range. This region has some of the most spectacular wild rivers on the West Coast and the greatest concentration of Wild and Scenic Rivers in the nation, along with many more that qualify but are not yet designated. This title protects additional rivers and their watersheds while ensuring that much-needed fire and fuels management work is prioritized to help protect communities from wildfire. New Wild and Scenic designations include exceptional whitewater rivers such as the upper South Fork Trinity River, upper New River, East Fork North Fork and North Fork Trinity River, Canyon Creek, Middle Fork Eel River, and many others along with Redwood Creek, a spectacular overnight whitewater run that flows through the world's tallest living trees in Redwood National Park. This title of the bill would establish a 730,000 restoration area within the South Fork Trinity River, Mad River, and North Fork Eel watersheds for forest restoration and wildfire fuel reduction. In addition, 260,000 acres of proposed wilderness, largely in the Trinity River and Redwood Creek watersheds, would protect forests and rivers while allowing fire management, ecological restoration work, and continued use by Native American Tribes for traditional cultural and religious purposes.

The Central Coast Heritage Protection Title of this legislation would designate 159 miles of Wild and Scenic Rivers including 55.9 miles of the upper reaches of Piru Creek, a rare waterway that provides outstanding wilderness whitewater less than an hour drive from downtown Los Angeles. In addition, 52.4 miles of upper Sespe Creek would be designated. This Title would also

designate nearly 250,000 acres of wilderness and create two new scenic areas in California's Los Padres National Forest and the Carrizo Plain National Monument.

The San Gabriel Mountains Foothills and Rivers Protection Title of this legislation would designate 45.5 miles of Wild and Scenic Rivers in Southern California including the San Gabriel River and its primary forks. This title will improve outdoor recreation opportunities by connecting park-poor areas to open space, benefitting many communities of color that do not currently have such access to the outdoors. This Title of the legislation expands the San Gabriel National Monument established in 2014 by an additional 109,143 acres and establishes a National Recreation Area along the San Gabriel River. This Title of the legislation would also protect more than 30,000 acres as wilderness.

Support for S.1890, Malheur Community Empowerment for the Owyhee Act

American Whitewater supports S. 1890, the Malheur Community Empowerment for the Owyhee Act, introduced by Senator Wyden and co-sponsored by Senator Merkley. This legislation reflects many years of collaborative work by local, regional, and national organizations that include conservation groups, sporting and recreational organizations, and ranchers as well as Tribal governments. For our members who engage in recreational opportunities this landscape offers, the Owyhee Canyonlands offer a spectacular setting for backcountry recreation.

Oregon's Owyhee Canyonlands represent one of the largest remaining conservation opportunities in the conterminous united states, with more than 2.5 million acres of wilderness quality lands, spectacular canyons, rich human history, huge expanses of intact habitat for imperiled species like the greater sage-grouse, and unparalleled opportunities for solitude and recreation. It is also a vulnerable landscape, threatened by climate change, invasive species, mining, and other industrial development that increasingly undermine the ecological integrity and wilderness values across the landscape.

While we have worked with our partners to conserve the Owyhee Canyonlands for decades, the legislation before the Committee today resulted from a conversation that began in 2019 when Senator Wyden convened a diverse group of stakeholders to develop a vision for the long-term conservation and management of more than 4.5 million acres of federal public land in Malheur County, Oregon. The legislation reflects the significant progress we have made over the past four years, and we are eager to work with the sponsors and Committee to advance this bill in Congress. Key components of the bill include:

- Designation of more than 1.1 million acres of Wilderness;
- More than 21,000 acres of federal land moved into trust for the Burns Paiute Tribe and establishment of the Castle Rock Co-Stewardship Area;
- Implementation of a flexible, adaptive grazing management program designed to improve the ecological health of public lands in a manner consistent with existing federal law; and
- Support for economic development and recreational opportunities in Malheur County.

We look forward to working with the sponsors and Committee Members, other stakeholders, and sovereign Tribes to support passage of this collaboratively-developed legislation into law. We appreciate the leadership of Senator Wyden in bringing unlikely allies together to find solutions on this landmark conservation bill for an incredible landscape that is important to our membership, Sovereign Tribes, residents of Malheur County, and the citizens of Oregon.

Support for S.2149, A bill to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, and for other purposes

American Whitewater strongly supports S.2149, introduced by Senator Tester. This legislation would designate portions of the North Fork of the Blackfoot River and Monture Creek watersheds as Wilderness, in the context of a collaboratively developed and carefully balanced compromise that benefits multiple uses of the National Forest. The proposed designations would protect the outstanding whitewater paddling opportunities on both streams. The North Fork of the Blackfoot River in particular is recognized as one of Montana’s premiere hike-in whitewater runs for kayakers and packrafters, featuring clear blue water, moderate rapids, and spectacular scenery. Trails up these river corridors are also primary routes used by our members to access the launching point for week-long float trips on the Wild and Scenic South Fork of the Flathead River to the north. Wilderness designation would ensure that the entire hiking or horsepacking experience into the South Fork Flathead watershed is managed in a consistent and exemplary manner. Lastly, these watersheds offer vital habitat for native fish, provide cold and clean water, and provide a scenic backdrop for the Blackfoot river downstream. American Whitewater has spent over a decade exploring community support for Wild and Scenic River designations across Montana, and Monture Creek and the North Fork Blackfoot rivers have consistently been elevated for protection by a broad range of local citizens. These rivers, and their headwaters are beloved by our members and many river enthusiasts, and we support their protection with this legislation.

Support for S.636, Dolores River National Conservation Area and Special Management Area Act.

American Whitewater supports S. 636, Dolores River National Conservation Area and Special Management Area Act, introduced by Senator Bennet and co-sponsored by Senator Hickenlooper. The Dolores River Canyon is an essential lifeline to the landscape and culture of western Colorado. It's renowned for its scenic beauty, geological formations, and cultural and historic resources. Protecting it as it is now will ensure that the broad diversity of Americans will continue to be able to access and appreciate the canyon for many years to come, whether on an overnight river trip, driving the Snaggletooth Road, or having a picnic on the canyon rim. The Ponderosa Gorge, the first boatable 61.5 miles of the Dolores River below McPhee dam, is included in this legislation. This reach provides whitewater paddling opportunities unmatched in the state and region.

The natural and cultural values of the Ponderosa Gorge and surrounding Dolores River landscape are well known and beloved by our members. Indigenous peoples have called the Dolores River Canyon and surrounding areas home for millenia. Old growth Ponderosa groves and a unique aquatic ecosystem invite exploration and research. Native fish species, including several who are considered sensitive species by the State of Colorado and the Bureau of Land Management, depend upon Dolores River habitat for spawning and growth. Extending more than 175 miles to its confluence with the Colorado River, the Dolores River is important for wildlife migration and habitat, and also provides some of the West's finest river running experiences. Hiking, mountain biking, fishing, birding, and rock climbing opportunities are plentiful. Long-term conservation solutions for this area will protect the natural values as well other cultural and historical uses of the lands for generations to come. This bill is important to protect a vital segment of this great landscape.

The bill before you contains years of negotiation, compromise, and hard work by local stakeholders. It represents the long standing principles of finding common ground around conservation measures balanced with protection for water and property rights. Important elements of the legislation for the river recreation community include the following:

- Includes a mechanism for stakeholder input regarding management of base flows and managed releases below McPhee Dam. Native fish and whitewater boating are interlinked resources which have been closely studied by the Native Fish Monitoring and Recommendation Team. This legislation would formalize the consultation process with that collaborative group whose coordination and discussion ultimately led to the NCA.
- Includes provisions that would prohibit new dams inside the designated area and ensure that developments outside the designated area do not harm the values within.
- Provides for long-term protection of many of the conservation and recreation values that this stretch of the Dolores River provides.

The Lower Dolores Working Group and the Legislative Subcommittee consisted of many diverse stakeholders who, throughout the nearly 15 years of discussions, maintained a keen sense of respect for one another's values and perspectives, and brought in sound science to inform the dialogue. The recommendations from these years of committed work are reflected in S. 636.

Conclusion

On behalf of the whitewater paddling community, thank you again for holding this hearing and the opportunity to provide testimony on these legislative proposals before the Committee. We strongly support the bills we reference above. We urge you to move these bills through the Committee and to the Senate floor to ensure these spectacular river resources are protected for future generations to experience and enjoy.

Sincerely,



Kevin R. Colburn
National Stewardship Director



Thomas O'Keefe, PhD
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Hattie Johnson
Southern Rockies Stewardship Director