

**SPREAD OF INVASIVE SPECIES; CONVEYANCE OF LAND
TO COFFMAN COVE, AK; AMEND PUBLIC LAW 97-435;
LAND EXCHANGE IN LINCOLN NATIONAL FOREST; AND
CONVEYANCE OF LAND IN CLARK COUNTY, NV**

HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS
OF THE

COMMITTEE ON

ENERGY AND NATURAL RESOURCES

UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

ON

S. 405

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S. 1548

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NOVEMBER 2, 2005



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**SPREAD OF INVASIVE SPECIES; CONVEYANCE
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WEDNESDAY, NOVEMBER 2, 2005

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS & FORESTS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington D.C.

The committee met, pursuant to notice, at 3 p.m. in room SD-366, Dirksen Senate Office Building, Hon. Larry Craig presiding.

**OPENING STATEMENT OF HON. LARRY E. CRAIG,
U.S. SENATOR FROM IDAHO**

Senator CRAIG. Good afternoon, everyone. I'd like to thank you all for attending and my apologies for running a few moments late. To be honest I lost track of time. I'm sorry.

Let me first welcome our witnesses. I would like to welcome Gloria Manning, Associate Deputy Chief for our National Forest System, from the U.S. Forest Service, and Scott Cameron—Scott, good to see you—Deputy Assistant Secretary for Performance Accountability and Human Resources, from the Department of the Interior.

We thank you for coming to testify on the bills that are before this committee. We will be taking testimony on S. 405, a bill introduced by Senators Reid and Ensign to provide for the conveyance of certain public lands in Clark County, Nevada, for use as a heliport; S. 1541, a bill introduced by our colleague, who is here, Senator Danny Akaka, to provide, conserve and restore public lands, administered by the Department of the Interior or the Forest Service, and adjacent lands through cooperative cost share grants to control and mitigate the spread of invasive species and for other purposes; S. 1548, a bill introduced by Senator Murkowski to provide for the conveyance of certain Forest Service lands in the city of Coffman Cove, Alaska; S. 1552, a bill introduced by Senator Cantwell to amend Public Law 97-435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain lands conveyances by the United States to Eastern Washington University until December 31, 2009; and last, H.R. 482, a bill introduced by Representative Neugebauer to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and for other purposes. But before we get to our witnesses I'd like to turn

to Senator Akaka for opening statements he would like to make. None of the rest of our colleagues are here, so Danny, let me turn to you before we take testimony.

**STATEMENT OF THE HON. DANIEL K. AKAKA, U.S. SENATOR
FROM HAWAII**

Senator AKAKA. Thank you. Thank you very much, Mr. Chairman. I love to work with you, and here we go again on this one. I want to thank you for holding this hearing, which includes my invasive species bill, which is S. 1541, the Public Lands Conservation and Protection Act. Its acronym is PLPCA, so if you don't mind I'll just call it the "invasives bill."

Mr. Chairman, I know that you and I share a mutual interest in this topic because of your strong leadership on the weed bill, of which I was a co-sponsor. Invasive species can be economically devastating on grazing lands and in forest and timber areas. So I was very pleased when the weed bill was enacted in 2004, thanks to the chairman.

Public lands are under significant threat from invasive species of all types. This bill provides a framework for helping States, and local groups in partnership with the Federal Government, to address the serious economic and native habitat threats from a broad range of terrestrial invasive species such as amphibians, insects, reptiles and subterrestrial animals, such as nematodes.

My invasive bill, S. 1541, authorizes the major Federal land management agencies to undertake a competitive grants program to assist States, counties, non-profits and private landowners in partnership with the Federal Government to conduct assessments, control projects and rapid response eradication projects for invasive species. There are grants for three types of activities: voluntary State assessment of needs, if States have not already conducted such assessments; grants for results-oriented control projects to contain or eradicate invasives; and grants that are expedited for rapid response when a new species invades a State.

My State of Hawaii has been consistent in its message that rapid response is necessary to help it combat new invasive species. The National Park Subcommittee held a field hearing on invasive species in and around national parks at Hawaii Volcanoes National Park in August. The message came through very clearly that there are enormous needs and challenges to control invasive species in and around national park lands. The Hawaii county-level invasive species councils testified that partnerships are the key to bridging jurisdictional and resource gaps. Partnerships help tap the collective knowledge of local scientists and focus problem-solving on the most pressing invasive species issues.

They also help generate and leverage funding to get workers on the ground when Federal agencies are unable to take direct action. In addition, partnerships can help to protect public lands from invasions of exotic species as they approach the boundaries of national forests, parks and grazing lands.

The field hearing made it clear that we must do more at the national level, both in terms of new authorizing legislation and increased appropriations, to allow the Federal Government to be a

better partner with States and non-profit entities if we are to make a difference on this issue.

The invasive species bill is supported by the National Environmental Coalition on Invasive Species. They have submitted testimony for the record. It is also supported by the Hawaii Department of Land and Natural Resources and the Department of Forestry and Wildlife, which supports the statewide Hawaii Invasive Species Council.

The Council was created in 2003 by the Hawaii State legislature to provide cabinet-level leadership for the fight against invasives. The Governor subsequently committed \$4 million in new State funding to improve programs targeting invasive species.

Our Federal lands in Hawaii benefit from the increased support to fight invasives, but more needs to be done by Federal agencies and through partnerships.

Mr. Chairman, I look forward to the testimony of our distinguished panel of witnesses today and comments they have on the bill.

Mr. Chairman, unfortunately, I must leave for another meeting, but I look forward to working with you and with the Department of the Interior and the Forest Service on addressing the challenges of invasive species across the Nation.

Thank you very much, Mr. Chairman.

Senator CRAIG. Senator Akaka, we can ask Scott Cameron to go first and give testimony on your legislation, if you wish to stay and ask any questions following that, and then we can proceed with the rest. All right? Let us do that.

Let me introduce, once again, Scott Cameron, Deputy Assistant Secretary for Performance, Accountability and Human Resources, Department of the Interior.

Scott, if in your testimony you would speak specifically—well, you can go through them all, but specifically to S. 1541. Then we can get back to the Senator before he leaves. Please proceed.

STATEMENT OF SCOTT J. CAMERON, DEPUTY ASSISTANT SECRETARY FOR PERFORMANCE, ACCOUNTABILITY, AND HUMAN RESOURCES, DEPARTMENT OF THE INTERIOR

Mr. CAMERON. Yes, sir. Thank you very much, Mr. Chairman and Senator Akaka. Let me start off by congratulating you both on your leadership on what I know Secretary Norton considers to be an extremely important issue, invasive species.

There are some estimates that half of our endangered species are there, at least in part because invasive species are eating them or encroaching on their habitat or otherwise causing problems. Invasive species cause a wide variety of environmental and economic problems, whether they are invasive animals, plants, or potentially, microorganisms as well.

So congratulations and our thanks to both of you for putting a lot of your personal effort into this topic.

Mr. Chairman, I am Scott Cameron, Deputy Assistant Secretary for Performance, Accountability and Human Resources at the Department of the Interior and I am pleased to be able to testify on S. 1541, the Public Lands Protection and Conservation Act of 2005. We recognize that invasive species are a significant natural re-

source management challenge on Departmental lands—indeed, all lands across the country. These species don't pay attention to boundary lines at all and therefore, we need to take a landscape approach, rather than an organization unit by organization unit approach, in dealing with them.

We appreciate the continued interest and commitment of this community and Senator Akaka, in particular, in addressing the increasing threat of invasive species on native species and their habitats. The Department whole-heartedly, very strongly concurs with the principles embodied in this legislation, but we actually believe that the goals of the legislation can largely be met with existing authorities.

There are three or four points that I would like to make in my oral testimony that are arduously covered in the written testimony. I assume the written testimony will be incorporated into the record.

Senator CRAIG. Both of your full statements and testimony will be a part of the record. Thank You.

Mr. CAMERON. Thank you very much, Mr. Chairman. The first point I'd like to make is, with the exception of one of Interior's bureaus, all of our bureaus right now have the legal authority to work with partners, whether they are private landowners or local governments or State governments or non-profit groups outside their borders. The one bureau that does not have that authority is our National Park Service. Senator Akaka and his colleague, Senator Wyden, introduced S. 1288, not too many months ago, that would fix that problem. That would give the National Park Service authority to work with its neighbors to deal with invasive species problems. And it's worth noting that this current liability on the part of the Park Service is not something that is specific to Hawaii or Oregon.

I was at a meeting in Albuquerque in 2004 to talk about Tamarisk (salt cedar), which is a very significant problem in the West, and the Executive Director of the New Mexico Association of Conservation Districts, Debbie Hughes, came up to me and said, "Gosh, I wish we had the authority to work with the Parks Service off of their lands. There are a lot of good things we could do together, but the Park Service can't partner with us right now." So, I am hoping that Debbie will have some conversations with Senator Bingaman and Senator Domenici before the committee has an opportunity to consider S. 1288.

But clearly, this committee's movement on S. 1288 would be very useful. The administration, subsequent to the introduction of that bill, sends up its own legislation, coincidentally. It's very, very similar. So, we might want to work with the committee to tweak S. 1288 a little bit around the edges, but fundamentally, it would be great if that bill could move.

The second point I'd like to make is I agree whole-heartedly with Senator Akaka's observations about rapid response and early detection. As Senator Craig knows very well, it's really easy to get rid of a new weed in Idaho, that's occupying 100 acres of land. Ones that occupies 10,000 acres of land or 100,000 acres of land, you've got a very different proposition on your hands. I have recently asked the U.S. Geological Survey to work with our colleague agen-

cies in the National Invasive Species Council to organize a meeting next spring on early detection and rapid response. One of the problems that we have is, while we may have the authority to do early detection and rapid response, we don't necessarily have the research, the mechanisms, the systems in place to figure out where the problem has just popped up in time to do something about it.

So, this meeting next April—and I would certainly welcome any participation by committee staff. In this meeting, we would explore how we could really work with NGO's, work with the State universities, work with the State governments and really craft a National Early Detection and Rapid Response System. What pieces exist now? What pieces are missing? What are the priority pieces to build? And it may well be that there are some legislative-related outcomes from that conference that this committee might want to explore.

The last point I want to make on S. 1541 is that it addresses the fact that the administration for 2 years now has done, through the National Invasive Species Council, an interagency performance budget cross-cut. We're grateful that the sponsors of the bill have acknowledged that effort. I would anticipate, since the administration has done this for 2 years in a row, that we are likely to continue pursuing interagency performance budget cross-cut in fiscal year 2007. Assuming my assumption is correct, I'd like to respectively suggest that perhaps the most effective thing this committee could do to promote and enhance the value of that cross-cut might be as part of its own fiscal year 2007 budget oversight process, to perhaps have an oversight hearing on the interagency performance budget cross-cut on invasive species. No congressional subcommittee or committee has ever done that in the past, and frankly, nothing focuses the mind of bureaucrats like the prospects of a congressional oversight hearing. And it would be helpful to us in the political leadership of the administration to be able to signal to our co-workers that the Congress cares enough about this topic to actually have an oversight hearing on this invasive species cross-cut. So, I wanted to throw that idea out for the committee.

That's all I had to say in my oral testimony on S. 1541.

[The prepared statement of Mr. Cameron follows:]

PREPARED STATEMENT OF SCOTT CAMERON, DEPUTY ASSISTANT SECRETARY FOR PERFORMANCE, ACCOUNTABILITY, AND HUMAN RESOURCES, DEPARTMENT OF THE INTERIOR, ON S. 1541

Mr. Chairman and Members of the Committee, I am Scott Cameron, Deputy Assistant Secretary for Performance, Accountability, and Human Resources, U.S. Department of the Interior. I want to thank you for providing the Department of the Interior the opportunity to testify before you regarding S. 1541, the "Public Lands Protection and Conservation Act of 2005." We recognize that invasive species are a significant natural resource management challenge on Departmental lands, and particularly in island ecosystems like Hawaii. We appreciate the continued interest and commitment of this Committee, and Senator Akaka in particular, in addressing the increasing threat of invasive species on native species and their habitats. The Department concurs with the principles embodied in the legislation, but we believe that the goals of the legislation can be met within existing authorities.

Let me begin by providing you with some background on this issue, followed by brief comments on the legislation.

PROGRAMS PROMOTING PARTNERSHIPS

Over the past 75 years, we have worked extensively with our partners in states, tribes, with sportsmen, ranchers, and farmers, as well as with our colleagues at the Department of Agriculture, the Army Corps of Engineers, and the Environmental Protection Agency to provide technical assistance and grants to help states and private landowners, among others, achieve their land management and conservation goals, while providing benefits for migratory birds, fish, and other species.

On a day-to-day basis, we work closely with nongovernmental organizations and private landowners to improve efforts for cooperative weed management in the West, water management districts in Florida, and small landowners everywhere who want to restore habitat for fish and wildlife. For example, the Oloa Kilauea Partnership on the island of Hawaii is a cooperative land management effort involving State and federal entities and willing private landowners with the goals of enhancing the long-term survival of native ecosystems and managing 420,000 acres across multiple ownership boundaries. Management and research of this partnership are currently focused on removing or reducing impacts from feral animals such as pigs, invasive plants and non-native predators, restoring native habitat and endangered species, and providing education and work training in fencing, native plant horticulture and other conservation work to Kulani Correctional Facility inmates. In addition to the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Geological Survey within the Department, other partners include the Puu Makaala Natural Area Reserve, the Kamehameha Schools, the USDA Forest Service, and the Nature Conservancy. The partnership has jointly fenced 14,100 acres on State and private lands and eliminated the feral pig population from 9,800 acres, while controlling feral pigs in an additional 4,300 acres.

There are also a large number of grant programs administered by the Department that could be potential tools for addressing invasive species.

The Department's support of the National Fish and Wildlife Foundation's "Pulling Together Initiative" and other programs also provides matching funds for invasive species management, leveraging funds from other Invasive Species Council member agencies and non-federal partners. The cooperative conservation component of the challenge cost share programs in the Bureau of Land Management, NPS, and FWS also emphasize building partnerships for the conservation of natural resources and provide expanded opportunities for land managers to work with landowners and others to form creative conservation partnerships.

Through the Secretary's Cooperative Conservation Initiative, bureau matching funds are made available to landowners and other cooperators at state, tribal, and local levels. Through partnerships built by programs in this initiative, the Department's land managers can work with landowners and other citizen stewards to tackle invasive species, reduce erosion along stream banks, or enhance habitat for threatened and endangered species. Among other things, in fiscal year 2005 we have funded through this initiative projects that are aimed at the eradication and control of tamarisk, Russian olive, and other invasive plants, and reclamation of impacted lands. Some of these projects, such as the Moab Partners for Restoration, target community and youth projects.

Our State and Tribal Wildlife Grants programs are designed to provide financial assistance for development and implementation of state-or tribally-directed programs and individual projects that address the needs of the species and habitats most in need of conservation, address the species conservation needs that are most in need of funding, and leverage federal funding through cost-sharing provisions. These programs exemplify our cooperative conservation approach by helping states tailor conservation efforts so that they best fit local conditions, and provides yet another tool for states to use to address the significant impacts of invasive species on native habitats.

FWS's Partners for Fish and Wildlife, which promotes private landowner cost-share projects for habitat restoration, includes funds targeted for control of invasive plants and subsequent restoration. The Partners Program has worked with private landowners across the Nation to remove, burn, biologically control, and otherwise combat invasive plants on thousands of acres of wetlands and upland. This control and management of invasive plants is also part of BLM's Partners Against Weeds Strategy Plan, BLM's Strategic Plan, and the National Fire Plan. The Partners Against Weeds program funds cooperative efforts with landowners to control invasive species and cooperative outreach and education projects with schools and local and county governments.

Departmental bureaus also partner with other federal and non-federal entities on research projects. The NPS, U.S. Geological Survey, and Bureau of Reclamation partner with the Agriculture Research Service and the U.S. Forest Service, both

within the Department of Agriculture, and university scientists to develop and test biological control agents, to conduct studies of stream flow management for vegetation control, and on studies of hybridization to better predict the potential future spread of invasive species. The USGS also has partnerships with state and county weed departments, the National Aeronautics and Space Administration, and others aimed at mapping currently invaded sites and identifying new invasions.

Finally, the BOR leads, along with USDA's Agricultural Research Service, the Saltcedar Biological Control Consortium, a task force comprised of over 40 agencies, and BOR, in collaboration with Los Alamos National Laboratory, also develops new technologies for determining the amount of water lost from the Rio Grande River due to tamarisk and for restoration potential based upon soil salinity and chemical composition.

As you can see, cooperative conservation through the use of partnerships and challenge cost-share funding has long been a hallmark of the Department's approach to invasive species control and management.

CROSSCUT BUDGET FOR FISCAL YEAR 2006

The Administration is also working toward an interagency approach to invasive species control and since the 2005 budget has presented a unified invasive species performance-based crosscut budget through the National Invasive Species Council. Through this interagency effort, Council agencies work together to develop common goals, strategies, and performance measures. Under this performance umbrella, new and base funds will be applied to early detection and rapid response as well as control and management focused geographically (Florida, for example) and by species (Emerald ash borer and tamarisk, for example).

While we have made significant strides, we do continue to have challenges in coordinating budget decisions across departments. However, we continue to improve this important management tool.

In 2006, the Department will focus invasives work on three priority geo-regional areas that also contain an abundance of invasives targeted by National Invasive Species Council priorities. The bureaus submitted coordinated, joint budget requests for each of these areas, developed in each case by an inter-bureau team. Increases totaling \$2.3 million are proposed for the three areas, and base funding will also be redirected to the coordinated efforts.

DEPARTMENTAL VIEWS ON S. 1541

With the above discussion in mind, let me turn to S. 1541. Generally, the "Public Land Protection and Conservation Act of 2005" would establish grant programs to states to assist in the management of invasive species and would create a rapid response component allowing states to request assistance. Finally, the Office of Management and Budget, in consultation with the National Invasive Species Council, is to carry out a comprehensive budget analysis and summary of Federal programs ranked in the thematic categories of the National Invasive Species Management Plan (2001).

While we appreciate the goals of the bill, we have some concerns with the legislation.

First, the Department notes that almost all of the actions called for in S. 1541 can be achieved within existing authorities. As discussed in some detail above, we have and will continue to support state and private invasive species management activities. Both BLM and FWS provide funding support through cost share grant programs to promote work on non-federal lands. Congress has also provided authority for the Department, through the BLM and the FWS, to enter into cooperative agreements with non-federal landowners in which invasive species issues could be addressed. The Administration recently forwarded proposed legislation which provides NPS with this authority. Enacting this proposal would be an effective way to address lands neighboring national parks.

In addition, the President signed Public Law No. 108-412 on October 30, 2004, which provides additional authority to the Secretary of Agriculture under the Plant Protection Act (7 U.S.C. 7701 et seq.) to provide financial and technical assistance to control or eradicate noxious weeds. That law specifically creates a rapid response program, allowing the Secretary of Agriculture to enter into cooperative agreements with weed management entities to ensure rapid eradication of noxious weeds.

We also greatly appreciate the focus this legislation places on the development of rapid response mechanisms in states, local governments, nongovernmental entities, and tribes. However, the Department has existing authority under which it may provide financial assistance for this purpose, including the general grant-making authority under the Fish and Wildlife Coordination Act and the Fish and Wildlife Act

of 1956 which allows the Secretary to make grants for the benefit of fish and wildlife.

We recognize the need for a comprehensive view of invasive species programs, but the development of a crosscut budget should be the responsibility of the National Invasive Species Council; we cannot support changing this to the Office of Management and Budget, as proposed in S. 1541. The Council was created by Executive Order 13112 to coordinate federal invasive species policy and programs and, as mentioned previously, has already developed crosscut budgets in 2005 and 2006. The Council should retain this responsibility.

Finally, we have concerns about the Congressional expectations that might arise from the sizeable authorization levels contained in this legislation which would authorize assessment grants at \$25 million for FY 2006, control grants at \$175 million for FY 2006, and rapid response assistance at \$50 million for FY 2006, and “such sums as are necessary” for FYs 2007-2010. We cannot support these authorization levels, and note that any new funding provided for the program authorized by this legislation would have to compete with existing programs and other Administration priorities.

CONCLUSION

The Department is committed to identifying, assessing, and acting to address invasive species. We agree with the principles embodied in this legislation and will continue to work with our partners to develop a more effective assessment and control strategy for responding to animal and plant invasions. Our goal is to ensure the protection of our land and water resources and to promote the restoration of important wildlife habitat impacted by invasive species.

Again, while we share the Committee’s concerns and interest in this issue, we note that almost all of the actions called for in this legislation can be achieved within existing authorities. We offer to work with the Committee to ensure that existing programs and authorities are effectively targeted to address the Committee’s concerns. Mr. Chairman, this concludes my statement and I am happy to answer any questions that you might have.

Senator CRAIG. Why don’t we stop you there and see if the Senator has any questions. I have a few, and then you can give the balance of your testimony and we’ll turn to Gloria for hers. Thank you.

Any questions of Scott?

Senator AKAKA. Thank you for the opportunity you are giving me to ask my questions. Thank you, Mr. Cameron. I appreciate the level of activity and commitment of USFS to fight against invasive species. There’s no question in my mind that you want to do all you can to work on the problem.

My question is whether you think or you believe the Department has been as effective as possible, given the authorities you currently have, in fighting invasive species in all States. If so, why are we still struggling to contain invasives on Federal lands? In particular, in Hawaii, we’re trying to set up our own programs. As I mentioned, even the State, the Governor and the legislature, have set aside money to take care of these invasives. I think S. 1541 will provide a broad approach to fighting invasives of many species and the necessary funding to help out. So, I’d like to hear comments from you. It could be about the funding as well, but why is it that we are not really—I don’t believe we are as effective as we can be here, at this time.

Mr. CAMERON. Senator, Mr. Chairman, I would definitely agree with you, Senator, that we are not as effective as we could be, should be, or want to be. I think we are getting better at it from year to year and the performance budget cross-cut has been a tool for doing that.

Two years ago, for the first time ever, we actually got agencies to sit down and try to develop common goals, common strategies

and common performance measures as part of this budget cross-cut and that itself was a watershed event. The product is still very much a work in progress.

I think it's worth making the observation that invasive-species-type projects are competing very well for funding with the existing grant programs of the Interior Department. We did a survey based on fiscal year 2004 grants for the Secretary's new cooperative conservation program and our preexisting challenge cost share grant programs. And even in fiscal year 2004, without putting any deliberate emphasis on invasives projects, nationwide, invasive species issues or projects, were taking about 25 percent of the grant money for those two national grant programs. So, I think invasive species projects compete very well for existing funds for exactly the reasons, Senator, that you and the Chairman are aware of: the significant economic and environmental aspects.

Clearly, whenever there is a new statutory authorization, particularly if it involves a lot of money, we worry about the expectations that that may set on the part of the Congress. Every dollar at Interior has to be traded off versus every other dollar. So, rather than creating a new grant program with, perhaps, a new bureaucracy to manage that grant program, what we are trying to do is raise the profile of the invasive species issues so they compete better, both on the merits and because of the importance of the topic within existing grant programs.

Senator AKAKA. I thank you for that response, Mr. Cameron. We still look for it, of course, and you touched on it, to working with private landowners in this challenge to address invasive species. And I hope together we can work that out somehow, but in the meantime, invasive species—not only in Hawaii, but across the country—are spreading and we need to get to it before it really overcomes our country. I've heard from my colleagues, from the ranch land types, and I was amazed at the kind of invasive species they have to contend with and they would certainly, I'm sure, support this kind of program.

So I thank you so much for your consideration and look forward to working at a program that can help the Nation. Thank you very much, Mr. Chairman.

Senator CRAIG. Senator Akaka, thank you, very much.

Scott, let me ask a couple of questions, because these kinds of concerns come and they are my concerns, and weed management legislation that is now in place in law, that I've been a part of with others, I'm always cautious on the wording we use for how it might get interpreted somewhere down the line. I like to think of the Endangered Species Act, itself, and what was originally intended by Congress and what has mutated out of the courts over the years, that is now being used as an obstructionist piece of legislation, to stop all activities on public lands, in many instances or otherwise. If it had been used the way it was intended, it would mitigate an activity to protect a species, but allow activities to continue.

What I am speaking of is the definition of invasive species. I believe in S. 1541. And in speaking of that Scott, you say—the term invasive species means, with respect to a particular ecosystem, any animal, plant, or organism or micro-organism, including biological material of the animal, plant or other organism that is capable of

propagating the species that is not native to the ecosystem, and the introduction of which causes, or is likely to cause, economic harm, environmental harm or harm to human health. Now, is there any species that has relocated or invaded from one continent to another that wouldn't fit that definition?

Mr. CAMERON. Mr. Chairman, yes, there are quite a few and we eat them all the time.

Senator CRAIG. Well, I'm saying this with a bit a humor, but is the pineapple native to Hawaii?

Senator AKAKA. No.

Senator CRAIG. No. That's my point.

Mr. CAMERON. Right.

Senator CRAIG. No, we don't yet, but somebody might and that's my concern about terminology. Please proceed.

Mr. CAMERON. Mr. Chairman, I think you've hit on a very good point. A species that could be completely benign, say in New England, might cause real problems in Arizona. Senator Martinez's largemouth bass in Florida are just great in Florida, but you probably would not want to stock them on top of endangered salmon in the Pacific Northwest. It might have—you might lose your salmon.

So, a species' invasiveness is really reflected at an ecosystem level, a local level. And you are very right, I think, to be cautious and anxious about putting together a list of species that always and everywhere are going to be considered bad. I somewhat humorously responded that we eat wheat and we eat rice all of the time, and those are certainly not species that are native to North America, but they are very valuable and we all enjoy pineapples as well. So, to the extent that we can deal with invasive species issues on a local or regional level and resist the temptation to Nationalize our approach, I think we are better off.

Senator CRAIG. Well, could you provide me with the Department of the Interior's definition of economic harm, environmental harm, or harm to human health?

Mr. CAMERON. We could make a run at it, Senator. I don't think there is enshrined in any official way a definition on our part, but we could certainly elaborate a bit and perhaps provide some examples.

Senator CRAIG. Is there a plant that is introduced that is used to re-vegetate or, say, cut banks and highways that might cause some environmental harm? And how would the Department of the Interior utilize the definition of S. 1541 to decide how to balance the economic good of a plant against potential environmental harm that could be caused by this plant?

Mr. CAMERON. It's not an easy thing to do, Mr. Chairman, but what we'll ideally do is a risk assessment, where on case-by-case basis, really a watershed-by-watershed basis, you would evaluate the benefits, whether they are environmental or economic, versus what you can infer, using hopefully some degree of scientific basis, the risks might be, both economic and environmental. So, I can certainly imagine a situation where, given our difficulty in using native vegetation to accomplish a particular programmatic need in an area, we might decide that the smartest thing to do under the circumstances would be to pick a non-native species. But then the

question is very carefully monitoring the results of that choice to avoid any unintended consequences and be able to adjust for any unintended consequences that might arise.

Senator CRAIG. There is no question. Because I am sitting here thinking, the Senator from Hawaii is talking about the concerns of Hawaii, tragically enough, and I don't mean this humorously at all, but we have invasive species in Idaho now, taking over control of land. Probably we have more land now invaded than is encompassed in the entire State of Hawaii. Idaho is not alone. Other Western States are experiencing the same thing and, literally for decades, public land managers have done little to nothing about it, for a variety of reasons.

Now, we're attempting to contain. In some instances, we cannot eradicate, largely because of size and scope of it. But to be able to detect early is critical for a new invasion, and section 5 of S. 1541, the Public Land Protection Conservation Act, directs the Secretary of the Interior to expedite environmental and regulatory reviews to ensure that an outbreak of invasive species can be addressed within 180 days of notification.

Can the Secretary complete environmental and regulatory reviews in 180 days now? And if not, what would have to change to meet these requirements?

Mr. CAMERON. Mr. Chairman, I think the honest answer is yes, probably, almost all of the time. I think, inevitably, there will be some exceptions, but as a general rule, we should be able to do it within 180 days. In fact, I would hope that, in a truly emergency situation, we could get it done in a much shorter amount of time than that. One of the issues, as you and Senator Akaka both know, Mr. Chairman, is if you're dealing with a plant that only, you know, increases its spread by 1 percent a year, then you can afford to wait for 180 days or maybe even a year to get to the process. If you're worried about an invasive species whose population is going to be churning over once a week and the size of the area affected is going to quadruple in 3 months, then you've got a very different dynamic and you certainly have to move much more quickly. So, we need to understand the biology of the problem that we are dealing with and we need to look for ways to expedite in advance, as much as possible, our environmental compliance processing. So, we obey NEPA, obey the law that you set up, but still deal with the on-the-ground problem.

Senator CRAIG. Section 4(c) of the bill directs the Secretary to publish guidelines and solicit grant applications within 180 days of funds being made available. Is 180 days a reasonable amount of time to publish guidelines and solicit grant applications?

Mr. CAMERON. If you are willing to live with the very real possibility, that the first year we do it it may not be an idealized, you know, perfect form, then yes, I think we can do that. But again, I'd like to emphasize that we have existing grant programs right now that are funding invasive species projects, and I would argue it would be simpler and economically more efficient, in terms of not creating a new bureaucracy, to use the existing grant programs that we have now to deal with invasive species problems.

Senator CRAIG. Okay. Well, thank you. That's all the questions I have on 1541.

Danny, any others? Thank you, very much, Senator.
 Scott, why don't we return now to you for any additional testimony. I think you have testimony on S. 405?

Mr. CAMERON. Yes, sir.

Senator CRAIG. Thank you very much.

Then, Ms. Manning, we'll turn to you.

Please continue, Scott.

STATEMENT OF SCOTT J. CAMERON, DEPUTY ASSISTANT SECRETARY FOR PERFORMANCE, ACCOUNTABILITY, AND HUMAN RESOURCES, DEPARTMENT OF THE INTERIOR—Continued

Mr. CAMERON. Okay. S. 405, the bill would convey 229 acres of public lands managed by the Bureau of Land Management to Clark County, Nevada, for use as a heliport. S. 405 would also impose fees on operators for all helicopter flights that occur over the Sloan Canyon National Conservation Area, which I believe is administered by BLM. The proceeds from these fees would be used for the management of cultural, wildlife and wilderness resources on public lands in the State of Nevada.

Interior supports the goals of S. 405, but cannot support a conveyance of public lands that does not include a fair market value of return to the taxpayers for the value of those lands. We also have concerns about the specific helicopter flight paths over the Sloan Canyon National Conservation Area that the bill would set out. And should the committee decide to proceed on this legislation, we'd like to have some discussions about changing those flight paths so that, basically, they are not buzzing a herd of desert bighorn sheep in the National Conservation Area. We think it would be possible to avoid the National Conservation Area on the flight paths for the helicopters.

Those are essentially our two issues, Mr. Chairman: the fact that the land will be conveyed without any financial recompense to the taxpayer and the fact that we've got this herd of desert bighorn sheep that having 90 or more helicopter flights over a day might be a bit of a difficulty.

[The prepared statements of Mr. Cameron on S. 405 and S. 1552 follow:]

PREPARED STATEMENT OF SCOTT J. CAMERON, DEPUTY ASSISTANT SECRETARY FOR PERFORMANCE, ACCOUNTABILITY, AND HUMAN RESOURCES, DEPARTMENT OF THE INTERIOR

S. 405

Mr. Chairman, thank you for the opportunity to appear before you today to testify on S. 405, a bill that would convey 229 acres of public lands managed by the Bureau of Land Management (BLM) to Clark County, Nevada, for its use as a heliport. S. 405 would also impose fees on operators for all helicopter flights that occur over the Sloan Canyon National Conservation Area (NCA) with the proceeds used for the management of cultural, wildlife, and wilderness resources on public lands in the State of Nevada. The Department supports the goals of S. 405, but cannot support a conveyance of public lands that does not ensure a fair return to the public for the use of those lands.

The BLM recognizes the massive growth occurring in Clark County and understands the need to accommodate local interests and tourism in a way that balances local needs with important environmental considerations. Congress chose to address these concerns through the Southern Nevada Public Lands Management Act (SNPLMA) and subsequent amendments that have established a sale boundary

within which BLM has worked to provide public lands to accommodate the growth in and around Las Vegas.

The public lands proposed for conveyance in S. 405 consist of 229 acres that lie immediately west of the Sloan Canyon National Conservation Area, which includes the North McCullough Wilderness Area, and are bordered on the west by Interstate 15. These lands are adjacent to, but fall just outside of, the SNPLMA disposal boundary. The legislation directs the BLM to convey these lands to Clark County for no consideration subject to valid existing rights. The BLM, as a matter of both policy and practice, and in accordance with the Federal Land Policy and Management Act (FLPMA), generally requires receipt of fair market value for public lands transferred out of public ownership. This serves to ensure that taxpayers are fairly compensated for the removal of public lands from federal ownership.

Given the high market value of these lands, we strongly recommend that the bill be modified to require the receipt of a fair market value payment for the lands to be conveyed. Alternatively and absent legislation, the BLM could lease these lands to Clark County under the existing authority of Section 302 of FLPMA. Under this scenario, the Department would grant a lease to Clark County and would charge an annual rental that reflects the market value of the land.

S. 405 also imposes a \$3 conservation fee for each passenger on a helicopter tour if any portion of the helicopter tour occurs over the Sloan Canyon National Conservation Area. The bill directs the Clark County Department of Aviation to collect these fees and deposit them in a special account in the United States Treasury to be used by the Secretary of the Interior for the management of cultural, wildlife, and wilderness resources on public land in the State of Nevada. The BLM supports the concept of this provision but recommends that the fees be adjusted for inflation and be deposited in SNPLMA's Special Account. This would preclude the BLM from having to establish another permanent operating fund with essentially the same function as SNPLMA's Special Account. It would also give the Secretary additional flexibilities, as provided for in SNPLMA, in addressing environmental needs in Nevada in addition to those defined in the bill.

While the Department defers to the Federal Aviation Administration (FAA) regarding safety and other airspace issues, we note that the FAA generally opposes legislative mandates for specific flight paths. The Department of the Interior also has concerns about the flight path identified in this legislation. The flight path as identified in the bill, and the anticipated frequency of flights, would greatly impact the very wilderness characteristics and visitor use values that the Congress sought to protect and preserve when it established the Sloan Canyon National Conservation Area and the North McCullough Wilderness Area in the Clark County Conservation of Public Land and Natural Resources Act of 2002. These areas contain sites frequently used by Native Americans and others for religious ceremonial purposes. They also provide important migration corridors and resting, breeding, and feeding grounds for desert bighorn sheep, which are a special status species in Nevada. Moreover, visitor solitude and quality recreation experiences would be diminished.

The Department of Justice advises that it has concerns regarding inconsistencies in the bill which we would like to work with the Committee to address.

Thank you for the opportunity to testify on this bill. We look forward to working with the Committee to resolve the issues discussed above and address the needs of local communities and critical environmental issues in the State of Nevada. I will be happy to answer any questions.

S. 1552

Thank you for the opportunity to present the views of the Department of the Interior on S. 1552. This bill would amend P.L. 97-435 by extending until December 31, 2009, authorization for the Secretary of the Interior to release a reversionary interest contained in the patent of lands conveyed by the United States to Eastern Washington University. S. 1552 leaves untouched the provisions in P.L. 97-435 that protect the public interest and ensure that any transaction is compatible with the education and recreation purposes of the original patent. We therefore do not object to enactment of S. 1552.

In 1961, the Bureau of Land Management issued a patent (#1216646) to Eastern Washington University for 21 acres of land on Badger Lake, Washington, under the authority of the Recreation and Public Purposes (R&PP) Act, as amended (43 U.S.C. 869 et seq.). As is standard in patents issued under the R&PP Act, this patent conveyed a restricted title, including the condition that the lands would revert to the United States if either the University or any successor used the land for other than recreational and educational purposes or attempted to transfer title to the land.

By 1979, the University concluded that the 21 acres were unsuitable for the school's purposes and sought Congressional assistance in exchanging the 21 acres for lands adjacent to the campus. On January 8, 1983, P.L. 97-435 was enacted. It provided a five-year period—which expired in January of 1988—during which the University would be allowed to sell or exchange the Badger Lake land for property more suitable to its needs, and directed the Secretary of the Interior to release the reverter provision so the lands could be sold or exchanged.

P.L. 97-435 also contained provisions to address the concerns of the Department of the Interior regarding the protection of the public interest (exchange or sale to be at fair market value) and to ensure that any transaction would be as compatible as possible with the intent of the initial R&PP grant (the reversionary interest currently on the land held by the university to be placed on any land either received in exchange or purchased with the proceeds from the sale of the land). Also, as required by P.L. 97-435, the University and the Secretary concluded an agreement in 1985 to implement the law.

No sale or exchange of the land occurred during the five year period allowed under P.L. 97-435. S. 1552 would provide for a new deadline of December 31, 2009, to provide an opportunity for Eastern Washington University to locate land suitable for its needs.

I would be glad to answer any questions.

Senator CRAIG. Thank you very much. Now, let's turn to Gloria Manning, Associate Deputy Chief of the National Forest Systems, USDA Forest Service. Welcome.

STATEMENT OF GLORIA MANNING, ASSOCIATE DEPUTY CHIEF, NATIONAL FOREST SYSTEMS, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Ms. MANNING. Thank you, Mr. Chairman. Originally, I was going to give testimony on S. 1541, the Public Land Protection and Conservation Act of 2005. But in the interest of time, and since The Department of the Interior has given the lead, I think it would be—if you would just accept my written testimony, we would leave it at that. If that's okay.

Senator CRAIG. Okay. We'll do that. Thank you.

Ms. MANNING. The next bill that I'd like to testify on is S. 1548, Coffman Cove. This bill would convey a portion of a 15-acre Forest Service administrative site situated in the center of a small Alaskan community, Coffman Cove, to the city of Coffman Cove. The bill directs the Secretary of Agriculture, without consideration, to convey fee simple title to 12 acres of the administrative site to the city.

The Department objects to S. 1548 on the basis of long-standing policy that the Government receives market value for such conveyances. However, the Department is sympathetic to the needs of the city of Coffman Cove to control the future development of its future downtown area.

The Forest Service played a central role in the development of the community. In the 1960's, Coffman Cove was a logging camp and work site. Logs were harvested from the surrounding Tongass National Forest. Eventually, the community developed around the Forest Service administrative site.

Should the subcommittee choose to move the bill, the Department would like to work with the subcommittee on amendments that would improve the accuracy and management efficiency.

The second bill is H.R. 482, the Pine Springs Land Exchange. H.R. 482 would direct 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 to approximately 80 acres of non-Federal land. The university has operated a summer camp in the Lincoln National Forest for over 40 years on 40 acres that it owns. The University seeks to exchange 80 acres that it owns elsewhere in the forest for 80 acres immediately adjacent to the camp that they now manage. The bill directs that the exchange be equal in value, that the appraisal conform to the uniform appraisal standards for Federal land acquisition, and that the proponent of the exchange and the United States share the costs of implementing the exchange equally.

While the Department is not opposed to the exchange, we would like to work with the subcommittee and the bill's sponsors on amendments to insure that land management issues related to floodplains and wetlands are adequately addressed.

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

[The prepared statement of Ms. Manning follows:]

PREPARED STATEMENT OF GLORIA MANNING, ASSOCIATE DEPUTY CHIEF, NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE, ON S. 1541, S. 1548, AND H.R. 482

Mr. Chairman: Thank you for the opportunity to appear before you today to provide the Department views on S. 1541, the "Public Land Protection and Conservation Act of 2005"; S. 1548, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska; and H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico.

S. 1541—PUBLIC LAND PROTECTION AND CONSERVATION

S. 1541 would establish a new grant program to assess and control the spread of invasive species across the United States, and would authorize financial assistance to respond rapidly to outbreaks of invasive species. The Department concurs with the principles embodied in the legislation, but we believe that the goals of the legislation can be met within existing authorities.

The assistance program that this legislation would establish consists of several elements. Assessment grants, administered by the Secretary of the Interior, would provide funds to a state to identify the occurrence and extent of invasive species within the state and develop management priorities to address them. Control grants would be available to public or private entities and Indian tribes to carry out, in partnership with a Federal agency, control projects for the management or eradication of invasive species on public land or adjacent land. This grant program would be administered by the Secretary of the Interior and includes a requirement to consult with the Secretary of Agriculture regarding projects conducted on National Forest System lands. A third program would authorize assistance to states, local governments, public or private entities, and Indian tribes, to rapidly respond to invasive species outbreaks. A total of \$250 million would be authorized for these three programs for fiscal year 2006.

The Forest Service, among other USDA agencies, has several authorities and grant programs that allow it to address the invasive species threat in a variety of ways. We directly manage approximately 193 million acres across the National Forest System. We also provide technical assistance and administer a nationwide grant program to support cooperative invasive species management for all the Nation's forested lands—urban, state, private, federal, and tribal lands—through our State and Private Forestry organization. The Research and Development organization provides solutions in addressing some of the most significant invasive species. Our responsibilities extend across the United States, from Alaska and Hawaii to the Caribbean and New England.

The Forest Service's long-term vision is to halt the increasing threat of invasive species and begin to reduce impacts and spread of invasive species across the United States. The Forest Service works to achieve these goals by using a number of inte-

grated techniques that address prevention, early detection and rapid response, control and management, and restoration and rehabilitation.

The Department of Agriculture also plays a major role in all aspects of combating invasive species. The Government Accountability Office noted that in fiscal years 1999 and 2000, the Department of Agriculture accounted for 89 percent of all invasive species funding by federal agencies (GAO/RCED-00-219). Agencies within the Departments of Agriculture and the Interior manage the greatest number of acres (193 million acres and 441 million acres respectively) of all federal land management agencies. These two departments, along with the Department of Commerce, co-chair the National Invasive Species Council, which helps to coordinate and ensure complementary, cost-efficient and effective Federal activities regarding invasive species.

We recognize the need for a comprehensive view of invasive species programs, but the development of a crosscut budget should be the responsibility of the National Invasive Species Council; we cannot support changing this to the Office of Management and Budget, as proposed in S. 1541. The Council was created by Executive Order 13112 to coordinate federal invasive species policy and programs and, as mentioned previously, has already developed crosscut budgets in 2005 and 2006. The Council should retain this responsibility.

In addition, we have concerns about the Congressional expectations that might arise from the sizeable authorization levels contained in this legislation which would authorize assessment grants at \$25 million for FY 2006, control grants at \$175 million for FY 2006, and rapid response assistance at \$50 million for FY 2006, and “such sums as are necessary” for FYs 2007-2010. We cannot support these authorization levels, and note that any new funding provided for the program authorized by this legislation would have to compete with existing programs and other Administration priorities.

We commend the Subcommittee for recognizing the ecological problems posed by invasive species. The Subcommittee has recognized that the invasive species challenge to our Nation is enormous, and land managers and communities are using available resources to address it. We agree with the principles embodied in this legislation and will continue to work with our partners to develop a more effective assessment and control strategy for responding to animal and plant invasions. Our goal is to ensure the sustainability of our land and water resources and to promote the restoration of important wildlife habitat impacted by invasive species.

In summary, while we concur with the principles embodied in the legislation, we note that almost all of the actions called for in this legislation can be achieved within existing authorities. We offer to work with the Committee to ensure that existing programs and authorities are effectively targeted to address the Committee’s concerns.

S. 1548—COFFMAN COVE

S. 1548 would convey a portion of a 15-acre Forest Service administrative site situated in the center of a small Alaskan community, Coffman Cove, to the City of Coffman Cove. The bill directs the Secretary of Agriculture, without consideration, to convey fee simple title to twelve acres of the administrative site, to the City.

The Department objects to S. 1548 on the basis of long-standing policy that the government receives market value for such conveyances. However, the Department is sympathetic to the needs of the City of Coffman Cove to control the future development of its future downtown area.

The Forest Service played a central role in the development of the community. In the 1960’s, Coffman Cove was a logging camp and work site. Logs were harvested from the surrounding Tongass National Forest. Eventually, the community developed around the Forest Service administrative site.

In 1986, the State of Alaska received lands surrounding the Coffman Cove administrative site as part of its statehood entitlement. Over time, a decrease in timber sale activity led to a diminished need for the Forest Service administrative site. Within the last six years, all buildings have been removed from the site.

Coffman Cove was incorporated in 1989, and is currently home to about 200 residents. The City is seeking to diversify its economic base in response to changes in the management of the surrounding Tongass National Forest and other economic conditions. With the development of a new ferry terminal adjacent to the Forest Service administrative site, economic opportunities for the City to develop commercial operations and tourism support facilities are improving. However, the location of the Forest Service parcel in the center of town, along the main street bisecting the town and near the ferry terminal, presents a significant obstacle to Coffman Cove’s efforts to more fully develop and diversify its economy and design its future

downtown. The location of most of the parcel also makes it difficult and inefficient for the Forest Service to adequately manage the site.

Should the Subcommittee choose to move the bill in spite of these concerns, the Department would like to work with the Subcommittee on amendments that would improve accuracy and management efficiency.

H.R. 482—PINE SPRINGS LAND EXCHANGE

H.R. 482 would direct 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 to approximately 80 acres of non-federal land. The University has operated a summer camp in the Lincoln National Forest for over 40 years on 40 acres that it owns. 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 the uniform appraisal standards for Federal Land Acquisition and that the proponent of the exchange and the United States share the costs of implementing the exchange equally.

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 Subcommittee and the bill's sponsor on amendments to insure that land management issues related to floodplains and wetlands are adequately addressed.

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

Senator CRAIG. Gloria, thank you. Let me start with the land exchange. Can you review the history of this proposed land exchange for the committee? When did the proposal first surface with Lincoln National Forest? When did the administrative process break down? Do we know why the proponents of exchange gave up on the administrative process? And in the absence of a legislative exchange, how long would it take to complete the administrative process? Walk me through that, if you can.

Ms. MANNING. We were first contacted in 1999, but not with a formal proposal. I think it was either 2000 or 2001, when we first got the formal proposal. We had been working, doing the analysis, but the university thought that it would expedite the exchange, if they were to go legislatively. There were some discrepancies in a previous appraisal, in the one we did in 2001, so we had to work through that and that took some time. But, from what I understand, this is not a controversial exchange. We haven't done any work yet, but we understand that one of the trustees of the university had a legislative exchange before and he thought this would expedite the process.

Senator CRAIG. Okay. Well, the reason I asked those questions, it seems like—well, I'm told that about 6 percent of all the land exchanges accomplished by the Forest Service are legislated. We have seen a number of bills in the last 2 years where relatively small exchanges are not implemented quickly enough to accommodate the needs of the proponents of the exchange.

I would like you to provide the committee with a legislative drafting service that provides steps we can take to expedite the Forest Service's administrative land exchange process. I'm growing increasingly confused, as my colleagues are, that very small parcels to be exchanged, that seem without conflict, that make sense on the landscape, just grind phenomenally slowly through the bureaucratic process. How do we fix that? And that is the question I am asking, that you might help us look at your process and say, where

can we still meet all of our needs and not take 2 or 3 years? Because what's happening is frustration. Oh well, if we can't get them to work this in 3 or 4 years, then we will get it legislated. I hear that quite common now. I have people coming to me saying, the agencies tell us, well, you know what, yes, it's the right thing to do, but it's a nearly impossible thing to get through the system, so why don't you go have your congressman legislate it?

Ms. MANNING. Yes, it does take, on the average, about 2.5 years to get an exchange done.

Senator CRAIG. Well, let's reduce it to 1.5. Show us how you can do that.

Ms. MANNING. We'd like to work with you there, if it were just the exchange laws, but we have a lot of other laws that we have to adhere to and we when we do the appraisal, if we find title discrepancies, we go back and forth. If we change boundaries, we have to adhere to NEPA, the Endangered Species Act, FLPMA, all of those laws, and if something happens with one of them, it sometimes takes us back to the beginning and we start all over again.

But we are willing to work with the committee to see what areas that we can expedite, because we, too, would like to expedite the process.

Senator CRAIG. Well, let's take a look at it and see if there is something we might not be able to do, at least, with sizes of exchanges and all of that. When we are dealing with relatively small exchanges, that really would have little to no impact on or an accumulative effect on a broader landscape, we ought to try to give some convenience there.

Can you tell me what the fiscal year 2005 budget for the Thorn Bay Ranger District was?

Ms. MANNING. I think it was approximately \$3 million.

Senator CRAIG. I see, in your testimony, the normal call by the administration is to require compensation for land. I also see that you would like Congress to withhold three acres for the Forest Service to use as an administrative site. How much money is the Thorn Bay Ranger District willing to pay the city of Coffman Cove for the three acres they would like the Congress to withdraw, in the event we give the city of Coffman Cove the entire 15-acre parcel?

Ms. MANNING. That's quite a question, sir.

Senator CRAIG. Let's make a deal.

Ms. MANNING. Well, presently, the 15 acres is no longer being used as an administrative site. We wanted to withhold three acres, so that we could help with visitor questions and for public use.

However, if the committee sees fit to give the land to Coffman Cove, we would not be interested in purchasing three acres from Coffman Cove.

Senator CRAIG. Well, I thought I'd put that deal on the board. Thank you very much for your testimony.

Scott, a couple of questions about the Clark County heliport conveyance. This bill requires the Department to give 229 acres of BLM land to Clark County, for use as a heliport at no cost to the county, but the Secretary of the Interior is required to cover administrative costs of the conveyance.

The Southern Nevada Water Authority's 2003 annual report shows that it receives \$65 million through this Southern Nevada Public Land Management Act in just 1 year. I know the administration has expressed serious concerns with the windfall Nevada has gained through the Southern Nevada Public Lands Management Act.

Here are my questions: How much money has been deposited in State and local accounts in Nevada, as a result of the Southern Nevada Public Land Management Act and the other similar acts passed by Congress over the last 10 years? Can you supply that for the committee?

Mr. CAMERON. Yes, I can. What I probably would do is present that in a detailed fashion for the record, but ballpark, the total collections have been about \$2 billion over the last 10 years on the sale of BLM lands in that part of Southern Nevada. The Southern Nevada Water Authority has gotten about \$200 million of that, during the period. The State of Nevada's General Education Fund has gotten a little bit more than \$108 million during that period of time.

Senator CRAIG. Okay. Given the revenue generated through the sale of lands under the Southern Nevada Public Land Management Act, can you give us an estimate of the value of the 229 acres listed for conveyance in S. 405?

Mr. CAMERON. Yes, I can, at least a preliminary estimate, Mr. Chairman. We obviously have not done an appraisal, but ballpark, we are thinking the middle \$50 million range. So, \$55 million, \$56 million, something like that.

Senator CRAIG. What would you estimate the cost of the administrative process might be for this conveyance, if Congress passes this?

Mr. CAMERON. Mr. Chairman, it would be something less than \$1 million. You would probably use \$1 million as a likely ceiling. It could be a lot less than that, depending upon how much of an easy time we have with the cultural survey, with the endangered species surveys, that we always have to do. So, somewhere less than \$1 million, maybe as little as a couple hundred thousand dollars.

Senator CRAIG. Okay. Isn't there another administrative process through the Federal Aviation Administration could convey this land to the county for an airport?

Mr. CAMERON. Yes, Mr. Chairman, there is. There is authority in Section 302 of the FLPMA for the county to lease the land. The Federal Aviation Administration also has authority, as I understand it, to convey the land, although I don't seem to have my notes on that immediately in front of me. But yes, there is more than one way. Let me scan through here. Okay, here we go. Thank you.

The Airport and Airway Improvement Act of 1982 provides authority for the conveyance and title to the county, based on application with the Federal Aviation Administration. There is no payment of fair market value under those circumstances. There's a reversionary clause to the United States, in case the land ends up being used for something else, other than for the purpose that it was conveyed. There were, apparently, two conveyances like this nationwide in fiscal year 2001, another two in 2002, but apparently

none in fiscal year 2003. I don't have the data with regard to fiscal year 2004 or 2005. I'd suggest that the committee might want to inquire of the Federal Aviation Administration or Clark County as to why they might not be availing themselves of this authority.

Senator CRAIG. Well, that was my next question. Do you know why the process wasn't pursued for this particular process, the Federal Aviation Administration was not pursued?

Mr. CAMERON. No, we don't. I don't, Mr. Chairman.

Senator CRAIG. Okay. Well, last, can the Department provide someone to provide us with a briefing—the committee with a briefing on the status of the Southern Nevada Lands Act, in the near future? You've given us a guesstimate, but we'd like a breakdown as to the revenue that has been realized by the State of the Nevada and its entities as a result of this particular action.

Mr. CAMERON. We've been allotted to do that. We can provide the numbers very quickly and schedule a discussion, actually, at your and your staff's convenience.

Senator CRAIG. We would like that, thank you. We have a number of Members' statements that will be included in the record of this hearing, including Senator Cantwell, Senator Reid, Senator Murkowski and Representatives Neugebauer and Berkley

[The prepared statements of Senators Cantwell, Reid, Murkowski, and Representatives Neugebauer and Berkley follow.]

PREPARED STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR
FROM WASHINGTON, ON S. 1552

Mr. Chairman and Members of the subcommittee: Thank you for taking the time today to hold this hearing on S. 1552. This legislation will extend an authorization allowing Eastern Washington University (EWU) to transfer the title of a small parcel of land. EWU hopes to use this authority to acquire land closer to its rapidly growing campus in Cheney, WA.

In 1961, EWU acquired a 21-acre parcel of property near Badger Lake, WA from the federal government under the provisions of the Recreation and Public Purpose Act. The law and land patent requires EWU to comply with certain restrictions. First, EWU must use the land for recreational or educational purposes. Second, ownership of the land parcel reverts back to the federal government should EWU transfer the title to the property.

EWU had acquired the land from the Department of Interior with plans to develop a retreat for its music school. The university made numerous improvements to the property but revised its plans to install permanent buildings. In 1976, the University revised its management plan to reflect recreation as the primary use of the land. However, unsupervised recreation has been considered unsafe due to the location of the property several miles from the EWU campus and the physical features of the site, including steep cliffs at the edge of Badger Lake.

To address these challenges, Eastern Washington University worked with Washington's congressional delegation to pass legislation providing the university needed flexibility to deal with the land. During the 97th Congress, former House Speaker Tom Foley, worked to pass legislation that exempted the university from some of the conditions in the Badger Lake land patent for five years following enactment in 1983.

Public Law 97-435, directed the Secretary of Interior to release certain restrictions placed on EWU. The law lifted restrictions that require the land to revert back to the federal government if used for purposes other than recreation or education or if EWU transfers the land title. The law conditions the release from the patent requirements upon an agreement between EWU and the Secretary committing the university to dispose the land only for the purpose of acquiring real property which is more suitable for educational and recreational purposes.

Further, any property acquired by EWU will vest in the United States if the university uses the land for purposes other than recreation or education, attempts to transfer the title to the newly acquired land, or prohibits or restricts the use of the acquired land by any person because of race, creed, color, sex, or national origin.

Unfortunately, the university was unable to find a viable buyer during the five years following enactment of the Foley legislation.

I introduced S. 1552 on July 28, 2005. This legislation would extend the authority enacted in the Foley legislation until December 31, 2009. Presently, EWU is a growing campus with a rapidly increasing student population. The university remains interested in transferring title to the Badger Lake land for the purposes of acquiring property nearer the campus to meet emerging needs. EWU believes it will be able to find a viable buyer should the extension of authority contained in this legislation be enacted.

I am proud that Congresswoman Cathy McMorris has introduced companion legislation, H.R. 2100, in the House of Representatives during the 109th Congress. I would note for the Committee that the House passed identical legislation, H.R. 4596 during the 108th Congress on September 28, 2004. The Office of Management and Budget reported that enactment of H.R. 4596 would have had no effect on the federal budget and would impose no costs on state, local, or tribal governments.

I look forward to working with the Committee to ensure favorable consideration of this legislation. Thank you for your attention today.

PREPARED STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM NEVADA,
ON S. 405

Thank you for your generous support and for allowing a hearing on this important legislation.

The purpose of this bill is simple: It would convey about a third of a square mile of public land managed by the Bureau of Land Management to Clark County for development of a new heliport. The land is located just south of the Henderson city limits and east of Interstate 15. The bill would also impose fees on operators for all helicopter flights that occur over the Sloan Canyon National Conservation Area (NCA), with the proceeds used for the management of cultural, wildlife, and wilderness resources on public lands in the State of Nevada. Finally, this bill would restrict helicopter operators to a detailed flightpath, with appropriate elevations, that will ensure the protection of the values found in the Sloan Canyon National Conservation Area and the sanity of residents who have been subject to the noise of the helicopters.

Local officials in southern Nevada are committed to establishing a heliport within the Las Vegas Valley to preserve this quintessential Las Vegas experience and a strong tourism industry. The county and local municipalities have previously considered a site, currently in use as a go-kart track, near Interstate 15 near Henderson. However, tours originating from this location would fly over the most sensitive parts of the Sloan Canyon National Conservation Area, with no restrictions on routing or elevation. Sloan Canyon itself—one of the richest petroglyph sites in the Mohave Desert—would be subject to regular overflights. That outcome would be entirely legal, entirely predictable and entirely regrettable.

In 2002, I worked closely with Senator Ensign, Congresswoman Berkley, Congressman Gibbons and local advocates to protect the Sloan Canyon area and its unique cultural resources. Through our combined efforts, we created the Sloan Canyon National Conservation Area and the McCullough Mountains Wilderness. I am proud of this accomplishment and believe this legislation provides protection for the precious resources that we worked to safeguard in 2002 while resolving the conflict between air tour operators and Las Vegas residents.

This legislation would not prohibit helicopter overflights of the Sloan Canyon National Conservation Area. But it does ensure that such flights steer clear of the most sensitive and special cultural resources and minimize the impact on the majestic bighorn sheep and other wildlife that live in the McCullough Mountains.

Importantly, my legislation also requires that every such flight contribute \$3 per passenger to a special fund dedicated to the protection of the cultural, wilderness, and wildlife resources in Nevada. These provisions justify conveying the land to Clark County at no cost because they provide a stable, long-term source of funding in excess of the market value of the land and because the conveyance and use are in the public interest.

I am hopeful that my distinguished colleagues will work with me to pass this important legislation during the current session.

PREPARED STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA,
ON S. 1548

Good afternoon, Mr. Chairman. One of the five bills that we will hear today is S. 1548 which authorizes the Forest Service to convey a 12 acre administrative site that it no longer needs to the City of Coffman Cove on Prince of Wales Island in Southeast Alaska.

The City of Coffman Cove is completely surrounded by the Tongass National Forest. It was born as a logging camp. However, with the downturn in logging on Prince of Wales Island, the community of 230 people is looking for opportunities to diversify its economy. The 12 acres that the Forest Service no longer needs is one of the few remaining pieces of property available in Coffman Cove and the property is located in the center of downtown.

I understand that the Forest Service would prefer to sell the property rather than gift it to the City, but the plain truth is that the City doesn't have the money to buy it. The City's annual budget is on the order of \$380,000—\$240,000 of that comes from grants which are dedicated to specific purposes.

So if we don't pass this legislation, the Forest Service gets to keep a piece of property it neither needs nor wants and the City of Coffman Cove continues to suffer from having an unproductive piece of land right in the center of downtown. Surely, we can do better for this small community, which doesn't even have a grocery store.

I ask unanimous consent that the testimony of the Mayor of the City of Coffman Cove be included in the record and I look forward to hearing the testimony of the witnesses.

PREPARED STATEMENT OF HON. RANDY NEUGEBAUER, U.S. REPRESENTATIVE
FROM TEXAS, ON H.R. 482

Chairman Craig and Ranking Member Wyden, thank you for including H.R. 482 on the Public Lands and Forests Subcommittee's hearing schedule today. I also want to thank the chairman of the full committee, Senator Domenici, for meeting with me to discuss this land exchange that takes place in his home state.

H.R. 482 provides for a small land exchange between the Lincoln National Forest in New Mexico and Lubbock Christian University, located in my Congressional district in Texas. The legislation is cosponsored by Congressman Steve Pearce from New Mexico, and the House of Representatives passed H.R. 482 on April 12, 2005 by voice vote. I ask that the Senate also pass the legislation this year.

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

LCU would like to expand Pine Springs Camp in order to accommodate the growth in the number of campers. In the past ten years, summer campers have increased from 650 to more than 1,250 youth. In order to expand the camp, the university proposes to exchange its undeveloped 80-acre tract for up to 80 acres of National Forest land that border the existing camp, consisting of two 20-acre tracts and one 40-acre tract. Pine Springs Camp would use the land for new athletic fields and, in the future, for an amphitheater and new camp 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. Pine Springs Camp is used in the summer for ten one-week camp sessions staffed by LCU students and church volunteers and in the winter by college groups, youth groups and churches for retreats. Pine Springs Camp operates as a non-profit; camp fees cover operating costs, and camp improvements are made by volunteers and through donations.

While LCU has initiated an administrative land exchange with the Forest Service, LCU, as a non-profit, is concerned with the uncertainty in costs and time involved in an administrative exchange. My LCU constituents asked me to introduce H.R. 482 because this legislation helps streamline the land exchange process, while still including a full land appraisal and review, and sets a time limit for its completion.

H.R. 482 allows for a small and straightforward federal land exchange and provides significant benefits to both parties. A lengthy and expensive exchange, however, would not provide the same benefits to either LCU or the Forest Service.

Without the exchange, LCU may need to sell its inholding to another landowner or develop it into a replacement camp, an expensive option. By expanding Pine Springs Camp in its existing location through acquisition of the federal land, LCU will have space to allow for future growth. By acquiring LCU's 80-acre inholding,

the Lincoln National Forest will increase and consolidate the Forest Service's undeveloped land within the forest.

Chairman Craig and Ranking Member Wyden, on behalf of my constituents at LCU and Pine Springs Camp, I ask that your Subcommittee and the full Senate Energy and Natural Resources Committee support this legislation and report it favorably for the full Senate's consideration.

PREPARED STATEMENT OF HON. SHELLEY BERKLEY, U.S. REPRESENTATIVE
FROM NEVADA, ON S. 405

Mr. Chairman: I am pleased today to join the other members of the Nevada congressional delegation in supporting S. 405, legislation that would transfer land from the Bureau of Land Management to Clark County for use as a heliport. I appreciate the efforts of the subcommittee in considering this important legislation.

Tourism is the engine that drives the Las Vegas economy, and companies offering helicopter tours of the Grand Canyon are an important part of the Las Vegas experience. Unfortunately, the explosive growth in our area has made the operation of these air tour companies at Las Vegas' McCarran International Airport increasingly difficult for both the businesses themselves and for area residents who are impacted by the noise. Moving the heliport to a new, more remote location and establishing flight patterns to protect Sloan Canyon's wonders are both important compromises needed to reduce noise pollution and to ensure that our air tour operators can continue doing business for years to come.

I am an original cosponsor of companion legislation approved by the House in May, and I urge the subcommittee to support this important measure. Thank you.

Senator CRAIG. Thank you very much, both of you, for your time and your preparedness. And again, Scott, we would like this information in a reasonable time, as it relates to revenues, for the committee to be briefed.

Mr. CAMERON. We'll try to get the statistics for you by the end of the week and get the meeting scheduled shortly thereafter.

Senator CRAIG. Very good. Thank you much. The committee will stand adjourned.

[Whereupon at 4:10 p.m. the hearing was adjourned.]

[The following statement was received for the record:]

STATEMENT OF RANDALL H. WALKER, DIRECTOR OF AVIATION, CLARK COUNTY,
NEVADA, ON S. 405

My name is Randall H. Walker and as the Director of Aviation for Clark County, Nevada I appreciate the opportunity to submit written testimony before the subcommittee on S. 405. The Department of Aviation (CCDOA) owns and operates Las Vegas—McCarran International Airport. McCarran Airport, fulfilling its critical role as a gateway for nearly 50% of all visitors to Las Vegas, handled in excess of forty (40) million passengers in 2004. In addition, CCDOA operates a system of five general aviation (GA) airports providing much needed capacity relief to McCarran.

I urge support for S. 405 which is urgently needed to address a pressing aviation issue, namely helicopter noise over residential areas within Las Vegas. Because of our tourism based economy, Las Vegas has become the primary jumping-off point for visits to the Grand Canyon National Park. A portion of those visits occur as helicopter air tours originating from McCarran airport.

An expanding segment of the Las Vegas tourist experience is the Grand Canyon helicopter air tour operations which have increased by approximately 50% over the past three years and now exceed almost 65 thousand operations per year. Given the number of new hotel rooms under construction, CCDOA can only surmise that this growth will continue into the foreseeable future. Below is a chart which shows the growth in helicopter operations from Las Vegas which traverses Tropicana and Charleston Boulevards, heavily populated areas of the valley.

AVERAGE DAILY CORRIDOR USE—OCTOBER

| Corridor | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|------------------|------|------|------|------|------|------|
| Tropicana | 58 | 60 | 66 | 89 | 91 | 107 |
| Charleston | 58 | 66 | 63 | 83 | 89 | 105 |

The helicopter air tour departure and return corridors direct the helicopters over older, established neighborhoods. Some 90,000+ residents have lived in these homes for a number of years with no expectation of what they are now subjected to.

The noise is exaggerated because the helicopters must remain at a low altitude (as low as 800 feet above ground level) and within the prescribed corridors to avoid traffic conflicts with fixed-wing aircraft flights operating at Nellis Air Force Base, the North Las Vegas Airport and McCarran Airport.

Under Federal law enacted in the early 1990's designed to prevent communities from imposing airline noise controls at local airports, CCDOA as the operator of a federally funded airport cannot prevent the helicopters from using McCarran Airport or in any way take an action that could be deemed to discriminate against the tour operators. Rather, CCDOA must develop an alternative heliport the operators will voluntarily choose to move to because they deem it to be in their best financial interest.

The county's acquisition of a parcel of vacant, federally owned land called for in this bill is the best answer we have to this problem. CCDOA's intent is to construct on the site a facility to which the air tour operators will willingly relocate. This bill provides for the transfer of the 229 acres of BLM land for this purpose. This acreage should be adequate to support existing and future air tour activities plus all associated support and infrastructure facilities. The site is approximately 12 miles south of the Las Vegas "Strip" with surface access provided by Interstate Highway 15 and State Route 604 (Las Vegas Boulevard South). We have reviewed many other possible sites including the land fill on the eastern rim of the valley and another site at Railroad Pass. For a variety of reasons the site identified in this bill is superior.

The legislative proposal attaches a number of conditions to the land's transfer. These include:

- the parcel is to be used only as a heliport;
- the parcel is not to be disposed of by Clark County;
- Clark County shall pay all administrative costs associated with the land's conveyance from the Department of the Interior;
- the parcel shall revert to federal ownership if the county ceases to use it as a heliport in accordance with the legislative intent;
- operators at the non-urban heliport will pay a fee for each passenger transported over the Sloan Canyon National Conservation Area;
- such fees as may be collected will be made available for protection of natural and cultural resources within the conservation area and the North McCullough Mountains Wilderness Area;
- tours originating from the non-urban heliport shall cross the conservation area only within a defined, narrow, corridor (Exhibit 2—Clark County Public Heliport Facility).

The CCDOA is comfortable with each of these conditions, several of which reflect concerns raised by Federal land managers, Native American and environmental interests. CCDOA is committed to the identification, evaluation and, to the extent possible, the mitigation of legitimate environmental impacts which might be attributed to the development and operation of the non-urban heliport through a thorough NEPA review. In doing such a NEPA analysis, the county must and will consider those impacts associated with each alternative site, as well as the continued operation of helicopter air tours from McCarran International Airport.

The undeveloped mountainous areas south of Las Vegas, including the Sloan Canyon Conservation Area and the North McCullough Mountains Wilderness Area, already experience numerous aircraft overflights. Low altitude McCarran, Henderson Executive and Boulder City aircraft operations commonly occur over these areas. This reality was acknowledged in the legislative language that established the conservation and wilderness areas just three years ago in 2002. The addition of the helicopter tour operations is not expected to raise related noise to federally established levels of significance. The NEPA document, which CCDOA is currently drafting together with the FAA and BLM, will fully consider noise and overflight impacts on sensitive populations in the manner prescribed by federal regulations.

CCDOA owns the "Go Kart/Sloan" site, and has found it to be a suitable and economically viable location for the non-urban heliport. This site, located about 3 miles

immediately north of the parcel detailed in the Senator's bill, was initially preferred for the non-urban heliport. Subsequently, the community asked that the "South of Sloan" site (which has been identified in the legislation) be added to the environmental evaluation process. Quite frankly, the CCDOA's concern was and is that "South of Sloan" will not be available because it is federally owned and outside the BLM's disposal area boundary.

If "South of Sloan" cannot be conveyed in a timely manner, if unreasonable restrictions are placed on its development, and/or if the unmitigatable environmental impacts associated with "South of Sloan" are greater than "Go Kart/Sloan" the CCDOA intends to proceed with development at "Go Kart/Sloan".

Let all understand that the construction of the non-urban heliport within the next three to four years is needed to preclude the shifting of the helicopter air tour operations from McCarran Airport to the Henderson Executive Airport. This simple relocation of the helicopter tour operations to another urban airport would create new flight corridors over existing neighborhoods and thus only serve to shift noise concerns from one community to another. Clark County elected officials have long held that it is undesirable to take an action that simply shifts a burden from one set of neighbors to another.

In conclusion, CCDOA, with support and cooperation from the Congress, the FAA and the BLM, has embarked on the development of a new non-urban heliport. The county's intent is to balance the needs and interests of the air tour operators, our valley's residents and the environmental community. There is no simple or perfect answer to the helicopter air tour issue faced by CCDOA. Nevertheless, my agency and staff has not backed away, but has attempted to forge ahead and barter a workable, reasonable solution. What we ask Congress for is an ability to obtain the 229 acres of land at the designated "South of Sloan" site if, at the end of the environmental review process, that site is deemed the most acceptable alternative.

Thank you.

APPENDIX

RESPONSES TO ADDITIONAL QUESTIONS

RESPONSES OF SCOTT J. CAMERON

Question 1. Is there any language in S. 1541 that would preclude a private landowner, or the federal government, from using non-native species on their lands? Can you please comment specifically with respect to the definition of “invasive species?”

Answer. No. The bill language would not preclude a private landowner or the federal government from using a non-native species on their lands. Programs funded under S. 1541 address the relatively narrow class of “invasive” species, not the broader group of non-native species. In order to be covered by the provisions of the legislation, a species must be not only non-native to a particular ecosystem, but also the introduction of that species must cause or be likely to cause economic harm or harm to human health or the environment. Additionally, with regard to private lands, activities authorized under the legislation may only be carried out with the consent of the private landowner.

Question 2. The Weed Bill authorizes activities on Forest Service and BLM lands. How specifically does DOI address weeds not on Forest Service and BLM lands or lands adjacent to those lands?

Answer. The U.S. Fish and Wildlife Service, which manages lands in the National Wildlife Refuge System (NWRS), and the National Park Service, which manages national parklands and historic sites, have extensive programs for managing invasive species.

In the refuge system, control and eradication of invasive species is an important part of refuge management and, in many cases, part of day-to-day operations. In addition, the NWRS invasive species team developed a National Strategy for Management of Invasive Species to guide invasive species management in the refuge system. This strategy emphasizes assessment information, monitoring recommendations, and best management practices, and operations on refuge lands include preventive activities, early detection and rapid response, control and eradication, research and monitoring, cooperative partnerships and cost share projects and public education about invasive species. Integrated Pest Management (IPM) techniques used in the field include the application of chemicals, mechanical and hand removal, use of prescribed fires, cultural techniques, and biological control. Prevention efforts are significant in preventing newly discovered infestations from gaining a foothold in refuges. FWS has authorities it uses to partner with private landowners, and these can be used in tandem with invasives work on private lands adjacent to NWRS lands.

The NPS uses various approaches to control invasive populations in national parks and protect sensitive populations from destruction by invasive species, including integrated pest management techniques. However, the NPS has no statutory authority to partner with adjacent landowners to address invasive species issues of mutual concern outside of parks. The Administration requested such authority in a proposal transmitted to Congress in August 2005.

As part of the National Park Service’s Natural Resource Challenge, a new management strategy was created for addressing invasive species in national parks. Modeled after the approach used in wildland fire fighting, field-based Exotic Plant Management Teams (EPMTs) provide highly trained, mobile strike forces of plant management specialists who assist parks in the identification, treatment, control, restoration, and monitoring of areas infested with invasive plants. There are now 16 teams covering 209 parks nationwide. This successful model has also been adopted by the FWS. The success of the EPMTs derives from accountability and its ability to adapt to local conditions and needs while still serving multiple units within a broad geographic area. Moreover, the NPS’s Inventory and Monitoring (I&M) Program networks are helping parks develop monitoring programs for the detection of new invasions so a quick response can ultimately remove the threat before it be-

comes unmanageable. The information is also used by EMPTs for identifying treatment areas and coordinating control projects with parks.

Departmental bureaus also partner with other federal and non-federal entities on research projects. The NPS, U.S. Geological Survey, and Bureau of Reclamation partner with the Agriculture Research Service, the U.S. Forest Service, and university scientists to develop and test biological control agents and conduct studies of stream flow management for vegetation control and of hybridization to better predict the potential future spread of invasive species. The USGS also has partnerships with state and county weed departments, the National Aeronautics and Space Administration, and others aimed at mapping currently invaded sites and identifying new invasions of weeds like tamarisk (also known as saltcedar).

Finally, the BOR leads, along with USDA's Agricultural Research Service, the Saltcedar Biological Control Consortium, a task force comprised of over 40 agencies, and BOR, in collaboration with Los Alamos National Laboratory, that also develops new technologies for determining the amount of water lost from the Rio Grande River due to tamarisk and for assessing restoration potential based upon soil salinity and chemical composition.

Question 3. How does DOI address weeds not on the Federal Noxious Weeds list?

Answer. We recognize that weeds can be harmful even if they are not formally listed as noxious. Bureau land managers partner with the U.S. Geological Survey and other research organizations to identify the invasive plants that cause the greatest damage to resources under the Department's jurisdiction—such as migratory birds or endangered species. Specific treatment plans are then developed utilizing currently approved integrated pest management and resource management protocols. Depending on the priority, treatments are targeted at the specific point in the life cycle when maximum control can be achieved while, at the same time, minimizing the harm to other resources.

Question 4. If a species is non-native, is it necessarily an invasive species?

Answer. No, relatively few non-native species are "invasive species." According to Executive Order 13112, which guides federal policy on these issues, an invasive species is defined as an alien species—a species that is not native to a particular ecosystem—whose introduction does or is likely to cause economic or harm to human health or the environment. Many non-native species provide valuable food and fiber, recreational, and hobby interest for Americans without fear of economic harm or harm to human health or the environment. For example, any species under cultivation as a crop or managed as livestock are not commonly considered invasive species because their presence is economically advantageous and impacts on the environment are under effective control.