

**STATEMENT OF CHAD CALVERT
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U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS,
RECREATION, AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON RESOURCES,
CONCERNING H.R. 2966, A BILL TO PRESERVE THE USE AND ACCESS OF
PACK AND SADDLE STOCK ANIMALS ON PUBLIC LANDS**

SEPTEMBER 30, 2003

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 2966, to preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service (NPS), the Bureau of Land Management (BLM), the United States Fish and Wildlife Service (FWS), and the Forest Service where there is a historical tradition of such use.

We share the goal of ensuring that the use and access of pack and saddle stock animals remains a viable recreational option on public lands where those activities are currently provided. However, this legislation is unnecessary because the Department already complies with the National Environmental Policy Act of 1969 (NEPA) when making decisions concerning recreation use, including the use of environmental assessments and categorical conclusions where appropriate. As described more fully below, the Department does have concerns with provisions in the bill that appear to give more weight to one recreational use than to others without consideration of the agency's mission.

Providing appropriate recreational opportunities on federal lands is an important priority for the Department. Traveling through the backcountry with pack and saddle stock animals is an enjoyable, practical, and meaningful way to experience some of the most magnificent landscapes our country has to offer. For example, it has long been a recreational attraction for visitors to our beautiful national parks in the Sierra Nevada and Rocky Mountains, in particular. On BLM lands alone, 73,000 recreational visits in 2002 were attributed to horse or animal pack stock recreational use. It is our intention to ensure that opportunities for this type of recreational use remain available on the public lands managed by the Department.

H.R. 2966 would require the Secretaries of the Interior and Agriculture to provide for the management of lands under their respective jurisdictions to preserve and facilitate the continued use and access of pack and saddle stock animals on lands where there is a historical tradition of such use. It would allow the two Secretaries to implement a proposed reduction in the use and access of pack and saddle stock animals on such lands only after complying with the full review process required under NEPA.

The Department believes that the provisions that apply NEPA to any proposed changes in stock use are redundant. Under existing law, changes in recreational uses on public lands are made through public planning processes, such as proposed revisions to general management plans for units of the National Park System, land use plans or activity plans for BLM lands, and comprehensive conservation plans for National Wildlife Refuges administered by FWS. These planning processes are all subject to NEPA, and all offer ample opportunities for public participation in the decision-making process.

In addition to these plans, the Department also complies with NEPA when developing its wilderness management plans. For example, while BLM generally allows the recreational use of pack stock in wilderness areas, in some instances, the wilderness management plan prescribes certain limitations. In Aravipa Canyon Wilderness, horses and pack stock are limited to five per party, and stock use within the canyon itself is limited to day use. This policy is in place for the protection of sensitive riparian vegetation and as a result of conflicts with other recreation users in the narrow canyon corridor. In Paria Canyon-Vermillion Cliffs Wilderness, for safety reasons, the horses and pack stock are not allowed in the Coyote Butte Special Management Area, and commercial use is limited in the narrow upper two thirds of the

Paria Canyon. The slick rock environment is not suitable for horse or pack stock travel and creates unsafe conditions for recreational users.

National parks with backcountry recreational stock use typically have a pack horse plan or equivalent plan supported by environmental analysis and public disclosure under NEPA. Sequoia and Kings Canyon National Parks have a very sophisticated program for managing pack and saddle use that provides for stock use when and where it is appropriate, while protecting park resources. Rocky Mountains National Park has a horse plan in effect that has resolved many longstanding controversies between stock users and hikers.

In addition to decisions made during the planning process, temporary closures to recreation uses made by the Department also meet NEPA requirements by qualifying for a categorical exclusion or undergoing a separate environmental assessment. Categorically excluded actions fully comply with NEPA under the implementing regulations of the Council on Environmental Quality, which allow agencies to exclude a category of actions from detailed NEPA analysis based on an agency finding that such category of actions do not have a significant effect on the quality of the human environment. Temporary closures include measures to protect wildlife habitat, vegetation and, in some cases, the health and safety of visitors.

All recreational activities that occur on federal lands should be compatible with the respective agency's mission. By statute, for example, all uses of refuges must be compatible with the purposes for which each individual National Wildlife Refuge was established. The FWS has concerns that the legislation appears to be in conflict with the six wildlife-dependent priority public uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) that Congress established in the National Wildlife Refuge System Improvement Act of 1997. FWS views these six uses as consistent with its mission. For FWS and other agencies, we are concerned that this legislation would alter the balance among competing recreational uses currently achieved through their respective planning processes.

Mr. Chairman, this concludes my remarks. I would be happy to respond to any questions that you or the other members of the subcommittee may have.