

**Statement of
Acting Associate Deputy Chief Greg Smith
National Forest System
Forest Service
U.S. Department of Agriculture**

**Before the
Committee on Energy and Natural Resources
Subcommittee on Public Lands and Forests
United States Senate**

**Concerning S. 2392, “East Rosebud Wild and Scenic Rivers Act”
July 23, 2014**

Mr. Chairman, I am Greg Smith, Acting Associate Deputy Chief, National Forest System, U.S. Forest Service. Thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding S. 2392, the “East Rosebud Wild and Scenic Rivers Act”

The Wild and Scenic Rivers Act, Public Law 90-542 (16 U.S.C. 1271-1287, as amended) protects the free-flowing condition, water quality, and outstandingly remarkable natural, cultural, and recreational values of some of our most precious waters. It also provides an opportunity to build partnerships among landowners, river users, tribal nations, and all levels of government.

S. 2392 amends Section 3(a) of the Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System. It adds a 13-mile segment from the source of the creek in the Absaroka-Beartooth Wilderness to East Rosebud Lake as a wild river, and the 7-mile segment from below East Rosebud Lake to the first private land as a recreational river.

The Department supports S. 2392.

The bill is consistent with the Custer National Forest Land and Resource Management Plan Amendment Number 2, approved December 15, 1989, which identifies the segments as eligible for designation as wild and recreational respectively. The Custer National Forest has not conducted a suitability study for East Rosebud Creek; therefore, the Department does not have a recommendation regarding designation under the Wild and Scenic Rivers Act. However, as eligible rivers, these segments are currently managed by the Custer National Forest in a manner consistent with the proposed designations.

The proposed designations would prohibit future Federal Energy Regulatory Commission’s (FERC) licensing of any new hydroelectric facility on, or directly affecting, these creek segments. There is no existing FERC license, or pending proposals for licenses, in the East Rosebud Creek area.

Congressional designation of these two segments would not disrupt or alter existing management or use of the area surrounding East Rosebud Creek, but would require additional planning and monitoring for the creek and adjacent Custer National Forest lands.

We recommend that Section 3(b) be deleted as the river segments proposed for designation are entirely bounded by National Forest System lands.