

Committee on Natural Resources

Rob Bishop Chairman
Markup Memorandum

September 24, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Chris Marklund
Subcommittee on Federal Lands (x6-7736)

Markup: **H.R. 5636 (Rep. French Hill)**, To designate additions to the Flatside Wilderness on the Ouachita National Forest, and for other purposes.
September 26, 2018, at 10:15 a.m.; 1324 Longworth House Office Building

H.R. 5636, “Flatside Wilderness Enhancement Act”

Summary of the Bill

H.R. 5636, introduced by Representative French J. Hill (R-AR-02), would add a tract of approximately 640 acres of studied and recommended wilderness to the Flatside Wilderness in Arkansas’ Ouachita National Forest. The bill would also require an inventory and evaluation of certain lands adjoining the Flatside Wilderness to determine suitability for their inclusion in the National Wilderness Preservation System (NWPS).

Background

The Flatside Wilderness was designated by Congress and added to the National Wilderness Preservation System (NWPS) in 1984 with the passage of the Arkansas Wilderness Act.¹ The Wilderness is comprised of approximately 9,500 acres of U.S. Forest Service land in Arkansas’ Ouachita National Forest.² The area features small creeks, panoramic views, rugged terrain, and a section of the Ouachita National Recreation Trail.³

In 2005 the U.S. Forest Service recommended approximately 640 acres of U.S. Forest Service land adjacent to the Flatside Wilderness be added to the NWPS as a part of the Flatside Wilderness. In their recommendation the Forest Service found that “adding these lands to NWPS would establish more logical and manageable boundaries for these areas.”⁴

H.R. 5636 would add a tract of approximately 640 acres of studied and recommended wilderness to the Flatside Wilderness in Arkansas’ Ouachita National Forest. The bill would

¹ P.L. 98-508

² *Wilderness Areas: Ouachita National Forest*. U.S. Forest Service. Sept. 2008.

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5085891.pdf

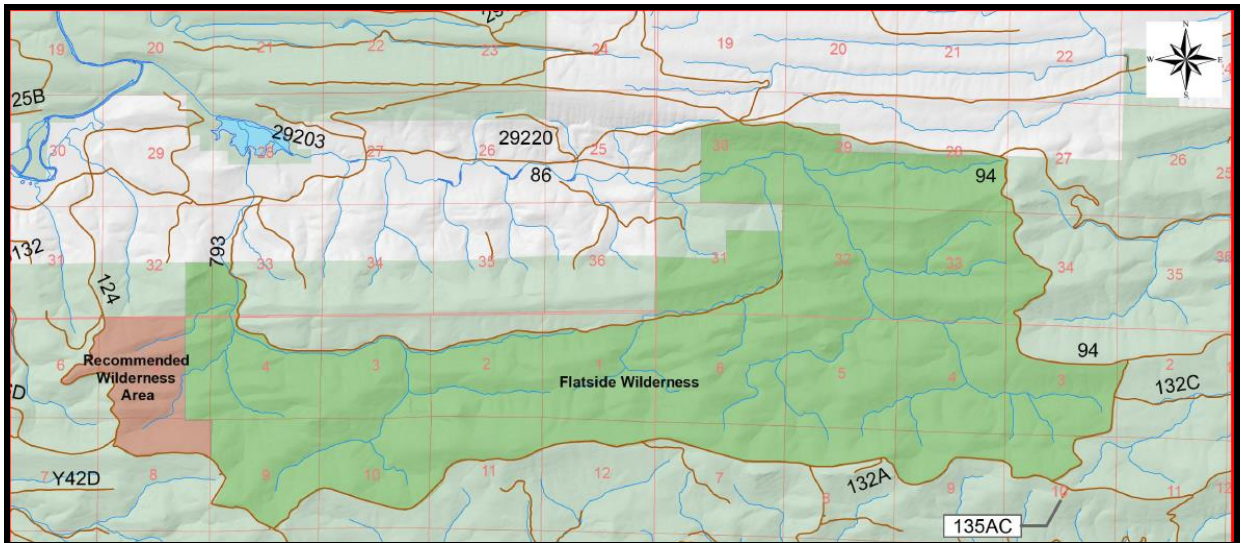
³ *Ibid.*

⁴ Revised Land and Resource Management Plan; Ouachita National Forest. U.S. Department of Agriculture, Forest Service Southern Region. September 2005.

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsm9_039609.pdf

also require an inventory and evaluation of certain lands adjoining the Flatside Wilderness to determine suitability for their inclusion in the National Wilderness Preservation System (NWPS) and provide for the ecological restoration of those lands, where applicable.

The recommendation has undergone a full NEPA analysis as a part of the U.S. Forest Service's Forest Planning process, including public comment. H.R. 5636 is supported by the Department of Arkansas Heritage, the Arkansas Department of Parks and Tourism, the Arkansas State Parks, Recreation and Travel Commission, the Arkansas Game and Fish Commission, Perry County, Arkansas, the Perry County Chamber of Commerce, and several other local, state and national organizations.



Map 1: Flatside Wilderness with Recommended Additions (Source: U.S. Forest Service)

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration's position is currently unknown.

Anticipated Amendments

- Rep. Westerman 1 – The amendment would strike Section 2 of H.R. 5636 to provide more time for local stakeholders and the U.S. Forest Service to continue discussions of options for ecological restoration of certain National Forest System lands adjacent to the Flatside Wilderness. It would amend Section 3 of the bill to reference a more up to date map of the recommended wilderness provided by the U.S. Forest Service. Finally, the amendment would name the 640 acres wilderness addition in honor of former member of Congress the Honorable Ed Bethune, one of the original House sponsors of the Arkansas Wilderness Act.

Effect on Current Law (Ramseyer)

[text to be added highlighted in yellow]

Arkansas Wilderness Act (Public Law 98-508)

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SEC. 3. In furtherance of the purposes of the Wilderness Act, the following lands in the State of Arkansas are hereby designated as wilderness and, therefore, as components of the National Wilderness System:

* * * * *

(d) certain lands in the Ouachita National Forest, Arkansas, which comprise approximately ten thousand one hundred and five acres, as generally depicted on a map entitled "Flatside Wilderness-Proposed", dated September 1984 and certain land in the Ouachita National Forest, which comprise approximately 640 acres, as generally depicted as "Recommended Wilderness Additions" on the map titled "Revised Land and Resources Management Plan-Ouachita National Forest-Oklahoma and Arkansas", dated September 23, 2005, and which shall be known as the Flatside Wilderness;