

**Statement of  
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U.S. Forest Service  
U.S. Department of Agriculture  
Before the  
Subcommittee on National Parks  
Energy and Natural Resources Committee  
United States Senate  
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**Concerning**

**S. 86, Fossil Creek Wild and Scenic River Act of 2007**

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today to provide the Department's view on the Fossil Creek Wild and Scenic River Act of 2007.

With some minor amendments, the Department of Agriculture strongly recommends that S. 86 be enacted.

S. 86 would amend section 3(a) of the Wild and Scenic Rivers Act (16 USC 1274(a)) to designate Fossil Creek, a tributary of the Verde River in the State of Arizona, as a component of the National Wild and Scenic Rivers System. The segments to be designated by S. 86 include the river from its source to its confluence with the Verde Wild and Scenic River. S. 86 provides allowance for specified fish restoration activities and stream flow monitoring.

Fossil Creek has been impacted since the early 20<sup>th</sup> century by the Childs-Irving Hydropower Project which diverted essentially all the water from Fossil Springs for power production. In 2004, as a result of a unique collaboration among Arizona Public Services (APS), the Forest Service, tribes, environmental groups and others, the Childs-Irving Hydropower Project license was surrendered with a plan to decommission the supporting infrastructure and restore flows to Fossil Creek.

APS supported the decommissioning of this project to give the residents of the State a perennial stream in the desert that possesses rare regional and national values. Fossil Creek, with its consistent spring flow, harbors the endangered desert fish, contains unique geologic formations, and provides an opportunity to share the prehistory and history of central Arizona.

S. 86 recognizes the significant efforts made by Federal, State, tribal and local entities to return this tributary to a free-flowing condition. Passage of this bill ensures the protection of this tributary for future generations.

We would like to work with the Subcommittee on ensuring consistency in the language of this bill, and the Wild and Scenic Rivers Act, and Forest Service reports and analyses of Fossil Creek.

In addition, the uppermost point of the Fossil Creek tributary is difficult to identify. We would like to work with the Subcommittee to provide a description of this beginning point. We also would like to ensure that the designated river segments are accurately classified. Due to the existence of the Fossil Springs Dam, the 16.8 mile stretch of Fossil Creek that would be designated includes a 7.5 mile stretch that fits the description for a recreation river, rather than a scenic river.

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