

**STATEMENT OF KATHARINE H. STEVENSON, ASSOCIATE DIRECTOR,  
BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE  
INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE  
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS OF THE SENATE ENERGY  
AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 3261, TO  
ESTABLISH THE BUFFALO BAYOU NATIONAL HERITAGE AREA IN THE STATE  
OF TEXAS, AND FOR OTHER PURPOSES.**

**SEPTEMBER 29, 2010**

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Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 3261, a bill to establish the Buffalo Bayou National Heritage Area in Texas, and for other purposes.

The Department recognizes the appropriateness of designating the Buffalo Bayou National Heritage Area, but recommends deferring action on S. 3261 until program legislation is enacted that establishes criteria to evaluate potentially qualified national heritage areas and a process for the designation and administration of these areas. We recommend that Congress enact national heritage area program legislation in this Congress.

There are currently 49 designated national heritage areas, yet there is no authority in law that guides the designation and administration of these areas. Program legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation was introduced in the 109<sup>th</sup> and 110<sup>th</sup> Congresses, and we look forward to continuing to work with Congress on this very important issue.

S. 3261 would establish the Buffalo Bayou National Heritage Area (NHA) in Harris County, Texas, with the Buffalo Bayou National Heritage Area Corporation designated as the National Heritage Area's Management Entity. The National Park Service (NPS) completed a suitability and feasibility study on the proposed Buffalo Bayou NHA in April 2010 that determined that the NHA met the NPS criteria for establishment.

When brothers Augustus Chapman Allen and John Kirby Allen established the city of Houston in 1836, they envisioned a great new city, but could not have imagined Houston's role in fueling the rise of the United States as a world power in the 20<sup>th</sup> century. The Houston town site was located along the Buffalo Bayou, which was the only semi-navigable waterway running east and west in Texas. The bayou eventually became a major economic access point into the Southwest and a corridor to the Gulf of Mexico and beyond.

Houston's oil industry helped draw and meld cultures that helped define its regional character and the economic growth of the Buffalo Bayou as a center for oil and petrochemical production shaped the community's character.

Adjacent to the Buffalo Bayou ship channel is the San Jacinto Battleground State Historic Site, where Texas gained its independence as a republic. A National Historic Landmark and State Park, the San Jacinto Battleground provides the cultural and natural landscape for the second major theme of the proposed National Heritage Area: Texas independence. The historic site also includes the USS Texas battleship, also designated as a National Historic Landmark, which was built in the “dreadnought” era and launched in 1912. After serving in World War I, the ship was updated for service in World War II, and participated in the amphibious invasions of Normandy, Iwo Jima, and Okinawa.

Historian Lynn M. Alperin has stated that “Buffalo Bayou has been transformed from a meandering stream into a vast industrial complex.” That transformation has not been without environmental consequences. However, as with most cities throughout the United States in the second half of the 20<sup>th</sup> century, Houston has worked to balance economic development with environmental protection. Parts of the story of the proposed Buffalo Bayou National Heritage Area are environmental and recreational initiatives, supported by its industries, including wetlands restoration, trails development, prairie restoration, riverfront park development, and natural preserves. These efforts are part of the story of the community’s efforts to improve the quality of life for Houston’s two million people.

A potential Buffalo Bayou National Heritage Area, through its historical, natural, cultural, and recreational resources, its network of partner organizations, its diverse population, and consistent with the area’s economy, would represent a distinctively American story about the nation’s growth. The nationally significant themes of Houston as the Nation’s “Energy Capital” and Texas independence are significant chapters of our history. These important American stories are best told through the framework of a National Heritage Area by the people of the Buffalo Bayou themselves and the partner organizations that represent them.

Mr. Chairman, that concludes my prepared remarks. I would be happy to answer any questions you or any other members of the subcommittees may have.

**STATEMENT OF KATE STEVENSON, ASSOCIATE DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 3291, TO ESTABLISH THE COLTSVILLE NATIONAL HISTORICAL PARK IN THE STATE OF CONNECTICUT, AND FOR OTHER PURPOSES.**

**SEPTEMBER 29, 2010**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior regarding S. 3291, a bill to establish the Coltsville National Historical Park in Hartford, Connecticut.

The Department does not support enactment of this legislation due to the uncertainty associated with the ownership and long-term financial sustainability of the Coltsville development project as concluded by the National Park Service (NPS) in a special resource study of the resources associated with the Coltsville Historic District. In concert with this lack of feasibility, the study was also unable to determine the need for NPS management, or specifically which resources the NPS would manage.

The Secretary designated Coltsville Historic District a National Historic Landmark on July 22, 2008. The manufacturing complex and associated resources constitute the site of nationally important contributions to manufacturing technology by Samuel Colt and the industrial enterprise he founded in 1855 – Colt’s Patent Firearms Manufacturing Company. It includes, among other resources, the armories where firearms and other products were made, the home of Samuel and Elizabeth Colt, Colt Park, and housing used by factory workers.

Samuel Colt is most renowned for developing a revolver design which revolutionized personal firearms. The Colt Peacemaker, a six-shot revolver, became known as “the gun that won the West.” Colt was a major innovator in the “American System” of precision manufacturing, replacing the practice of individually crafting each component of a product with the use of interchangeable parts. After his death in 1862, his wife Elizabeth owned and directed the manufacturing complex for 39 years, becoming a major entrepreneur in an age when women rarely occupied positions of importance in manufacturing.

During both World War I and World War II, the Colt Firearms Company was one of the nation’s leading small arms producers and made vital contributions to U.S. war efforts. The company applied its interchangeable-parts techniques to a wide variety of consumer products and the Colt complex became an “incubator” facility for other inventors and entrepreneurs. Coltsville is also noteworthy as a fully integrated industrial community that includes manufacturing facilities, employee housing, community buildings, and landscape features that were built largely under the personal direction of Samuel and Elizabeth Colt. Colt, whose labor practices were advanced for their time, attracted highly skilled laborers to his manufacturing enterprise.

S. 3291 provides that the Secretary shall not establish a unit of the national park system at Coltsville until donations of land or interests in land within the boundary of the park have been accomplished. It also provides for donations of space within the East Armory, the focal point of the manufacturing complex, for administration and visitor services. The legislation authorizes agreements with other organizations for access to Colt-related artifacts to be displayed at the park and cooperative agreements with owners of properties within the historic district for interpretation, restoration, rehabilitation and technical assistance for preservation. Any federal financial assistance would be matched on a one-to-one basis by non-federal funds.

S. 3291 also provides for the establishment of a commission to advise the Secretary on the development and implementation of a general management plan for the unit. The advisory commission would terminate ten years after the date of enactment of the legislation unless extended for another ten years by the Secretary.

Pursuant to Public Law 108-94, the Coltsville Study Act of 2003, the NPS conducted a special resource study of the resources associated with the Coltsville Historic District. Based on Coltsville's National Historic Landmark designation in 2008, the study concluded that Coltsville meets the national significance criterion. An analysis of comparability to other units of the national park system and resources protected by others demonstrated that Coltsville is suitable for designation as a unit of the national park system. The study was unable, however, to conclude that Coltsville is feasible to administer at this time due to the lengthy duration of financial issues surrounding the site. In concert with the lack of feasibility, the study is also unable to determine the need for NPS management, or specifically what the NPS would manage.

The Department is concerned that financial issues and questions involving ownership and financing of the Coltsville properties, especially funding for the adaptive reuse of significant portions of the manufacturing complex that will remain in private ownership, could impede the successful establishment of the proposed park. Until these private-sector financial issues are resolved, the Department does not believe that the donation of land or interest in land or the donation of space for administration and visitor services can be achieved. We are also concerned about the long-term financial sustainability of the development project, given both its history before and during the entire course of the special resource study and the present economic climate. The Department cannot own or manage the entire manufacturing complex, part of which has already been rehabilitated for residential use, due to what we believe would be prohibitive costs and operational issues associated with potential full federal stewardship should the development project prove unviable.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions from members of the committee.

**STATEMENT OF KATHARINE H. STEVENSON, ASSOCIATE DIRECTOR,  
BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE  
INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE  
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS OF THE SENATE ENERGY  
AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 3524 AND H.R. 4438,  
BILLS CONCERNING A NEW PARK HEADQUARTERS, A BOUNDARY  
EXPANSION, AND A STUDY OF POTENTIAL LAND ACQUISITIONS AT SAN  
ANTONIO MISSIONS NATIONAL HISTORICAL PARK**

**SEPTEMBER 29, 2010**

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Mr. Chairman and members of the Subcommittees, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 3524 and H.R. 4438, bills concerning a new park headquarters, a boundary expansion, and a study of potential land acquisitions at San Antonio Missions National Historical Park.

The Department supports S. 3524. On February 25, 2010, the Department testified on H.R. 4438 before the House Subcommittee on National Parks, Forests and Public Lands. At that hearing we stated that that we supported the bill, but that we would like to work with the committee to address ambiguities in the portions of H.R. 4438 that directed the Secretary to enter into a lease agreement for the operation of a park headquarters and operational facility. H.R. 4438 as passed by the House does not include the authority to operate the headquarters facility, which we believe is a critically important component of this legislation. S. 3524 addresses our concerns by authorizing the use of a cooperative agreement, instead of a lease, for this facility.

S. 3524 and H.R. 4438 would amend Section 201 of Public Law 95-629 to direct the Secretary of the Interior (Secretary) to conduct a study of lands in Bexar and Wilson Counties to identify lands that would be appropriate to include within the boundaries of San Antonio Missions National Historical Park (Park). The Secretary is directed to report on the findings of the study three years after funds are made available. S. 3524 also authorizes the Secretary to enter into a cooperative agreement with the City of San Antonio, or its designee, for operation of a facility outside the boundary of the park to provide visitor facilities and office space for a headquarters and operational support for the park. Funding for the cooperative agreement would be subject to appropriations. Finally, under both bills, the boundary of the park would be expanded by approximately 151 acres.

San Antonio Missions National Historical Park preserves a significant link to Mexico and Spain that has influenced the culture and history of the United States since before its inception. San Antonio is now the seventh largest and third fastest growing city in the United States. The city grew 68 percent between 1980 and 2007 and now almost entirely surrounds the Park with urban development, threatening areas that contain significant Spanish colonial resources historically associated with the Park.

Park headquarters for San Antonio Missions are currently inadequate; do not meet fire, safety or security standards; and exist in an expired lease space not adjacent to the Park. The Park's

maintenance operations are dispersed in three separate locations. The Park's curatorial collection, which contains almost one million Spanish Colonial period objects, is stored in four different locations, including two locations that do not meet National Park Service (NPS) Curatorial Storage Standards.

The City of San Antonio, Texas (City) has acquired lands adjacent to Mission San José and has proposed a partnership with the Park and one of its partners for the construction of a park headquarters. A cooperative agreement, such as the one described in S. 3524, would provide the NPS with the ability to enter into an agreement with the City or an entity of the City's choosing such as Los Compadres de San Antonio Missions National Historical Park (Los Compadres), to assist with operation of visitor facilities and office space for a park headquarters.

S. 3524 and H.R. 4438 would also expand the boundary of San Antonio Missions National Historical Park by approximately 151 acres, of which 118 acres are either currently owned by the NPS, are being donated, or are being transferred through a land exchange to the Park. All costs associated with the land exchange will be paid for by the San Antonio River Authority with the NPS only paying for minimal transaction costs. Thirty-three acres would either be purchased by the NPS from willing sellers or donated to the Park. It is estimated that the acquisition of these 33 acres could cost as much as \$3,587,110 and operational costs associated with adding the 151 acres of land are not expected to exceed \$100,000 per year. Associated land acquisition funding requests would be subject to the Administration's prioritization process that uses consistent and merit-based criteria to select projects, and the availability of appropriations.

The Park's General Management Plan and Land Protection Plan acknowledge that the current boundary is insufficient to fully achieve the Park's purpose. The Park's most recent feasibility study recommended a much larger area to best protect the cultural resources associated with the Park. Numerous areas that contain significant Spanish colonial resources historically associated with the Park still remain outside the boundary. In addition, the Park has acquired lands that are outside the current boundary and is in the process of accepting additional lands that will be included within the boundary as a part of a land exchange with the San Antonio River Authority and U.S. Army Corps of Engineers to facilitate restoration of the San Antonio River.

S. 3524 and H.R. 4438 would also authorize the Secretary to conduct a study of lands within Bexar and Wilson counties, in the State of Texas, to identify lands that would be suitable for inclusion within the boundaries of the Park. The study should also explore management alternatives that would best ensure public access, preservation, protection, and interpretation of the Missions. We estimate that this study will cost approximately \$350,000.

This legislation enjoys the strong support of officials from Bexar County, Wilson County, the City of San Antonio, the City of Floresville, the San Antonio River Authority, the San Antonio Conservation Society, Los Compadres, and others. It would help guarantee the preservation, protection, restoration, and interpretation of the missions for current and future generations.

Mr. Chairman, that concludes my prepared remarks. I would be happy to answer any questions you or any other members of the Subcommittees may have.

**STATEMENT OF KATE STEVENSON, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 3612 TO AMEND THE MARSH-BILLINGS-ROCKEFELLER NATIONAL HISTORICAL PARK ESTABLISHMENT ACT TO EXPAND THE BOUNDARY OF THE MARSH-BILLINGS-ROCKEFELLER NATIONAL HISTORICAL PARK IN THE STATE OF VERMONT, AND FOR OTHER PURPOSES.**

**September 29, 2010**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior regarding S. 3612, a bill to amend the Marsh-Billings-Rockefeller National Historical Park Establishment Act, and to expand the boundary of the park to include the King Farm.

The Department supports enactment of S. 3612 if amended to provide that the inclusion of the King Farm within the boundary is subject to a determination of the Secretary that the property meets National Park Service (NPS) boundary adjustment criteria.

Marsh-Billings-Rockefeller National Historical Park encompasses the historic Marsh-Billings Rockefeller mansion and grounds, and the Mount Tom Forest in Woodstock, Vermont. It was a gift to the people of the United States from Mary and Laurance Rockefeller. Mary Rockefeller's grandfather, Frederick Billings, developed the property into a model farm and forest in the late 1880s. Billings' stewardship efforts were influenced by George Perkins Marsh, a conservationist and author of the 1864 landmark book *Man and Nature*. Marsh spent his childhood years on the property.

The park was established by Congress in 1992 to interpret the history and evolution of conservation stewardship in America and to recognize and interpret the lives and contributions of George Perkins Marsh, Frederick Billings, the Billings heirs, and Mary and Laurance Rockefeller. It is a continuing symbol of three generations of conservationist thought and practice. It is also a repository for the histories of three quintessentially American families.

S. 3612 would expand the park's present boundary to include the adjacent 156-acre King Farm, one of Vermont's finest examples of an early, self-sustaining Vermont hill farm. The farm is unique as an intact collection of farm buildings and agricultural lands that document the evolution of farming from the early 1800s to the present. The King Farm plays an important role in park operations, providing key linkages for the park's network of recreational trails and facilities. The addition of these lands would enable the park to better conserve and interpret the history and evolution of conservation stewardship in America.

The King Farm is presently owned by the Vermont Land Trust (VLT). The VLT can no longer afford to maintain and operate the farm and issued a national search for a long-term leasee, but without success. If the King Farm were to be sold to a private owner, it could result in loss of public access and damage to park resources. The farm currently serves as a hub for the park's

youth service learning programs and provides the only available dedicated classroom and leave-no-trace camp site to support these programs. Loss of the farm would sever the only direct trail connection between local schools and park lands. The King Farm also provides important habitat for the Jefferson Salamander, which has been identified as a species of special management concern. In 2010, the park initiated a public process to evaluate a proposal to expand the boundary to include King Farm. Local governments and area citizens have expressed strong support for this addition and preliminary findings of this boundary study indicate that the property meets the National Park Service boundary adjustment criteria. .

Based on a comparable property sales analysis, the estimated value of the King Farm including pre-acquisition costs is \$1,205,000. Improvements to farm assets addressing deferred maintenance needs, providing for greater public access, and life and safety and energy efficiency measures would total approximately \$1,558,000. Annual park operations costs are anticipated to increase by \$124,000. To help offset these costs, the Vermont Land Trust intends to manage a small existing endowment to support projects at the King Farm that would benefit facility maintenance and education programs. S. 3612 would authorize the Secretary to receive and expend such funds.

S. 3612 would also provide authority for the operation of the Conservation Study Institute at the park in collaboration with the University of Vermont. The Institute was established by the National Park Service to advance leadership and innovation through collaborative conservation partnerships for the stewardship of our national system of parks and special places. The Institute provides technical assistance to parks, heritage areas, and regional and national programs by conducting demonstration projects, distilling and sharing lessons learned, and building networks for information exchange. The Institute has been funded through the park's base operating budget since the enactment of FY 2000 appropriations. The park receives \$520,000 a year in its budget specifically for operation of the Institute. Additional funding through cost-share programs with the University of Vermont serves to provide educational outreach to youth and the local communities. This legislation would provide permanent authority for the Institute to continue to operate at Marsh-Billings-Rockefeller National Historical Park. The bill further provides for the development of a revised General Management Plan for the park. We are reviewing the legislation for any technical amendments that might be needed and would like to work with the committee on any necessary change in language we identify.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions from members of the committee.

**STATEMENT OF KATHERINE H. STEVENSON, ASSISTANT DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS, OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 3744, TO ESTABLISH PINNACLES NATIONAL PARK IN THE STATE OF CALIFORNIA AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES.**

**SEPTEMBER 29, 2010**

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Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 3744, a bill to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

The Department supports S. 3744, which would designate and rename additional wilderness areas within Pinnacles National Park with technical amendments.

The bill would add 2,905 acres to the designated wilderness at the monument and rename the Pinnacles Wilderness as “Hain Wilderness.” Congress has recognized wilderness characteristics at Pinnacles by previously designating more than one-half of the monument’s 24,000 acres as wilderness. The additional acreage is appropriate for wilderness designation.

Naming the wilderness as “Hain Wilderness” would commemorate the establishment of Pinnacles National Monument by immigrant homesteaders from Michigan who first arrived at the Pinnacles in 1886. The Hain families were farmers and community pioneers who established the first post office and county road. In 1893, Schuyler Hain conceived the idea of designating the Pinnacles a public park or even a national park. Mr. Hain successfully championed the establishment of the Pinnacles Forest Reserve in 1906 and Pinnacles National Monument in 1908. The National Park Service considers it a high honor to be permanently commemorated in a unit of the national park system and seeks to reserve this honor for cases where there is a compelling justification for such recognition. We believe that there is a compelling justification in this case.

If the committee decides to act on S. 3744, we suggest the following technical amendments:

- On page 4, line 16, strike “are” and insert “shall consist of those areas”.
- On page 6, lines 6 and 7, delete the map reference and substitute a new map reference to a map produced by the National Park Service (to be provided).

Mr. Chairman, this concludes my statement. I would be pleased to respond to any questions that you may have.

**STATEMENT OF KATHERINE H. STEVENSON, ASSOCIATE DIRECTOR,  
BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE  
INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE  
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS OF THE SENATE ENERGY  
AND NATURAL RESOURCES COMMITTEE CONCERNING S. 3778 AND H.R. 4773,  
BILLS TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO LEASE  
CERTAIN LANDS WITHIN FORT PULASKI NATIONAL MONUMENT, AND FOR  
OTHER PURPOSES.**

**SEPTEMBER 29, 2010**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 3778 and H.R. 4773, bills to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes.

The Department supports both bills, which are substantially identical, with an amendment described later in this statement. This legislation would allow the Savannah Bar Pilots Association to lease the land on Cockspur Island within Fort Pulaski National Monument in the State of Georgia that the association has used continuously since 1940.

In 1940, the National Park Service authorized by special use permit exclusive use of National Park Service land and improvements to the Savannah Bar Pilots Association to operate a vessel piloting business. The National Park Service has issued a series of permit renewals during the ensuing 70 years. However, in recent years, the National Park Service has been advised by the Department's Solicitor's Office that the association's use of this land should be based on more certain legal authority than the special use permitting process. The National Park Service believes that a non-competitive lease, which would be authorized by S. 3778 and H.R. 4773, would be the best option in this unique circumstance to enable the Savannah Bar Pilots Association to continue traditional operations from its Fort Pulaski location. The Bar Pilots serve a function that is vital to the state's deepwater ports and inland barge terminals, including directing ship traffic and assisting in navigation in the Savannah Harbor.

There are no other known locations from which Savannah Bar Pilots Association can operate more efficiently than its current location. Deep water accessibility and the relatively short distance to embarking and disembarking ships in Savannah Harbor render the current Cockspur Island site the ideal location for continued operations. The Savannah Bar Pilots have been operating at the current location with virtually no adverse impact on park resources, on the visitor experience, or on park operations. Fort Pulaski National Monument derives revenue from the current special use permit and would continue to do so from a lease. The Savannah Bar Pilots enjoy local support from both the City of Savannah and the Georgia Port Authority.

We recommend that the legislation be amended to provide for a lease term of up to five years, rather than ten years, in order to allow for more frequent review of the lease's terms and conditions. A shorter period would help protect the government's interests and assure that use of the leased land remains consistent with the established purposes of Fort Pulaski National Monument. We would be happy to work with the committee to provide appropriate language for this amendment.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or any members of the subcommittee may have.

**STATEMENT OF KATHERINE H. STEVENSON, ASSISTANT DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND THE SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS, OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE CONCERNING S. 3820, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ISSUE PERMITS FOR A MICROHYDRO PROJECT IN NONWILDERNESS AREAS WITHIN THE BOUNDARIES OF DENALI NATIONAL PARK AND PRESERVE, TO ACQUIRE LAND FOR DENALI NATIONAL PARK AND PRESERVE FROM DOYON TOURISM, INC. AND FOR OTHER PURPOSES.**

**SEPTEMBER 29, 2010**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 3820, a bill to authorize the Secretary of the Interior to issue permits for micro-hydro projects in non-wilderness areas within the boundaries of Denali National Park and Preserve, and for other purposes.

The Department supports the intent of this legislation, but would like to work with the sponsor and the committee to address several significant concerns noted below. S. 3820 would authorize the Secretary of the Interior to issue permits for micro-hydro projects in a limited area of the Kantishna Hills in Denali National Park. The legislation would also authorize a land exchange between the National Park Service (NPS) and Doyon Tourism, Inc. (Doyon) involving lands near the historic mining community of Kantishna that would be mutually beneficial to the NPS and Doyon.

This legislation will reduce the use of fossil fuels in the park, and thus lessen the chance of potentially catastrophic fuel spills along the park road and at the Kantishna lodges. It will lower the number of non-visitor vehicle trips over the park road, lessen the noise and emissions from diesel generators in the Moose Creek valley, and support clean energy projects and sustainable practices while ensuring that appropriate review and environmental compliance protects all park resources.

Doyon Tourism, Inc., a subsidiary of Alaska Native corporation Doyon, Ltd., has requested permits from the NPS to install a micro-hydroelectric project on Eureka Creek, near their Kantishna Roadhouse. The NPS supports the intent of this project, however, neither the Secretary nor the Federal Energy Regulatory Commission (FERC) has the statutory authority to issue permits for portions of hydroelectric projects within national parks or monuments. We believe that the authorization contained in this legislation is necessary to enable the NPS to allow this micro-hydroelectric project within the park.

The Kantishna Roadhouse, at the end of the 92-mile-long Denali park road, has been in business for 28 years, hosts approximately 10,000 guests per summer, and currently uses an on-site 100 kilowatt (KW) diesel generator to provide power for the facility. The proposed hydroelectric installation would reduce but not eliminate all use of the diesel generator at the lodge, because early in the tourism season the creek may still contain ice and a backup system would be needed.

Currently, delivery of diesel fuel to the lodge requires a tanker truck and trailer to be driven the entire length of the Denali park road. Noted for its undeveloped character, the road is unpaved for 77 miles of its 92-mile length, crosses high mountain passes without guardrails, and is just one to 1½ lanes wide with pullouts. The road is justly famous for wildlife viewing opportunities and in order to protect wildlife as well as the road's scenic wilderness character, vehicle traffic is limited. A seasonal restriction on private vehicle use was instituted in 1972, and a numerical limit on overall vehicle use was established in special regulations in 2000. Reducing the amount of diesel fuel hauled over this road in tanker trucks protects park resources by reducing the risk of accident or spill, and simultaneously reduces overall vehicle use of the road.

Eureka Creek is a 4-mile-long stream that drains a 5 square-mile watershed and discharges about 15 cubic feet per second (cfs) during the summer. Most of the floodplain has been disturbed by past placer mining, but no mining claims exist on the creek now and no other landowners besides Doyon and the NPS own any property near this floodplain. The project would include an at-grade water intake, with no impoundment, about one mile upstream of where Eureka Creek crosses the park road. A water conduit, or penstock, would carry the water downhill to a small building on Doyon land that would house a micro-hydro generator, capable of producing approximately 100 KW. An electrical distribution line would carry the electricity to the lodge, about 600 feet from the hydro generator. A battery bank would store surplus electricity to accommodate peak power demands and maintenance shut-downs of the generator. Water diverted from Eureka Creek through the micro-hydro generator would be piped to Moose Creek less than 100 feet downstream from the mouth of Eureka Creek.

Camp Denali, another lodge in the Kantishna Hills, is within the area addressed by this legislation. Camp Denali opened in 1952 and the owners installed a micro-hydro generator system prior to the 1978 Presidential proclamation that included Kantishna as a part of what is now Denali National Park. After 1978, Camp Denali became a private inholding surrounded by the park, and found that parts of its micro-hydro power system were within the park, a situation which the NPS lacks the authority to permit or retain. This legislation, if amended, would allow the NPS and the owners of Camp Denali to work out permit conditions for those parts of the existing hydro project that are now on park land. Besides the Kantishna Roadhouse and Camp Denali, there are two other lodges in Kantishna that may pursue similar projects in the future and thus would benefit from the authority granted in this legislation.

Doyon owns 18 acres on the patented Galena mining claim in the Kantishna Hills and would like to exchange that acreage for park land in Kantishna of equal value near its other properties. The NPS would also like to pursue this exchange to consolidate land holdings in the area. Existing land exchange authority from ANILCA and other legislation is sufficient to effect this exchange. Thus, while we believe that this provision is unnecessary, we support its intent.

Our concerns with the bill are as follows:

- 1) The bill as introduced requires the Secretary to issue permits for the micro-hydro project within 180 days of enactment. While the Department supports the intent of this new authority, permit issuance should be discretionary and based on an evaluation of the environmental impacts of each project proposal. At the same time, the Department commits to a timely review of project proposals given the potential environmental and economic benefits of these projects.
- 2) The permitting authority provided by this bill would apply to several different micro-hydro electric projects in the Kantishna area, yet various elements of the bill as introduced apply solely to a project by Doyon. For example, the definitions found in section 2 of the bill specifically include the water intake and pipeline for the Doyon project but do not mention Camp Denali or other potential future permittees, and Section 3 refers to “the micro-hydro project” in the singular rather than the plural. We suggest that the bill be amended to clearly provide the Secretary the discretionary authority to permit any of several projects.
- 3) Both the proposed micro-hydro project and the proposed land exchange sections of the legislation should be amended to explicitly require compliance with NEPA and other environmental and cultural resource protection laws to evaluate the impacts of any proposal authorized by this legislation and afford public comment before the Secretary makes the decision on whether the project(s) should be permitted.
- 4) As written, a land exchange is mandated. The land exchange should be discretionary, based on a careful analysis of all its proposed elements, which have yet to be determined, and upon public input.

We believe that the permitting authority granted in S. 3820 would provide a tool that the Secretary could use to lower fossil fuel use in Denali National Park, while protecting park resources, and that a land exchange would be hastened through passage of this legislation. We would welcome the opportunity to work with the sponsor and this committee to address our concerns and recommendations.

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