

**STATEMENT OF STEPHANIE TOOTHMAN, ASSOCIATE DIRECTOR,
CULTURAL RESOURCES, PARTNERSHIPS, AND SCIENCE, NATIONAL
PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE
SENATE SUBCOMMITTEE ON NATIONAL PARKS OF THE ENERGY AND
NATURAL RESOURCES COMMITTEE, CONCERNING S. 1252, TO AMEND
THE WILD AND SCENIC RIVERS ACT TO DESIGNATE CERTAIN
SEGMENTS OF THE MISSISQUOI AND TROUT RIVER IN THE STATE OF
VERMONT AS COMPONENTS OF THE NATIONAL WILD AND SCENIC
RIVERS SYSTEM, AND FOR OTHER PURPOSES.**

July 31, 2013

Mr. Chairman, thank you for the opportunity to appear before your committee today to present the views of the Department of the Interior on S. 1252, a bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Missisquoi River and the Trout River in the State of Vermont, as components of the Wild and Scenic Rivers System.

The Department has preliminarily determined through the National Park Service's draft study of the Upper Missisquoi and Trout rivers that the segments proposed for designation under this bill are eligible for inclusion into the National Wild and Scenic Rivers System. However, the study report is only in the preliminary internal review stage. We recommend that the committee defer action on S. 1252 until the study is completed, which is consistent with the Department's general policy on legislation designating additions to the Wild and Scenic Rivers System when a study of the subject is pending.

S. 1252 would designate two segments of the Upper Missisquoi River totaling 35.1 miles and the entire mainstem of its tributary, the Trout River, totaling 11 miles, as part of the Wild and Scenic Rivers System, to be administered by the Secretary of the Interior as recreational rivers. The segments would be managed in accordance with the Upper Missisquoi and Trout Rivers Management Plan (March 2013) prepared as a part of the study, with the Secretary coordinating administration and management with a locally based management committee, as specified in the plan. The bill would authorize the Secretary to enter into cooperative agreements with the State of Vermont, the adjoining communities, and appropriate local planning and environmental organizations. The legislation follows the model of other recent New England Wild and Scenic River designations based on a "partnership" model emphasizing locally based management solutions and a limited federal role.

S. 1252 would exclude from designation the property and project boundaries associated with the Troy and North Troy hydroelectric projects, both of which are small, run-of-river projects that have Federal Energy Regulatory Commission (FERC) exemptions—permanent authority to operate under existing terms. A third hydroelectric facility, the Enosburg Falls project, lies immediately downstream of the lower endpoint of the

Missisquoi mainstem proposed designation. The Department does not view these projects as being in conflict with the proposed designation.

S. 1252 also contains language that would allow the Secretary to designate an additional 3.8 mile segment at the headwaters of the Missisquoi within the Town of Lowell, subject to a finding of sufficient local support. This provision would allow the Town of Lowell, which did not support designation at its March 2013 Town Meeting, to opt into the designation at some future point without the need for additional congressional action.

The study of the Upper Missisquopi and Trout was authorized by P.L. 111-11, the Omnibus Public Land Management Act of 2009. The National Park Service has conducted the study in close cooperation with the adjoining communities, the State of Vermont, the Missisquoi River Basin Association, and other interested local parties. Technical assistance provided as a part of the study made possible the development of the Upper Missisquoi and Trout Rivers Management Plan (March 2013). This plan is based primarily around local partner actions designed to guide the management of the Upper Missisquoi and Trout rivers with or without a National Wild and Scenic River designation. Although the Wild and Scenic Rivers Act requires the development of a comprehensive river management plan within three years of the date of designation, it has become the practice of the National Park Service to prepare this plan as part of a study of potential wild and scenic rivers when much of the river runs through private lands. This allows the National Park Service to consult widely with local landowners, federal and state land management agencies, local governments, river authorities, and other groups that have interests related to the river prior to any recommendation for designation. Early preparation of the plan also assures input from these entities as well as users of the river on the management strategies that would be needed to protect the river's resources.

While the study has not been finalized, the data collected and presented in the preparation of the Management Plan support the conclusion that the segments proposed for designation by S. 1252 exhibit free-flowing character and the presence of outstandingly remarkable natural, cultural and recreation resource values consistent with Wild and Scenic River eligibility. The study process, which culminated in town meeting votes supporting both the Management Plan and Wild and Scenic River designation, has also demonstrated strong local, state and partner support crucial to successful long-term management and protection of partnership-based Wild and Scenic Rivers. Resource values of note include the Northern Forest Canoe Trail which utilizes a portion of the Upper Missisquoi, and is developing substantial momentum as a regional and national canoe route. Big Falls State Park on the Missisquoi is home to Vermont's largest undammed falls and is one of numerous spectacular falls and gorges exhibited by the river and its tributaries. The Trout River in Montgomery is also the location of a collection of National Register-listed covered bridges considered one of the most significant assemblages in the State of Vermont.

If S. 1252 is enacted, the Upper Missisquopi and Trout would be administered as a partnership wild and scenic river, similar to several other designations in the Northeast, including the upper Farmington River and the Eightmile River in Connecticut, and the

Lamprey River in New Hampshire. This approach emphasizes local and state management solutions, and has proven effective as a means of protecting outstandingly remarkable natural, cultural, and recreational resource values without the need for direct federal management or land acquisition.

Mr. Chairman, this concludes my prepared remarks. I would be happy to answer any questions you or other committee members may have regarding this bill.