

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 114, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ENTER INTO A COOPERATIVE AGREEMENT FOR A PARK HEADQUARTERS AT SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK, TO EXPAND THE BOUNDARY OF THE PARK, TO CONDUCT A STUDY OF POTENTIAL LAND ACQUISITIONS, AND FOR OTHER PURPOSES.

MAY 11, 2011

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. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the park, to conduct a study of potential land acquisitions, and for other purposes.

The Department supports S. 114. On September 29, 2010, the Department testified in support of S. 3524, an identical bill, before this subcommittee, during the last Congress.

S. 114 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. 114 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, 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; they do not meet fire, safety or security standards; and are 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. 114, 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. 114 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. 114 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 STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, 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. 127, TO ESTABLISH THE BUFFALO BAYOU NATIONAL HERITAGE AREA IN THE STATE OF TEXAS, AND FOR OTHER PURPOSES.

MAY 11, 2011

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 127, 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. 127 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. The Department previously testified before this subcommittee with the same position on S. 3261, an identical bill, on September 29, 2010, during the last 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 109th and 110th Congresses, and we look forward to continuing to work with Congress on this very important issue.

S. 127 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 20th 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 20th 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 STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 140, A BILL TO DESIGNATE THE SLEEPING BEAR DUNES WILDERNESS AT SLEEPING BEAR DUNES NATIONAL LAKESHORE IN THE STATE OF MICHIGAN

May 11, 2011

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 140, a bill to designate the Sleeping Bear Dunes Wilderness at Sleeping Bear Dunes National Lakeshore in the State of Michigan.

The Department strongly supports enactment of S. 140. This legislation would designate 32,557 acres, or 46 percent, of Sleeping Bear Dunes National Lakeshore in Michigan's Lower Peninsula as federally protected wilderness. Management of the wilderness area would be in accordance with the 1964 Wilderness Act (16 U.S.C. 1131 et seq.).

P.L. 91-479 established Sleeping Bear Dunes National Lakeshore on October 21, 1970, in order "...that certain outstanding natural features including forests, beaches, dune formations, and ancient (glacial) phenomena...be preserved in their natural setting and protected from developments and uses which would destroy the scenic beauty and natural character of the area...for the benefit, inspiration, education, recreation, and enjoyment of the public." This bill clearly supports the intent of that law.

The park extends nearly 30 miles along the eastern shore of Lake Michigan. It also includes two large Lake Michigan islands with an additional 35 miles of shoreline. The park protects and preserves superlative scenic and recreational resources including towering perched sand dunes that rise as high as 450 feet above Lake Michigan. The park contains several federally threatened and endangered species, including the Piping Plover, Pitcher's Thistle and Michigan Monkeyflower. The park also includes many historic features, including a lighthouse and three U.S. life-saving service stations, coastal villages, and picturesque farmsteads. Permanent wilderness designation will ensure protection of these significant natural, cultural and historical resources.

The park receives nearly 1.2 million visitors each year who enjoy the beaches, over 100 miles of backcountry trails and eight campgrounds. The region surrounding the park is a popular vacation and summer home destination as visitors and residents take advantage of a variety of recreational opportunities, including hiking, camping, backpacking, hunting, fishing, bird watching, boating, cross-country skiing and snowshoeing. The National Park Service estimates that the presence of the National Lakeshore brings nearly \$78 million of economic benefit to the local community each year.* Designation of the wilderness area will not limit public access or change the way the area is currently being managed for public use and enjoyment.

* Stynes, Daniel J. "National Park Visitor Spending and Payroll Impacts: 2009." National Park Service, 2011.

Native American use of the area extends some 3,000 years into the past and is represented today primarily by the Grand Traverse Band of Ottawa and Chippewa Indians. Nothing in S. 140 would modify, alter, or affect any treaty rights.

The park encompasses a total of 71,291 acres; about 58,571 acres of land and 12,720 acres of water. Over 30,000 acres of the proposed 32,557-acre wilderness area have been managed as wilderness since 1981, when a wilderness proposal produced under the park's first comprehensive General Management Plan (GMP) was published. Since that time, the five areas of the park proposed as wilderness have provided outstanding recreational opportunities for hikers, backpackers, anglers, paddlers, and hunters with hunting being allowed in accordance with State regulations. A network of hiking trails and numerous camping opportunities will continue to be maintained in this portion of the park, even with the wilderness designation. The additional acres in the current proposal arise from the inclusion of the Sleeping Bear Plateau, an area only suitable for foot travel that continues to offer outstanding opportunities for solitude. Since formal wilderness designation would not change the way in which visitor use is currently managed in the area proposed as wilderness, there is no reason to believe it would have any detrimental impact on visitation or the local economy, and formal designation may actually have a beneficial impact.

The proposed wilderness area does not include any existing county roads or areas managed primarily for historic resources. This is to ensure the continued availability of the county roads for visitors accessing remote trailheads, beaches, backcountry areas and historic areas. Although the park's boundary extends one-quarter mile out into Lake Michigan, none of the waters of Lake Michigan are proposed as wilderness. S. 140 would authorize the use of boat motors on the surface water of Lake Michigan adjacent to the wilderness and beaching of those boats, subject to applicable laws. This is to ensure continued access by boaters to the shoreline beach adjacent to the wilderness area. These have been areas of significant public concern.

Between 2006 and 2009, the NPS developed an updated GMP for the park. Because of public concern over the 1981 wilderness proposal, and its inclusion of county roads and historic sites, a formal Wilderness Study was conducted as part of this comprehensive planning effort. After extensive public involvement, review, and comment, including overwhelming public support for wilderness designation, the preferred alternative in the final GMP/Wilderness Study was approved by the Midwest Regional Director on January 6, 2009. The area of proposed wilderness was mapped at 32,557 acres, with a portion in all five eligible areas, and is the same as the proposed wilderness designation in S. 140. The final GMP/Wilderness Study does not propose wilderness in several eligible areas, including those areas fragmented by the road corridors near the Otter Creek area of the Lakeshore; the land within the Port Oneida Rural Historic District; the lands in the historic "Cottage Row" on North Manitou Island; the area in the South Manitou Island historic farm loop; an area near the historic Bufka Farm identified for a bicycle trail; and the congested area at the top of the Dune Climb.

Passage of S. 140 would support the vision in the new GMP. The bill has very strong, broad-based public support. The overwhelming majority of local officials, the conservation community, and the Michigan delegation are united in their support for this bill as a winning

resolution to an issue that has been debated since the park's establishment in 1970. Parties that had been bitterly polarized over earlier proposals have reached consensus that this bill strikes an appropriate balance between preserving access and guaranteeing outstanding primitive recreational opportunities.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE, CONCERNING S. 161, TO ESTABLISH PINNACLES NATIONAL PARK IN THE STATE OF CALIFORNIA AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES.

May 11, 2011

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 161, 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 the provisions of S. 161 that would redesignate Pinnacles National Monument as Pinnacles National Park, expand the park wilderness by 2,715 acres, and rename the wilderness as the “Hain Wilderness” in honor of an early park proponent. The Department does not support authorization of acquisition of Rock Springs Ranch as provided for in Section 3(g)(2) of the bill.

The bill would add 2,715 acres to the designated wilderness at the monument and rename the Pinnacles Wilderness as the “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 the “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 as 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 (NPS) 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.

The bill would authorize acquisition of 18,200 acres of land known as the “Rock Springs Ranch Tract.” The Rock Springs Ranch Tract contains open space for wildlife habitat conservation and contributes to the rural character of the area. The NPS recently completed a reconnaissance survey and found that the Rock Springs Ranch Tract resources are potentially nationally significant and suitable for inclusion in the national park system. The survey also found, however, that the Rock Springs Ranch Tract does not appear to be a feasible addition to the system based on high costs for land acquisition, resource protection, and staffing and visitor services for this large property that is geographically separated from Pinnacles National

Monument. The NPS is exploring opportunities to work with community members, non-profit entities, the Bureau of Land Management, and other partners to create a public-private conservation strategy for the ranch lands. These strategies would maintain open space and traditional working ranch activities with or without direct federal ownership.

If the committee moves this legislation forward and includes the Rock Springs Ranch Tract authorization, we would like to work with the committee on amendments to that section that would identify the lands authorized to be acquired by reference to a map.

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

**Statement for the Record
Bureau of Land Management
Department of the Interior
Senate Energy and Natural Resources Committee
Subcommittee on National Parks
S. 177, Gold Hill-Wakamatsu Preservation Act
May 11, 2011**

Thank you for the invitation to present testimony on S. 177, the Gold Hill-Wakamatsu Preservation Act, which would authorize the Secretary of the Interior to acquire the Gold Hill Ranch—by donation, exchange, or purchase from a willing seller with donated or appropriated funds—to preserve it as a site of historical and cultural value. Preservation of cultural and historical resources is a priority for the Department of the Interior and the Bureau of Land Management (BLM). The BLM supports the goals of the bill but notes that BLM can make this acquisition under its existing authorities, and we would like to work with the sponsor and the Committee to clarify S. 177.

Background

The Wakamatsu Colony is an early settlement site of great cultural significance to the Japanese-American community. It is the oldest known cultural site in North America associated with Japanese immigration. The colony was founded in 1869 by twenty immigrants from Aizu-Wakamatsu, Japan. These colonists fled Japan during the political upheaval that accompanied the Meiji Restoration. The colonists purchased land at Gold Hill in western El Dorado County, California, and established a tea and silk plantation. The colony operated for 2 years, after which the land—known as the Gold Hill Ranch—was acquired by the Veerkamp family in 1871. The Veerkamps recognized its historic and cultural significance and in 2010 sold the property to the American River Conservancy (Conservancy), a local land trust. The Conservancy would like to transfer ownership of the property to a government entity for long-term preservation of the site.

The 272-acre site includes a home from the 1860s that was occupied by the colonists, the mulberry trees they planted, and the grave of Okei Ito. Her grave is thought to be the oldest grave of a Japanese immigrant in North America. Adjacent to the site is the Gold Trail Elementary School, which since 1980 has maintained a sister-school relationship with Higashiyama Elementary School in Aizu Wakamatsu. The school property hosts a monument dedicated by then-Governor Ronald Reagan that established the Wakamatsu Tea and Silk Farm Colony as California Registered Historical Landmark Number 815.

Several Japanese-American civic and cultural groups and others have written to the BLM to express their support for preservation and restoration of the Wakamatsu Colony site. The Gold Hill region is an historic California gold rush landscape that is urbanizing rapidly, and this legislation could prevent the loss of an important pioneering site. Members of that community, including the Japanese American Citizens League, U.S. Representative Doris Matsui, and California State Assemblyman Alan Nakanishi, worked with the Conservancy to raise the funds needed to purchase the site. Their goal is to establish an endowment that would fund future restoration, interpretive operations, and maintenance of the site. Citing the BLM's highly

successful management of other nearby acquired lands, local Japanese-American community organizations and the Conservancy are advocating that the BLM take title to the property.

Acquisition of the Gold Hill Ranch would be consistent with the goals of the BLM's Sierra Resource Management Plan. The BLM's nearby Mother Lode Field Office already manages several acquired properties for their historical and conservation values, including the historic Chung Wah Chinese cemetery about 15 miles to the west of the Ranch, which was donated to the BLM by the Chinese-American community in 2007, and the Pine Hill Preserve, a rare plant preserve totaling 4,000 acres across dozens of parcels about 5 miles southwest of the Ranch.

S. 177

S. 177 would authorize the Secretary of the Interior, acting through the BLM, to acquire the Gold Hill Ranch—by donation, exchange, or purchase from a willing seller with donated or appropriated funds—to preserve it as a site of historical and cultural value. The BLM supports the goals of the bill and acknowledges the efforts to date by the private sector to raise funds for the acquisition and long-term maintenance of the property. The BLM notes that it can make the acquisition under its existing authorities, subject to budget priorities and the availability of appropriations. However, this project was not included in the land acquisition priority lists for the 2011 and 2012 budgets.

The legislation gives the Secretary discretion to enter into a cooperative agreement with public or nonprofit entities to interpret the history of the site and related pioneer history. The bill also provides that the cooperative agreement may include provisions for the design and development of a visitor center. The cooperative agreement provides an excellent opportunity for further expression of community support for preservation and restoration of this historic site.

The BLM would like to work with the sponsor and the Committee to clarify the purposes for which the BLM would be authorized to expend appropriated funds.

Conclusion

Thank you for the opportunity to present testimony in support of the goals of S. 177.

STATEMENT OF STEVEN E. WHITESELL, ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 247, TO ESTABLISH THE HARRIET TUBMAN NATIONAL HISTORICAL PARK IN AUBURN, NEW YORK, AND THE HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK IN CAROLINE, DORCHESTER AND TALBOT COUNTIES, MARYLAND AND FOR OTHER PURPOSES.

May 11, 2011

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 247, a bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties in Maryland.

The Department supports enactment of S. 247, with two technical amendments attached to this testimony. The Department testified in the House of Representatives on March 24, 2009, and in the Senate on July 15, 2009, in support of similar bills introduced during the 111th Congress.

Harriet Tubman is truly an iconic American. Born circa 1822 as an enslaved person in Dorchester County, Maryland, she courageously escaped her bondage in 1849, returned on many occasions to Dorchester and Caroline Counties to free others including members of her family and remains known, popularly and appropriately, as “The Moses of her People.” She was a leading “conductor” along the Underground Railroad guiding the enslaved to freedom at great risk to her own life. Her accomplishments were admired and extolled by her contemporaries including the abolitionist leader and former slave Frederick Douglass. In 1868 Douglass wrote to Tubman:

Most that I have done and suffered in the service of our cause has been in public, and I have received much encouragement at every step of the way. You, on the other hand, have labored in a private way. I have wrought in the day—you in the night...The midnight sky and the silent stars have been the witnesses of your devotion to freedom and of your heroism.

Harriet Tubman served honorably during this nation’s Civil War as a cook, nurse, scout, and spy for Union forces in Virginia, South Carolina, and Florida, always at personal risk and always advancing the quest for freedom by providing assistance to other enslaved people. In June 1863, she guided Union troops in South Carolina for an assault along the Combahee River resulting in the emancipation of hundreds of the enslaved.

At the invitation of then U.S. Senator and later Secretary of State William H. Seward, Harriet Tubman purchased land from him in Auburn, New York, where she lived and cared for members of her family and other former slaves seeking safe haven in the North. In later life, she became active in progressive causes including efforts for women's suffrage. Working closely with activists such as Susan B. Anthony and Emily Howland, she traveled from Auburn to cities in the East advocating voting rights for women. Harriet Tubman gave the keynote speech at the first meeting of the National Federation of Afro-American Women upon its founding in 1896.

Harriet Tubman was an intensely spiritual person and active in the African Methodist Episcopal (A.M.E.) Zion Church. In 1903 she donated land to the Church in Auburn for the establishment of a home "for aged and indigent colored people." She died on March 10, 1913, at this home for the aged and was buried with full military honors at Fort Hill Cemetery in Auburn. Booker T. Washington, also born into slavery, journeyed from Alabama a year later to speak at the installation of a commemorative plaque for her at Auburn City Hall.

Harriet Tubman is an American figure of lore and legend. Today, she is an enduring inspiration to those who cherish individual freedom and strive for human rights throughout the world.

On January 12, 2009, the Department transmitted the Harriet Tubman Special Resource Study to Congress. The study, authorized by Public Law 106-516, the Harriet Tubman Special Resource Study Act, concluded that the resources associated with Harriet Tubman in Auburn, New York, and Caroline, Dorchester, and Talbot Counties, Maryland met the national significance, suitability, feasibility, and need for National Park Service management criteria for potential units of the National Park System. After an intensive and lengthy public involvement process, the study found that there is extensive public support, including support by affected private property owners within the boundaries proposed by S. 247 in New York and Maryland, for the establishment of the two units. Locally elected officials in both states have also expressed their support.

S. 247 would authorize the Secretary of the Interior to establish a unit of the National Park System, the Harriet Tubman National Historical Park in Auburn, New York, upon determination that sufficient land or interests in land has been acquired to constitute a manageable park unit. The park would consist of the Harriet Tubman Home, the Home for the Aged, the Thompson Memorial A.M.E. Zion Church, which is no longer used for religious services, and its parsonage. The Secretary would be authorized to enter into cooperative agreements and provide technical and matching financial assistance to the A.M.E. Zion Church and others for historic preservation, rehabilitation, research, maintenance, and interpretation of the park and related Harriet Tubman resources in Auburn, New York. The Secretary would be further authorized to provide uniformed National Park Service staff to operate the park in partnership with the Church and to conduct interpretation and tours.

In Maryland, S. 247 would authorize the Secretary of the Interior to establish a unit of the National Park System, the Harriet Tubman Underground Railroad National Historical Park, in nationally significant historic landscapes associated with Harriet Tubman in Caroline, Dorchester, and Talbot Counties, upon determination that sufficient land or interests in land have been acquired to constitute a manageable park unit. This agricultural, forest, and riverine mosaic

largely retains historic integrity from the time that Tubman was born enslaved, worked in the fields and forests, emancipated herself, and helped others there to escape to freedom.

The Secretary of the Interior would be authorized to provide matching grants to the state of Maryland for the construction of a visitor services facility to be jointly operated by the state and uniformed staff of the National Park Service. The Secretary would be further authorized to enter into cooperative agreements with various organizations and property owners, and provide grants for the restoration, rehabilitation, public use, and interpretation of sites and resources related to Harriet Tubman. Because a number of closely related Harriet Tubman resources exist on lands adjacent to the proposed park at Blackwater National Wildlife Refuge, which is managed by the U.S. Fish and Wildlife Service, or on lands scheduled for future refuge acquisition, the bill provides for an interagency agreement between the U.S. Fish and Wildlife Service and the National Park Service to promote compatible stewardship and interpretation of these resources.

The estimated cost for the annual operations and maintenance for each unit would be approximately \$500,000 to \$650,000. The estimated cost for any acquisitions and the federal share of capital improvements is approximately \$7.5 million for the Harriet Tubman National Historical Park in Auburn, New York. The cost of land acquisition and the federal share for the visitor center at the Harriet Tubman Underground Railroad National Historical Park in Maryland is estimated to be up to \$11 million. The estimated cost for the completion of the general management plan for each unit would be approximately \$600,000 to \$700,000. All funds are subject to NPS priorities and the availability of appropriations.

Mr. Chairman, it is not every day that the Department comes before the committee to testify on a bill to establish two units of the National Park System to honor an enslaved woman who rose from the most difficult and humble beginnings imaginable to indelibly influence the causes of human justice and equality in our society, and to have such a significant impact on our national story. We do so with full understanding of the life and contributions of Harriet Tubman and suggest that nearly 100 years after her death the time for this abundantly deserved honor has finally arrived.

That concludes my testimony Mr. Chairman. I would be pleased to respond to any questions from you and members of the committee.

Proposed amendment to S. 247:

On page 7, line 6, strike “Public Law 91-383 (commonly known as the “National Park Service General Authorities Act”)” and insert “the National Park Service General Authorities Act.”

On page 12, line 21, strike “Public Law 91-383 (commonly known as the “National Park Service General Authorities Act”)” and insert “the National Park Service General Authorities Act.”

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 279 TO DIRECT THE SECRETARY OF THE INTERIOR TO CARRY OUT A STUDY TO DETERMINE THE SUITABILITY AND FEASIBILITY OF ESTABLISHING CAMP HALE AS A UNIT OF THE NATIONAL PARK SYSTEM.

MAY 11, 2011

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 279, the Camp Hale Study Act. The U.S. Forest Service (White River National Forest) currently manages Camp Hale as a part of the National Forest System.

The Department supports S. 279, with an amendment to section two to include the U.S. Forest Service in a joint study with the National Park Service for the future management of Camp Hale and to delete section three. However, we feel that priority should be given to the 40 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to Congress. The Department testified in support of an identical bill in the last Congress, S. 1418, before this subcommittee on July 22, 2009.

S. 279 would authorize the Secretary of the Interior (Secretary) to conduct a special resource study to determine the suitability and feasibility of designating Camp Hale as a unit in the National Park System. The study would also determine the methods and means for protection and interpretation of the Camp Hale site by the National Park Service, other federal, State, or local government entities, or private or nonprofit organizations. Not later than three years after funds are made available, the Secretary is directed to submit the results and recommendations of the study to Congress. The bill includes language to assure the study would not impact valid existing water rights in place upon the date of enactment. S. 279 also specifies that the study would not impact the ability to construct and operate infrastructure necessary to develop and use those water rights. We estimate that this study will cost approximately \$300,000.

Located in and managed by the White River National Forest, in west-central Colorado, Camp Hale was established in 1942 to provide winter and mountain warfare training during World War II, because of the natural setting of a large, flat valley bottom, surrounded by steep hillsides suitable for training in skiing, rock climbing and cold weather survival skills. The size of Camp Hale varied between 5,000 and 247,243 acres when it was an active military installation.

Managed by the U.S. Forest Service (White River National Forest), the Camp Hale Formerly Used Defense Site is now used year-round by the public as a recreation area and is included on the National Register of Historic Places.

Since the time Camp Hale was used for military training, there have been numerous discoveries of unexploded ordinance (UXO) there. As recently as 2003, during efforts to contain a wildfire, UXO used during the training of U.S. troops in World War II was found on the site.

Efforts to remediate public risk from any remaining UXO at Camp Hale continue. The funding for any response actions at Camp Hale will depend on how the UXO sites there rank nationally. Depending on that rank, and available federal dollars, the remedial investigations for some or all Camp Hale munitions may not occur for several years. The Colorado Department of Public Health and Environment has discussed evaluating the hazard liabilities and remediating the site with the U.S. Army Corps of Engineers prior to a transfer.

The story of Camp Hale and the men and women who trained there reflects the adaptability that our nation showed during World War II. Studying and determining how best to preserve and protect Camp Hale and to commemorate the sacrifice and heroism so many Americans exhibited as a result of their training is laudable.

We suggest that S. 279 be amended in section two to include the U.S. Forest Service in the study to determine the future of Camp Hale and to remove section three, which includes language concerning water rights. The proposed study would examine the suitability and feasibility of designating Camp Hale as a unit in the National Park System, including evaluating all current uses and rights associated with the land. Since the bill only authorizes a study of the site, there is no possibility of the study having any effect on any water rights. As such, we believe the water rights language in the bill is unnecessary and redundant and we recommend the section be deleted.

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

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE CONCERNING S. 302, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ISSUE RIGHT-OF-WAY PERMITS FOR A NATURAL GAS TRANSMISSION PIPELINE IN NONWILDERNESS AREAS WITHIN THE BOUNDARIES OF DENALI NATIONAL PARK, AND FOR OTHER PURPOSES.

May 11, 2011

Mr. Chairman, thank you for the opportunity to testify and provide the views of the National Park Service (NPS) on S. 302, a bill to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park, and for other purposes.

The Department has no objection to the bill as written.

The potential owners and operators of such a pipeline have not, at this time, determined whether such a line carrying natural gas to south-central Alaska is financially feasible, nor have they determined the best route for a pipeline. This legislation provides flexibility for the backers of a proposed pipeline, and provides assurance to the NPS that the National Environmental Policy Act analysis will be completed before any permit for work in the park would be issued by the Secretary.

The legislation also provides authority for the Secretary to permit distribution lines and related equipment within the park for the purpose of providing a natural gas supply to the park. We support this provision, but remind the committee that at this time no decisions have been made about the financial or engineering feasibility, nor the exact configuration of equipment needed to facilitate tapping the larger line to allow local use of natural gas in or near Denali National Park.

Thank you for the opportunity to testify and we would welcome any questions you or other members may have.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE CONCERNING S. 313, 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.

May 11, 2011

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S.313, a bill to authorize the Secretary of the Interior to issue permits for a micro-hydro project in non-wilderness areas within the boundaries of Denali National Park and Preserve, and for other purposes.

The Department supports this legislation with amendments and recognizes improvements made from the similar bill introduced in the previous Congress. S. 313 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 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 use of the diesel generator at the lodge. 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. 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.

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 in-holding surrounded by the park, and found that parts of its micro-hydro power system were within the park, a situation that 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, two other lodges in Kantishna 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 under the Alaska National Interest Lands Conservation Act (ANILCA) and other legislation is sufficient to affect 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 complete National Environmental Policy Act compliance within 180 days of enactment. While the Department supports a speedy response to the applicant, we suggest the 180-day clock start upon submission of a complete application to the NPS.
- 2) The permitting authority provided by this bill would apply to several micro-hydroelectric projects in the Kantishna area, yet various elements of the bill as introduced appear to apply solely to a project by Doyon. Technical corrections to address this are identified in an attachment to this testimony.

We believe that the permitting authority granted in S. 313 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.

ATTACHMENT

The NPS suggests the following technical corrections to H.R. 313

- 1) On p. 1, line 2 of the long title, strike “for a microhydro project in nonwilderness” and insert “for microhydro projects in nonwilderness”.
- 2) On p. 3, line 1, strike “(i) the intake pipeline located on Eureka Creek, approximately ½ mile upstream from the Park Road, as depicted on the map;” and insert “(i) intake pipelines;”
- 3) On p. 3, line 8, strike “line” and insert “lines”.
- 4) On p. 3, line 14, strike “PROJECT” and insert “PROJECTS”.

STATEMENT OF STEVEN E. WHITESELL, ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 323, A BILL TO ESTABLISH THE FIRST STATE NATIONAL HISTORICAL PARK IN THE STATE OF DELAWARE, AND FOR OTHER PURPOSES.

May 11, 2011

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 323, a bill to establish the First State National Historical Park in the State of Delaware.

The Department strongly supports the establishment of a unit of the national park system in Delaware as proposed by S. 323.

In 2008, pursuant to Public Law 109-338, the National Park Service completed a Special Resource Study of the coastal area of Delaware and identified a number of resources of national significance that were determined suitable and feasible to administer as a unit of the national park system. These included historic resources that were instrumental in early Swedish, Dutch, and English settlement in the United States, and others associated with Delaware's role as the nation's first state. Although the bill provides the Secretary of the Interior the discretion to determine which sites in the State would be included within the boundary of the historical park, we anticipate that only resources that met the Special Resource Study criteria for establishment as a national park unit would be considered for inclusion.

In 1638, Peter Minuet led Swedish colonists to present day Wilmington, Delaware, and established New Sweden at a point known as "the rocks" on the Christina River. The settlers constructed Fort Christina at this location and this site is now a National Historic Landmark. In 1698, Swedish settlers established Holy Trinity ("Old Swedes") Church near the fort, the oldest church building standing as originally built in the United States and also a National Historic Landmark.

In 1651, Peter Stuyvesant led Dutch settlers from New Amsterdam and constructed Fort Casimir at a place he named "New Amstel," in present day New Castle, Delaware. Conflicts between the Swedish and Dutch colonists resulted in changing occupations of the fort with the Dutch regaining control in 1655. In 1665, the English arrived at New Amstel and seized control of the settlement, renaming it "New Castle." William Penn landed in New Castle in 1682 and took possession of the city. In 1704, Penn established Delaware's Assembly and New Castle remained the colonial capital of Delaware until 1776. The New Castle Historic District, which contains multiple resources from the time of earliest settlement through the Federal era, including the Old New Castle Courthouse, is a National Historic Landmark.

Delaware's representatives to the Continental Congress and the Constitutional Convention played important parts in the adoption of the Declaration of Independence and crafting of the

United States Constitution. On June 15, 1776, the Delaware Assembly, meeting in New Castle, voted to sever its ties with the English Crown, three weeks prior to the signing of the Declaration in Philadelphia on July 4th. National Historic Landmarks associated with these early revolutionary leaders include the homes of John Dickinson (the “Penman of the Revolution”), Gunning Bedford, Jr., and George Read. The Dover Green witnessed Delaware’s vote to become the first state to ratify the nation’s new Constitution.

S. 323 would authorize the Secretary of the Interior to establish the First State National Historical Park consisting of any resources listed in Section 3(b) of the bill that the Secretary acquires. The staff of the new park would be authorized to interpret related resources outside of the boundary, within the state of Delaware. The Special Resource Study estimated annual operating costs for the park at \$450,000 to \$550,000 and costs associated with a general management plan at \$600,000. All funding would be subject to NPS priorities and the availability of appropriations. A study of additional resources related to the purpose of the park is also authorized to assess their potential eligibility for National Historic Landmark designation and options for maintaining the historic integrity of such resources.

S. 323 also proposes to allow including within the park boundary the Ryves Holt House – a part of the historic district in Lewes, Delaware. This district and the Ryves Holt House are listed on the National Register of Historic Places at the local level of significance and the National Register nomination for the district indicates that today its significance is based primarily on its fine examples of Victorian architecture. Although the bill provides the Secretary with the discretion to decide which properties may be included within the boundary of the park, the Department questions allowing the Ryves Holt House to be eligible for addition to the park boundary, since it is not a National Historic Landmark, does not meet the required national significance criterion for unit designation, and is inconsistent with the park’s purpose as outlined in Section 3(a) of S. 323.

However, we note that Section 4(c) of S. 323 permits interpretation of resources related to the purposes of the park but located outside of its boundary. Any extant resources in Lewes, either within or outside of the historic district, which relate to early Dutch, Swedish, and English settlement or to Delaware’s role as the first state, would thus be eligible for interpretation without including this district in the park boundary. Such resources would also be candidates for further analysis as to their National Historic Landmark potential under the bill’s study provisions in Section 5.

Mr. Chairman, that concludes my testimony. I would be happy to respond to any questions that you or other members of the committee may have.

Statement for the Record
Department of the Interior
Senate Energy & Natural Resources Committee
Subcommittee on National Parks
S. 403, Molalla River Wild and Scenic Rivers Act
May 11, 2011

Thank you for inviting the Department of the Interior to testify on S. 403, the Molalla River Wild and Scenic Rivers Act. The Bureau of Land Management (BLM) supports S. 403.

Background

The Molalla River begins its journey to the sea on the western slopes of the Cascade Mountains of Oregon. At an elevation of 4,800 feet, the Molalla flows undammed for 49 miles west and north until it joins the Willamette River. For years, the Molalla suffered from too much negative attention from its visitors, including vandalism. To address these problems, local residents joined together several years ago and formed the Molalla River Alliance (MRA). The MRA, a nonprofit all volunteer organization, has over 45 public and private partners, including Federal, State, and local government agencies, user groups, and conservationists. Working cooperatively with BLM's local field office, the MRA has provided the Molalla the care it needed. Today, we are pleased that this subcommittee is considering designating approximately 21 miles of the river as a component of the National Wild and Scenic Rivers System.

The Molalla River is home to important natural and cultural resources. Protection of this watershed is crucial as the source of drinking water for local communities and the important spawning habitat it provides for several fish species, including salmon and steelhead. Within an hour's drive of the metropolitan areas of Portland and Salem, Oregon, the Molalla watershed provides significant recreational opportunities for fishing, canoeing, mountain biking, horseback riding, hiking, hunting, camping, and swimming. A 20-mile hiking, mountain biking, and equestrian trail system draws over 65,000 visitors annually.

S. 403

S. 403 proposes to designate 15.1 miles of the Molalla River and 6.2 miles of the Table Rock Fork of the Molalla as components of the National Wild and Scenic Rivers System. In earlier planning analyses, the BLM evaluated the Molalla River and the Table Rock Fork of the Molalla River and determined that most of these two rivers should be considered for designation as wild and scenic rivers. As a result, the designation called for in S. 403 would be largely consistent with management currently in place, and would cause few changes to BLM's current administration of most of this area. The 5,500-acre Table Rock Wilderness, designated by Congress in 1984, is embraced by the Molalla and Table Rock Fork, and designation of these river segments would reinforce the protections in place for the wilderness area.

Wild and scenic rivers are designated by Congress in one of three categories: wild, scenic, or recreational. Differing management proscriptions apply for each of these designations. S. 1369 specifies that these river segments be classified as recreational. This classification is consistent with the strong recreational values of this area, as well as the presence of roads along the course of the river segments and numerous dispersed campsites along its shorelines.

Conclusion

Thank you for the opportunity to testify in support of these important Oregon designations. The Department of the Interior looks forward to welcoming these units into the BLM's National Landscape Conservation System.

Statement for the Record
Bureau of Land Management
Department of the Interior
Senate Energy and Natural Resources Committee
Subcommittee on National Parks
S. 404, Modification of Patent for Whitefish Point Light Station (Michigan)
May 11, 2011

Thank you for the invitation to present testimony on S. 404, legislation to modify a land patent pertaining to the Whitefish Point Light Station (Michigan). Although the Bureau of Land Management's (BLM) role under the legislation is ministerial, preservation of historic lighthouses such as the Whitefish Point Light Station is a priority for the Department of the Interior. The BLM supports S. 404.

Background

In the late 18th and 19th centuries, the United States built a series of lighthouses in and around Lake Michigan, Lake Huron, and Lake Superior to aid in navigation of the Great Lakes. The role played by these lighthouses in the westward expansion and economic growth of the United States is part of our national heritage, with ships and shipwrecks recalled in story and song. The Great Lakes lighthouses—including the Whitefish Point Light Station at issue in S. 404—are listed on the National Register of Historic Properties.

The U.S. Coast Guard retains responsibility for aid to navigation in the Great Lakes, as it (or its predecessor, the Revenue Marine) has since 1790. In the mid-1990s, concerns reached the Congress that the Coast Guard, in carrying out its mission in the Great Lakes, was unable to assure preservation of the historic lighthouses. Interest in preserving the Whitefish Point Light Station led the Congress, in 1996, to convey land adjacent to the Light Station to two non-profit organizations dedicated to conservation and historic preservation—an 8.27 acre parcel to the Great Lakes Shipwreck Historical Society (Historical Society) and a 2.69 acre parcel to the Michigan Audubon Society (Audubon Society) of Chippewa County—and a 33 acre parcel to the U.S. Fish and Wildlife Service (FWS) (Public Law 104-208, Omnibus Consolidated Appropriations Act, Fiscal Year 1997, Section 5505).

This law contains limitations on development at the historic lighthouse, and explicitly requires compliance with the “Whitefish Point Comprehensive Plan of October 1992.” The patents the BLM issued under this authority (including the most recent, number 61-2000-0007, issued March 10, 2000, to the Historical Society) contain this reference.

In 1999, the Audubon Society brought suit against the Historical Society and the FWS over plans to develop a museum at the site. The parties reached a settlement agreement under which the three groups developed the “Human Use/Natural Resource Plan for Whitefish Point, December 2002,” to supersede the Whitefish Point Comprehensive Plan of 1992.

S. 404

S. 404 directs the Secretary of the Interior to modify patent number 61-2000-0007 by striking reference to the Whitefish Point Comprehensive Plan of October 1992 and inserting the “Human

Use/Natural Resource Plan for Whitefish Point, dated December 2002.” S. 404 affirms the applicability of the National Historic Preservation Act to the Whitefish Point Light Station. S. 404 requires that the property be used in a manner that does not impair or interfere with its conservation values. The BLM supports this legislation.

Conclusion

Thank you for the opportunity to present testimony in support of S. 404.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE CONCERNING S. 535, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO LEASE CERTAIN LANDS WITHIN FORT PULASKI NATIONAL MONUMENT, AND FOR OTHER PURPOSES.

MAY 11, 2011

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 535, a bill to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes.

The Department supports this legislation, which 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. 535, 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.

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 STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 564, TO DESIGNATE THE VALLES CALDERA NATIONAL PRESERVE AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES

MAY 11, 2011

Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 564, to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes.

The Department supports the protection of the nationally significant natural and cultural resources found at the Valles Caldera National Preserve as provided in S. 564. In the last Congress the Department testified before this subcommittee on S. 3452, a similar bill.

S. 564 would designate the Valles Caldera National Preserve (Preserve), in New Mexico as a unit of the National Park System, transferring administrative jurisdiction of the Preserve to the Secretary of the Interior (Secretary). The bill would terminate the Valles Caldera Trust (Trust) 180 days after enactment unless the Secretary determines that the termination date should be extended to facilitate the transitional management of the Preserve. All assets and liabilities of the Trust would be transferred to the Secretary. The bill would also authorize the Secretary to coordinate management and operations of the Preserve with Bandelier National Monument and produce a management plan no later than three fiscal years after funds are made available. If S. 564 is enacted, we look forward to working with the Trust, the Secretary of Agriculture, Indian Tribes and Pueblos, State and local governments, and the public to develop a management plan and capitalize on the proximity of Bandelier National Monument for efficiency of operations, while applying Service First principles of sharing resources as appropriate with the surrounding National Forest.

S. 564 would authorize grazing, hunting, and fishing to continue within the Preserve and the bill would require the Secretary to ensure the protection of traditional cultural and religious sites including providing tribal access to the sites and temporarily closing specific areas of the Preserve to protect traditional uses. The National Park Service (NPS) has a long history of consultation with First Americans in the preservation and continuation of traditional practices.

Finally, S. 564 would require that eligible Trust employees be retained for at least 180 days from the date of enactment and the Secretary and the Secretary of Agriculture would be authorized to hire Trust employees on a noncompetitive basis for comparable positions at the Preserve or other units under the jurisdiction of the two Secretaries.

The Valles Caldera National Preserve is an 88,900 acre unit of the National Forest System located in the Jemez Mountains of north central New Mexico. The Preserve was established by

Public Law 106-248, the Valles Caldera Preservation Act of 2000, and is managed by the Valles Caldera Trust, a wholly owned government corporation established under the Act. The Trust is charged with mixing elements of both private and public administration while working to achieve resource protection, public enjoyment, and financial self sufficiency goals.

The Valles Caldera is considered to be one of the world's best intact examples of a resurgent caldera (the remains of a huge and ancient volcano with a prominent uplift at its center, in this case present-day Redondo Peak) and is of sufficient size and configuration to allow for long-term sustainable resource protection and visitor enjoyment. The geologic features of the Preserve retain a high degree of integrity and the Preserve's unique setting of expansive grasslands and montane forests provides outstanding scenic values and an array of opportunities for public recreation, reflection, education, and scientific study. The Preserve also would expand and enhance the diversity of volcanic sites represented within the National Park System.

The national significance of the geological resources of the Valles Caldera was formally recognized in 1975 when the area was designated a National Natural Landmark. Moreover, Valles Caldera offers the opportunity to illustrate the connection of human history in the region that is showcased at Bandelier National Monument with the geologic history that shaped the surrounding mesa and canyon landscape.

As early as 1899, the area around Valles Caldera was proposed as a site to be studied for national park designation, and the resulting report proposed that 153,620 acres be set aside for "Pajarito National Park". A portion of this area later became Bandelier National Monument, established in 1906. Additionally, the Valles Caldera was the subject of site investigations and new area studies that were completed by the National Park Service (NPS) in 1939, 1964, 1977, and 1979. *An Update Report on the NPS 1979 New Area Study* was completed by the NPS in December 2009, at the request of Senators Bingaman and Tom Udall. All of these NPS studies found that the Valles Caldera was nationally significant, suitable and feasible for designation as a unit of the National Park System, and the 2009 Update Report reaffirmed the results of the prior studies. All of these studies found that the Valles Caldera was suitable and feasible for designation as a unit of the National Park System.

If added to the National Park System, Valles Caldera would be managed in accordance with the 1916 Organic Act and other Acts that have guided the NPS for nearly one hundred years "to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations", with recognition that the bill allows for continued, sustainable grazing, hunting, and fishing. The NPS has experience with these activities in our other nineteen preserves.

Based on current expenses for Valles Caldera and the cost to operate park units comparable in size and assets, we anticipate the annual cost to operate and manage the park would be approximately \$22 million for developmental costs and \$4 million for annual operational costs, although more complete cost estimates would be developed through the general management plan. In addition, our 2009 Update Report identifies 5 parcels of private property within the proposed park boundaries, totaling 40 acres. Although appraisals have not been completed, the

expected costs to acquire this private property and any transfer costs are expected to be minimal. Funds would be subject to the availability of appropriations and NPS priorities.

The Valles Caldera is a spectacular landscape containing nationally significant resources that are worthy of preservation and protection. We look forward to continuing to caring for these resources in the fine manner that the Trust and the U.S. Forest Service has cared for them to continue to allow for their enjoyment by all Americans.

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

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 599, A BILL TO ESTABLISH A COMMISSION TO COMMEMORATE THE SESQUICENTENNIAL OF THE AMERICAN CIVIL WAR

May 11, 2011

Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 599, a bill to establish a commission to commemorate the sesquicentennial of the American Civil War.

The Department supports S. 599 with amendments discussed in this testimony. This legislation is similar to S. 1838, introduced in the last Congress, which the Department supported in testimony before this subcommittee on December 3, 2009. The Department of Justice advises us of constitutional concerns with the bill, and in particular with regard to the composition of the commission, which the Department of Justice will address directly with the sponsor and the committee. We defer to the Office of Personnel Management and the Office of Government Ethics for matters related to the status of the commission's members and employees for purposes of various laws governing Federal employment. Lastly, we defer to the National Endowment for the Humanities for any concerns about the grant program authorized by Section 7 of the bill.

S. 599 would establish a Civil War Sesquicentennial Commemoration Commission to plan, develop, and carry out programs and activities to commemorate the 150th anniversary of the Civil War and to coordinate activities related to the commemoration by other federal, state, and nongovernmental entities. The bill also authorizes a grant program through the National Endowment for the Humanities for appropriate activities relating to the sesquicentennial. S. 599 authorizes \$500,000 for each fiscal year from 2012 through 2016 for the commission and \$3.5 million for the grant program.

The Civil War was, in the words of Robert Penn Warren, "the great single event of our history." It was both the greatest disaster that has ever befallen our nation, and also our era of greatest achievement. It was a wrenching conflict that resulted in the loss of 620,000 lives, the liberation of four million African American slaves, and the ratification of three Constitutional amendments that forever changed the face of American democracy. S. 599 is mindful of this reality as it makes a purpose of the Commission to recognize the experiences and points of view of all people affected by the Civil War and to provide assistance for the development of programs, projects, and activities on the Civil War that have lasting educational value.

As steward of more than 100 battlefields, historic homes and other original sites associated with the Civil War and the resulting struggle for civil rights, the National Park Service has begun

commemorating the 150th anniversary by initiating a number of activities to provide Americans the opportunity to understand and discuss this country's greatest national crisis, while exploring its enduring relevance in the 21st century. These activities include hundreds of commemorative programs, special events, and symposia planned for the anniversary years. The National Park Service has also developed a new website that has a calendar of all anniversary programs and events, as well as historical features and timelines designed to illustrate the relevancy of events that occurred 150 years ago. And, the National Park Service is developing new interpretive media, including a new handbook, *The Civil War Remembered*, that was published in April. Museum galleries, wayside exhibits, and audio visual programs are being upgraded at Civil War parks throughout the country.

With its experience and expertise on the subject of the Civil War and its causes and consequences, the National Park Service is well-positioned to assume the responsibilities assigned to it by S. 599. The legislation provides for the Director of the National Park Service or his designee to serve on the commission, and for the National Park Service to provide support services to the commission on a reimbursable basis. The establishment of the commission would complement the work the National Park Service has already planned. It would provide a means for coordinating entities from all levels of government and across a spectrum of the private sector who are involved or who want to be involved in the sesquicentennial commemoration. The commission would be able to give a kind of visibility, stature, and reach to the sesquicentennial commemoration beyond what the National Park Service can provide, even with the help of the many partners and community groups the Service has engaged in this effort.

The Department recommends that the bill be amended in the following ways: First, we recommend that the bill allow for 180 days instead of 60 days for the selection of the commission members, consistent with the time period it normally requires to process commission appointments. Second, we recommend that the size of the commission be reduced from 25 members to perhaps 15 or 17 members. A smaller commission would improve the panel's ability to work efficiently and effectively, and reduce the cost of the commission. Third, we recommend changing the deadline for the commission's final report from December 30, 2015, to September 30, 2016, to provide more time after the full sesquicentennial has passed to complete that work and for consistency with the authorization of appropriations through fiscal year 2016 provided by the bill. We would be pleased to work with the committee to develop amendments for these purposes.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the subcommittee might have.

STATEMENT OF STEVEN E. WHITESELL, ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 713, A BILL TO MODIFY THE BOUNDARY OF PETERSBURG NATIONAL BATTLEFIELD IN THE COMMONWEALTH OF VIRGINIA, AND FOR OTHER PURPOSES.

MAY 11, 2011

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 713, a bill that would modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia.

The Department supports S. 713 with one technical amendment.

S. 713 would authorize two modifications to the boundary of Petersburg National Battlefield in the Commonwealth of Virginia. First, the bill would expand the currently authorized boundary of Petersburg National Battlefield by an additional 7,238 acres. The boundary expansion proposal results from an analysis of “core battlefields” and a subsequent boundary adjustment study conducted as part of Petersburg National Battlefield’s General Management Plan completed in 2005. Second, the bill authorizes a transfer of administrative jurisdiction between the Secretary of the Interior and the Secretary of the Army for a 1.171 acre parcel of land to accommodate a security perimeter fence at Fort Lee Military Reservation.

The City of Petersburg lies in the corridor of intensive growth from Washington, D.C., to south of Richmond, Virginia. The region surrounding Petersburg National Battlefield has been and is currently experiencing significant development pressures impacting areas immediately adjacent to the park and unprotected battlefield sites. This development not only threatens park resources and public enjoyment, but also the core portions of the battlefields.

The park commemorates the Petersburg Campaign, the longest sustained combative military front on American soil, in both time and distance. When Congress created the park in 1926, only a fraction of the battlefield acreage associated with the 26 major battles of the Petersburg Campaign was included in the original boundary. The additional battlefields proposed to be added to the park by S. 713 will allow the public to better understand the size, complexity, and duration of the 9½ month Petersburg Campaign and siege while offering protection to existing park resources.

In January 2002, in response to significant development pressures in the region surrounding the park and as part of its General Management Plan process, Petersburg National Battlefield undertook a detailed assessment of battlefields in the Petersburg Campaign cited in the Civil War Sites Advisory Commission (CWSAC) report of 1993 entitled “Report on the Nation’s Civil War Battlefields.” The CWSAC report identified 100,000 acres of the Petersburg battlefields as “core

battlefields” encompassing all of the critical phases defined for a battle. Of the 100,000 acres cited, 23,000 acres were determined to retain historic integrity.

During its more detailed analyses of the 23,000 acres, the park concentrated on those portions of the battlefields that were south of the Appomattox River and directly associated with the siege or defense of Petersburg, and that were identified as Class A (decisive) and Class B (major) by the CWSAC. Additionally, the park used historical maps and documentation to further refine the acreage to that constituting the portion of the battlefield on which both armies were engaged directly and that had a bearing on the outcome for each battle. Park staff further analyzed the integrity of these areas and their potential for public access and interpretation. The analyses disclosed that 7,238 acres met the criteria for integrity and interpretability.

The estimated time period for acquisition of the 7,238 acres of these nationally significant lands is 15-20 years. Virtually all of the land subject to the boundary adjustment represents a mixture of private and non-profit organization-owned parcels. Agricultural and conservation easements will be the preferred method of acquisition for most parcels. Easements enable protection of these battlefields from inappropriate development while retaining private ownership and compatible use of the land. Where easements are not possible, and there is interest by the landowners, a range of acquisition methods, such as donation and fee simple acquisition from willing sellers based on available funding, will be utilized for battlefield preservation.

If all the lands were acquired by the National Park Service through fee simple means, the total estimated cost would be \$29.7 million. Protection of land resources through easements and donations will likely significantly lower acquisition costs. The estimated costs for capital expenses (trails, wayside exhibits, rehabilitation of existing visitor contact station, etc.) and expansion-related costs (surveys, hazardous materials studies, etc.) are an additional \$1.74 million. Development of visitor services and interpretation at these new battlefield locations would be minimal and include small parking areas, wayside exhibits, and trail and other enhancements to the sites. The annual increase in operations and management is estimated to be approximately \$484,000. All numbers are in 2008 dollars. All funds are subject to NPS priorities and the availability of appropriations.

Public response to the General Management Plan and the proposed boundary expansion have been uniformly favorable among local governments, organizations, and individuals. The Dinwiddie County Board of Supervisors adopted a resolution supporting future legislation to expand the boundary of the park as outlined in the General Management Plan. Many civic organizations in the Petersburg region have also indicated support for the proposal.

The second main provision of the bill would authorize a transfer of administrative jurisdiction between the Secretary of the Army and the Secretary of the Interior for a less than two-acre parcel of land. Following September 11, 2001, the Army was required to erect a perimeter fence around Fort Lee Military Reservation, located adjacent to Petersburg National Battlefield. The fence intruded slightly into the boundary of the park. The land exchange would transfer to the Army land where the perimeter fence is located, in return for a parcel of equal size from the military reservation. The Secretary of the Army is supportive of this provision. There is no cost associated with this authorization.

The Department recommends an amendment to correct the map referenced in Section 3(b) to correctly reflect the acreage numbers for the proposed land exchange between the park and the military reservation. As introduced, the map referenced in S. 713 uses acreage numbers of 1.70 and 1.71. The correct acreage numbers are 1.170 and 1.171. The NPS will provide a new map with the correct acreage.

Mr. Chairman, that concludes my statement. I would be happy to answer any questions that you or other members of the subcommittee may have regarding the proposed boundary expansions.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES CONCERNING S. 765, TO MODIFY THE BOUNDARY OF THE OREGON CAVES NATIONAL MONUMENT, AND FOR OTHER PURPOSES.

May 11, 2011

Mr. Chairman and members of the committee, thank you for the opportunity to present the views of the Department of the Interior on S. 765, a bill to modify the boundary of the Oregon Caves National Monument, and for other purposes.

The Department supports the intent of S. 765 as consistent with the General Management Plan (GMP) for the park, but recommends deferring action on the bill as we continue exploring ways to maintain interagency coordination.

S. 765 would adjust the boundary of Oregon Caves National Monument to include the addition of approximately 4,070 acres to enhance the protection of resources associated with the monument and to increase quality recreation opportunities. The lands that would be added are currently managed by the U.S. Forest Service as part of the Rogue River-Siskiyou National Forest.

S. 765 directs the Secretary to revise the fire management plan for the Monument to include transferred lands and carry out hazardous fuel management activities under that plan. Existing Forest Service stewardship or service contracts would continue to completion under the authority of the Secretary of Agriculture.

The bill would authorize the Secretary to permit hunting and fishing within the Preserve. It also provides flexibility in managing the resources within the preserve by allowing the Secretary, in consultation with the Oregon Department of Fish and Wildlife, to limit hunting and fishing in designated zones and over certain time periods. Based on information collected during the public participation process for the GMP, we would prefer to terminate hunting within the preserve after five years with the acreage being converted to national monument status. Of the 892 comments received on the plan, only 8, less than one percent, expressed concern about the loss of hunting should the added acres be designated as part of the national monument.

S. 765 would authorize the Secretary to allow grazing to continue within the Preserve at a level not greater than authorized under existing permits or leases at enactment. It would also require the Secretary to accept voluntary donation of a grazing lease or permit for the Big Grayback Grazing Allotment (managed by the U.S. Forest Service) and the Billy Mountain Grazing Allotment (managed by the Bureau of Land Management) and terminate the donated lease or permit and ensure a permanent end to grazing on the land covered by the permit or lease. Claim to any range improvements on those lands would be waived. It is our understanding that the same individual runs livestock on both the Big Grayback and Billy Mountain Allotments. We note that the Billy Mountain Grazing Allotment is approximately 15 miles from the boundary of

the proposed monument expansion. We would like the opportunity to work with the Committee and sponsor to further explore these grazing provisions.

This bill would also designate the subterranean segment of Cave Creek, known as the River Styx, as a scenic river under the Wild and Scenic Rivers Act. Additionally, the bill would authorize a study of segments of Cave Creek, Lake Creek, No Name Creek, Panther Creek and Upper Cave Creek—all within the Monument and Preserve—under the Wild and Scenic Rivers Act.

In 1907, the Secretary of the Interior withdrew approximately 2,560 acres for the purposes of establishing a national monument. The 1909 presidential proclamation establishing Oregon Caves National Monument included only 480 acres. The monument was managed by the U.S. Forest Service until its administration was transferred to the National Park Service in 1933. The remaining withdrawal outside of the monument is administered by the USFS as part of the Rogue River-Siskiyou National Forest. S. 765 would mirror the 1907 withdrawal and adds some additional lands to conform the monument boundary to the watershed.

The explorer Joaquin Miller extolled “The Wondrous marble halls of Oregon!” when speaking about the newly proclaimed Oregon Caves National Monument in 1909. Oregon Caves is one of the few marble caves in the country that is accessible to the public. This park, tucked up in the winding roads of southern Oregon, is known for its remoteness, the cave majesty and unusual biota. The stream flowing from the cave entrance is a tributary to a watershed that empties into the Pacific Ocean. This is the only cave in the national park system with an unobstructed link to the ocean.

The caves are nationally significant and a favorite visit for school kids and travelers alike. They remain alive and healthy because of the watershed above them. The park recognized this when developing the 1998 GMP and accompanying Environmental Impact Statement. The plan recommended the inclusion of the watershed into the park to provide for better cave protection and to protect the surface and subsurface hydrology and the public water supply.

If S. 765 were enacted, there would be no acquisition costs associated with the boundary expansion and we estimate National Park Service’s management, administrative, interpretive, resource protection, and maintenance costs to be approximately \$300,000 to \$750,000 annually. The National Park Service is committed to coordinating with the U.S. Forest Service on topics such as recreation management, management of cave resources, public signing, livestock grazing, trail maintenance and construction, fire protection, and fuels reduction among others.

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

STATEMENT OF STEVEN E. WHITESELL, ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S.779, A BILL TO AUTHORIZE THE ACQUISITION AND PROTECTION OF NATIONALLY SIGNIFICANT BATTLEFIELDS AND ASSOCIATED SITES OF THE REVOLUTIONARY WAR AND THE WAR OF 1812 UNDER THE AMERICAN BATTLEFIELD PROTECTION PROGRAM

May 11, 2011

Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

The Department supports S. 779. This legislation would expand the American Battlefield Protection Program to include both the War of 1812 and Revolutionary War battlefields in addition to Civil War battlefields, which are covered under the current program. It would authorize \$10 million in grants for Revolutionary War and War of 1812 battlefield sites, as well as \$10 million in grants for Civil War battlefield sites, for each of fiscal years 2012 through 2022. The American Battlefield Protection Program is currently authorized through fiscal 2013.

In March 2008, the National Park Service transmitted the *Report to Congress on the Historic Preservation of Revolutionary War and the War of 1812 Sites in the United States*, which identified and determined the relative significance of sites related to the Revolutionary War and the War of 1812. The study assessed the short and long-term threats to the sites. Following the success of the 1993 *Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields*, this study similarly provides alternatives for the preservation and interpretation of the sites by Federal, State, and local governments or other public or private entities.

The direction from Congress for the study was the same as for a Civil War sites study of the early 1990s. As authorized by Congress for this study, the National Park Service looked at sites and structures that are thematically tied with the nationally significant events that occurred during the Revolutionary War and the War of 1812. The result was a more thorough survey that represents twice the field effort undertaken for the Civil War study.

Building upon this study, S. 779 would create a matching grant program for Revolutionary War and the War of 1812 sites that closely mirrors a very successful matching grant program for Civil War sites. The Civil War acquisition grant program was first authorized by Congress in the Civil War Battlefield Protection Act of 2002 (Public Law 107-359), and was reauthorized through FY 2013 by the Omnibus Public Land Management Act of 2009 (Public Law 111-11). That grant fund has been tremendously successful in allowing local preservation efforts to permanently preserve Civil War battlefield land with a minimum of Federal assistance.

With the release of the *Report to Congress on the Historic Preservation of Revolutionary War and the War of 1812 Sites in the United States*, communities interested in preserving their Revolutionary War and the War of 1812 sites can take the first steps similar to what the Civil War advocates began doing nearly two decades ago. If established, this new grant program can complement the existing grant program for Civil War battlefields and, in doing so, become a benefit to the American people by providing for the preservation and protection of a greater number of sites from the Revolutionary War and War 1812. All funds would be subject to NPS priorities and the availability of appropriations.

Mr. Chairman, this concludes my testimony. I would be pleased to respond to any questions from you and members of the committee.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 849, TO ESTABLISH THE WACO MAMMOTH NATIONAL MONUMENT IN THE STATE OF TEXAS, AND FOR OTHER PURPOSES.

MAY 11, 2011

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 849, a bill to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes.

The Department supports establishing a unit of the National Park System to commemorate and protect the Waco Mammoth site consistent with the study the National Park Service (NPS) completed in 2008. However, we oppose S. 849 in its current form. The Department testified in support of S. 625, a similar bill, before this subcommittee on July 15, 2009, during the last Congress. As we explain in this testimony, S. 849 contains significant changes to the last Congress's bill by requiring the Secretary of the Interior (Secretary) to administer the national monument as a unit of the National Park System; but prohibiting the Secretary from expending any federal funds to do so. We would like to work with the sponsor and the committee on revising the bill so that we could support it.

S. 849 would establish a new unit of the National Park System, the Waco Mammoth National Monument (monument), near the city of Waco, Texas. The bill directs the Secretary to administer the monument in accordance only with the provisions found in the bill and with any cooperative agreements entered into with Baylor University and the City of Waco. The bill also authorizes the Secretary to acquire land for the monument by donation from the City of Waco. The Secretary is authorized to complete a General Management Plan for the monument within three years after enactment, but prohibited from expending any federal funds to do so. Finally, no federal funds are authorized to be used to pay for costs associated with the monument, and designation of the monument as a unit of the National Park System shall terminate if the Secretary determines that federal funds are required to operate and maintain the monument.

The NPS was directed to complete a Special Resource Study (SRS) of the Waco Mammoth site by Public Law 107-341. This study evaluated a 109-acre site owned by the City of Waco and Baylor University and found that the site met all the criteria for designation as a unit of the National Park System.

The Waco Mammoth Site area is located approximately 4.5 miles north of the center of Waco, near the confluence of the Brazos and the Bosque rivers. Baylor University has been investigating the site since 1978 after hearing about bones emerging from eroding creek banks that led to the uncovering of portions of five mammoths. Since then several additional mammoth remains have been uncovered making this the largest known concentration of mammoths dying from the same event.

The discoveries have received international attention and many of the remains have been excavated and are in storage or still being researched. The SRS determined that the combination of both in situ articulated skeletal remains and the excavated specimens from the site represents the nation's first and only recorded nursery herd of Pleistocene mammoths. The resource possesses exceptional interpretive value and superlative opportunities for visitor enjoyment and scientific study.

From the time the site was discovered until the present, the University and the City have managed the site responsibly. The SRS examined a range of proposed options for the NPS involvement at the site. We believe that NPS joining in partnership with the city of Waco, Baylor University, and others would offer the most effective and cost-efficient management of this unique resource.

The provisions in S. 849 contradict each other by requiring the Secretary to administer the monument as a unit of the National Park System, but then deleting the reference to the laws applicable to such units, and prohibiting the expenditure of federal funds to carry out the administration of the monument. Expenditure of funds is specifically prohibited for carrying out the cooperative agreement for management of the monument, acquiring land, developing a visitor center, operating or maintaining the monument, constructing exhibits, or developing the General Management Plan.

The National Park Service preserves and protects areas of the country that are found to be nationally significant. If the Waco Mammoth site were designated a unit of the National Park System to be administered by the Secretary, then the laws applicable to such units would need to apply and federal funds would be needed to carry out those responsibilities, as they are for all other units of the National Park System.

The ambiguity as to the applicable laws and the lack of certainty and continuity of non-federal funding could create an untenable situation for staffing the park and providing consistent visitor services. This uncertainty could lead to the NPS not knowing from month to month whether the park would be open. Also, federal land acquisition policies generally do not allow the federal government to accept lands acquired with a reverter clause attached, as proposed in the bill.

We would be happy to work with the committee to revise the bill into a form that we could support, such as S. 625 from the 111th Congress. In that version of the bill, the monument would be established based upon the management alternative recommended in the SRS, where we estimated that the costs to create the monument would include \$8.1 million from the identified partners to develop the facilities at the monument, with the NPS providing an additional \$600,000 for enhanced interpretive media. Total operational costs are estimated to be \$645,000 with the NPS contributing approximately \$345,000 for NPS staffing of four full-time equivalent positions and associated supplies, materials, and equipment. All funds would be subject to NPS priorities and the availability of appropriations.

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

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS REGARDING S. 858, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY TO DETERMINE THE SUITABILITY AND FEASIBILITY OF DESIGNATING THE COLONEL CHARLES YOUNG HOME IN XENIA, OHIO, AS A UNIT OF THE NATIONAL PARK SYSTEM.

May 11, 2011

Mr. Chairman, thank you for the opportunity to appear before you to provide the Department of the Interior's views on S. 858, a bill to authorize a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System.

The Department supports enactment of S. 858. However, we believe that priority should be given to the 40 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to the Congress.

S. 858 authorizes a special resource study, in consultation with the Secretary of the Army, to determine the suitability and feasibility of designating the Colonel Charles Young Home as a unit of the National Park System, and to consider other alternatives for preservation and protection of the home and interpretation of the life and accomplishments of Colonel Young for future appreciation by the public. The bill also authorizes consultation and collaboration with the Ohio Historical Society, Central State University, Wilberforce University and other interested Federal, State or local governmental entities, private and nonprofit organizations or individuals in accomplishing the resource study. The home is a National Historic Landmark. We estimate the cost of this study to range from \$200,000 to \$250,000, based on similar types of studies conducted in recent years.

Colonel Charles Young was the third African-American to graduate from West Point, and a distinguished African-American officer in the United States Army, commanding troops in combat in the Spanish-American War and the Mexican expedition against Pancho Villa. Colonel Young was one of the first military attaches in the United States, serving in Haiti and Liberia, and a pioneer of techniques in military intelligence. The experience of Colonel Young in the Army between 1884 and 1922 illustrates the changing nature of race relations in the United States during a period spanning from the end of the Civil War to the beginning of the Civil Rights movement.

Colonel Young was a friend and associate of other distinguished African-Americans of the period, including poet Paul Laurence Dunbar from nearby Dayton, Ohio; and as the commander of an Army unit assigned to protect and develop Sequoia National Park and General Grant National Park in the State of California, Colonel Young is recognized as the first African-American to be the superintendent of a National Park.

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