

**STATEMENT OF CHRISTINA GOLDFUSS, DEPUTY DIRECTOR,  
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DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON  
NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
CONCERNING S. 2356, TO ADJUST THE BOUNDARY OF THE MOJAVE NATIONAL  
PRESERVE.**

**July 23, 2014**

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Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 2356, a bill to adjust the boundary of the Mojave National Preserve.

The Department supports the enactment of S. 2356, but recommends two amendments regarding the acreage to be transferred out of the park and a qualification on the lands to be acquired by donation.

S. 2356 would adjust the boundary of Mojave National Preserve to remove approximately 525 acres on the north side of the park from the boundary of the park. This acreage would be transferred to BLM for a proposed rail alignment. XpressWest is constructing a high-speed rail line from Victorville, CA, to Las Vegas, NV. The proposed route would follow and generally parallel Interstate 15 (adjacent to the north boundary of the Preserve), except for the grade to Mountain Pass, which is too steep and the road curve too sharp to allow for the rail line to follow the Interstate. The NPS lacks authority to grant rights-of-way for railroads; the BLM, however, has such authority and can grant any necessary permits, in accordance with section 501 of the Federal Land Policy and Management Act, to XpressWest to complete the project. The area proposed for transfer to the BLM would accommodate the grade and curve requirements for the proposed high-speed train through the Mountain Pass.

As mitigation for the removal of land from the boundary of the park, this bill authorizes that other land would be acquired by donation. The bill authorizes approximately 4 acres of land be acquired for every acre of land removed from the preserve. The bill would authorize the transfer of 525 acres of National Park Service land to the Bureau of Land Management to accommodate the necessary railroad right-of-way, and the Preserve to receive in exchange a donation of approximately 2,100 acres of private land.

S. 2356 also authorizes the Secretary of the Interior to permit cattle grazing, in accordance with applicable NPS laws and policies, on the land acquired under Section 3(a) by donation. The bill states that cattle grazing shall take place during the period beginning on the date on which the land is acquired and ending on the date that is 25 years after the date on which the land is acquired, to the same extent permitted on the day before the date of enactment of the Act.

The NPS allows agricultural grazing if it is specifically authorized in a park's enabling legislation. Section 510(a) of P.L. 103-433, the enabling legislation for Mojave National

Preserve, specifies that the privilege of grazing domestic livestock on lands within the preserve shall continue to be exercised at no more than the current level, subject to applicable laws and NPS regulations. NPS Management Policies state that, “The Service will phase out the commercial grazing of livestock whenever possible and manage recreational and administrative uses of livestock to prevent those uses from unacceptably impacting park resources.”

We recommend two amendments to S. 2356. Section 3(a)(2) authorizes the transfer of administrative jurisdiction of approximately 525 acres of land from the National Park Service (NPS) to the Bureau of Land Management (BLM). The official map, numbered 170/120,846-B, delineates the transfer of approximately 520 acres. The Department recommends that the acreage in the bill be amended to match the map.

Section 3(a)(1) authorizes the acquisition by donation of approximately 4 acres of land within or adjacent to the boundary of the preserve to be used for mitigation for every 1 acre of land removed from the preserve. The Department recommends that the donated land be qualified as land identified in the Mojave National Preserve’s Land Protection Plan as suitable for fee acquisition. We will be happy to work with the committee on the appropriate language for the second amendment.

Mr. Chairman, this concludes my testimony. I am prepared to answer any questions from members of the Committee.