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CURRENT NATIONAL PARKS BILLS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

ON

S. 349	**S. 2976**
S. 1596	**S. 3159**
S. 1651	**S. 3168**
S. 1750	**S. 3303**
S. 1801	**H.R. 685**
S. 1802	**H.R. 3388**
S. 2953	**H.R. 4395**

MAY 19, 2010

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CURRENT NATIONAL PARKS BILLS

WEDNESDAY, MAY 19, 2010

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 2:34 p.m. in room SD–366, Dirksen Senate Office Building, Hon. Mark Udall presiding.

OPENING STATEMENT OF HON. MARK UDALL, U.S. SENATOR FROM COLORADO

Senator UDALL. I call the subcommittee to order, and I'll turn on the mike so you can even better hear me. We have a host of bills this afternoon. We have a number of Senators scheduled to testify about their particular bills, but what I'd like to do is make my opening statement. We'll then start with the administration witnesses. As Senators are able to arrive, we'll fit them in, if that works for everybody here.

So this afternoon the Subcommittee on National Parks has a lengthy list of bills to consider, reflecting a variety of conservation proposals on the National Park Service, Forest Service, and Bureau of Land Management lands throughout the country. The bills on today's agenda include:

S. 349, which would establish the Susequehanna Gateway National Heritage Area in Pennsylvania;

S. 1596, to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in California;

S. 1651, to modify a land grant patent in Michigan issued by the Secretary of Interior;

S. 1750, to authorize the Secretary of Interior to conduct a special resource study of the George C. Marshall Home in Leesburg, Virginia;

S. 1801, to establish the First State National Historical Park in Delaware, and I'd add I'm a co-sponsor of that particular legislative vehicle;

S. 1802 and H.R. 685, to require a study of the feasibility of establishing a United States Civil Rights Trail System;

S. 2953 and H.R. 3388, to modify the boundary of Petersburg National Battlefield in Virginia;

S. 2976, to designate as wilderness certain land within the Sleeping Bear Dunes National Lakeshore in Michigan;

S. 3159 and H.R. 4395, to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station;

S. 3168, to authorize the Secretary of the Interior to acquire certain land in Pennsylvania for inclusion in the Fort Necessity National Battlefield; and

Last but not least, S. 3303, a bill Senator Bennet of Colorado and I introduced, to establish the Chimney Rock National Monument in Colorado. The Chimney Rock bill will help protect a very unique Chacoan archaeological site in our home State. The Chimney Rock site includes 2 spectacular rock spires, as well as the remains of a great house and other buildings built by the ancestors of the Pueblo Indians over a thousand years ago.

One of the many interesting facts about Chimney Rock is that every 18 years the moon is in a position that it appears to rise between the spires when viewed from the great house. Much remains unknown about the Chacoan people and the site itself, but clearly it was a site of astronomical and religious significance, and it's certainly a very important archaeological site.

I wanted to note that I hope Senator Bennet will be able to be here. He'll speak in greater detail on his bill when he does. But I am very pleased to join him as a co-sponsor of the bill and I look forward to working with him to see that it's enacted into law.

Let me now move to recognize the ranking member, my friend and a great North Carolinian, Senator Richard Burr.

[The prepared statements of Senators Boxer and Levin follow:]

PREPARED STATEMENT OF HON. BARBARA BOXER, U.S. SENATOR FROM CALIFORNIA, ON S. 1596

Mr. Chairman, thank you for holding this hearing to discuss S. 1596, the Gold Hill-Wakamatsu Preservation Act.

I am pleased to have worked with Representative Tom McClintock on this bill, which would authorize the Bureau of Land Management to acquire the Gold Hill Ranch in western El Dorado County—the location of the first Japanese settlement in the United States.

In 1869, 22 Japanese expatriates fled the turmoil of Japan's Meiji restoration and made their way across the Pacific Ocean to California. There, they purchased land in the heart of gold rush country, and began producing traditional Japanese crops such as mulberry trees for silk, bamboo roots, tea seeds, grape seedlings, and short-grain rice.

The Wakamatsu Tea and Silk Colony, as it was called, played an important role in bridging Japanese and American cultures. The colonists and surrounding community learned about each others' customs and agricultural techniques, and stories of the colony were reported in newspapers such as the San Francisco Chronicle and New York Times. Unfortunately, drought and financial problems forced the colonists to disperse and settle throughout California beginning in 1871, and the 272-acre property was purchased by the neighboring Veerkamp family.

Despite the colony's short history, its contributions to American history have endured. The significance of this site for Japanese Americans has been compared to that of Plymouth Rock for European Americans. The successful migration and assimilation of these first Wakamatsu colonists established California as the gateway for waves of Japanese immigrants entering our nation in the late 19th and early 20th centuries. The new agricultural products they introduced contributed to California's eventual preeminence as an agricultural and economic leader.

Many of the original structures on the site remain intact, including a farmhouse, the grave of a young girl named Okei, artifacts, and agricultural plantings. Japanese-Americans and other visitors come to see the site and place offerings on Okei's grave. Governor Reagan recognized the property as a state historic site in 1969, and the site was recently listed on the National Register of Historic Places at the national level of significance.

Mr. Chairman, I have received numerous letters of support for this legislation and would like to ask that they be entered into the record. These supporters include the Japanese American Citizens League, the National Japanese American Historical Society, People-to-People International, the Consulate General of Japan, the American

River Conservancy, the California Rice Commission, the El Dorado County Board of Supervisors, the El Dorado County Chamber of Commerce, and many local elected officials, businesses, and constituents.

The remarkable history of the Wakamatsu colonists, and their lasting impact on the State of California and our nation of immigrants, is a story that must carry on for future generations. I look forward to working with my Senate colleagues to pass this legislation so that we can preserve this site for future visitors.

PREPARED STATEMENTS OF HON. CARL LEVIN, U.S. SENATOR FROM MICHIGAN

S. 1651

Thank you, Chairman Udall and Ranking Member Burr for holding this hearing regarding the land patent modification bill for the Great Lakes Shipwreck Historical Society, a not-for-profit organization. A land patent involving about eight acres of land was originally issued in 1998 to the Great Lakes Shipwreck Historical Society for the interpretation and preservation of maritime history at the United States Coast Guard Whitefish Point Light Station in the Upper Peninsula of Michigan. At that location, the Great Lakes Shipwreck Museum was established, where about 60,000 people visit each year. The museum tells the story of the sailors who braved the treacherous waters of Lake Superior and those in the U.S. Life Saving Service, the predecessor to the U.S. Coast Guard, who risked their own lives to save others.

The current land patent allows for development consistent with the Whitefish Point Comprehensive Plan of 1992 or for a gift shop. Pursuant to a court-ordered settlement agreement, a new plan, the Human Use/Natural Resource Management Plan for Whitefish Point of December 2002, was prepared for the land. The 2002 plan was developed by consensus of the parties to the litigation: the Great Lakes Shipwreck Historical Society, Michigan Audubon Society, and the U.S. Fish and Wildlife Service. While the 2002 plan should guide development at the site, the land patent still references the 1992 plan. The bill under consideration by this committee would modify the land patent such that development of new facilities and the expansion of existing facilities and infrastructure would be consistent with the 2002 plan instead of the obsolete 1992 plan.

In addition to the historic assets of Whitefish Point, the area is also an important birding area and a stopover for migratory birds. The 2002 plan includes restrictions during bird migration as well as other restrictions on humans to protect sensitive shoreline habitats, including for the endangered piping plover. Recommended management practices are also included in the 2002 plan to protect environmentally sensitive habitat. The 2002 plan also specifies that implementation of the plan would be led by a "Joint Committee," comprised of representatives from the U.S. Fish and Wildlife Service, the Great Lakes Shipwreck Historical Society, and the Michigan Audubon Society. By having all of these entities involved with the plan implementation, protection of natural resources and management of human uses can be better ensured.

I urge you to favorably report this bill so that hopefully the full Senate could promptly consider it and Michigan's rich maritime history at Whitefish Point can be preserved and interpreted for the public.

S. 2976

Thank you, Chairman Udall and Ranking Member Burr for holding this hearing on the Sleeping Bear Dunes Conservation and Recreation Act, which would designate 32,557 acres as wilderness, permanently protecting this land from harmful development and other impacts. I also want to thank Senator Stabenow for co-sponsoring this bill and for supporting this bill as a member of this subcommittee.

This legislation reflects years of public outreach and input, and I am pleased there is broad public support for this bill, including by a local organization, Citizens for Access to the Lakeshore (CAL), that had initially organized to oppose a wilderness designation. Today CAL is submitting testimony in enthusiastic support of this bill.

Sleeping Bear Dunes National Lakeshore is located in the Northwest corner of Michigan's Lower Peninsula on Lake Michigan, and encompasses over 70,000 acres. The Lakeshore, as reflected by its name, features ancient sand dunes that are the products of wind, wave, and ice action over thousands of years, and are truly one of nature's great masterworks. Nature lovers and photographers, serious hikers and children eager to roll down the sandy dunes, all enjoy this natural wonder. The Lakeshore also protects and interprets an extraordinary history of Native Americans, early pioneers, farmsteads, and maritime activities.

This wilderness designation would allow the area's immense recreational opportunities and historic preservation efforts to continue to thrive, while providing important protections for natural areas. This wilderness designation would also revise the requirement included in a 1982 law (P.L. 97-361) that directed the National Park Service to manage areas included in a 1981 "Wilderness Recommendation" as wilderness, even though no official Wilderness designation had been made by Congress. The 1981 recommendation included county roads and other areas the local community did not believe should be managed as wilderness, and in fact, could endanger the preservation and interpretation of many historic assets in the Lakeshore. Our legislation excludes these features from the wilderness designation for Sleeping Bear Dunes to ensure that access, recreation, and historic preservation are provided at the Lakeshore, which reflects community input. The 1982 law specified that its directive apply "until Congress determines otherwise." This bill provides the Congressional input the 1982 law envisioned.

The wilderness designation before you reflects a lengthy public process, and better identifies areas that should be managed as wilderness, which are undeveloped and possess significant and valuable natural characteristics. Developed county roads and state highways, boat launches and many historical structures have all been excluded from the wilderness designation to ensure that access and recreational opportunities are maintained, and preservation and interpretation of historical resources are ensured. Hunting and fishing, trail use, and camping at Sleeping Bear Dunes National Lakeshore would continue. Importantly, motor boats would still be allowed offshore of the dunes, and allowed to beach in areas adjacent to the wilderness area.

This Lakeshore epitomizes the rich natural and cultural history of Michigan. I ask the Committee to approve this legislation to protect these resources for current and future generations, and to enable thousands more to enjoy the scenic beauty and appreciate the generations of farmers, trappers, hunters, and mariners who came before.

STATEMENT OF HON. RICHARD BURR, U.S. SENATOR FROM NORTH CAROLINA

Senator BURR. Thank you, Mr. Chairman. Mr. Chairman, we convene this hearing today before the National Parks Subcommittee hearing under unusual and unfortunate circumstances, with 11 Senate Democrat bills and zero Republican bills being considered. I understand that this hearing was scheduled despite the continued objections of the Republican staff, who lodged this objection as a result of no GOP bills being included in the hearing consideration today.

Additionally, a separate hearing that was requested by the Republican staff on the remaining Republican bills was also refused. So unfortunately, we're left with no Republican bills in the hearing today and no separate hearing for bills which were left out.

I might say, in my time as ranking member of the subcommittee never has a hearing been scheduled despite the objections of one side or the other, and I hope this regrettable incident does not set a precedent for the actions of this subcommittee or the committee as a whole. I certainly have great affection for my colleague and the chairman, Chairman Udall, and believe that we can work together.

It's difficult for me at this time to imagine that it bodes well for these particular bills in front of us today making it through the committee process on any type of expedited basis. Mr. Chairman, I look forward to continuing to work with you on the multitude of important issues that come before this Subcommittee on National Parks and I truly believe and hope that we can continue to work toward scheduling a separate hearing on the remaining Republican bills and move forward in a bipartisan way.

I thank the chair.

Senator UDALL. I thank the ranking member. If I might, I'd like to share a response to Senator Burr's comments. There were hearing requests from the Republican side for 3 bills. One is a House-passed bill involving a park in Washington State. Both of our colleagues from Washington told us that they weren't ready for a hearing on the bill at this time. The other 2 bills would have provided for essentially limited repeal of the Antiquities Act in the States of Nevada and Utah. Chairman Bingaman—the full committee did not view Antiquities Act bills, which have national policy implications that would be and are extremely controversial, to be in the same category as the type of locally focused bills that are on today's agenda. He did tell me and I will underline to the ranking member that he's happy to talk more about these bills with the sponsors if they desire. I know I'll continue to work with the ranking member to meet his concerns in the future.

I know we both are proud to serve on this subcommittee and know how important it is to our public lands and to our economies and all of our country.

I would note before I call the administration witness, I think Congressman Clay is here. I appreciate you coming over. I don't know if you wanted to say anything, if you had a statement, Lacey. We'd be honored if you'd join us there at the dais.

Senator Burris has arrived. Senator Burris, if you'd like to join one of my former House colleagues, Congressman Clay, who is a good friend. If you want to catch your breath for a minute, we're happy to have you here.

STATEMENT OF HON. ROLAND W. BURRIS, U.S. SENATOR FROM ILLINOIS

Senator BURRIS. Thank you, Mr. Chairman.

Senator UDALL. We're happy to have you here. We look forward to your testimony.

Senator BURRIS. We were in—as you know, I found out from the chairman that there was a meeting, so I had to run from the caucus to come over here.

Senator UDALL. You have my proxy in the caucus when you go back, but not Senator Burr's.

Senator BURRIS. Thank you, Mr. Chairman, Ranking Member Burr, the members of the subcommittee. Thank you for the opportunity to appear today to discuss my legislation, the United States Civil Rights Trail Special Resource Study Act. This bill would direct the Secretary of the Interior to identify the places, resources, and historic themes associated with the struggle to secure equal rights for all African Americans and consider their addition into the National Trails System.

The study will focus on the years of 1954 through 1968. Now, this is a time to identify and protect the memory of the people and places that chronicle the civil rights movement's watershed role in American history. Establishing this trail system will link sites with common signage, maps, and educational material to improve public awareness and amplify the study of their importance in history.

Action on this bill this year will begin the process of deciding how we set apart the places where men and women fought and some gave their lives to provide future generations of African

Americans and all Americans more freedom to achieve the American dream.

This, Mr. Chairman, is our chance to remember and honor that sacrifice given so freely. I need to repeat that: This is an opportunity, Mr. Chairman, a chance to remember and to honor that sacrifice given so freely. This legislation joins its bipartisan companion measure, House Bill 685, sponsored by the distinguished Representative Clay from Missouri and Representative Wamp, which passed unanimously in the House of Representatives in September 2009. I want to especially thank our distinguished colleague, Representative Clay, for his vision and dedication to this legislation.

Also the National Trust for Historic Preservation considered this bill, and I quote, "of great importance" in its legislative priorities for this year. The Trust Editor, Richard Moe, whom you know very well, has written a letter in support of the bill. Mr. Chairman, I ask unanimous consent that this letter will be included in the record.

Senator UDALL. Without objection.

Senator BURRIS. Thank you, Mr. Chairman.

During the 1950s and 1960s, this country saw the development of a powerful nonviolent movement for civil rights under the rule of law, creating one of the most significant social and cultural changes in our Nation's history. Because hundreds of thousands of ordinary people with extraordinary vision participated in the civil rights movement, we've witnessed a revolution of values and ideas that changed this Nation forever.

We must make certain that the next generation and the current generation learn and do not forget the story of the civil rights movement and the ideas that it strove to achieve. It is important that we highlight a period of common purpose that brought us together despite our differences in age, race, and positions in life, and that many here today are too young to remember.

I want to thank you, Mr. Chairman Udall and Ranking Member Burr, for your commitment to our National Park System and second for moving this legislation as quickly as possible. I know that, working together, we can add to the witness of the history for all Americans to see and understand the remarkable accomplishments of those whose struggle for equal rights still rings true today.

Thank you, Mr. Chairman.

[The prepared statement of Senator Burris follows:]

PREPARED STATEMENT OF HON. ROLAND W. BURRIS, U.S. SENATOR FROM ILLINOIS, ON S. 1802

Mr. Chairman, Ranking Member Burr, and Members of the Subcommittee, thank you for the opportunity to appear here today to discuss my legislation, The United States Civil Rights Trail Special Resource Study Act. This bill would direct the Secretary of the Interior to identify the places, resources, and historic themes associated with the struggle to secure equal rights for African-Americans, and consider their addition into the National Trails System. The Study will focus on the years 1954 through 1968.

Now is the time to identify and protect the memory of the people and places that chronicle the Civil Rights Movement's watershed role in the American story. Establishing this trail system will link sites with common signage, maps, and educational materials to improve public awareness and amplify the study of their importance in history.

Action on the bill this year will begin the process of deciding how we set apart the places where men and women fought, and some gave their lives, to provide fu-

ture generations of African-Americans, and all Americans, more freedom to achieve the American dream. This is our chance to remember and honor that sacrifice given so freely.

This legislation joins its bipartisan companion measure, H.R. 685, sponsored by Representatives Clay and Wamp, which passed unanimously in the House of Representatives in September 2009, and I want to especially thank my distinguished colleague Representative William Lacey Clay for his vision and dedication to this legislation. Also, The National Trust for Historic Preservation considers this bill "of great importance" and a legislative priority for this year. The Trust's director, Richard Moe, whom you know well, has written a letter in support of my bill. Mr. Chairman, I would request their letter be included in the record.

During the 1950's and 1960's this country saw the development of a powerful nonviolent movement for civil rights, under the rule of law, creating one of the most significant social and cultural changes in our nation's history. Because of the hundreds and thousands of ordinary people with extraordinary vision who participated in the Civil Rights Movement, we witnessed a revolution of values and ideas that changed this nation forever. We must make certain that the next generation, and the current generation, learn and do not forget the story of the Civil Rights Movement and the ideals that it strove to achieve. It is important that we highlight a period of common purpose, that brought us together despite our differences in age, race, and position in life, and that many here today are too young to remember.

I want to thank Chairman Udall and Ranking Member Burr for their commitment to our National Parks system, and secondly for moving this legislation as quickly as possible. I know that, working together, we can add to the witness of history for all Americans to see and understand the remarkable accomplishments of those whose struggle for equal rights still rings true today.

ATTACHMENT.—SUMMARY

(1) The Secretary of the Interior will identify the resources and historic themes associated with the movement to secure racial equality in the United States which challenged the practice of racial segregation, focusing on the period from 1954 through 1968.

(2) The Study will look at the feasibility of protecting historically significant landscapes, districts, sites, and structures, and evaluate a range of alternatives for protecting and interpreting sites associated with the struggle for civil rights in the United States, including alternatives for potential addition of some or all of the sites to the National Trails System.

(3) The Secretary will make a review of existing studies and reports, such as the Civil Rights Framework Study, to complement and not duplicate other studies of the historical importance of the civil rights movements that may be underway or undertaken.

(4) The Secretary will establish connections with agencies, organizations, and partnerships already engaged in the preservation and interpretation of various trails and sites dealing with the civil rights movement.

(5) The Study will identifying alternatives for preservation and interpretation of the sites by the National Park Service, other Federal, State, or local governmental entities, or private and nonprofit organizations, resulting in the potential inclusion of some or all of the sites in a National Civil Rights Trail.

(6) The Secretary will identify cost estimates for any acquisition, development, interpretation, operation, and maintenance associated with the alternatives developed under the special resource study.

(7) National historic trails can only be authorized by Congress and are assigned to either the secretary of the interior or the secretary of agriculture with most of the same administrative authorities as for national scenic trails. To qualify as a national historic trail, a route must have been established by historic use. It must be nationally significant as a result of that use, i.e., it must have had a far-reaching effect on broad patterns of American culture. It must also have significant potential for public recreational use or historic interest based on historic interpretation and appreciation.

(8) The Secretary shall conduct the study required under subsection (a) in accordance with section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) and section 5(b) of the National Trails System Act (16U.S.C. 1244(b)), as appropriate.

Senator UDALL. Congressman Clay, if you'd like to make a statement that would be greatly appreciated. I want to apologize that we don't have a placard for you, but it's been said that when you're known far and wide you don't need a placard. I know you are

known far and wide in your home district. Congressman Burr and I both served in the House. We're proud of that service, as did Senator Carper, who just joined us. We're always happy to have a member of the House come visit us.

STATEMENT OF HON. WILLIAM LACY CLAY, U.S. REPRESENTATIVE FROM MISSOURI

Mr. CLAY. Thank you so much, Mr. Chair, and it's so good to see you, as well as my former colleague from North Carolina, Senator Burr. I also want to thank my distinguished Senator from Illinois for sponsoring the companion legislation.

Also, I heard Senator Burr's comments in the beginning and I wanted to publicly thank my colleague Zach Wamp from Tennessee, who we all know, for sponsoring this bill with me. He thought it was important enough to be a main sponsor of the legislation, and I truly appreciate it.

Throughout history many individuals have played a courageous role in strengthening racial equality in our Nation. It is important to honor these individuals and historic events by preserving their stories for future generations. H.R. 685 as well as S. 1802, the U.S. Civil Rights Trail System Act of 2009, would recognize those individuals who fought for the creed, in the American Constitution every man is created equal.

This bill would authorize a study by the Secretary of the Interior to determine the feasibility of establishing a National Trail System marking the geographic locations in the U.S. of historically significant events related to struggles for civil rights. The struggle for freedom and equality is one of the truly magnificent and heroic episodes in American and world history, from the institution of slavery that dominated the country's early years until a deadly Civil War that opened the door for the possibility of a new racial relationship between black and white people.

In 1954 when the Supreme Court in the Brown v. Board of Education decision eliminated the constitutional justification for segregation, the battle was not won. Several more decades of struggle were required to achieve even minimal integration. Over the past 20 years, notable progress has been made in some areas of American race relations, which offers hope that the worst is behind us and that better days lie ahead. For example, today the President of the United States is an African American, and African Americans can be found not merely working at the highest levels of government, business, entertainment, and the professions, but excelling in those positions. At the same time, devastating setbacks have occurred in other areas, revealing that much remains to be done to make this country truly a land of liberty and justice for all people.

The generation now coming of age has only scant knowledge of the history of the civil rights struggle. Young Americans find it difficult to believe that racial segregation was once considered normal and necessary in some parts of the United States. Ignorance of past racial tragedy, sadly, retards continued progress in race relations.

These bills would educate current and future generations of the struggles for racial equality in America. I look forward to hearing from today's witnesses on this bill and getting the best suggestions

to improve upon the legislation. So, Mr. Chairman, thank you for the opportunity to testify before the committee.

Senator UDALL. Thank you, Congressman Clay.

Senator Burris, did you have any additional comments?

Senator BURRIS. Thank you, Mr. Chairman. I'd just like to comment on one point that Representative Clay made mention of. That is that America has done something that I dreamed I would never see, and I'm 72 years old. On my next birthday I will be 73. But for America to elect an African American President of these United States, it means that we have come a mighty long way. I am proud for my home State on top of that. It even makes me extra proud. But it brings tears to my eyes when I even talk about this.

So I just want all Americans to know that there's a milestone, that little black kids now can say that: I can grow up to be President of the United States. That means so much to all of us. Recording this history, Mr. Chairman, is something for my grandchildren, my great-grandchildren to be able to see.

Thank you very much.

Senator UDALL. Thank you, Senator Burris. No one can improve on your words. What's so wonderful is that those tears are tears of joy. Thank you.

I know Senator Carper has joined us. Senator, if you wanted to take a seat at the table, we're eager to hear about your legislative initiative, which I know is near and dear to your heart, and I'm proud to be a co-sponsor of it.

Senator Carper is also a former member of the House, former Governor of Delaware, and now one of the real movers and shakers in the U.S. Senate. Senator, thank you.

STATEMENT OF HON. THOMAS CARPER, U.S. SENATOR FROM DELAWARE

Senator CARPER. Mr. Chairman, thank you to you. To Senator Burris, thanks very much. Thanks for holding the hearing today on a number of proposals, including S. 1801, the First State National Historical Park Act. I want to thank you especially, Mr. Chairman, for your willingness to co-sponsor the legislation and for allowing me to appear before your subcommittee here today with both of you.

As you know, if this legislation is adopted—my hope is that it will—it would establish for the first time a national park in the State of Delaware. We're the only State in the Union, as you know, which is home to neither a national park or even a unit of a national park.

Some of you may recall a series on public television last year which drew a lot of viewers. The name of the series was "America's Best Idea: The National Parks." It was a documentary series of films that were told to a national television audience by a documentary film maker, quite a famous one, a fellow named Ken Burns, who coincidentally grew up in Delaware as a kid.

Along with Ken Burns and many of the millions of people who viewed that documentary, I share the belief that our national parks are indeed one of America's very best ideas. National parks are invaluable resources for understanding our State's historical and our cultural heritage, as well as our natural environment.

Every year millions of Americans plan their vacations around our Nation's National Park System. This may cause you to remember some adventures of your own with your own family, but I have a very fond memory of my family several summers ago when our boys were in high school, planning a trip to Denali National Park. I know our chairman is a mountain climber. Senator, I'm not. I don't know, maybe some of you are as well. But Denali, big mountain, big park up in Alaska.

Our 2 sons will never forget, more recently, their cross-country road trip from Boston to San Francisco last summer, where they stopped along the way at places like Mount Rushmore and Yellowstone and Yosemite in an adventure neither they nor their parents will soon forget.

In planning our family's summer vacation several years ago up to Alaska, we actually logged onto the National Park Service web site and we searched State by State for ideas, starting with I think Alabama all the way through I think Wyoming. We came to our own State as we went along, Delaware. We came up empty-handed because there really wasn't anything to offer in terms of a national park or a unit of the National Park System.

You think about it, Delaware was the first State to ratify—we're all proud of our States, and justifiably so. But our State was the first State to ratify the Constitution. For 1 whole week, Delaware was the entire United States of America. Then they kind of opened up and let Pennsylvania in and some others. I think it turned out pretty well, but we're the first State in the Union. We're the first State in which the Swedes and Finns came ashore in what is now known as Wilmington, Delaware, established the colony of New Sweden. We're the State where the Dutch came in, oh, gosh, over 400 years ago and built an ill-fated settlement down in the southern part of our State on the ocean, a place called Lewes. Yet Delaware remains the only State to have no national park.

For almost a decade, hundreds of Delawareans have joined me in working to change that. One of those people is Tim Slavin, who's going to be testifying here I think in a little bit. I thank him for his presence today and for his great advocacy and terrific work on this project with us.

But after 4 years of research and planning that involved Delaware State officials, community leaders, and citizen activists, we unveiled a proposal for a Delaware National Park 6 years ago in 2004. In 2006, thanks in part to the work of the citizens committee, Congress authorized the National Park Service to study, to study, 4 years ago, the need for a park in our State. The National Park Service used our 2004 proposal as a starting point for their study.

Then last year, in January of last year, 2009, the National Park Service finalized its study and agreed that, at long last, a park should be created in Delaware. In its study, the National Park Service recommended a national park that celebrated Delaware's early Dutch, early Swedish and English settlements and the events leading up to our State's role in founding our Nation.

All that, Mr. Chairman and Senator Burr, that brings us to today's hearing and to the First State National Park Historic Act, which I'm pleased to report has been co-sponsored by each member of our State's tiny Congressional delegation.

I'm also pleased to report that the First State National Historical Park Act uses a majority of suggestions from the 2009 national park study to authorize a national park to be created within Delaware. So all that work that went in in terms of the study and the work by our citizens, we just really built on each of those in creating this legislation.

If approved, our State's national park will be comprised of sites associated with early settlement and with the people and events leading up to Delaware's role as the first State to ratify the U.S. Constitution on December 7, 1787, a day that we treasure, called "Delaware Day" in our State. The park will tell the story of the birth of our Nation in a unique way, a way not found in any other national park.

The park's central headquarters will be located along the Delaware River in the beautiful historic town of Newcastle, just a stone's throw from a statue of William Penn, who deeded that land to the inhabitants of the town of Newcastle in 1701. Once a national park unit is established in Delaware, families from throughout America and really all over the world will have the opportunity to learn from our National Park Service web site of the rich historical heritage of our State. Who knows, they just might decide to pack up and come and pay us a visit, much like my own family did when we spent close to 2 weeks visiting Denali and other parts of Alaska.

In closing, I would note that the word "Denali" translates loosely to mean "the great one." For those who've seen that mountain, we know what it means. But that enormous park is several times the size of my State. In fact, it's several times the size of a number of States. While visitors to Delaware are not likely to remember us in future years as "the great one," they may well end up returning to their own homes with lasting memories, I hope fond memories, of the Small Wonder along the eastern seaboard of our Nation that helped to launch the most enduring experiment in democracy that our world has ever known, the United States of America.

Mr. Chairman, I thank you for this opportunity and your support.

Senator UDALL. Thank you, Senator Carper. That was illuminating and enjoyable to hear.

Senator Burr, do you have any questions or comments?

Senator BURR. I might add one comment to what Senator Carper said. As his sons made their trek to that final park to visit, if you added together the annual visitor numbers for all the parks they visited, it would not equal the annual visitation of the Great Smokies National Park. So I hope they'll come to North Carolina.

Senator UDALL. As you can tell, Senator Burr has the spirit and the fortitude of a mountain climber, and he's also very proud of his home State of North Carolina.

Senator CARPER. I can tell, and justifiably so. So does my wife. She's from there, too.

Senator UDALL. As is mine. It's old home week.

I like the contrast, the Great One and the Small Wonder. They're both important to what we have now seen and lived, which is America's best idea, and that's our National Park System.

I look forward to working with you, Senator, as we move this through the process. Thanks for coming over.

Senator CARPER. Mr. Chairman, thank you so much.

Senator UDALL. Thank you.

Senator CARPER. Senator Burr, thank you as well.

Senator UDALL. The administration witnesses, if you'd be willing to join us here at the table. I know we still have a couple of additional, actually 3, Senators who thought they might like to make an appearance. If one of them is able to troop over from the Capitol, we'll, with your understanding, quickly insert them in the queue here.

We've been joined by 2 men who are not strangers to this subcommittee. Steve Whitesell is here. He's the Associate Director of Park Planning, Facilities, and Lands, at the National Park Service; and then Joel Holtrop, Deputy Chief, National Forest System.

Mr. Whitesell, if you want to start with your testimony. You are familiar with the general rules of the committee. If you can keep your testimony to 5 minutes, we'd appreciate it. The floor is yours.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. WHITESELL. Mr. Chairman, thank you for the opportunity to appear before this subcommittee to present the Department of the Interior's views on ten of the bills on today's agenda, eight related to the National Park Service and 2 related to the Bureau of Land Management. Tim Spisak, Deputy Assistant Director for Minerals and Realty Management for the Bureau of Land Management, is accompanying me today and will be happy to answer any questions that you may have regarding S. 1596 and S. 1651, the 2 BLM bills on the agenda.

I would like to submit our full statements on each of these subjects for the record and summarize the Department's positions on these bills.

Senator UDALL. Without objection.

Mr. WHITESELL. S. 349 would establish the Susquehanna Gateway National Heritage Area in an 1869 square mile area of Pennsylvania's Lancaster and York Counties. In 2008 the National Park Service found that the area meets our interim criteria for potential designation as a national heritage area. The Department recognizes the appropriateness of designating the Susquehanna Gateway National Heritage Area, but asks that the committee defer action on the bill until legislation is enacted that establishes criteria to evaluate potential qualified national heritage areas and a process for the designation and administration of these areas.

Mr. WHITESELL. On S. 1596, the Gold Hill-Wakamatsu Preservation Act, would authorize the Secretary, acting through the BLM, to acquire the 272-acre site of the 1869 Wakamatsu Tea and Silk Farm Colony. The Wakamatsu Colony is believed to have been the first Japanese-American colony in North America. The Department supports the goals of this bill and would like to work with its sponsors and the committee to clarify provisions of the legislation.

Mr. WHITESELL. S. 1651, a bill to modify the patent of the Whitefish Point Lighthouse Station, would direct the Secretary, acting

through the BLM, to modify the subject patent to require compliance with a new management plan. The Department supports this legislation.

Mr. WHITESELL. S. 1750 would authorize a special resource study for General George C. Marshall's home, Dodona Manor. One of the options the study would consider is making the site an affiliated area of the National Park System. The bill would also consider other alternatives for preservation and protection of the home. The Department supports the enactment of S. 1750 with a minor amendment.

Mr. WHITESELL. S. 1801 would establish the First State National Historical Park in the State of Delaware. The National Park Service's 2008 special resource study of the coastal area of Delaware 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 include historic resources that were instrumental in early Swedish, Dutch, and English settlement in the United States and other resources associated with Delaware's role as the Nation's first State.

The Department strongly supports the establishment of a unit of the National Park System in Delaware as proposed by S. 1801, but is concerned about the addition of certain resources in the bill that were not found to meet Congressionally established criteria for unit designation and the terms of the park-specific grant authorization. We would like to work with the committee on amendments to the bill.

Mr. WHITESELL. S. 1802 and its companion, H.R. 685, would authorize the Secretary to conduct a special resource study in order to evaluate a range of alternatives for protecting and interpreting sites associated with the movement to secure racial equality for African Americans in the United States in the 1950s and 1960s, including alternatives for potential addition to the National Trail System. In 2009 the National Park Service completed a Congressionally authorized study of civil rights sites that identified both broad themes and sites within the civil rights story, but did not assess the feasibility or suitability of inclusion of particular sites in the National Trail System or the National Park System.

The bills would allow the National Park Service to assess sites specifically for such designation, building upon existing studies and reports. The Department supports this legislation.

Mr. WHITESELL. S. 2953 and its companion, H.R. 3388, would modify the boundary of Petersburg National Battlefield. The bills would expand the current authorized boundaries by an additional 7,238 acres to protect more core battlefield land, an expansion that is consistent with the park's 2002 general management plan. The bills also would authorize a transfer of administrative jurisdiction between the Secretary of the Interior and the Secretary of the Army of a 1.7 acre parcel of land to accommodate a security perimeter fence at Fort Lee Military Reservation.

The Department supports this legislation.

Mr. WHITESELL. S. 2976 would designate 32,557 acres, or 46 percent, of Sleeping Bear Dunes National Lakeshore in Michigan's Lower Peninsula as federally protected wilderness. The Department strongly supports the legislation, but recommends that the

area be designated as the "Sleeping Bear Wilderness" to be consistent with the names of the majority of wilderness areas in units of National Park System.

Mr. WHITESELL. S. 3159 and its companion, H.R. 4395, would add the historic Lincoln Train Station in the Borough of Gettysburg and 45 acres at the base of Big Roundtop to Gettysburg National Military Park. The Lincoln Train Station, where President Abraham Lincoln disembarked to give the Gettysburg Address, would serve as a downtown visitor's center and information and orientation center. The Big Roundtop tract at the southern end of the battlefield includes historical resources from the battle and critical wetlands and wildlife habitat related to Plum Run. The Department supports enactment of this legislation with the minor amendment that was made to H.R. 4395 by the House.

Mr. WHITESELL. S. 3168 would authorize the acquisition of approximately 157 acres in Farmington, Pennsylvania, for addition to Fort Necessity National Battlefield, the site of the first battle of the French and Indian War in July 1754. The parcels contain both historical and landscape resources relating to the purpose of the park and would include approximately 500 feet of the historic Braddock Road Trace. The Department supports this legislation with amendments that would provide a more precise identification of the land that would be authorized for acquisition and would make some minor technical changes.

Mr. Chairman, that concludes my statement, albeit a bit longer than I know was required. But we would be pleased to answer any questions that you have.

[The prepared statements of Mr. Whitesell follow:]

PREPARED STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

S. 349

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 349, a bill to establish the Susquehanna Gateway National Heritage Area in Pennsylvania.

The Department recognizes the appropriateness of designating the Susquehanna Gateway National Heritage Area, but recommends deferring action on S. 349 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. The Administration anticipates submitting such a legislative proposal to you in the near future, and we recommend that Congress enact national heritage area program legislation in this Congress.

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

Flowing for 441 miles, the Susquehanna River is the longest river on the East Coast and the largest contributor of fresh water to Chesapeake Bay. The portions of the river flowing through Lancaster and York Counties in Pennsylvania exhibit exceptional natural and recreational value and traverse landscapes of historical importance to our nation.

The region of the proposed Susquehanna Gateway National Heritage Area was first inhabited by Native Americans who left evidence of their occupation in a myriad of archeological sites, as well as rock art at several petroglyph sites. When Cap-

tain John Smith journeyed up the Susquehanna River in the summer of 1608, he sent emissaries to the Susquehannock town located on the east side of the river near present day Washington Boro in Lancaster County. Tribal leaders there entered a trade alliance, opening to the English a trade network extending hundreds of miles.

In 1668, William Penn set the tone for religious tolerance in Pennsylvania and brought colonists who settled the great fertile valley of the Susquehanna Gateway region, beginning its long history as an abundant agricultural center. Serving as an important transportation corridor, the river provided opportunities for commerce and invention. It was here that John Elgar constructed the first iron steamboat in America. The birthplace of Robert Fulton, the original inventor of steam powered boats, is a National Historic Landmark in Lancaster County. Here, too, Phineas Davis designed and built the first practical coal burning steam locomotive, thereby revolutionizing railroad transportation.

The region is the home ground of the "Plain People"—the Amish and Mennonites. Their religious values, simple way of life, and well-tended farms speak to the deepest feelings that Americans have about ourselves and our national experience.

In this region, visitors also find evidence of our Revolutionary War past. Lancaster and York Counties served as venues for the Continental Congress when it left Philadelphia upon the British occupation of that city. In the courthouse in York, the Congress approved the Articles of Confederation and Perpetual Union, the nation's "first constitution," and sent it forth to the states for ratification. In the summer of 1781, Continental Army General James Wood established Camp Security, housing more than a thousand British soldiers from General John Burgoyne's army, which had surrendered at Saratoga.

The region also has an abundance of natural resources including migratory bird nesting sites, remnants of old growth forests, and areas of both ecological diversity and scenic quality. Ferncliff, known for its wildflowers, and the Susquehanna Gorge are both designated National Natural Landmarks. Recreational resources abound in the region, including the Kelly's Run and Susquehanna River Water Trails, both National Recreation Trails.

S. 349 designates the Lancaster-York Heritage Region, a non-profit organization, as the proposed management entity for the Susquehanna Gateway National Heritage Area. The area, designated as a state heritage area in 2001, recently changed its name from the Lancaster-York Heritage Region to the Susquehanna Gateway Heritage Area, to reflect the area's expanded focus, which includes the cultural and economic value of the Susquehanna River. The management entity, now known as Susquehanna Heritage Corporation, has demonstrated success in coordinating among diverse partners in Lancaster and York counties. Over the past nine years, Susquehanna Heritage Corporation has been effective in facilitating preservation, interpretative, and educational projects and in leveraging community participation and funding. The heritage area has strong support from the public and from a myriad of state, local, federal, and non-governmental partners throughout the area. In 2008, this entity prepared a national heritage area feasibility study that was reviewed by the National Park Service and found to meet the interim criteria for potential designation.

The bill, as introduced, contains provisions that have become standard for designating national heritage areas. However, if the Committee decides to act on this bill, we would request the opportunity to work with the Committee to amend the language in Section 5(a), designating the management entity, due to the management entity changing its name and to discuss some other provisions where clarifications or technical corrections may be needed.

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

S. 1596

Thank you for the invitation to present testimony on S. 1596, the Gold Hill-Wakamatsu Preservation Act, which would authorize the Secretary of the Interior to acquire the Gold Hill Ranch from willing sellers using non-federal contributions and 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). We support the goals but note 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. 1596.

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 20 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 two years, after which the land—known as the Gold Hill Ranch—was acquired by its current owners, the Veerkamp family. The Veerkamps now desire to sell the property; however, they recognize its historic and cultural significance and hope to sell it to a governmental entity.

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 Japanese immigrant grave 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, so preservation would prevent the loss of an important pioneering site. Members of that community, including the Japanese American Citizens League, Representative Doris Matsui and California State Assemblyman Alan Nakanishi, are working with the American River Conservancy (a local land trust) 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 American River 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 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. 1596

S. 1596 would authorize the Secretary of the Interior, acting through the BLM, to acquire the Gold Hill Ranch from willing sellers using non-federal contributions and 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. BLM notes that it can make the acquisition under its existing authorities, subject to budget priorities and the availability of appropriations. However, this project did not rank high enough in the BLM's annual national ranking process for inclusion in the land acquisition priority lists for the 2010 and 2011 budgets. The legislation is also unclear as to the purposes for which the use of appropriated funds is authorized, and the BLM would like to work with the sponsor and the Committee to clarify this provision.

The bill does not waive a fair market value determination. Therefore an appraisal by the Department of the Interior's Office of Valuation Services would be required before acquisition. Based on the experience of the BLM and American River Conservancy with land values in this area, the $3,290,000 limit identified in S. 1596 for the cost of acquisition appears to be reasonable. We would note, however, that it is BLM policy to engage in fair market valuations for its acquisitions, disposals, and exchanges.

We appreciate provisions in section 4(d) that give the Secretary discretion regarding development of a visitor center and direct that private funds or State grants be used to the maximum extent practicable to leverage the cost of constructing the visitor center and conducting restoration activities. This provides an excellent opportunity for expression of community support for preservation and restoration of this site.

Conclusion

Thank you for the opportunity to present testimony in support of the goals of S. 1596, and we look forward to working with the sponsor and the Committee to clarify the legislation.

S. 1651

Thank you for the invitation to present testimony on S. 1651, 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. 1651.

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. 1651—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 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. 1651

S. 1651 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. 1651 affirms the applicability of the National Historic Preservation Act to the Whitefish Point Light Station. The BLM supports this legislation.

Conclusion

Thank you for the opportunity to present testimony in support of S. 1651.

S. 1750

Mr. Chairman, thank you for the opportunity to appear before you to provide the Department of the Interior's views on S. 1750, a bill to authorize a special resource study to determine the suitability and feasibility of designating the General of the Army George Catlett Marshall National Historic Site at Dodona Manor in Leesburg, Virginia and for other purposes.

The Department supports enactment of S. 1750. However, we recommend that the title of the bill be amended to refer to the "General George C. Marshall House (Dodona Manor)" rather than the "General of the Army George Catlett Marshal National Historic Site," as the former is consistent with the landmark's current listing on the National Register of Historic Places. We also believe that priority should be given to the 45 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. 1750 authorizes a special resource study for General George C. Marshall's home, Dodona Manor. One of the options that the study would consider is making the site an affiliated area of the National Park System. The study would also consider other alternatives for preservation and protection of the home and interpretation of the life and accomplishments of George C. Marshall. The home was des-

ignated a National Historic Landmark in 1996. We estimate the cost of this study to range from $200,000 to $300,000, based on similar types of studies conducted in recent years.

Born in 1880 in Uniontown, Pennsylvania, George Marshall attended the Virginia Military Institute to prepare for a military career. He rose steadily through the ranks, serving with distinction in various posts in the United States, the Philippines, and China, and in Europe during World War I. In World War II, General Marshall led the Allied forces to victory in the Atlantic Theatre. Following the war, as Secretary of State, Marshall designed a humanitarian program for rebuilding war-ravaged Europe. For his ambitious European Recovery Plan, more broadly known as the Marshall Plan, Marshall was awarded the 1953 Nobel Peace Prize.

General Marshall enjoyed living at Dodona Manor for 18 years from 1941 until his death in 1959. At the time of the Civil War, the house was called Oak Hill. Marshall, who likened the sound of the white oak leaves rustling in the wind to the ancient Greek oracle of Zeus speaking through the oak forest of Dodona Grove in Epirus, renamed the house "Dodona Manor." While living there, he rose from being an Army officer respected for his military contributions to one of the most important and respected world figures of the 20th Century. Winston Churchill, recalling the years of World War II, said that the only individual on whom all the leaders conferred unqualified praise and admiration was General Marshall.

Many military post houses across the United States were occupied by General Marshall and his first and second wives, but never for long. Dodona Manor was his residence for the last 18 years of his life, coinciding with his years of national and international achievement. General Marshall brought his best possessions to Dodona Manor—oriental rugs purchased during duty in China, and books in large number, which he owned and read. He indulged his favorite pastime of tilling the earth and planting gardens. From there he commuted to Washington during his military service and later as Secretary of State and Secretary of Defense. Dodona Manor has survived almost entirely as he left it and no other site provides the opportunity for reflection on the years when Marshall rose to become one of the great figures of the 20th Century.

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.

S. 1801

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S.1801, 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. 1801, but is concerned about the addition of certain resources in the bill that were found not to meet congressionally established criteria for unit designation, and the terms of the park-specific grant authorization.

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.

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. Also 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, is a National Historic Landmark.

Delaware's important role as the nation's first state is also exhibited in resources of national significance. 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 Declaration signed 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. 1801 would establish the First State National Historical Park to include the resources cited above that the Special Resource Study found meet the criteria for congressional designation of a unit of the national park system. 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, which would fund 5-7 FTEs, and costs associated with a general management plan at $600,000. The bill provides for $3 million in one-time matching grants for rehabilitation of existing structures to serve as administrative and visitor services facilities for the park and $2.5 million in one-time matching grants for historic preservation, interpretive devices, and the design, construction, installation, and maintenance of exhibits. The latter may include matching grants for research and exhibits at the Zwaanendael Museum in Lewes, and the State Archives in Dover, Delaware. 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.1801 also proposes to include within the park boundary the historic district in Lewes, Delaware. This district is 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. The Department questions adding this historic district to the park boundary as identified in the Special Resource Study since it is not a National Historic Landmark, does not meet the required national significance criterion for unit designation, and is not consistent with the park's purpose as outlined in Section 4(b) of S. 1801.

However, we note that Section 4(g) of S. 1801 permits interpretation of resources related to the purposes of the park located outside of its boundary. We would suggest that any extant resources in Lewes, within or outside of the historic district, relating to early Dutch, Swedish and English settlement, or Delaware's role as the first state, would 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.

We also note that Section 6 would authorize one-time matching grants to State and local governments, private property owners and nonprofit organizations to pay for the historic preservation of non-Federal resources within the park boundaries. While some parks now provide limited financial assistance through cooperative agreements, the limited matching grant authorization proposed in Section 6 could raise expectations that the National Park Service would be asked to provide annual financial assistance for the operation and maintenance of these non-Federal sites within the park boundary.

We would like work with the Committee to further clarify that the grants under Section 6 are one-time grants and not reoccurring grants. We would also like to work with the committee on a technical amendment regarding the appropriate wording for the New Castle Historic District in Section 2(a)(2)(B)(ii) and inclusion of a map reference in Section 3.

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.

S. 1802 AND H.R. 685

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. 1802 and H.R. 685, legislation to require a study of the feasibility of establishing the United States Civil Rights Trail System.

The Department supports S. 1802 as introduced, and H.R. 685 as passed by the House, which are substantially identical. However, we feel that priority should be given to the 45 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.

S. 1802 and H.R. 685 authorize the Secretary of the Interior to conduct a special resource study in order to evaluate a range of alternatives for protecting and interpreting the sites associated with the movement to secure racial equality for African-Americans in the United States in the 1950s and 1960s, including alternatives for potential additions to the National Trails System. We estimate that the cost of this study will range from $500,000 to $750,000, given the large number of sites across multiple states which must be included in the study.

The struggle for civil rights has been a hallmark in the development of the United States from its earliest fight for independence from Great Britain during the 1770s and 1780s through the passage of the landmark 1964 Civil Rights Act guaranteeing all Americans the right to vote and prohibiting discrimination based on race, color, religion, sex, or national origin. The movement leading up to the passage of the Act was filled with violent confrontations that challenged the very foundation of our country, yet it also represented the highest aspirations of its citizens.

The Civil Rights Act of 1964 was the most comprehensive civil rights legislation in the history of the United States and its provisions serve as major themes of the civil rights story both before and after the Act's passage. The Department recognizes that events, places, and individuals important in the civil rights story should be celebrated and commemorated in a way that helps the public understand and appreciate the significance of the era. Many civil rights-related sites have been identified and are currently recognized within the National Park System, the National Trails System, and as National Historic Landmarks, such as those commemorating the life of Martin Luther King, Jr. and well-known events such as the desegregation of Little Rock Central High School and the 1965 Selma-to-Montgomery Voting Rights March.

In 1999, Congress authorized the Secretary to conduct a theme study related to civil rights sites on a multi-state level. The National Park Service, in partnership with the Organization of American Historians, prepared the civil rights framework study to assist the National Park Service in identifying and prioritizing those areas of history significant in illustrating the civil rights story. The study, Civil Rights In America: A Framework for Identifying Significant Sites, was transmitted to Congress on June 2, 2009.

The study identified broad themes within the civil rights story, as well as the events, persons, and places that represent those themes, and assessed the degree to which related sites are represented and recognized. These themes include equal education, public accommodation, voting, housing, equal employment, criminal injustice, immigrant rights, and American Indian civil rights. The study did not assess the feasibility or suitability of inclusion of particular sites into the National Trails System, the National Park System, or as National Historic Landmarks. S. 1802 and H.R. 685 would allow the National Park Service to assess sites specifically associated with the struggle for African-American racial equality from 1954-1968, which touches on most, but not all, of these broad themes.

The study also recommended that the National Park Service complete four National Historic Landmark theme studies to recognize, promote, and protect civil rights-related sites and their relationship to the civil rights story's chronology, historic themes, and how various minorities are represented. National Historic Landmark theme studies are an effective way of assessing whether or not places are nationally significant in American history. They provide a historic context within which to evaluate properties, and identify places that should be studied for national designation.

S. 1802 and H.R. 685 both provide for the proposed study to build upon this and other existing studies and reports. If enacted, this legislation can serve as a keystone piece in the ongoing work of understanding the issues, preserving the place, and telling the stories of the struggle to ensure civil rights for all Americans.

Mr. Chairman, this concludes my testimony. I would be glad to answer any questions that you or other members of the subcommittee may have.

S. 2953 AND H.R. 3388

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 2953 and H.R. 3388, bills that would modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia.

The Department supports S. 2953 and H.R. 3388. The Department previously testified in support of H.R. 3388, on November 5, 2009, before the House Subcommittee on National Parks, Forests and Public Lands.

S. 2953 and H.R. 3388 are identical bills that would authorize two modifications to the boundary of Petersburg National Battlefield in the Commonwealth of Virginia. First, the bills 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 1.7 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. These additional battlefields proposed to be added to the park 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, particularly for those owned by non-profit organizations. 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. However, if the boundary expansion is enacted, the park will be pursuing partnership efforts through easements and donations that 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 1.7 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 the 1.7 acre of land where the perimeter fence is located, in return for a 1.7 acre of the military reservation to be added to the park. The Secretary of the Army is supportive of this provision. There is no cost associated with this authorization.

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.

S. 2976

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. 2976, a bill to designate the Sleeping Bear Dunes National Lakeshore Wilderness at Sleeping Bear Dunes National Lakeshore in the State of Michigan.

The Department strongly supports enactment of S. 2976. However, we recommend that the wilderness be designated as the "Sleeping Bear Wilderness," rather than "Sleeping Bear Dunes National Lakeshore Wilderness," as the former is consistent with the style of the majority of wilderness areas in units of the national park system. 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. It defines the boundary of the wilderness area as the line of demarcation—the general line formed by the lakeward extent of the first contiguous vegetation that is upland from the high water mark of Lake Michigan. 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, the most visited of our Great Lakes, and the only one entirely within the United States. It also includes two large Lake Michigan islands with an additional 35 miles of shoreline. The National Lakeshore protects and preserves superlative scenic and recreational resources including towering perched sand dunes that rise as high as 450 feet above Lake Michigan; miles of beautiful sugar sand beaches; sparkling inland lakes and clear streams; important wetlands; and an upland beech-maple Northern Hardwood Forest. This landscape is home to black bear, deer, bobcat, trumpeter swans, raptors, and many species of songbirds. Federally threatened and endangered species include the Piping Plover, Pitcher's Thistle, and Michigan Monkeyflower as well as several state-listed species. The high, perched dunes afford spectacular views across Lake Michigan and over other glacially formed landscapes. The contrast between the open, sunny environment of the dunes and the adjacent lush beech-maple forests is striking.

The park includes many historic features as well. Long before the area became a National Lakeshore, Native Americans, lumbermen, merchant sailors, and farmers visited or settled here. Today, a lighthouse and three U.S. Life-Saving Service Stations, coastal villages, and picturesque farmsteads reflect the National Lakeshore's rich maritime, agricultural, and recreational history and are open for public enjoyment. The region surrounding the National Lakeshore is a popular vacation and summer home destination. In recent times, the area has undergone considerable growth as homes and support services are built for expanding full-time and summer populations.

The park receives nearly 1.2 million visitors each year who enjoy the beaches, hiking, camping, backpacking, hunting, fishing, bird watching, paddling the lakes and streams, cross-country skiing, snowshoeing, ferry trips to the islands, touring historic areas, the spectacular views from the Pierce Stocking Scenic Drive, and the rite of passage of the famous Dune Climb. The park maintains over 100 miles of backcountry trails, two campgrounds accessible by vehicles, six backcountry camp-

grounds, and dispersed camping on North Manitou Island. The National Park Service estimates that the presence of the National Lakeshore brings nearly $30 million of economic benefit to the local community each year.* 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. 2976 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 unsuitable for anything but 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, and the backcountry, and to promote visitor access to historic areas. Although the National Lakeshore boundary extends one-quarter mile out into Lake Michigan, none of the waters of Lake Michigan are proposed as wilderness. S. 2976 would authorize the use of boat motors on the surface water of Lake Michigan adjacent to the wilderness and beaching of those boats below the line of demarcation, 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. Designation of the Sleeping Bear Dunes National Lakeshore Wilderness Area will not limit public access or change the way the area is currently being managed for public use and enjoyment. Permanent wilderness designation in Sleeping Bear Dunes National Lakeshore will ensure protection of significant ecological resources and wilderness values along with solitude, quiet, and unconfined recreation for this and future generations in the areas proposed as wilderness within the National Lakeshore.

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. Approximately 36,000 acres within the Lakeshore were identified as being potentially eligible for wilderness designation in five areas of the park. 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. 2976. 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. 2976 would support the overarching vision in the new GMP for Sleeping Bear Dunes National Lakeshore, which is to value the lakeshore primarily for preservation of its natural resources, and for the opportunities it provides for visitor enjoyment of natural, cultural, and recreational resources in a scenic outdoor setting. 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 appro-

*Stynes, Daniel J. "National Park Visitor Spending and Payroll Impacts: 2008." National Park Service, 2009.

priate 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.

S. 3159 AND H.R. 4395

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 3159 and H.R. 4395, bills that would add the historic Lincoln Train Station in the Borough of Gettysburg and 45 acres at the base of Big Round Top to Gettysburg National Military Park in the Commonwealth of Pennsylvania.

The Department supports enactment of this legislation. The Department previously testified in support of H.R. 4395 on January 21, 2010, before the House Subcommittee on National Parks, Forests and Public Lands.

Gettysburg National Military Park protects major portions of the site of the largest battle waged during this nation's Civil War. Fought in the first three days of July 1863, the Battle of Gettysburg resulted in a victory for Union forces and successfully ended the second invasion of the North by Confederate forces commanded by General Robert E. Lee. Historians have referred to the battle as a major turning point in the war—the "High Water Mark of the Confederacy". It was also the Civil War's bloodiest single battle, resulting in over 51,000 soldiers killed, wounded, captured or missing.

The Soldiers' National Cemetery within the park was dedicated on November 19, 1863, when President Abraham Lincoln delivered his immortal Gettysburg Address. The cemetery contains more than 7,000 interments including over 3,500 from the Civil War. The park currently includes nearly 6,000 acres, with 26 miles of park roads and over 1,400 monuments, markers, and memorials.

Gettysburg's Lincoln Train Station was built in 1858 and is listed on the National Register of Historic Places. The station served as a hospital during the Battle of Gettysburg, and the wounded and the dead were transported from Gettysburg through this station in the aftermath of battle. President Abraham Lincoln arrived at this station when he visited to give the Gettysburg Address.

Gettysburg National Military Park's 1999 General Management Plan called for expanding cooperative relationships and partnerships with the Borough of Gettysburg and other sites "to ensure that resources closely linked to the park, the battle, and the non-combatant civilian involvement in the battle and its aftermath are appropriately protected and used." In particular, the plan stated that the National Park Service would initiate "cooperation agreements with willing owners, and seek the assistance of the Borough of Gettysburg and other appropriate entities to preserve, operate and manage the Wills House and Lincoln Train Station."

The Borough of Gettysburg Interpretive Plan called for the Lincoln Train Station to be used as a downtown information and orientation center for visitors—where all park visitors would arrive after coming downtown—to receive information and orientation to downtown historic attractions, including the David Wills House. This is the house where Lincoln stayed the night before delivering the Gettysburg Address. The Interpretive Plan also called for rehabilitation of the Wills House, which was added to the park's boundary through Public Law 106-290 in October 2000, and is now a historic house museum in the borough and an official site within Gettysburg National Military Park. Through a Memorandum of Understanding, the David Wills House is operated by Main Street Gettysburg at no cost to the National Park Service.

The Lincoln Train Station is next to the downtown terminus of Freedom Transit, Gettysburg's shuttle system, which started operations in July 2009 with a grant from the Federal Transit Administration in the Department of Transportation.

In 2006, the Borough of Gettysburg completed rehabilitation of the Lincoln Train Station with funds from a Commonwealth of Pennsylvania grant. Due to a lack of funds, however, the borough has been unable to operate a visitor information and orientation center there. Through formal vote of the Borough Council, the Borough of Gettysburg has asked the National Park Service to take over the ownership and operations of the train station. The anticipated acquisition cost for the completely rehabilitated train station is approximately $772,000, subject to an appraisal by the federal government. Funding to acquire this land would be subject to the availability of appropriations and NPS priorities.

The park has a preliminary commitment from the Gettysburg Convention and Visitor Bureau (CVB) to provide all staffing requirements for operations of an information and orientation center in the train station, thereby alleviating the park of

staff costs. Anticipated operating costs for the train station that will be the responsibility of the NPS are limited to utility costs, the rest will be paid by the Gettysburg CVB. In the event that the Gettysburg CVB is unable to provide staffing and funding for operations, the NPS would seek another park partner to cover these costs and requirements.

S. 3159 and H.R. 4395 would also add 45 acres near Big Round Top along Plum Run in Cumberland Township, Pennsylvania to the boundary of the park. The 45-acre tract of land is adjacent to the Gettysburg National Military Park and is within the Battlefield Historic District. The land is at the southern base of Big Round Top at the southern end of the Gettysburg battlefield. There were cavalry skirmishers in this area during the Battle of Gettysburg, July 1863, but the real significance is environmental. The tract has critical wetlands and wildlife habitat related to Plum Run. Wayne and Susan Hill donated it to the Gettysburg Foundation in April 2009. The Gettysburg Foundation plans to donate "fee title interest" in the parcel to the National Park Service once it is within the park boundary. It abuts land already owned by the National Park Service.

When H.R. 4395 was marked up by the House Committee on Natural Resources, the bill was amended to combine two map references into one map that shows both parcels. If S. 3159 moves forward we recommend that the bill be amended to reflect this newer map.

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

S. 3168

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 3168, a bill to authorize the Secretary of the Interior to acquire certain non-Federal land in Pennsylvania for inclusion in the Fort Necessity National Battlefield.

The Department supports the enactment of this legislation with amendments. Acquisition of the property, however, would be dependent on the results of an appraisal of its value, future availability of funding, and National Park Service acquisition priorities.

S. 3168 authorizes the acquisition of approximately 157 acres in Farmington, Pennsylvania. Upon acquisition, it further authorizes a boundary adjustment for Fort Necessity National Battlefield. The property contains traces of the historic Braddock Road and other resources.

Fort Necessity National Battlefield was the site of the first battle of the French and Indian War in July 1754. The war's outcome determined that the British, rather than the French, would control the Forks of the Ohio and, therefore, development of the colonies. Leading troops as a then-young lieutenant colonel in the Virginia Regiment, this battle was future General George Washington's first and only surrender.

The existing authorized boundary of Fort Necessity National Battlefield contains traces of the Braddock Road, built in 1755 as part of British Major General Edward Braddock's unsuccessful and bloody campaign to take Fort Duquesne at the Forks of the Ohio, a campaign during which Washington served as a volunteer aide to General Braddock. Washington had originally blazed this road in his 1754 expedition.

The property that is the subject of S. 3168 contains both historical and landscape resources relating to the purpose of Fort Necessity National Battlefield. If acquired, approximately 500 feet of the historic Braddock Road trace would be added to the park and would adjoin the existing portion of the trace within the current boundary.

An archeological site, dating approximately from the period of the 1770s to 1810s, is located on the subject property. Taverns were constructed along the Braddock Road following the American Revolution, but prior to the construction of the National Road. The property contains archeological remains of a former tavern structure and associated outbuildings and landscape. The property is contiguous to the park's current southeastern boundary and is becoming increasingly important as development pressures impact areas immediately adjacent to the park. The owner of the property is a willing seller.

We would like to like to work with the Committee to develop amendments that would provide a more precise identification of the land that would be authorized for acquisition and to make some minor technical changes.

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

Senator UDALL. Thank you, Mr. Whitesell. I would note that to give you 5 minutes to talk about 10 different bills and combinations was probably unfair to start with. So thank you for being so succinct.

I know we've been joined by Senator Bennet and, Mr. Holtrop, if you're willing to wait a little bit longer and suspend your testimony—I think Senator Bennet's fine if you stay up at the table. We want to hear Senator Bennet provide us with his thoughts on his bill, S. 3303, the Chimney Rock National Monument proposal.

So welcome to the subcommittee, Senator. I'm proud to be a co-sponsor of your legislation and looking forward to hearing you testify.

STATEMENT OF HON. MICHAEL F. BENNET, U.S. SENATOR FROM COLORADO

Senator BENNET. I'm proud to call you "Mr. Chairman."

Senator UDALL. Thank you.

Senator BENNET. Thank you, Mr. Chairman, for having me here. Ranking Member Burr, thank you also, for the opportunity to testify at today's hearing on the Chimney Rock National Monument Act of 2010. I introduced this legislation earlier this month. Chairman Udall, I want to extend a special thanks to you, as you said, for joining me as an original co-sponsor on this important piece of legislation.

I also want to recognize Commissioner Bob Moomaw, who's here today. He's sitting behind me and you'll hear from him later. Commissioner Moomaw is a county commissioner from Archuleta County, Colorado, where Chimney Rock is located. Bob, along with his 2 fellow Archuleta County commissioners, penned a letter to me earlier this year expressing strong support for this legislation to designate Chimney Rock a national monument.

Bob, I know you're a busy guy and I want to express my sincere thanks for taking the time to testify in support of this legislation.

I'm here today to testify in support of S. 3303, the Chimney Rock National Monument Act of 2010. Chimney Rock is located roughly 20 miles west of Pagosa Springs in the southwest part of our State of Colorado. This 4700-acre site is located on San Juan National Forest land and is recognized as perhaps the most significant historical site managed by the entire U.S. Forest Service.

The Twin Spires of Chimney Rock depicted in the photo besides me attracted the ancestors of the modern Pueblo Indians to this area nearly a thousand years ago. This unique culture had their main settlement in Chaco Canyon, New Mexico. It had a settlement at what is now Mesa Verde National Park near Cortez, Colorado. The Chaco people established a remote outpost at the base of Chimney Rock called the Great House Pueblo. The Great House is situated just south of the Twin Spires and also is shown beside me.

The house was built from 6 million stones, 5,000 logs, and 25,000 tons of earth and clay. All of these materials were arduously hauled 1,000 feet up from the valley floor.

We think they established this outpost to observe a rare lunar event, a so-called major lunar landstill, which occurs once every 18.6 years when the moon appears to rise in the exact same spot

3 nights in a row. The Chaco people built the Great House Pueblo to observe this spectacular celestial event.

There are only 2 other places in the world where archaeologists have found evidence that ancient people used stone structures to mark a lunar standstill. Stonehenge is one of them.

Chimney Rock has incredible historical and cultural significance. Yet the site lacks a designation equal to that stature. This discrepancy is why countless preservation groups got involved with Chimney Rock. This constituency, coupled with a bipartisan group of local officials, local Colorado counties, municipalities, and tribes, have joined in an effort to give Chimney Rock its proper designation. They came together and asked me to carry legislation to designate Chimney Rock a national monument. I was happy to answer that call.

This legislation will provide much-needed protection and much-deserved recognition for the site. Passage of this bill will also provide increased tourism and economic development in southwest Colorado, something I know Commissioner Moomaw plans to talk more about.

The measure was drafted with the help of the U.S. Forest Service, the Archuleta County Commissioners, the Pagosa Springs Town Council, historic preservation groups, and Native American tribes in the region. Through this robust stakeholder process, we've written a commonsense piece of legislation for this important archaeological treasure.

I would draw the committee's attention to a number of letters I brought with me today that support the overall effort. The letters come from a bipartisan group of Archuleta County Commissioners, where Commissioner Moomaw serves, the Mayor and Town Council of Pagosa Springs, Colorado, the town nearest Chimney Rock, and a wide variety of historical preservation groups from Colorado and all across the country. I'd like to submit these letters into the record to illustrate the broad level of local support for this popular legislation.

Senator UDALL. Without objection.

Senator BENNET. Thank you, Mr. Chairman.

My staff and I stand ready to work with the members of the committee and the administration to address any concerns that arise with the legislation as drafted. It's my hope that we can work collaboratively to improve and strengthen the legislation. It's then my hope that the committee will support the bill and favorably report it out for consideration by the full Senate.

Thank you again, Chairman Udall and Senator Burr, for allowing me the opportunity to testify on behalf of this measure.

Senator UDALL. Senator Burr, do you have any comments or questions?

Senator BURR. No, thank you.

Senator UDALL. Thank you, Senator Bennet. I would note 2 things briefly. One is that local involvement is wide, robust, and strong. Second, I've been informed that this 18.6-year cycle just began again, so I need to follow Senator Burr's exercise and nutrition protocols so that I'm around to see it in 16 years.

Senator BENNET. That's a good idea.

Senator UDALL. I'm not worried about you.

Senator BENNET. I was worried that my remarks were going to last 18.6 years, but they didn't.

Senator UDALL. Thank you, Senator Bennet.

Senator BENNET. Thank you.

Senator UDALL. I know we have a cloture vote looming, so I'm going to turn to Mr. Holtrop, and we'll hopefully get some questions in before Senator Burr and I need to go to the floor, hopefully briefly, and then we'll, after we recess, we'll then hear from the final panel.

The floor is yours, sir.

STATEMENT OF JOEL HOLTROP, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. HOLTROP. Mr. Chairman and Ranking Member Burr: Thank you for the opportunity to provide the Department's views on S. 3303, which would establish the Chimney Rock National Monument in Colorado. As your opening statement and Senator Bennet's statement indicate, Chimney Rock is a very important archaeological and cultural site to the local community, to the tribes, to the public, and to the Forest Service.

We believe the rich history, spectacular archaeological, cultural, scientific, watershed, and scenic resource values, as well as the community support, merits the designation of the area as a national monument. Chimney Rock is also a very special place to me personally.

I have visited, enjoyed, and been inspired by the area and I am proud to testify today on behalf of the Department on legislation that would give this natural treasure the recognition it deserves.

Designated as an archaeological area and national historic landmark in 1970, Chimney Rock lies on 4100 acres of the San Juan National Forest, surrounded by the Southern Ute Indian Reservation. The Forest Service values archaeological and cultural resources and is proud that part of the agency's mission is to preserve and interpret them for the public. We believe this bill is a win-win for all.

While the Department supports S. 3303, in my written testimony which I have submitted for the record I offer a few specific modifications that would address some technical concerns we have with the bill and would improve our ability to manage resources in the area. Very briefly, I'll highlight some of the modifications we suggest.

Regarding the requirement to designate an individual as manager of the national monument, we would like the opportunity to assess staffing and management needs during the early phases of our planning process to base our initial staffing and management decisions on identified resource management needs and issues and public concerns and demands.

Regarding the authority in Section 6[c] to construct a visitor's center and related exhibit and curatorial facilities, the Anasazi Heritage Center, a BLM facility, is managed in a service-first arrangement by the San Juan National Forest supervisor and is one of the largest curation centers in the Southwest, and it should be used for this purpose.

Regarding the mining and mineral withdrawal in Section 6[d], we recommend inclusion of language in this section providing that the proposed withdrawal would be subject to valid existing rights or that some other appropriate language be added that addresses this concern.

Mr. Chairman, again thank you for the opportunity to talk about Chimney Rock today. The Forest Service looks forward to working with you and the subcommittee and sponsors to carry out the intent of the bill, and I would be happy to answer any questions that you may have.

[The prepared statement of Mr. Holtrop follows:]

PREPARED STATEMENT OF JOEL HOLTROP, FOREST SERVICE, DEPARTMENT OF AGRICULTURE, ON S. 3303

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide the views of the Department of Agriculture on S. 3303, the Chimney Rock National Monument Act of 2010. While the Department supports S. 3303, I would like to offer modifications that would address some technical concerns with the bill and which would improve our ability to manage resources in the area.

Designated as an Archaeological Area and National Historic Landmark in 1970, Chimney Rock lies on 4,100 acres of San Juan National Forest land surrounded by the Southern Ute Indian Reservation. Between A.D. 900 and 1150, the ancestors of modern Pueblo Indians occupied the lands surrounding Chimney Rock, and the site remains of archaeological and cultural significance to many descendant tribes. At 7,600 feet, Chimney Rock is also the most northeasterly and highest Chacoan site known. Chacoan culture refers to the way of life of ancient ancestors of modern Pueblo Indians and continues to be important to the native people in the region.

The Forest Service values archaeological and cultural resources and considers it part of the agency's mission to preserve and interpret them for the public. We believe the rich history, spectacular archaeological, cultural, scientific, watershed, and scenic resource values, as well as community support, merits the designation of the area as a National Monument.

Section 4(a) of S. 3303 would establish the Chimney Rock National Monument in the State of Colorado by designating 4,726 acres surrounding the Chimney Rock Archaeological Area within the San Juan National Forest as a National Monument. The purpose of the monument would be to preserve, protect, and restore the nationally significant archaeological, cultural, scientific, watershed, and scenic resources in the area, as well as enable the public to fully utilize the resources in the area. Section 7(c) of the bill would also provide for continued access by Indian tribes to sites within the National Monument for traditional and cultural uses.

Section 4(b)(2)(A) would authorize the Secretary to make minor boundary adjustments to the monument to include significant archeological resources discovered on adjacent public land. We recommend that the bill be amended to substitute "National Forest System land" for "public land" to make clear that the only public land adjacent to the proposed monument boundary is Forest Service land. Section 4(c) would require the Secretary to designate an individual as manager of the National Monument. To implement this provision, the organizational structure of the San Juan National Forest would have to be amended to accommodate the new position. We would prefer to be provided the opportunity to assess staffing and management needs during the early phases of our planning process, allowing us to base our initial staffing and management decisions on identified resource management needs and issues, and public concerns and demands.

Section 6(a) would require the monument to be managed as a unit of the San Juan National Forest. We recommend making a technical amendment to this section to add language that would require the Secretary to manage the monument in accordance with any other applicable provisions of law. This change would make it clear that laws applicable to management of the forest would also apply to management of the monument.

Under section 6(b) and (c), the Secretary would be authorized to allow uses of the monument consistent with the purposes of its establishment including the following uses: vegetative management treatments; timber harvest and the use of prescribed fire only if the Secretary deems it necessary to address the risk of wildfire, insects, or diseases; the construction of a visitor's center and related exhibit and curatorial facilities; scientific research; acquisition consolidation, and display of artifacts found

within the monument; the recreational and administrative use of mountain bikes and motorized vehicles; installation, construction and maintenance of a public utility right of way under certain circumstances; and grazing uses through permits.

We believe that an interpretation and educational center, instead of a visitor's center, would be more in line with the bill's purposes of providing educational and interpretive programs to communities, and allowing for academic scientific investigation of Chimney Rock. Although the bill would authorize construction of a curatorial facility, the Anasazi Heritage Center, a BLM facility, is one of the largest curation centers in the Southwest and should be used for this purpose. In fact, many materials from Chimney Rock are already curated at this facility.

Section 6(d) of the bill would withdraw the affected lands from location, entry, and patent under the United States mining laws; and would withdraw those areas from the laws governing mineral leasing, geothermal resource leasing and mineral materials. A problematic aspect of section 6(d) is it does not preserve valid existing rights to the land that the bill would designate as the Chimney Rock National Monument. There are currently mining claims, mineral leases, and mineral material contracts which encumber the lands to be included in the monument. The bill, as written, would prohibit the exercise of rights which may be associated with these existing mining claims and are associated with these mineral leases and mineral materials contracts. For these reasons, we recommend inclusion of language in this section providing that the proposed withdrawal would be subject to valid existing rights, or that some other appropriate language be added that addresses this concern.

Section 7 would require the development of a management plan, not later than 3 years after the date of enactment, and in consultation with Indian Tribes with a cultural or historic connection to the monument. The management plan must identify the authorized uses for the monument. In developing the management plan, the Secretary would provide an opportunity for comment to the public and such entities as State, Tribal government, local, and national organizations with an interest in the management and use of the monument. The San Juan National Forest land management plan would have to be amended to incorporate the management plan for the monument. Because of the importance of creating a successful management plan in collaboration with the community, Tribes, and the public, and the time needed to achieve this, the Department recommends the bill language be changed to state that the management plan shall be completed no later than five (5) years after the date of enactment.

In conclusion Mr. Chairman, the Forest Service looks forward to working with you and the subcommittee to carry out the intent of the bill. I would be happy to answer any questions you may have. Thank you.

Senator UDALL. Thank you, Mr. Holtrop. Let me turn to Senator Burr for any questions he might have of either of you.

Senator BURR. Thank you, Mr. Chairman.

Steve, the National Park Service currently reports a maintenance backlog of over $9 billion. Yet 6 of the bills in front of the subcommittee today establish either new national park units or increase the amount of land in current units. I guess the obvious question: Do you believe the National Park Service should pay down the maintenance backlog before it considers more land or more obligations?

Mr. WHITESELL. You know, I think these always have to be balanced as one looks at that potential addition to the National Park System. The feeling I think among most of us is that the addition of these lands are appropriate to the system. Hence the administration's willingness to go forward with their addition.

Senator BURR. In the case of those bills that you support, is the Secretary willing for that to come out of the annual budget?

Mr. WHITESELL. For land acquisition?

Senator BURR. Yes.

Mr. WHITESELL. I believe that we've pointed out in most of those cases that we would be using available funds.

Senator BURR. So the answer is no.

Mr. WHITESELL. I don't think we're asking for any additional dollars for that acquisition, no, sir.

Senator BURR. So the agency's not willing to take it out of its annual budget. It would require additional appropriations from the Congress?

Mr. WHITESELL. That's correct.

Senator BURR. OK.

How much will each of the pieces of legislation cost, 3 of them, S. 349, the Susquehanna Gateway National Heritage Area?

Mr. WHITESELL. I believe the costs are relatively small in terms of what's required in order to get that site off the ground, that heritage area.

Senator BURR. My calculation was it authorized $10 million over a period of time.

Mr. WHITESELL. Right.

Senator BURR. Is that $10 million just the initial phase, the initial investment?

Mr. WHITESELL. I think that's part of the question that comes forward with our request to Congress for consideration for——

Senator BURR. You defer to opinion, and I hope we get a fixed cost on that.

How about acquiring the Gold Hill Ranch in Coloma, California? I sense a cost of $3.3 million to acquire.

Mr. WHITESELL. I'd have to defer to Mr. Spisak on that question.

Mr. SPISAK. The authorization is about $3.4 million.

There are at this point $2 million that have been collected from private funds that would go toward the acquisition of that property.

Senator BURR. That wouldn't have anything to do with the ongoing management of that property, the cost of it?

Mr. SPISAK. That would be the acquisition portion.

Senator BURR. OK.

Senator UDALL. Sir, if I could interrupt, Senator Burr. Would you just provide us with your name and position for the record?

Mr. SPISAK. Tim Spisak, Deputy Director for Minerals and Realty Management within the Bureau of Land Management.

Senator UDALL. Thank you.

Senator BURR. First State National Historic Park?

Mr. WHITESELL. You were interested in what the costs are on that?

Senator BURR. Correct.

Mr. WHITESELL. I believe the expectation for annual operating costs are someplace in the order of about $450 to $500,000 a year for staffing of that facility, plus there's a portion of money that we are looking to for potential grants for historic preservation activities.

Senator BURR. Three million in acquisition and $2.5 million additional dollars in potential grants.

Mr. WHITESELL. Yes, sir.

Senator BURR. Thank you.

May I ask you on S. 2953, S. 3159, S. 3168, they seek to expand a national park unit. How much of the land involved in the proposed expansion do we know is under current private ownership?

Mr. WHITESELL. I don't know. I know specific locations which are under private ownership. For instance, the piece at Fort Necessity

is privately owned, and has a willing seller that has actually approached the National Park Service about sale of that particular property.

Senator BURR. Would the Park Service consider using eminent domain in any of the acquisitions?

Mr. WHITESELL. We always try to go forward with a willing seller arrangement.

Senator BURR. Let me ask it one more time: Would the Park Service consider on either one of those pieces of legislation using eminent domain to acquire the land?

Mr. WHITESELL. We would if we could not in any other way find an ability to acquire property. We seek that very seldom, though, as I think you know.

Senator BURR. I do.

Steve, do we know if hunting is currently allowed on any of the land that's being proposed in those 3 acquisitions?

Mr. WHITESELL. That includes, I believe, a piece at Sleeping Bear Dunes. My understanding is that the change in the wilderness proposals in that particular area have no impact on current hunting or fishing activities in those areas. In fact, the wilderness area was actually very carefully worked out with the local community to make sure that their concerns about access were in fact represented in how the lines were drawn for the Wilderness Act.

Senator BURR. But in the case of private land that was purchased for expansion of a park, it's safe to say that private land is land that can be hunted today. Would it remain with the Park Service as accessible for hunting?

Mr. WHITESELL. It would be only to the extent that hunting is currently allowed within those existing parks. Where we're expanding the boundary, we would expand the same, whatever the current management practices are.

Senator BURR. So if it did not extend hunting, then hunting would be lost on the acquired lands?

Mr. WHITESELL. That is correct.

Senator BURR. I thank the chair. I think that's good enough. Thank you.

Senator UDALL. Thank you, Senator Burr.

I might as a follow-up, as I recognize myself. On the 2 battlefield bills, there are sections that make it clear that the Secretary may acquire only by purchase from a willing seller publicly owned property that's located within the property designated in this section. Similar language is—that is the legislation dealing with Gettysburg, and then there's similar language in the Petersburg National Battlefield legislation as well.

Mr. WHITESELL. Right. Thank you, Senator.

Senator UDALL. That may answer further Senator Burr's important questions.

Mr. Holtrop, let me turn to you first and I've got a question about Chimney Rock. You've identified a couple of technical management issues you'd like to see changed and we're more than happy to work with you on those proposed modifications, including the clarification that the monument designation would not affect any existing valid rights.

Apart from those changes, I just want to make it clear for the record that the Forest Service agrees that national monument designation for Chimney Rock—let me say, for the Chimney Rock site—I want to be appropriate and careful here—is appropriate; is that correct?

Mr. HOLTROP. That is correct, we do believe it's appropriate.

Senator UDALL. Thank you for that clarification and clear answer.

Let me turn back to Mr. Whitesell. On the Susequehanna Gateway National Heritage Area, you're recommending the committee defer action on the bill until the administration submits heritage program legislation in the near future.

Mr. WHITESELL. Right.

Senator UDALL. Can you provide us with more detail on when you expect to have that legislation ready?

Mr. WHITESELL. We've worked on that proposed legislation within the National Park Service, but we are awaiting further discussions with the Office of Management and Budget for their clarifications on it.

Senator UDALL. You'll keep us apprised, I assume?

Mr. WHITESELL. We certainly will.

Senator UDALL. Apart from the recommendation to defer action, does the Park Service consider the proposed heritage area for the Susquehanna appropriate for national heritage designation?

Mr. WHITESELL. It does.

Senator UDALL. Let me turn to First State National Historical Park, Delaware, S. 1801. The proposed First State Park would include several sites in different parts of the State. Are you aware of other National Park System areas that have multiple noncontiguous site areas and can you tell us how the management of those sites is handled?

Mr. WHITESELL. I think probably the one that's the closest that I can think of off the top of my head would be Boston National Historical Park, where in Boston you have a series of separate sites owned in many cases by entities other than the Federal Government. They have many of the similar colonial resources that we're looking here at the potential national park in Delaware.

So they're owned by private entities, not-for-profit organizations who work with the National Park Service toward the preservation of those particular properties. The Park Service provides some degree of oversight and general direction for the entire park and particularly supports the interpretive programs in those locations.

Senator UDALL. So there is at least a precedent or a parallel of some sort?

Mr. WHITESELL. I believe so, yes.

Senator UDALL. I'm tempted to ask if those are sites where the first tea party was created. But we'll leave that for another discussion.

My understanding is that none of the sites within the park are federally owned. If there is any Federal land in the park, what would you envision the National Park Service's management role to be? Again, this is on the First State National Historical Park.

Mr. WHITESELL. Yes. Again, I think this would be acquisition only to the extent that it would be necessary to establish a par-

ticular presence. I think very limited acquisition, if any acquisition at all, is anticipated in the development of that park.

Senator UDALL. Then your management role would be what? How would you define that?

Mr. WHITESELL. Much of it is a coordinative role, working with the partner organizations, with the State and local governments to make sure that the interpretive programs are well thought out, that they're coordinated, and that the visitor walks away with a thorough understanding of the importance of the particular units that would make up that park.

Senator UDALL. I would assume when Mr. Slavin testifies he will speak to this and we can also ask him additional questions.

Let me turn finally to the Fort Necessity National Battlefield addition, S. 3168. It authorizes the Park Service to acquire 157 acres for addition to the Fort Necessity National Battlefield. Following on Senator Burr's important questions about cost, do you have any estimate of the potential land acquisition costs?

Mr. WHITESELL. No, we don't. For that particular property, as I say, we've got a willing seller that's approached us with an interest in selling those properties. But we haven't had a chance to do an appraisal on those lands, and that would be necessary before we ever arrived at a fair price.

Senator UDALL. Thank you for that clarification.

Senator Burr, do you have more?

Senator BURR. No, thank you.

Senator UDALL. Gentlemen, thank you again. I always appreciate the fact that you come up here, share your point of view with us, and answer our questions in a straightforward and direct manner. Thank you.

We'll call the third and final panel to the table. We at this point—have we heard anything from the floor? We've heard nothing from the floor, so perhaps we can hear from our third panel and direct some questions their way before the cloture vote is actually called, if it's called at all. I should have asked Senator Bennet for an update from the caucus.

[Pause.]

Senator UDALL. Gentlemen, welcome. Thank you for joining us today. I know that you've come from 3 different States, so I'll just introduce each of you in turn, and then I'll turn back to Commissioner Moomaw for his testimony. It's a delight for me to see Commissioner Robert Moomaw, the Honorable Robert Moomaw. He's a Commissioner of Archuleta County, as Senator Bennet mentioned, based in Pagosa Springs. This is a slice of heaven every time of year, but particularly as the spring looms I know it's just gorgeous at home. We've got a lot of moisture. It's great to have you here, Commissioner.

Next to you, Tim Slavin, the Director of the Division of Historic and Cultural Affairs for the State of Delaware, based in Dover. If I think I heard Senator Carper correctly, you were a key part in this study and the work that was done to design this important proposal that is in front of us today.

Then Mr. Platts is President of the Susequehanna Gateway Heritage Area, based in Wrightsville, Pennsylvania.

Before I do turn to Commissioner Moomaw, I did also want to acknowledge that I think you've been traveling with Roy Jones. I don't know if Roy was able to stay, but I have known Roy for many years. He worked with my father, Congressman Mo Udall, on the House side on many a natural resource issue, and I want to just acknowledge Roy's friendship and wisdom and support. I know you're in good hands, Commissioner, when you're with Mr. Roy Jones. He's a graduate of West Point, a patriot, and just all in all a wonderful man.

Thank you for being here. The floor is yours. I look forward with real interest to your testimony. You have, give or take, 5 minutes to share with us your thoughts. If you'd turn your mike on, that would be great.

STATEMENT OF ROBERT MOOMAW, COUNTY COMMISSIONER, ARCHULETA COUNTY, CO

Mr. MOOMAW. I'm sure as you know, Mr. Jones and I were roommates at West Point.

Senator UDALL. I want that for the record, of course, yes.

Mr. MOOMAW. Chairman Udall, Ranking Member Burr: Thank you for the opportunity to speak in favor of the Chimney Rock National Monument Act of 2010. My name is Bob Moomaw. I am a Commissioner from Archuleta County, Colorado. I have been tasked by my fellow commissioners and the citizens of Archuleta County to testify in support of this important legislation.

As Senator Bennet, mentioned, Chimney Rock is located in Archuleta County in the Four Corners Region of southwest Colorado. The site is located just 20 minutes west of the town of Pagosa Springs and represents a unique archaeological experience.

Senator Bennet has already covered the historic and archaeological significance of Chimney Rock, so I will focus my comments on the positive economic impacts the national monument designation would have on Archuleta County and the surrounding region. Archuleta County is blessed with some of the most beautiful scenario God has given to the State of Colorado and the Nation. We have also been blessed with excellent representation from our Federal elected officials: you, Senator Udall, and Senator Bennet, and in the past Senator Ken Salazar, who is now Secretary of the Interior, and Senator Ben Nighthorse Campbell.

A little about where I hale from. Archuleta County encompasses roughly 900,000 acres, of which 66 percent is Federal land, comprised of BLM, Forest Service, and the Southern Ute Nation. In addition, we are surrounded by approximately 2.8 million acres of Forest Service land.

Despite our overwhelming beauty, Archuleta County is a county of stark extremes. On the one hand we have great wealth and on the other we also, unfortunately, have widespread poverty, particularly among our indigenous long-term residents. Our per capita income is only $21,683. Continued sustainable growth is essential to the future prosperity of Archuleta County. That is why the Chimney Rock National Monument bill of 2010 is so important. The legislation would not only protect a nationally significant site, but it would bring prominence to our small community.

Our economy is mostly based around tourism, construction, and real estate. 26 percent of our homes are second homes. 47 percent of the property is owned by nonresidents. Regrettably, the national downturn has hit our area very hard, with the construction and real estate segments of our economy essentially disappearing.

Prior to the downturn, Archuleta County was one of the fastest growing counties in the country. We were listed I a host of magazines and books as one of the most desirable places to move nationwide. Since the downturn, we have unfortunately lost approximately 10 percent of our population and still have a 10.6 percent unemployment rate.

Now, I don't want to give you the impression that we're coming to the Federal Government to solve our problems. We've already moved aggressively to stimulate our economy and to pull ourselves out of this recession. We've formed a new economic development corporation that is already bringing new businesses to Archuleta County to diversify our economy. Yet struggles in our county continue. While there is no silver bullet to fix our region's economic woes, the Board of County Commissioners feels this new national monument would be a tremendous help.

As Senator Bennet illustrated, the site certainly warrants monument status, both for giving—as a Commission, we support the legislation, both for giving Chimney Rock the recognition it deserves and for the new visitors it will bring to our county.

As briefly discussed earlier, the remnants of the unique Chacoan culture consist primarily of Chaco Canyon, a world heritage site, Mesa Verde, a national park, and the currently little known Chimney Rock archaeological site. Many tourists, including folks from as far away as Europe and Asia, travel to the Chaco Canyon, from Chaco Canyon to Mesa Verde, to get what is perceived to be the complete picture of Chaco culture.

Sadly for Archuleta County, these tourists are often unaware of nearby Chimney Rock and its significance to the ancestral Pueblo people. It is our hope that a national monument designation would change that. Tourists from across the world will come to see the monument, stay in our hotels, eat in our restaurants, and hopefully even visit our world-famous hot springs.

A similar change occurred with Canyon of the Ancients, located in a neighboring community. After Canyon of the Ancients received monument status, tourism went up dramatically.

Chairman Udall, members of the committee, it is for the aforementioned reasons that Archuleta County, surrounding counties, and the Southern Ute Nation are in support of this legislation. Archuleta County respectfully asks that you favorably report the Chimney Rock National Monument Act of 2010 out of your committee for consideration by the full Senate. Passage of this legislation would protect a vulnerable national treasure and bring important sustainable economic development to our tourism-based economy.

Thank you for your time and the invitation to testify. I appreciate the opportunity to share my thoughts on Chimney Rock and its importance to our region. I'm happy to answer any questions should you have them.

[The prepared statement of Mr. Moomaw follows:]

PREPARED STATEMENT OF ROBERT MOOMAW, COUNTY COMMISSIONER, ARCHULETA COUNTY, CO, ON S. 3303

Chairman Udall, Ranking Member Burr, members of the Subcommittee, thank you for the opportunity to speak in favor of the Chimney Rock National Monument Act of 2010, S.3303. My name is Bob Moomaw and I am a County Commissioner from Archuleta County, Colorado. I've been tasked by my fellow Commissioners, and the citizens of Archuleta County, to testify in support of this important legislation.

Chimney Rock is located in Archuleta County, in the Four Corners region of Southwest Colorado. The site is located just 20 minutes west of the town of Pagosa Springs and represents a unique archaeological experience. I will focus my comments on the positive economic impacts the National Monument designation would have on Archuleta County and the surrounding region.

Archuleta County is blessed with some of the most beautiful scenery God has given to the state of Colorado and the nation. We have also been blessed with excellent representation from our Federal elected officials, you—Senator Udall and Senator Bennet; and in the past, Senator Ken Salazar, now Secretary of the Interior, and Senator Ben Nighthorse Campbell.

A little about where I hail from—Archuleta County encompasses roughly 900,000 acres of which 66% is Federal land, including Forest Service, BLM and the Southern Ute Nation. In addition, Archuleta County is bordered by 2.8 million acres of Forest Service land. Despite our overwhelming natural beauty, Archuleta County is also a county of stark extremes.

On one hand we have great wealth—with one of our trophy ranches having just sold for $47 million dollars. On the other we also unfortunately have widespread poverty, particularly among our indigenous long-term residents. Our per capita income is only $21,683.00. Continued sustainable economic growth is essential to the future prosperity of Archuleta County. That is why the Chimney Rock National Monument Bill of 2010 is so important.

The legislation would not only protect a nationally-significant site, but it would bring prominence to our small community. Our economy is mostly based around tourism, construction, and real estate. 26% of our homes are second homes, with 47% of the property owned by non-residents. Regrettably, the national economic downturn has hit our area very hard, with the construction and real estate segments of our economy essentially disappearing.

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The site certainly warrants Monument status. As a Commission we support the legislation—both for giving Chimney Rock the recognition it deserves and for the new visitors it will bring to our County. As briefly discussed earlier, the remnants of the unique Chacoan culture consist primarily of Chaco Canyon, a World Heritage site; Mesa Verde National Park; and what is currently the little-known Chimney Rock Archeological Area.

Many tourists—including folks from as far away as Europe and Asia—travel from Chaco Canyon to Mesa Verde to get what is perceived to be the complete picture of the Chaco culture. Sadly for Archuleta County, these tourists are often unaware of nearby Chimney Rock and its significance to the Ancestral Pueblo people.

It is our hope that a National Monument designation would change that. Tourists from across the world will come to see the Monument, and then stay in our hotels, eat in our restaurants, and hopefully even visit our world-famous hot springs.

A similar change occurred with Canyon of the Ancients—located in a neighboring community in Colorado. After Canyon of the Ancients received Monument status, tourism went up dramatically.

Chairman Udall, members of the committee, it is for the aforementioned reasons that Archuleta County, surrounding counties, and the Southern Ute Nation are in support of this designation. Archuleta County respectfully asks that you favorably report the Chimney Rock National Monument Act of 2010 out of your committee for consideration by the full Senate.

Passage of this legislation would protect a vulnerable national treasure and bring important sustainable economic development to our tourism-based economy. Thank you for your time and the invitation to testify. I appreciated the opportunity to share my thoughts on Chimney Rock and its importance to our region. I am happy to answer any questions should you have them.

Senator UDALL. Thank you. Commissioner Moomaw, you made my homesick.

Mr. Slavin, the floor is yours.

STATEMENT OF TIMOTHY SLAVIN, DIRECTOR, DIVISION OF HISTORICAL AND CULTURAL AFFAIRS, STATE OF DELAWARE

Mr. SLAVIN. Thank you, Chairman Udall, for allowing me to submit this brief testimony on S. 1801, which would establish the First State National Historic Park in the State of Delaware. My name is Tim Slavin and I currently serve as the Director of the Division of Historical and Cultural Affairs for the State of Delaware. In this capacity I oversee the management and stewardship of 34 historic properties comprising 119 structures and more than 600 acres of cultural landscapes. In addition, I also serve as the State Historic Preservation Officer and oversee the cultural resources review of all Federal projects undertaken in our State as well as other historic preservation-related activities.

I strongly support the passage of this bill. This bill is a result of an untold number of hours of public consultations, meetings with State and private agencies, and conversations with local residents. This has been a deliberate, arduous, and productive task and the outcome could not have been more beneficial or useful.

The concept of a multi-site historical-based national park is something which is valid for Delaware and should be implemented by the National Park Service. The theme of early settlement through birth of a Nation in Delaware is considered by many historians to be pivotal in conveying an understanding of Delaware's unique role in American history. The National Park Service cited this in its special resource study, stating that Delaware, quote, "provides an important lens on the subject of how early colonial leaders struggled with the notion of breaking free from England," and that Delaware "exemplifies the character of an entirely new Nation as a result of that quest for freedom and independence."

The multi-site design for the park likewise reflects that history. Delaware's waves of settlement included the Swedish, the Dutch, and the English, all in different venues, across a beautiful and sweeping coastal area. Under the proposed design, the hub of the park would be situated in Newcastle, which includes one of the richest historical districts on the East Coast, as well as a community of preservation-minded residents and property owners who are unparalleled in Delaware.

The spokes of the park would allow for important stories that contribute to an understanding of the early settlement and birth of the Nation theme to be told in Dover and in Lewes as well.

The public acceptance of this proposed project and the amount of public input and enthusiasm for the bill should not go unnoticed. There has been a wellspring of sentiment and support from across Delaware, with citizens participating in hearings and discussions and offering many of the ideas that we see outlined in the bill. The city of Newcastle has not only accepted its new role as the site for

the park's hub, but has embraced this new role. As someone who manages historical properties and museums in Newcastle, I can tell you that the specter of a national park in Newcastle has brought with it a whole new level of public support for history and historic preservation there.

If the park is implemented as designed—and I sure hope it is—you will find a conscientious and welcoming community in Newcastle.

Finally, there is a need for this park that deserves to be met. Delaware's history is our Nation's history and we need to tell that story in ways that all Americans can access it. The fact that we currently do not have a national park in Delaware would in my opinion not be reason enough to simply create one. The fact that we have historical resources which the citizens of our Nation need to see and experience in order to understand and appreciate our Nation's great history is something we can no longer ignore. The need for this park is based on the need to tell our American history thoroughly and completely and to include Delaware in that enterprise.

I'm a big fan of the National Park Service. My agency works hand in glove with the National Park Service on an almost daily basis through our work in carrying out the provisions of the National Historic Preservation Act and through their joint efforts we have raised the quality of life for all Delawareans. We consider the NPS to be an exemplary steward of our Nation's heritage and we are unblinking in saying that they are partners that we are proud to do business with.

But my admiration for the National Park Service is at its roots deeply personal. My 16-year-old daughter lives in Boulder, Colorado, and on my monthly visits to her we have claimed Rocky Mountain National Park as one of our own little places. It's a place we visit regularly, sometimes returning to the same footprints we left on previous trips. These visits have not only resulted in the 2 of us visiting other national parks, but more importantly have shown her the value of conscientious stewardship and the role that each person can play in preserving our Nation's heritage.

We need to show the children of Delaware the importance of these values and the passage of S. 1801 gives us that opportunity.

In closing, I strongly support this bill and encourage its passage and implementation and stand ready to assist the National Park Service in any manner possible. Thank you very much.

[The prepared statement of Mr. Slavin follows:]

PREPARED STATEMENT OF TIMOTHY SLAVIN, DIRECTOR, DIVISION OF HISTORICAL AND CULTURAL AFFAIRS, STATE OF DELAWARE, ON S. 1801

Chairman Udall and members of the Subcommittee on National Parks of the Committee on Energy and Natural Resources, thank you for allowing me to submit this brief testimony on S. 1801, which would establish the First State National Historical Park in the State of Delaware.

My name is Timothy A. Slavin, and I currently serve as the Director of the Division of Historical and Cultural Affairs for the State of Delaware. In this capacity, I oversee the management and stewardship of thirty-four historic properties, comprising 119 structures and more than 600 acres of cultural landscapes. In addition, I also serve as the State Historic Preservation Officer and oversee the cultural resources review of all federal projects undertaken in our state, as well as other preservation related activities.

I strongly support the passage of S. 1801. This bill is the result of untold number of hours of public consultations, meetings with state and private agencies, and conversations with local residents. This has been a deliberate, arduous, and productive task, and the outcome could not have been more beneficial or useful.

The concept of a multi-site historical-based national park is something which is valid for Delaware and should be implemented by the National Park Service (with passage of this bill). The theme of "early settlement" through "birth of a nation" in Delaware is considered by many historians to be pivotal in conveying an understanding of Delaware's unique role in American history. The National Park Service cited this in its special resource study, stating that Delaware "provides an important lens on the subject of how early colonial leaders struggled with the notion of breaking free from England" and that "Delaware exemplifies the character of an entirely new nation as the result of that quest for freedom and independence." (National Park Service, Delaware National Coastal Special Resource Study and Environmental Assessment, November 2008.)

The multi-site design for the park, likewise, reflects that history. Delaware's waves of settlement included the Swedish, Dutch and English, all in different venues across a beautiful and sweeping coastal area. Under the proposed design, the "hub" of the park would be situated in New Castle, which includes one of the richest historical districts on the east coast, as well as a community of preservation-minded residents and property owners who are unparalleled in Delaware. The "spokes" of the park would allow for the important stories that contribute to an understanding of the early settlement and birth of a nation theme to be told in Dover and Lewes, as well.

The public acceptance of this proposed project and the amount of public input and enthusiasm for this bill should not go unnoticed. There has been a well-spring of sentiment and support from across Delaware, with citizens participating in hearings and discussions, and offering many of the ideas that we see outlined in the bill. The City of New Castle has not only accepted its new role as the site for the park's hub, but has embraced that new role. As someone who manages historical properties and museums in New Castle, I can tell you that the specter of a national park in New Castle has brought with it a whole new level of public support for history and historic preservation in New Castle. If the park is implemented as designed—and I hope that it is—you will find a conscientious and welcoming community in New Castle.

Finally, there is a need for this park that deserves to be met. Delaware's history is our nation's history, and we need to tell that story in ways that all Americans can access it. The fact that we currently do not have a national park in Delaware would, in my opinion, not be reason enough to simply create one. The fact that we have historical resources which the citizens of our nation need to see and experience in order to understand and appreciate our nation's great history is something which we can no longer ignore. The need for this park is based on a need to tell our American history thoroughly and completely, and to include Delaware in that enterprise.

I am a big fan of the National Park Service. My agency works hand-in-glove with the NPS on an almost-daily basis through our work in carrying out the provisions of the National Historic Preservation Act, and through their joint efforts, we have raised the quality-of-life for all Delawareans. We consider the NPS to be an exemplary steward of our nation's heritage, and we are unblinking in saying that they are partners that we are proud to do business with.

But my admiration for the National Park Service is, at its roots, personal. My 16-year-old daughter lives in Boulder, Colorado, and on my monthly visits to her, we have claimed Rocky Mountain National Park in Estes Park as our own place. It's a place that we visit regularly, returning to some of the same footprints we left on previous trips. These visits have not only resulted in the two of us visiting other national parks, but, more importantly, have shown her the value of conscientious stewardship and the role that each person can play in preserving our nation's heritage.

We need to show the children of Delaware the importance of these values, and the passage of S. 1801 gives us that opportunity.

In closing, I strongly support this bill and encourage its passage and implementation and stand ready to assist the National Park Service in any manner possible.

Thank you.

Senator UDALL. Thank you, Mr. Slavin. You've obviously done your homework. You've also made me homesick, given Boulder, Colorado, is a short distance from where I live. My grandfather, if I could reminisce for 5 seconds, was the first concessionaire in

Rocky Mountain National Park. My mother spent many a summer there. So you've further sealed the deal when it comes to my support for this important legislation.

Thank you for your hard work and the passion you clearly brought to this.

Mr. Platts, the floor is yours.

STATEMENT OF MARK N. PLATTS, PRESIDENT, SUSQUEHANNA HERITAGE CORPORATION, WRIGHTSVILLE, PA

Mr. PLATTS. Chairman Udall, thank you for the opportunity to testify today in support of S. 349, an Act to establish the Susquehanna Gateway National Heritage Area in Pennsylvania's Lancaster and York Counties and along the scenic and historic Susquehanna River, which we consider our own slice of heaven, and I hope you'll be homesick for after you hear this. A special thanks to Pennsylvania Senators Bob Casey and Arlen Specter for their sponsorship of this legislation.

I'm Mark Platts, President of the Susquehanna Heritage Corporation, a nonprofit organization and management entity for the Susquehanna Gateway Heritage Region, one of Pennsylvania's 12 State-designated heritage areas. I'm especially proud to be testifying today with my 1-year-old son Timothy in the audience to check on how dad does today. We also got him in a tie, which is pretty cool.

Mr. Chairman, I have submitted written testimony for the record on the outstanding merits of our region to be designated by Congress as a national heritage area. With your permission, I'd like to highlight that testimony.

Senator UDALL. Please do and, without objection, it will be included, your full statement, in the testimony.

Mr. PLATTS. Thank you.

The Susquehanna River was recently named by National Geographic as "the mightiest river on the Atlantic Seaboard" and "mother of the Chesapeake Bay." As a native York Countian now living in Lancaster County and going to work every day on the shores of the Susquehanna, I'm proud to share why this special corner of America merits national designation.

Throughout American history, the Susquehanna Gateway region and its fertile and scenic landscape have played a starring role in the story of America. As you learned earlier today, in 2008 the National Park Service reviewed our national heritage area feasibility study report and agreed with this assessment, determining that the region meets the criteria for Congressional designation as a national heritage area. It clearly has national important resources and stories to share. We're pleased to have this important endorsement of our region's place in America's story and we think it's quite a story. Our region's history reflects events and movements that truly represent the American experience, many flowing from the central historical role of the Susquehanna River, one of the oldest river systems in the world and the longest on America's East Coast. This majestic waterway flows through the heart of our region before it enters the Chesapeake Bay in Maryland and has been a corridor of culture and commerce for centuries. It hosts traces of Native American life in its rock art petroglyphs, the larg-

est collection of those petroglyphs on the East Coast, and the archeological remains of their settlements. It served early colonists as a commercial highway and was once the gateway to America's ever-moving frontier. It also almost became the site of the Nation's capital and missed by one vote in Congress or we'd be meeting in our region now.

The region has been a great source of American ingenuity. The Conestoga wagon and Pennsylvania long rifle originated here. Robert Fulton, inventor of the first successful steamboat, was born here and today his statue stands across the street in the Capitol in Statuary Hall with a model of the famous rivercraft, which we'll be showing to the kids when we go over there after this. The first iron steamboat and the first coal-burning steam locomotive were invented here, too, further revolutionizing transportation.

Hydroelectric dams were built on the river to provide power, but they also created major recreation areas that have made the Susquehanna a valued place for outdoor recreation of all types.

Our region's Plain People, commonly known as the Amish, are nationally recognized for their religious values, simple way of life, and well-tended farms. Their unique customs and the cultural landscape they have created in our region is of a scale that is rare, if not entirely unknown, anywhere else in America, and they attract millions of visitors each year.

A less well known story is our region's role as the seat of national government at a critical time during the Revolutionary War. The Continental Congress fled to York in September 1777 to use the Susquehanna River as a natural barrier to the British Army, who had occupied Philadelphia. While in York for 9 months, Congress adopted the Articles of Confederation and Perpetual Union, America's first constitution. I love the "perpetual union." That's really a cool part of that title.

Later our region played a key part in the Underground Railroad story and local resident James Buchanan, who became President, and Congressman Thaddeus Stevens emerged as national leaders in the debate over African American freedom.

The Susquehanna Gateway region is now poised to play a new role in the national story. In May 2009, President Obama issued an executive order on the Chesapeake Bay calling the bay a national treasurer and proposing a substantial Federal role to protect and restore the health, heritage, natural resources, and social and economic value of the Nation's largest estuary.

Just last week, the Federal leadership committee created to implement the executive order released its strategy for protecting and restoring the Chesapeake Bay watershed, a nationally coordinated effort to enhance the environment and landscapes of the bay, including the Susquehanna River, which is the bay's largest tributary. Importantly for our region, the strategy proposes a new initiative to conserve treasured landscapes of the bay water through broad collaborative conservation efforts. We believe the national heritage area model is a proven approach for doing just that and S. 349 provides Congress with ready-made legislation for jump-starting this initiative in one of the bay's most treasured and significant landscapes.

Launching this Chesapeake strategy with designation of America's newest national heritage area along the bay's greatest river, the Susquehanna, will demonstrate a strong Congressional commitment to advancing this visionary conservation initiative.

In closing, thank you again for this opportunity to share our region's national significance and for the great help of Senators Casey and Specter in getting us to this important milestone. Those of us in the region know that our home and our people have played a special place in America's story and we're ready to join Congress and the National Park Service in sharing our stories with the Nation. We ask your support for this bill and I thank you and welcome any questions or comments.

[The prepared statement of Mr. Platts follows:]

PREPARED STATEMENT OF MARK N. PLATTS, PRESIDENT, SUSQUEHANNA HERITAGE CORPORATION, WRIGHTSVILLE, PA

Chairman Udall, Senator Burr, and distinguished members of the Subcommittee, thank you for the opportunity to testify today in support of S. 349, an act to establish the Susquehanna Gateway National Heritage Area in Pennsylvania's Lancaster and York Counties, along the scenic and historic Susquehanna River. I am Mark Platts, President of the Susquehanna Heritage Corporation, a non-profit organization and management entity for the Susquehanna Gateway Heritage Area, one of Pennsylvania's twelve state-designated heritage areas. The Susquehanna River was recently named by National Geographic as the mightiest river on the Atlantic seaboard and Mother of the Chesapeake Bay. As a native son of York County, now residing with my family in Lancaster County and working everyday on the shores of the Susquehanna, I am proud to come before you today to highlight the Susquehanna Gateway region's unique and important place in our nation's history and share why this special corner of America merits designation as a National Heritage Area.

A PLACE WITH A NATIONAL STORY TO SHARE

According to the National Park Service, "a National Heritage Area is a place designated by the United States Congress where natural, cultural, historic and recreational resources combine to form a cohesive, nationally-distinctive landscape arising from patterns of human activity shaped by geography. These areas tell nationally important stories about our nation and are representative of the national experience through both the physical features that remain and the traditions that have evolved within in them."

Throughout two centuries of American history, the Susquehanna Gateway region has played a starring role in the development of our nation's political, cultural and economic identity. Our people have advanced the cause of freedom and shared their agricultural bounty and industrial ingenuity with the world. Our town and country landscapes and natural wonders are visited and treasured by people from across the globe. The Susquehanna River has served the nation as a major fishery, transportation corridor, power generator and, most recently, as an outdoor recreation venue. Our people, land and waterways are essential parts of the national story—qualities that exemplify the National Park Service's definition of a National Heritage Area.

The Susquehanna Gateway Heritage Area, originally known as the Lancaster-York Heritage Region, has been designated as a Pennsylvania Heritage Area since 2001. The Susquehanna Heritage Corporation serves as the heritage area's Management Entity and has a nine-year track record of successful heritage development activities, particularly along the historic Susquehanna River corridor, located at the center of the region. We have attracted substantial state and local public and private funding support that will more than match potential federal funding and we have developed a Strategic Plan with a primary focus on creating an economically vital heritage and outdoor tourism asset based on the Susquehanna River.

Designation as a National Heritage Area is an important step in advancing heritage development initiatives for the region. National recognition will boost visibility and visitation, bring critical technical assistance and support to the region, and further highlight and promote the majestic Susquehanna River—its scenic and fragile river lands, its historic and vibrant river towns, and its special significance to the heritage and health of the Chesapeake Bay.

NATIONAL PARK SERVICE ENDORSEMENT OF OUR REGION'S NATIONAL SIGNIFICANCE

In 2008, our organization conducted a public involvement and planning process that resulted in submittal of a National Heritage Area Feasibility Study Report to the National Park Service (NPS) documenting our region's qualifications for national designation.

After NPS staff review of the report, in September 2008 NPS Northeast Region Director Dennis E. Reidenbach determined that our region "meets the criteria contained in the National Heritage Area Feasibility Study Guidelines for potential Congressional designation as the Susquehanna Gateway National Heritage Area," and further stated that the region, "with its strategic location along the Susquehanna River, colonial history, rich Amish cultural traditions, and agricultural heritage, clearly has nationally important resources and stories to share."

Commenting on our organization's qualifications to manage the proposed National Heritage Area, Mr. Reidenbach said "as a valued NPS partner through the Chesapeake Bay Gateways Network and partner in a new National Recreation Trail, you have demonstrated your ability to build partnerships, attract visitors and bring new recognition to the region. Increasing your focus on the lower Susquehanna River presents new opportunities to strengthen the unity, vibrancy and identity of the region and the Chesapeake watershed."

As recognized by the Park Service, our organization is ready to serve as the Management Entity for the Susquehanna Gateway National Heritage Area. We operate from The John and Kathryn Zimmerman Center for Heritage at Historic Pleasant Garden, an 18th century dwelling on the shores of the Susquehanna River, right at the heart of the region. We are governed by a regional civic leadership Board of Directors that provides strategic policy direction and oversight to our work. Our Advisory Council includes almost thirty regional agencies, organizations, associations, institutions and businesses that also provide support and guidance. Our programs and projects have included partnerships with many other regional organizations, as well as local, state and national agencies. National designation will further enhance our ability to preserve, protect and celebrate our area's significant heritage resources and stories.

We are pleased to have National Park Service endorsement of our region's qualifications for National Heritage Area designation and our place in America's story—and it is quite a story.

AN OVERVIEW OF OUR REGION'S RICH NATIONAL HERITAGE

The proposed Susquehanna Gateway National Heritage Area is a rich showcase for Pennsylvania's long and distinguished role in the development of the United States, and possesses a nationally distinctive landscape that contributes to our national heritage.

The identity of our region, particularly Lancaster County, is strongly associated with the Plain People, more commonly known as the Amish and Mennonite communities. We are home to America's oldest and most densely populated Amish settlement. Their aversion to modern conveniences and ability to continue traditional ways in the face of tremendous external change and pressure has piqued national and international interest for much of the past century.

Our region is a striking example of William Penn's doctrine of religious freedom, upon which Pennsylvania was founded. Attracted by the prospect of a life without religious persecution, European immigrants—English, Irish, Germans, Scots—settled in the region, bringing an assortment of faiths. By the time of the American Revolution, Pennsylvania was one of the largest colonies, with highly cosmopolitan communities. Some call our region the first American melting pot. At one time the edge of the frontier, the region was also a major outpost for those moving west.

The area's prominent role during the Revolutionary War also exemplifies its contribution to American freedom. Fleeing Philadelphia in 1777, the Second Continental Congress convened in York for nine months, using the river as a barrier from the British. In York, the revolutionary government debated and adopted the Articles of Confederation—"America's first Constitution."

The region's story of freedom extends to that of African-Americans fleeing slavery. A predominance of anti-slavery sentiment and proximity to the Mason-Dixon Line helped make the area a significant part of the national Underground Railroad network and home to national leaders in the debate over African American Freedom.

Agriculture is among the most distinct aspects of the Susquehanna Gateway region. For centuries the area has been a breadbasket for the nation, and its patchwork of cropland is a defining feature of the landscape. The region's farms are also a backbone of the state's economy. From subsistence farming by Native Americans,

to traditional cultivation by the Plain People, to modern food production, the region possesses rich stories of agriculture's past, present and future.

In addition to agri-business, for centuries the region has been a center for a large and highly diverse collection of manufacturing businesses—local and international, small and large, new and old. This tradition of design, production and innovation continues. Some examples of the goods currently produced in the region are: motorcycles, barbells, coffins, paper, pottery, tanks, furniture, wallpaper, violins, tapestries, dental prosthetics, hydraulic turbines, and cigars. The transporting of goods, which was critical to the growth of agriculture and manufacturing, also made the region a center for innovation. From the Conestoga wagon to the first iron steamboat to the first coal-burning steam locomotive, the area has a rich history of transportation ingenuity.

WHY THE SUSQUEHANNA GATEWAY REGION MERITS NATIONAL DESIGNATION

The research and planning process for development of a Statement of National Significance for the proposed Susquehanna Gateway National Heritage Area produced major themes that document the region's significant place in the national story. These themes reflect events and movements that truly represent the American experience. The region's significance is also reflected in its many natural and historic resources, including one National Natural Landmark, five National Historic Landmarks, and 329 sites listed on the National Register of Historic Places.

The region's national heritage themes derive from the central role that the Susquehanna River, one of the oldest river systems in the world, has played in the history of the area. The four-hundred-and-fifty-mile-long river, the longest on the East Coast, flows southeast through the heart of the Susquehanna Gateway region before it enters the Chesapeake Bay in Maryland. Throughout the region's history, the Susquehanna has been a unifying element. The natural abundance of animal and plant life here long attracted Native Americans, followed by European settlers who transformed the landscape from woodlands into farms and small towns. The later discovery of coal in the river's higher reaches, as well as an industrial boom in Lancaster and York Counties, increased commercial traffic on the river. Ever since the eighteenth century, both industry and agriculture have coexisted here.

In the American mind, the area is synonymous with Amish culture, and the beautiful rural landscape they created that still exists in large parts of the region. Today, those scenic qualities attract visitors from throughout the United States and around the world.

Although agriculture still represents a significant part of the area's economy, the industrial base has declined while recreation and natural areas have grown. The proposed Susquehanna Gateway National Heritage Area, then, has experienced a cycle in which local values regarding the uses of the landscape have changed from predominantly agricultural to markedly industrial, and more recently to a focus on the natural and historical environment. National Heritage Area designation will help preserve this nationally important and unique landscape.

The four major interpretive themes developed for the Susquehanna Gateway region are therefore focused on the Susquehanna River as a national corridor of culture and commerce, the area's roles as a gateway to settlement of America's frontier and capital of the new nation during the Revolutionary War, the Amish, and the region's place in the cause of African American freedom.

THE SUSQUEHANNA RIVER AS A CORRIDOR OF CULTURE AND COMMERCE

Long before European settlers first explored the Susquehanna River, Native Americans lived here. They left traces of their lives in rock art at several petroglyph sites as well as in archaeological remains at town sites and other locations. Almost 2,900 archaeological sites have been recorded in the Lower Susquehanna River basin, about half of which lie within the Susquehanna Gateway region with several listed on the National Register of Historic Places. When Captain John Smith explored the Chesapeake Bay in 1608, he journeyed up the Susquehanna and formed a trading alliance with Native Americans, opening a trade network extending from the bay to the Great Lakes.

The natural abundance and richness of the Susquehanna that was so attractive to native peoples eventually drew European settlers as well. After William Penn received his grant in 1681 and began settling his colony, the Susquehanna's fertile valley lured European farmers, hunters, and merchants. The first of these settlers arrived in the region—at that time America's frontier—about 1710.

Under Penn's leadership, the region was the locus of a unique relationship with the area's original residents. About 1684, Penn reserved land on the east bank of the Susquehanna as a refuge for the Susquehannock and other native peoples who

had been displaced. Known as Conestoga Indian Town, the site became an important place for treaty making between 1696 and 1762. Benjamin Franklin printed transcripts of treaty sessions and a pamphlet denouncing the infamous massacre of the Conestoga Indians in 1763.

The Susquehanna River served the colonists from the beginning as an important commercial highway to the Chesapeake Bay. Indian paths here were transformed into roads, one of the most important being the Great Wagon Road from Philadelphia westward to the frontier. In the 19th century, canals and railroads enabled farmers and entrepreneurs in the area to ship agricultural and industrial products east and west to remote markets. Robert Fulton, inventor of the first commercially successful steamboat, was born in Lancaster County in 1765 and his birthplace is a National Historic Landmark. York County's John Elgar constructed the first iron steamboat in America and launched it on the Susquehanna in 1825. In 1831, York Countian Phineas Davis designed and built the first practical coal-burning steam locomotive, revolutionizing railroad transportation. A York foundry constructed both Elgar's steamboat and Davis's locomotive.

Throughout the 19th century and into the 20th century, rafts and canal boats floated down the river to the Chesapeake, transporting lumber, iron, and other products to the wider world. In the river's towns and hamlets, craftsmen and industrialists established workshops and factories that made many of these products. In the 20th century, as both industry and river shipping declined, hydroelectric dams were constructed to provide power. The dams also created recreation areas that made the river a place for diverse outdoor activities, especially boating and fishing.

From a wilderness area to a rural landscape to an industrial environment to a recreational haven, the river has undergone significant changes over the centuries that are representative of similar trends on rivers across the nation. The story of the Susquehanna River therefore reflects the American experience, including Native American culture, European settlement, the alteration of the landscape to rural farmland, the construction of towns, the rise and decline of industries, and changes in the use of the river from exploitation and commerce to recreation and conservation.

THE AMISH IDENTITY IN THE AMERICAN MIND

Because Pennsylvania was established as a refuge for immigrants of all religious persuasions, other denominations quickly followed the founding Quakers to the colony. Among early settlers were Germans that included ancestors of what are today called Amish, Mennonites, and others—the "Plain People." Pacifistic and spurning modern technology and most worldly things, the Plain People are generally lumped together as "The Amish" in the popular American imagination. Their religious values, "simple" way of life, and well-tended farms speak to the deepest feelings that Americans have about ourselves and our national experience: that virtuous, hard-working, humble people can carve from the wilderness a way of life that is respectful of the natural world and of their fellow human beings. The Amish seem to personify the virtues of faith, honesty, community, and stewardship—perceptions that may be based more on myth than reality but still constitute the heart of our national image and how we see ourselves when we are at our best.

The German settlers arriving along the Susquehanna in the 1710s cleared farmsteads and made a landscape that today appears to have been little altered. In reality, the area is vastly different now in many ways, from paved roads to electric lighting to the residential and commercial development. Within the rural areas, however, the hand-built houses, barns, and other structures, the sizes and patterns of fields and woodlots, the varieties of crops achievable with horse-drawn plows, and the farming methods used have created a landscape that is unique in America.

Elsewhere in America, commercial farming and mechanization epitomize the term "agribusiness." In the Susquehanna Gateway region, however, the ancient ideal of the family farm of manageable size seems to have been achieved and sustained. Whether or not the landscape created and maintained by the Plain People can accurately be regarded as typical of the 18th or 19th centuries, it clearly is not of the present. To most Americans, it looks like the rural landscape of our dreams: farmland as it ought to be, the Jeffersonian ideal brought to life.

Today, the Amish and other Plain People of the region are also frequently the subject of considerable sentimentalism, commercial exploitation, and intrusive curiosity. Nostalgic longing for an imagined "simpler" past, ignorance of the dangerous and often backbreaking labor associated with farming, willingness on the part of some to substitute the imitation for the authentic for the sake of profit, and the environmental impact of countless gawkers threaten the very thing that people come to see. Commercialism especially endangers the landscape.

A balance must be maintained between sustaining the rural environment that visitors want to experience and the fact that the community of Plain People is a living, changing one. Some of the people are moving from Lancaster County across the river into York and other parts of Pennsylvania, pressured to do so because their population is growing and farms can only be subdivided to a certain point before they become too small to be economically feasible.

Many Amish are involved in enterprises other than agriculture: operating or working in restaurants, baking and canning foods for sale, engaging in quilting and other crafts, and constructing wooden garden furniture and playhouses. Although these "nontraditional" and unromantic occupations may disillusion some visitors, such activities help offset the economic uncertainty of farming and enable the Plain People to sustain their more traditional ways of life, preserving the rural landscape for which they have become known throughout the world.

The Plain People are not unique to this region, but the landscape they have created here is of a scale and scope that is rare if not entirely unknown elsewhere in America. The people and their landscape well represent the national story of American agriculture and the way it has transformed the natural environment.

GATEWAY TO THE FRONTIER

Close on the heels of Pennsylvania's early English and German settlers came Scots-Irish immigrants who moved west to the backcountry in the 1720s. Many settled in western Lancaster County, where they buffered the eastern settlements from the Indians farther west. The Great Wagon Road, on which the Scots-Irish and other immigrants journeyed west from Philadelphia, passed through Lancaster and York, then turned south at the Appalachian Mountains and led to the backcountry of Virginia and the Carolinas. By the mid-18th century, it was one of the busiest highways in the colonies as immigrants from the Susquehanna Gateway region trekked south through the Shenandoah Valley of Virginia. They and their descendants populated not only the frontier farther south in the Carolinas but also the Appalachian Mountains to the west.

These emigrants from the Susquehanna Gateway region took with them two local innovations that attained national renown: the Conestoga wagon and the Pennsylvania-Kentucky rifle. The origins of both are murky, but the wagon was developed as early as 1716 and was named for the Lancaster County area where it was created. Built like a small boat, it could transport large cargoes without shifting, thanks to the wagon's sloping sides and ends. At first the wagons were used to transport produce and goods locally, but they soon were adopted for long-range freight shipping and proved vital to the transport of supplies into the backcountry well into the 19th century.

The long rifle was developed by Pennsylvania German gunsmiths in the Susquehanna Gateway region by the 1740s. Gunsmiths from Pennsylvania through Virginia to North Carolina were soon producing them as settlers migrated south. Because of their widespread popularity in Kentucky, the firearms later became commonly known as Kentucky rifles.

The emigrants also took with them the vernacular architecture that was their common heritage—especially the log dwelling, the stone house, and the bank barn—and transformed the backcountry as they had the Susquehanna region. Their influence is obvious in Virginia's Shenandoah Valley, which owes them much of its built environment and landscape, and spread into the backcountry of the Carolinas, the Appalachians, and beyond, eventually carrying their cultural influence and independent spirit throughout America.

The Susquehanna Gateway region was a nationally significant gateway to the settlement of the ever-moving frontier. In the early 18th century, the people developed a vernacular architecture, a host of useful and innovative tools for survival and growth, and a sustainable system of farming that transformed the landscape here. When subsequent generations emigrated to the west and south, they took with them their methods of construction, their wagons and rifles, and their agricultural techniques to likewise transform much of the rest of the country.

REVOLUTIONARY TURNING POINT

During the Revolutionary War, the Susquehanna Gateway region became the seat of government for the Continental Congress, the new nation's executive body, at a crucial time in the conflict. After meeting first in Philadelphia, then Baltimore, and then Philadelphia again, the Continental Congress fled to the Pennsylvania frontier in September 1777, where the Susquehanna River provided a natural barrier to the British Army. The British compelled Congress to flee when their army occupied Philadelphia after defeating George Washington's troops in the Battle of Brandy-

wine. Congress convened for a day in Lancaster, then moved west across the river to York, where it remained until June 1778 when it returned to Philadelphia. While in York, Congress achieved a major objective of national significance—adoption of the Articles of Confederation and Perpetual Union, the "first constitution" of the United States of America. Originally presented to Congress for consideration in 1776, Congress approved the Articles in November 1777 while holding its sessions in the York County courthouse and sent copies to the states for ratification, which was completed in 1781.

While Congress concluded debate on the Articles at York, Washington's army suffered defeat at Germantown and American general Horatio Gates forced General John Burgoyne's British army to surrender at Saratoga. Washington and his army huddled for the winter of 1777-1778 at Valley Forge. In February 1778, France and America signed treaties of alliance that the Congress at York ratified in May. Thomas Paine buoyed American spirits when he published The American Crisis, Number V, in March 1778, in Lancaster, and his letter "To the People of America," appeared in the Pennsylvania Gazette in June when the newspaper was published in York. With the British evacuation of Philadelphia in June, Washington fought them to a draw at Monmouth, New Jersey and Congress moved back to Philadelphia.

Later, in 1781, as the colonies neared success in the struggle for independence, an American prisoner-of-war camp was established near York in 1781. Known as Camp Security, the facility operated until 1783 and housed British soldiers who had surrendered at Saratoga. One of the few remaining revolutionary prisoner-of-war sites surviving in the United States, Camp Security is threatened by development. The American Battlefield Protection Program, in its 2007 Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States, listed Camp Security as a highly threatened and important site.

The Susquehanna Gateway region is one of only four locations to serve as the capital of the United States during the struggle for independence. There, during its meetings in York, the Continental Congress completed its debates on the Articles of Confederation and disseminated it to the states for ratification. The region is therefore nationally significant as the birth site of the new nation's first governing document. In addition, it was while Congress was in York that the victory at Saratoga occurred, the Continental Army matured at Valley Forge, and France entered the war as an American ally. This often-overlooked moment of American history at York was when the young nation turned a critical corner on the road to independence.

THE CAUSE OF AFRICAN AMERICAN FREEDOM

Two additional Susquehanna Gateway stories contribute to the region's national significance: the area's part in the Underground Railroad and the role that two local residents played as national leaders—James Buchanan and Thaddeus Stevens.

Pennsylvanians, especially Quakers and Plain People, were instrumental in development of the Underground Railroad. Those escaping slavery arrived by boat, traveling secretly up the Susquehanna River, or on foot. They found many residents, both black and white, eager to help. Fugitive slave laws passed by Congress in 1793 and with the Compromise of 1850 enraged Northerners who opposed slavery. They saw the act as a violation of states' rights and the principles of liberty. When legislative appeals and litigation failed, some antislavery advocates resorted to direct action, hiding fugitives, breaking into jails to free them, and even resisting with violence.

An episode in eastern Lancaster County in September 1851, was one of the deadliest instances of violent resistance to slavery and provoked a national outcry. It began when "slave-catchers" surrounded the house of a black man near Christiana. The group included a Maryland slaveholder who failed to identify the man as the fugitive being sought. Armed local residents soon surrounded the group, shots were fired, the slaveholder was killed and his son and several others were wounded. More than two dozen black and white men and women were later arrested, charged with treason for interfering with the application of the law, tried in Christiana, and acquitted. The Christiana resistance became a national cause célèbre.

Two national leaders in the Slavery debates of the 1850s-1860s were Lancaster residents James Buchanan and Thaddeus Stevens. Buchanan, United States President from 1857 to 1861, was regarded as a Northern man with Southern sympathies who supported slaveholders' rights and despised abolitionists. He also thought secession was illegal, along with using military power to stop it. Although most historians conclude that his presidency was a failure for not stopping the slide toward secession, it is unclear what he could have done to prevent it. After Buchanan left office, he returned to Wheatland, his home in Lancaster, where he became the first

former president to write his memoirs. Wheatland is now a designated National Historic Landmark.

Thaddeus Stevens, born in Vermont, settled in Lancaster in 1815. He served in Congress from 1849 to 1853 and from 1859 until his 1868 death. Ardently anti-slavery in his convictions, Stevens was active in the Underground Railroad and became a leader of the "Radical Republicans" during the Civil War. He advocated total war against the south, was an architect of Reconstruction and the Constitution's 14th Amendment, and helped lead the impeachment movement against President Andrew Johnson in 1868. After Stevens died in 1868, his body lay in state in the Capitol and was buried in a Lancaster cemetery chosen because it was not "limited as to race." His house and law office in Lancaster are being restored as a museum complex.

COMMUNITY SUPPORT FOR SHARING OUR NATIONALLY-SIGNIFICANT STORIES

Beyond our region's compelling stories of national significance, to be considered as a National Heritage Area the National Park Service also says that "...a strong base of local, grassroots support is essential...with the visible involvement and commitment of key constituencies." Public participation has been crucial to the success of the Susquehanna Gateway Heritage Area. We have demonstrated that strategic engagement of the public is the most effective means of raising awareness about the heritage area's mission and goals and building a broad base of support.

Our successful record of public involvement is reflected in strong community support for designation of the region as a National Heritage Area, with a broad cross-section of regional constituencies providing statements of support for national designation in our Feasibility Study Report. These include: our Board of Directors, made up of regional business, government and civic leaders; the Lancaster and York County Boards of Commissioners, representing bi-partisan regional political leadership; and our Advisory Council, representing historical societies and museums, historic preservation and land conservation trusts, downtown revitalization groups, convention and visitors bureaus, planning commissions, parks departments, chambers of commerce and hospitality businesses. These endorsements reach beyond those signing the statements, bridging to thousands of residents and hundreds of businesses that their organizations represent across the heritage area.

We also planned and conducted community meetings to garner input about national designation from our strong regional partnership network, including residents, government, community groups, non-profits and private businesses. These well-attended gatherings helped us look at the heritage area through the lens of national significance, define the region's unique national stories, identify significant assets and demonstrate local support for national designation. The contributions received at the meetings proved to be of tremendous value to the overall process and produced a clear consensus that National Heritage Area designation has strong public support and is the right approach for our region.

The boundaries of the proposed National Heritage Area, which include all of Lancaster and York Counties with the Susquehanna River corridor at the center, also received strong support from participants at the community meetings conducted to discuss the region's potential national designation.

WHY NATIONAL HERITAGE AREA DESIGNATION IS IMPORTANT FOR OUR REGION

Building on our success as a state heritage area, national designation will help expand our activities to a larger, national audience and make our stories and resources part of the National Park Service interpretive and marketing network. Support for heritage area programs—and the recognition that comes with national designation—will elevate the status of our region and identify the area as a place for visitors to experience rich and authentic national history.

As a National Heritage Area, the many cultural, historic and natural resource organizations in the region will also be eligible for additional technical assistance and grants, providing much-needed support for historic resource conservation, interpretation, education, planning and recreational development. Such support will help regional partners invest in new interpretive initiatives focused on our nationally significant stories, ensuring that the region's impact and influence on the nation is shared with residents and visitors more effectively. Most significantly, these new resources will help reduce the risk of nationally significant resources being degraded or lost.

National designation will also help create an economically vital heritage and outdoor tourism asset based on the Susquehanna River by boosting visibility and visitation and bringing new technical assistance and support to the area through the National Park Service. This will enhance economic development activity centered on

heritage and outdoor tourism and help the river corridor reach its true potential as a place for national learning and recreation.

As a National Heritage Area, the region will also have greater ability to strengthen its powerful network of partnerships, raise and distribute funds, and otherwise work to implement heritage development goals. For its part, the National Park Service will receive extensive leverage for its investment in our work by embracing and incorporating into its national system an established, successful heritage area with nationally significant stories and resources that will enhance the offerings currently available in existing national parks and heritage areas.

OUR NEWEST PLACE IN THE AMERICAN STORY—A TREASURED LANDSCAPE OF THE CHESAPEAKE BAY

The Susquehanna Gateway region is poised to play a new role in the national story. In May 2009, President Obama issued Executive Order 13508 on Chesapeake Bay Protection and Restoration. This first-ever presidential directive on the bay called the Chesapeake a "national treasure" and proposed an enhanced federal role "to protect and restore the health, heritage, natural resources, and social and economic value of the nation's largest estuarine ecosystem." The Executive Order established a Federal Leadership Committee for the Chesapeake Bay that just last week, on May 12, 2010, released its Strategy for Protecting and Restoring the Chesapeake Bay Watershed, a nationally coordinated effort to save the environment and landscapes of the bay and its watershed.

The Chesapeake Bay Strategy proposes a new initiative by the National Park Service to conserve treasured landscapes of the bay watershed through partnership areas—broad, collaborative conservation efforts in priority landscapes. The National Heritage Area model provides a proven approach for doing just that, and the Susquehanna Gateway National Heritage Area Act provides ready-made legislation for jump-starting this important initiative in one of the bay watershed's most historically and environmentally significant landscapes.

National Heritage Area designation of the Susquehanna Gateway region—including our reach of the bay's largest tributary—will significantly enhance recognition of the Susquehanna's important relationship to the Chesapeake. National recognition of our region—much of it the scenic, recreational and historical equivalent of a National Park only 90 minutes from where we sit today—will provide new resources for protecting the river's natural and cultural landscape. It will help raise public awareness of the need to improve river and bay environmental quality and preserve their natural and cultural heritage for the benefit of current and future generations.

Launching the Chesapeake Strategy with designation of America's newest National Heritage Area along the bay's greatest river will signal a commitment to this new national initiative.

IN CLOSING

Thank you again for this opportunity to share our region's national significance with the Subcommittee. We ask for your support and advocacy for the Susquehanna Gateway National Heritage Area Act. Those of us in the region know that our home and our people have played a special place in America's story, and we are ready to join Congress, the National Park Service, and the rest of the National Heritage Area Network in sharing our stories with the nation. I welcome any questions that you and your colleagues may have.

Senator UDALL. Thank you. Your enthusiasm's contagious and the history of the Susquehanna region is important and very, very significant. As a casual—well, I'd say more than a casual student of American history; your recitation of the important events reminded me again of the crucial role that the people of Pennsylvania played and the region itself did. So I look forward to working with you.

I know Senator Casey would have liked to have been here and I know Senator Boxer as well, who had a bill on the agenda.

The cloture vote's under way. I think I have—I don't necessarily want to pick between 3 important testifiers here, but I might ask Commissioner Moomaw. You talked about how you believe a na-

tional monument would increase tourism. How significant is tourism to the economy of Archuleta County?

Mr. MOOMAW. Tourism really, tourism is our economic priority. The other 2 legs of the economic thing, construction and real estate, are also tourism-driven. So we are a total tourism-driven economy and we are trying to diversify that, but that will still remain our primary economic driver.

Senator UDALL. I would note for the record that Chaco Canyon is well known, Mesa Verde is well known. I would anticipate that Chimney Rock would become well known. You're right, it's a trifecta that once the national monument designation is attached I think we'll see even greater travel to those 3 sites and greater understanding and knowledge, and then the support to the local economy that would result. I look very much forward to this becoming a reality.

I wanted to do something quite unusual. Roy Jones, who was not present when I made some comments about him earlier, has returned, and he does have a great reach. David Brooks, the staff director of the subcommittee, served with Roy over on the House side when Roy was the deputy staff director, and everything he knows he attributes to Roy. So I want to again thank Roy for his public service and his passion for America's public lands and special places.

At some risk, I want to just—Mr. Slavin, I asked Mr. Whitesell about the fact that none of the sites in the park would be owned by the Federal Government. What do you see as the Park Service's role, given that's the plan?

Mr. SLAVIN. I would echo what the gentleman said from the National Park Service. We're looking to them to be the kind of primary sponsor of the park, to guide us with the interpretation themes, with some of the standards for interpretation. But there are a ready number of volunteer organizations and not-for-profit organizations and my own division standing at the ready to pick up those interpretive programs and put them in place.

Senator UDALL. Mr. Platts, I probably should go, but what I'd like to ask you to do for the record is provide some examples of the types of activities that your organization's been involved in to help care for the historic areas. If you would submit those for the record, I'd really appreciate it, and I will make a point of learning even more from what you submit in addition to your testimony.

Let me thank you each again for making the trip down to your Nation's capital. Some members of the committee may submit additional questions in writing, and if so we may ask you to submit questions for the record. I know you have no problem with that. We'll keep the hearing record open for 2 weeks to receive any additional comments.

With that, again thank you very, very much for taking the time, and the subcommittee is adjourned.

[Whereupon, at 3:51 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

RESPONSES OF JOEL HOLTROP TO QUESTIONS FROM SENATOR MURKOWSKI

S. 3303

Findings

Question 1. Please provide the committee with a list of the archeological resources and values that will be protected if this legislation is signed into law.

Answer. The proposed monument features archaeological resources showing occupation by the late A.D. 800s, with most intensive occupation occurring during the Chaco florescence during the Pueblo II period (A.D. 900-1150). The Chimney Rock community was on the northeastern edge of the larger Chaco world that began to coalesce in the late A.D. 900s, and most sites within the proposed Chimney Rock National Monument date to the Pueblo II period. Chimney Rock has been called the "ultimate outlier" as it provides an excellent example of a Chacoan outlier; and can provide information on a broad range of issues ranging from prehistoric economics to astronomy and their interrelationships.

The Chimney Rock complex is composed of clusters of residential structures or "villages" and smaller sites which cover the time range of 850—1125 A.D. during the Ancestral Puebloan cultural development periods defined as Pueblo I and Pueblo II. Eight large villages are within the proposed national monument boundary; these are East Slope, Stollsteimer, Pyramid Mountain, Ravine, North Piedra, South Piedra, High Mesa, and Peterson Gulch.

The people at Chimney Rock grew corn and beans, hunted animals in the region including deer and elk, and gathered wild plants for food and medicines. Far away from the river, the high mesa dwellers utilized check dams, reservoirs, and diversion ditches to farm and provide drinking water. The many resources of Chimney Rock eventually attracted the attention of the major Ancestral Puebloan center at Chaco Canyon, 93 miles to the southwest.

The population of Chimney Rock seems to have expanded during the time when the Ancestral Puebloans built Great House Pueblo on the high mesa top. It is believed that Chimney Rock became part of the larger Chacoan regional community as an outlier or satellite community during the time when Chaco Canyon became a ceremonial center to unify a dispersed population through pilgrimage festivals and ceremonial rituals. The festivals would have been related to the re-distribution of goods (corn, timber, pottery, meat, etc.) and ceremonial rituals related to cycles of the Sun and Moon. Chimney Rock itself could have been an occasional host to these festivals with its Chacoan Great House Pueblo serving as focus. Ancestral Puebloans probably used Chimney Rock's pinnacles in the observation of astronomical events called "lunar standstills."

The Ancestral Puebloans moved away from the Chimney Rock villages and the valleys in the 1100's. No later buildings or artifacts have been found. Maybe the weather at this location became too cold and dry, enemies became too persistent, or resources and farming areas became depleted. For whatever reason or combination of reasons, it was time to move on.

Many sites within the proposed national monument have experienced virtually no research. The relatively untouched area has many mysteries to be unlocked by current and future generations of archaeologists. Research questions include the relationship between local peoples and the larger Chacoan world; the role(s) of Chacoan outliers; economic strategies of the Chimney Rock community; the use of the site

by Ancestral Puebloan astronomers; how and why the site was abandoned. Please see the list of resources within the proposed monument boundaries below.

Question 2. Please provide the committee with a list of the geologic resources and values that will be protected if this legislation is signed into law.

Answer. Geologically Chimney Rock and Companion Rock attract visitors, and may have been a factor contributing to prehistoric settlement in the area.

Long before humans found the mesas and spires of Chimney Rock, this impressive landmark was created by the forces of nature: millions of years of slow settling of mud in a shallow sea; gradual drying of the sea and migration of beaches and rivers across the ancient basin; thick, humid swamps dominated by dinosaurs and giant insects; the catastrophic birth of mighty volcanoes and their scouring, deadly eruptions; slow but constant uplift and tilting of the land; millenia of glaciers and vast floods as the glaciers melted away; erosion of the exposed beach sands and ocean-bottom muds (now solidly cemented into rock). Chimney Rock's twin spires are entirely natural in origin, the erosional remnant of a thick sequence of sedimentary rock laid down in the late Cretaceous Period, from about 100-70 million years ago. The oldest rocks exposed in the area (to the north of Chimney Rock) are the terrestrial and marine-shoreline sandstones and siltstones of the Mesa Verde Group; above these beds lies the shallow sea-bottom Lewis Shale, which forms the slopes and canyons of the Chimney Rock area. The shales are capped by the tidal, beachfront, and river sand layers of the Pictured Cliffs Sandstone. It is this unit that forms the mesa tops and dramatic stone pillars of the Chimney Rock formation. Erosion proceeded to remove the rock layers as they were uplifted. The rising mountains to the north and other worldwide climate factors altered weather patterns. From the early Pleistocene Epoch (about 2 million years ago), glacial periods also affected the climate. It is likely that the Pictured Cliffs Sandstone was exposed as a narrow ridge during the latest Pleistocene or earliest Holocene, about 100,000 years ago, probably as a series of spires and walls and possibly arches. After the most recent retreat of the Wisconsin Glaciation (about 15,000 years ago), the most active erosion ended, leaving the twin formation we call Chimney Rock, standing free of the softer shales and weaker sandstones that once surrounded and covered it. Fossils of extinct plant and animal communities exposed within the formation reflect biological evolution.

The geologic history of Chimney Rock is not complex, and therein is its strength. It is natural history laid bare, easy to comprehend. The rock layers are clearly displayed, the sequence of geologic change is there for all to see. Chimney Rock's geologic value is the simple, beautiful record of one of the most significant and awe-inspiring periods of geologic time: the last retreat of the Cretaceous Inland Seaway, the end of the dinosaurs and the rise of mammals, the rise of the Rocky Mountains, the unfathomable power of the Ice Age glaciers, the floods of their fading, and finally the arrival of humans, who would lift in their hands a stone 70 million years old, cement it with mud from an ocean floor 90 million years old, to build a great pueblo beside stone towers carved by nature 50,000 years ago, for a culture that came to Chimney Rock 1,000 years ago, to be excavated 80 years ago, and admired and studied and pondered today. Such is the span and reach of the geology of these spectacular pinnacles, and the story it tells.

Question 3. Is there any potential for the mining of any mineral or mineral materials to be developed within the boundaries of the area recommended to be made a National Monument?

Answer. There is potential for: gravel (Andrew G. Raby & John S. Dersch, 1997), coal, tight gas sands (Dakota), oil and gas in Dakota, and oil and gas in Fractured Mancos Shale Play (Richard E. Van Loenen and Anthony B. Gibbson, eds., USGS Bulletin, 2127, 1997). There is also deep wildcat potential in Entrada (pers. Comm.., 2001, P. Leschak). The Chimney Rock Archaeological Area is currently withdrawn from oil and gas leasing; other portions of the proposed monument are already predominately classified as NSO (no surface occupancy) in the San Juan Public Lands Management Plan Revision and Leasing Analysis released as a Draft in 2007 and to be finalized next year. The many significant archaeological resources would make large-scale development requiring surface disturbance unlikely, as these resources would need to be avoided or mitigated.

Question 4. Are there any mining deposits known to exist within the boundaries of the proposed monument that could be utilized in the manufacturing of any renewable energy equipment such as solar panels, batteries, wind mills, or machinery that could be used to convert biomass into heat, electricity, or biogases?

Answer. No mining deposits that could be utilized in the manufacturing of any renewable energy equipment are known to exist.

Question 5. What is the potential for solar development in the proposed monument if the designation is not applied?

Answer. The area currently has one solar powered restroom facility, an indication that solar power can be effectively used on a limited basis within the area. Potential for commercial solar development within the proposed monument boundaries is limited. The area includes many steep slopes which would make development difficult; there is no large area flat enough to establish an array of solar receptors. The many significant archaeological resources would also make large-scale development unlikely, as these resources would need to be avoided or mitigated.

Question 6. Please provide a list of all flora and fauna known to exist within the boundaries of the proposed national monument and indicate which, if any, are either listed as threatened, endangered, or candidate species by either the Federal or State government?

Answer. The vegetative community around the cuesta is somewhat unusual, with some southern desert species located on or near the archaeological sites. A species of cholla cactus has been identified at the High Mesa site which does not occur naturally outside of the Sonora Desert and is suspected to be associated with deliberate cultivation practices of the Ancestral Puebloan culture. The long narrow slope (45 degrees or steeper) flanking the northern edge of the cuesta hosts a regenerating forest cover of warm-dry mixed conifer (Colorado blue spruce, Douglas fir and Engelmann spruce) typical of the forest cover known from soil studies to have been ubiquitous in the area before human settlement some 1,000 years ago, but now totally replaced by ponderosa pine, juniper, Gambel oak and pinon except for this narrow relict vegetation zone. The pinon forest cover itself is of interest: it is almost certainly a result of the human occupation, covering a small zone on the High Mesa coincident with the High Mesa Village site at about 7,200 feet elevation. Dendrochronology studies by the Arizona Tree-Ring Laboratory in the early 1990's showed that the mature pinon pine trees began growing on the site between 400 and 600 years ago, close to halfway back to the Ancestral Puebloan occupation period (about A.D. 950 to 1125).

Broad- and narrow-leaf yucca and other "desert" species occur across the upper mesa and cuesta. Ponderosa pine with an understory of Gambel oak and other shrubs dominates the gentler terrain of the rolling foothills surrounding the mesas. Open meadows dominated by a mixture of native and non-native grasses are found throughout the area. Shrubs such as big sagebrush and rabbitbrush are commonly found in these open meadows. Aztec milkvetch, a Forest Service sensitive species, is found within the proposed national monument. Other sensitive species include Philadelphis fleabane, New Mexico butterfly-weed, Gray's Townsend daisy, and Violet milkvetch. Areas of high biodiversity significance are also located within the proposed national monument or nearby areas.

The area provides habitat for many wildlife species of conservation concern and species that are economically and socially important on the SJNF. There are 10 Forest Service sensitive species with habitat present in the area. Sensitive species with habitat present and season of use include American peregrine falcon (spring through summer), bald eagle (fall through winter), flammulated owl (spring through summer), Lewis' woodpecker (spring through fall), northern goshawk (year-round), olive-sided flycatcher (spring through summer), fringed myotis (spring through summer), spotted bat (spring through summer), Townsend's big-eared bat (spring through summer), and Gunnison's prairie dog (year-round). Peregrine falcons have occupied the area for over 20 years, nesting on Companion Rock; the Peregrine falcons can often be seen from the Great House area. Bald eagles occupy the area from fall through winter feeding largely on big game carrion and fish from the Piedra River. Flammulated owls and olive-sided flycatchers are migratory birds that breed in the area during summer. The Lewis' woodpecker is a primary cavity nester that nests in dead or live trees along forest edges. The fringed myotis, spotted bat, and Townsend's big-eared bat may utilize the areas rock spires, outcrops, or canyons for roosting, while foraging in adjacent grasslands and conifer forests. Gunnison's prairie dog is mostly associated with grassland openings on generally flat or very gentle terrain. Steep canyons within the area provide marginally suitable habitat for the Mexican spotted owl (MSO), a federally listed species. MSO surveys have been conducted in the area, but there have been no detections to date. State listed threatened species include: MSO, bald eagle, and river otter. River otters are present in the Piedra River.

Additional species of interest which could be identified include: band-tailed pigeon, black-throated gray warbler, Brewer's sparrow, broad-tailed hummingbird, golden eagle, Grace's warbler, gray vireo, green-tailed towhee, Lazuli bunting, pinyon jay, prairie falcon, Virginia's warbler, and violet green swallow. Four species listed as management indicator species and economically important within the area are: Black bear, elk, Merriam's turkey and mule deer.

Question 7. Please provide a five year report on the number of game animals taken by hunters within the game management unit(s) within the boundaries of the proposed monument?

Answer. The proposed monument lies within Game Management Unit (GMU) 771. GMU 771 encompasses public, private and Tribal lands. Hunting on public and private lands is through regulated harvest managed by the Colorado Division of Wildlife (CDOW). Hunting on Tribal lands is managed by the Southern Ute Indian Tribe via coordination with the CDOW. GMU 771 provides year-round habitat for many game animals, but is most known for providing winter range for elk and mule deer. The most commonly hunted big game animals in the Unit include black bear, elk, mule deer, and mountain lion. Merriam's turkey is commonly hunted during spring and to lesser extent during fall. Small game species present in the Unit include Abert's squirrel, badger, red fox, raccoon, ring-tailed cat, striped skunk, long-tailed weasel, short-tailed weasel, muskrat, band-tailed pigeon, beaver, bobcat, cottontail rabbit, white-tailed jackrabbit, coyote, crow, mourning dove, and marmot.

The following table illustrates the number of big game animals taken by hunters in GMU 771, for all manners of take on public and private lands. The data was collected by CDOW and is an estimate of the total harvest for the GMU. The table also includes harvest of Merriam's turkey across Archuleta County. Although no quantitative data is available, GMU 771 likely accounts for at least one third of the total turkey harvest in Archuleta County due the large amount of hunting occurring in the Unit. Harvest data is unavailable for most small game species. Data relevant to small game species is generally limited and provided across much larger geographic scales (beyond the GMU boundary). Small game hunting across the GMU occurs at a smaller level than big game and turkey hunting.

	YEAR				
GAME ANIMAL	2005	2006	2007	2008	2009
Black bear	*	1	1	3	3
Elk	154	210	174	141	148
Mule deer	322	362	467	369	368
Merriam's turkey (Spring Turkey Harvest)	**244	**230	**239	**141	**188
Mountain lion	1	2	*	3	0

*No data available
**Information reported for Archuleta County.

Question 8. Please provide a list of any streams or lakes within the boundaries of the proposed monument area as well as an assessment of fishing opportunities within the area?

Answer. No streams or lakes are located within the proposed monument boundary.

Question 9. Please provide a list of each of the cultural resources found within the boundaries of the proposed monument?

Answer. The following table shows archaeological resources that have been recorded within the boundaries of the proposed monument. Over 150 sites have been identified within the proposed monument boundary. Many areas within the proposed boundaries have no or limited survey and additional resources could be found within the proposed monument.

Archaeologists generally use two determinations of eligibility, "eligible" and "not eligible," as laid out in the National Historic Preservation Act. However, for a variety of reasons, some sites are considered "unevaluated" or "needs data." In some cases these sites were recorded prior to the National Historic Preservation Act (NHPA) or were not documented adequately to support a recommendation of eligibility. The Forest Service as a whole is trying to re-evaluate all "unevaluated" or "needs data" sites in our system. As projects occur within the Chimney Rock Area, we have been re-evaluating "unevaluated" resources. Within the last five years, approximately 20 sites within the area have been re-evaluated. There is clearly more work to do. We expect to continue working on evaluating the backlog of unevaluated

resources as projects occur within the area and as time permits. At this time, there is no plan to address the remaining "unevaluated" sites in a single project.

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA8	Eligible (Official)	Prehistoric Pueblo II	Six pueblo room blocks, three kivas, one architectural rubble mound concentration, and one associated midden. Site is also known as "C Block Pueblo."
5AA83	Eligible (Official)	Prehistoric Pueblo II	One pueblo room block, one foundation/plaza, two kivas, and an associated artifact scatter consisting of ceramics and faunal remains. Site is also known as the "Great House Pueblo."
5AA84	Eligible (Field)	Prehistoric Pueblo II	One architectural structure with an associated artifact scatter consisting of ceramics and faunal remains. Site is also known as "The Guard House."
5AA85	Unevaluated	Prehistoric Pueblo II	Nine pit houses and an associated ceramic scatter
5AA86	Unevaluated	Prehistoric Pueblo II	Three roomed residence, eight architectural rubble mound concentrations, and an associated midden. Site is also known as the "Parking Lot Site" or "Ridge House."

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA87	Eligible (Official)	Prehistoric Pueblo II	Six pueblo room blocks and one architectural rubble mound concentration
5AA88	Eligible (Official)	Prehistoric Pueblo II	Two kivas, including a great kiva, 19+ architectural rubble mound concentrations representing pit houses, one bedrock feature. Site is known as the "Ravine Site."
5AA89	Eligible (Official)	Prehistoric Pueblo II	One pueblo room block, one pit structure, one earthen feature, and an associated artifact scatter that consists of ceramics, groundstone, and debitage
5AA90	Eligible (Official)	Prehistoric Pueblo II	One pit structure, one architectural rubble mound concentration, and one associated midden
5AA91	Not Eligible (Official)	Prehistoric Pueblo II	Artifact scatter that consists of lithic tools, groundstone, and ceramics
5AA92	Eligible (Official)	Prehistoric Pueblo II	Fifteen architectural rubble mound concentrations and one associated midden. Excavated masonry structure is known as the "Salvage Site."
5AA93	Unevaluated	Prehistoric Pueblo II	Three pueblo room blocks, one foundation/plaza, one architectural rubble mound concentration, and five associated middens. Site is known as the "Sun Tower."
5AA94	Eligible (Official)	Prehistoric Pueblo II	Two architectural rubble mound concentrations and an associated midden
5AA95	Eligible (Official)	Prehistoric Pueblo II	One pueblo room block, one pit structure, two architectural rubble mound concentrations, one fire altered rock concentration, and one associated midden
5AA96	Eligible (Official)	Prehistoric Pueblo II	One pueblo room block, two architectural rubble mound concentrations, and an artifact scatter consisting of lithic tools, ceramics, and debitage
5AA97	Eligible (Official)	Prehistoric Pueblo II	An artifact scatter consisting of ceramics, groundstone, and debitage
5AA98	Eligible (Official)	Prehistoric Pueblo II	Two pueblo room blocks, three earthen features, and one associated midden
5AA99	Eligible (Official)	Prehistoric Pueblo II	Two architectural rubble mound concentrations and an associated midden
5AA100	Eligible (Official)	Prehistoric Pueblo II	One pit structure and an associated artifact scatter consisting of lithic tools, debitage, and ceramics
5AA101	Eligible (Official)	Prehistoric Pueblo II	One architectural rubble mound concentration with an associated artifact scatter consisting of lithic tools, debitage, groundstone, and ceramics
5AA102	Eligible (Official)	Prehistoric Pueblo II	One earthen feature and three fire affected rock concentrations
5AA106	Eligible (Official)	Prehistoric Pueblo II	Small unit pueblo
5AA107	Eligible (Official)	Prehistoric Pueblo II	Four crater mounds and a midden

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA108	Eligible (Official)	Prehistoric Pueblo II	Two crater mounds (habitations), a rock arc, a midden, and a lithic and ceramic scatter
5AA109	Eligible (Official)	Prehistoric Pueblo II	Field house and an associated artifact scatter
5AA110	Unevaluated	Prehistoric Pueblo	One architectural pit structure with an associated midden
5AA112	Eligible (field)	Prehistoric Pueblo II	One architectural rubble mound concentration (residence) with an associated artifact scatter
5AA113	Eligible (Official)	Prehistoric Pueblo II	Field house with an associated artifact scatter
5AA114	Unevaluated	Prehistoric Pueblo	One architectural rubble mound concentration
5AA115	Needs Data	Prehistoric Pueblo	One architectural rubble mound concentration
5AA116	Eligible (field)	Prehistoric Pueblo	One architectural rubble mound concentration
5AA117	Unevaluated	Prehistoric Pueblo II	One architectural pit structure
5AA118	Unevaluated	Prehistoric Pueblo II	One architectural pit structure
5AA119	Needs Data	Prehistoric Pueblo II	Prehistoric open camp site
5AA120	Unevaluated	Prehistoric Pueblo II	One architectural rubble mound concentration
5AA121	Unevaluated	Prehistoric	Artifact scatter consisting of lithic tools
5AA122	Unevaluated	Prehistoric	Prehistoric open camp site
5AA123	Not Eligible (Official)	Prehistoric	Prehistoric lithic and ceramic scatter
5AA124	Unevaluated	Prehistoric Pueblo	Artifact scatter consisting of lithic tools and ceramics
5AA126	Eligible (Official)	Prehistoric Pueblo II	Multiple habitations
5AA127	Needs Data	Prehistoric	Collection of flakes and groundstone tools
5AA129	Unevaluated	Prehistoric Pueblo II	The site consists of 10 structures and two large middens
5AA130	Unevaluated	Prehistoric Pueblo II	The site consists of two crater mound houses and a depression
5AA132	Unevaluated	Prehistoric Pueblo II	One pueblo room block and one kiva
5AA133	Unevaluated	Prehistoric Pueblo II	One architectural pit structure, one midden, and an associated artifact scatter consisting of lithic tools, groundstone, and ceramics
5AA134	Unevaluated	Prehistoric Pueblo II	Two architectural pit structures and one associated midden
5AA235	Unevaluated	Prehistoric Pueblo II	One architectural pit structure
5AA236	Unevaluated	Prehistoric Pueblo II	One architectural pit structure
5AA237	Unevaluated	Prehistoric Pueblo II	Prehistoric open camp site
5AA238	Unevaluated	Prehistoric Pueblo II	Prehistoric open camp site

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA239	Unevaluated	Prehistoric Pueblo II	One architectural pit structure
5AA240	Needs Data	Prehistoric Pueblo II	Prehistoric crater shaped mound and lithics
5AA241	Eligible (Official)	Prehistoric Pueblo II	Six pueblos containing pithouse depressions, rubble mounds, berms, and cobble rings and arcs
5AA242	Needs Data	Prehistoric Pueblo II	Six discrete habitation units
5AA243	Needs Data	Prehistoric Pueblo II	Multi unit pueblo with ancillary structures
5AA244	Needs Data	Prehistoric Pueblo II	Two crater mounds with an artifact concentration
5AA246	Needs Data	Prehistoric Pueblo II	The site consists of 26 pit structures and associated surface rooms
5AA247	Unevaluated	Prehistoric Pueblo II	Four pueblo room blocks, one foundation/plaza, and one pit structure
5AA248	Unevaluated	Prehistoric Pueblo II	One pueblo room block and two kivas
5AA249	Unevaluated	Prehistoric Pueblo II	Six habitation units on a Pleistocene bench at the base of Chimney Rock Mesa
5AA250	Not Eligible (Official)	Prehistoric Pueblo II	Prehistoric lithic and ceramic scatter
5AA251	Unevaluated	Prehistoric Pueblo II	One pueblo room block and one associated midden
5AA253	Eligible (Official) SJNF# 06-70	Prehistoric Pueblo II	Five pithouses, burned adobe feature, artifact scatter
5AA254	Eligible (Official)	Prehistoric Pueblo II	Two pithouse depressions, one burned adobe surface room, and a small lithic and ceramic scatter
5AA255	Needs Data	Prehistoric Pueblo II	Thinly scattered artifacts including lithics and ceramics
5AA256	Eligible (Official)	Prehistoric Pueblo II	Two rubble mounds (surface rooms) with a lithic and ceramic scatter
5AA257	Not Eligible (Official)	Prehistoric	Prehistoric lithic scatter
5AA262	Needs Data	Prehistoric Pueblo II	Prehistoric crater mound and lithic and ceramic scatter
5AA264	Eligible (Official)	Prehistoric Pueblo II	Two pithouses and a midden and artifact scatter
5AA265	Needs Data	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA266	Eligible (Official)	Prehistoric Pueblo I	Burned adobe surface structure and artifact scatter
5AA267	Not Eligible (Official)	Prehistoric Pueblo II	Lithic scatter
5AA268	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA269	Unevaluated	Prehistoric Pueblo II	One architectural rubble mound concentration with one associated midden
5AA750	Not Eligible (Official)	Prehistoric Pueblo II	Prehistoric open camp site

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA794	Eligible (Official)	Prehistoric Pueblo II	Two kivas and two architectural rubble mound concentrations
5AA795	Eligible (Official)	Prehistoric Pueblo II	One architectural rubble mound concentration, two kivas, and one associated midden
5AA796	Eligible (Official)	Prehistoric Pueblo II	One kiva, one architectural rubble mound concentration, and one associated midden
5AA797	Eligible (Official)	Prehistoric Pueblo II	Six architectural rubble mound concentrations
5AA798	Eligible (Official)	Prehistoric Pueblo II	One kiva and three architectural rubble mound concentrations
5AA799	Eligible (Official)	Prehistoric Pueblo II	Four architectural rubble mound concentrations
5AA800	Eligible (Official)	Prehistoric Pueblo II	One kiva and two architectural rubble mound concentrations
5AA801	Eligible (Official)	Prehistoric Pueblo II	Two architectural rubble mound concentrations
5AA802	Needs Data	Prehistoric	Lithic scatter
5AA803	Needs Data	Prehistoric	Prehistoric open camp site
5AA804	Needs Data	Prehistoric Pueblo	Prehistoric open camp site
5AA805	Needs Data	Prehistoric Pueblo	Prehistoric open camp site
5AA806	Needs Data	Prehistoric Pueblo	Prehistoric open camp site
5AA807	Eligible (field)	Prehistoric Pueblo II	One kiva, one architectural rubble mound concentration, and one associated midden
5AA808	Eligible (field)	Prehistoric Pueblo II	One architectural rubble mound concentration
5AA809	Needs Data	Prehistoric Pueblo	Lithic scatter
5AA810	Eligible (field)	Prehistoric Pueblo	One foundation/plaza
5AA811	Eligible (field)	Prehistoric Pueblo II	Two architectural rubble mound concentrations
5AA812	Eligible (field)	Prehistoric Pueblo II	One stone enclosure tipi ring and one architectural rubble mound concentration
5AA813	Eligible (field)	Prehistoric Pueblo II	One architectural rubble mound concentration and one associated midden
5AA814	Eligible (field)	Prehistoric Pueblo II	Two architectural rubble mound concentrations
5AA815	Eligible (field)	Prehistoric Pueblo II	One architectural rubble mound concentration
5AA875	Eligible (field)	Prehistoric Pueblo II	Small surface pueblo, kiva, and midden area
5AA910	Not Eligible (field)	Prehistoric Pueblo	Prehistoric open camp
5AA911	Not Eligible (field)	Historic	Rotting poles
5AA912	Needs Data	Prehistoric	One pueblo room block and one storage pit

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA981	Eligible (field)	Prehistoric Pueblo II	The site consists of three habitation units, a jacal and rock shelter, two middens, and a berm/rubble scatter that may represent a fourth habitation unit
5AA982	Eligible (field)	Prehistoric Pueblo II	The site consists of a single crater-mound house
5AA983	Eligible (field)	Prehistoric Pueblo	The site consists of a single crater-mound house
5AA984	Eligible (field)	Prehistoric Pueblo II	Five pueblo room blocks, one kiva, four pit structures, one earthen feature, and two architectural rubble mound concentrations
5AA985	Eligible – listed Chimney Rock Archaeological Area (District)	Prehistoric Pueblo II	Archaeological District (does not encompass entire area currently identified within the proposed national monument)
5AA991	Eligible (field)	Prehistoric Pueblo	Prehistoric open camp site
5AA1072	Needs Data	Prehistoric Pueblo II	One stone enclosure tipi ring and one associated midden
5AA1073	Needs Data	Historic	Historic habitation site
5AA1075	Needs Data	Prehistoric Pueblo	Artifact scatter consisting of lithic tools and ceramics
5AA1080	Needs Data	Prehistoric	One artifact concentration
5AA1123	Needs Data	Prehistoric	Limited activity area, possibly with a hearth of small structure
5AA1367	Eligible (Official)	Prehistoric Pueblo II	Pithouse depression, three features, and a lithic and ceramic scatter
5AA1371	Unevaluated	Prehistoric	Artifact scatter consisting of one granite adz and ceramics
5AA1380	Unevaluated	Multi-component, Includes Pueblo	Lithic artifact concentration
5AA1381	Needs Data	Prehistoric Pueblo II	Series of check dams staggered across an intermittent drainage
5AA1382	Needs Data	Prehistoric	One architectural rubble mound concentration with an associated artifact scatter consisting of ceramics and lithic debitage
5AA1434	Needs Data	Prehistoric Pueblo	The site consists of one crater-mound house and one depression
5AA1435	Unevaluated	Prehistoric	Architectural feature with an associated ceramic scatter
5AA1852	Needs Data	Prehistoric Pueblo II	Prehistoric open camp site with stone monoliths
5AA2601	Eligible (Official)	Prehistoric Pueblo II	One rock slab feature and an associated artifact scatter consisting of lithic tools and ceramics
5AA2602	Eligible (Official)	Prehistoric Pueblo II	One pueblo room block
5AA2603	Eligible (Official)	Prehistoric Pueblo II	Artifact scatter consisting of lithic tools, debitage, and ceramics

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA2604	Eligible (Official)	Prehistoric Protohistoric	Navajo wooden architecture and midden
5AA2605	Eligible (Official)	Prehistoric Pueblo I/II	Artifact scatter consisting of lithic tools, groundstone, and ceramics
5AA2606	Eligible (Official)	Prehistoric	One fire altered rock concentration and associated artifact scatter
5AA2607	Eligible (Official)	Prehistoric	One hearth with an associated artifact scatter consisting of lithic tools, debitage, and groundstone
5AA2608	Not Eligible (Official)	Prehistoric	Artifact scatter consisting of lithic tools and groundstone
5AA2609	Eligible (Official)	Prehistoric Pueblo I/II	A fire altered rock concentration and an artifact scatter consisting of groundstone, ceramics, and debitage
5AA2610	Eligible (Official)	Prehistoric Protohistoric	Two Navajo wooden structure, two isolated wall segments, and two fire altered rock concentrations
5AA2611	Eligible (Official)	Prehistoric Pueblo II	One surface structure and associated artifact scatter
5AA2612	Not Eligible (Official)	Prehistoric Pueblo II	Artifact scatter consisting of lithic tools, debitage, and ceramics
5AA2916	Eligible (Official)	Prehistoric Pueblo II	Possible pithouse and surface structure
5AA2917	Eligible (Official)	Prehistoric Pueblo I	Lithic and ceramic scatter with a pithouse
5AA2919	Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter with a possible structure and midden
5AA2921	Eligible (Official)	Prehistoric Pueblo II	Large crater mound with five pit structures and a limited artifact scatter
5AA2922	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2923	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2924	Needs Data	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2925	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2926	Needs Data	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2927	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2928	Needs Data	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2932	Eligible (Official)	Prehistoric Pueblo I	Rubble mound with an associated artifact scatter
5AA2933	Not Eligible (Official)	Prehistoric Pueblo I	Lithic and ceramic scatter
5AA2934	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2935	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2936	Eligible (Official)	Prehistoric Pueblo II	Crater mound with a lithic and ceramic scatter

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5AA2937	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA2938	Not Eligible (Official)	Prehistoric Pueblo II	Lithic and ceramic scatter
5AA3016	Not Eligible (Official)	Prehistoric	One stone enclosure tipi ring
5AA3179	Not Eligible (Official)	Prehistoric	Lithic scatter
5AA3418	Not Eligible (Official)	Historic	Depression era Forest Service fire tower (scheduled for removal)
Isolated Finds			
5aa746	NE – Isolate	Prehistoric	Current definitions generally define a *site* as any cultural manifestation with features (e.g., structures, hearths…) and/or evidence of patterned activities. Any location with 15 or more artifacts on the SJNF currently qualifies as a site regardless of presence/absence of features or evidence of patterned activities. An *Isolated Find* is a location that does not contain features or have evidence of patterned activity and the artifact count is 14 or fewer. Single artifacts are Isolated Finds. Isolated finds are generally "not eligible" to the National Register of Historic Places.
5aa747	NE - Isolate	Prehistoric	
5aa748	NE - Isolate	Historic	
5aa817	NE - Isolate	Prehistoric	
5aa818	NE - Isolate	Prehistoric	
5aa819	NE - Isolate	Prehistoric	
5aa820	NE - Isolate	Prehistoric	
5aa895	NE - Isolate	Prehistoric	
5aa913	NE – Isolate	Prehistoric	
5aa914	NE – Isolate	Prehistoric	
5aa915	NE – Isolate	Prehistoric	
5aa916	NE – Isolate	Prehistoric	
5aa917	NE – Isolate	Prehistoric	
5aa918	NE – Isolate	Prehistoric	
5aa919	NE – Isolate	Prehistoric	
5aa920	NE – Isolate	Prehistoric	
5aa921	NE – Isolate	Prehistoric	
5aa922	NE – Isolate	Prehistoric	
5aa923	NE – Isolate	Prehistoric	
5aa924	NE – Isolate	Prehistoric	
5aa925	NE – Isolate	Prehistoric	
5aa1008	NE – Isolate	Prehistoric	
5aa1033	NE – Isolate	Prehistoric	
5aa1034	NE – Isolate	Prehistoric	
5aa1089	NE – Isolate	Prehistoric	
5aa1098	NE – Isolate	Prehistoric	
5aa1099	NE – Isolate	Prehistoric	
5aa1111	NE – Isolate	Prehistoric	
5aa1117	NE - Isolate	Prehistoric	
5aa1370	NE - Isolate	Prehistoric	
5aa1372	NE - Isolate	Prehistoric	
5aa1373	NE - Isolate	Prehistoric	
5aa1374	NE – Isolate	Prehistoric	
5aa1375	NE – Isolate	Prehistoric	
5aa1379	NE – Isolate	Prehistoric	
5aa1383	NE – Isolate	Prehistoric	
5aa2613	NE – Isolate	Prehistoric	
5aa2614	NE – Isolate	Prehistoric	
5aa2615	NE – Isolate	Prehistoric	
5aa2616	NE – Isolate	Prehistoric	
5aa2617	NE – Isolate	Prehistoric	
5aa2618	NE – Isolate	Prehistoric	
5aa2619	NE – Isolate	Prehistoric	
5aa2620	NE – Isolate	Prehistoric	

Smithsonian#	Eligibility to National Register	Site/Isolate Type	Comment/Description
5aa2669	NE – Isolate	Prehistoric	
5aa2920	NE – Isolate	Historic	
5aa2929	NE - Isolate	Prehistoric	
5aa2930	NE – Isolate	Prehistoric	
5aa2931	NE – Isolate	Prehistoric	
5aa2939	NE – Isolate	Prehistoric	
5aa2940	NE – Isolate	Prehistoric	
5aa2944	NE – Isolate	Prehistoric	
5aa2945	NE – Isolate	Prehistoric	
5aa3003	NE – Isolate	Prehistoric	
5aa3004	NE – Isolate	Prehistoric	
5aa3005	NE – Isolate	Prehistoric	
5aa3006	NE – Isolate	Prehistoric	
5aa3007	NE – Isolate	Prehistoric	
5aa3008	NE – Isolate	Prehistoric	
5aa3009	NE – Isolate	Prehistoric	
5aa3010	NE – Isolate	Prehistoric	
5aa3011	NE – Isolate	Prehistoric	
5aa3012	NE – Isolate	Prehistoric	
5aa3013	NE – Isolate	Prehistoric	
5aa3014	NE – Isolate	Prehistoric	
5aa3015	NE – Isolate	Prehistoric	
5aa3017	NE – Isolate	Prehistoric	
5aa3018	NE – Isolate	Prehistoric	
5aa3019	NE – Isolate	Prehistoric	
5aa3020	NE – Isolate	Prehistoric	
5aa3021	NE – Isolate	Prehistoric	
5aa3022	NE – Isolate	Prehistoric	
5aa3023	NE – Isolate	Prehistoric	
5aa3024	NE – Isolate	Prehistoric	
5aa3025	NE – Isolate	Prehistoric	
5aa3026	NE – Isolate	Historic	
5aa3027	NE – Isolate	Prehistoric	
5aa3028	NE – Isolate	Prehistoric	
5aa3029	NE – Isolate	Prehistoric	
5aa3030	NE – Isolate	Prehistoric	
5aa3031	NE – Isolate	Prehistoric	
5aa3032	NE – Isolate	Prehistoric	
5aa3033	NE – Isolate	Prehistoric	
5aa3034	NE – Isolate	Prehistoric	

Question 10. Please provide a list of existing or planned educational opportunities found within the boundaries of the proposed monument?

Answer. The Chimney Rock Interpretive Program (CRIP) is managed and staffed by the National Forest Service and volunteers of the Chimney Rock Interpretive Association (CRIA). CRIA is a pan-tribal non-profit group whose volunteers offer education and interpretation. CRIA conducts daily guided walking tours and operates the Visitor Center during the primary use season, May 15 to September 30. There are four walking tours daily; these tours last 2 to 2.5 hours and focus on the sites located on Chimney Rock Mesa. In addition to the four daily walking tours, there are special evening programs twice per month, a "full moon" program featuring Native American musicians and a discussion of the archaeo-astronomy of Chimney Rock and a "night skies" program which discusses archaeo-astronomy, and planetary and stellar astronomy. An early morning tour is also held at the summer solstice to provide the opportunity to view summer solstice alignments. Additional tours are conducted for larger groups, particularly school groups; CRIA has an outreach program to local schools where CRIA volunteers help prepare students for their fieldtrip to Chimney Rock by visiting the schools and conducting educational programs. An annual program, "Life at Chimney Rock," is designed to allow visitors (particularly families) to experience aspects of Puebloan life by providing opportunities to grind corn, make ceramics, process yucca, and throw an atlatl. Monthly meetings featuring speakers discussing local archaeology are also held. Currently preparations for a (2011) symposium on Chimney Rock and Chacoan Archaeology are underway. The possibility of CRIA hosting online educational materials on Chimney Rock is being investigated. Geology tours occur at Chimney Rock annually. Special

tours were offered during the lunar standstill (2004-2008) so that visitors could view the moon rising between the pinnacles. Native American dances, organized by Friends of Native Culture, have been held at the site annually for the last 16 years. Research at the site (e.g., multiple surveys, fill reduction excavations conducted by the University of Colorado, architectural documentation at the site, and geophysical survey conducted by Colorado School of Mines) also provides educational opportunities to university students.

The management plan in the bill would address the issue of educational programs and opportunities.

Question 11. Please provide a list of each of the recreational activities that currently occurs within the proposed monument and an assessment of whether recreational uses will increase of decrease for each activity if the monument is designated?

Answer. (see table).

Current Activity	Recreational Use if National Monument
Archaeological Visitation/Interpretation	Increase
Astronomical Interpretation	Increase
Geological Interpretation	Increase
Hiking	Increase
Bicycling	Same to minor increase*
Hunting	Same to minor decrease*
Horseback Riding	Same to minor increase*
Cross Country Skiing	Same**
Snowshoeing	Same**

*predominately local visitors
**predominately local visitors; could decrease if road was kept open year-round

Question 12. Please provide a list of new recreational activities that could occur within the national monument (if designated) and whether or not the new uses would reduce similar recreational activities on non-monument lands in the area?

Answer. None anticipated. The management plan in the bill would address the issue of recreational opportunities.

Question 13. Please describe each of the visual resources that can be seen within the monument (if designated) and whether similar visual resources exist within the county or counties where the proposed monument is located?

Answer. See questions/answers 1, 2, 6, 9, 20, and 21. There are no similar visual resources within the county that exists.

Question 14. What exactly are the scenic values within the proposed national monument?

Answer. See questions/answers 1, 2, 6, 9, 20, and 21.

Question 15. Does the forest have a scenic value rating system, and if so, how do the scenic values within the proposed monument compare to those within the surrounding National Forest?

Answer. Yes. On lands administered by the Forest Service, the Draft Land Management Plan identifies five Scenic Integrity Levels (SIL) through the Forest Service Scenery Management Plan: (Very High SIL, High SIL, Moderate SIL, Low SIL, and Very Low SIL). Scenic classes and constituent information about landscape values are used to determine the extent, quality, and location of desired scenery conditions. Generally, Very High or High Scenic Integrity levels are assigned to Wilderness and other congressionally designated areas. Other surrounding management areas will be assigned a scenic integrity level that is consistent with the desired condition. Scenic integrity is used as a measure of existing scenic condition. The existing Chimney Rock Archeological Area is rated as "High." This refers to landscape where the valued landscape character appears intact. Deviations may be present; however, they must repeat form, line, color, texture, and pattern common to the landscape char-

acter so completely, and at such scale, that they are not evident. The majority of the remaining area within the proposed National Monument boundary is also rated as "High." The area to the west referred to as Peterson Mesa is rated as "Moderate"—this refers to landscapes where the valued landscape character appears slightly altered. Noticeable deviations must remain visually subordinate to the landscape character being viewed.

Question 16. What existing expertise does the Forest Service have to interpret this resource of this proposed monument for the public?

Answer. The Forest Service together with local volunteers has been interpreting the site for the last 16 years. The Forest Service has many professionals on staff with experience in interpretive programs and archaeology. For example, the current District Archaeologist holds a Ph.D. in Anthropological Archaeology, has worked in archaeology for over 25 years, has served as a college professor, has been certified as a teacher at the primary and secondary level, and has helped develop educational programs (as part of this and previous jobs). The San Juan National Forest and Southwestern Colorado BLM units (including Canyons of the Ancients National Monument) are managed jointly out of the Public Lands Center (Durango). Personnel managing the site already meet with other professionals managing Chacoan Sites (e.g., from Chaco National Park the BLM) annually as part of the Chacoan Interagency Management Group. These meetings discuss interpretation and other issues of site management.

The Forest Service and CRIA have worked together to develop a handbook for interpreters and conduct a two-day annual orientation for all volunteers at the site. Many volunteer tour guides have been working at the site for many years (some since interpretation at the site began 16 years ago). Mentoring and monitoring programs are in place to assure that visitors are offered quality interpretation. Visitor comments at Chimney Rock indicate that many visitors feel the interpretive program at this site compares favorably to those at other local sites (e.g., Mesa Verde and Aztec Ruins).

Question 17. How many and what would the cost of hiring the additional interpreters to provide the 7 days a week interpretive services proposed for this monument?

Answer. Up to this point, the interpretive program at Chimney Rock has been largely staffed with volunteers. Tours at the site are currently provided by the CRIA, a non-profit organization with over 70 active volunteers. CRIA conducts interpretive activities at the site under a Special Use Permit for Campground and Related Granger-Thye Concessions. CRIA works very closely with the Forest Service in providing services and training interpreters. They collect minimal fees and sell some items (e.g., t-shirts and books) to help meet their costs. The services provided by the volunteers at Chimney Rock last year are valued at over $250,000. The San Juan National Forest made this valuation, based on the number of hours that volunteers put in at the site and the approximate pay-grades that would have been required to accomplish the same tasks (GS 03 to GS 09).

Although some staffing needs might develop were the site to become a National Monument, the Forest Service would anticipate continuing to work with our dedicated volunteers to provide services at Chimney Rock into the future. Ultimately, management and staffing decisions would be addressed in the management plan required by the bill, but will be limited to existing resources upon enaction

Question 18. Will this proposed monument need additional facilities such as an interpretive center or upgrades to existing facilities, if so, what will be the cost to build these new or improved facilities?

Answer. The CRIA has developed a long-term wish list of site facilities. The wishlist includes: an interpretive center capable of displaying artifacts, a parking lot (near the lower parking area) with additional RV parking, improvements to the lower restrooms including running water, shuttle service from the lower parking lot area to the sites, hiking trails near the lower parking area, construction of a pithouse near the lower parking area, hiking trail from lower parking to the site, upgraded signage, some shade and/or benches on the upper trail, hand rails on a difficult portion of the upper trail. While the local interpretive association has put together a logical set of needed improvements, the management plan to be prepared by the Forest Service would ultimately address which (if any) of these site improvements within the confine of existing resources, if enacted would be pursued.

Question 19. Given the archeological resources sited in the findings of this bill; why shouldn't this monument be turned over to the Park Service for inclusion in the National Park System?

Answer. Managing cultural resources falls within the Forest Service mandate and is well within our capabilities. Our management of Chimney Rock, particularly our collaboration with the non-profit Chimney Rock Interpretive Association and volun-

teers, has helped the site gain the recognition and the reputation it currently has as an interpretive area and demonstrates our ability to manage the archeological resource. The Forest Service currently manages six national monuments (one jointly with the BLM). The proposed Chimney Rock National Monument falls within our San Juan Public Lands offices where the San Juan National Forest is jointly managed with Bureau of Land Management-administered lands under the authority of Service First. The San Juan Public Lands offices include BLM's Canyons of the Ancients National Monument, meaning that this particular administrative unit already has a great deal of experience in managing world-class archaeological resources. The San Juan National Forest would continue to manage lands adjacent to the proposed Chimney Rock monument. Many visitors to the site provide comments expressing their appreciation for a management and interpretive approach that provides an alternative to regional National Park Service units.

Question 20. Please provide the Committee with a detailed description of the specific geological and astronomical time resources within the proposed monument and describe how the Forest Service would interpret the astronomical time resources to the public?

Answer. Geological features, astronomy, and archaeology intersect at Chimney Rock. The dramatic pinnacles of Chimney Rock and Companion Rock probably were a draw for prehistoric people. These geologic features are visible from all puebloan site groups (villages) identified within the proposed monument. It has been suggested that the proximity to the pinnacles and alignments viewed through them is one reason for the Chacoan influence at Chimney Rock.

The importance of astronomical alignments, and thus views, within the Chimney Rock Archaeological District (5AA985) has been explored by many researchers. Important alignments recognized by the Ancestral Puebloans are expressed in the built environment. The best known archaeo-astronomical alignment at Chimney Rock is the (northern) lunar standstill, during which the moon rise can be seen between the pinnacles (Chimney and Companion Rocks) from the Great House Pueblo; the lunar standstill would have occurred at 18.6 year cycles and the two recognized construction phases at the Great House Pueblo (5AA83), in AD1076 and AD1093, coincide with lunar standstills. Other recognized alignments include alignments marking the summer and winter solstice and the fall and spring equinox. The "sun tower" was probably a solar observatory marking the winter solstice over the east slope. From the stone basin, the Ancestral Puebloans could watch the sun rise over the north wall of the Great House (5AA83) on the summer solstice. Viewed from across the Piedra River, at the C-Block Pueblo on Peterson Mesa, the sun would have risen between Chimney Rock and Companion Rock on both the spring and fall equinoxes. Another recognized alignment is the south wall of the Great House (5AA83) with the Crab Nebula (1054 A.D.), as viewed from the stone basin.

The archaeo-astronomy of Chimney Rock is currently discussed during standard site tours. Special tours are offered during alignments when the site is accessible. Special tours are offered at the summer solstice. Special tours were also held during the northern lunar standstill (2004-2008). The archaeo-astronomy of the site is also discussed during "Full Moon" and "Night Skies" events (offered monthly during the operating season). Astronomy, in a more general sense, is the focus of the "Night Skies" event; telescopes are positioned in and near the upper parking lot during this event. Chimney Rock continues to be in an area with comparatively low light pollution, rendering the site a prime location for star gazing.

Although specific management of the site would be addressed in the management plan, these types of interpretive opportunities would continue. Additional events (e.g., winter solstice and fall and spring equinox events) could be added.

Question 21. Please describe in detail the geology, ecology, and prehistoric archeology within this proposed monument, how they relate and differ to the same resources in the surrounding area?

Answer. The Chimney Rock area is unique within the surrounding area. The Pueblo II sites within the proposed monument don't occur across a large surrounding area; the visually striking geologic pinnacles are within the proposed monument; the ecology, while generally similar to the larger area, has been culturally modified.

There is a concentration of Pueblo II (A.D. 900-1150) sites within the proposed monument (and immediately adjacent private and tribal lands). This concentration, mostly within a mile of Chimney Rock Mesa and within view of the geologic pinnacles, is unique. This concentration of Pueblo II sites is the largest concentration of such sites located in the Upper San Juan Basin. The Pueblo II occupation is considered a Chacoan outlier and is located 150 km from the rim of Chaco Canyon and 72 km from Aztec Ruins. The area is the northeastern most and most isolated Chacoan settlement, and appears to have been among the earliest outliers con-

structed. The site differs from other Chacoan settlements in that it is located in a montane setting, rather than in the more typical desert environment.

The geologic resources within the proposed monument includes the pinnacles (Chimney Rock and Companion Rock); while the geologic processes which formed these features are not particularly complicated and are similar to those experienced across the larger area, the features themselves are a spectacular marker on the landscape. The exposure of these features lays bare the processes which formed them. It is these geologic resources which probably attracted ancient settlers into the area.

At its peak, well over 1000 people could have lived within the Chimney Rock village groups. These people engaged in agriculture, producing crops of corn, beans, and squash. Agriculture required the construction of check dams to help provide water. The people also hunted wild game and seem to have harvested timber during the spring and summer (most timbers used by Ancestral Puebloans was cut during the winter). It has been proposed that some of the resources produced at Chimney Rock were exported to Chaco Canyon, although research needs to continue in this area. It is possible that game meat, agricultural products, and/or timber (a key research question given the lack of large sources of timber near Chaco) would have been exported.

Part of what makes Chimney Rock interesting is that the archaeological resources are grouped in such a compact area and that interrelationships between culture, geology and the natural world can be studied in a setting which has not been substantially re-settled since the Pueblo II period, leaving appreciable evidence available to researchers.

Question 22. What studies have occurred within the area that has not been carried out at other archeological sites in Southern Colorado and Northern New Mexico?

Answer. The proposed Chimney Rock National Monument contains the "Ultimate Outlier" of Chaco Culture - the Chimney Rock Great House and associated sites. These sites which were part of the Chaco Culture from 1076 to 1125 CE contain all the architectural and material culture hallmarks which characterized Chaco Culture, yet incorporated unique and outstanding landscape and archaeo-astronomical features which are representative of a wider-Chacoan "world view." Among those sites identified as Chacoan outliers, the Chimney Rock Pueblo is distinguished by being the most isolated, the highest, and the most remote from arable land. (Malville and Putnam, 1993).

In addition to these distinctions, Chimney Rock is uniquely tied to the essence of Chaco Culture. "Because of its geographic and astronomical uniqueness, Chimney Rock may have developed into a . . .ceremonial center within the Chacoan regional system to which people periodically traveled to conduct ceremonies and reaffirm social solidarity." (Malville, 2004 p. 17). As stated in the Chaco Culture National Historical Park World Heritage Nomination, "Complex religious ceremony permeated the Chacoan's daily lives, thus reinforcing the system's effectiveness. Religious features were integral components of all Chacoan communities" (1987). Chimney Rock Great House with its twin spires and astronomical alignments integrated these religious features in the most dramatic fashion.

Chimney Rock may be the key to providing greater insights into the Chaco Culture. Questions are still unanswered as to the organization of Chacoan society and source of its apparent power which created monumental architecture and a remarkable regional system. Judge and Malville (2004) have hypothesized that some of the power possessed by leaders living in Chaco Canyon may have come from their possession of "esoteric" astronomical knowledge, some of which may have been acquired at Chimney Rock. The spectacular sunrises and moonrises visible from the Chimney Rock Great House may have established Chimney Rock as a source of calendrical information.

If regularly scheduled regional festivals were held in Chaco Canyon, at which a dispersed population gathered on specified days, a regional calendar with an accuracy of one or two days was necessary. Calendrical information could have been visually communicated from the Chimney Rock Pueblo to Pueblo Alto via Huerfano Mountain, as has been demonstrated by Freeman et. al. The observation methodology of the astronomical calendar and the communication capabilities between Chimney Rock and Pueblo Alto may have been important elements in the management of the regional system. (Judge and Malville, 2004 p. 17)

Chimney Rock shares many of the same architectural and cultural attributes as other Chacoan Outliers. However, in many respects it is more exciting than other Outliers, because its integration with the spectacular landscape, archaeo-astronomy features, and what it speaks to us of the Chacoan World. Lekson (2004) makes a compelling argument as to why Chimney Rock is the "Ultimate Outlier," and how

understanding Chimney Rock enriches and clarifies our understanding of the Chaco Culture:

Chimney Rock is at the edge, on the periphery of the Chaco world. What does the periphery tell us about Chaco as a center? There were other Chaco style sites, but Chaco was many times larger and incomparably grander that any 11th century outlier. Chaco alone is simply an anomaly, a pathology, an aberration. Within a region, Chaco becomes something like a capital. With the rise and fall of roads, outliers define the region. But close, in-lying outliers lack descriptive clarity and rhetorical force. Many Great Houses, surrounded by a murky sea of smaller unit pueblos, escaped detections through decades of archaeological scrutiny. It takes a blatant ringer way out on the edge like Chimney Rock to validate all the humdrum, cookie-cutter outliers that fill our maps with dots.Patterns show clearest against contrasting backgrounds. Perched on the far periphery, where backgrounds contrast the most, Chimney Rock validates the center.

Chimney Rock is one of the strongest patterns in a robust Chacoan pattern, and the research possibilities are the more promising for it. This dramatic and isolated place invites some interesting thinking about design, semiotics, and cognition, because its configuration and relationships are so strong. (Lekson, 2004 p.viii).

Chimney Rock, unlike many Southwestern prehistoric sites, is unique in that it was not occupied before the Chacoan Phase, and it was not occupied after abandonment. Nor has it been vandalized. Therefore, it is a well defined and preserved "time capsule," presenting an "uncontaminated" snapshot of Chacoan culture at its height, without the obscuring layers of earlier or later habitation found at so many other sites.

A clear vision and appreciation of Chaco Culture is not possible without Chimney Rock. The Chimney Rock Great House, Great Kiva, Stone Basin site, and the Chimney Rock Pinnacles are as equally or better preserved than most Chacoan Outliers and the complex of sites around Chimney Rock represents an unparalleled opportunity for exploring the complex dynamics of an outlier complex.

Referenced Materials

Judge, W. J., and J, M. Malville
2004.—Calenderical Knowledge and Ritual Power. In Chimney Rock.- The Ultimate Outlier. J. M. Malville, editor, pp. 151-162. Lexington Books, Rowan and Littlefield Publishers, Boulder Co.

Lekson, Stephen H.
2004.—Chimney Rock: The Ultimate Outlier. In Chimney Rock: The Ultimate Outlier. J. M. Malville, editor, pp. vi-viii. Lexington Books, Rowan and Littlefield Publishers, Boulder Co.

Malville, J. McKim
2004.—The Ultimate Outlier. J. M. Malville, editor, Lexington Books, Rowan and Littlefield Publishers, Boulder Co.

Malville, J. McKim and Claudia Putnam
1993.—Prehistoric Astronomy in the Southwest. Johnson Books, Boulder.

Question 23. Please provide the Committee with a detailed description of what opportunities are available at this site to "enhance the understanding ...Ancestral Puebloans" that is not available at other similar already protected areas like Mesa Verde or Chaco Canyon?

Answer. Chimney Rock is a Pueblo II site dating to (AD 950 - 1150); this is contemporaneous with Chaco Canyon. Mesa Verde, while also linked to Ancestral Puebloans, is not part of the Chacoan phenomenon and was inhabited after Chimney Rock and Chaco Canyon were abandoned; Mesa Verde was at its peak during the 13th Century. Chimney Rock is the northeastern-most Chacoan outlier; it was recognized as a Chacoan Outlier in the Chacoan Sites Protection Act (1992). Aztec Ruins, another Chacoan site located nearby, is interpreted as having been built by social elites moving out of Chaco and reflects migration. The Chimney Rock area reflects how a local population was drawn into the Chacoan phenomenon. The complex offers us an opportunity to study how and why Chacoan influence extended into outlying areas and how, in turn, this community was integrated into the Chacoan world. The economic relationship between the resource-rich Chimney Rock area and resource-poor Chaco Canyon is one interesting avenue of study; the astronomical (and possibly religious) significance of Chimney Rock within the larger Chacoan world is also worthy of further study.

Establishment provision

Question 24. Please provide the Committee with a description of how and why the proposed designation will preserve the existing anthropological, geologic, hydrologic, biological, visual and scenic resource more than the current land management designation for the area does?

Answer. The Forest Service may change the administrative designations. A National Monument designation can only be changed by an Act of Congress. As currently proposed, the national monument would also encompass a larger area, bringing Peterson Mesa, where the important Peterson Gulch site group is located, into the area managed for its cultural resources. The Chimney Rock Archaeological Area (CRAA), encompassing a portion of the proposed monument, was initially defined as a Special Interest Area with archaeological resources under regulation U3 (regulation/designation since revoked). The CRAA is currently managed as a 10C area, a revocable Forest Service Administrative Designation, and is recognized within the Forest Plan. Although the Forest Service has recognized and managed the Chimney Rock area for its archaeological resources since the 1970s, changes in management direction in the future could modify our ability to protect the resources within the proposed monument boundaries from development (e.g., mineral development). A portion of the proposed monument area is currently protected using our management designation; these designations have helped set the area aside from development, allowing us to manage it as the special area that it is. The entire area is subject to current federal law (e.g., National Historic Preservation Act, Archaeological Resources Protection Act, National Environmental Policy Act, etc.). Designation as a monument would recognize the importance of the Chimney Rock area and facilitate cohesive long term management/protection of the entire area.

Question 25. Please provide the Committee with a description of how and why the preservation of the existing anthropological, geologic, hydrologic, biological, visual and scenic resource will help the public more fully realize the resources listed above?

Answer. The resources at Chimney Rock are interconnected. Preserving the associations of these resources helps maintain the integrity of setting and feeling of the archaeological resources. How can a visitor fully realize the archaeo-astronomical alignments within the area without maintaining the geologic (and scenic) values? Other aspects of setting (e.g., our forested slopes) help visitors understand the differences between this area and other parts of the Chacoan world; helping them identify with why this area could have been important economically. Our wildlife also enhances visitor experience at the site; a pair of peregrine falcons nest on Companion Rock; watching these birds teach their fledglings how to fly and hunt has become a visitor (and interpreter) favorite. The interconnections between the resources at Chimney Rock enrich visitors' ability to understand the archaeological resources and enhance visitors' experience with beautiful scenery and entertaining wildlife. Please see questions 1, 2, 6, 20 & 21.

Question 26. If not designated, what would be the impacts on each of the listed resources (please be as specific as possible).

Answer. See Question #24.

National Monument status would provide enduring protection. Designation might also serve to focus management, public, and scientific interests on the area, furthering our knowledge of and ability to protect the resources listed. Specific impacts are unknown; threats are ever-changing.

Question 27. What will be the cost to the Forest Service of the preservation, restoration, and protection of the existing anthropological, geologic, hydrologic, biological, visual and scenic resources within the proposed monument, if it is designated by Congress? Please provide an estimate of the cost for each five year increment of the next 25 years.

Answer. Until a management plan is developed, no specific costs for preserving, restoring, and protecting the resources within the proposed national monument can be estimated. Current costs associated with the facility average $485,000 per year; this figure does not include volunteer time valued at approximately $250,000 per year. Current costs for running the area include maintenance of facilities (e.g., restrooms, roads, and parking lots), site stabilization (including architectural documentation, moisture monitoring, and wall stabilization), management and archaeological support, and other costs associated with managing the area (e.g., fuels reduction projects).

Vegetation Management

Question 28. The bill restricts vegetative management to those other than timber harvest; is there any commercial timber within the proposed monument?

Answer. There is commercial timber within the proposed monument but it is not within the timber management emphasis area as defined in the current San Juan National Forest Resource Management Plan (1992). Given the terrain of the area, only a small portion of the proposed monument has road access that would allow harvesting of timber.

Question 29. As the Forest Service reads this bill will it be allowed to use chaining or other mechanical means such as disking, to reduce fuels?

Answer. Section 6(b) allows "vegetative management treatments within the National Monument, except that timber harvest and prescribed fire may only be used to address the risk of wildfire, insects, or diseases that would endanger the National Monument or imperil public safety." The Forest Service interprets this to mean that mechanical means of managing vegetation would be allowed.

In order to manage for healthy forests and reduce the risk of severe fire and/or insect-caused mortality, it will be necessary to conduct thinning with some periodic removal of timber or biomass. Reducing the risk of severe wildfire is a critical factor in protecting the area's cultural resources. The Forest Service will continue to use all measures to facilitate fuels reduction that are consistent with current law. Some form of mechanical fuels reduction will be necessary given that prescribed fire is not an option in portions of the proposed monument, due to unsuitable terrain and the density of sensitive archaeological resources.

Question 30. Given past fires at Mesa Verde, what is the likelihood of the Forest Service using prescribed burns to manage vegetation at the monument, if it is designated?

Answer. It is highly likely that the Forest Service will use prescribed fire to manage vegetation in the monument. We are currently preparing two burn plans in the Chimney Rock Archeological Area. One of those is a multi-agency burn with the Southern Ute Agency of the Bureau of Indian Affairs. These burns are part of a comprehensive fuels and forest health management plan for the area.

Question 31. What is the fuel loading and fuel conditions within the bounds of the proposed monument at this time?

Answer. Fuel loading within the boundaries of the proposed monument is moderate to high at this time. Vegetation types within the proposed monument include grassland, mountain shrublands, piñon-juniper woodlands, ponderosa pine and mixed conifer forests. Most of this vegetation (with the exception of piñon-juniper) is classified in Fire Regime I or II, that is, historically fires burned through it frequently (generally less than 30 years). In the ponderosa pine forests, historical fires were low intensity understory burns that occurred every 5 to 30 years. No fires larger than a few acres have occurred in the CR area in over 100 years. As a result surface fuels are very high, especially in the ponderosa pine and mixed conifer forests. In addition, Rocky Mountain and Utah juniper, two woodland species that are highly flammable, have been encroaching into the ponderosa pine forests as a result of fire exclusion and have added to the fire hazard and fuels load. Mixed conifer forests are becoming more dominated by low-fire resistant Douglas-fir while the more-fire resistant ponderosa pine is declining. Shrublands are dense with large amounts of dead and decadent fuel. Grasslands have low fuel loading as a result of past overgrazing, but invasive species (in particular cheatgrass) are present in the grasslands and increase the fire hazard. Recent vegetation management treatments have mitigated some of the fuel loads and fire hazard (see the next item), however much remains to be done to restore health to the plant communities and reduce the risk of uncharacteristic fire.

Question 32. Has the agency done any vegetation management or fuels management within the proposed boundaries of the monument in the last 20 years? If so how much, where, and at what cost?

Answer. Prior to 2000, very little vegetation management was done within the boundary of the proposed monument. In 2003 the Forest Service began preventative spraying of piñon pine trees to protect them from piñon ips, a bark beetle that killed piñon trees on millions of acres in the Four Corners area from 2003 through 2006. Spraying occurred on high value trees along the access road, adjacent to archeological sites and near the visitor center in 2003 and 2005 at a total cost of approximately $30,000. In 2004 Forest Service crews thinned 28 acres near the visitor center and along the access road. Slash from the thinning was piled and later burned at an estimated cost of $14,000. In 2008 a total of 414 acres were mechanically treated with mastication equipment to thin the forest and remove understory shrubs and ladder fuels. Treatments occurred primarily in ponderosa pine forests on the north and east sides of the Chimney Rock Archeological Area at a total cost of $210,024. In 2009, 15 acres of piñon-juniper woodland adjacent to the upper parking lot and numerous ruins were thinned and piled by the San Juan Hotshot Crew. Most of the piles were burned in the winter of 2009-2010. In fall 2009 and spring

2010, Veteran's Green Corps, managed by the Southwest Conservation Corps under a cooperative agreement with the Forest Service, thinned and piled 105 acres in ponderosa pine forests on the west side of the Archeological Area at a total cost of approximately $25,000.

Question 33. Have any of the trees been impacted by insects or diseases in the past, if so, by what pathogen and how severely where they infected?

Answer. In the past 7 years bark beetles have killed numerous piñon pine, Douglas-fir and ponderosa pine trees. The worst mortality has occurred in Douglas-fir trees on the steep slopes north of the rock. Beetles have killed piñon pine and ponderosa pine in small pockets, especially on the drier, south aspects. These pests are currently present in the area at endemic levels and continue to kill trees every year.

Authorized Uses

S. 3303 authorizes the construction of a visitor's center.

Question 34. Please provide the Committee an estimate of the cost of constructing an all weather road to the site as well as the cost of a visitor center for the monument (based on the cost of other similarly sized monuments in 2012 and 2020 dollars)?

Answer. An all weather road (gravel surfaced) is estimated at $300,000 per mile (2010 dollars). The current road system is closed to motorized vehicles from December 1 through May 15, as conditions permit. Given heavy snow pack within the proposed monument boundaries, it is unlikely year-round operations would be practical. The existing visitor contact area is approximately ¾ of a mile from Highway 151 and the entire length of the existing road is approximately 3.5 miles.

Until a management plan is developed, no specific details on size, staffing or cost of a visitor center or interpretive center can be estimated. In addition, a management plan would address the road system.

Question 35. Please also provide the Committee with an estimate of the annual costs of operating such a visitor center for the same amount of days per year as the Mesa Verde National Park facilities?

Answer. It is doubtful that any visitor center at Chimney Rock would operate year round, given snow conditions on the site; it could be anticipated that the facility would operate fewer days than that at Mesa Verde National Park, where some facilities are operated year-round (i.e., Chapin Mesa Archaeological Museum) and others have comparatively short operating seasons (e.g., Far View Visitor Center, open mid-April to mid-October). The current season at Chimney Rock is May 15 to September 30. The cost of staffing the visitors' center at Far View currently runs $144,000 for a staff of eight (during the summer season). It would probably cost at least $259,000 annually to run a year-round facility at Chimney Rock (this would include a full-time GS-11 interpreter - $90,000; two GS-05 staff - $70,000; utilities - $50,000; brochures/exhibit maintenance/educational supplies - $40,000; office & janitorial supplies - $30,000; and vehicle - $5,000). The management plan would address specifics such as operating season, facilities, and staffing, which would be contingent on existing and available resources.

Question 36. Please provide the Committee with an estimate of the annual and decadal maintenance budget for such a facility?

Answer. The management plan called for in the bill would address issues such as potential construction of an interpretive center. No decisions regarding the construction of this facility or design have been made at this time.

Question 37. If the monument is designated, please help us understand where on the construction priority list for Region Two of the Forest Service such a visitor center might fall and in what year it might rise to a level that the Forest Service would recommend funding such a project?

Answer. The management plan called for in the bill would address issues such as potential construction of an interpretive center.

Question 38. Are the facilities currently located at Chimney Rock currently within the Recreation Fee program? If so, how much revenue (gross and net) did those facilities take in during FY 2009 and 2010?

Answer. The facilities located at Chimney Rock are currently managed under a Special Use permit for Campground and Related Granger-Thye Concessions. The Chimney Rock Interpretive Association, a non-profit organization operates the facility and provides tours of the Chimney Rock Mesa sites. The organization relies on volunteers to provide services and has used portions of its (net) income as matching funds for grants for archaeological work at the site. In FY2008, gross income was $114,520; net income was $20,051. In FY2009, gross income was $109,390; net income was $33,677. Figures for FY2010 are not available as the season is in progress.

Question 39. How many visitors per year does the Chimney Rocks area currently enjoy?

Answer. Approximately 11,000 visitors visit Chimney Rock annually.

Question 40. If designated, does the Forest Service plan on stationing any research personnel at the site? If so, what is the annual total cost per employee including, but not limited to, salary, benefits, retirement, and overtime?

Answer. The bill calls for a management plan to be developed for the resource. These decisions would be addressed within that document. No research personnel are currently stationed at the site on a full-time basis.

Question 41. S. 3303 authorizes the acquisition, consolidation and display of artifacts. Do federal agencies have to adhere to the same provisions of the Antiquities Act that the public does? If so, wouldn't collecting artifacts within the monument run afoul of the provisions of the Antiquities Act?

Answer. The provision in S. 3303 would allow the acquisition, consolidation and display of artifacts found within the proposed national monument. The artifacts would include previously excavated materials from Chimney Rock. We understand that the intent is not to authorize the Forest Service to collect currently unexcavated artifacts, although there may be some additional discovery and collection of artifacts as a result of necessary maintenance or construction activities. Federal agencies are subject to a number of laws regarding archaeological collection, excavation, and curation.

There are many regulations which discuss excavation, collection, and curation. The Federal Government began to address collection of archaeological materials with the Antiquities Act (1906); the Archaeological Resources Protection Act (ARPA, 1979) clarified and strengthened regulations. ARPA included strengthened law enforcement provisions to prevent looting and sale of archaeological resources by the general public. Additional legislation, such as the National Historic Preservation Act (NHPA, 1966) and Native American Graves Protection and Repatriation Act (NAGPRA, 1992) also address aspects of how and under what circumstances archaeological resources are collected and how they are curated. Federal agencies are required to meet and enforce the provisions of these laws. Federal agencies issue research permits for excavation and removal of artifacts (under ARPA).

In the event that the Chimney Rock Collections were consolidated the curation facility would not necessarily be located within the monument boundaries and could be an existing facility, such as the Anasazi Heritage Center. Materials from Chimney Rock are currently curated at many facilities (including the Anasazi Heritage Center, Denver University, and Colorado Historical Society); having materials from the site spread through many facilities makes it harder to analyze the collection. Any facility housing federal artifacts has to meet specific standards (as per the National Historic Preservation Act).

Question 42. S. 3303 allows for the recreational and administrative use of mountain bikes and motorized vehicles. Given "The unique, thousand-year-old Ancestral Puebloan community located beneath the prominent Chimney Rock Pinnacles." Wouldn't such uses put the archeological resources at risk?

Answer. This provision would continue to allow visitors to ride or drive up the existing road to reach the site and would maintain the existing prohibition of off-road travel within the unit. Off-road use of any vehicles has the potential to damage archeological and natural resources. However, it is anticipated there may be times administrative off-road access would be appropriate in limited circumstances (e.g., fire management).

Question 43. One of the authorized uses within the proposed monument is grazing. Are there currently any grazing permits within the proposed monument? If so, how many and how many AUMs are permitted and how many are allowed under the existing annual grazing plan?

Answer. The Peterson Gulch/Mesa area is included in the Turkey Allotment, which is active. The rest of the proposed monument is not within a current grazing allotment. The Turkey allotment is permitted for 127 cow-calf pairs from June 1 to June 30 annually; this equals 168 AUMs. It is fully stocked at this level. The Peterson Mesa area represents less than 25 percent of the Turkey Allotment.

Question 44. S. 3303 restricts mineral entry, patents, leasing, and geothermal; please provide the Committee a detailed list of the known and potential mineral and geothermal resources within the boundaries of the proposed monument, including but not limited to oil and gas, hard rock minerals and rare earth minerals, as well as the solar and geothermal potential of the lands?

Answer. Please see answer to Question #3 regarding mineral potential. There may be some geothermal potential. However, the thermal gradient is low and there are no markets nearby. The regional area is indicated to have good potential for solar.

However, within the proposed boundaries, there is no flat area that is large enough to establish an array of solar receptors.

Question 45. I see that there are a number of power lines and gas pipelines that would be encumbered by the National Monument. Would it make Forest Service management of the area less complicated if we either: 1) created the monument so those permitted rights-of-way were remained within the boundary of the monument, or 2) pulled the boundaries back away from that infrastructure?

Answer. There is a right of way for a gas line (along State Highway 151) that was granted before the Forest Service acquired the property. There is also a buried electrical line that services the visitor's cabin. Having these utilities within the proposed monument would not pose a problem

Question 46. I see in your testimony that you do not think a visitor center is the correct facility to put in the area if it is designated. What would the correct facility be and how much will that cost to construct? And what will it cost to maintain and staff each year after that?

Answer. A Visitor Center suggests that its primary focus is to provide tourist information to the visitors who tour a location. An Interpretive/Education Center has a goal of disseminating knowledge and providing education. Interpretive Centers do not have the goal of collecting, conserving and studying objects rather; they focus on communicating the significance and meaning of heritage. They work to educate and raise awareness. We believe that an Interpretation/Education Center is the appropriate facility to meet the goals of the legislation.

Until a management plan is developed, no specific details on size, staffing or cost of a facility can be estimated.

RESPONSES OF STEPHEN E. WHITESELL TO QUESTIONS FROM SENATOR MURKOWSKI

MAINTENANCE BACKLOG

Question 1a. Mr. Whitesell, you stated during the Subcommittee Hearing that the National Park Service takes a number of factors into consideration when determining if the NPS should acquire new land despite the $9 billion maintenance backlog. Can you please provide a list of those factors in order of importance?

Answer. For the FY 2011 budget, the Department of the Interior looked at criteria to target landscape-level conservation, especially river and riparian conservation and restoration, and conservation of wildlife and their habitat, as well as recreational opportunities in urban landscapes and cultural and historical preservation of significant events. In addition, the Departmental criteria included consideration of leveraging nonfederal funds, partnerships, involvement of other bureaus, and urgency. NPS criteria to prioritize which parcels of land to seek funding for are based on: threat to the resource; preservation of the resource; visitor use facility accommodation; involvement of partners, non-profit groups or availability of matching funds; continuation of an ongoing effort; recreational opportunities; and local support for a project.

Question 1b. How will the new acquisitions proposed in this Subcommittee Hearing affect the maintenance backlog?

Answer. It is not possible to determine the impact that acquiring land for new units will have on the maintenance backlog until a NPS completes a comprehensive condition assessment of the newly acquired land and attendant facilities.

However, we note that some of the parcels under consideration for addition to existing national park units are vacant and/or contain significant open space. These cquisitions would capitalize on the operation and maintenance already in place on adjacent land, which would reduce maintenance costs and needs. In addition, it is DOI's policy that the bureaus identify the operation and maintenance costs associated with the purchase of the land and request that funding in the budget cycle following the completed purchase.

Question 1c. Will new National Park Units immediately add to the maintenance backlog if they include structures upon acquisition?

Answer. If the NPS acquires land for a new unit that contains structures that have deferred maintenance needs and the NPS determines that the structures should be repaired rather than demolished, those structures would contribute to the NPS maintenance backlog.

We note that it is DOI's policy that the bureaus identify the operation and maintenance costs associated with the purchase of the land and request that funding in the budget cycle following the completed purchase.

Question 1d. Will land additions to existing parks immediately add to the maintenance backlog? If so, wouldn't it be wise to pay down the existing backlog before taking on new obligations?

Answer. If the NPS acquires land for an existing park that contains structures that have deferred maintenance needs and the NPS determines that the structures should be repaired rather than demolished, those structures would contribute to the NPS maintenance backlog. Most of the land NPS acquires for existing parks is undeveloped, so there is relatively little contribution to the maintenance backlog from these new acquisitions.

HUNTING

Question 2a. Please list the current units of the National Park Service which allow hunting.

Answer. Hunting is allowed in the following units of the national park system:

Alagnak Wild River
Amistad National Recreation Area
Aniakchak National Preserve
Apostle Islands National Lakeshore
Assateague National Seashore
Bering Land Bridge National Preserve
Big Cypress National Preserve
Big South Fork National River and Recreation Area
Big Thicket National Preserve
Bighorn Canyon National Recreation Area
Bluestone National Scenic Riverway
Buffalo National River
Canaveral National Seashore
Cape Cod National Seashore
Cape Hatteras National Seashore
Cape Lookout National Seashore
Chickasaw National Recreation Area
City of Rocks National Reserve
Craters of the Moon National Preserve
Cumberland Island National Seashore
Curecanti National Recreation Area
Delaware Water Gap National Recreation Area
Denali National Preserve
Fire Island National Seashore
Gates of the Arctic National Preserve
Gateway National Recreation Area
Gauley River National Recreation Area
Glacier Bay National Preserve
Glen Canyon National Recreation Area
Grand Teton National Park
Great Sand Dunes National Preserve
Gulf Islands National Seashore
Hagerman Fossil Beds National Monument
Jean Lafitte National Historical Park and Preserve
John D. Rockefeller, Jr. Memorial Parkway
Kalaupapa National Historical Park
Katmai National Preserve
Lake Chelan National Recreation Area
Lake Clark National Preserve
Lake Mead National Recreation Area
Lake Meredith National Recreation Area
Lake Roosevelt National Recreation Area
Little River Canyon National Preserve
Mississippi National River and Recreation Area
Missouri National Recreation River
Mojave National Preserve
New River Gorge National River
Niobrara National Scenic Riverway
Noatak National Preserve
Obed Wild and Scenic River
Ozark National Scenic Riverway
Padre Island National Seashore
Pictured Rocks National Lakeshore

Rio Grande Wild and Scenic River
Ross Lake National Recreation Area
Sleeping Bear Dunes National Lakeshore
St. Croix National Scenic Riverway
Timucuan Ecological & Historic Preserve
Upper Delaware Scenic and Recreational River
Whiskeytown-Shasta-Trinity National Recreation Area
Wrangell-St. Elias National Preserve
Yukon-Charley National Preserve

Question 2b. Is hunting allowed on any of the land that is being proposed for new National Park Units? If so, will the NPS continue to allow hunting?

Answer. First State National Historical Park is the only proposed new park unit discussed at the hearing. The NPS is not proposing to acquire any land as part of this park, and so would not regulate hunting. Hunting, if any, would be subject to State law and local ordinances.

Question 2c. Is hunting allowed on any of the land that is being proposed as additions to existing parks? If so, will the NPS continue to allow hunting?

Answer. Hunting may be allowed on the property proposed for addition in accordance with State or local laws and with the permission of the current land owner. The parks whose boundaries are proposed for expansion, such as Petersburg National Battlefield (S. 2953), Gettysburg National Military Park (S. 3159), and Fort Necessity National Battlefield (S. 3168), do not allow hunting, so once acquired, hunting would not be allowed on lands proposed as additions.

Question 2d. Will the National Park Service pledge not to extend the temporary hunting closures in Yukon-Charley NPP and Denali NPP?

Answer. A temporary closure to the taking of wolves under the state's general/sport hunting regulations within Yukon-Charley Rivers National Preserve expired on May 31, 2010. Any consideration of temporary closures in the future would be based on facts and conditions at that time.

The closure to the taking of black bear cubs and sows with cubs in a portion of Denali National Preserve (and Gates of the Arctic National Preserve) will continue to December 31, 2010. That practice had been authorized by the State of Alaska in Game Management Units 19 and 24, which includes areas within the national preserves. Any consideration of temporary closures after December 31, 2010, would be based on the facts and conditions at that time.

Question 2e. Can you please provide a detailed list of formal complaints received by the National Park Service regarding air transport service for sport hunters to Noatak National Preserve?

Answer. In January 2010, the NPS issued a competitive solicitation for big game hunter transport services in Noatak National Preserve. Five air transport companies applied and received commercial use authorizations in March 2010. The NPS has limited the total number of sport hunt clients transported by these businesses to limit conflicts with subsistence hunters pending completion of a public planning process to find long-term solutions to those conflicts. Client numbers were also allocated through the competitive process.

Three companies (Ram Aviation, Golden Eagle Outfitters and Northwestern Aviation) made formal appeals to the NPS Alaska Regional Office concerning their client allocations. Those appeals were considered by three NPS employees who were not involved with the initial authorizations and who have experience in the areas of sport hunting, subsistence and commercial visitor services. This panel recommended, and the regional director concurred, that allocations were made in a reasonable manner. All of the operators were also asked to provide suggestions to the Superintendent of Noatak National Preserve regarding the manner in which the 2011 client allocations would be distributed.

EMINENT DOMAIN

Question 3a. Would the National Park Service use Eminent Domain to obtain private land from unwilling sellers?

Answer. Acquisition by condemnation is sometimes necessary to establish just compensation, to clear title, or to prevent imminent damage or unacceptable threats to park resources and values. The NPS would only use condemnation in a manner consistent with any applicable law and policy. The Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2010 directs that, unless otherwise provided, no funds appropriated in the Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation.

Question 3b. Please list the occasions in which the National Park Service has used Eminent Domain to:

1) Establish new parks?

Answer. There are no such occasions. Unless otherwise specified by law, the NPS can use eminent domain only within previously authorized boundaries of the National Park System. National Park System units are established by Presidential proclamation or by act of Congress.

2) Expand boundaries of existing parks?

Answer. There are no such occasions. The NPS can use eminent domain only within previously authorized boundaries of the National Park System.

SUSQUEHANNA GATEWAY NATIONAL HERITAGE AREA (S. 349)

Question 4a. Has there ever been a previous attempt to place the land in the proposed Susquehanna Gateway National Heritage Area within a National Park System unit?

Answer. There have been no legislative proposals to place the land in the proposed Susquehanna Gateway National Heritage area within a unit of the national park system.

Question 4b. Of the 49 National Heritage Areas that currently exist how many contain land of another land management agency?

Answer. Of the 49 existing national heritage areas, the following 28 areas contain federally-owned land or resources:

Heritage Area	Federally-owned resources within boundaries						
	NPS	USFS	FWS	USACE	BR	DOT	Other
Augusta Canal NHA *Georgia*					√		
Blue Ridge NHA *North Carolina*		√					
Cache La Poudre River Corridor *Colorado*	√	√			√	√	
Champlain Valley National Heritage Partnership *New York; Vermont*		√					
Delaware & Lehigh NHA *Pennsylvania*	√			√			
Erie Canalway National Heritage Corridor	√		√				

New York							
Essex NHA *Massachusetts*	√		√				
Great Basin National Heritage Route *Nevada, Utah*		√					
Illinois and Michigan Canal National Heritage Corridor *Illinois*		√		√			
John H. Chafee Blackstone Valley National Heritage Corridor *Massachusetts, Rhode Island*	√			√			
Kenai Mountains-Turnagain Arm NHA *Alaska*		√					
Lackawanna Valley NHA *Pennsylvania*	√			√			
Mississippi Gulf Coast NHA *Mississippi*		√					
Mormon Pioneer NHA *Utah*		√					
National Coal Heritage Area *West Virginia*	√			√		√	
Northern Rio Grande NHA *New Mexico*		√					
Ohio and Erie National Heritage Canalway *Ohio*	√			√			
Quinebaug-Shetucket Rivers Valley Heritage Corridor *Connecticut, Massachusetts*	√			√		√	
Rivers of Steel NHA *Pennsylvania*	√			√			
Sangre de Cristo NHA *Colorado*	√	√	√				
Schuylkill NHA *Pennsylvania*	√		√	√			
Shenandoah River Valley Battlefields National Historic District *Virginia*	√	√					
South Carolina National Heritage Corridor *South Carolina*	√		√	√			√
South Park NHA *Colorado*		√					
Path of Progress NHA *Pennsylvania*	√			√			
Tennessee Civil War Heritage Area *Tennessee*	√	√	√	√			
Wheeling NHA *West Virginia*			√		√		
Yuma Crossing NHA *Arizona*			√			√	√

Question 4c. When will the Administration submit a legislative proposal with the criteria needed to evaluate potentially qualified national heritage areas and the process for designation and administration of those areas?

Answer. The Administration intends to submit a legislative proposal that establishes criteria to evaluate potentially qualified national heritage areas and a process for the designation and administration of these areas in the near future.

Question 4d. Please outline each specific cost that the creation of the Susquehanna Gateway National Heritage Area will involve.

Answer. The bill provides for an authorization of appropriations of $10 million over a fifteen-year period with a maximum of $1 million in any given year.

Question 4e. Would the National Park Service prefer for the proposed Susquehanna Gateway National Heritage Area to become another type of National Park Unit? If so, what type of unit?

Answer. National heritage areas are not units of the national park system. Susquehanna Gateway was evaluated under NPS criteria for designation as a national heritage area. Units for inclusion within the national park system are evaluated with a different set of criteria, and the process is separate from a national heritage area designation.

Question 4f. Is it possible for a feasibility study of the proposed heritage area to be completed by a local entity and submitted to the Administration for approval thereby avoiding the need for legislation to authorize a study?

Answer. Yes. In fact, in most cases, supporters of a proposed NHA work within the region to develop the study, with the NPS serving in an advisory capacity. If the study is prepared by a local entity, the NPS evaluates the study to determine whether it meets the ten interim criteria for designation as a national heritage area.

Question 4g. Are you aware of any other National Heritage Areas that are proposed for association with the Department of Agriculture?

Answer. The Department of Agriculture was initially the lead agency for the America's Agricultural Heritage Partnership; the NPS assumed the role as lead agency by a subsequent enactment by Congress. Additionally, some early bills to

designate the Kenai-Mountains-Turnagain Arm National Heritage Area had the Department of Agriculture as the lead agency.

Question 4h. Has the National Park Service or anyone else conducted a study to determine the feasibility of establishing the Susquehanna Gateway National Heritage Area?

Answer. In 2008, a local entity, the Susquehanna Gateway Corporation, prepared and submitted the feasibility study for the Susquehanna Gateway National Heritage Area to the NPS for evaluation. The NPS reviewed the study and found that the area met the ten interim criteria for designation as a national heritage area.

Question 4i. How many other National Heritage Areas are there in Pennsylvania?

Answer. There are six existing national heritage areas in Pennsylvania, including the Lackawanna Heritage Valley, Oil Region, Rivers of Steel, and Schuylkill River national heritage areas, as well as the Delaware and Lehigh National Heritage Corridor and the Path of Progress National Heritage Tour Route.

Question 4j. Will this designation as a National Heritage Area place any new restrictions on property owners' regarding use or development of their property?

Answer. No, a national heritage area designation does not prohibit, under Federal law or regulations, any actions which may otherwise be taken by the property owner with respect to the property. A national heritage area is not a unit of the National Park System, nor is any land owned or managed by the NPS.

Question 4k. Have National Heritage Area designations in any state had any adverse impact on private property?

Answer. In a 2004 report (GAO-04-593T), the Government Accountability Office concluded that national heritage areas do not appear to have affected property owners' rights. The designating legislation and the management plans of some areas explicitly place limits on the areas' ability to affect private property rights and uses. Designation legislation for eight areas prohibited the federal government from imposing zoning or land-use controls on properties within these areas, and legislation for thirteen areas explicitly state that the area's managing entity cannot interfere with any person's rights with respect to private property or have authority over local zoning ordinances or land-use planning.

ACQUISITION OF GOLD HILL RANCH (S. 1596)

Question 5a. What is the estimated value of the Gold Hill Ranch?

Answer. No formal appraisal has been conducted by the BLM, but the American River Conservancy (which is working closely with local community groups to raise funds for acquisition) has estimated the value of the property to be approximately $3.3 million.

Question 5b. Please provide a list of all costs associated with S. 1596.

Answer. The Department of the Interior's known, direct costs for appraisal, staff processing time, and environmental site assessment are estimated at approximately $30,000. As for the acquisition of land as well as construction of any potential visitor center, we expect, and have discussed with the Conservancy and the sponsor, that funds needed would come from donations already being raised by the private sector.

Question 5c. How much would it costs to build a visitor center at the Gold Hill Ranch? When would the BLM plan to develop such a visitor center?

Answer. No estimate has been given, and the BLM has no plans to develop a visitor center. If the visitor center authorized in the bill were to be built, we expect, and have discussed with the Conservancy and the sponsor, that funds needed would come from donations already being raised by the private sector.

Question 5d. Please describe how the land and property involved is currently being used.

Answer. Currently the land and facilities (including a historic house, a barn, and a small inoperative dairy) are part of a privately-owned ranch.

Question 5e. If the BLM acquires the Gold Hill Ranch, how will the use of the land change? How will access by the general public be affected?

Answer. Acquisition by BLM would change the land use from a privately owned ranch to a publicly-owned restored historic site. At present, the private owners do not allow public access to the ranch. Following acquisition, public access to all portions of the property would be allowed as a managed use. We expect that most public use will be in the form of tours of the historic buildings.

SPECIAL RESOURCE STUDY OF THE GENERAL OF THE ARMY GEORGE CATLETT MARSHALL NATIONAL HISTORIC SITE (S. 1750)

Question 6a. When does the National Park Service anticipate completing the suitability and feasibility study for the General of the Army George Catlett Marshall National Historic Site?

Answer. The NPS will make every effort to complete the study within the three years of the date on which funds are first made available, as the legislation requires.

Question 6b. How common is it to designate a new unit of the National Park System with[out] first completing a study?

Answer. The majority of areas that have been authorized by Congress as new units or that were designated new units in the last 15 years (since the 104th Congress) have been the subject of an NPS study prior to designation. Units that have been authorized without a study completed first include: presidential monuments in the Nation's capital (the Eisenhower memorial and John Adams memorial will be units after they are completed), presidential home sites (the Ronald Reagan Boyhood Home and the William Jefferson Clinton Birthplace will be units after they are acquired), special memorials (Oklahoma City, Flight 93), and a few other sites in exceptional circumstances. For example, Port Chicago Naval Magazine National Memorial, which was designated a unit of the National Park System by this Congress, was a congressionally designated national memorial that the NPS was interpreting and managing under an agreement with the Department of Defense prior to its designation as a unit.

Question 6c. Does the NPS ever recommend creating a new unit without first completing a study? If yes, please list the instances.

Answer. We are unable to find an example in the last 15 years of a unit of the National Park System that the NPS recommended to Congress for designation as a unit without it first being studied. In recent years, the NPS supported through Departmental testimony the establishment of Port Chicago as a unit of the National Park System, as well as the establishment of the Flight 93 memorial and the authorization of the Adams Memorial Monument, all of which, as noted above, were not studied.

Question 6d. Does the National Park Service foresee any issues in the course of the study that might lead to a negative recommendation for designation?

Answer. Until the study is authorized and the NPS begins the scoping phase, it is premature to identify any issues that might lead to a specific recommendation.

Question 6e. What percentage of National Park Service Resource Studies regarding new units result in the NPS recommending not to establish the new Park Unit?

Answer. In the past decade, about three out of four studies of potential new units of the National Park System have determined that the subject area did not meet the NPS criteria for new units and have recommended not establishing a new unit. Some of those studies have found that an area might meet the criteria in the future if circumstances affecting the feasibility of the site change.

Question 6f. Has the National Park Service ever found a compelling reason in the course of a study to justify designation before a study has been completed? Please provide a list.

Answer. We cannot identify any situation where the NPS has conducted a study of an area and has urged designation of a new unit prior to completion of a study. Under this Administration and previous Administrations, it has been a longstanding practice for the NPS to urge Congress to defer action on the establishment of a new unit until the study for it has been completed.

ESTABLISHMENT OF FIRST STATE NATIONAL HISTORICAL PARK (S. 1801)

Question 7a. Is creating the First State National Historical Park a greater priority than the over $9 billion maintenance backlog? If not, should we then wait until the backlog is paid down before this new unit is established?

Answer. The proposed First State National Historical Park, which has been found to meet the NPS criteria for new units, would be an important addition to the National Park System. Its designation should not have to be postponed because there is a maintenance backlog within existing units of the National Park System.

Question 7b. Please list all the costs associated with the establishment of this First State National Historical Park?

Answer. The Special Resource Study estimated annual operating costs for the park at $450,000 to $550,000, which would fund from five to seven FTEs, and costs associated with completing the general management plan at $600,000. S. 1801 also authorizes $3 million in one-time matching grants for rehabilitation of existing structures to serve as administrative and visitor services facilities for the park and $2.5 million in one-time matching grants for historic preservation, interpretive devices, and the design, construction, installation, and maintenance of exhibits.

Question 7c. Please describe how the National Park Service would interpret resources related to the purposes of the park but which are located outside the boundary of the Historical Park.

Answer. Interpretation could occur through scheduled activities conducted by Park Rangers or volunteers at the location of the resources, wayside exhibits, publications, or audio-visual presentations.

Question 7d. Can you please list all other parks which have had one-time matching grants to State and local governments, private property owners and nonprofit organizations to pay for the historic preservation of non-Federal resources within the park boundaries?

Answer. Individual park units do not provide grants to other entities, however, the Save America's Treasures (SAT) grant program has awarded grants for the preservation of nationally significant historic properties and museum collections in park units and other entities. From 1999 to 2010, NPS awarded a total of 1,132 SAT grants totaling $293.7 million. Eligible applicants include State, Tribal, and local governments, nonprofit organizations, and federal agencies funded through the Department of the Interior Appropriations Act.

The NPS has awarded 46 SAT grants to NPS units, totaling $18.2 million. Additionally, the NPS has awarded several SAT grants to nonfederally-owned properties within the boundaries of national park system units. These include:

- Central High School in Little Rock, AR
- Ellis Island in Jersey City, NJ
- Ebenezer Baptist Church in Atlanta, GA (Martin Luther King, Jr., NHS)
- Sewall-Belmont NHS, in Washington, DC
- Shipyard 3 Riggers Loft in Richmond, CA (Rosie the Riveter World War II Homefront NHP)
- Alcatraz Island Gardens, in San Francisco CA

Question 7e. Please discuss what new construction will be necessary as a result of the establishment of the First State National Historical Park.

Answer. We do not anticipate any new construction associated with the establishment of the park. Existing facilities that would serve as administrative and visitor services facilities would be rehabilitated with the grants that are proposed in S. 1801.

Question 7f. When the First State National Historical Park is established will any resources be immediately added to the maintenance backlog?

Answer. An assessment has not been completed on the resources within the proposed park so their status is unknown.

UNITED STATES CIVIL RIGHTS TRAIL SYSTEM FEASIBILITY STUDY (S. 1802)

Question 8a. How much of the land associated with the trail would be owned by the National Park Service?

Answer. We cannot determine how much, if any, land the study would recommend for NPS ownership until the study has been completed and the alternatives have been fully analyzed. We note, however, that the legislation appears to intend for the NPS to consider a commemorative trail with little or no NPS land ownership outside of existing units related to the theme.

Question 8b. How much of the trail is in private ownership and does the National Park Service plan on someday plan on owning the entire trail in fee?

Answer. We cannot answer the question of current land ownership (private vs. public) until the study has been completed and the alternatives fully analyzed.

Question 8c. When will the feasibility study be completed?

Answer. The NPS will make every effort to complete the study within the three years of the date on which funds are first made available, as the legislation requires.

Question 8d. Please list all the feasibility studies currently pending to be completed by the National Park Service.

Answer. The following table lists the status of the 44 currently pending studies, as of August 30, 2010:

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NATIONAL PARK SERVICE AUTHORIZED STUDIES

8/30/10

	Potential National Park System Units	Authorized	Begun	Target - Final to NPS	Target to Congress	Notes
PW	San Gabriel Watershed and Mountains, CA	2003	2004	March 2011	May 2011	
DSC	Manhattan Project, WA, NM, TN, OH	2004	2005	September 2010	October 2010	DOE involvement
MW	Michigan Maritime Sites, MI	2006	2009	2012		
MW	Ste. Genevieve County, MO	2006	2009	2012		
NE	John H. Chafee Blackstone River Valley NHC, MA, RI	2006	2007	December 2010	January 2011	
SE	Castle Nugent Farms, VI	2006	2007	October 2010	November 2010	
IM	Space Shuttle Columbia, TX	2008	2009	2013		
MW	Newtonia Civil War Battlefields, MO	2008	2009	2012		
MW	Soldiers' Memorial Military Museum, MO	2008	2009	2012		
NE	Taunton, MA	2008	2009	December 2010	January 2011	
MW	Wolf House, AR	2008	2009	2012		
PW	Cesar E. Chavez, CA	2008	2009	2013		
PW	Rim of the Valley Corridor, CA	2008	2009	2013		
IM-SF	Butterfield Overland Trail - multistate	2009	2010	2013		Trail study, plus SRS criteria
WASO	Cold War Sites theme study	2009	2010	2012		
IM	Walnut Canyon, AZ	2009	2009	June 2011		Joint with Forest Service
MW	Harry S. Truman Birthplace, MO	2009	2010	2012		
NE	Battle of Matewan, WV	2009	2009			
NE	Harriet Beecher Stowe House, ME	2009	2010			
NCR	Shepherdstown Battlefield, WV	2009	2010			
PW	Tule Lake Segregation Center, CA (part of WWII Valor in the Pacific NHP)	2009	2009	2013		As a boundary study for WW2 Valor
SE	Battle of Camden, SC	2009	2010			
SE	Alexander Hamilton Estate Grange, VI	2009	2009	2011		
SE	Fort San Geronimo, Puerto Rico	2009	2010			
SE	Green MacAdoo School, TN	2009	2010			
NE	D-Day Memorial, VA	2009	2009			Defense 2010 Authorization bill
PW	Honouliuli Gulch Interment Camp, HI	2009	2009	2011	October 2011	DOI 2010 Approps bill
Sub-Total:		27				

	Potential National Heritage Areas	Authorized	Begun	Target - Final to NPS	Target to Congress	
MW	Western Reserve, OH	2006	2009	2011		
SE	Southern Campaign of the Revolution NHA, SC	2006	2007	December 2010	January 2011	
SE	St. Croix NHA, VI	2006	2007	October 2010	November 2010	
PW	Columbia-Pacific National Heritage Area, OR & WA	2008	2009	December 2010	January 2011	
SE	Abraham Lincoln sites in Kentucky NHA, KY	2008	2009	December 2011		
NE	Northern Neck NHA, VA	2009	2009	2011		
SE	Chattahoochee Trace NHA, AL and GA	2009	2010			
Sub-Total.		7				

MODIFICATION OF THE BOUNDARY OF PETERSBURG NATIONAL BATTLEFIELD (S. 2953)

Question 9a. How much would S. 2953 increase the size of the Petersburg National Battlefield? What percentage of the National Battlefield would this increase represent?

Answer. The boundary of the park would be authorized to increase by 7,238 acres. The current authorized boundary of the park is approximately 2,739 acres. If enacted the park boundary would become approximately 9,977 acres. The newly authorized lands would make up approximately 72.5% of the new boundary.

Question 9b. Will the changes in size of the National Battlefield require any additions in the number of personnel?

Answer. The park estimates that an additional seven FTE would be required, based on the park's revised General Management Plan: one for resource management, two for interpretation, and four for maintenance.

Question 9c. What will the total cost of expansion be?

Answer. If all the lands to be added to the boundary are purchased in fee simple the cost is estimated at approximately $29.7 million. However, more than half of the land proposed for addition is currently held by foundations or non-profit organizations and a large amount of the land is expected to be donated. Estimated costs for capital expenses (trails, wayside exhibits, rehabilitation of existing visitor contact station,) and expansion-related costs (surveys, hazardous materials studies) are an additional $1.74 million. Development of visitor services and interpretation at these new battlefield locations would be minimal and would 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. These costs are all in 2008 dollars.

Question 9d. How much of the land in this proposed expansion is in private ownership and have any of the owners objected to this proposal?

Answer. Of the 7,239 acres proposed in the expansion, approximately 2,714 acres are held by non-profit groups and the City of Petersburg. Approximately 4,524 acres

are privately owned by approximately 192 individual owners. At this time we are unaware of any objections by the private property owners.

Question 9e. Have any property owners within the proposed expansion area objected to being included within the boundary?

Answer. Please see the response to question 9d.

Question 9f. How will the National Park Service use the property that is proposed for acquisition?

Answer. 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 battlefields proposed for addition to the park will allow the public to better understand the size, complexity, and duration of the 9° month Petersburg Campaign and siege while offering protection to existing park resources.

DESIGNATE WILDERNESS IN SLEEPING BEAR DUNES NATIONAL LAKESHORE (S. 2976)

Question 10a. Approximately how many property owners have in-holdings within the boundaries of the land designated as wilderness by S. 2976?

Answer. There are five private tracts that are within the proposed wilderness, and all are shown on Sheet 4 of the map referenced by S. 2976. None are developed and none have development potential. They are either remnant linear holdings that originally were very narrow rights-of-way to parcels long ago purchased by the Lakeshore (three tracts), or they are a portion of long rectilinear tracts already residentially developed, where the house lies outside the wilderness boundary, but a portion of the tract, at a distance from the house, lies within wilderness (two tracts). We plan to initiate title searches on the three rights-of-way, as similar tracts elsewhere in the park have been found to be owned in full by the NPS because we purchased all the properties they formerly accessed. To our knowledge, no individuals claim ownership of these rights-of-way. The other two tracts are accessed regularly by their owners via roadways to their homes lying outside of the proposed wilderness. Regardless of the likely ownership of the rights-of-way, we have depicted all five properties as private, and they retain any and all private rights associated with them.

Question 10b. Are property owners currently allowed to use motorized vehicles to access their property and will these changes as a result of the designation?

Answer. Four of the five private tracts are currently accessible by motor vehicle. Only one of the five private tracts is "landlocked" by the proposed wilderness, and it is not accessible by motor vehicle. It is a remnant linear holding that originally was a very narrow right-of-way to parcels long ago purchased by the Lakeshore. Title searches on similar tracts elsewhere in the park have been found to be owned in full by the NPS because we purchased all the properties they formerly accessed. To our knowledge, no individual claims ownership of this right-of-way. The designation would not change how any of these tracts may be accessed.

Question 10c. Has the existing general management plan for Sleeping Bear Dunes National Lakeshore treated the land as wilderness for management purposes or will this designation constitute a major change in land use?

Answer. The park's 2009 General Management Plan calls for the area proposed as wilderness in this bill to be managed as wilderness. Formal wilderness designation will not change the way in which land use is currently managed in the area proposed as wilderness.

Question 10d. Will there be a net loss in hunting acreage? Can you please provide in detail the agreements that were reached to ensure that hunting activities in this area will not be affected by this wilderness designation?

Answer. There will be no loss whatsoever in hunting acreage. The act that established Sleeping Bear Dunes National Lakeshore, P.L. 91-479, specifically allows hunting in the park, and states that it will be governed by applicable State and Federal law. The language of S. 2976 affirms that hunting will continue by stating in Section 4(a)(3) that "Nothing in this Act affects hunting under applicable Federal and State laws (including regulations) within the Wilderness."

Question 10e. Please list all activities that will be allowed in the proposed wilderness area. Please list all activities in the proposed wilderness area that will not be allowed.

Answer. A variety of recreational uses, management actions, and certain facilities are permitted in wilderness areas under the Wilderness Act of 1964 and NPS policies. Among the uses, management actions, and facilities permitted in wilderness are the following:

- The NPS honors legal obligations to make available equal opportunities for people with disabilities in all programs and activities. This requirement includes

opportunities to participate in wilderness experiences. While the NPS does not modify wilderness environments specifically for accessibility, allowances are made for appropriate mobility devices within wilderness, and for use of service animals.

- Non-motorized recreational uses (e.g., hiking, picnicking, camping, canoeing) hunting and fishing.
- Trails, campsites, toilets, and signs necessary for visitor safety or to protect wilderness resources.
- Emergency actions and equipment necessary to ensure life-safety, fire-management activities (including fire suppression).
- Preservation of historic properties eligible for the National Register of Historic Places.
- Use of facilities for landowners with valid property rights in a wilderness area.
- Scientific activities, research, and monitoring natural resource management actions such as restoration of extirpated species, controlling invasive exotic species, endangered species management, and protection of air and water quality.
- Certain administrative facilities, if necessary, to carry out wilderness management objectives (e.g., storage or support structures, ranger station).
- Native American religious activities and other actions recognized under treaty-reserved rights.

The Wilderness Act also specifically prohibits certain uses and developments. Under section 4(d) of the Act, the following uses are not permitted in a wilderness:

- Permanent improvements or human habitation structures (historic structures are excluded).
- Permanent and temporary roads.
- Use of motor vehicles and motorized equipment (except for emergency purposes).
- Landing of aircraft (except for emergency purposes).
- Other forms of mechanical transport (e.g., bicycles).
- Commercial enterprises (except for those that are necessary for realizing the recreational or other wilderness purposes of the area, such as guiding and outfitting).

With the exception of permanent roads, the Act does recognize that the above uses may be permitted if necessary to meet the minimum requirements for the administration of the area as wilderness or for emergency purposes.

In addition to the above prohibitions, NPS policies also prohibit some developments such as new utility lines, permanent equipment caches, site markings or improvements for non-emergency aircraft, borrow pits (except for small-quantity use of borrow material for trails), and new shelters for public-use picnic tables. Listed are the most frequent considerations regarding wilderness, but this is not a comprehensive list as it would be impossible to list all potential activities upon which decisions to allow or prohibit might have to be made, according to applicable law and policy.

Question 10f. How unusual is it to allow motorized transportation within a wilderness area? Please list all wilderness areas within the National Park System that allow motorized transportation.

Answer. NPS policies allow for limited use of motorized transportation within wilderness. That limited use applies to all 60 wilderness areas in 49 units of the National Park System that the NPS manages. Examples of this limited use include the use of helicopters for search & rescue, access for individuals to their private in-holdings, and fire control activities.

REVISE BOUNDARIES OF GETTYSBURG NATIONAL MILITARY PARK (S. 3159)

Question 11a. When will the federal government appraisal of the Lincoln Train Station be completed? Do you anticipate the costs to increase as a result of the federal government appraisal of the Lincoln Station acquisition and rehabilitation?

Answer. A timetable for the appraisal cannot be completed until the NPS has been given the authority to acquire the train station. The costs will be determined by the appraisal. The anticipated acquisition cost for the complete rehabilitation of the train station is approximately $772,000, subject to an appraisal by the federal government.

Question 11b. How will the acquisitions affect personnel and staffing at Gettysburg National Military Park? Will additional NPS staff be needed? If so, how much will that increase the operating budget?

Answer. The park has a preliminary commitment from the Gettysburg Convention and Visitor Bureau (CVB) to provide all staffing requirements for operations of an

information and orientation center in the train station, thereby alleviating the park of staff costs. Anticipated operating costs for the train station that will be the responsibility of the NPS are limited to utility costs; the remaining costs will be paid by the Gettysburg CVB. In the event that the Gettysburg CVB is unable to provide staffing and funding for operations, the NPS would seek another park partner to cover these costs and requirements.

Question 11c. S. 3159 would add 45 acres of land near Big Round Top along Plum Run in Cumberland Township, Pennsylvania to the boundary of the Park. How does the National Park service plan to use this land?

Answer. The land abuts a portion of the current park boundary and will be undeveloped.

Question 11d. Does the land near Big Round Top along Plum Run have any specific interpretive value or is it needed to protect the park from encroachment?

Answer. There were cavalry skirmishers in this area during the Battle of Gettysburg, July 1863, but the real significance is environmental. The tract has critical wetlands and wildlife habitat related to Plum Run.

ACQUIRE LAND FOR INCLUSION IN FORT NECESSITY NATIONAL BATTLEFIELD (S. 3168)

Question 12a. Upon acquisition of 157 acres in Farmington, PA, S. 3168 further authorizes a boundary adjustment for Fort Necessity National Battlefield. What is the total amount of land that could be added to Fort Necessity National Battlefield?

Answer. The 157 acres of "non-Federal land" to be acquired is identical to the land to be included in the boundary adjustment to Fort Necessity National Battlefield. The land is comprised of an 18.84-acre parcel, at the southeastern boundary of the park's main unit, along Scott Hollow Road, and a 137.78-acre parcel, at the southern boundary of the park's main unit, along Rankin Road.

Question 12b. Is all the land being proposed to addition to Fort Necessity National Battlefield privately owned? Are all owners willing sellers?

Answer. The owner of the two parcels in question is a willing seller.

Question 12c. How will the National Park Service use the property that is proposed for acquisition?

Answer. The property contains historical and landscape resources relating to the purpose of Fort Necessity National Battlefield, including traces of the Braddock Road that was built in 1755 as part of British Major General Edward Braddock's unsuccessful and bloody campaign to take Fort Duquesne at the Forks of the Ohio. A trailhead for a park trail, linking traces of the Braddock Road within the parcel to those within the current boundary of the park, will be located on the property. The NPS also intends to interpret archeological resources along the road trace, and may expand the park trail system through the remainder of the property.

Question 12d. Please provide a list of all the costs associated with the land acquisitions and boundary adjustments in S. 3168.

Answer. The property has not been appraised, and actual acquisition costs would be dependent upon an appraisal.

Question 12e. How is the proposed land currently being utilized? How will the acquisition of the land by the NPS change the use of the land?

Answer. The current land owner uses the property for recreational purposes. Acquisition of the land by the NPS will maintain recreational use, although hunting will no longer be permitted.

Question 12f. Will there be a net loss of hunting land as a result of this land acquisition by the National Park Service?

Answer. Hunting, which is permitted on private land by the Commonwealth of Pennsylvania and regulated by the Pennsylvania Game Commission, with the permission of the owner, will no longer be permitted on the acquired property.

Question 12g. What is the estimated value of the land identified for addition to Fort Necessity National Battlefield?

Answer. The property has not been appraised yet.

APPENDIX II

Additional Material Submitted for the Record

April 26, 2010.

Hon. JEFF BINGAMAN,
Chairman, Energy & Natural Resources Committee, 304 Dirksen Senate Building, Washington, DC.

DEAR SENATOR BINGAMAN: The Northern California-Western Nevada-Pacific (NCWNP) District of the Japanese American Citizens League (JACL) supports S. 1596, the Gold Hill-Wakamatsu Preservation Act of 2009.

The Gold Hill-Wakamatsu Preservation Act would authorize the Bureau of Land Management acquisition of the Wakamatsu Tea and Silk Farm Colony near Gold Hill, California. This site marks the destination of more than 20 colonists who, in 1869, fled Aizu-Wakamatsu, Japan for California and established the Wakamatsu Tea and Silk Farm Colony. This is widely believed by prominent historians to be the first Japanese "Jamestown" settlement in North America. It is here where Okei, a 19-year-old-girl who was the first Japanese to die in America, is buried. Our community members know it as "Okei's Grave," and each year, Japanese Americans visit the site to remember and pay tribute to this adventurous and pioneering spirit.

Today the property is up for sale and its history, along with its open space, hiking trails and pastureland could be lost. We hope you will co-sponsor and actively support this legislation. Further, as chair of the Senate Interior Appropriations Subcommittee, your efforts are critical to helping the Wakamatsu Foundation and the American River Conservancy preserve this marvelous site so that future generations can learn more of our nation's immigrant history and enjoy another rich example of what makes America great.

The JACL is the largest and oldest civil rights and educational organization in the country that serves the Asian Pacific Islander population. We have 113 chapters and 15,000 members nationwide, with over 60 of those chapters located in the State of California. We support S. 1596 and request for your assistance in its passage.

Sincerely,

PATTY WADA,
Regional Director, JACL NCWNP District.

JAPANESE AMERICAN CITIZENS LEAGUE,
SAN JOSE CHAPTER,
San Jose, CA, April 21, 2010.

Hon. JEFF BINGAMAN,
Chairman, Energy and Natural Resources Committee, 304 Dirksen Senate Building, Washington, DC.

Re: Gold Hill—Wakamatsu Colony SB 1596 Support

Dear Chairman Bingham: The Gold Hill Wakamatsu Tea and Silk Farm Colony site is now listed on the National Register of Historic Places at a "level of national significance". We need your support to help orient the American people to the Gold Hill site so that it can become recognized as its own "Plymouth Rock" for Japanese Americans. Your leadership is critical to the preservation of this First Colony site.

Senator Barbara Boxer has requested a hearing on Senate Bill 1596, the Gold Hill Wakamatsu Preservation Act, before the Energy and Natural Resources Committee and expects this hearing will be held in early May.

The San Jose JACL, as part of the Nation's oldest and largest Asian American Civil and Human Rights organization, asks for your aid in preserving Japanese American heritage by supporting SB 1596!

Sincerely,

LEON KIMURA,
President.

NATIONAL JAPANESE AMERICAN HISTORICAL SOCIETY,
San Francisco, CA, April 20, 2010.

Hon. JEFF BINGAMAN,
Chairman, Energy and Natural Resources Committee, 304 Dirksen Senate Building, Washington, DC.

DEAR SENATOR BINGAMAN, On behalf of the National Japanese American Historical Society, I wish to convey my strongest support for S. 1596, the Gold Hill-Wakamatsu Preservation Act of 2009 and ask that you support it as well. This legislation holds historic significance not only to Japanese Americans, Californians, but for Americans nation-wide, and our partners internationally.

The Gold Hill-Wakamatsu Preservation Act authorizes the Bureau of Land Management acquisition of the Wakamatsu Tea and Silk Farm Colony near Gold Hill, California. This site marks the destination of more than 20 colonists who in 1869 fled Aizu-Wakamatsu, Japan for California and established the Wakamatsu Tea and Silk Farm Colony widely believed by prominent historians to be the first Japanese "Jamestown" settlement in North America. This cultural landmark still holds the gravesite of Okei, a 19-year-old girl who was the first Japanese to die in America along with the original house used by the Japanese colonists.

This year, the National Japanese American Historical Society is participating in the Kanrin Maru Commemoration which is celebrating the 150th anniversary of the arrival of the first official Japanese escort and delegation to the United States of 1860 (Edo to San Francisco to Washington DC). Wakamatsu was established only 9 years after the signing of Treaty of Amity and Commerce, and is recognized as the first settlement from Japan. Today, bilateral relations between the US and Japan remains as strong as ever with sister-city programs blossoming.

Today the property is up for sale and its history along with its open space, hiking trails, and pasturelands could be lost. The story of these first pioneers to the Pacific Coast must be preserved. Your sponsorship of this legislation would take a significantly important step toward preserving this landmark site so that future generations can learn from and enjoy.

Very sincerely yours,

ROSALYN TONAI,
Executive Director.

STATEMENT OF SHIGEKI J. SUGIYAMA, MPA, MJS, LT. COLONEL, UNITED STATES ARMY (RETIRED), AND PAST PRESIDENT, JAPANESE AMERICAN CITIZENS LEAGUE, RICHMOND, CA

I am writing to thank you for your support of the Gold Hill-Wakamatsu Colony Project and to encourage your efforts to obtain federal funding for preserving the historically significant Wakamatsu Colony site at Gold Hill.

Although I learned about of the existence of the Wakamatsu Colony years ago when I was still active in the Japanese American Citizens League, the historical significance of the so-called Wakamatsu Colony did not occur to me until I learned more about the immigrant group that came from Aizu-Wakamatsu when I visited Okei's grave site at Gold Hill earlier this year. While it is important for the descendants of the early Japanese settlers such as myself to have the site of the first settlers that came before our parents and grandparents marked for posterity's remembrance, I believe there is an even more important reason to mark the site.

While I do not know what motivated Sir Matsudaira Katamori, the lord of the Aizu clan, to allow his vassals to emigrate to America, it appears that he did so at a time when his government, the Tokugawa Shogunate that he had so loyally served, was disintegrating. Katamori's Matsudaira family descended from Tokugawa Iyeyasu, the founder of the Tokugawa dynasty. Moreover, Katamori had been charged with protecting the shogunate's interests in Kyoto, the Imperial Capital, against the insurgents that were bent on bringing down the shogunate However, he was driven out of Kyoto by the insurgents shortly before his clansmen emigrated to America. In the final struggle to preserve the Tokugawa shogunate, many of

Katamori's vassals fought to the bitter end, finally committing seppuku rather than submitting to the insurgents.

The so-called Meiji Restoration is usually credited with Japan's opening to the West following the initial cracks opened by Commodore Perry and Ambassador Townsend Harris. However, that Katamori allowed and supported his vassals' emigration to the United States at a most critical time in Japan's history suggests to me that he and others closely associated with the Tokugawa shogunate looked to the United States as the one nation that could best help Japan maintain its integrity against the encroaching European powers (England, France, Russia.) Thus, Katamori allowing his vassals to come to America seems to be evidence of his effort to help assure the future of Japan.

My thought that insiders of the Tokugawa shogunate looked to the United States to gain the knowledge and skills needed to defend itself against European encroachment is further supported by there being a number of headstones (seven or more) for Japanese samurai in a grave yard in New Brunswick, New Jersey. The samurai died in 1871 and the early 1870s in New York City or its vicinity. My understanding is that the Japanese samurai whose tombstones are in New Jersey were sent to America by Sir Matsudaira Shungaku, the lord of Echizen (now Fukui) at about the same time as the Aizu clansmen were sent to the California. As the Matsudaira name suggests, Shungaku was also of the Tokugawa family line and was a prominent member of the inner circle of the Tokugawa regime. There are also indications that the vassals Shungaku sent to America from Echizen-Fukui were routed through Satsuma, one of the clans that led the effort to topple the Tokugawa regime, thus suggesting that even the insurgents looked favorably toward the United States

I am not aware of any scholarly studies into the background of the Wakamatsu Tea Colony or of members of the Tokugawa regime's inner circle looking to the United States as the source of the knowledge and skills needed to preserve Japan's national integrity. However, the loss of the Gold Hill site to development would erase the only tangible evidence that elements of the Japanese government under the Tokugawa shogunate were reaching to the United States to develop the human resources needed to move Japan into the modern world and to defend against European encroachment.

I am not a scholar and do not have time left to pursue my own study into this aspect of the history of the friendly relations between Japan and the United States. In a way, the story of the Wakamatsu Colony may be somewhat akin the Jamestown and Roanoke Colony stories. So I earnestly hope that the Graner House and the Gold Hill site of Okei's grave be preserved so that they may someday peak someone's interest into looking into what I believe is a significant aspect of the historical relationship between Japan and the United States.

AMERICAN RIVER CONSERVANCY,
Coloma, CA, April 20, 2010.

Hon. JEFF BINGAMAN,
Chairman, Energy and Natural Resources Committee, 304 Dirksen Senate Building, Washington DC.

RE: Support for S. 1596—Gold Hill Wakamatsu Colony Preservation Act

DEAR SENATOR BINGAMAN: Over the past three years the American River Conservancy, a non-profit conservation organization, has assisted the Japanese-American community, local historians, businesses and farmers achieve national recognition for the Wakamatsu Tea and Silk Farm Colony. To the best of our research, the Wakamatsu Colony site is:

- the first Japanese colony in North America;
- contains the gravesite of Okei Ito, the first Japanese woman buried on American soil;
- the birthplace of the first naturalized Japanese-American; and
- the site where many traditional Japanese crops were first grown and introduced to California and the United States.

Recently, the National Park Service placed this site on the National Register of Historic Places at a level of national significance. Now, the property is up for sale and its history along with its open space, hiking trails and productive agricultural soils could be lost. To date, we have raised $2 million of the $3.3 million necessary to acquire the property as well as $480,000 to restore the original farmhouse occupied by the Wakamatsu Colonists beginning in 1869.

We believe that the Bureau of Land Management, with its strong local presence and management of thousands of acres of public lands nearby is best positioned to acquire the property and work with the local community to preserve and interpret the story of these first pioneers. There is no opposition to this project. To date, we have received over $530,000 in private donations from over one thousand local residents, local businesses, Japanese-Americans and Japanese supporters overseas towards the acquisition and protection of the property. We believe this project will attract international attention and help sustain the strong bilateral relations that exist between the United States and Japan.

On behalf of the American River Conservancy and the project's many supporters, I respectfully request your support for S. 1596, the Gold Hill Wakamatsu Preservation Act of 2009. This legislation is a vital step in preserving this first colony site for the enjoyment and education of future generations.

Sincerely,

ALAN EHRGOTT,
Executive Director.

CALIFORNIA STATE ASSEMBLY,
Sacramento, CA, July 9, 2009.

Hon. TOM MCCLINTOCK,
U.S. House of Representatives, 508 Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE MCCLINTOCK: I support federal legislation authorizing the Bureau of Land Management (BLM) acquisition of the Wakamatsu Tea and Silk Farm Colony site located in my district near Gold Hill, California. l support it because I believe firmly that it is a cultural and historic site of national significance to the United States, the Japanese community and to the state of California.

Then-Governor Ronald Reagan designated the site as a state historic site in 1969; an event that was memorialized by Representative Harold Johnson in a floor statement to the U.S. House of Representatives on May 7, 1969. Like many of his decisions, Governor Reagan was right to bestow such a commemoration of the sacrifices made by more than 20 colonists who fled war in Japan to start a new life of promise and freedom, like so many others, in the United States.

I have visited the site and am amazed at the preservation of the original 1854 Graner House occupied by the colonists and the gravesite and memorial of Okei Ito, the first Japanese person buried on American soil. Along with countless Samurai artifacts brought by the colonists, these treasured historical artifacts should not be lost permanently at the expense of development pressure. The current owners, the Veerkamp family, have willingly and patiently worked with the Wakamatsu Colony Foundation to ensure the land is protected. I believe we should do everything we can do to help and I ask that you sponsor legislation authorizing this BLM project.

With kind regards, I hope you will consider my views.

Sincerely,

TED GAINES,
Assemblyman, 4th District.

CALIFORNIA RICE COMMISSION,
Sacramento, CA, April 20, 2010.

Hon. JEFF BINGAMAN,
U.S. Senate, 703 Hart Senate Office Building, Washington, DC.

RE: Support for S. 1596—Gold Hill—Wakamatsu Preservation Act

DEAR SENATOR BINGAMAN: The California Rice Commission, representing the state's 2,500 rice farmers and over 40 milling and marketing organizations, unanimously supports S. 1596. Our industry owes its start to early Japanese immigration into California. For over 50 years following the Gold Rush, farmers attempted to grow rice across California's fertile valleys and delta to no avail. It was not until the first Japanese variety Kiushu was planted that our industry took root. Today these ricelands provide reliable food for a nation, thousands of jobs for rural communities and unparalleled habitat for 230 species of wildlife.

There is no doubt that word of the successes of the early Wakamatsu settlers sparked interest in the agricultural riches that could be found in California. S. 1596 would authorize the Bureau of Land Management to acquire and manage the site of the first Japanese colony in North America, the Wakamatsu Tea and Silk Colony. These 22 settlers planted many important crops, including rice in the Sierra Foothills community of Gold Hill, just above the site where James Marshall first discov-

ered gold in California. The 270 acre ranch where the Wakamatsu Colony settled is now available for the first time since its purchase by the Veercamp Family over 100 years ago.

This legislation is vital to ensure that an important piece of history is not lost. We respectfully and with the greatest emphasis request your support of S. 1596.

Sincerely,

TIM JOHNSON,
President & CEO.

PEOPLE TO PEOPLE INTERNATIONAL,
Kansas City, MO, April 20, 2010.

Hon. BARBARA BOXER,
U.S. Senate, Hart Senate Office Building, Suite 112, Washington, DC.

DEAR SENATOR BOXER: It is mypleasure to lend support to you and the many individuals dedicated to S. 1596, the Gold Hal-Wakamatsu Preservation Act. Your efforts are critical to this important site and will mean so much to Japanese-Americans, as well as Japanese culture worldwide.

As the President and CEO of People to People International (PTPI), an organization established by my grandfather, U.S. President Dwight D. Eisenhower, to enhance Peace through Understanding, I believe it is essential to retain the historical significance of this site. People to People International celebrates diverse cultures at the grassroots level. Our dedicated members work to enhance friendship and understanding locally and globally. We recognize the importance of preserving this cultural gem.

Many thanks, Senator Boxer, for your dedication to this important issue. I believe it is culturally, educationally and environmentally prudent to ensure the passage of S. 1596 and wish you every continuing success. California's rich history of welcoming immigrants to the United States is uniquely represented through this historic site, and I believe it would be such a tragedy for all if this were lost for future generations.

Best regards,

MARY JEAN EISENHOWER,
President and Chief Executive Officer.

NATIONAL TRUST FOR HISTORIC PRESERVATION,
Washington, DC, January 8, 2010.

Hon. MARK UDALL,
Chairman, Committee on Energy and Natural Resources, Subcommittee on National Parks, 304 Dirksen Senate Building, Washington, DC.

DEAR MARK: I am writing in support of a bill that is of great importance to the National Trust for Historic Preservation and I urge you to schedule a hearing on it as early as possible when the Senate returns for the second session.

The United States Civil Rights Trail bill—S. 1802 introduced by Senator Burris—would direct the Secretary of the Interior to conduct a special resource study for the protection and interpretation of American civil rights sites across the county. These sites are of tremendous value to our history as a nation, and the first step in assessing this inventory's importance as a collection is for the National Park Service to conduct this study. The National Trust is particularly interested in the potential addition of some or all of the sites to a National Civil Right Trail System and the study would provide Congress with recommendations regarding the route.

There are a large number of places associated with historic events of the civil rights movement in the United States scattered across many states. At least 49 of these sites have been nominated for listing in the National Register of Historic Places. Many are already managed by state or local agencies and organizations committed to their preservation and interpretation.

The bill would direct the Secretary to identify the resources and historic themes associated with the fight to secure equal rights for African-Americans and focus on the period from 1954 through 1968. The Interior Department would review existing studies and reports, such as the Civil Rights Framework Study, to produce a report to complement, not duplicate, other research in this field. The Secretary would also make alternative recommendations, with cost estimates, for their preservation by the National Park Service, other federal, state, or local governmental entities, or private and nonprofit organizations. This bill would help establish needed connections with agencies, organizations, and partnerships already engaged in civil rights

site preservation and the protection of historically significant landscapes, districts and structures.

In addition to Senator Burris' legislation, a companion measure, H.R. 685, sponsored by Rep. Clay from Missouri passed the House on September 29th and has been received in the Senate as well. It was referred to your full committee.

Establishing a National Civil Rights Trail System to link sites with common signage, maps, and educational materials; improve public awareness; and facilitate the study of their importance in history would be an invaluable asset in chronicling the movement's watershed role in the American story. I urge your support for S. 1802 and ask that you begin to move this measure by scheduling a hearing when the Senate reconvenes.

Warmest regards,

RICHARD MOE,
President.

THE CONSERVATION FUND,
GOVERNMENT RELATIONS,
Arlington, VA, May 19, 2010.

Hon. MARK UDALL,
Chairman, Subcommittee on National Parks, Senate Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC.

Hon. RICHARD BURR,
Ranking Member, Subcommittee on National Parks, Senate Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN UDALL AND SENATOR BURR: As the Subcommittee meets today to receive testimony on national parks legislation, we write in strong support of S. 2953 and H.R. 3388, the Petersburg National Battlefield Boundary Modification Act.

The 292-day siege of Petersburg took its toll on soldiers and civilians alike as 70,000 combatants became casualties while some civilians were driven from their homes. Almost a quarter of the entire Civil War was fought around the city of Petersburg as Generals Ulysses S. Grant and Robert E. Lee came head-to-head in their effort to control the rails and other supply lines which the Confederacy so desperately needed for its survival. Over the course of the nine-and-a-half months and 108 separate engagements covering more than 176 square miles, the conflicts at Petersburg were the most extensive and complex battles of the entire war. The outcome of the longest siege in American history proved pivotal as well and set the stage for the surrender of the Confederacy only seven days after the fall of Petersburg.

The Petersburg National Battlefield has experienced threats to physical resources and to the visitor experience from incompatible residential, commercial and industrial development along park borders due to the impact of high growth in its surrounding counties. Several important portions of nationally significant battlefields related to the Petersburg Campaign have already been lost with development of an industrial park, a steel recycling plant and residential housing. Concerned about these losses, National Park Service staff developed an Assessment of Integrity Report that identified nationally significant battlefield lands critical to the park's mission that lie outside its boundaries. Twelve nationally significant battlefields totaling approximately 7,238 acres met National Park Service criteria for integrity, interpretability, suitability and feasibility for protection. These battlefield areas were included in the Final General Management Plan and within the recommended boundary expansion for the park.

If enacted, S. 2953 and H.R. 3388 would further the Petersburg National Battlefield General Management Plan by:

- Providing Congressional authority to the National Park Service for a 7,238-acre boundary expansion of Petersburg National Battlefield as recommended by the National Park Service's 2005 Final General Management Plan.
- Authorizing the Secretary of Interior and the Secretary of the Army to move forward with a small exchange of land (approximately 1. 17 acres/each) between the Petersburg National Battlefield and the Fort Lee Military Reservation adjacent to the Park to be managed in accordance with all department and agency laws.
- Providing authority to the Secretary of Interior to acquire and receive donations of land from willing sellers as authorized by the new 7,238-acre boundary expansion.

We wish to commend Senator Jim Webb and Senator Mark Warner for their outstanding leadership in the preservation of unprotected hallowed ground on the battlefields in the Petersburg, Virginia, area by introducing this legislation to expand the boundary of the Petersburg National Battlefield. Our organizations strongly support the recommendations listed above, and we urge the Subcommittee and full Committee to create a positive, long-term legacy of the sesquicentennial of the Civil War by approving S. 2953 and H.R. 3388 this Congress. In addition to honoring those brave men who fought and died on these fields, this legislation would increase heritage tourism in Virginia and would enable Americans to learn more about Virginia's critical role in the final year of the Civil War.

With the Civil War's sesquicentennial in 2011, Congressional approval and enactment of this boundary expansion legislation during the 111th Congress would appropriately commemorate this chapter of America's history. Thank you for your leadership on this important initiative.

Sincerely,

DAN SAKURA,
Vice President.

STATEMENT OF THE SOCIETY FOR AMERICAN ARCHAEOLOGY, ON S. 3303

The Society for American Archaeology (SAA) appreciates this opportunity to testify in support of S. 3303, the Chimney Rock National Monument Act of 2010. This legislation would provide enhanced protections for the unique and priceless Chimney Rock Archaeological Area in the San Juan National Forest, Colorado.

SAA is an international organization that, since its founding in 1934, has been dedicated to the research about and interpretation and protection of the archaeological heritage of the Americas. With more than 7,000 members, SAA represents professional archaeologists in colleges and universities, museums, government agencies, and the private sector. SAA has members in all 50 states as well as many other nations around the world.

Chimney Rock Archaeological Area is a 4,726-acre plot in southwestern Colorado's San Juan National Forest, and it was designated a National Historic Landmark in 1970. The archaeological resources of this area are the physical record of the ancestors of modern Pueblo Indian tribes. The ancient peoples who occupied Chimney Rock and the surrounding area left behind significant architecture as well as hundreds of smaller archaeological sites. The importance of these resources in our efforts to understand the past and the peoples who came before us cannot be overstated.

Though the Forest Service works hard to protect Chimney Rock and other cultural heritage sites located on its land for present and future generations, the current level of oversight afforded to the area through its present designation is inadequate. Chimney Rock needs a clearer, more concise cultural resource protection mandate, one that will enable more staff and financial resources to be dedicated to surveying, inventorying, maintaining, and interpreting the site. Designation of the Chimney Rock Archaeological Area as a National Monument under S. 3303 will allow the federal government to provide support needed for the public to enjoy and learn about the significant natural, cultural, and scientific resources of this area.

The legislation would also set forth a number of other steps to support the designation and future viability of the Monument. The Department of Agriculture, in consultation with Indian tribes and other stakeholders, would develop a management plan setting forth uses of the Monument as authorized by the Act, including use of the land by Indian tribes for cultural and religious purposes, scientific and archaeological research, and the construction of a visitor's center and curatorial facilities. Lands contained in the Monument would be withdrawn from mining and mineral leasing activities. Importantly, S. 3303 would also authorize the Department to include public lands adjacent to the park in the Monument if those lands contained significant archaeological resources.

Chimney Rock is one of the most significant archaeological sites in the nation. It's designation as a National Monument will expand our knowledge of the continent's past and ensure the preservation of its cultural resources for future generations of Americans. SAA strongly urges that the committee and full Senate consider and pass this important legislation as quickly as possible.

STATEMENT OF DAVID J. BROWN, ACTING PRESIDENT, NATIONAL TRUST FOR HISTORIC PRESERVATION, ON S. 3303

On behalf of the National Trust for Historic Preservation (National Trust), I applaud the Committee on Energy and Natural Resources' leadership in considering S. 3303, the Chimney Rock National Monument Act of 2010. Chimney Rock, located in southwestern Colorado, is possibly the most important cultural site managed by the U.S. Forest Service. It is the northernmost and highest Chacoan site known to exist, and yet it lacks a designation equal to its cultural significance. The National Trust believes that a national monument designation would bring Chimney Rock the recognition and permanent protection it so clearly deserves.

Chartered by Congress in 1949, the National Trust for Historic Preservation is the largest nonprofit, membership organization dedicated to helping people protect, enhance and enjoy the places that matter to them. With headquarters in Washington, D.C., eight regional and field offices, 29 historic sites, and partner organizations in 50 states, territories, and the District of Columbia, the National Trust provides leadership, education, advocacy and resources to a national network of people, organizations and local communities committed to saving places, connecting people to our history and collectively shaping the future of America's stories. For over 20 years, the National Trust has advocated for the preservation and enhancement of historic and cultural resources on federal public lands.

Chimney Rock exhibits many of the features that earned Chaco Canyon a World Heritage Site designation. Between A.D. 925 and 1125, the ancestors of modern Puebloan Indians occupied Chimney Rock, and the site remains of cultural significance to many descendant tribes. Hundreds of cultural elements surround Chimney Rock's soaring twin rock spires, including the Great House Pueblo, which archaeologists believe may have contained as many as thirty-five rooms. Located on a steeply sloped rock mesa approximately 1,000 feet above the Piedra River, Chimney Rock has a commanding view of the valley below and the nearby San Juan Mountains.

The first excavations of Chimney Rock were led by Jean Allard Jeancon, the curator of archaeology and ethnology at the Colorado Historical Society in 1920. In 1970, archaeologist Frank Eddy, now an emeritus professor at University of Colorado-Boulder, first documented the stylistic connection between the architecture of Chaco Canyon and Chimney Rock. That same year, Chimney Rock was also listed in the National Register of Historic Places. In 1988, Dr. J. McKim Malville, now professor emeritus of Astrophysical and Planetary Sciences at the University of Colorado-Boulder, discovered that every 18.6 years, the moon, as seen from the Great House Pueblo, rises between the twin rock spires during an event known as the Major Lunar Standstill. The dates of Major Lunar Standstill cycles appear to match the construction chronology of the Great House. The last Major Lunar Standstill was in 2006, and the next time Standstill will occur in the years 2024 and 2025.

In recognition of the foregoing cultural and archaeological values, S. 3303 would designate Chimney Rock as a national monument. The 4,726-acre monument would consist of two units, the main unit surrounding the Great House and a second, smaller unit called Peterson Mesa to the west. All of the lands in the proposed monument are owned and managed by the U.S. Forest Service as part of the San Juan National Forest. If approved by Congress, Chimney Rock would become the U.S. Forest Service's seventh national monument, but the first designated chiefly for the recognition and protection of cultural and archaeological values.

A national monument designation would be a win-win for this nationally important cultural site, the community, tribes and the public. A designation would attract public attention and increase heritage tourism to Archuleta County and the Four Corners area. Historically, national monument designations also have brought increased federal funding and resources, thereby providing for higher quality visitor facilities, more interpretation, better public education and improved site stabilization. Finally, the designation would provide the Forest Service with a clear mandate to identify and protect Chimney Rock's archaeological and cultural values.

The National Trust supports the intent of S. 3303 and many of the provisions currently in the bill. In particular, we support the language requiring the development of a management plan within three years of the enactment of the bill and provisions allowing for the continued use of the monument by Native American tribes for traditional ceremonies and plant gathering activities. We also support the bill's provisions for the designation of a monument manager as soon as practicable after development of the management plan. The designation would not require additional staff to be hired, as a line manager could be designated for this role. The Forest Service assessment of staffing levels in the San Juan National Forest and any necessary amendments to the organizational structure can be completed as part of monument planning process.

However, we believe that the bill should be amended by modifying the provision authorizing the creation of a public utility right of way within the monument. Specifically, we believe that the legislation should require that any transmission line, pipeline or any other legitimate use of the right of way should avoid negative effects on Chimney Rock's view shed. The small size of this designation and the importance of protecting the monument's view shed, which is largely free of modern-day intrusions, make it an inappropriate location for additional large scale transmission lines and pipelines. This minor change to the bill is narrow in scope, would not in any way limit the development of existing rights of way in the monument, and is, in our opinion, necessary in order to ensure that the Forest Service manages Chimney Rock in a manner consistent with its national monument designation.

Additionally, the National Trust supports the Forest Service's position for a small-scale interpretation and educational center at the national monument instead of a full-fledged visitor's center. The National Trust also supports the Forest Service's recommendation to provide for the curation and exhibition of scientific and cultural resources from Chimney Rock at the nearby BLM Anasazi Heritage Center.

Americans are fortunate to have so many of the nation's historic and cultural treasures under federal stewardship. The National Trust strongly supports the designation of Chimney Rock as a national monument, but recommend the amendments discussed above.

We appreciate the opportunity to provide written testimony to the Subcommittee on National Parks, and would welcome the opportunity to further assist the Committee should it have any questions about our testimony.

STATEMENT OF JEANNETTE A. FEEHELEY, PRESIDENT, CITIZENS FOR ACCESS TO THE LAKESHORE (CAL), CITIZEN, BENZIE COUNTY, MI

Chairman Udall, Ranking Member Burr, and Members of the Subcommittee,

Thank you for allowing me to submit this testimony to express our organization's support of S. 2976. Its introduction represents the result of over eight years of work by the National Park Service (NPS) and input by us and hundreds of other organizations and individuals into NPS proceedings to establish a new General Management Plan and Wilderness Study for Sleeping Bear Dunes National Lakeshore (SLBE), which runs for seventy gorgeous miles along prime Lake Michigan shoreline in Benzie and Leelanau Counties in Northwest Michigan. The NPS in 2009 finalized and adopted its new General Management Plan for this Lakeshore, but significant parts of it cannot be implemented unless and until its accompanying Wilderness proposal is adopted by Congress and signed into law.

We are extremely grateful to the Senate sponsor of this bill, the Honorable Carl Levin, who has been of immense aid to us and others in our negotiations over the years with the NPS, and to the Senate co-sponsor, the Honorable Debbie Stabenow. We are likewise grateful to our Congressmen for Benzie and Leelanau Counties, who also have long been highly engaged in this bi-chamber, bipartisan effort. A similar bill to S. 2976 has been introduced in the U.S. House of Representatives by the Honorable Pete Hoekstra and co-sponsored by nine Michigan House Members, including the Honorable Dave Camp, whose district includes a portion of SLBE.

In 2002, a public outcry erupted in Benzie and Leelanau Counties where the Lakeshore is located over the then current General Management Plan (GMP) proposals that were nearing their final stage and well on their way to adoption by the NPS. Until the 2002 NPS Newsletter had been released that gave details of Four Alternatives the NPS was considering at that time, along with their Preferred Alternative, most of the general public in the area were unaware of its implications. A few members of the public began publicizing those implications, and many in the area became incensed. After studying the matter and attending NPS hearings on such, some of my neighbors and I realized that there was no public nor local governmental body nor volunteer organization sufficiently manned to mount the sustained effort it would take to get the NPS to listen and respond to our concerns, so we formed Citizens for Access to the Lakeshore (CAL) as a nonprofit, citizen advocacy group to do so. We recruited membership, elected a Board of Directors and collected dues and donations sufficient to support our newsletters, public presentations, educational outreach and the development and maintenance of a CAL Web Site.

At our founding, CAL never expected it would take eight years for the issues to get addressed, nor had we any idea that it would require new legislation to be passed by Congress, but the tedious and painstaking efforts by all concerned will be worth it if the legislation before you is passed. The bill is needed in order to allow the Park Service to implement the 2009 outcome of NPS proceedings and ne-

gotiations with the public which became, over eight years time, a true collaboration, in our view, among the Park Service and all its stakeholders.

We are very grateful to SLBE Superintendent Dusty Shultz for the new GMP and Wilderness Study subsequently developed and approved at the agency level in 2009. Superintendent Shultz had not been a part of the development of the former GMP proposals in the early 2000's, having arrived at the Park as its new Superintendent after they had already reached their final stage. When the Secretary of Interior, in response to public outrage, requested withdrawal in October 2002 of that previous GMP, Superintendent Shultz responded by thenceforth devoting much staff time and resources to learning why the community was so alarmed and why the NPS had been so taken by surprise by the outrage.

Those early years also saw the appointment of a new Director of the NPS Midwest Region, Mr. Ernie Quintana, who came to SLBE to view the Lakeshore, which had become one of his new responsibilities. During that visit, he was kind enough to meet with CAL Board members in the presence of Superintendent Shultz. After listening to us, he expressed his view that we seemed to have legitimate concerns, that the NPS could address them, and that he would be supportive in that effort. He has, indeed, been supportive at all crucial, NPS/internal review and approval stages over the many years on these efforts, and we are very grateful to Director Quintana and his Midwest Region Staff in Omaha.

One of the first steps taken by the NPS during that contentious time was to send new personnel to SLBE who had expertise in public relations. CAL and others wondered at the time if Mr. Tom Ulrich had been sent simply to tell the local population that we didn't know or understand anything and to admonish us for having dared to question the federal bureaucracy. However, we soon learned that Mr. Ulrich was not sent for window dressing or simply to smooth ruffled feathers. Instead, we found him to be a dedicated public servant who was committed to listening to the concerns of the agency's stakeholders and who adeptly helped establish a working relationship among what had become, by that time, two distinct adversaries: the National Park Service vs. the SLBE's surrounding local communities.

CAL strongly believes that, from 2002-2009, these two sides learned to listen and talk with each other as never before, and that the NPS adopted a new view that it is better to aggressively publicize its processes and actively and genuinely solicit input up front rather than assume all is well only to learn late in the game that its stakeholders had not understood the implications of what it planned to do. The materials developed by the NPS in this particular effort are a vast improvement over what was available to the public before. For instance, after the GMP process was resumed in 2006, inter-active communication tools were newly available to the public on an improved NPS Web Site that made it much easier for the general public to access, read and submit formal comment on each NPS proposal. It also appeared that the NPS liberalized, or, at least, publicized better, that any citizen who so desired could be put onto their mailing list to receive NPS proposals each step along the way where there was opportunity for public input.

In addition, ever since 2002, CAL had been speaking at local and county government meetings, road commission hearings, Chamber of Commerce meetings, Rotary Clubs, etc., in an attempt to inform as many people as possible about our discoveries of the implications of the NPS proposals. So the NPS spent the time and resources necessary to do the same and more: Superintendent Shultz and Deputy Superintendent Ulrich and other NPS staff began to attend meetings of their stakeholders/customers' organizations to make themselves available for questioning at their stakeholders' convenience and on their stakeholders' own territory. And, once the new GMP process was restarted in 2006, the NPS developed a Power Point Presentation they took "on the road" rather than relying on the few standard NPS Open Hearing dates which the public may or may not be able to attend.

As for the substance of the problem, it was, in a nutshell, that in 1981 the NPS had concluded a Wilderness Study and made a wilderness recommendation at a very young Park still deep in a contentious acquisition phase, its enabling legislation having only been passed in 1970. The full impact of that Study would not become apparent to the public until much later, after most of the land had come under Park Service ownership. Two and a half decades passed with issues simmering in seemingly piecemeal NPS actions that the public only saw as separate, isolated irritants. However, the full implications of the 1981 Wilderness Study and its inherent incompatibility with reality surfaced explosively in the 2002 GMP.

Complicating matters was that this Park had not originated with vast amounts of never-used or never-privately-owned land, but of land that had been mostly held and used by small, private landowners for two centuries, along with two small areas of state park land. In order for the Park to become a reality, most of those private owners had to be removed from their land after the 1970 enabling legislation was

passed. Many of the land parcels had been in the owners' families' possession for generations. Some were very willing to sell, some were not, and some were taken by eminent domain or its perceived threat. Another acquisition method was a sale in which the owners were allowed to reside for a specified time, usually through a twenty-five year lease.

Although generally beloved by the most of the local populace now, the Park's very creation had been wrenching and painful. Indeed, it had taken the whole decade of the nineteen sixties for proponents of a new federalized Park to win sufficient support inside the State of Michigan for the 1970 enabling legislation to pass. The promise held out to all at the time was that, by taking the land and making it a federal Lakeshore, its woods and dunes and beautiful beaches would forever more be saved for the recreational uses of the general public rather than swallowed up and transformed by large-scale private developers.

So, in 1981, the general public had little idea that "wilderness", if applied where roads already existed, would require the removal of those roads. The Wilderness acreage recommended in 1981 did, indeed, include many county roads in both Benzie and Leelanau Counties, roads which have provided the historical access to the beaches. The general public also had little idea that the 1981 "wilderness" would be interpreted by the NPS as a call for the destruction of many historical features throughout the Park. Indeed, it took two other citizens' groups, with the help of Senator Levin, to get the NPS to recognize that there were historical resources and cultural viewscapes worth saving within a Park where acquisition and a return-to-nature agenda were on full throttle. Never-the-less, enough was understood about the 1981 Wilderness Recommendation that it was politically highly contentious from its inception: the Secretary of Interior would not approve it nor move it along for further approval. The Congress at that time reacted to the Secretary's inaction by inserting a few sentences about the 1981 Wilderness Study in a 1982 amendment to the Park's 1970 enabling legislation. The purposes of the 1982 amendment had mostly to do with making the acquisition process fairer to all property owners and with removing certain areas of land around Glen Lake from the Park boundaries. Even though the 1982 legislation's intent and purposes had nothing to do with wilderness, Congress inserted language into that bill that instructed the NPS to manage all the land within the 1981 Wilderness Study as if it was "wilderness" unless and until Congress said otherwise. The effect, as noted in the Congressional Record at the time, was a wilderness designation imposed by the back door, a de facto wilderness where none had been formally designated by Congress according to the procedures of the Wilderness Act.

Over the years, the NPS attempted, from time to time, to acquire the county roads within those de facto wilderness areas, per the 1982 Congressional action. However, for thirty years, the Counties have adamantly resisted federal acquisition of their roads, having no wish for their residents and tourists to lose public access to the beaches. The Park Service was never successful in eliminating the historical vehicular access on the mainland, but was successful on the Park's two islands, North and South Manitou, by disallowing use of the landing piers by cars and by a 1987 letter to South Manitou residents.

The building tension over the NPS's repeated attempts to acquire the counties' roads came to a head in the 2002 GMP proposals. Having little familiarity with the long forgotten 1981 Wilderness Study and having little acquaintance with the fact that the Study's effects had become federal law in 1982, most local people were completely dumbfounded in 2002 on a number of levels:

- Why did the 2002 GMP call for the acquisition and demolishment of the county roads, which provide the only vehicular access of the general public to the beaches?
- Why did the 2002 GMP propose "mouldering" many of the area's historical resources?
- Why did the 2002 GMP proposals portray half the Lakeshore as a place where the human foot had left no mark and where only "wilderness" had existed?

In this aspect, the GMP's tone, as well as the content, was highly offensive to local people who themselves or their parents had been uprooted from the very land now called a "wilderness" where, allegedly, no one had ever settled. In reality, the local populace had first hand knowledge that said lands had been farmed, settled and lumbered for generations, and that Native Americans and lumbering companies had worn trails that still exist and are used to this day. South Manitou Island, with its great natural harbor and nautical refuge in Lake Michigan, had been settled, farmed and lumbered even before the City of Detroit was developed. The 2002 GMP proposals were not only offensive for proposing that the general public lose its access to the beaches, the very purpose

of the enabling legislation, but added insult to injury by attempting to wipe out the magnificent human history of the area's forebears.

- And why did Park Service staff, in attempting to explain these matters to an outraged citizenry, keep saying that it had all been "mandated" by Congress?

It took CAL much study of past legislation and NPS documents to track down all the historical events leading to the disastrous 2002 collision between the Park Service and SLBE's local communities.

Once CAL identified the 1981 Wilderness Study and the 1982 law as the cause of much of the problem, CAL sought to have the offending lines in the 1982 legislation removed, which would have freed the Park Service from any wilderness "mandate" and would have allowed them to begin afresh a new GMP unencumbered with de facto wilderness. However, we ascertained, to our initial disappointment, that there was no Congressional, political or agency will for such. It appeared that doing so might be interpreted and maybe contested by wilderness proponents as a removal of "wilderness" from the Lakeshore, even though such had never been officially designated.

However, our Senators and Congressmen actively supported the public's desire to be heard, and, at the same time, they actively supported the Park Service's desire to allow for a cooling off period and to give the NPS time to look anew at the problems and situation. Our Senators and Congressmen supported the NPS' entering into a long, multi-year, continuing dialogue with the local communities. Our elected officials also supported CAL whenever it appeared to us that the NPS was not listening nor understanding us. Thanks to our Senators and Congressmen, we learned to read and speak Park Service-ese, and the NPS learned to understand us, even though we weren't always conversant or familiar with the multitudinous NPS procedures, policies and technical terms.

It worked! The 2009 GMP/Wilderness Study addresses and corrects all the unresolved issues of the previous Wilderness Study. Now the areas proposed for wilderness make sense, and will provide that the primitive, natural areas can remain as much of the local population wishes—in their natural state—without cutting off public access where it is needed.

The bill before you, if adopted, will finally, finally throw out the flawed 1981 Wilderness Study that has had our Lakeshore tied up for so long in administratively applied wilderness sanctions where they were inappropriate and unenforceable, and will replace it with the new 2009 Wilderness recommendation that puts the Lakeshore's counties' roads, beaches, fundamental historical resources and all remaining private inholdings outside wilderness jurisdiction. At the same time, the bill would give a true, Congressionally approved wilderness designation to those areas of the Park, a good half of its acreage, where a wilderness designation is appropriate and can be easily enforced by the Park Service and supported by its stakeholders.

The bill is a win/win for proponents of wilderness and conservation as well as proponents of public access and varied recreation usage. It is not a bill where the proponents give grudging, reluctant support, feeling compromised and unhappy about something. Rather, this is a bill wherein almost everyone involved has emerged quite satisfied.

CAL highly supports this bill and respectfully asks your consideration for its passage.

STATEMENT OF JAMES E. SPURR, PRESIDENT, GREAT LAKES SHIPWRECK HISTORICAL SOCIETY, ON S. 1651

BACKGROUND

Senate Bill 1651 amends a land Patent (deed) granted the United States 1n 1996 to a non-profit corporation, the Great Lakes Shipwreck Historical Society ("GLSHS").

The land is located in Michigan's Upper Peninsula, at Whitefish Point, on Lake Superior.

The 8.2 acres of land is a former United States Coast Guard ("USCG") and U.S. Lifesaving Service Station and contains historic buildings on the National Register. In fact, the 1861 lighthouse was enabled by Abraham Lincoln and was important at the time so to assist in delivering northern ore to foundries in support of the war effort.

Whitefish Point is also an important migratory bird way. Each spring and fall, many migratory birds use Whitefish Point so to rest, feed and minimize the distance in crossing Lake Superior. The historic buildings and now a shipwreck museum are

by and large visited in the summer and the thus do not much or directly conflict with the needs of migratory birds, when properly managed.

Senate Bill 1651 updates the restrictions upon the 8.2 acres of GLSHS property, reflecting conditions more restrictive than those Congress first imposed in 1998 and in keeping with an agreement reached between the landowners at Whitefish Point with respect to the manner in which development should be limited and the surrounding land utilized in the future.

INTRODUCTION

Whitefish Point, Michigan, on Lake Superior, is occupied by three parties:

a.) The United States Fish and Wildlife Service ("USFWS")—33 acres
b.) The Great Lakes Shipwreck Historical Society ("GLSHS")—8.2 acres
c.) The Michigan Audubon Society ("MAS")—2.6 acres

GLSHS and MAS hold title by 1998 Congressional Patents, which for MAS has been amended in the past, in particular to update the grant and address inconsistencies as circumstances change. (Ex.1) Thus, Amending land Patents with respect to Whitefish Point, such as would S.B. 1651 accomplish and as supported by GLSHS, is not without precedent. Modifying land patents on this particular site has been done before.

In 1998, when Congress conveyed 8.2 acres to GLSHS, it conditioned the conveyance upon the continued use and "interpretation and preservation of maritime history." (Ex. 2)

Congress further conditioned the 1996 Patent by allowing that no development, with the exception of a gift shop and museum wings, should occur. A 1992 plan, depicting the museum wings that Congress allowed, is specifically referenced in the 1996 Patent. The reference to the 1992 plan now needs to be modified and updated to reflect changing circumstances.

The museum wings were intended to allow GLSHS to offer a mariner's memorial, video theatre and changing exhibit gallery. (Ex. 3, Page 23) That goal remains, but the landowners and neighbors have agreed and signed a thorough land use plan reducing the size of the museum wings and requiring further improvements to the site.

In 2002, GLSHS, the USFWS and MAS negotiated, drafted and signed the Human Use and Natural Resource Management Plan ("2002 Plan"), allowing for habitat restoration and improvement, limited development and controlled human use in accordance with its terms and provisions. (Ex. 4)

The problem is the Patent continues to reference what is now by the agreement of the parties an outmoded plan and model. Senate Bill 1651 simply inserts the 2002 Plan, replete with additional conditions for the use and management of the surrounding land, for the less restrictive plan of the decade before. The 2002 Plan is far more comprehensive and improves Whitefish Point in many respects not addressed by the earlier 1992 plan.

TIMELINE

1983—The USCG executed a 25 year lease with the GLSHS for its land at Whitefish Point.

1985—GLSHS opened a museum on site and began to restore historic buildings on the National Register, interpret maritime history and expand underwater archeology programs.

1998—Congress transferred title to 8.2 acres to GLSHS. At the same time, MAS was granted 2.6 adjacent acres by a similar patent.

2001—MAS filed suit against GLSHS over concern for the popularity of the museum and the resulting use of the land.

2002—MLUI served as the consultant and its efforts led to the parties signing and agreeing to implement the 2002 Plan. (Ex. 5, highlighted pages taken from the 2002 Plan) The case was settled, in part allowing for that which is highlighted on Ex. 6. The highlighted page is taken from the 2002 Plan, agreed to by all parties.

2003—GLSHS seeks to resolve the inconsistency in its Patent, which still references the 1992 plan, an earlier document that the 2002 Plan later replaced, with the agreement of all Whitefish Point landowners.

REASON FOR THE PATENT AMENDMENT

S.B. 1651 would substitute the 2002 Plan for the 1992 plan currently referenced in the 1996 Patent.

The 2002 Plan reflects the agreement of the surrounding landowners. The 2002 Plan was approved by a Federal Court as the resolution of then pending issues between the parties. Amending the GLSHS Patent removes the risk of it violating the current Patent, containing a reversionary clause, the conditions of which are outdated and which by the agreement among the parties, can be improved for a unique site of historical and ecological significance.

Should S.B. 1651 be enacted (the mirror image of S.B. 1651, H.B. 2121 has already passed the House unanimously), GLSHS would do nothing more than continue to fulfill the conditions and purposes of its Patent and implement the numerous improvements to the site agreed to by all in the 2002 Plan.

COMPARISONS BETWEEN THE 1992 PLAN AND THE 2002 PLAN

Presently, the GLSHS Patent, due to its reference to the 1992 plan, allows for larger museum wings than are agreed to and found within the 2002 Plan. (Ex. 7) Thus, S.B. 1651 would, by the inclusion of the 2002 Plan, scale back the size of the museum wings.

The parking lot, shared by GLSHS, MAS and Whitefish Township residents, will also be reduced in size and cars will park further from the historic site. (Ex. 8)

Habitat would be created so to improve the property and make a more hospitable environment for migratory birds. (Ex. 9)

The video theatre and changing exhibit gallery would enhance education and GLSHS would share the theatre with environmental groups such as MAS and others so to assist in educating about the natural history and significance of Whitefish Point.

CONCLUSION

If S.B. 1651 is passed the GLSHS land patent would be amended to replace the outdated 1992 plan, by way of restrictive conditions, with the more thorough, more restrictive, more recent 2002 Plan, agreed to by all surrounding landowners.

The Amended Patent, referencing the 2002 Plan, will:

A. Create natural habitat beneficial and important to migratory birds,

B. Restrict human activities on site that would benefit migratory birds and native vegetation,

C. Reduce the size of the museum wings,

D. Reduce the size of the parking lot closest to historic buildings,

E. Allow for the continued healthy operation of a non-profit corporation which maintains historic buildings and researches and documents off shore archeological shipwreck sites,

F. Protect existing jobs in tough economic climate in a remote location,

G. Allow, by the video theatre and changing exhibit gallery, for more effective education of our maritime past and natural resources.

Senate Bill 1651 does not spend a dime of taxpayer money. Rather, it allows a private non-profit to continue to do good work, as was agreed as acceptable and beneficial in several respects by its adjacent landowners.

The above testimony is sworn to be true and accurate.

CIVIL WAR PRESERVATION TRUST,
Washington, DC, May 18, 2010.

Hon. MARK UDALL,
Chairman, Subcommittee on National Parks, Senate Energy and Natural Resources Committee, 304 Senate Dirksen Office Building, Washington, DC.

DEAR CHAIRMAN UDALL AND MEMBERS OF THE SUBCOMMITTEE: On behalf of the national nonprofit Civil War Preservation Trust, I am writing in strong support of H.R. 3388 and S. 2953, to modify the boundary of the Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes. The Civil War Preservation Trust has preserved more than 29,000 acres of hallowed ground throughout the United States, including more than 1,858 acres at Petersburg National Battlefield and the associated battlefields.

Almost a quarter of the entire Civil War was fought around the city of Petersburg, as Generals Ulysses S. Grant and Robert E. Lee came head-to-head in their effort to control the vital but vulnerable supply lines into the Confederate capital at Richmond. Over the course of nine-and-a-half months from June 1864 to April 1865, 108 separate engagements covering more than 176 square miles were fought in and around Petersburg. The outcome of the longest siege in American history proved

pivotal as well and set the stage for the surrender of the Confederacy's largest and most successful army only seven days after the fall of Petersburg.

The Petersburg National Battlefield has experienced threats to physical resources and to the visitor experience from incompatible residential, commercial and industrial development along park boundaries due to the impact of high growth in surrounding counties. Significant battlefield lands related to the Petersburg Campaign have already been lost through development of an industrial park, a steel recycling plant and residential housing.

Concerned about these losses, National Park Service staff developed an Assessment of Integrity Report that identified nationally significant battlefield lands critical to the park's mission that lie outside its current boundaries. Twelve nationally significant battlefields totaling approximately 7,238 acres met National Park Service criteria for integrity, interpretability, suitability and feasibility for protection. These battlefield areas were included in the Final General Management Plan (GMP) and within the recommended boundary expansion for the park. The twelve associated battlefields are: Boydton Plank Road, the Crater, Five Forks, Fort Stedman/Picket Line Attack, Globe Tavern, Hatcher's Run, Jerusalem Plank Road, Peebles' Farm, Petersburg-Assault, Petersburg-Breakthrough, Reams' Station and White Oak Road. Please note that the Civil War Preservation Trust has itself protected land outside park boundaries at six of these sites.

H.R. 3388 and S. 2953 would further the Petersburg National Battlefield GMP by providing authority to the Secretary of Interior to acquire and receive donations of land from willing sellers within the 7,238-acre expanded boundary, allowing for the preservation and interpretation of vulnerable and unprotected hallowed ground. Incorporation of the twelve battlefields associated with the Petersburg Campaign into the Petersburg National Battlefield will create opportunities for visitors to access these significant Civil War landscapes and resources, allowing the Park to convey a more comprehensive Civil War story.

It is also worth noting that the Petersburg Battlefield, as well as each of the battlefields associated with the siege of Petersburg, was recognized as a nationally significant historic resource in a 1993 Congressional study on the status of the nation's Civil War battlefields conducted by the Civil War Sites Advisory Commission.

In conclusion, the Civil War Preservation Trust fully supports the passage of H.R. 3388 and S. 2953 to modify the boundary of the Petersburg National Battlefield. With the Civil War's sesquicentennial beginning in 2011, Congressional approval and enactment of this boundary expansion legislation during the 111th Congress would appropriately commemorate this chapter of America's history.

Thank you for the opportunity to provide written testimony on these important pieces of legislation.

Sincerely,

O. JAMES LIGHTHIZER,
President.

CIVIL WAR PRESERVATION TRUST
Washington, DC, May 18, 2010.

Hon. MARK UDALL,
Chairman, Subcommittee on National Parks, Senate Energy and Natural Resources Committee, 304 Senate Dirksen Office Building, Washington, DC.

DEAR CHAIRMAN UDALL AND MEMBERS OF THE SUBCOMMITTEE: On behalf of the national nonprofit Civil War Preservation Trust, I am writing in strong support of H.R. 4395 and S. 3159, to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes. The Civil War Preservation Trust has protected more than 29,000 acres of hallowed ground throughout the United States, including nearly 700 acres at Gettysburg.

The Battle of Gettysburg, the largest battle ever fought on American soil, has become enshrined as part of our nation's history. For three days in July 1863, Confederate General Robert E. Lee concentrated his full strength against Union Major General George G. Meade's Army of the Potomac at the crossroads county seat of Gettysburg. Approximately 1/3 of the 158,000 soldiers in blue and gray who fought at Gettysburg became casualties of the titanic battle.

H.R. 4395 and S. 3159 would allow for the incorporation of two historically significant properties into the boundary of the Gettysburg National Military Park. The two properties include the Lincoln Train Station, the site at which President Abraham Lincoln arrived before delivering the Gettysburg Address, and 45 acres of land at the southern end of the battlefield adjacent to current NPS-owned property, the site of cavalry skirmishes during the battle. Incorporation of these sites into the Gettys-

burg National Military Park will create opportunities for visitors to access these significant Civil War landscapes and resources, allowing the Park to convey a more comprehensive story of the Battle of Gettysburg. In addition, this boundary expansion is consistent with the Gettysburg National Military Park's 1999 General Management Plan (GMP).

It is also worth noting that the Gettysburg Battlefield was recognized as a nationally significant historic resource in a 1993 Congressional study on the status of the nation's Civil War battlefields conducted by the Civil War Sites Advisory Commission. In that report, the Civil War Sites Advisory Commission identified Gettysburg as a Priority I site, its highest designation.

In conclusion, the Civil War Preservation Trust fully supports the passage of H.R. 4395 and S. 3159 to modify the boundary of the Gettysburg National Military Park. With the Civil War's sesquicentennial beginning in 2011, Congressional approval and enactment of this boundary expansion legislation during the 111th Congress would appropriately commemorate this chapter of America's history.

Thank you for the opportunity to provide written testimony on these important pieces of legislation.

Sincerely,

O. JAMES LIGHTHIZER,
President.

DODONA MANOR,
THE GEORGE C. MARSHALL INTERNATIONAL CENTER,
Leesburg, VA, May 17, 2010.

Hon. MARK UDALL,
Senator,

Hon. RICHARD BURR,
Senator, National Parks Subcommittee, Energy and Natural Resources Committee, U.S. Senate, Washington, DC.

Re: S.1750

DEAR CHAIRMAN UDALL AND RANKING MEMBER BURR: I am pleased that you included S.1750 as you consider a comprehensive National Parks bill for the 111th Congress. Today's agenda is full, so I will be concise.

My name is Stephen C. Price. I am President of the George C. Marshall International Center Board of Directors. We own and operate General Marshall's home in Leesburg, Virginia.

Marshall's home—known as "Dodona Manor"—is fully restored and financially viable. Built in the 1820's it was designated a National Historic Landmark in 1996. We opened our doors to the public in 2005 after a multi-million dollar restoration funded by private donations, federal aid, including a prestigious "Save America's Treasures" grant from the Department of the Interior, and appropriations from The Commonwealth of Virginia and local government. Recognizing the significance of the Marshall home, Senator Webb and Congressman Wolf have introduced bills—S.1750 and HR.3757—in their respective chambers that direct the National Park Service to study the fitness of Dodona Manor to be granted Affiliate Status within the NPS system.

As you know, conferring Affiliate Status on an historic property does not mean that the Department of Interior will either acquire or operate the property. Affiliate Status is a prime example of a public-private partnership that allows a privately owned and operated historic property of international significance to benefit from the power of the media umbrella and promotional actions of the National Park Service. Should such a study conclude that Dodona Manor is a fit property to be granted Affiliate Status, and Congress concurs, Marshall's home would benefit from an association with the National Park Service that would include its placement on the NPS website and the installation of special NPS road directional signs.

Senator Webb's bill (S.1750) which is before you is straightforward: it merely directs the NPS study the appropriateness of Affiliate Status for General Marshall's home. I hope that you and the rest of the National Parks Subcommittee will support this legislative action.

General Marshall was Army Chief of Staff and President Roosevelt's principal military adviser during World War II. Retiring at the end of the war, President Truman immediately appointed him as his special envoy to China to attempt the negotiation of a ceasefire between the Nationalists and Communists. Upon return, Truman turned to him again and selected him in 1947 to be Secretary of State. Confronted with a devastated Europe that augured poorly for the creation of a peaceful

continent, he was responsible for the Marshall Plan that stimulated economic recovery. It is not an exaggeration to credit this program with the creation of the prosperous and peaceful Europe that has evolved into the European Union.

Recognizing his immense achievement he was awarded the Nobel Peace Prize in 1953. It was most appropriate that President Obama, in his acceptance speech for the same prize, noted the lasting contributions of the Marshall Plan.

When the Korean War erupted and began going badly for the United States and its allies, President Truman turned to Marshall once again and appointed him as Secretary of Defense. To this job he brought his immense organizational skills to bear in the ongoing work of consolidation of what had formerly been the War and Navy Departments.

After stepping down from this second cabinet position, retirement eluded him as he served as president of the American Red Cross.

In describing Marshall, Winston Churchill said:

> In war he was as wise and understanding in counsel as he was resolute in action. In peace he was the architect who planned the restoration of our battered European economy and, at the same time, laboured tirelessly to establish a system of Western Defence. He has always fought victoriously against defeatism, discouragement and disillusion. Succeeding generations must not be allowed to forget his achievements and his example.

His Leesburg, Virginia home, Dodona Manor, stands as a monument to this great American to insure that he is not forgotten.

Thank you Chairman Udall and Ranking Member Burr for the opportunity to ask your support for our effort to tell the story of General Marshall. Please know that you and any members of the subcommittee, including their staff, would be most welcome to come for a visit—Leesburg is just an hour away.

Yours sincerely,

STEPHEN C. PRICE,
President.

○