

**STATEMENT OF CHRISTINA GOLDFUSS, DEPUTY DIRECTOR,  
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SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE  
SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE COMMITTEE  
ON ENERGY AND NATURAL RESOURCES CONCERNING S. 1520 AND H.R.  
2197, BILLS TO AMEND THE WILD AND SCENIC RIVERS ACT TO  
DESIGNATE SEGMENTS OF THE YORK RIVER AND ASSOCIATED  
TRIBUTARIES FOR STUDY FOR POTENTIAL INCLUSION IN THE  
NATIONAL WILD AND SCENIC RIVERS SYSTEM.**

**July 23, 2014**

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Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 1520 and H.R. 2197, bills to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System.

The Department supports enactment of this legislation with amendments. However, we feel that priority should be given to the 24 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 Rivers System that have not yet been transmitted to Congress.

S. 1520 and H.R. 2197, which are substantially identical, would authorize the National Park Service to study 11.25 miles of the York River and its tributaries in York County, Maine, for potential inclusion in the National Wild and Scenic Rivers System. The York River watershed drains 33 square miles located almost entirely in the communities of Eliot, Kittery, and York, and flows into the Gulf of Maine through York Harbor. We estimate the cost of the study to be approximately \$300,000, based on similar studies recently conducted by the National Park Service (NPS).

The York is a small, highly scenic, and very historic watershed. Navigable portions of the York and its tributaries offer excellent recreation for small powerboats, canoes, and kayaks. The ecological resources of the York and its importance to the Gulf of Maine have been recognized through the close association with the nearby Wells National Estuarine Research Reserve. York Harbor and the York River were essential to the early commercial activity of the region and many important historic sites from the 18<sup>th</sup> and 19<sup>th</sup> Centuries have been documented and preserved.

The Northeast Regional Office of the NPS recently completed a reconnaissance survey of the York River at the request of Representative Chellie Pingree, the sponsor of H.R. 2197. The survey provided a preliminary evaluation of the approximately 11 miles of river that would be studied under S. 1520 and H.R. 2197 as a step toward a full Wild and Scenic River Study. The findings of the survey indicate that segments of the York River

exhibit the characteristics and resource values likely to meet eligibility criteria for inclusion in the National Wild and Scenic Rivers System. In addition, over the course of the past four years, the NPS has responded to interest and inquiries from local advocates and town officials regarding a potential Wild and Scenic Rivers study for the York River, and there appears to be strong local support for protecting the river system.

If enacted, the NPS intends to undertake the study in close cooperation with the affected communities, interested organizations, and relevant agencies of the State of Maine through a partnership-based study approach. The partnership-based approach is recognized in Section 10(e) of the Wild and Scenic Rivers Act as a means of encouraging state and local governmental participation in the administration of a component of the National Wild and Scenic Rivers System. The partnership-based approach also allows for development of a proposed river management plan as part of the study, which helps landowners and local jurisdictions understand their potential future roles in river management should Congress decide to designate part or all of the rivers being studied.

Although the Wild and Scenic Rivers Act requires the development of a comprehensive river management plan within three years of the date of designation, it has become the practice of the NPS to prepare this plan as part of a study of potential wild and scenic rivers when much of the river runs through private lands. This allows the NPS to consult widely with local landowners, federal and state land management agencies, local governments, river authorities, and other groups that have interests related to the river prior to determining if the river is suitable for designation. Early preparation of the plan also assures input from these entities as well as users of the river on the management strategies that would be needed to protect the river's resources.

Both H.R. 2197 and S. 1520 include certain requirements for the study which we recommend deleting. These requirements include determining the effect of the designation on existing commercial and recreational activities and on activities concerning energy production and transmission infrastructure, and on the authority of state and local governments to manage those activities. They also include requiring the identification of any authorities that would compel or permit the Secretary of the Interior to include or participate in local land use decisions or place restriction on non-federal lands, or that could be used to condemn property. And, they include requiring the identification of all private property located in the study area. The purpose of conducting a study is to determine whether a river meets the established criteria for eligibility for the National Wild and Scenic Rivers System. We believe that the existing criteria used for making that determination result in a sufficient amount of information and analysis of the effects of a Wild and Scenic River designation. The additional requirements included in these bills could potentially increase the cost of the study and the time required to complete it.

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