Statement for the Record
Department of the Interior

Senate Committee on Energy & Natural Resources
Subcommittee on National Parks

S. 192, River Democracy Act
June 23, 2021

Thank you for the opportunity to testify on S. 192, the River Democracy Act. The bill would add nearly 4,700 miles of rivers and streams in Oregon to the National Wild and Scenic Rivers System, including nearly 800 miles managed by the Bureau of Land Management (BLM), over 3,000 miles managed by the U.S. Forest Service, and the remainder managed by the National Park Service, the U.S. Fish and Wildlife Service, and other entities. In addition, the bill authorizes federal land management agencies to enter into cooperative agreements with tribal, state or local governments to share river management responsibilities. S. 192 also withdraws certain river segments in the State of Oregon from operation of the public land and mining laws, and all laws pertaining to mineral and geothermal leasing.

On January 27, 2021, President Biden signed Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, which launched a government-wide effort to confront climate change and restore balance on public lands and waters. The President's directive recognizes the opportunities America's lands and waters provide to meet its goals and outlines a historic and ambitious challenge to the nation with the America the Beautiful initiative to conserve at least 30 percent of our lands and waters by 2030. The President's America the Beautiful initiative specifically emphasizes the value of conserving the nation's natural resources, recognizing multiple uses of our lands and waters, including its working lands, can be consistent with the long-term health and sustainability of natural systems. S. 192 aligns with the Administration's conservation goals. The Department of the Interior supports the bill and defers to the Forest Service on the bill's provisions affecting Forest Service-managed lands.

Background

The BLM in the Pacific Northwest manages public lands that begin where the Columbia River crosses from Canada into northeastern Washington and ends at the headwaters of the Chetco River near California. Between these breathtaking rivers unfolds a host of vibrant working waterfronts and opportunities for recreation. In 1968, Congress acted to conserve the Nation's rivers, in the Wild and Scenic Rivers Act (WSRA; P.L.90-542). The WSRA established it is, "the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." Under the WSRA, wild and scenic rivers are designated by Congress in one of three categories: "wild," "scenic," or "recreational." Differing management objectives and restrictions apply to each of these designations.

An example of a wild and scenic river crossing BLM-managed lands in Oregon is the John Day River. Absent of dams for 281 miles, it is one of the longest free-flowing rivers in the continental United States and the longest undammed tributary of the Columbia. The John Day River and surrounding lands provide a variety of recreation opportunities throughout the year, from white-water rafting, to hunting, sightseeing, horseback riding, hiking, camping, and fishing. The river and its canyons offer unmatched habitat for many native fish including wild steelhead, Chinook salmon, and bull trout, while the wildlife found along the river's corridor include mule deer, elk, black bear, and bald eagles. The John Day is one of many rivers impacted by S. 192, which protects its tributaries to enhance conservation of the river and the surrounding ecosystem.

S. 192, River Democracy Act

S. 192 would designate over 300 unique river segments crossing BLM-managed lands throughout the BLM Oregon districts of Burns, Coos Bay, Lakeview, Medford, Northwest Oregon, Prineville, Roseburg, and Vale. These wild, scenic, and recreational river designations vary from modifying existing designations to designating entirely new river and stream segments throughout the state of Oregon.

BLM-Managed Additions to the Wild & Scenic Rivers System

The BLM works to identify all rivers on BLM-administered lands that possess free-flowing condition and outstandingly remarkable values for potential addition to the National Wild and Scenic Rivers System. While the BLM has not assessed the eligibility for all of the segments proposed for designation by S. 192; it is the BLM's policy to consider rivers and their values identified by other public agencies at the Federal, State, and local level; Tribal governments; and the public. The BLM appreciates the efforts of the sponsor in coordinating with local communities in the development of these proposed designations. The BLM supports the designations included in S. 192 impacting BLM-managed lands.

Administration & Comprehensive River Management Plans

S. 192, Section 5, provides flexible timeframes for the completion of comprehensive river management plans (CRMPs) required by Section 3(d)(1) of the WSRA. CRMPs are prepared with appropriate NEPA analysis and extensive consultation with public, state, tribal and local governments. The BLM appreciates the flexible timeframes provided by S. 192 to conduct a thorough and collaborative planning process for the CRMPs. Further, the BLM supports the sponsor's direction to address wildfire risks, culturally significant native species, and the ecological function of ecosystems in the CRMPs. Lastly, the BLM recommends technical changes to Section 5, including changes to define interim detailed boundaries in a manner ensuring federally supported water resource projects would not have direct and adverse impacts on river values as provided by Section 7(a) of the WSRA.

Wild & Scenic River Boundaries

The WSRA generally provides for a boundary of one quarter-mile from the ordinary high-water mark on either side of a designated river. S. 192 would assign a boundary of one half-mile on either side of designated rivers and require the completion of a comprehensive river management plan that includes detailed river boundaries. S. 192 provides for boundaries which include an average of 640 acres of land per mile measured from the ordinary high-water mark on both sides of the river for designated components of the System in the State of Oregon on or after the date

of enactment of the bill. The BLM supports this increase in the river corridor acreages as it would benefit protection of resources and facilitate management of the river area.

Withdrawals

The bill amends the WSRA to establish a withdrawal for all "scenic" and "recreational" rivers designated in the state of Oregon. Currently, under Sections 9(a) and 15(2) of the WSRA, Federal lands that include the bed or banks or that are situated within ¼ mile of the bank of any designated "wild" river, are withdrawn from operation of the mining and mineral leasing laws, subject to valid and existing rights. By contrast, designated river areas classified as "scenic" or "recreational" are not currently withdrawn under the WSRA from operation of the mining and mineral leasing laws. In amending the WSRA, S. 192 would extend the withdrawal, subject to valid and existing rights, to include "scenic" and "recreational" rivers designated in Oregon. Further, S.192 extends the mineral withdrawal to ½ mile for those WSR with the 640 acres per mile limitation. For WSR with the 320 acres per mile limitation, the mineral withdrawal remains at ¼ miles. The BLM supports the withdrawal as it would conserve and enhance river values, including free-flow, water quality, and outstandingly remarkable values.

S. 192, Section 9, withdraws, subject to valid and existing rights, certain essential serpentine wetlands from operation of the public land and mining laws, and all laws pertaining to mineral, and geothermal leasing. The essential serpentine wetlands to be withdrawn are defined as those named in a 2018 joint BLM and Forest Service conservation strategy referenced in Section 9 of S. 192. The strategy seeks to maintain long-term species viability and prevent five rare plants from Endangered Species Act listing. They are taxa closely associated with serpentine Darlingtonia wetlands in southwest Oregon and northwest California. The BLM supports the withdrawal to benefit these species of concern and other species that occupy serpentine wetland habitats.

Finally, S. 192 withdraws the Illinois Watershed Special Management Areas from operation of the public land and mining laws, and all laws pertaining to mineral and geothermal leasing, subject to valid and existing rights. The special management areas withdrawn include eleven BLM-administered Areas of Critical Environmental Concern (ACECs) as well as eight botanical areas. ACECs are evaluated through land use planning, using the best available information and public involvement, and ultimately designated in the final approved Resource Management Plan. S. 192 would provide a greater level of protection for these natural resources.

Conclusion

Thank you for the opportunity to provide this statement in support of these important Oregon designations. The Department of the Interior looks forward to welcoming these new wild and scenic rivers into the BLM's National Landscape Conservation System.

Statement for the Record
U.S. Department of the Interior

Senate Energy and Natural Resources Committee
Legislative Hearing

June 23, 2021

The Department of the Interior (Department) appreciates the opportunity to provide its views on S. 753, the Highlands Conservation Reauthorization Act of 2021, which would reauthorize the Highlands Conservation Act (HCA). The Department supports this legislation.

Overview of the Highlands Conservation Act

The HCA (P.L. 108-421) authorizes a grant program to the Highlands states of Connecticut, New Jersey, New York and Pennsylvania to acquire land and protect natural resources in the Highlands Region. The Highlands Region is 3.4 million acres of biologically diverse landscape distinguished by Appalachian ridges, hills, and plateaus that provide nature-oriented recreational opportunities for millions of people living in or visiting the Northeast.

The U.S. Fish and Wildlife Service (Service) is the lead agency for administering the HCA Grant Program, in coordination with the U.S. Forest Service, and provides administration and oversight of the program. The Service works closely with the four Highlands states to identify priority areas for state land acquisition to meet state and Federal conservation goals. The FY 2022 President's Budget includes $10 million for the HCA grant program.

Since passage of the HCA in 2004, almost $70 million in HCA funding has been awarded to the states to acquire 11,000 acres of land in the Highlands Region. Under the Service's coordination, the HCA Grant Program has leveraged non-Federal funds at a 2:1 ratio, doubling the minimum 1:1 amount required by law. Projects support key conservation objectives outlined in the law such as clean drinking water, healthy forests, thriving wildlife populations, productive agriculture, and abundant recreational opportunities.

The HCA grant program is conserving outdoor recreational areas to encourage a connection between people and the outdoors. One in nine Americans lives within a two-hour drive of the outdoor recreational opportunities provided by the Highlands Region. The HCA Grant Program is protecting strategically important natural areas that sustain a diversity of fish and wildlife species. The Service's priority at-risk species benefiting from HCA land conservation include many species such as the bog turtle, northern long-eared bat, brook floater mussel, and New England cottontail.

Examples of important lands acquired with HCA funds include the following:

- The State of New York Office of Parks, Recreation, and Historic Preservation (NY Parks) completed the purchase of 116 acres to expand the 19,293-acre Sterling Forest, a state park described by NY Parks as a "nearly pristine natural refuge amidst one of the

nation's most densely populated areas, a remarkable piece of woodland, a watershed for millions, and a tremendous outdoor recreation area." This acquisition creates new public access to Sterling Forest and protects habitat for the timber rattlesnake, a state listed threatened species, as well as potential habitat for the Federally listed northern long-eared bat.

- The Connecticut Department of Energy and Environmental Protection acquired a conservation easement on 107 acres that includes the northern ridge and northwestern face of Coltsfoot Mountain and over 800 linear feet of Furnace Brook, an important tributary of the Housatonic River. The property shares almost a mile of common boundary with Wyantenock State Forest and abuts Cornwall Conservation Trust conservation land. The headwaters land is in a large unbroken forest block of over 4,000 acres in the Connecticut-Massachusetts-New York region of western New England, with habitat that can support Federally listed northern long-eared bat and small whorled pogonia. The property will provide a new access point to the regional Mohawk Trail.
- The Pennsylvania Department of Conservation and Natural Resources, with help from the Natural Lands Trust, acquired the 103-acre Seidel Hill as an addition to the William Penn State Forest. Allegheny Creek winds around the western base of Seidel Hill as it makes its way to the Schuylkill River. Seidel Creek flows to the eastern base of Seidel Hill. Both waterways are popular fishing destinations. Pennsylvania identified the property as a priority for conservation because of interior forest habitat critical for migrating and nesting neo-tropical songbirds.
- The New Jersey Highlands Council conserved 115 acres in Mansfield Township, Warren County, with a conservation easement, keeping the land in private ownership while protecting natural resources in perpetuity. The conserved property, with meadows, upland forest, a stream and a pond, is mapped as critical wildlife habitat for eleven New Jersey listed species: eight birds, one mammal and two turtles. The land lies along the ridgetop of Pohatcong Mountain. When combined with surrounding, previously conserved parcels, the property creates a total protected wildlife corridor of 621 acres.

S. 753, Highlands Conservation Reauthorization Act of 2021

The Department supports reauthorization of the HCA to continue the land acquisition goals of the program. S. 753 includes provisions to update and modernize the HCA, including the use of the latest scientific and geographic information systems to identify priority lands for acquisition. The bill would also limit the Service to no more than $300,000 for the administration of the program. The Service receives authorization for administrative expenses through the appropriations process and appreciates the certainty provided by this provision in the legislation. In addition, the Department supports the provision to allow the Highland states to expend up to 5 percent of awarded HCA funds to administer the program.

The Department looks forward to working with Congress on this important program.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 31, A BILL TO LIMIT THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 31, a bill to limit the establishment or extension of national monuments in the State of Utah.

The Administration strongly opposes S. 31.

S. 31 would bar the use of the Antiquities Act to extend or establish new national monuments in Utah unless the establishment or extension has been authorized by Congress, and the President has received notice from the Governor of Utah that the State legislature has enacted legislation approving the proposed establishment or extension. The Antiquities Act authorizes presidents to establish national monuments on Federal lands to protect historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest on those lands and to reserve lands as part of such monuments to ensure the proper care and management of the objects to be protected. By requiring the formal approval of the Utah State legislature and of the U.S. Congress prior to establishing or extending a national monument, S. 31 would limit the flexibility of the President to respond to impending threats to resources and the ability of the President to recognize, protect and preserve areas of historic or scientific importance. S. 31 would thus eliminate a critical tool available to protect objects of historic or scientific interest on Federal land in the State of Utah.

The Antiquities Act has been used by 17 Presidents of both parties over 150 times for over a century to establish or expand national monuments in order to preserve and protect objects of historic or scientific interest for future generations. Congress can establish national monuments as well, but has often chosen to enhance or expand protections established through the Antiquities Act. This authority is one of the most important tools a President has to protect and conserve these objects. Presidential use of the Antiquities Act has contributed significantly to the strength of the National Park System and the protection of other Federal lands, such as those managed by the Bureau of Land Management, the U.S. Forest Service, the National Oceanic and Atmospheric Administration, and the U.S. Fish and Wildlife Service.

The Antiquities Act was the first U.S. law to provide general legal protection of cultural and natural resources of historic or scientific interest on Federal lands. After a generation-long effort by a diverse coalition of experts, President Theodore Roosevelt signed the Antiquities Act on June 8, 1906. The Antiquities Act set an important precedent by asserting a broad public interest in the preservation of these resources on Federal lands. Designations under the Act apply only to

lands owned or controlled by the Federal Government; they place no restrictions on private property or lands managed by State and local governments and are subject to valid existing rights.

After signing the Antiquities Act into law, President Roosevelt used the Antiquities Act eighteen times to establish national monuments. Those first monuments included what are now known as Grand Canyon National Park, Petrified Forest National Park, Chaco Culture National Historical Park, Lassen Volcanic National Park, Tumacacori National Historical Park, and Olympic National Park.

Since enactment, seventeen Presidents, both Republican and Democratic, have used the Act more than 150 times to establish or expand national monuments. The National Park Service currently manages 55 national monuments established by presidential proclamation, including some of our most iconic national monuments such as Devils Tower, Muir Woods, and the Statue of Liberty. The Bureau of Land Management also administers 25 national monuments designated by presidential proclamation (one of which is co-managed with the National Park Service and four of which are co-managed with the U.S. Forest Service), including Agua Fria in Arizona and Canyons of the Ancients in Colorado, that preserve significant archaeological sites. The U.S. Fish and Wildlife Service administers eight presidentially proclaimed national monuments (two of which are co-managed with the National Park Service).

Without the President's authority under the Antiquities Act, it is unlikely that many of these special places would have been protected and preserved as quickly and as fully as they were. As Congress intended when it enacted the Antiquities Act, the statute provides the necessary flexibility to respond expeditiously to impending threats to resources, while striking an appropriate balance between legislative and executive decision making. Maintaining the established balance—including in Utah—is critical to protecting our shared national resources for future generations.

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

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 172, A BILL TO AUTHORIZE THE NATIONAL MEDAL OF HONOR MUSEUM FOUNDATION TO ESTABLISH A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA OR ITS ENVIRONS, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 172, a bill to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia or its environs, and for other purposes.

The Department supports S. 172. The commemorative work would be an appropriate way to honor the valor and values displayed by Medal of Honor recipients, many of whom died in the line of duty.

S. 172 authorizes the National Medal of Honor Museum Foundation to establish a commemorative work in the nation's capital to honor the extraordinary acts of valor, selfless service, and sacrifice displayed by Medal of Honor recipients. The work would be permitted in Area I or Area II under the Commemorative Works Act (40 U.S.C. 89) (Act) but not in the area designated as the "Reserve", which consists of the National Mall and areas to the north and south of the White House. The bill requires compliance with the Act and prohibits Federal funds from being used to establish the work.

The Medal of Honor is the United States' highest military decoration. It is awarded to U.S. service members who distinguished themselves with extraordinary acts of heroism, and whose service and sacrifice far exceeded the call of duty.

During the 116th Congress, a similar bill, H.R. 5173, was introduced by Representative Marc Veasey. The National Capital Memorial Advisory Commission (Commission) reviewed that legislation and made recommendations to Congress on the bill language that would bring the bill in alignment with the requirements of the Act. The recommendations were made in accordance with the Act, which states that Congress shall solicit the views of the Commission in considering legislation authorizing commemorative works within the District of Columbia and its environs. S. 172 as introduced reflects the Commission's recommendations. The Department concurs with the Commission's views and supports the legislation as introduced.

Chairman King, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 270, TO AMEND THE ACT ENTITLED "ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC SITE IN THE STATE OF KANSAS, AND FOR OTHER PURPOSES" TO PROVIDE FOR INCLUSION OF ADDITIONAL RELATED SITES IN THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's (Department) views on S. 270, a bill to amend the Act entitled "Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes" to provide for inclusion of additional related sites in the National Park System, and for other purposes.

The Department supports efforts to broaden public understanding of the events that led to the 1954 landmark U.S. Supreme Court decision in *Brown v. Board of Education (Brown)*. The Court's finding that racially segregated schools were unconstitutional was unquestionably a pivotal event in our nation's civil rights struggle.

S. 270 would expand the Brown v. Board of Education National Historic Site in Topeka, Kansas by authorizing the addition of two school sites located in South Carolina to the park unit upon their acquisition by the National Park Service (NPS). It would also designate sites in Delaware, the District of Columbia, and Virginia as affiliated areas of the National Park System. The sites included in S. 270 are all associated with the four additional court cases that were consolidated into the *Brown v. Board of Education* U.S. Supreme Court case. The affiliated areas would not be managed by the NPS, but they would be required to be managed in accordance with any law generally applicable to units of the National Park System. The affiliated areas would be eligible for NPS technical and financial assistance. The NPS would be required to prepare general management plans for the proposed sites in South Carolina—Summerton High School and Scott's Branch High School in Clarendon County—and for the proposed affiliated areas.

Brown v. Board of Education National Historic Site was established in Topeka, Kansas, on October 26, 1992, by Public Law 102-525. The park opened to the public in 2004 on the 50th anniversary of the *Brown v. Board of Education* ruling. The park's Monroe Elementary School and Sumner Elementary School sites in Topeka, were designated National Historic Landmarks in 1987. This national historic site tells the story of all five of the U.S. Supreme Court lawsuits with a special emphasis on the one brought on behalf of Linda Brown, an African American child who was denied the right to go to a public school near her home because it was for white students only. As the lawsuit that was the lead name for the five cases that were combined in the case before the U.S. Supreme Court, the *Brown* case became the most well-known of these cases.

However, the four other cases, and the sites associated with those cases, also tell compelling stories about the struggle to end school segregation:

- Summerton High School in South Carolina was an all-white school built in 1936. In 1947, Levi Pearson, a black landowner, petitioned the local school board to provide school bus transportation for his children, detailing the glaring differences in expenditures, buildings, and services available for white and black students. That petition led to a series of court cases including the one brought by plaintiffs in *Briggs v. Elliott*, which was included in the *Brown v. Board* decision in 1954. Of the five schools mentioned in Pearson's petition, Summerton High School is the only one still standing. It has been listed on the National Register of Historic Places in recognition of its national significance and is used as administrative offices for Clarendon School District 1.

- Robert Russa Moton School, the all-black school in Farmville, Virginia, was the location of a student-led strike in 1951 that lead to *Davis v. County School Board of Prince Edward County*, a case that became part of *Brown v. Board of Education*. The site is designated a National Historic Landmark in recognition of its national significance and is now the Robert Russa Moton Museum, governed by the Moton Museum, Inc. and affiliated with Longwood University.

- Howard High School in Wilmington, Delaware, was the first high school for African Americans in the state of Delaware. Parents of students bused to Howard included the plaintiffs in *Belton v. Gebhart,* who sued to allow admittance to the closer all-white Claymont High School. Howard High School served the entire state of Delaware. The site is designated a National Historic Landmark in recognition of its national significance. Now the Howard High School of Technology, it is an active school administered by the New Castle County Vocational-Technical School District. The all-white Claymont High School, which denied plaintiffs admission, is now the Claymont Community Center, administered by the Brandywine Community Resource Council, Inc. The Hockessin School #107C (Hockessin Colored School) was the all-black school in Hockessin, Delaware that one of the plaintiffs in *Belton v. Gebhart* was required to attend with no public transportation provided. It is now utilized by Friends of Hockessin Colored School #107, Inc. as a community facility.

- John Philip Sousa Junior High School was built in 1950 in the Fort Dupont neighborhood in the District of Columbia as an all-white school. When 12 African American students were denied admission, the landmark 1954 U.S. Supreme Court *Bolling v. Sharpe* case was brought. The case was complex because the Fourteenth Amendment's Equal Protection Clause applies only to the states. This case held that school segregation was unconstitutional under the Due Process Clause of the Fifth Amendment to the United States Constitution and was noted in the *Brown v. Board decision*. The site is designated a National Historic Landmark in recognition of its national significance. John Philip Sousa Junior High School, now John Philip Sousa Middle School, is owned by the District of Columbia and administered by the District of Columbia Public Schools.

We would also recommend redesignating Brown v. Board of Education National Historic Site as Brown v. Board of Education National Historical Park, to reflect the park's larger geographic scope. We would be happy to work with the sponsor and the Committee on amendments.

Chairman King, this concludes my statement. I would be happy to answer any questions.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S.491, A BILL TO AMEND THE WILD AND SCENIC RIVERS ACT TO DESIGNATE CERTAIN RIVER SEGMENTS WITHIN THE YORK WATERSHED IN THE STATE OF MAINE AS COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVER SYSTEM, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 491, a bill to amend the Wild and Scenic Rivers Act to designate certain river segments within the York watershed in the State of Maine as components of the National Wild and Scenic River System, and for other purposes.

Initial review indicates that the segments proposed for designation under this bill may be eligible for inclusion into the National Wild and Scenic Rivers System. However, the study report is currently under internal review. We respectfully recommend that the committee defer action on S. 491 until the review is completed and the final report is issued, which we anticipate will occur in the near future.

S. 491 would designate eight segments of the York River totaling 30.8 miles as part of the System, to be administered by the Secretary of the Interior as a recreational river. The segments would be managed in accordance with the York River Watershed Stewardship Plan (August 2018) prepared as a part of the study, with the Secretary coordinating administration and management with a locally based stewardship committee, as specified in the plan. The bill would authorize the Secretary to enter into cooperative agreements with the State of Maine, the municipalities of Eliot, Kittery, South Berwick, and York, and appropriate local, regional, or State planning, environmental, or recreational organizations. The legislation follows the model of other recent New England Wild and Scenic River designations based on a "partnership" model emphasizing locally based management solutions and a limited federal role.

The study of the York River was authorized by P.L. 113-291, the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015. The National Park Service has conducted the study in close cooperation with the adjoining communities, the State of Maine, the Wells National Estuarine Research Reserve, and other interested local parties. Technical assistance provided as a part of the study made possible the development of the York River Watershed Stewardship Plan (August 2018). This plan is based primarily around local partner actions designed to guide the stewardship of certain segments the York River with or without a National Wild and Scenic River designation. The draft York Wild and Scenic River Study Report was made available for public review and comment from January 10 to April 10, 2020. Public comments received on the draft were overwhelmingly in support of designation.

If S. 491 is enacted, segments of the York River and its tributaries would be administered as a partnership wild and scenic river, similar to several other designations in the Northeast, including the upper Farmington River and the Eightmile River in Connecticut, and the Lamprey River in New Hampshire.

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

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEEE ON NATIONAL PARKS CONCERNING S. 535, TO AUTHORIZE THE LOCATION OF A MEMORIAL ON THE NATIONAL MALL TO COMMEMORATE AND HONOR THE MEMBERS OF THE ARMED FORCES THAT SERVED ON ACTIVE DUTY SUPPORT OF THE GLOBAL WAR ON TERRORISM, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 535, to authorize the location of a memorial on the National Mall to commemorate and honor the members of the Armed Forces that served on active duty support of the Global War on Terrorism, and for other purposes.

The Department has the highest regard for all those who served in our armed forces during the last two decades, a period of continuous overseas military conflicts that followed the attacks on the United States on September 11, 2001. We believe that it was appropriate for Congress to authorize the Global War on Terrorism Memorial Foundation to construct a memorial in the nation's capital to honor the brave men and women who fought for our country during this period, and who continue to do so. While we understand the desire to build this memorial in a specific location, we do not support constructing it within the Reserve, and therefore we do not support S. 535 as it is currently drafted.

S. 535 would allow the Global War on Terrorism Memorial to be located in the area identified as the "Reserve" under the Commemorative Works Act of 1986 (40 USC 89 et seq.) (the Act), and would require the memorial to be located on one of three sites within the Reserve: Constitution Gardens, the JFK Hockey Fields, or West Potomac Park. The Act was enacted to ensure that proper consideration is given to authorization, location, and design of new memorials within Washington, D.C. Congress amended the Act in 2003, establishing the "Reserve" and declaring it a completed work of civic art where "the siting of new commemorative works is prohibited." The Act identifies the Reserve as "the great cross-axis of the Mall" which extends from the United States Capitol to the Lincoln Memorial, and from the White House to the Thomas Jefferson Memorial.

The Act also established the National Capital Memorial Advisory Commission (Commission) to advise the Secretary of the Interior and the Administrator of General Services (as appropriate) on policy and procedures for the establishment of, and proposals to establish, commemorative works in the District of Columbia and its environs. The Act states that Congress shall solicit the views of the Commission in considering legislation authorizing commemorative works within the District of Columbia and its environs.

On February 11, 2020, the Commission reviewed H.R. 5046 from the 116th Congress, a bill identical to S. 535. The Commission shared its views on the legislation in letters to the Senate Energy and Natural Resources Committee on December 8, 2020, and the House Natural Resources Committee on March 20, 2020. The Commission did not support legislation that would locate the Global War on Terrorism Memorial on one of three sites in the Reserve as it was inconsistent with the prohibition on new commemorative works within the Reserve.

The Department notes that there have been other efforts to persuade Congress to grant an exception to the Act's prohibition on the establishment of new memorials in the Reserve, including the World War I Memorial and the National Desert Storm and Desert Shield Memorial. None of these efforts have been successful.

In 2013, legislation was introduced to authorize the establishment of a World War I Memorial on a site within the Reserve. This legislation followed an unsuccessful effort to authorize the augmentation of the District of Columbia War Memorial, also located in the Reserve, for the same purpose. Congress declined both proposals, opting instead in 2014 to authorize the establishment of the World War I Memorial in historic Pershing Park within Area I. The World War I Memorial opened to the public in April 2021 to the appreciation and admiration of veterans and visitors alike.

After the Desert Storm and Desert Shield Memorial was authorized in 2014, the Memorial's sponsors approached the NPS about the possibility of an exception to the Reserve and made initial inquiries among their congressional supporters. After some investigation, the sponsors elected instead to seek authorization to locate within Area I, which was granted by the Congress in 2017. Pleased with their approved site at 23rd Street and Constitution Avenue, NW, just outside the Reserve, the memorial sponsors are moving forward with the design approval process.

Further, the Commission noted that the scale and time involved with the Global War on Terrorism (September 11, 2001 to date not yet known) presents the possibility that more location-specific memorials for a similar purpose will be proposed. Future memorial legislation might be introduced to commemorate military conflicts in Iraq, Afghanistan, Syria, and possibly elsewhere, potentially leading to their placement in proximity to the Global War on Terror Memorial. The Commission recommended that careful consideration be given to the potential for future memorials to military conflicts, their relationship to each other, and how memorials to these conflicts can be accommodated within the limited range of sites in Washington DC and its environs. The Department concurs with the Commission's views.

The Commission also recommended that if Congress determines that the Global War on Terrorism Memorial warrants establishment in the Reserve, that other locations besides the three named in S. 535 be explored. The Department agrees with this recommendation. Therefore, if the Committee moves forward with S. 535, we would like to work with the Committee on amendments for that purpose.

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

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, REGARDING S. 1320, A BILL TO ESTABLISH THE CHIRICAHUA NATIONAL PARK IN THE STATE OF ARIZONA AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 1320, to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes.

The Department supports S. 1320.

Chiricahua National Monument was established on April 18, 1924, by President Calvin Coolidge by presidential proclamation. The monument is located in Cochise County, approximately 37 miles southeast of Willcox, Arizona. It is located at the intersection of the Chihuahuan and Sonoran deserts, the southern Rocky Mountains, and the northern Sierra Madre.

Chiricahua National Monument is known as a "Wonderland of Rocks" because of its distinctive pinnacle formations. These formations are the result of powerful volcanic events combined with geologic erosive forces over time creating the rhyolitic rock formations in the monument. The Madrean Sky Island ecosystem of the Monument protects a great diversity of flora and fauna as well as critical habitat for threatened, endangered and endemic species.

Chiricahua National Monument also preserves evidence of diverse human history spanning thousands of years, including prehistoric indigenous peoples, Chiricahua Apaches, Buffalo Soldiers, European American pioneers and ranchers, and the 1930's Civilian Conservation Corps. The monument's Faraway Ranch Historic District includes structures, resources and landscapes associated with the former pioneer homestead and working cattle ranch. Stories and evidence of struggle, perseverance, stewardship and connection to the land unite the experiences of each of these groups which left a lasting legacy on the land and our country.
Re-designating the monument as Chiricahua National Park is consistent with the nomenclature patterns of the National Park System. Units designated as national parks generally contain a variety of resources and encompass a large land or water area to help provide adequate protection of the resources. With its wealth of both natural and cultural resources over a large land mass of approximately 12,025 acres, it is appropriate to designate this unit as a national park.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions you or

other members of the Subcommittee may have.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, REGARDING S. 1321, A BILL TO MODIFY THE BOUNDARY OF THE CASA GRANDE RUINS NATIONAL MONUMENT, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 1321, a bill to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes.

The Department supports S. 1321.

Casa Grande Ruins National Monument, located in Coolidge, Arizona, was set aside as the first Federal archaeological reservation in the United States on June 22, 1892, by President Benjamin Harrison, and was established as a national monument on August 3, 1918, by President Woodrow Wilson by presidential proclamation. It consists of approximately 473 acres of land that contain numerous resources closely associated with the Hohokam culture, including the remnants of the Casa Grande, the great house, constructed in the 14th Century.

S. 1321 would authorize the Secretary of the Interior to acquire from willing sellers approximately 406 acres of land for addition to Casa Grande Ruins National Monument. Approximately 146 of those acres are owned by private landowners along the monument's western boundary and include a prehistoric canal and other archaeological sites identified by affiliated tribes. An additional 60 acres, to the east of the monument, are owned by the Archeological Conservancy.

The remaining 200 acres are non-contiguous State of Arizona trust lands that contain above-ground prehistoric standing ruins as well as a prehistoric ball court. Given the excellent preservation of archaeological resources, the state site is an ideal location for visitor use and interpretation. As an alternative to acquiring the State lands, the Secretary would be authorized to enter into an agreement with the State to cooperatively manage the State land.

In addition, S. 1321 would provide for several relatively small land transfers among three Departmental bureaus for more efficient and effective administration of land in the vicinity of the monument. The bill would transfer approximately 7.41 acres of land from the Bureau of Indian Affairs and approximately 3.8 acres of land from the Bureau of Land Management to the National Park Service. This transfer would provide broader opportunities to interpret the significant resources. And, 3.5 acres of land from the National Park Service and 3.7 acres of land from the Bureau of Land Management along the monument's southern boundary would be transferred to the Bureau of Indian Affairs, which would allow the Bureau of Indian Affairs to

widen and pave part of the Pima Lateral Canal and rationalize boundaries among the three bureaus.

Lands transferred to the monument by this legislation and any lands acquired pursuant to this legislation would be administered as part of the monument, and the boundary of the monument would be adjusted accordingly.

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

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1354, A BILL TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO DESIGNATE THE CHILKOOT NATIONAL HISTORIC TRAIL AND TO PROVIDE FOR A STUDY OF THE ALASKA LONG TRAIL, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 1354, a bill to amend the National Trails System Act to designate the Chilkoot National Historic Trail and to provide for a study of the Alaska Long Trail, and for other purposes.

The Department supports the designation of the Chilkoot National Historic Trail, as provided for by Section 2 of S. 1354. The Department supports with an amendment the authorization of a feasibility study for designating the Alaska Long Trail as a national scenic trail, as provided for by Section 3 of the bill.

Section 2 would amend the National Trails System Act (16 USC 1244(a)) to designate the Chilkoot Trail within Klondike Gold Rush National Historical Park as a National Historic Trail. The trail would be administered by the Secretary of the Interior and a provision in the bill ensures that the designation of the trail would not affect any authorities provided under Public Law 94-323 (16 USC 410bb et seq), the act that established Klondike Gold Rush National Historical Park. S. 1354 also authorizes the Secretary of the Interior to coordinate with organizations and institutions of higher education in the US and Canada, Alaska Native Corporations, and, in consultation with the Secretary of State, the Government of Canada for the purposes of exchanging information, supporting the trail, providing technical assistance, and working to establish an international historic trail.

National Historic Trails, part of the National Trails System, identify and protect travel routes of national historic significance for public use and enjoyment. The designation of the Chilkoot Trail as a National Historic Trail is appropriate not only because of the physical artifacts remaining in place on the trail, but also the universal story of struggle, perseverance, and hope that the trail embodies. The historic and economic impacts of the gold rush are far reaching, and the Klondike legacy is still relevant today. The trail was traditionally used as a trading route by Tlingit (Alaska Native) and Tagish (Canadian First Nation) tribes and continues to beckon a variety of hikers from local Alaskans exploring their "backyard" to international visitors who are looking to experience a world-class hiking destination. Already co-managed with Parks Canada, a National Historic Trail designation would highlight both the national and international role that this trail played and continues to play today. The trail receives 3,500 through-hikers and 12,000 day-hikers originating from Skagway.

Section 3 would amend the National Trails System Act (16 USC 1244 (c)) to authorize the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to conduct a study of the feasibility of designating the Alaska Long Trail as a National Scenic Trail. The proposed Alaska Long Trail would extend approximately 500 miles from Seward, Alaska to Fairbanks, Alaska. S. 1354 directs the Secretary to conduct the study in consultation with the Secretary of Agriculture, the State of Alaska, local governments in Alaska, Alaska Native Corporations, and representatives of the private sector, including those that hold Federal Energy Regulatory Commission permits.

National Scenic Trails, another type of trail within the National Trails System, display significant characteristics of the nation's physiographic regions. They provide for outdoor recreation and for the conservation and enjoyment of scenic, historic, natural or cultural qualities. While the Department supports authorizing this feasibility study, we would like to give further consideration to the question of which Federal land management agency is most appropriate to conduct the study, as it would likely involve lands managed by the U.S. Forest Service, the National Park Service, and the Bureau of Land Management. We would like to work with the bill sponsor and the Committee on an amendment for that purpose. Regardless of which agency conducts the study, that agency will be required to consult with all other affected land management agencies, as provided for in the National Trails System Act (16 USC 1244(b)).

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

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, REGARDING S. 1526, A BILL TO AUTHORIZE THE USE OF OFF-HIGHWAY VEHICLES IN CERTAIN AREAS OF THE CAPITOL REEF NATIONAL PARK, UTAH.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 1526, a bill to authorize the use of off-highway vehicles in certain areas of the Capitol Reef National Park, Utah.

The Department strongly opposes S. 1526.

S. 1526 would require the National Park Service to allow street legal off-highway vehicles on the portions of Burr Trail Road, Cathedral Road, Hartnet Road, Highway 24, Notom Bullfrog Road, Polk Creek Road, Oil Ranch Road, and Baker Ranch Road that are located within the boundaries of Capitol Reef National Park.

Capitol Reef National Park, located in south-central Utah, is known for its geologic resources. The cliffs, canyons, domes, and bridges in the Waterpocket Fold, a geologic monocline, extends almost 100 miles. The park was established by Presidential Proclamation as a national monument in 1937 to preserve the narrow canyons displaying evidence of ancient sand dune deposits, and geologic and scientific resources. It was designated a national park by Congress in 1971. Currently, all roads within the boundary of the park are closed to off-highway vehicles defined by Utah Criminal and Traffic Code, Section 42-22-2, as All-terrain type I and All-terrain type II vehicles. This definition includes any vehicle registered as a street legal all-terrain vehicle or utility terrain vehicle (ATV/UTV) and/or eligible for a state ATV/UTV registration sticker. Motorcycles designed, equipped, and licensed for highway use are not included in this restriction.

The decision to maintain road closures within the boundary of Capitol Reef National Park is based on an updated determination by the park in June 2020. The determination concluded that the addition of off-road vehicle traffic on park roads would result in damages to park resources. This direction is also supported under the existing general management plan for the park which reflects the value of undisturbed soils and vegetation to park resources and emphasizes the need to protect them from damage.

Off-highway vehicles are designed and marketed for the purpose of off-road travel, and they are uniquely capable of easily leaving the road and traveling cross-country. If these roads were to be opened to ATV/UTV use, we would expect an increase in illegal off-road activity and would require a greater law enforcement presence. Additionally, motor vehicles driven off of roads disturb soil and damage vegetation, which leads to soil erosion and damage to archeological

resources. This damage can adversely affect wildlife habitat and the scenic quality of the natural landscape.

More than 70 percent of Capitol Reef National Park consists of recommended wilderness and is managed as wilderness in accordance with National Park Service Management Policies. Because the recommended wilderness boundary closely parallels many of the park's roads, we are concerned that the wilderness qualities would be put at risk by S. 1526. We are also concerned with noise from ATV/UTV use and specifically, about the potential impacts to Mexican Spotted Owl nesting sites. The recovery plan for the endangered Mexican Spotted Owl, issued by the U.S. Fish and Wildlife Service in 2012, limits noise to 69 dBA within 165 feet of a nesting site or within the entire protected activity center (PAC) if nesting sites are not known during breeding season (March 1 – August 31). The park has nine PACs, five of which are within one mile of the park roads listed in the legislation. We do not have data to confirm impacts to the Mexican Spotted Owl in these five PACs. Noise from ATV/UTV use would also negatively impact the visitor experience in areas that are managed for quiet recreational use.

Lastly, Capitol Reef National Park is a designated Class I area under the Clean Air Act. In Utah, ATV/UTVs are exempt from emissions testing. Increased emissions from off-road vehicles entering the park have the potential to adversely affect the health of park visitors, park wildlife, and park vegetation because of increased atmospheric hydrocarbon concentrations. Use of off-highway vehicles on non-paved park roads may also increase dust emissions, which impact air quality and visibility.

The Department offers varied opportunities for recreational uses on lands under its jurisdiction. The Bureau of Land Management, for example, allows ATV/UTV use on lands adjacent to Capitol Reef National Park that it manages. Similarly, the U.S. Forest Service and the State of Utah manage land adjacent to the park that are currently open to ATV/UTV use on and off roads. By maintaining existing ATV/UTV closures within Capitol Reef National Park, we are providing the public an opportunity to experience a different kind of recreational use not found on other public lands in the vicinity.

Chairman King, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS CONCERNING S. 1527, A BILL TO AMEND TITLE 54, UNITED STATES CODE, TO PROVIDE THAT STATE LAW SHALL APPLY TO THE USE OF MOTOR VEHICLES ON ROADS WITHIN A SYSTEM UNIT.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 1527, a bill to amend Title 54, United States Code, to provide that State law shall apply to the use of motor vehicles on roads within a System unit.

The Department strongly opposes S. 1527.

S. 1527 would provide that the law of the state in which a unit of the National Park System is located would govern the use of motor vehicles (including off-highway vehicles, as defined by each state) on roads within the park unit.

Under current regulations (36 CFR 4.2), the National Park Service adopts state law with respect to the use of motor vehicles but retains the authority to establish federal rules when necessary to meet its management responsibilities. These regulations ensure that where appropriate, motor vehicle use in parks is consistent with state law, but that also park managers are able to determine whether federal rules are necessary to ensure that motor vehicle use on roads will not harm resources or the visitor experience, consistent with the National Park System mission as expressed in the National Park Service Organic Act (54 U.S.C. 100101). This is particularly true regarding the use of off-highway vehicles on roads in remote and undeveloped areas.

In addition, giving states the authority to determine how motor vehicles are used on roads in national park units would lead to less consistent management across the National Park System. When Congress enacted National Park System General Authorities Act Amendments of 1970 (Public Law L. 91-383), it declared that "though distinct in character, [national parks] are united through their interrelated purposes and resources in to one National Park System as cumulative expressions of a single national heritage". This law emphasized that all of America's national parks are united under the mission, purpose, and protection of the Organic Act. The authority of the National Park Service to establish rules for the use of motor vehicles on roads within national parks is a key aspect of unified system-wide management.

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

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1769, A BILL TO ADJUST THE BOUNDARY OF THE SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA TO INCLUDE THE RIM OF THE VALLEY CORRIDOR, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 1769, a bill to adjust the boundary of the Santa Monica Mountains National Recreation Area (NRA) to include the Rim of the Valley Corridor, and for other purposes.

The Department supports enactment of S. 1769 with technical amendments. This legislation largely reflects a special resource study that found that a proposed expansion of the Santa Monica Mountains NRA to include Rim of the Valley lands meets the National Park Service's criteria for addition to the National Park System.

S. 1769 would expand the boundary of the Santa Monica Mountains NRA by approximately 191,000 acres of land within the area known as the Rim of the Valley Corridor, the mountainous areas that surround the San Fernando, Simi, and Conejo Valleys northwest of Los Angeles. The proposed Rim of the Valley Unit would be administered as part of the Santa Monica Mountains NRA, and an updated management plan for the park would be required within three years of enactment. Provisions in the bill ensure that the inclusion of the Rim of the Valley lands in the Santa Monica Mountains NRA would not interfere with specified existing uses.

The Santa Monica Mountains NRA was established by Congress in 1978 to help preserve and protect the natural resources of the Santa Monica Mountains and the adjacent coastline and provide outdoor recreational opportunities within the vicinity of the densely populated Los Angeles and Ventura Counties. Within a boundary encompassing approximately 154,000 acres, the National Park Service (NPS) owns a relatively small proportion of the land—approximately 23,600 acres, or 15 percent. Altogether, 58 percent of the land within the boundary is in public ownership, including the NPS lands. The NPS coordinates actions with State and other public agencies that manage park lands through a cooperative management agreement, which allows all partners to realize cost savings and efficiencies. The NPS also partners with nongovernmental organizations to further the purposes of the NRA.

P.L. 110-229, enacted in 2008, directed the Secretary of the Interior to evaluate the suitability and feasibility of designating all or a portion of the Rim of the Valley Corridor as a unit of Santa Monica Mountains NRA. The study area consisted of approximately 650,000 acres of land within the mountains encircling the San Fernando, La Crescenta, Santa Clarita, Simi, and Conejo Valleys. The study's preferred alternative, among four alternatives evaluated, recommended an

expansion of approximately 173,000 acres of lands judged to have the highest concentration of resource values and recreational opportunities. The preferred alternative also recognized a limited role for NPS land ownership, as is the case within the existing national recreation area, and a continuation of the existing collaborative partnership-based management model. The study team conducted extensive public outreach throughout the study process and throughout the region, receiving approximately 7,200 comment letters during the study period; more than 90 percent of comment letters preferred a much larger alternative than the recommendation transmitted to Congress in 2016.

S. 1769 differs in a few ways from the study's preferred alternative. S. 1769 would include 18,000 more acres of land within the boundary than the preferred alternative proposed. The additional acreage largely consists of lands to the east of the City of Santa Clarita and in the western Santa Susana mountains added for the purpose of regional trail connections. Additionally, the bill would remove all properties contained in the 2016 recommendation that are identified by the State of California as containing oil and gas operations, as well as the Santa Susana Field Laboratory. Removing these properties would eliminate any unintentional regulatory burden to oil and gas development and prevent the transfer of Federal lands at the Santa Susana Field Laboratory and their associated facilities, including their clean-up costs, to the NPS.

The Department would like the opportunity to revisit the proposed boundary for the expansion with the bill's sponsor and the Committee to account for additional development changes that have occurred since the study was conducted and the legislation was first proposed. We also recommend a technical amendment to show the Rim of the Valley Unit as an addition to the NRA, not as a substitution of the original NRA boundary.

Chairman King, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, REGARDING S. 1771, A BILL TO AUTHORIZE REFERENCE TO THE MUSEUM LOCATED AT BLYTHEVILLE/EAKER AIR FORCE BASE IN BLYTHEVILLE, ARKANSAS, AS THE ''NATIONAL COLD WAR CENTER''.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's (Department) views on S. 1771, a bill to authorize reference to the museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, as the ''National Cold War Center''.

The Department defers to the Department of Defense for a position on S. 1771 as the purpose of the legislation is to confer a national designation on a museum preserving military history, and the Cold War Center (Center) is located at a site that is not under the jurisdiction of the Department. We would, however, ask the Committee to note the considerations described in this statement.

S. 1771 would authorize the reference of the Cold War Center in Blytheville, Arkansas, as the "National Cold War Center". The Center is located on the former Blytheville/Eaker Air Force Base, which was created in 1942 as a World War II Training Center, and later became an alert center during the Cold War. The alert center became inactive in 1991, and the Air Force Base closed in 1992. A non-profit organization has begun development of the Center, located on the base, with an exhibit that opened in November 2020.

We are concerned that this legislation proposes the use of the title "national", which could create an expectation among the general public that the Center has a connection to the Federal government. This is not the first time the issue of a "national" designation for a non-Federal entity has arisen. The Department respectfully encourages the Committee to be judicious in any decision as to whether an entity that does not have an association with the Federal government should have a "national" title conferred by Congress. In addition, because there are other museums dedicated to the subject of the Cold War in operation, the Committee may want to consider whether any one museum dedicated to this subject should be granted the use of "national" in its title by Congress.

Chairman King, this concludes my testimony. I would be pleased to answer questions you or other members of the subcommittee may have.

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, REGARDING S. 1317, A BILL TO MODIFY THE BOUNDARY OF SUNSET CRATER VOLCANO NATIONAL MONUMENT IN THE STATE OF ARIZONA, AND FOR OTHER PURPOSES.

JUNE 23, 2021

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 1317, a bill to modify the boundary of Sunset Crater Volcano National Monument in the State of Arizona, and for other purposes.

The Department supports S. 1317.

S. 1317 would transfer to the National Park Service (NPS) administrative jurisdiction over approximately 97.71 acres of land currently administered by the U.S. Forest Service and revise the boundary of Sunset Crater Volcano National Monument to include this land. The land that would be added to the monument is currently part of the Coconino National Forest and includes an NPS visitor center, park administrative facilities, and a section of Forest Service Road 545 which connects the NPS entrance kiosk and the administrative area to the Monument. At present, the NPS operates these facilities and maintains Forest Service Road 545 through an interagency agreement with the U.S. Forest Service.

Sunset Crater Volcano National Monument protects approximately 3,040 acres containing the youngest, least-eroded cinder cone in the San Francisco Volcanic Field at the site of the Colorado Plateau's most recent volcanic eruption which occurred 900 years ago. This dormant volcano, and its relatively undeveloped landscape, provide a unique opportunity to study plant succession and ecological change in an arid volcanic landscape.

Sunset Crater National Monument was established by President Herbert Hoover by Presidential Proclamation 1911 on May 26, 1930, in order to protect the area's unique geologic formations. The monument, created from and surrounded by the Coconino National Forest, was administered by the. U.S. Forest Service for three years until it was transferred to the NPS in 1933. In 1990, with the passage of Public Law 101-612, the monument was redesignated as Sunset Crater Volcano National Monument.

This legislation would provide for an increase in efficiency by removing administrative burdens stemming from the need to operate NPS facilities under an interagency agreement. The NPS has used this land to support the management of the monument for decades. Currently, administration of the area is complicated for both agencies. For example, any ground disturbing

activity within the area requires compliance efforts and approval by both agencies. This change in land administration is supported locally among city and county officials.

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