

Testimony of Rep. George Miller

HR 3942

John Muir National Heritage Site Boundary Adjustment Act

Thank you for inviting me to testify today on H.R. 3942, a bill to adjust the boundary of the John Muir National Historic Site.

My district is home to the residence of John Muir, his orchards, and Mt. Wanda, named for his daughter. In addition to its historical significance, the former Muir estate provides valuable open space in the rapidly growing Bay Area. In 1988 Congress enacted legislation to expand the John Muir Historic Site. Included within the boundary of the site expansion was a 3.3 acre parcel owned by the City of Martinez which was later donated to the National Park Service. Following a survey conducted as part of the development of the General Management Plan, the Park Service discovered that a .2 acre triangle adjacent to the newly acquired parcel did not belong to the City. In fact, it did not belong to anyone.

The 9,500 square foot parcel of land did not have a tax assessor parcel number and thus, the County tax assessor has not collected taxes on it since the 1960s. It appears that fee title to this area became ambiguous when the California Department of Public Works (now known as the California Department of Transportation) was acquiring lands for rights of way for State Route 4, which now intersects the Muir estate. During the process, a larger parcel adjacent to the Muir site was acquired in fee from the estate of Mary Pereira. The California Department of Public Works had only acquired the smaller parcel in question through a temporary easement which expired in 1967. Despite extraordinary measures to identify relatives or heirs of Mary Pereira, the Park Service has failed to locate a potential owner of this parcel.

In order to meet the growing needs of site users, the Park Service would greatly benefit from a boundary adjustment to finally put to rest the question of property title to this small triangle of land. Enactment of this legislation would allow the Park Service to either acquire the land if an heir or former owner is identified or condemn the property if an heir is not found. Once the title to the land is clear, the Park Service would be free to begin construction on a 32 vehicle parking area that would utilize the .2 acre parcel. This 9,500 square foot addition would allow the proposed parking area to accommodate school buses and provide 12 additional parking spaces.

I urge this subcommittee to bring this bill to the floor as soon as possible. As I said earlier, this is a completely non-controversial boundary adjustment which is supported by Contra Costa County and the City of Martinez. Enactment of this legislation allows the Park Service to enhance public understanding of John Muir's contributions while also facilitating access to an important recreation area in my district.

Thank you for your time today, I am pleased to answer any questions.

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