

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 160, TO AMEND THE AMERICAN BATTLEFIELD PROTECTION ACT OF 1996 TO ESTABLISH A BATTLEFIELD ACQUISITION GRANT PROGRAM FOR THE ACQUISITION AND PROTECTION OF NATIONALLY SIGNIFICANT BATTLEFIELDS AND ASSOCIATED SITES OF THE REVOLUTIONARY WAR AND THE WAR OF 1812, AND FOR OTHER PURPOSES.

July 10, 2008

Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on H.R. 160, to amend the American Battlefield Protection Act of 1996 to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

The Department supports enactment of this bill.

Report to Congress on the Historic Preservation of Revolutionary War and the War of 1812 Sites in the United States

In March 2008, the National Park Service transmitted a study to Congress that identified and determined the relative significance of sites related to the Revolutionary War and War of 1812. The study assessed the short and long-term threats to the integrity of the sites. Following the success of the 1993 *Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields* this study similarly provides alternatives for the

preservation and interpretation of the sites by Federal, State, and local governments or other public or private entities.

The direction from Congress for the study was the same as for a Civil War sites study of the early 1990s. As authorized by Congress for this study, the National Park Service looked at sites and structures that are thematically tied with the nationally significant events that occurred during the Revolutionary War and War of 1812. The result was a more thorough survey that represents twice the field effort undertaken for the Civil War study.

Alternatives for Preservation and Interpretation

American Battlefield Protection Program (ABPP) is a small, cost-effective program within the National Park Service that promotes the preservation of battlefields and related sites of all wars on American soil through “planning and partnerships.”

The ABPP promotes battlefield preservation strategies for protecting sites of armed conflict that cannot or should not be preserved by Federal ownership, but must nonetheless be saved in order for future generations of Americans to understand the importance of these irreplaceable sites. In order to achieve these goals, the ABPP provides a range of financial and technical assistance to Federal, State, and local partners on issues of battlefield landscape identification, documentation, planning, interpretation, and economic development. The program encourages States, communities, non-profit organizations, and individual citizens to become the stewards of battlefields. By

empowering local communities and private landowners to make the best decisions possible, the ABPP enables these communities and owners to develop local solutions for preservation approaches.

The ABPP also provides yearly battlefield preservation project grants to assist communities and organizations striving to save our battlefields. The project grants have helped States, Tribes, and local communities identify and document historic battlefield resources, nominate historic battlefields to the National Register of Historic Places, plan for resource stewardship and conservation, interpret the battlefields for the visiting public, and develop heritage tourism programs that encourage battlefield preservation. An overwhelming majority of these grants, since 1993, have been for Civil War sites. Since the Revolutionary War and War of 1812 report surveys were first begun, the number of grant requests from these wars has increased. It is expected that the release of this report will encourage additional preservation opportunities since the Revolutionary War and War of 1812 report encompasses more total sites than the Civil War report.

Acquisition Grants

In 2002, Public Law 107-359, the Civil War Battlefield Protection Act, amended the original ABPP authorization to establish the battlefield acquisition grant program. It directed the Secretary to submit to Congress a report on updates of the battlefield preservation activities, and authorized appropriations to the Secretary from the Land and Water Conservation Fund for each fiscal year from 2004-2008. These grants help State and local governments acquire Civil War battlefield lands outside of the legislative

boundaries of units of the National Park System. The grant fund has been tremendously successful in allowing local preservation efforts to permanently preserve Civil War battlefield land with a minimum of Federal assistance. Grants of \$26.3 million from ABPP have leveraged a total of \$55.3 million in nonfederal funding. To date, the grant program has assisted in the permanent protection of 13,906 acres at 54 Civil War battlefields.

Much of the success of the Civil War land acquisition grants can be traced to the recommendations found in the 1993 *Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields*, the development of grassroots preservation actions in local communities, the ABPP's yearly battlefield preservation project grants, and the activities of major national nonprofit organizations such as the Civil War Preservation Trust. With the release of the *Report to Congress on the Historic Preservation of Revolutionary War and the War of 1812 Sites in the United States*, communities interested in preserving their Revolutionary War and War of 1812 sites can take the first steps similar to what the Civil War advocates did 15 years ago. These amendments to the American Battlefield Protection Act of 1996 can complement the existing grant program for Civil War battlefields and, in doing so, become a benefit to the American people by providing for the preservation and protection of a greater number of sites from the Revolutionary War and War 1812.

If the committee moves this bill forward, the Department would like to work with staff to make some technical corrections to the bill. Mr. Chairman, this concludes my testimony. I would be happy to answer any questions you or other committee members may have regarding this bill.

STATEMENT BY STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS CONCERNING H.R. 1847, TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO CLARIFY FEDERAL AUTHORITY RELATING TO LAND ACQUISITION FROM WILLING SELLERS FOR THE MAJORITY OF THE TRAILS IN THE SYSTEM

July 10, 2008

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department's views on H.R. 1847, the National Trails System Willing Seller Act. H.R. 1847 would amend the National Trails System Act to provide land acquisition authority from willing sellers, but specifically exclude the use of condemnation, for nine national scenic and national historic trails established between 1978 and 1986.

The Department supports H.R. 1847. In testimony before the Senate Subcommittee on National Parks on April 26, 2007, the Administration also supported enactment of S. 169, a similar bill. The Department supports the 18 national historic trails, 8 scenic trails, and over 1,050 national recreation trails that make up the approximately 60,000 miles of trails in the National Trails System. National trails are a popular way of linking together thousands of significant historic sites and drawing attention to local cultural and natural resources. This network of trails has provided millions of visitors across the country with rewarding and enjoyable outdoor experiences. Thousands of volunteers each year work tirelessly to plan promote, build, maintain and otherwise care for these trails.

Trails can provide an important opportunity to promote citizen involvement and bring together communities. The Department of the Interior has developed a set of principles that will serve as an important guide for all land transactions conducted by the Department. The principles include:

1. **Integrity:** Transactions shall meet the highest ethical standards and comply with all applicable laws, rules, regulations and codes of professional conduct.
2. **Good Faith:** Transactions shall occur in good faith and only with willing parties.
3. **Transparency:** Transactions shall be pursued transparently with appropriate opportunities for public participation.
4. **Mission:** Transactions shall promote fulfillment of Departmental and Bureau missions.
5. **Citizen Stewardship:** Transactions shall be consistent with the promotion of private stewardship.
6. **Innovation:** Transactions shall employ easements, donations and other alternatives to fee title when appropriate.
7. **Congressional Direction:** The Department shall provide technical assistance and policy recommendations to Congress, when requested, and in a manner consistent with these principles.

Within this framework, the Department recognizes the positive role the Federal government could play in the protection of these trails with the authority provided under

H.R. 1847. For example, current provisions of the National Trails System Act prohibit the expenditure of funds to acquire lands and do not provide clear authority to accept donated lands or easements. The current prohibition on using funds to acquire lands also applies to the acquisition of interest in lands, and thus, the Federal government cannot purchase easements from interested landowners. It is paramount that we work closely with private landowners, local communities, private volunteer groups, and State and local governments to discover creative solutions for trail protection that may not result in fee simple acquisition. To ensure that such alternative solutions are fully explored, we have provided a proposed amendment at the end of this testimony.

In addition to the considerations in our proposed amendment, we understand that several additional steps would have to occur before purchase of a trail segment from a willing seller occurs including: developing a land protection plan; undergoing a public review process; and requesting, obtaining and prioritizing appropriate funding.

The National Trails System Act was initially developed by Congress principally to offer Federal assistance and support for protecting the land base of the Appalachian National Scenic Trail. When the act was passed in 1968, both the previously existing Appalachian and Pacific Crest National Scenic Trails were established as the two initial components of the National Trails System and 14 more trails were proposed for study as potential additions to the National Trail System. The core authorities of the act addressed how to establish nationally significant trails.

In 1978, the national historic trails category was added to the National Trails System accompanied by authorization of four historic trails (Oregon, Mormon Pioneer, Lewis and Clark, and Iditarod). National historic trails were seen as primarily commemorative with only limited need for acquisition authority. Amendments added to the National Trails System Act prohibited expenditures by Federal agencies to acquire lands or interests in lands for these trails outside of existing Federal areas. Amendments added in 1980 and 1983 made this prohibition applicable to the Continental Divide National Scenic Trail, as well as to the North Country, Ice Age, and Potomac Heritage National Scenic Trails. This means the generic land acquisition authorities provided in Section 7 of the National Trails System Act cannot be used on any of these scenic and historic trails.

Since 1983, most of the trails established under the National Trails System Act have had language similar to the following sentence: “No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the United States for the Pony Express National Historic Trail except with the consent of the owner thereof.” This “willing seller authority” falls somewhere between the full land acquisition authority used to protect the Appalachian and Pacific Crest National Scenic Trails and the ban on Federal funding for acquiring segments that fall outside of national parks, forests and wildlife refuges on the nine trails included in this bill.

From its beginning, the National Trails System was premised on the establishment, operation, and maintenance of national trails as collaborative partnership efforts. For

land protection, specifically, state governments and nonprofit partners are encouraged to protect what they can of the national trails, with the Federal government embarking on land acquisition only as a last resort. Further, trail nonprofit partners have been encouraged to develop land trusts to acquire critical lands. This bill is supported by a broad coalition of trail organizations across America.

Along historic trails, the major means of protecting the trail corridor has been through a voluntary certification process. These renewable agreements between the Federal trail agency and the landowner have enabled trail sites and segments to remain in private ownership and still receive Federal government recognition as part of a national historic trail. The advantages to certification are that it is less costly for the government and the land remains in private (or State) ownership, continuing to generate taxes.

It would be impossible to estimate funding requirements associated with this bill at this time, as the number of willing sellers is unknown, whether donation, easements, or fee simple acquisition would be employed is unknown, and the cost of the land segments for each trail would vary due to geographic location and the long time span over which the acquisition work would take place. The Administration will identify the costs for each trail on a case-by-case basis.

By bringing the land acquisition authority on these nine trails in line with those in the majority of national scenic and national historic trails in the National Trail System, H.R. 1847 would allow the Federal government to assist in the protection of these trails,

through donation, easements, and, as a last resort, fee simple acquisition from landowners actively interested in selling land for trail protection.

Mr. Chairman, this concludes my prepared testimony. I would be happy to answer any questions you or your committee may have.

Proposed Amendment to H.R. 1847

On p. 2, line 9, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 2, line 19, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 3, line 3, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 3, line 13, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 3, line 23, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 4, line 9, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 4, line 16, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 4, line 23, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

On p. 5, line 5, after “thereof.” insert “The Secretary shall give priority to acquiring lands by donation and acquiring easements or other alternatives to fee title when appropriate.”

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR OF PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 2933, TO AMEND THE AMERICAN BATTLEFIELD PROTECTION ACT OF 1996 TO EXTEND THE AUTHORIZATION FOR THAT ACT, AND FOR OTHER PURPOSES.

JULY 10, 2008

Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on H.R. 2933, a bill to amend the American Battlefield Protection Act of 1996 and extend the authorization for that act, and other purposes.

The Department supports enactment of this bill.

H.R. 2933 would extend the authorization from fiscal years September 30, 2009 through September 30, 2013 for battlefield preservation grants under the Civil War Battlefield Preservation Act of 2002. The purpose of this act is to: (1) to protect battlefields and sites associated with armed conflicts that influenced the course of our history, (2) to encourage and assist all Americans in planning for the preservation, management, and interpretation of these sites, and (3) to raise the importance of preserving battlefields and related sites for future generations, through the upcoming sesquicentennial commemoration of the Civil War, 2011-2015.

American Battlefield Protection Program

The National Park Service's American Battlefield Protection Program (ABPP) is a small, cost-effective program that promotes the preservation of battlefields and related sites of all wars on American soil through "planning and partnerships." The ABPP promotes battlefield preservation strategies for protecting sites of armed conflict that cannot or should not be preserved by federal ownership, but must nonetheless be saved in order for future generations of Americans to understand the importance of these irreplaceable sites.

In order to achieve these goals, the ABPP provides a range of financial and technical assistance to Federal, State, and local partners on issues of battlefield landscape identification, documentation, planning, interpretation, and economic development. The program encourages states, communities, non-profit organizations, and individual citizens to become the stewards of battlefields. By empowering local communities and private landowners to make the best decisions possible, the ABPP enables these communities and owners to develop local solutions for balanced preservation approaches.

The ABPP provides yearly battlefield preservation project grants to assist communities and organizations striving to save our battlefields. The project grants have helped States, Tribes, and local communities identify and document historic battlefield resources, nominate historic battlefields to the National Register of Historic Places, plan for resource stewardship and conservation, interpret the battlefields for the visiting public, and develop heritage tourism programs that encourage battlefield preservation.

Over the life of the program, ABPP has awarded 329 project grants totaling over \$7.7 million to organizations in 37 States, the District of Columbia, and the Republic of Palau.

Acquisition Grants

In 2002, P.L. 107-359, the Civil War Battlefield Protection Act, amended the original ABPP authorization to establish the battlefield acquisition grant program. It directed the Secretary to submit to Congress a report on updates of the battlefield preservation activities, and authorized appropriations to the Secretary from the Land and Water Conservation Fund for each fiscal year 2004-2008. These grants help State and local governments acquire Civil War battlefield lands outside of the legislative boundaries of units of the National Park System. In order to be eligible to receive these grants, Congress established the following three requirements: (1) the battlefield must be among the 384 identified by the Civil War Sites Advisory Commission; (2) the land to be acquired must not be within the exterior boundaries of any unit of the National Park System; and (3) any land acquired with the assistance of the grant program may not be subsequently converted to a non-conservation use without the prior written permission of the Secretary of the Interior. In addition, the ABPP set two additional requirements: (1) any grant awarded must be supported by an appraisal of the property's value in accordance with federal standards for property appraisals; and (2) any land acquired with the assistance of the grant program must be protected by a perpetual easement sufficient to protect the significant above-ground features of the battlefield landscape as well as the battlefield's archeological resources.

The grant fund has been tremendously successful in allowing local preservation efforts to permanently preserve Civil War battlefield land with a minimum of federal assistance.

Grants of \$26.3 million from ABPP have leveraged a total of \$55.3 million in nonfederal funding. To date, the grant program has assisted in the permanent protection of 13,906 acres at 54 Civil War battlefields.

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

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 3336 TO DIRECT THE SECRETARY OF THE INTERIOR TO CARRY OUT A STUDY TO DETERMINE THE SUITABILITY AND FEASIBILITY OF ESTABLISHING A HISTORIC DISTRICT TO THE CAMP HALE ON PARCELS OF LAND IN THE STATE OF COLORADO.

JULY 10, 2008

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 H.R. 3336, the Camp Hale Historic District Study Act.

The Department has no objection to the purpose of H.R. 3336. Through subsequent discussions with staff, we understand that the sponsor intends that the study proposed in the legislation should determine the suitability and feasibility of including the site as a unit in the National Park System as opposed to a Historic District. As noted below, we are happy to work with the sponsor and Subcommittee staff to ensure that the bill reflects the sponsor's intentions.

H.R. 3336 would authorize the Secretary of the Interior (Secretary), not later than two years after funds are made available, to conduct a special resource study to evaluate the suitability and feasibility of including Camp Hale in the National Park System as a National Historic District. The study would examine the significance of Camp Hale in relation to the defense of the United States during the Cold War and the use of Camp Hale as a training site for the 10th Mountain Division and for training Tibetan fighters in the 1960s.

Located in the White River National Forest, in west-central Colorado, Camp Hale was established in 1942 to provide winter and mountain warfare training during World War II, because of the natural setting of a large, flat valley bottom, surrounded by steep hillsides suitable for training in skiing, rock climbing and cold weather survival skills. The size of Camp Hale varied between 5,000 and 247,243 acres when it was an active military installation.

The site is currently known as The Camp Hale Formerly Used Defense Site and is now used year-round by the public as a U.S. Forest Service recreation area and is included on the National Register of Historic Places.

Since the time Camp Hale was used for military training, there have been numerous discoveries of unexploded ordinance (UXO) there. As recently as 2003, during efforts to contain a wildfire, UXO used during the training of U.S. troops in World War II was found on the site.

Efforts to remediate public risk from any remaining UXO at Camp Hale continue. The funding for any response actions at Camp Hale will depend on how the UXO sites there rank nationally. Depending on that rank, and available federal dollars, the remedial investigations for some or all Camp Hale munitions may not occur for years. The Colorado Department of Public Health and Environment has discussed this project with the U.S. Army Corps of Engineers.

As previously noted, we understand that the sponsor's intent is to study Camp Hale and determine the suitability and feasibility of including the site as a unit in the National Park System, as opposed to a Historic District. We are happy to work with both the sponsor and Subcommittee staff to ensure that the bill will accomplish the sponsor's intent that the Secretary conduct such a study. However, priority would have to be given to the 38 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. We estimate the cost of this study would be approximately \$300,000. We would also suggest that the Title of the bill be amended to reflect the purpose of the study.

The story of Camp Hale and the men and women who trained there reflects the adaptability our nation showed during the last World War. Many of those who trained there went on to develop alpine skiing as a recreational activity, significantly influencing the economy of Colorado and many other western States. Studying and determining how best to preserve and protect Camp Hale and to commemorate the sacrifice and heroism so many Americans exhibited as a result of their training is laudable.

Mr. Chairman, this concludes my prepared remarks. I would be happy to answer any questions you or any other members of the subcommittee may have.

Statement for the Record
United States Department of the Interior
Before the
House Natural Resources Committee
Subcommittee on National Parks, Forests and Public Lands
H.R. 5263, Forest Landscape Restoration Act
July 10, 2008

Thank you for the opportunity to testify for the Department of the Interior (DOI) on H.R. 5263, the Forest Landscape Restoration Act, which establishes a collaborative and science-based forest landscape restoration program that would prioritize and fund forest-based ecological restoration treatments. The DOI strongly supports landscape scale restoration efforts, and believes in the goals of landscape-level approaches to land management. While we do have concerns with the legislation, which are discussed below, we appreciate the sponsors' intent in introducing H.R. 5263 to manage land health on a landscape scale.

In our view, a true ecological approach to restoration begins with a collaborative evaluation of what is best for the health of the landscape and is followed by the engagement of the appropriate partners. This approach is more effective in achieving the mutual goal of improving landscape health which, in turn, improves resiliency to the risk of wildfires and invasive species and preserves key wildlife habitat. It aggregates the investments of the partners and increases the cost-effectiveness of those investments. We would like to take this opportunity to share our current efforts to improve the ecological health of lands through a landscape-scale collaborative approach.

Background

Collaborative landscape-scale treatments continue to be the focus and priority in carrying out land management objectives on DOI-administered lands. It is important for us to look at management from a landscape perspective beyond geopolitical boundaries and isolated ecosystems. Forests, woodlands and rangelands are a mosaic where the lands, resources and communities are all interconnected. From this perspective, we see the interdependence of resources and the need to develop interdisciplinary strategies for balanced multiple-use management across the entire landscape.

Several current activities and proposed programs in the Administration's FY 2009 budget request already promote landscape-level approaches to restoring and maintaining land health that engage a number of Federal and non-Federal partners. Examples of key DOI programs include the Healthy Lands Initiative and the Wildland Fire Hazardous Fuels Reduction Program.

Healthy Lands Initiative – One challenge DOI faces is meeting land health goals that are required to integrate landscape-scale habitat restoration and resource management. Through the Healthy Lands Initiative (HLI), DOI is working collaboratively with our Federal and non-Federal partners to restore, enhance, and protect habitats through

landscape-scale restoration initiatives and conservation planning, allowing us to continue to fulfill our multiple-use mandates. HLI considers the health of the land at a landscape scale instead of acre by acre.

Initiated in Fiscal Year 2007, the Department's Healthy Lands Initiative focuses on implementing landscape-scale habitat restoration and conservation projects across both public and private lands. All of the projects implemented under this Initiative promote the maintenance or restoration of healthy native plant communities with the increased ability to survive disturbance events or adapt to anticipated changes in the environment in the future. The Healthy Lands Initiative represents a concept for meeting emerging challenges in managing natural resources for continued multiple-use with flexible landscape-level approaches. Land restoration efforts are targeted toward priority landscapes to achieve various resource objectives, including resource protection, rehabilitation, and biological diversity. A key component of this initiative is the partnership aspect of HLI and working closely with our neighbors to initiate and fund landscape-scale restoration work that allows for continued healthy, working landscapes. The BLM leverages appropriated funding with matching funds provided by other Federal agencies, State, local and tribal governments, philanthropic organizations, advocacy groups, and industry partners.

The 2009 Budget includes a total of \$21.9 million within DOI to meet land health goals, a \$14 million increase over the 2008 enacted level. Within DOI, the BLM has the largest level of involvement in this initiative. In FY 2009, the BLM is requesting a \$10.0 million increase over the FY 2008 enacted level of funding of \$4.9 million, for a total of \$14.9 million for HLI. An additional \$8.2 million in BLM base funding also supports healthy lands. The BLM proposes to expand HLI to California as an addition to the six initial project areas located in New Mexico, Utah, South-central Idaho, Southwest Wyoming, Southeast Oregon-Southwest Idaho-Northern Nevada, and Western Colorado. The Colorado project area will be expanded to the northwestern part of the State in 2009.

Our approach, working with our partners to maintain healthy landscapes, sustain wildlife and maintain continued access to the public lands for multiple uses, supports a landscape-level approach to natural resource management and restoration.

We would like to highlight a few of the many successes and planned efforts that illustrate our ability to conserve the diversity and productivity of the landscape through the opportunities we have in HLI.

- The Colorado Landscape Conservation Initiative encompasses 20.5 million acres of mixed ownership, including roughly 4 million acres managed by the BLM. This area provides quality habitat for diverse wildlife populations, including seven of the eight remaining populations of Gunnison sage-grouse, as well as numerous special status species. The BLM, National Park Service, U.S. Fish and Wildlife Service, Forest Service, Natural Resources Conservation Service, Colorado Division of Wildlife and private partners are working together to restore, enhance, and protect habitats through conservation planning efforts and

partnerships. To enhance existing resources and restore conditions, BLM Colorado's planned actions include implementing habitat treatment projects, implementing effective weed management efforts, expanding native-seed program, pursuing conservation easements, and monitoring treatment effectiveness. This year BLM is spending close to \$400,000 to treat 560 acres of wetlands, 12 miles of stream, 3,060 acres of shrub, grass, woodland, and 10 riparian projects. In the Fiscal Year 2009 President's Budget request, the BLM is requesting almost \$2 million to treat 1,380 acres of wetlands, 14 miles of stream, 3,110 acres of forest, shrub, grass, woodland, 1,380 acres of weeds, and 27 riparian projects.

- In New Mexico, the BLM is working closely with private, state, and other Federal partners to restore desert grasslands that are being supplanted with invasive mesquite. Removing the mesquite from these landscapes reduces habitat fragmentation for important species such as the lesser prairie chicken and Aplomado falcon and improves the natural diversity of desert grasslands. The BLM treated 40,000 acres in Fiscal Year 2007, is planning to treat 48,730 acres in Fiscal Year 2008, and is requesting almost \$3.5 million to treat 132,320 acres in Fiscal Year 2009. Additional non-BLM acreage is being treated using other contributed funds.

BLM also engages in comprehensive land health treatments through other base activities. For instance:

- The BLM plans institutionalization of landscape-level land health treatments that characterize HLI. In Montana, the BLM is addressing landscape-scale restoration on a 600,000 acre watershed in the southwest part of the state. A recent forest health assessment on a 32,000 acre area, known as the south Tobacco Roots watershed, found that altered forest structure, density and species composition in the mid-elevation forests, of which both Forest Service and BLM are major land managers, is putting these forests at high risk to insect epidemic and catastrophic wildfire. The agencies have been working collaboratively with private landowners, conservation groups, and the Montana Department of Natural Resources and Conservation to begin restoration across the watershed. The DOI planned actions are 4,000 acres of forest restoration sales followed by prescribed burn and 1,600 acres of juniper treatment by prescribed burn. These treatments across the entire watershed will restore the health, resiliency and productivity of the entire watershed and continue to provide high quality habitat, as well as a high quality place to live and work for the people who live here.

National Fire Plan/Healthy Forests Initiative/Healthy Forests Restoration Act - Two major challenges facing DOI are addressing ecosystem health and the accumulation of flammable fuels on Federal lands, a major cause of fire risk. Multiple factors contribute to wildfire, which include weather, fuel type, terrain, location with respect to the wildland urban interface, and other highly valued landscapes, and managerial decisions made before and during fire incidents. As we have noted in past testimony before this

Committee, we are seeing changing temperature and prolonged drought across many portions of the West and Southwest along with an expansion of the wildland urban interface resulting from an increase in the number of people living there. Fifty-seven million people now reside within 25 miles of BLM lands, and BLM lands host approximately 58 million recreation visits annually.

As current trends indicate wildfire seasons may be lasting longer and the burned areas are becoming large. Continued accumulation of wood fiber, and substantial increases in highly flammable invasive species, are converging to increase the risk of catastrophic loss from wildland fires. The DOI, along with the Forest Service and other partners, is addressing cost containment measures to reduce suppression costs. We are also working hard in developing a cohesive approach among Federal partners, local governments, private organizations and citizens to reduce hazardous fuels and restore and maintain forest, woodland and rangeland health. This is being achieved through various initiatives such as the National Fire Plan (NFP), the Healthy Forests Initiative (HFI), and implementation of the Healthy Forests Restoration Act of 2003 (HFRA). To date, we have made considerable progress.

Since 2001, the DOI has worked aggressively to reduce the amount of hazardous fuels on Federal lands and restore the health of our public forests, woodlands and rangelands, utilizing the authorities provided under the HFI and the HFRA. Of the 258 million acres administered by the BLM, 69 million acres are forests and woodlands located in the 11 western states. HFI and HFRA have provided the BLM with tools to ensure sound management practices and to implement hazardous fuels reduction projects and stewardship contracting.

The BLM's hazardous fuels reduction and forests, woodlands and rangelands rehabilitation activities have also been guided by the National Fire Plan (NFP). The goals are to reduce fuels (combustible forest materials) in forests, woodlands, and rangelands at risk, rehabilitate and restore fire-damaged ecosystems, and work with local residents to reduce fire risk and improve fire protection. The NFP is being successfully implemented under the leadership of an interagency and intergovernmental group of Federal, state and local agencies working cooperatively to reduce wildfire risk and restore fire-adapted ecosystems. Investments made to restore land health today can have a profound impact on the resiliency of the treated acres to catastrophic and expensive wildfires in the future. Many treatments, such as thinning in forests and woodlands, have an additional benefit of improving watershed conditions, wildlife habitat, and species diversity. Overall, the DOI has applied nearly 8 million acres of hazardous fuels reduction treatments to forests, woodlands, and rangelands on the public lands since 2001, using the tools of prescribed burns, and chemical and mechanical fuels treatments, as well as restored 1.4 million acres through other landscape restoration activities.

The 2009 President's budget proposes \$850 million to support fire preparedness, suppression, fuels reduction, and burned area rehabilitation needs for the DOI. Excluding supplemental funding, this is a \$42 million increase over the 2008 enacted level. The DOI continues to support the Healthy Forests Initiative. The budget proposes \$202

million for hazardous fuels reduction program. These funds will support more high-priority fuels treatment projects. Putting forth the effort to cooperatively reduce wildfire risk and restore fire-adapted ecosystems now will lead to reduced fire impacts and costs in the future.

H.R. 5263

The legislation calls for the Secretary of the Interior and the Secretary of Agriculture to jointly establish a collaborative Forest Landscape Restoration Program to select and fund ecological restoration treatments for priority forest landscapes.

Section 4(c) discusses eligibility criteria for collaborative forest landscape restoration proposal nominations. One criterion is for the proposals to be comprised primarily of forested covered Federal lands, but may also include other Federal, State, tribal, or private land.

Section 4(d) describes the nomination process, requiring the State Director of the Bureau of Land Management or a Regional Forester to nominate collaborative forest landscape restoration proposals for selection by the Secretaries.

Section 4 (g) establishes a fund for the cost of carrying out ecological restoration treatments on covered Federal lands, allowing the Secretaries to use the fund to treat covered Federal lands for each collaborative forest landscape restoration proposal selected. It is unclear if the fund can be used to treat lands outside those managed by the BLM and the National Forest System that comprise a portion of a selected restoration project. The section also authorizes to be appropriated \$40 million for each of fiscal years 2008-2018, to remain available until expended, and it references interest to be credited to the fund.

Section 4(h) states the Secretaries shall, in collaboration with interested-persons, create an implementation work plan and budget to implement the collaborative forest landscape restoration proposal, along with use of a multiparty monitoring, evaluation, and accountability process for not less than 15 years after project implementation commences. The bill also requires the Secretaries to report on accomplishments for collaborative forest landscape projects carried out under the authorities of this legislation.

As previously stated, we support landscape level approaches to land health. The legislation would provide the Secretaries with an additional tool for restoration treatments for priority forest landscapes on public lands. As noted above, however, the Department, through the Wildland Fire Hazardous Fuels Reduction Program and the Healthy Lands Initiative, and the U.S. Forest Service already engage in activities proposed to be included in the bill. Moreover, the FY 2009 budget proposes Ecosystems Services Demonstration Projects in the Forest Service, described in greater detail in the Forest Service's testimony today.

Of particular concern to the Administration is the creation of the Collaborative Forest Landscape Restoration Fund. The bill requires the Fund provide up to fifty percent of the

cost of carrying out ecological restoration. It is not clear what mechanism would require Federal agencies to seek partner funding from non-Federal sources. Leveraging Federal funds with non-Federal funds is a vital element to successfully undertaking landscape level restoration projects as it facilitates collaboration and commitment by our non-Federal partners. The bill references interest earned on the fund under section 4(g)(1)(B). The Administration objects to this provision. Amounts available for investment should be limited to funds collected from the public and not to funds appropriated from the General Fund which are not made subject to the appropriations process. We also have concerns that implementation of the bill may be administratively burdensome.

Finally, we are committed to working with the Committee and the legislation's sponsor to ensure that any legislation effectively considers the health and restoration of forests, woodlands and rangelands.

Conclusion

Landscape-scale restoration continues to be a high priority for DOI. In collaboration with our partners, we have made considerable strides in restoring thousands of acres of Federal lands along with state and privately-owned lands under the jurisdiction of our partners. The DOI will continue to work towards achieving priorities in an effort to make significant improvements in the health and productivity of the public forests, woodlands and rangelands at the landscape level. We look forward to working with the Subcommittee on H.R. 5263. Thank you for the opportunity to testify, I will be happy to answer any questions.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 5751, A BILL TO DIRECT THE SECRETARY OF THE INTERIOR AND THE SECRETARY OF AGRICULTURE TO JOINTLY CONDUCT A STUDY OF CERTAIN LAND ADJACENT TO THE WALNUT CANYON NATIONAL MONUMENT IN THE STATE OF ARIZONA AND FOR OTHER PURPOSES.

JULY 10, 2008

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Administration's views on H.R. 5751, a bill to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona.

The Administration does not object to the enactment of H.R. 5751. In testimony before the Senate Subcommittee on National Parks on April 26, 2007, the Administration also did not object to the enactment of S. 722, a similar bill. H.R. 5751 is almost identical to S. 722 as reported in the Senate. However, the Administration believes that funding should be directed first toward completing and implementing ongoing studies, 37 of which have been previously authorized 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. We estimate the cost of this study to be approximately \$300,000 to \$350,000.

H.R. 5751 would direct the Secretary of the Interior and the Secretary of Agriculture to conduct a study of land surrounding Walnut Canyon National Monument (monument) identified as the Walnut Canyon Proposed Study Area. The study would assess the suitability and feasibility of designating all or part of the study area as an addition to the monument, continuing management of the study area by the U.S. Forest Service, or any other designation or management option that would protect the resources that are present and maintain public use and access of the area. The bill also requires a report that includes findings, conclusions, and recommendations for future management of the study area to be transmitted by the Secretaries to Congress no later than 18 months after appropriations are made available.

Walnut Canyon National Monument was established on November 30, 1915, by Presidential Proclamation with the specific purpose of preserving the prehistoric ruins of ancient cliff dwellings. The monument was expanded in 1938 and 1996 and now occupies approximately 3,600 acres. The purposes for which the area was originally established have expanded to include protection of natural and cultural resources that are known to be significant to contemporary native tribes and the ecological communities and geological resources that make the canyon an outstanding scenic resource. The monument and the surrounding lands of the Coconino National Forest provide a significant natural sanctuary and greenbelt surrounding the city of Flagstaff.

During the last few years, the National Park Service has completed a General Management Plan (GMP) for Walnut Canyon National Monument. Many of the issues

identified for resolution in H.R. 5751 are also identified as needs in the GMP including addressing the history of this boundary issue and the planning efforts that area governments have been making that would affect the quality and values of the monument.

For several years, local communities adjacent to the monument have debated how the land surrounding the monument would be best protected from future development. A number of years ago, the Coconino County Board of Supervisors and the Flagstaff City Council passed resolutions concluding that the preferred method to determine what is best for the land surrounding the monument is by having a federal study conducted. Included within the lands to be studied that surround the monument are approximately 2,000 acres of State trust lands. Our understanding is that Arizona law prohibits State lands to be donated and that the Arizona Supreme Court has determined that the Arizona Constitution prohibits the disposal of certain State land except through auction to the highest and best bidder. Should the study's conclusions involve these types of actions concerning State lands, we would have to await a determination on how the citizens of Arizona and their representatives would recommend proceeding.

We understand a local concern that National Forest System (NFS) lands between the Monument and the City of Flagstaff might eventually be sold or exchanged originally prompted local support for this proposed study. The proposed study area is within two miles of the campus of Northern Arizona University and is a prime recreation area for

students, as well as for Flagstaff area residents. It is among the most highly used areas for recreation in the greater Flagstaff area.

In 2003, the Coconino National Forest amended its Land and Resource Management Plan, resulting in a decision to provide for closure of the area to motorized access and to remove the land encircling the Monument from consideration for sale or exchange. The Flagstaff-area Regional Land Use and Transportation Plan (RLUTP), approved by the Flagstaff City Council and the Coconino County Board of Supervisors in 2002, limits growth and does not allow for development within the study area. RLUTP specifically precludes two key sections of Arizona State Trust land between Flagstaff and the Monument as suitable for development. Those lands are identified in the plan for open space and greenways.

Mr. Chairman, I would like to note that since this bill was first introduced, a great deal of cooperative planning work has been accomplished by the National Park Service, U.S. Forest Service, State of Arizona, Coconino County, and the City of Flagstaff to achieve the bill's objectives.

Mr. Chairman this completes my prepared remarks. I would be happy to answer any questions that you or other members of the subcommittee may have.

STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 6177, TO AMEND THE WILD AND SCENIC RIVERS ACT TO MODIFY THE BOUNDARY OF THE RIO GRANDE WILD AND SCENIC RIVER.

JULY 10, 2008

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 H.R. 6177, a bill to amend the Wild and Scenic Rivers Act to modify the boundary of the Rio Grande Wild and Scenic River.

The Department strongly supports enactment of H.R. 6177. The Administration transmitted a similar proposal to Congress on May 8, 2008.

H.R. 6177 would amend Paragraph 17 of Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) to authorize the Secretary of the Interior (Secretary), within two years after enactment, to include and administer approximately 60 new river miles of the Rio Grande River on the United States side of the river as a national Wild and Scenic River. The river section proposed for Wild and Scenic designation is all within the existing boundary of Big Bend National Park (park). Costs would be minimal and involve staff work related to the proposed addition and some changes in existing signage. Since it is within the park, management and administration of the segment proposed to be added to the Wild and Scenic River can be accomplished with existing staff.

The Wild and Scenic Rivers Act established a national policy that certain selected rivers and their immediate environments that possess outstandingly remarkable scenic, recreational, geological, fish and wildlife, historical, cultural, or other similar values, would be preserved in a free-flowing condition and protected for the benefit and enjoyment of present and future generations. Uses compatible with the management goals of a particular river are allowed and change is expected to happen. Development and scientific study not damaging to the outstanding resources of a designated river, or curtailing its free flow, are usually allowable uses.

In 1978, Congress designated a 196-mile portion of the Rio Grande as part of the National Wild and Scenic Rivers System. The upper boundary of that designation is within Big Bend National Park and stopped within the park, instead of continuing to the western boundary, because of lack of support from the Mexican government for designation of the remaining portion. We understand that this lack of support no longer exists and the addition proposed in H.R. 6177 would complete designation of the entire Big Bend National Park river boundary as Wild and Scenic.

For more than 1,000 miles the Rio Grande serves as the international boundary between Mexico and the United States, and Big Bend National Park administers approximately one-quarter of that boundary. The Rio Grande also defines the park's southern boundary for 118 twisting miles. It is within this stretch that the Rio Grande's southeasterly flow changes abruptly to the northeast and forms the "big bend" of the Rio Grande. It is a

remote and remarkable stretch of river largely unchanged, except for water volume, since our nation's borders were established.

Big Bend National Park will ensure the protection of wild and scenic river values on the proposed stretch of the Rio Grande River as part of its overall management responsibility. The allocation of existing funds for park operations currently ensures that adequate personnel and funds are available for the protection, inventory, monitoring, and management of the proposed wild and scenic river resources.

H.R. 6177 also specifies the level of consultation that the Secretary must undertake within two years after the date of the enactment of this legislation to establish the boundaries and to develop the General Management Plan, which serves as the development plan for the wild and scenic river. The United States Commissioner of International Boundary and Water Commission, and the appropriate State of Texas and Mexican officials will all be consulted. In fact, Mexican officials are actively working toward a compatible designation for the south side of the international boundary.

If enacted, H.R. 6177 would enhance visitor's experiences at Big Bend National Park by protecting the Rio Grande corridor, and the associated natural systems, cultural resources, and recreational opportunities. Designation would also support the recommendations from the 2004 General Management Plan for Rio Grande National Wild and Scenic River and would complete the original study recommendation from 1978.

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