

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR, NATURAL RESOURCE STEWARDSHIP AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 2606, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ALLOW THE CONSTRUCTION AND OPERATION OF NATURAL GAS PIPELINE FACILITIES IN THE GATEWAY NATIONAL RECREATION AREA.**

**SEPTEMBER 15, 2011**

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Mr. Chairman, thank you for the opportunity to appear before you today to discuss the views of the Department of the Interior on H.R. 2606. H.R. 2606 would authorize the Secretary of the Interior to allow the construction of natural gas pipeline facilities in the Gateway National Recreation Area.

The Department supports H.R. 2606 with some amendments to refine the resource protection and lease rent language and to provide a technical amendment. We look forward to working with the sponsor and the committee on revising the bill.

H.R. 2606 addresses the need for expansion of the current gas line operated by the firm National Grid. The last expansion was over 40 years ago and the line is at capacity. H.R. 2606 would authorize the Secretary to allow for a natural gas pipeline right-of-way to pass through Gateway National Recreation Area. Further it allows for the adaptive use of two historic aircraft hangar buildings on Floyd Bennett Field to house facilities needed for operation of the pipeline. Use of the buildings would be subject to restoration of the buildings and the collection of payment for their use at fair market value.

Numerous alternative routes were considered by National Grid as part of the Federal Energy Regulatory Commission compliance process. However, the most feasible route considered would be to use an underground pipeline that traverses lands within Gateway National Recreation Area. It would require a 60,000 square foot facility to house the metering station and equipment needed to move the gas from the supply lines into smaller, lower-pressure distribution pipelines.

One option considered is to build the facility outside of the park. If built outside of the park, the NPS believes the metering station and required security structures, the approximate size of a football field with 20-foot high walls, would impact park resources, in particular, the park viewshed.

The option of constructing a new facility within the park also causes impacts. New construction for pipeline facilities within the park would not meet the NPS goals of reducing infrastructure and being fiscally responsible for existing facilities. Floyd Bennett Field and its associated buildings are listed in the National Register of Historic Places as an historic district, and such new construction could additionally jeopardize this status.

The option that appears to be most feasible with least impact to the park is the rehabilitation and use of two currently deteriorated historic airplane hangars on Floyd Bennett Field. If utilized to house the metering station, the 20-foot tall security structure required around the facility outside of the park or new construction within the park would not be needed. Additionally, the use of these historic hangars on Floyd Bennett Field would allow for operation of the pipeline without impacting the historic landscape, while also providing for long-term care of the structures and providing annual income via rent, which the Secretary would be authorized to retain for use in the park.

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

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR FOR NATURAL RESOURCE STEWARDSHIP AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 2351, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONTINUE STOCKING FISH IN CERTAIN LAKES IN THE NORTH CASCADES NATIONAL PARK, ROSS LAKE NATIONAL RECREATION AREA, AND LAKE CHELAN NATIONAL RECREATION AREA.**

**SEPTEMBER 15, 2011**

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Mr. Chairman, thank you for the opportunity to provide the Department of the Interior's views on H.R. 2351, a bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area (hereafter referred to as "North Cascades Complex").

The Department does not oppose H.R. 2351; however we would like to work with the committee on one amendment to the bill.

The National Park Service collectively manages North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area as North Cascades National Park Service Complex. All of the 245 mountain lakes in the North Cascades Complex area were naturally fishless. Fish stocking in this area began in the late 1800s. During this period, approximately 91 lakes were stocked at one time or another and 154 lakes were never stocked. This fish stocking provided the opportunity to fish in these mountain lakes. The issue of continued fish stocking arose in 1968 when the proposal to create the park was introduced. Although the enabling legislation does reference the requirement for a Washington state fishing license, it is silent regarding fish stocking. Stocking continued after the park was established. However, concerns over the ecological impacts of fish stocking in naturally fish-free waters continued. Soon after the park complex was created, the National Park Service policy regarding fish stocking was revised to provide that fish stocking in naturally fish-free waters should not occur. Fish stocking was phased out in many national parks across the country to restore natural conditions and to preserve native species. In 1988, Congress designated ninety-three percent of the North Cascades as the Stephen Mather Wilderness, and 90 of the 91 lakes that had historically been stocked are within the wilderness area. At the time the wilderness was designated, Congress did not address the issue of stocking the lakes.

The 2006 Management Policies of the National Park Service (NPS) allow for the management of fish populations when necessary to restore resources to their natural state or reestablish a native species that has been extirpated. Stocking of other plants or animals is also allowed under certain circumstances. Specifically, the policies provide that *"In some special situations, the Service may stock native or exotic animals for recreational harvesting purposes, but only when such stocking will not unacceptably impact park natural resources or processes and when:*

- *the stocking is of fish into constructed large reservoirs or other significantly altered large water bodies and the purpose is to provide for recreational fishing; or*
- *the intent for stocking is a treaty right or expressed in statute, applicable law, or a House or Senate report accompanying a statute.*

*The Service will not stock waters that are naturally barren of harvested aquatic species.”*

The NPS appreciates the collaborative partnership with the Washington Department of Fish and Wildlife (WDFW) at North Cascades Complex and throughout the State of Washington. Despite this strong working relationship, a number of challenges have historically arisen when trying to reconcile the missions and policies of the WDFW and NPS on this stocking program. However, multiple attempts have been made to negotiate a mutually acceptable outcome on this issue. For example, in 1987 the Assistant Secretary of the Interior, Fish and Wildlife and Parks negotiated an agreement allowing fish stocking to continue in certain lakes while research into the ecological impacts of stocking was conducted. In a 1991 Consent Decree resolving litigation challenging the fish stocking program, NPS agreed to conduct research into the ecological impacts of fish stocking at North Cascades and a National Environmental Policy Act review of the stocking of naturally fish-free lakes.

A decade of research, conducted in the North Cascades Complex through Oregon State University and the USGS Biological Resources Division, documented lakes where fish had been stocked in low numbers and could not reproduce. No statistically significant ecological effects to native aquatic species were detected. However, in self-sustaining populations, non-native trout can have significant effects on native aquatic organisms such as amphibians and zooplankton.

In 2002, the NPS in collaboration with WDFW began development of a comprehensive Mountain Lakes Fishery Management Plan/Environmental Impact Statement (Plan/EIS). The purpose of the planning effort was to apply the results of the research and resolve the longstanding conflict over fish stocking in the mountain lakes.

On November 26, 2008, the NPS issued a Record of Decision for the final Plan/EIS and selected the preferred alternative, which would stop stocking and remove fish from lakes where significant impacts were occurring (49 lakes) but allow stocking of non-reproducing fish at low densities to continue in up to 42 lakes, subject to additional monitoring. The EIS found that such stocking would not unacceptably impact park natural resources or processes in those lakes.

However, the Record of Decision (ROD) also notes that fish stocking in the Stephen T. Mather Wilderness does not meet the minimum requirements analysis conducted under section 4(c) of the Wilderness Act. In addition, the ROD recognizes that the NPS would need legal authority to implement the preferred alternative. The ROD further provides that if such legal authority was not provided to the NPS by July 1, 2009, the NPS, consistent with NPS policy, would discontinue the stocking program in its entirety and work to restore the natural ecology of all the mountain lakes. In the majority of lakes this would be accomplished through continued fishing without further stocking. Over time, natural mortality would remove the remainder. In lakes where naturally reproducing populations were found, the NPS would work to remove these fish.

Realistically, at least ten lakes are so large that no known removal techniques will work and fish populations will remain for the foreseeable future.

The NPS is interested in ensuring that any legislation regarding fish stocking is guided by science and an understanding of the impact that such policy decisions would have on park resources. We recognize and appreciate that the text of this bill has incorporated our comments on previous versions of proposed legislation. Specifically, this bill directs that any fish stocked be native to the slope of the Cascades and functionally sterile, and directs the Secretary to continue monitoring the impacts of fish stocking in order to determine if further adjustments are needed to protect aquatic resources.

We request one amendment. The bill language states that the Secretary shall authorize the stocking of fish in lakes in the North Cascades National Park Service Complex. To ensure the NPS has the flexibility to respond appropriately should monitoring and scientific research indicate negative impacts to resources from fish stocking, we ask that Section 3 (a) be amended to read as follows: "Subject to subsection (b), the Secretary may authorize the stocking of fish in lakes in the North Cascades National Park Service Complex."

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

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR FOR NATURAL RESOURCE STEWARDSHIP AND SCIENCE, 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. 2352, A BILL TO AUTHORIZE THE SECRETARY TO ADJUST THE BOUNDARY OF THE STEPHEN MATHER WILDERNESS AND NORTH CASCADES NATIONAL PARK IN ORDER TO ALLOW THE REBUILDING OF A ROAD OUTSIDE OF THE FLOODPLAIN WHILE ENSURING THAT THERE IS NO NET LOSS OF ACREAGE TO THE PARK AND WILDERNESS AND FOR OTHER PURPOSES.**

**SEPTEMBER 15, 2011**

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Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today to offer testimony on H.R. 2352, a bill authorizing the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain, while ensuring that there is no net loss of acreage to the park and wilderness, and for other purposes.

The Department opposes H.R. 2352 because of concerns about potential impacts to the environment, inconsistency with the intention of the Wilderness Act, and our position of not rebuilding roads in parks in the Cascades after natural disasters when there are no visitor facilities are found along or at the end of the road. With limited financial resources, the planning, construction and maintenance of a new road and annual operation of a shuttle system are not a priority for the National Park Service (NPS) and would take away funding from other higher priority needs of the NPS.

Stehekin, Washington, is a small community within the Lake Chelan National Recreation Area (NRA), which is part of the North Cascades National Park Complex. You cannot drive to Stehekin. The Stehekin Valley is only accessible by boat, float plane, or hiking. Visitors arrive to Stehekin primarily by boat. There are approximately 85-95 year-round residents and about one-third of the residents are NPS employees or their dependents.

The Stehekin Valley Road had run 23 miles north from the Stehekin Landing, the location of the docks, ending at Cottonwood Camp in North Cascades National Park. The first 11 miles, or the Lower Stehekin Valley Road, traveled through the Lake Chelan NRA and provided access to NPS trailheads, campgrounds, and administrative facilities, as well as access to private property and businesses. However, the next 12 miles of road into the Upper Stehekin Valley traveled through North Cascades National Park and were maintained at a more primitive level, as they only accessed NPS trails and campgrounds. No private property was accessed by this road. In addition, this section of road was in a narrow corridor within the Stephen Mather Wilderness. The majority of visitors to the Upper Stehekin Valley used an NPS shuttle. The average ridership of the shuttle to the Upper Valley was 2,500 people per year. In addition, the NPS estimates that an additional 500 to 800 individuals used private vehicles to drive the road to the Upper Valley, for an estimated total visitation of approximately 3,000 to 3,300 people per year.

The Washington Park Wilderness Act of 1988 designated the Stephen Mather Wilderness within the North Cascades National Park Complex as part of the National Wilderness Preservation System. The Upper Stehekin Valley Road, identified as a narrow corridor, 50 feet to each side of the center line of the Upper Stehekin Valley Road, was excluded from the boundary of this wilderness area.

In 1995, the first of several major floods occurred in the Stehekin Valley, with many sections of the Stehekin Valley Road being damaged or destroyed. While much of the road was repaired or rebuilt, the damage to the last 2 ½ miles of the Upper Stehekin Valley Road was too great and a new terminus was established. In 2003, another flood destroyed substantial portions of the entire Stehekin Valley Road. After the 2003 flood, over \$1 million was spent to repair or rebuild portions of the 11 miles of the Lower Stehekin Valley Road to keep it open to the park boundary and to access private property. In 2006, another flood damaged the Lower Stehekin Valley Road and emergency funding was made available to make repairs. This road remains open today.

The Upper Stehekin Road was obliterated at Mile 12.9, a place known as Car Wash Falls, and substantial portions of the road were damaged or destroyed further up the valley, leaving the remaining eight miles of road unusable to vehicles. The NPS undertook an extensive planning and public review process to analyze alternatives for continuing the public access to the Upper Stehekin Valley when it prepared the 2006 Environmental Assessment (EA). Those alternatives included rebuilding the road within the existing 100-foot, non-wilderness corridor, relocating the road through a wilderness area on the present alignment of the Pacific Crest National Scenic Trail, or closing the road and relying on the existing trails to provide access to the upper valley.

The analysis found that rebuilding the road along the existing corridor was infeasible and unsustainable given the impacts to the Stehekin River and other natural resources, the difficulty of crossing at least one large continually rapidly eroding slope, and the likelihood that the road would be destroyed again by flooding or slope erosion in the near future. The analysis also found that relocating and constructing the road in the Stephen Mather Wilderness was likely to have significant impacts on active Northern Spotted Owl habitat, old-growth forests, and wetlands. In addition, road construction is prohibited within wilderness areas. Both the rebuilding and the relocation alternatives also raised concerns about obtaining ongoing funding needed to maintain the road over the long term in such a demanding environment. Based on these findings set out in the 2006 EA the NPS made the decision to formally close the road and rely on access by trail to the Upper Stehekin Valley.

If H.R. 2352 passes, the NPS would be required to complete additional planning and a National Environmental Policy Act review for the wilderness boundary change and the road construction. The 2006 EA does not include design concepts, address site-specific resource impacts, or account for road damage that has occurred since completion of the EA. Additionally, the EA indicated impacts of road re-routing would involve significant impacts to wetland, and possibly other resources, so additional planning, environmental compliance, and an environmental impact statement (EIS) would be necessary to proceed.

This planning process would consume substantial staff time and cost more than \$500,000. At least an additional \$1.3 million would be needed to construct the re-routed road , based on a

2004 estimate. Additional funds would also be needed to restore the remaining road bed to service, since it has been maintained as a trail for the last seven years. No estimate exists for this work.

If a new road were built in the Upper Stehekin Valley, likely there would be a need for the NPS to reestablish shuttle bus service for visitors. This summer, the NPS Alternative Transportation Program and consultants completed a financial analysis of costs to reestablish this shuttle system. Their analysis determined it would cost approximately \$120,000 per year or \$48 per passenger (based on previous ridership) to operate in the first year and costs would grow as labor, equipment rental, and fuel costs increase. This would add significant operational costs to the park's budget.

Due to threats from flooding, we remain concerned about maintaining access along the road in the Lower Stehekin Valley where the vast majority of visitors spend their time and the road serves private property. Over the last fifteen years, sections of the road in the Lower Stehekin Valley have also been damaged and destroyed by repeated floods and several emergency reroutes have had to be constructed. Maintaining this road access is a priority for the NPS and consequently, we are in the process of evaluating alternative solutions for a sustainable road and completing the planning and environmental review process that includes preparing an EIS. Construction costs, according to the Federal Highway Administration, range from \$6 million to almost \$9 million.

We know our decision involving the Upper Stehekin Valley Road is controversial to those that have fond memories of visiting the Upper Valley. We want people to visit the park and Stehekin. In fact, people continue to come and visit the Upper Stehekin Valley. The number of overnight campers in the Upper Stehekin Valley has actually increased since the road was destroyed and access was converted to a trail. Just before the flood event in 2003, 1,210 backcountry campers visited the Upper Stehekin Valley Road. There was a dip in visitation immediately after the flood destroyed the road, but since then, visitation has steadily climbed and surpassed pre-flood numbers, with 1,641 backcountry camp visitors in 2010.

We recognize that not everyone can or wants to do an overnight backpacking trip and so we have worked with a local business to provide stock-supported, tent-to-tent camping in the Upper Stehekin Valley. Approximately 110 people visited the Upper Valley this way last year. Additionally, to support visitation to Stehekin, the NPS has completed over \$1.2 million worth of repairs from storm damage to roads and trails in the Stehekin Valley and has made over \$3 million in improvements to concession facilities. We recently completed construction of a \$1 million handicapped-accessible dock to support the commercial ferry service. We are in the final stages of awarding a long-term concession contract that will provide lodging, food service, and tours for the next ten years.

Since alternate access to the Upper Stehekin Valley exists and people continue to visit, rebuilding the road is not a priority, considering our limited capital and operational funds. Rather, it is a priority to fund other road projects that provide critical access for substantially larger number of visitors. For example, the NPS has identified approximately \$140 million worth of needed road projects in NPS units within the State of Washington over the next five years.



These projects ensure sustainable access to places like Paradise and Sunrise in Mount Rainier National Park; Hurricane Ridge, Lake Crescent, Quinault and the Hoh in Olympic National Park; and Spring Canyon Road in Lake Roosevelt National Recreation Area, as well as the Lower Stehekin Valley. The NPS places a higher priority on maintaining and rehabilitating these roads, as each serves hundreds of thousands of visitors, over rebuilding a road that would serve between two and three thousand visitors.

Our decision about the road is consistent with decisions we have made regarding the tradeoff between access, fiscal responsibility, and environmental impact. In February 2011, the NPS determined that it was infeasible, for many of the same reasons as here, to reestablish the Carbon River Road in Mount Rainier National Park and as a result closed that road and converted access to a trail. This is an area that supported approximately 57,000 visitors per year, or roughly 15 times the number of people that visited the Upper Stehekin Valley each year.

Mr. Chairman, thank you for your time and this concludes my testimony. I will be pleased to answer questions.

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR FOR  
NATURAL RESOURCE STEWARDSHIP AND SCIENCE, NATIONAL PARK  
SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON  
NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE NATURAL  
RESOURCES COMMITTEE CONCERNING H.R. 2687, A BILL TO AUTHORIZE THE  
SECRETARY OF THE INTERIOR TO LEASE CERTAIN LANDS WITHIN FORT  
PULASKI NATIONAL MONUMENT, AND FOR OTHER PURPOSES.**

**SEPTEMBER 15, 2011**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 2687, a bill to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes.

The Department supports this legislation, which would allow the Savannah Bar Pilots Association to lease the land on Cockspur Island within Fort Pulaski National Monument in the State of Georgia that the association has used continuously since 1940.

In 1940, the National Park Service authorized by special use permit exclusive use of National Park Service land and improvements to the Savannah Bar Pilots Association to operate a vessel piloting business. The National Park Service has issued a series of permit renewals during the ensuing 70 years. However, in recent years, the National Park Service has been advised by the Department's Solicitor's Office that the association's use of this land should be based on more certain legal authority than the special use permitting process. The National Park Service believes that a non-competitive lease, which would be authorized by H.R. 2687, would be the best option in this unique circumstance to enable the Savannah Bar Pilots Association to continue traditional operations from its Fort Pulaski location. The Bar Pilots serve a function that is vital to the state's deepwater ports and inland barge terminals, including directing ship traffic and assisting in navigation in the Savannah Harbor.

There are no other known locations from which Savannah Bar Pilots Association can operate more efficiently than its current location. Deep water accessibility and the relatively short distance to embarking and disembarking ships in Savannah Harbor render the current Cockspur Island site the ideal location for continued operations. The Savannah Bar Pilots have been operating at the current location with virtually no adverse impact on park resources, on the visitor experience, or on park operations. Fort Pulaski National Monument derives revenue from the current special use permit and would continue to do so from a lease. The Savannah Bar Pilots enjoy local support from both the City of Savannah and the Georgia Port Authority.

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

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR, NATURAL RESOURCE STEWARDSHIP AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 2087, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO REMOVE RESTRICTIONS FROM A PARCEL OF LAND SITUATED IN ATLANTIC DISTRICT, ACCOMACK COUNTY, VIRGINIA.**

**SEPTEMBER 15, 2011**

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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. 2087, a bill to authorize the Secretary of the Interior to remove restrictions from a parcel of land situated in Accomack County, Virginia.

The Department does not support H.R. 2087. The bill directs the Secretary to undertake actions in order to remove deed restrictions on Wallops Park in Accomack County, Virginia. As a result of this bill, there would be a net loss of public park and recreation land in Accomack County.

In 1976, the National Park Service (NPS) conveyed approximately 31.6 acres to Accomack County to develop Wallops Park for park and recreation use by the general public through provisions of what is now called the Federal Lands to Parks program. This property was conveyed at no cost under authority of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 550(b) and (e)) on the condition that it be used in perpetuity for public park and recreation purposes. It is our understanding that Wallops Park continues to be a popular county park with ball fields, playgrounds, picnic tables, grills, and a nature trail among other amenities. H.R. 2087 would remove the perpetual public park and recreation use restriction that was in the Deed of Conveyance and would put the continued public use of Wallops Park in doubt.

The purpose of the Federal Lands to Parks program is to help communities increase opportunities for public recreation by increasing land committed to and protected for parks and recreation areas. The Federal Government increased the quality and quantity of Accomack County's public parkland by providing this land for the public's use at no cost to the county. The NPS is aware that recipients of park land through the Federal Lands to Parks program occasionally have a need to use the transferred property for purposes other than public parks and recreation. Consequently, there are options available to accommodate changing local land needs. The NPS, along with the General Services Administration (GSA), which is the agency that oversees the Federal land disposal process, developed a land exchange process to enable some flexibility to communities when local needs and circumstances change.

A land exchange requires that replacement land be of equal fair market value in order to protect the Federal Government's financial interest and be of recreational value and usefulness to avoid a net loss of recreational opportunity locally. The NPS and GSA would be willing to continue to work closely with Accomack County to explore the possibility of an exchange of the Wallops

Park land for other Accomack County land that has the same or greater value and recreational utility for the Wallops Park land.

The Deed of Conveyance also includes a reversion provision that allows the County to return the property to the United States for further property disposal by GSA. As part of this property disposal process, it is possible that the County could buy the property at current fair market value without the perpetual public park and recreation use restriction. However, if Accomack County chose to return the property to the United States, GSA may take the property through various phases of the disposal process, contingent upon expressions of interest and the circumstances surrounding the case.

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

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR, NATURAL RESOURCE STEWARDSHIP AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 1162, A BILL TO PROVIDE THE QUILEUTE INDIAN TRIBE TSUNAMI AND FLOOD PROTECTION, AND FOR OTHER PURPOSES**

**SEPTEMBER 15, 2011**

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Mr. Chairman, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 1162, a bill to provide the Quileute Indian Tribe tsunami and flood protection, and for other purposes.

The Department supports H.R. 1162 with a technical correction. The legislation would make available to the Quileute Indian Tribe 785 acres of land currently within the boundary of Olympic National Park in order to facilitate the Tribe's move to new lands on higher ground, away from the frequent flooding and the tsunami risk that the Tribe currently must contend with. The legislation also seeks to protect the natural resources of the land removed from the park, to encourage agreements between the National Park Service and the Tribe on matters related to the land, and to designate approximately 4,100 acres of Olympic National Park as Wilderness.

The Quileute Indian Tribe is a small, federally-recognized Tribe in the State of Washington. The Quileute Indian Reservation, established in 1889, is located on the Olympic Peninsula along the Pacific Ocean. The reservation is bordered to the north by the Quillayute River and to the east and south by Olympic National Park. It consists of approximately 880 acres and is home to about 375 residents. Most of the reservation is located within the flood zone and much of the tribal infrastructure, including their administrative buildings, school, elder center, and housing is within the tsunami zone. Recent tsunamis in the Pacific Ocean, including the one that struck Japan on March 11, 2011, clearly demonstrate the risk faced by the Tribe and the need to move housing and infrastructure inland.

The 785 acres of land within Olympic National Park that would be held in trust for the Tribe under H.R. 1162 are in two parcels. The northern parcel, known as the Northern Lands, is comprised of approximately 510 acres along the south side of the Quillayute River. These lands contain the area that has historically been referred to as Thunder Field. A 275-acre parcel, 220 acres of which are designated wilderness, lies immediately south of the current reservation boundary. There are no park-owned facilities or trails in this area, and there are few opportunities for park visitors.

In addition to providing for the 785 acres to be held in trust by the United States for the benefit of the Quileute Indian Tribe, and excluding this land from the boundary of Olympic National Park, H.R. 1162 also would:

- designate approximately 4,100 acres of new wilderness within Olympic National Park as additions to the existing Olympic Wilderness;
- provide for placing in trust for the benefit of the Tribe approximately 184 acres of non-Federal land that the Tribe has recently acquired;
- express the intent of Congress regarding preservation, protection and alteration of the 785 acres, and cooperative efforts between the National Park Service and the Tribe;
- provide specific restrictions on the use of the 785 acres in order to protect the land's resources; and
- provide for continued public access and use of park and tribal lands at Second Beach, Rialto Beach, and along the Quillayute and Dickey Rivers.

The National Park Service has worked collaboratively with the Tribe over many years to address these issues. As such, the Department supports H.R. 1162 and its balance of tribal safety with protection of park resources and visitor access.

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

**NPS Technical Correction to H.R. 1162**

Delete page 5 lines 11-17

This text is an earlier draft of the correct text now found on page 6, line 15 through page 7 line 3.

**STATEMENT OF DR. HERBERT C. FROST, ASSOCIATE DIRECTOR,  
NATURAL RESOURCE STEWARDSHIP AND SCIENCE,  
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE  
THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC  
LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES  
CONCERNING H.R. 2336, A BILL TO AMEND THE WILD AND SCENIC  
RIVERS ACT TO DESIGNATE THE YORK RIVER AND ITS TRIBUTARIES IN  
THE STATE OF MAINE FOR STUDY FOR POTENTIAL INCLUSION IN THE  
NATIONAL WILD AND SCENIC RIVERS SYSTEM.**

**SEPTEMBER 15, 2011**

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Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on H.R. 2336, a bill to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the Wild and Scenic Rivers System.

The Department supports enactment of this legislation. However, we feel that priority should be given to the 37 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to Congress.

The York River is located in the southwest corner of the State of Maine, not far from the New Hampshire border, in York County. H.R. 2336 specifies that the York River and its tributaries be included in the study, which will result in a watershed-based study focus, similar to other recent studies. The York River watershed drains 33 square miles located almost entirely in the communities of Eliot, Kittery, and York, and flows into the Gulf of Maine through York Harbor.

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

Over the course of the past two years, the National Park Service has responded to interest and inquiries from local advocates and town officials regarding a potential Wild and Scenic River study for the York River. There appears to be strong local support for protecting the river system and for studying the river for potential inclusion in the National Wild and Scenic Rivers System. Based on this local support and the presence of significant natural, cultural and recreational resources, the National Park Service believes that a Wild and Scenic River study conducted in close partnership with local



communities and established partners is consistent with the purposes of the Wild and Scenic Rivers Act.

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