



HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Federal Lands Republican Members  
**From:** Subcommittee on Federal Lands; Aniela Butler, Brandon Miller, and Colen Morrow – [Aniela@mail.house.gov](mailto:Aniela@mail.house.gov), [Brandon.Miller@mail.house.gov](mailto:Brandon.Miller@mail.house.gov), and [Colen.Morrow@mail.house.gov](mailto:Colen.Morrow@mail.house.gov); x6-7736  
**Date:** Wednesday, September 18, 2024  
**Subject:** Legislative Hearing on 8 Bills

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The Subcommittee on Federal Lands will hold a legislative hearing on 8 bills:

- H.R. 1479 (Rep. Ciscomani), “*Chiricahua National Park Act*”;
- H.R. 1504 (Rep. Horsford), “*Apex Area Technical Corrections Act*”;
- H.R. 8931 (Rep. Stefanik), To redesignate Saratoga National Historical Park as Saratoga National Battlefield Park;
- H.R. 8946 (Rep. Matsui), “*Reversionary Interest Conveyance Act*”;
- H.R. 9159 (Rep. Lawler), “*Appalachian Trail Centennial Act*”;
- H.R. 9492 (Rep. Valadao), To amend Public Law 99-338 with respect to Kaweah Project permits;
- H.R. 9516 (Rep. Chavez-DeRemer), “*Military Families National Parks Access Enhancement Act*”; and
- S. 612 (Sen. Cortez Masto), “*Lake Tahoe Restoration Reauthorization Act*”.

The hearing will take place on **Wednesday, September 18, 2024, at 10:15 a.m.** in room 1324 Longworth House Office Building.

Member offices are requested to notify Will Rodriguez ([Will.Rodriguez@mail.house.gov](mailto:Will.Rodriguez@mail.house.gov)) by 4:30 p.m. on Tuesday, September 17, if their Member intends to participate in the hearing.

## **I. KEY MESSAGES**

- The Republican bills on today’s hearing include locally supported efforts to support our nation’s Gold Star Families, establish a new national park, emphasize the historic importance of a Revolutionary War battlefield, strengthen public-private partnerships for trail maintenance, extend the operation of a critical hydroelectric project, and continue the supply of needed resources to the Lake Tahoe Basin.
- Representative Chavez-DeRemer’s legislation extends eligibility of free Gold Star Family passes to our national parks and public lands to next of kin who lost loved ones serving on active-duty, an important sign of support for our nation’s military families.

- Representative Ciscomani’s legislation elevates Chiricahua National Monument to National Park status, in recognition of this unique Arizona landscape rich in natural, cultural, and historic resources.
- The Lake Tahoe Restoration Reauthorization Act is a bicameral and bipartisan effort led in the House by Representatives Duarte, Kiley, and Amodei. This important legislation will extend the period in which previously authorized funding can be spent on restoration and resilience activities around Lake Tahoe, including critical work preventing catastrophic wildfires and improving forest health.
- Representative Lawler’s Appalachian Trail Centennial Act seeks to strengthen and leverage public-private partnerships that are vital to the care of our nation’s scenic and historic trails.
- Representative Valadao’s bill authorizes the renewal of a special use permit in the Sequoia National Park for the continued operation of a hydroelectric project, ensuring continued reliable and affordable power.
- Representative Stefanik’s bill redesignates the Saratoga National Historic Park as a National Battlefield Park to distinguish the site for its critical significance in the American fight for independence ahead of our country’s 250<sup>th</sup> anniversary.

## II. WITNESSES

### Panel I (Members of Congress):

- *To Be Announced*

### Panel II (Administration Officials and Outside Experts):

- **Ms. Jacqueline Emanuel**, Associate Deputy Chief, National Forest System, U.S. Forest Service, Washington, D.C. [*H.R. 9159, H.R. 9516, S. 612*]
- **Mr. Mike Caldwell**, Associate Director, Park Planning, Facilities, and Lands, National Park Service, Washington, D.C. [*H.R. 1479, H.R. 1504, H.R. 8391, H.R. 8946, H.R. 9159, H.R. 9492, H.R. 9516, S. 612*]
- **Ms. Monica Preston**, President, Wilcox Chamber of Commerce and Agriculture, Willcox, Arizona [*H.R. 1479*]
- **Ms. Julie W. Regan**, Executive Director, Tahoe Regional Planning Agency, Stateline, Nevada [*S. 612*]
- **Ms. Sandi Marra**, President and CEO, Appalachian Trail Conservancy, Harpers Ferry, West Virginia [*H.R. 9159*]
- **Ms. Gabriella Kubinyi**, Member, Gold Star Spouses of America, Inc., Washington, D.C. [*H.R. 9516*]
- **Ms. Pamela Goynes-Brown**, Mayor, City of North Las Vegas, North Las Vegas, Nevada [*H.R. 1504*] [*Minority Witness*]
- **Ms. Justine Jimmie**, Deputy Attorney General, San Carlos Apache Tribe, San Carlos, Arizona [*H.R. 1479*] [*Minority Witness*]

### III. BACKGROUND

#### [H.R. 1479 \(Rep. Ciscomani\), “Chiricahua National Park Act”](#)

In 1924, President Calvin Coolidge established Chiricahua National Monument, located in the Chiricahua Mountains in southeastern Arizona.<sup>1</sup> The area, which the Apache called “The Land of Standing-Up Rocks,” is known for its ancient volcanic hoodoos, pinnacles, and other rock formations.<sup>2</sup> The National Park Service (NPS) administers this 12,000-acre monument, of which over 85 percent is designated as wilderness.<sup>3</sup> Chiricahua National Monument contains evidence of diverse human history spanning thousands of years, including that of prehistoric indigenous peoples, Chiricahua Apache, Buffalo Soldiers, and European American pioneers and ranchers.<sup>4</sup> The national monument contains the Faraway Ranch, which was home to Swedish immigrants in the 19<sup>th</sup> century.<sup>5</sup> Chiricahua is also a popular hiking and camping destination, offering several scenic hiking trails that showcase unique rock formations and forested areas with a variety of desert foliage including prickly pear, yuccas, agave, and hedgehog cactus.<sup>6</sup>



Hoodoos in the Chiricahua National Monument. **Source:** Lawrence S. Richardson Jr., 2017.

H.R. 1479 would redesignate Chiricahua National Monument as Chiricahua National Park, making it the country’s 64<sup>th</sup> national park and the fourth national park located in Arizona. Local supporters of this legislation believe that elevating Chiricahua to full

national park status would allow Chiricahua to take its place among the other “crown jewels” of the National Park System, increase visitation and benefit nearby gateway communities.<sup>7</sup> Companion legislation, S. 736, has been introduced by Senator Kelly (D-AZ) in the Senate.

#### [H.R. 1504 \(Rep. Horsford\), “Apex Area Technical Corrections Act”](#)

Clark County, Nevada, is widely known as one of the premier entertainment capitals of the world. This region experienced significant population growth in recent years, and estimates

<sup>1</sup> National Park Service, “Chiricahua National Monument, Management”, <https://www.nps.gov/chir/learn/management/index.htm>.

<sup>2</sup> National Park Service, “Chiricahua National Monument, Nature and Science”, <https://www.nps.gov/chir/learn/nature/index.htm>.

<sup>3</sup> National Park Service, “Foundation Document Overview Chiricahua National Monument”, <http://npshistory.com/publications/foundation-documents/chir-fd-overview.pdf>.

<sup>4</sup> *Id.*

<sup>5</sup> National Park Service, “Chiricahua National Monument, Faraway Ranch”, <https://www.nps.gov/chir/learn/historyculture/faraway-ranch.htm>.

<sup>6</sup> Backpacker.com, “This Arizona Monument Could Be Our Next National Park,” Mary Beth Skylis, March 13, 2023, <https://www.backpacker.com/news-and-events/news/chiricahua-national-monument-national-park/>.

<sup>7</sup> Cronkite News, “Congress considers making Chiricahua National Monument Arizona’s fourth national park”, Sarah Min Heller, May 24, 2023, <https://cronkitenews.azpbs.org/2023/05/24/chiricahua-national-monument-arizonas-fourth-national-park/>.

project that the county will reach a population of 3.43 million by 2080.<sup>8</sup> This sharp rise in population presents both opportunities and challenges as local officials attempt to attract businesses to the region to support the growing workforce. Unfortunately, one factor inhibiting the region's economic prosperity is the significant presence of federal land. Over 86 percent of land in Clark County is owned by the federal government, deterring developers from investing in the region and adding bureaucratic red tape to important projects.<sup>9</sup>

To incentivize economic growth and attract new businesses, Congress created the Apex Industrial Park (Apex) in 1989 by authorizing the sale of roughly 21,000 acres of Bureau of Land Management (BLM) land to Clark County to establish an industrial park. Once completed, the Apex will have 7,000 acres of developable land and is expected to employ over 6,500 workers.<sup>10</sup> A convergence point for freight from California and other parts of the western United States, the Apex is a prime location for many Fortune 500 Companies. While the original law directed BLM to issue utility and transportation rights-of-way for the Apex, businesses that want to start construction or expand at the Apex must endure a complicated permitting process. The delayed installation of utilities like sewer and gas, as well as access roads or broadband lines across BLM-controlled corridors, has stalled the growth of existing businesses in the Apex area. Additionally, the prolonged permitting process acts as a deterrent for new businesses, hindering economic development in North Las Vegas.

H.R. 1504 amends the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to streamline the permitting process for the site. Specifically, the legislation allows the Secretary of the Interior to grant utility and transportation rights-of-way to the Apex Industrial Park Owners Association (Association) and City of North Las Vegas, along with Clark County, for electric, power, water, natural gas, telephone, railroad, or highway facilities.<sup>11</sup> The legislation also strengthens the requirement to grant such rights-of-way by amending the law so the Secretary *shall* issue the rights-of-way rather than *may* issue the rights-of-way. These changes are necessary, as the Association and North Las Vegas, rather than Clark County, now own most of the site. Finally, the legislation eases requirements regarding the sale of mineral materials from the Apex due to grading or land balancing. In total, these changes will simplify the process for installing the utility and transportation infrastructure necessary to facilitate economic growth and attract new business investment.

### **[H.R. 8931 \(Rep. Stefanik\), To redesignate Saratoga National Historic Park as Saratoga National Battlefield Park.](#)**

On September 19, 1777, an army of Continental troops under the command of General Horatio Gates stood its ground against the British Empire in present-day Saratoga County, New York.<sup>12</sup> Thus began the Battles of Saratoga, in which American colonists would rout a British invasion

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<sup>8</sup> Center for Business and Economic Research, 2023 CBER Population Forecasts, <https://webfiles.clarkcountynv.gov/2023%20CBER%20Population%20Forecasts.pdf>.

<sup>9</sup> University of Nevada Las Vegas, Counties and the Bureau of Land Management, [https://digitalscholarship.unlv.edu/cgi/viewcontent.cgi?params=/context/bmw\\_lincy\\_env/article/1002/&path\\_info=Solano\\_Patricio\\_Beavers\\_Sala\\_dino\\_Brown\\_Environment\\_No.3\\_Land\\_Use\\_in\\_Nevada\\_Counties\\_and\\_the\\_BLM.pdf](https://digitalscholarship.unlv.edu/cgi/viewcontent.cgi?params=/context/bmw_lincy_env/article/1002/&path_info=Solano_Patricio_Beavers_Sala_dino_Brown_Environment_No.3_Land_Use_in_Nevada_Counties_and_the_BLM.pdf).

<sup>10</sup> KTNV, North Las Vegas Industrial Center Expected to Generate Thousands of Job Opportunities, <https://www.ktnv.com/news/apex-industrial-center-set-to-generate-thousands-of-job-opportunities-for-valley-residents#:~:text=The%20focus%20is%20on%20an.6%2C500%20employees%20when%20built%20out.>

<sup>11</sup> Public Law 101-67; 103 Stat. 168.

<sup>12</sup> *Saratoga*. American Battlefield Trust. (n.d.). <https://www.battlefields.org/learn/revolutionary-war/battles/saratoga>.

force marching southward from Canada, capture an unprecedented six thousand English soldiers and Hessian mercenaries, and create a turning point in the Revolutionary War.<sup>13</sup> Today, a 3,400-acre expanse of rolling hills and forested ravines bordering the northern Hudson River conserves the location of the pivotal Battles of Saratoga as the Saratoga National Historic Park (Saratoga NHP), a unit of the NPS.<sup>14</sup> The area provides visitors with trails and tour routes to experience the battlefield, which is carefully managed to resemble its appearance right after the events of the battle, and includes landmarks, fortifications, and important buildings. The Saratoga NHP also hosts artifacts exhibits, historical reenactments, and guided tours to keep the memory of the battle alive and tell the stories of those who lived through it.<sup>15</sup> While the Saratoga NHP was initially named “Saratoga Battlefield Park” as a New York State Historical Site, the “Battlefield” nomenclature was dropped in 1938 when the area became part of the National Park System.<sup>16</sup> With the upcoming 250<sup>th</sup> anniversaries of both the United States and the Battles of Saratoga, residents of Saratoga County and the State of New York have pushed to rename the Saratoga NHP to clarify its place in the heroic struggle for American Independence.<sup>17</sup> Congresswoman Elise Stefanik’s (R-NY-21) legislation would redesignate the site as the Saratoga National Battlefield Park to identify its importance as a historical battlefield to visitors and more effectively emphasize the sacrifices of soldiers who fought on the land.

### [H.R. 8946 \(Rep. Matsui\), “Reversionary Interest Conveyance Act”](#)

During the 19<sup>th</sup> century, Congress granted many railroad rights of way across public lands through the Pacific Railroad Acts.<sup>18</sup> The Supreme Court interpreted these Acts to grant land ownership to railroad companies; however, if a railroad was not built or was no longer used for railroad purposes, the land would revert back to the United States.<sup>19</sup> Courts also ruled that railroad companies lack the authority to convey portions of these rights-of-way to third parties, even if the remainder of the land is still used for railroad purposes. Despite this consistent interpretation, several railroad companies conveyed portions of lands within their rights-of-way. Unbeknownst to the new landowners, the reversionary interest in these conveyed properties encumbers what the landowners can do with their land.

In Sacramento, private owners of an 8.43-acre property within the Sacramento Center for Innovation Specific Plan have recently uncovered a similar reversionary interest on their land, originally conveyed to them by the Southern Pacific Transportation Company.<sup>20</sup> According to BLM:

*Southern Pacific’s predecessor received a railroad right-of-way grant from Congress over the land in question as part of the Pacific Railroad Act of 1862, which gave the railroad a limited fee with a reversionary interest held by the*

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<sup>13</sup> *Id.*

<sup>14</sup> U.S. Department of the Interior. (n.d.). *Saratoga – National Historic Park New York*. National Parks Service. <https://www.nps.gov/sara/index.htm#>.

<sup>15</sup> *Id.*

<sup>16</sup> NEWS10 ABC, *Saratoga Co. looks to change historical park name*, Deuso, C., June 19, 2024, <https://www.news10.com/news/saratoga-county/saratoga-co-looks-to-change-historical-park-name/>.

<sup>17</sup> *Id.*

<sup>18</sup> “Title Issues Raised by Railroad Right-of-Way in Sacramento, California”, [https://republicans-naturalresources.house.gov/UploadedFiles/Summary\\_Package\\_for\\_Matsui\\_1-c1.PDF](https://republicans-naturalresources.house.gov/UploadedFiles/Summary_Package_for_Matsui_1-c1.PDF).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*



*United States. Consequently, the United States continues to have a reversionary interest that is realized only when Southern Pacific formally abandons the right-of-way (or a portion) consistent with applicable law. Even if Southern Pacific were to abandon the right-of-way, which it has not, title would revert to the United States and not Southern Pacific or the adjacent property owners.*<sup>21</sup>

BLM further explained that, although it does not believe it has the authority to remove the reversionary interest, “it has no programmatic need for the land in question” and encouraged Congress to pursue a legislative solution.<sup>22</sup> H.R. 8946, led by Representative Doris Matsui (D-CA-7), would resolve the reversionary conflict on this parcel of land in Sacramento. This bill would require the BLM to convey the relevant reversionary interests to the applicable landowners for fair market value. This would resolve uncertainty for the current landowners and allow the area to develop further without complications from the federal government.

### **H.R. 9159 (Rep. Lawler), “Appalachian Trail Centennial Act”**

Regarded as one of the most iconic trails in the United States, the Appalachian National Scenic Trail (Trail) is the longest hiking-only footpath in the world.<sup>23</sup> The Trail spans roughly 2,190 miles, with the southern terminus located in Springer Mountain, Georgia, and the northern terminus in Katahdin, Maine.<sup>24</sup> Built by private citizens and completed in 1937, the Trail was designated the first National Scenic Trail in 1968.<sup>25</sup> Today, it attracts more than 3 million visitors from across the globe and is managed through a combination of federal agencies, partners, and thousands of volunteers.<sup>26</sup> The Appalachian Trail is supported by the Appalachian Trail Conservancy (ATC), a 30,000-member organization that oversees its protection and management.<sup>27</sup>

H.R. 9159, the Appalachian Trail Centennial Act (ATCA), aims to build on the success of the Appalachian National Scenic Trail by expanding partnerships, adding direction for agencies to coordinate and advance land conservation, and providing tools to monitor visitor and usage patterns on National Scenic and Historic Trails. H.R. 9159 establishes Designated Operational Partners (DOPs) for National Scenic and Historic Trails, organizations with “experience in the management, maintenance, and preservation of the trail.”<sup>28</sup> The legislation would allow DOPs to enter into cooperative agreements with the Secretary of the Interior to steward and maintain specific trails. It also strengthens consultation requirements for trail planning and requires economic impact assessments for trails to analyze the benefits of trails for gateway communities regularly. These changes will allow the federal government to improve collaboration with local partners and improve trail maintenance by leveraging non-federal partnerships. Senators Thom Tillis (R-NC) and Tim Kaine (D-VA) have introduced companion legislation in the Senate.

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<sup>21</sup> Bureau of Land Management, Letter to Representative Matsui, August 1, 2022, [https://naturalresources.house.gov/uploadedfiles/blm\\_correspondence\\_to\\_rep\\_matsui\\_re\\_land\\_conveyance.pdf](https://naturalresources.house.gov/uploadedfiles/blm_correspondence_to_rep_matsui_re_land_conveyance.pdf).

<sup>22</sup> *Id.*

<sup>23</sup> Appalachian Trail Conservancy, About Us, The Appalachian Trail, <https://appalachiantrail.org/our-work/about-us/>.

<sup>24</sup> *Id.*

<sup>25</sup> Pacific Crest Trail Association, America’s National Trails System, <https://www.pcta.org/our-work/national-trails-system/#:~:text=America's%20National%20Trails%20System%20is.nation's%20first%20National%20Scenic%20Trails>.

<sup>26</sup> *Id.*

<sup>27</sup> Appalachian Trail Conservancy, About Us, The Appalachian Trail, <https://appalachiantrail.org/our-work/about-us/>.

<sup>28</sup> H.R. 9159.

## [H.R. 9492 \(Rep. Valadao\), To amend Public Law 99-338 with respect to Kaweah Project permits.](#)

Southern California Edison, a subsidiary of Edison International, is one of the largest electric utilities in the United States, serving roughly 15 million people over a 50,000-square-mile area in Central, Coastal, and Southern California.<sup>29</sup> Since 1899, Southern California Edison has operated the Kaweah Hydroelectric Project (Project) on the Kaweah and East Fore Kaweah Rivers, located near the community of Three Rivers in Tulare County.<sup>30</sup> The Kaweah Project has a generating capacity of 8.85 megawatts and is split into three developments.<sup>31</sup> In 1943, Congress expanded the boundaries of Sequoia National Park and, in so doing, acquired lands that contained part of the Project.<sup>32</sup> As a result, Kaweah #3 has diversion dams and 4.4 miles of flow line in the national park.<sup>33</sup> From 1943 to 1986, Congress authorized the Secretary of the Interior to extend California Edison’s special use permit to use these lands for the continued operation of the project.<sup>34</sup> Congress subsequently reauthorized the extension of this permit for ten years and provided the option to renew for ten additional years. The Consolidated Appropriations Act of 2005 allowed for two additional renewals, expiring in 2026.<sup>35</sup> H.R. 9492, led by Representative David Valadao (R-CA-22), would authorize the Secretary of the Interior to issue four additional renewals, extending the project for 40 years. Without a renewal, Southern California Edison would be forced to remove their infrastructure from the area, a significant cost for the company’s ratepayers. Extending the special use permit will allow California Edison to continue supplying reliable and affordable energy to this region.

## [H.R. 9516 \(Rep. Chavez-DeRemer\), “Military Families National Parks Access Enhancement Act”](#)

Across the country, military families play a critical role in protecting our freedoms. They support loved ones who risk their lives defending the values that make our country a beacon of hope around the world. While many military members return home, others make the ultimate sacrifice by laying down their lives for our country. Families that lose loved ones in the military are commonly referred to as “Gold Star Families.” and often wear a Gold Star Lapel Button. These families must confront their worst nightmare and attempt to find closure amidst traumatic circumstances. For many such families, recreating outdoors can offer relief in times of profound tragedy. Outdoor activities can provide valuable opportunities for Gold Star Families to reconnect with nature, reflect on their loved ones, and find moments of peace.

In 2021, Congress permanently codified free, lifetime passes to our national parks and public lands for Gold Star Families in the Alexander Lofgren Veterans in Parks (VIP) Act.<sup>36</sup> The VIP Act was intended to recognize and honor the sacrifices of Gold Star Families and ensure their access to healing outdoor recreation destinations. Pass eligibility for Gold Star Families under

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<sup>29</sup> Edison International, “Our Companies”, <https://www.edison.com/>.

<sup>30</sup> Southern California Edison Company, “Kaweah FERC Project No. 298.” January 2019, [https://www.sce.com/sites/default/files/inline-files/CUL1\\_BuiltEnvironmentTSR.pdf](https://www.sce.com/sites/default/files/inline-files/CUL1_BuiltEnvironmentTSR.pdf).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

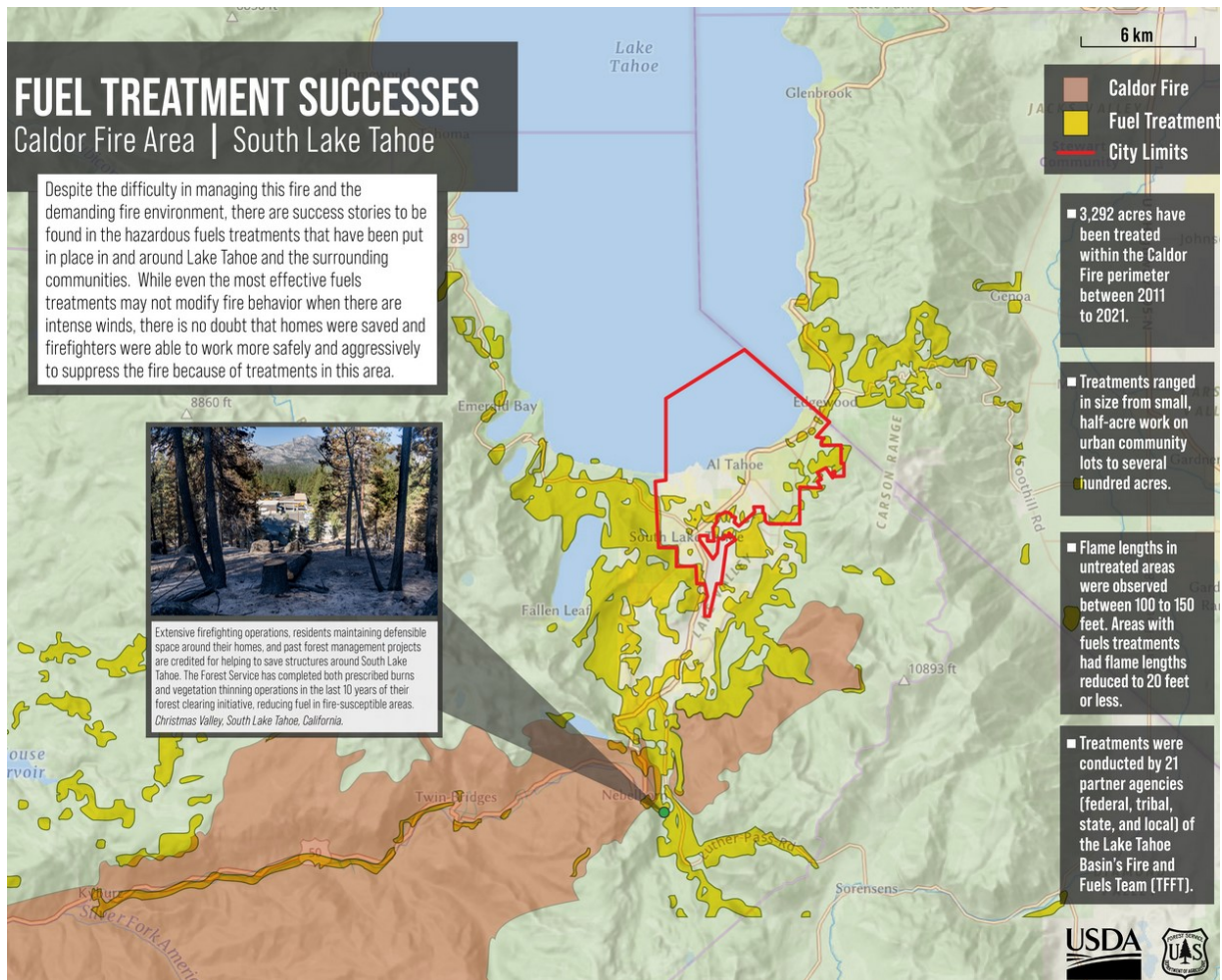
<sup>34</sup> *Id.*

<sup>35</sup> Public Law 108–447.

<sup>36</sup> Alexander Lofgren Veterans in Parks (VIP) Act; P.L. 117-81.

the VIP Act is determined by section 3.2 of Department of Defense Instruction 1348.36, which sets the criteria for issuing Gold Star Lapel Buttons.<sup>37</sup> This instruction covers eligible next of kin of service members who lost their lives in a qualifying situation, such as a war, an international terrorist attack, or a military operation outside of the U.S.<sup>38</sup> Unfortunately, this instruction excludes families of active-duty military members who lost their lives in other circumstances, such as hazardous combat training accidents inside the U.S. Such families are authorized to wear the Gold Star Next of Kin Lapel Button. H.R. 9516 would expand access to free, lifetime America the Beautiful Passes to Gold Star Next of Kin family members. This legislation is a meaningful way to support families who lost loved ones selflessly serving our nation. Expanding eligibility to such families will also ensure their permanent access to the nation's iconic national parks and public lands that their loved ones died protecting.

**S. 612 (Cortez Masto), “Lake Tahoe Restoration Reauthorization Act”**



Source: U.S. Forest Service, 2021.

<sup>37</sup> DOD Instruction 1348.36,

<https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/134836p.pdf?ver=mN9Jeg1LSLWwc52VRljhdQ%3D%3D>.

<sup>38</sup> *Id.*



Lake Tahoe has long been a driver of recreation and economic growth for Nevada and California, attracting over 6.4 million visitors annually.<sup>39</sup> For the past several decades, the Lake Tahoe Basin has faced a confluence of threats, including insects, disease, drought, invasive species, and catastrophic wildfires. To address these challenges, the federal government, Nevada and California, local governments, and private interests have collectively invested nearly \$2 billion since 1997 to increase the Tahoe Basin's health and resiliency.<sup>40</sup> In 2000, Congress passed the Lake Tahoe Restoration Act, which authorized \$300 million to restore the lake and surrounding basin. Congress reauthorized the bill in 2016 in the Water Infrastructure Improvements for the Nation (WIIN) Act and increased the authorization level to \$415 million. The WIIN Act also created a 10,000-acre categorical exclusion (CE) for the U.S. Forest Service (USFS) to expedite forest management projects in the Lake Tahoe Basin Management Unit. The expedited forest treatments made possible by this CE have been literal lifesavers. In 2021, the Caldor Fire was approaching South Lake Tahoe when it reached areas treated under that special CE.<sup>41</sup> The mega-fire, which had been moving rapidly as a crown fire, began to slow, and the 150-foot flame lengths dropped to a more manageable 15 feet when the fire entered the treatment area.<sup>42</sup>

The Lake Tahoe Restoration Reauthorization Act extends the period of time the \$415 million authorized in 2016 can be spent for ten additional years, until 2034. The bill also extends the authorization for cooperative authorities to enter into contracts and cooperative agreements with states and local governments to provide fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and other activities. Reauthorizing these authorities will prevent an interruption in conservation and restoration planning. The Senate passed S. 612 by unanimous consent on July 11, 2024. Representatives Mark Amodei (R-NV-2) and Kevin Kiley (R-CA-3) are leading companion legislation in the House.

#### **IV. MAJOR PROVISIONS & SECTION-BY-SECTION**

##### **[H.R. 1479 \(Rep. Ciscomani\), “Chiricahua National Park Act”](#)**

###### **Section 2. Designation of Chiricahua National Park, Arizona.**

- Designates the 12,305-acre Chiricahua National Monument as Chiricahua National Park and specifies that the boundaries shall remain the same.
- Clarifies that funding made available to the monument shall also be available to the national park.
- Specifies that the national park shall be administered in accordance with the presidential proclamations establishing and expanding the monument, as well as laws generally applicable to NPS units.

##### **[H.R. 1504 \(Rep. Horsford\), “Apex Area Technical Corrections Act”](#)**

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<sup>39</sup> National Forest Foundation, Lake Tahoe West Restoration Partnership, <https://www.nationalforests.org/regional-programs/california-program/laketahoewest>.

<sup>40</sup> Public Law 114–322, <https://www.congress.gov/114/plaws/publ322/PLAW-114publ322.pdf>.

<sup>41</sup> Wildfire Today, “Examining how fuel treatments affected suppression of the Caldor Fire in California”, Bill Gabbert, October 8, 2021, <https://wildfiretoday.com/2021/10/08/examining-how-fuel-treatments-affected-suppression-of-the-caldor-fire-in-california/>.

<sup>42</sup> Wildfire Today, “Firefighters work to secure the Caldor Fire near South Lake Tahoe”, Bill Gabbert, September 2, 2021, <https://wildfiretoday.com/tag/caldor-fire/>.

## **Section 2. Apex Project, Nevada Land Transfer and Authorization Act of 1989.**

- Amends the Nevada Land Transfer and Authorization Act of 1989 to allow the Department of the Interior to grant utility and transportation rights of way to the City of North Las Vegas and the Apex Industrial Owners Association for the connection of existing power, water, natural gas, telephone, railroad, and highway facilities to the Kerr-McGee site and other lands conveyed in the bill.
- Grants the City of North Las Vegas and the Apex Industrial Owners Association rights-of-way on public lands as necessary to support the development as a heavy-use industrial zone.
- Specifies mineral materials taken from the site due to grading or land balancing shall be exempt from quantity and term limitations imposed on noncompetitive sales. Specifies such transfers shall still comply with other federal environmental laws.

## **[H.R. 8931 \(Rep. Stefanik\), To redesignate Saratoga National Historic Park as Saratoga National Battlefield Park.](#)**

### **Section 1. Saratoga National Battlefield Park.**

- Redesignates Saratoga National Historical Park as Saratoga National Battlefield Park.
- Specifies all references in laws or maps to Saratoga National Historical Park shall be deemed a reference to Saratoga National Battlefield Park.

## **[H.R. 8946 \(Rep. Matsui\), “Reversionary Interest Conveyance Act”](#)**

### **Section. 2. Conveyance of United States Interest in Certain Land.**

- Requires the conveyance of the applicable reversionary interest for approximately 8.43 acres of land under the administrative jurisdiction of the BLM in Sacramento, California, to current landowners of the covered parcel.
- Stipulates that the conveyance shall be subject to valid existing rights and must be for fair market value.
- Stipulates certain conditions of the conveyance, including determining payment of fair market value and costs. In particular, it specifies that the recipient shall pay all costs for relevant surveys, appraisals, and other administrative costs for the conveyance.
- Directs the proceeds from the fair market value transaction to be deposited in the Federal Disposal Account of the Federal Land Transaction Facilitation Act.

### **Section 3. Statutory Construction.**

- Emphasizes that nothing in this bill shall diminish the right-of-way associated with the covered parcel within 50 feet of the tracks established and maintained by the Southern Pacific Transportation Company.
- Specifies that nothing in the bill validates or confirms any right or title to an interest in covered lands not confirmed by conveyance made by the Southern Pacific Transportation Company.

## [H.R. 9159 \(Rep. Lawler\), “Appalachian Trail Centennial Act”](#)

### **Section 4. Establishing Designated Operational Partners for National Historic Trails and National Scenic Trails.**

- Requires the Secretary of the Interior to designate the Appalachian Trail Conservancy as the Designated Operational Partner (DOP) for the Appalachian National Scenic Trail within one year of enactment of the bill.
- Authorizes the Secretary to designate eligible entities to serve as DOPs for any other covered trails.
- Allows the Secretary to enter into cooperative agreements with a DOP for a covered trail for up to 20 years and provide financial assistance and other authorized activities as part of the cooperative agreement.
- Allows DOPs to construct, maintain, or develop facilities to help maintain and steward certain trails.
- Authorizes the Secretary to dispose of surplus property to the DOP of a covered trail.
- Requires the Secretary to proactively consult with DOPs on trail administration and maintenance.
- Includes protections for private property rights.
- Requires the Secretaries of the Interior and Agriculture to consider volunteer needs of DOPs.
- Requires DOPs to periodically develop and submit proposed priority lists for land and resource protection for a covered trail.
- Allows the Secretaries to enter into other agreements to advance partnerships with DOPs.
- Exempts DOPs from the Federal Advisory Committees Act (FACA).
- Allows DOPs to be involved in developing comprehensive plans for applicable trails.

### **Section 5. Improving Covered Trail Planning and Development.**

- Requires the appropriate Secretary to identify one or more methods to assess visitation levels on covered trails every two years and to report estimated visitation levels on covered trails every five years.
- Requires consultation with federal, state, and private partners.
- Requires the Secretary to identify one or more methods to assess the economic impact of covered trails on gateway communities.
- Requires a report to Congress on challenges associated with planning for trails.
- Exempts committees established under this section from FACA.
- Authorizes appropriations for fiscal year 2025 through 2030.

## [H.R. 9492 \(Rep. Valadao\), To amend Public Law 99-338 with respect to Kaweah Project permits.](#)

### **Section 1. Amendment to Kaweah Project Provision.**

- Authorizes the Secretary of the Interior to permit the continued use of lands within Sequoia National Park for a hydroelectric project for four additional ten-year renewals.
- Strikes “Southern California Edison Company,” allowing the project to continue even in the event of a sale or name change of the company.

**H.R. 9516 (Rep. Chavez-DeRemer), “Military Families National Parks Access Enhancement Act”**

**Section 2. Lifetime Passes.**

- Amends the Federal Lands Recreation Enhancement Act to allow family members who meet the requirements of Section 1475 of Title 10 U.S.C. to qualify for a free, lifetime America the Beautiful pass.

**S. 612 (Cortez Masto), “Lake Tahoe Restoration Reauthorization Act”**

**Section 2. Reauthorization of the Lake Tahoe Restoration Act.**

- Reauthorizes cooperative authorities under the Lake Tahoe Restoration Act until September 30, 2034.
- Extends the ability to spend \$415 million on Lake Tahoe restoration activities from September 30, 2024, to September 30, 2034.

**V. COST**

The Congressional Budget Office (CBO) estimated the Senate version of the Lake Tahoe Restoration Reauthorization Act during the 117<sup>th</sup> Congress would not affect direct spending or revenues.<sup>43</sup> CBO has not issued formal cost estimates for the other bills on the agenda.

**VI. ADMINISTRATION POSITION**

In testimony before the Senate Energy and Natural Resources Committee during the 117<sup>th</sup> Congress on S. 1583, the Senate companion of the Lake Tahoe Restoration Reauthorization Act, the USFS expressed support for the legislation.<sup>44</sup> NPS testified in support of S. 1320, the Senate companion of the Chiricahua National Park Act in the 117<sup>th</sup> Congress.<sup>45</sup> In testimony before the Senate Energy and Natural Resources Committee during the 118<sup>th</sup> Congress, the BLM testified in support of S. 1760, the Senate companion of the Apex Technical Corrections Act, with proposed amendments.<sup>46</sup>

The administration's position on the remaining bills on the agenda is unknown.

**VII. EFFECT ON CURRENT LAW (RAMSEYER)**

**H.R. 1504**  
**H.R. 9492**

**H.R. 9516**  
**S. 612**

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<sup>43</sup> Congressional Budget Office, “S. 1583, Lake Tahoe Restoration Reauthorization Act”, November 21, 2022, <https://www.cbo.gov/publication/58810>.

<sup>44</sup> Statement of Christopher B. French before the Senate Energy and Natural Resources, Regarding S. 1583, October 19, 2021, [https://www.fs.usda.gov/sites/default/files/fs\\_media/fs\\_document/20211019-usdafs-senr-plfm-testimony-chris-french.pdf](https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/20211019-usdafs-senr-plfm-testimony-chris-french.pdf).

<sup>45</sup> Statement of Michael A. Caldwell before the Seante Energy and Natural Resources Subcommittee on, Regarding S. 1320, June 23, 2021, <https://www.doi.gov/ocl/s-1320>.

<sup>46</sup> Statement of Thomas Heinlein before the Senate Energy and Natural Resources, Regarding S.1760, July 12, 2023, <https://www.blm.gov/sites/default/files/docs/2023-07/07.12.23%20SENR%20Hearing%20BLM%20Testimony.pdf>.