

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 624, A BILL TO ESTABLISH THE FIRST STATE NATIONAL HISTORICAL PARK IN THE STATE OF DELAWARE, AND FOR OTHER PURPOSES.

June 28, 2012

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 624, a bill to establish the First State National Historical Park in the State of Delaware.

The Department strongly supports the establishment of a unit of the national park system in Delaware as proposed by H.R. 624. The Department testified in support of a similar bill, S. 323, on May 11, 2011.

In 2008, pursuant to Public Law 109-338, the National Park Service completed a Special Resource Study of the coastal area of Delaware and identified a number of resources of national significance that were determined suitable and feasible to administer as a unit of the national park system. These included historic resources that were instrumental in early Swedish, Dutch, and English settlement in the United States, and others associated with Delaware's role as the nation's first state. Although the bill provides the Secretary of the Interior the discretion to determine which sites in the State would be included within the boundary of the historical park, we anticipate that only resources that met the Special Resource Study criteria for establishment as a national park unit would be considered for inclusion.

In 1638, Peter Minuet led Swedish colonists to present day Wilmington, Delaware, and established New Sweden at a point known as "the rocks" on the Christina River. The settlers constructed Fort Christina at this location and this site is now a National Historic Landmark. In 1698, Swedish settlers established Holy Trinity ("Old Swedes") Church near the fort, the oldest church building standing as originally built in the United States and also a National Historic Landmark.

In 1651, Peter Stuyvesant led Dutch settlers from New Amsterdam and constructed Fort Casimir at a place he named "New Amstel," in present day New Castle, Delaware. Conflicts between the Swedish and Dutch colonists resulted in changing occupations of the fort with the Dutch regaining control in 1655. In 1665, the English arrived at New Amstel and seized control of the settlement, renaming it "New Castle." William Penn landed in New Castle in 1682 and took possession of the city. In 1704, Penn established Delaware's Assembly and New Castle remained the colonial capital of Delaware until 1776. The New Castle Historic District, which contains multiple resources from the time of earliest settlement through the Federal era, including the Old New Castle Courthouse, is a National Historic Landmark.

Delaware's representatives to the Continental Congress and the Constitutional Convention played important parts in the adoption of the Declaration of Independence and crafting of the United States Constitution. On June 15, 1776, the Delaware Assembly, meeting in New Castle, voted to sever its ties with the English Crown, three weeks prior to the signing of the Declaration in Philadelphia on July 4th. National Historic Landmarks associated with these early revolutionary leaders include the homes of John Dickinson (the "Penman of the Revolution"), Gunning Bedford, Jr., and George Read. The Dover Green witnessed Delaware's vote to become the first state to ratify the nation's new Constitution.

H.R. 624 would authorize the Secretary of the Interior to establish the First State National Historical Park consisting of any resources listed in Section 3(b) of the bill that the Secretary acquires. The staff of the new park would be authorized to interpret related resources outside of the boundary, within the state of Delaware. The Special Resource Study estimated annual operating costs for the park at \$450,000 to \$550,000 and costs associated with a general management plan at \$600,000. All funding would be subject to NPS priorities and the availability of appropriations. A study of additional resources related to the purpose of the park is also authorized to assess their potential eligibility for National Historic Landmark designation and options for maintaining the historic integrity of such resources.

H.R. 624 also proposes to allow including within the park boundary the Ryves Holt House – a part of the historic district in Lewes, Delaware. This district and the Ryves Holt House are listed on the National Register of Historic Places at the local level of significance and the National Register nomination for the district indicates that today its significance is based primarily on its fine examples of Victorian architecture. Although the bill provides the Secretary with the discretion to decide which properties may be included within the boundary of the park, the Department questions allowing the Ryves Holt House to be eligible for addition to the park boundary, since it is not a National Historic Landmark, does not meet the required national significance criterion for unit designation, and is inconsistent with the park's purpose as outlined in Section 3(a) of H.R. 624.

However, we note that Section 4(c) of H.R. 624 permits interpretation of resources related to the purposes of the park but located outside of its boundary. Any extant resources in Lewes, either within or outside of the historic district, which relate to early Dutch, Swedish, and English settlement or to Delaware's role as the first state, would thus be eligible for interpretation without including this district in the park boundary. Such resources would also be candidates for further analysis as to their National Historic Landmark potential under the bill's study provisions in Section 5.

Mr. Chairman, that concludes my testimony. I would be happy to respond to any questions that you or other members of the committee may have.

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 3640, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ACQUIRE NOT MORE THAN 18 ACRES OF LAND AND INTERESTS IN LAND IN MARIPOSA, CALIFORNIA, AND FOR OTHER PURPOSES

June 28, 2012

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on H.R. 3640, a bill to authorize the Secretary of the Interior to acquire not more than 18 acres of land and interests in land in Mariposa, California, and for other purposes.

The Department supports H.R. 3640.

H.R. 3640 would authorize acquisition of land in Mariposa, California. It would also authorize the Secretary to partner with Mariposa County for land use planning related to acquired land and interests. The use of eminent domain would be prohibited. Acquired lands would be administered as part of Yosemite National Park.

Consistent with Yosemite National Park's planning documents, including the park's General Management Plan, the National Park Service has been interested in providing visitor and administrative facilities in gateway communities that border Yosemite National Park, and reduce the need to provide government-owned housing and offices inside the park, for more than 30 years. Acquiring land as described in this bill would greatly help the bureau meet these objectives. Providing visitor and administrative facilities at this location in Mariposa would enhance the visitor's experience by providing orientation and pre-visit services at a satellite visitor contact station. It will also promote stewardship of resources through educational and interpretive services prior to park entry. Visitor services in this location would encourage regional economic development and transportation partnerships, which are important benefits for the National Park Service. Permanent visitor, transportation, and support facilities in Mariposa would also provide critical support for Yosemite National Park and address other long-term needs and goals.

Options to expand the park's El Portal Administrative Site are infeasible, and the site cannot accommodate future growth. Therefore, Yosemite National Park rents office space in Mariposa, California, to accommodate certain key administrative functions. Park facilities located in gateway communities have been identified in a number of planning documents, including the park's General Management Plan, as an effective way to reduce the need for office space and to realize operational savings in Yosemite Valley. Relocating these positions and functions to a gateway community also helps to reduce traffic congestion and improve the quality of life for employees, some of whom had previously commuted over two hours a day for positions that can be performed remotely. Now, staff in over forty positions and functions work from Mariposa,

and this transition has allowed the park to eliminate rented office trailers, while helping it to recruit and retain employees. Ideally, the park would like to provide work-space for 100-150 employees in Mariposa and this cannot be done with existing facilities.

Administrative offices located in Mariposa support a continuity of services during emergencies such as rockfalls, major snow storms, and wildland fires. These types of events have previously disrupted core park functions because employees could not safely travel to their offices inside Yosemite. Finally, establishing facilities in Mariposa reduces the demand on administrative space in Yosemite Valley and at the El Portal Administrative Site, where building and accommodating employees comes at a high operational cost to the National Park Service. The park has explored leasing additional space; however, no adequate facilities are currently available in Mariposa to meet the park's current and future needs.

The Yosemite Conservancy, a fundraising group for Yosemite National Park, has purchased 11 acres for potential acquisition by the National Park Service. This land could be donated or purchased, with the passage of this bill, to support visitor information facilities, an administrative worksite, museum storage, and other possible purposes, that would benefit visitors, staff, and the partnership of Yosemite National Park, Mariposa County, and the State of California. In our view, this legislation would help to strengthen the relationship between the National Park Service and the gateway community of Mariposa, and could help to spur regional economic Development.

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

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND PUBLIC LANDS, 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. 5319, TO AMEND THE WILD AND SCENIC RIVERS ACT TO DESIGNATE A SEGMENT OF THE NASHUA RIVER AND TRIBUTARIES IN THE COMMONWEALTH OF MASSACHUSETTS FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM, AND FOR OTHER PURPOSES.

JUNE 28, 2012

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. 5319, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Nashua River and its tributaries in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

The Department supports enactment of H.R. 5319. The river segments and tributary areas proposed for study exhibit the types of qualities and resource values that would make it a worthy and important candidate for potential addition to the National Wild and Scenic Rivers System. However, we feel that priority should be given to the 36 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.

H.R. 5319 directs the Secretary of the Interior to study a 19-mile segment of the mainstem of the Nashua River, except a 4.8-mile segment that is currently the subject of a Federal Energy Regulatory Commission licensing proceeding for an existing hydroelectric facility (Pepperell Hydro Company, P-12721). It is the Department's understanding that this excepted segment would appropriately allow the FERC to complete the ongoing licensing proceeding without the delay that a Wild and Scenic River Study would otherwise impose. As specified in the bill, the study would include unnamed tributaries of the Nashua River along the segment designated for study, in addition to the two named tributaries, the Squannacook and Nissitissit Rivers. The bill requires the study to be completed and transmitted to Congress within three years after funding is made available for it.

The Nashua River, once severely polluted, played an important role in the nation's river conservation history by inspiring support for both the state and federal Clean Water Acts. The transformation of the Nashua from a neglected and polluted waterway to one which now boasts the Oxbow National Wildlife Refuge, regionally significant paddling and fishing opportunities, a remarkable protected greenway system, and other important natural and cultural values, is a remarkable success story. The Squannacook and

Nissitissit Rivers are two of eastern Massachusetts' most significant remaining cold-water trout fisheries.

If enacted, the National Park Service intends to undertake the study in close cooperation with the affected communities, the relevant agencies of the Commonwealth of Massachusetts, the US Fish and Wildlife Service, and interest groups such as the Nashua River Watershed Association through a partnership-based study approach. The partnership-based approach is recognized in Section 10(e) of the Wild and Scenic Rivers Act as a means of encouraging state and local governmental participation in the administration of a component of the National Wild and Scenic Rivers System. The partnership-based approach also allows for development of a proposed river management plan as part of the study, which helps landowners and local jurisdictions understand their potential future roles in river management should Congress decide to designate part or all of the rivers being studied.

Although the Wild and Scenic Rivers Act requires the development of a comprehensive river management plan within three years of the date of designation, it has become the practice of the National Park Service to prepare this plan as part of a study of potential wild and scenic rivers when much of the river runs through private lands. This allows the National Park Service to consult widely with local landowners, federal and state land management agencies, local governments, river authorities, and other groups that have interests related to the river prior to determining if the river is suitable for designation. Early preparation of the plan also assures input from these entities as well as users of the river on the management strategies that would be needed to protect the river's resources.

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

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES REGARDING H.R. 5958, A BILL TO NAME THE JAMAICA BAY WILDLIFE REFUGE VISITOR CONTACT STATION OF THE JAMAICA BAY WILDLIFE REFUGE UNIT OF GATEWAY NATIONAL RECREATION AREA IN HONOR OF JAMES L. BUCKLEY.

JUNE 28, 2012

Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you to present the views of the Department of the Interior on H.R. 5958, a bill To name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley.

The National Park Service believes there should be a strong association between the park and the person being commemorated, and that at least five years should have elapsed since the death of the person. This basic principle has been in place at least since 1988, as reflected in our National Park Service Management Policies. Therefore, the Department cannot support H.R. 5958.

In 1938 New York City Parks Commissioner Robert Moses proposed protecting Jamaica Bay's waters and wildlife, and developing water-based recreation. In 1948, the Bay was transferred to the management of NYC Department of Parks. With the creation of Gateway National Recreation Area in 1972, the Jamaica Bay Wildlife Refuge became the only wildlife refuge in the National Park System. The Jamaica Bay Wildlife Refuge Contact Station is eligible for LEED certification, the first in the National Park Service's Northeast Region. The Visitor Contact Station was completed in 2007 and incorporated portions of an older contact station into the new building.

James Lane Buckley, a former United States Senator from New York was born in New York City, March 9, 1923. He went to school in Millbrook, New York, and graduated from Yale University in 1943; he received his law degree from Yale in 1949. He enlisted in the United States Navy in 1942 and was discharged with the rank of lieutenant in 1946. He was elected to the United States Senate in 1970 and served from January 3, 1971, to January 3, 1977. Buckley introduced landmark legislation enacted by Congress to protect student records, the Family Education Rights and Privacy Act and the Protection of Pupil Rights Act, which requires parental consent prior to administration of student surveys on any of eight sensitive topics.

Senator Buckley served as the under secretary for Security, Science, and Technology, United States Department of State from 1981-1982. Other high points of his career include president, Radio Free Europe/Radio Liberty, Inc. 1982-1985; and federal judge, United States Court of Appeals, District of Columbia Circuit 1985-1996. These varied roles render him perhaps the only living American to have held high office in all three branches of the federal government. Senator Buckley is currently a resident of Sharon, Connecticut.

National Park Service Management Policies 2006 state that the National Park Service will discourage and curtail commemorative works, especially commemorative naming, except when Congress specifically authorizes them or there is a compelling justification for the recognition, and the commemorative work is the best way to express the association between the park and the person, group, event, or other subject being commemorated. While Senator Buckley was a co-sponsor of the bill to create the Gateway National Recreation Area, and spoke in support of the resources of the refuge, we do not believe there is sufficient association between him and the Jamaica Bay Wildlife Refuge Visitor Center to merit renaming the Visitor Center at this time.

Mr. Chairman this concludes my statement and I will be happy to answer any questions that members of the committee may have.

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE NATURAL RESOURCES COMMITTEE REGARDING H.R. 5987, A BILL TO ESTABLISH THE MANHATTAN PROJECT NATIONAL HISTORICAL PARK IN OAK RIDGE, TENNESSEE, LOS ALAMOS, NEW MEXICO, AND HANFORD, WASHINGTON, AND FOR OTHER PURPOSES

JUNE 28, 2012

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R.5987, a bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes.

The Administration supports H.R. 5987 with amendments. The development of the atomic bomb through the Manhattan Project was one of the most transformative events in our nation's history: it ushered in the atomic age, changed the role of the United States in the world community, and set the stage for the Cold War. This legislation would enable the National Park Service to work in partnership with the Department of Energy to ensure the preservation of key resources associated with the Manhattan Project and to increase public awareness and understanding of this consequential effort.

H.R. 5987 would require the establishment of the Manhattan Project National Historical Park as a unit of the National Park System within one year of enactment, during which time the Secretary of the Interior and the Secretary of Energy would enter into an agreement on the respective roles of the two departments. The unit would consist of facilities and areas located in Oak Ridge, Los Alamos, or Hanford, as identified in the bill and determined by the Secretary of the Interior in consultation with the Secretary of Energy, except for the B Reactor National Historic Landmark in Hanford, which would be required to be included in the park. The National Historical Park would be established by the Secretary of the Interior by publication of a Federal Register notice within 30 days after the agreement is made between the two secretaries.

The bill would authorize the Secretary of the Interior to acquire the named resources in Oak Ridge, Los Alamos, or Hanford. The bill would provide authority for the Secretary to enter into agreements with other Federal agencies to provide public access to, and management, interpretation, and historic preservation of, historically significant resources associated with the Manhattan Project; to provide technical assistance for Manhattan Project resources not included within the park; and to enter into cooperative agreements and accept donations related to park purposes. It would also allow the Secretary to accept donations or enter into agreements to provide visitor services and administrative facilities within reasonable proximity to the park. The Secretary of Energy would be authorized to accept donations to help preserve and provide access to Manhattan Project resources.

H.R. 5987 is based on the recommendations developed through the special resource study for the Manhattan Project Sites that was authorized by Congress in 2004 and transmitted to Congress in

July 2011. The study, which was conducted by the National Park Service in consultation with the Department of Energy, determined that resources at Oak Ridge, Los Alamos, and Hanford, met the National Park Service's criteria of national significance, suitability, feasibility, and the need for Federal management for designation as a unit of the National Park System. H.R. 5987 assigns the respective roles and responsibilities of the National Park Service and the Department of Energy as envisioned in the study: the National Park Service would use its expertise in the areas of interpretation and education to increase public awareness and understanding of the story, while the Department of Energy would maintain full responsibility for operations, maintenance, and preservation of historic Manhattan Project properties already under its jurisdiction, along with full responsibility for any environmental and safety hazards related to the properties.

Because the Department of Energy would maintain and operate the primary facilities associated with the Manhattan Project National Historical Park, the study estimated that the National Park Service's annual operation and maintenance costs for the three sites together would range from \$2.45 million to \$4 million. It also estimated that completing the General Management Plan for the park would cost an estimated \$750,000. Costs of acquiring lands or interests in land, or developing facilities, would be estimated during the development of the General Management Plan. The Department of Energy has not yet assessed fully the operational difficulties in terms of security and public health and safety, applicable statutory and regulatory requirements, and the potential new cost of national park designation at the sensitive national security and cleanup sites.

The Department anticipates that the initial agreement between the two Departments likely would be fairly limited in scope, given the bill's one-year timeframe for executing an agreement that would enable the Secretary of the Interior to establish the Manhattan Project National Historical Park. We appreciate the language specifically providing for amendments to the agreement and a broad range of authorities for the Secretary of the Interior, as these provisions would give the National Park Service the flexibility to shape the park over time and to maximize the promotion of education and interpretation related to the park's purpose.

The flexibility is particularly important because managing a park with such complex resources, in partnership with another Federal agency, at three sites across the country, will likely bring unanticipated challenges. Fortunately, we have already begun a partnership with the Department of Energy regarding the Manhattan Project resources through our coordinated work on the study. If this legislation is enacted, we look forward to building a stronger partnership that will enable us to meet the challenges ahead.

While we support H.R. 5987, there are some areas where we would like to recommend amendments. Among our concerns are the bill language regarding the written consent of owners; land acquisition limitations; and activities outside of the park. We are continuing to review the bill for any technical issues. We would be happy to work with the committee to develop the appropriate language and will provide our recommendations in the near future.

Mr. Chairman, that concludes my statement. I would be happy to answer any questions you may have.