

STATEMENT OF STEPHEN E. WHITESELL, REGIONAL DIRECTOR OF THE NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE NATURAL RESOURCES COMMITTEE CONCERNING H.R. 2395, TO PROVIDE FOR DONOR CONTRIBUTION ACKNOWLEDGEMENTS TO BE DISPLAYED AT PROJECTS AUTHORIZED UNDER THE COMMEMORATIVE WORKS ACT, AND FOR OTHER PURPOSES.

July 19, 2013

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior regarding H.R. 2395, a bill to provide for donor contribution acknowledgement to be displayed at projects authorized under the Commemorative Works Act (CWA), and for other purposes.

The Department supports H.R. 2395 with amendments described in this statement.

H.R. 2395 would amend the CWA to allow a display of donors who contribute to commemorative works dedicated after January 1, 2010. The display would have to meet certain criteria and would require the approval of the Secretary of the Interior (Secretary) or the Administrator (Administrator) of General Services. The bill is necessary because the CWA prohibits donor acknowledgement in any manner as part of a commemorative work or its site.

Although the Department has supported the CWA ban on donor recognition; this ban has proven to be impractical, given the challenge of funding new memorials and the reliance of the memorial sponsors on the generosity of the public in order to establish and construct memorials that Congress has authorized. We recognize the importance of acknowledging large donations for effective fundraising and, therefore, support donor recognition with appropriate limitations as described below. We do not support permanent donor recognition.

The Department believes that by promoting a uniform process for donor recognition for all memorial sponsors and ensuring a strong design review of facilities displaying such recognition within the context of the existing memorial approval process, donor recognition can be an appropriate component at memorials and other commemorative works authorized under the CWA. The National Park Service currently has system-wide regulations and policies for donor recognition in National Parks across the country including but not limited to National Park Service Director's Order #21, the National Park Service Management Policies 2006, and the National Mall and Memorial Parks Donor Recognition Plan (Mall Donor Recognition Plan).

The Mall Donor Recognition Plan, adopted in 2011, currently applies only to structures and sites that are not part of memorials subject to the CWA. This bill would allow NPS to revise the Mall Donor Recognition Plan to be applicable to structures and sites covered under the CWA. The plan currently provides that donor recognition must be time-limited and non-structural, must not detract from the visitor experience, and must not be affixed to historic structures or museum collections, benches, park furnishings, bricks or plantings. The plan also currently sets a

minimum \$1 million donation for such recognition, although we anticipate that this minimum may need to be raised over time through an update to the Mall Donor Recognition Plan. The CWA provides that the Secretary or the Administrator, and the U.S. Commission of Fine Arts (CFA), and the National Capital Planning Commission (NCPC) may develop design guidelines for commemorative works during the design review and approvals process. If donor recognition were to be allowed, we would like to work with you and these commissions on the issues of appropriate location and attributes of the display. We also believe that the timeline for donor recognition should not extend past 10 years.

Furthermore, we believe that the requirement to submit a plan and the notification and resubmittal process are unnecessary as a process for such review and approval currently exists in the CWA. In the current process, the design of commemorative works and related support facilities are considered by the National Capital Memorial Advisory Commission, and reviewed and approved by the CFA, the NCPC, and the Secretary or the Administrator. The review and approval of donor recognition displays can be seamlessly integrated with the existing approval process for commemorative works because these displays would be part of the plan of the memorial and its site.

The Department would be happy to assist the committee in working with the Administrator, the CFA, and the NCPC in drafting revisions to H.R. 2395 in accordance with this statement.

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 STEPHEN E. WHITESELL, REGIONAL DIRECTOR OF THE NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING S. 459, TO MODIFY THE BOUNDARY OF THE MINUTEMAN MISSILE NATIONAL HISTORIC SITE IN THE STATE OF SOUTH DAKOTA, AND FOR OTHER PURPOSES.

July 19, 2013

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 459, a bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota.

The Department supports S. 459. This bill would transfer administrative jurisdiction over two parcels of Buffalo Gap National Grasslands from the U.S.D.A. Forest Service (FS) to the National Park Service (NPS) for administration as part of Minuteman Missile National Historic Site in Philip, South Dakota. Of the land transferred, 25 acres would be used for a visitor facility and administrative site and an additional 3.65 acres would be used for the construction of a parking lot and other administrative uses.

The new visitor facility and administrative site would be located north of exit 131 on Interstate 90 in Jackson County, South Dakota. Minuteman Missile's enabling legislation states, "*On a determination by the Secretary of the appropriate location for a visitor facility and administrative site, the boundary of the historic site shall be modified to include the selected site.*" The enabling legislation also included a map of the visitor center site indicating that the proposed area would be 10 acres in size. Later planning indicated that a minimum size for the visitor center site would require 25 acres. National Park Service (NPS) and FS personnel, in consultation with our respective solicitors, have determined that in view of the increase in acreage, it would be appropriate to provide for that increase in new legislation. There would be no cost involved in this land transfer.

The 3.65 acres is located directly adjacent to the Delta 1 Launch Control Facility. The parking lot will be used to accommodate visitors to this facility. Currently, visitors must park inside in the fence of the launch facility, but this is an intrusion on the cultural landscape. In addition, the parking lot is not large enough to accommodate all visitors to this site.

The FS is in agreement with the recommended land transfers and has provided Minuteman Missile National Historic Site with an outline of the land transfer process. The NPS architects and engineers conducted an on-site visit in March 2009 to determine the number of acres necessary for the land transfer. They met with representatives from the FS and agreed to pursue the transfer.

Public Law 106-115 established the Minuteman Missile National Historic Site. The General Management Plan/Environmental Impact Statement (GMP/EIS) scoping began in 2001 and the record of decision was signed on July 2, 2009. The GMP's preferred alternative included the development of a visitor center/administrative facility and a land transfer from the FS to the NPS for the site of the facility and recommended the preferred location at I-90 South Dakota Exit 131 with up to 25 acres for the complete facility. The GMP also recommended the development of an unpaved parking lot and other support functions on the 3.65 acres at the Delta 1 Launch Control Facility to provide for additional opportunities for visitors arriving in commercial and school groups, RVs and passenger vehicles.

The estimated cost to build the visitor center and administrative site is \$4.4 million, and the estimated cost of annual operations and maintenance of both facilities would be approximately \$750,000. All funds would be subject to NPS priorities and the availability of appropriations.

The transfer between the NPS and the FS would be conducted in accordance with applicable laws, regulations, and policies.

Mr. Chairman, this concludes my testimony. I look forward to working with the Committee on a technical issue with the map reference. I am prepared to answer any questions from members of the Committee.

STATEMENT OF STEPHEN E. WHITESELL, REGIONAL DIRECTOR OF THE NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING S. 304, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONVEY TO THE STATE OF MISSISSIPPI TWO PARCELS OF SURPLUS LAND WITHIN THE BOUNDARY OF NATCHEZ TRACE PARKWAY, AND FOR OTHER PURPOSES.

JULY 19, 2013

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 304, a bill to direct the Secretary of the Interior to convey to the State of Mississippi two parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

The Department supports S. 304. This legislation would authorize the conveyance of 67 acres of unused federal land to the State of Mississippi. This land was originally donated by the state to the National Park Service to help complete construction of the Natchez Trace Parkway (Parkway), but it was never used for that purpose. The bill would also adjust the boundary of the Parkway to include approximately 10 acres of land that the National Park Service owns around the current southern terminus, which were inadvertently excluded from the boundary previously.

The Natchez Trace was the main overland link between the old southwest territory and the Ohio River Valley in the 18th and 19th centuries. In 1938, Congress established the Natchez Trace Parkway as a unit of the National Park System. The Parkway was constructed between 1938 and 2005 at a cost of nearly \$500 million. During the construction period, the states of Mississippi, Alabama, and Tennessee helped acquire and donate over 50,000 acres of land to facilitate parkway construction and protect the scenic, natural, cultural, and historic resources within the Natchez Trace corridor. Today, the completed Parkway spans 444 miles from Nashville, Tennessee, to Natchez, Mississippi, and is enjoyed by over 13 million travelers each year.

The southern terminus in Natchez was the final section of Parkway constructed and was completed in 2005. Decades prior to this section being planned and designed, it was uncertain where the Parkway would terminate. In order to prepare, the State of Mississippi acquired and donated to the National Park Service two different sections of land to accommodate two possible construction alternatives.

The National Park Service began planning the final section of Parkway in the mid-1990s. After completing an environmental impact statement in 1998, which included significant public input, the Park Service selected the Liberty Road alternative. This decision left land acquired for the alternative terminus unused. The 67 acres identified in S. 304 are the unused land.

The 67 acres are subdivided into two parcels, both within the city limits of Natchez. One parcel, commonly known as the bean field property, is approximately 37 acres and is adjacent to Natchez High School. The other parcel, commonly known as the Feltus property, is approximately 30 acres

and is located in the new business district of Natchez. The Feltus property includes a structure that has been used by the city since 1999 under a cooperative agreement with the National Park Service.

In 2000, the city approached the National Park Service with a request to lease the bean field parcel to facilitate construction of a public recreational complex for the city, including soccer fields and other amenities. Public Law 106-527, enacted that year, authorized the National Park Service to lease land within its boundary to the city “for any purpose compatible with the Parkway.” This legislation provided authority for the National Park Service to accommodate the city’s request to use the bean field property for public recreational uses.

The National Park Service then entered into a 25-year memorandum of agreement with the city to help facilitate the recreational project. In 2001, as part of the agreement, an extensive archeological investigation was performed to determine if any significant cultural or historical resources existed on the bean field property. None were found. This investigation was in addition to the assessments undertaken for the 1998 environmental impact statement, which covered all 67 acres.

The city is planning to invest up to \$5 million to build the recreational complex on the bean field property. With such a large local investment planned, we believe this is an appropriate time to end the National Park Service’s role as the property’s lessor by conveying the property back to the state. Both the state and the city are highly supportive of the proposed conveyance and have discussed the best way to proceed should this legislation pass. The state has indicated that in the short term, the state would continue honoring the existing “any purpose compatible with the Parkway” lease authority and may consider conveying the parcel to the city to allow for fee simple ownership. The Feltus property would be retained by the state for purposes deemed appropriate, and the state would collaborate with the city on any future plans for this property as well.

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