

STATEMENT OF CHRISTOPHER K. JARVI, ASSOCIATE DIRECTOR PARTNERSHIPS,
INTERPRETATION AND EDUCATION, VOLUNTEERS, AND OUTDOOR RECREATION, NATIONAL
PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL
PARKS, HOUSE RESOURCES COMMITTEE CONCERNING H.R. 1796, TO AMEND THE NATIONAL
TRAILS SYSTEM ACT TO DESIGNATE THE ROUTE OF THE MISSISSIPPI RIVER FROM ITS
HEADWATERS IN THE STATE OF MINNESOTA TO THE GULF OF MEXICO FOR STUDY FOR
POTENTIAL ADDITION TO THE NATIONAL TRAILS SYSTEM AS A NATIONAL SCENIC TRAIL,
NATIONAL HISTORIC TRAIL, OR BOTH

April 27, 2006

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. 1796. The bill would amend the National Trails System Act to study the route of the Mississippi River from its headwaters in the state of Minnesota to the Gulf of Mexico for potential addition to the National Trails System as a national scenic trail, a national historic trail, or both.

The Department supports a study of the route of the Mississippi River but recommends that H.R. 1796 be amended to conduct a special resource study to explore the options and to determine the most appropriate designation of the corridor. However, while the Department supports the authorization of this study, we also believe that any funding requested should be directed toward completing the 31 previously authorized studies prior to undertaking this study.

H.R. 1796 would authorize a study of the route of the Mississippi River for potential addition to the National Trail System that would complement and not duplicate other studies of the scenic or historical importance of the Mississippi River that may be underway or undertaken.

The Mississippi River corridor is one of the richest in America's history. The vast majority of resources that define the contemporary Mississippi River and illustrate its stories lie near the river. For centuries it was the internal highway of the continent, witnessing events such as a succession of American Indian cultures, the Louisiana Purchase, the Civil War, and early civil engineering projects. Combined with its major tributaries, the Ohio and Missouri Rivers, the Mississippi River was literally America's first interstate highway. The river corridor is a water route dominated by commercial navigation, although many reaches of the river also are popular for recreational watercraft, and many of the levees are already used as multi-purpose trails or roads. The U.S. Army Corps of Engineers plays a key role in the management and regulation of the river itself.

The Mississippi River traverses along the edges of 10 states, linking six NPS areas and up to 40 Federal properties. The Great River Road, coordinated by the Mississippi River Parkway Commission in Minneapolis, Minnesota, is a system of riverside roads and highways threading through the 10 states. It has proven to be a popular organizing element for travelers, local businesses, and tour groups. The Mississippi River Trail, closely linked in many places with the Great River Road, also ties together trail segments. It is organized and promoted by the Mississippi River Trail, Inc., a nonprofit organization based in Fayetteville, Arkansas. It offers approximately 3,000 miles of on-road and bike/pedestrian pathways for the recreational enjoyment, health, conservation, and tourism development of river communities, river states, and the nation.

Because of the complexities associated with the corridor and the Mississippi River's deep, rich history, a special resource study would allow the broadest possible examination of the corridor. An analysis of current conditions, river issues and activities, historic issues, current and potential partners, interested state agencies, affected communities, and related planning projects, would help determine the best designation and coordinating role for this important set of resources. It also would provide recommendations for protection and management that would be most effective in protecting the resources and allowing for public enjoyment of the corridor.

A special resource study would incorporate existing information that has been gathered on the Mississippi River in previous studies that include the Lower Mississippi Delta Region Heritage Study and the Mississippi River Corridor Study. In 1994, Congress authorized the Lower Mississippi Delta Region Heritage Study, directing the Secretary to study the significant resources in seven states and recommend alternatives related to heritage preservation and tourism initiatives. In 1998, the study was completed with four management alternatives: the Lower Mississippi Delta Heritage Tourism Initiative, the Lower Mississippi Delta National Heritage Area, Lower Mississippi Delta Heritage Centers, and Sharing Delta Heritage in the 21 st Century. Also, Congress authorized in 1990 and the Mississippi River Commission completed in 1996, the

Mississippi River Corridor Study. The study was to examine the methods for preserving and enhancing the resources of the 2,400 mile stretch of the Mississippi River. The study recommended the area be designated as a national heritage corridor, reflecting centuries of evolving travel and settlement. The heritage corridor would border the river and all counties and parishes through which the Great River Road passes.

Other alternatives that could be examined in a special resource study include a chain of national scenic byways, designated state by state, emphasizing economic development and tourism, or a national historic water trail. In conclusion, a special resource study would determine whether the corridor meets the criteria for a potential addition to the National Park System, the National Trails System, or another suitable alternative.

Given the length of the river corridor, the complexity of the resource, and the number of communities along the river corridor, we estimate the cost of completing the special resource study to be approximately \$500,000.

Our proposed amendment is attached at the end of this testimony.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

Suggested amendment in the nature of a substitute to H.R. 1796.

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Mississippi River Trail Study Act”.

SEC. 2. RESOURCE STUDY OF THE MISSISSIPPI RIVER TRAIL .

(a) IN GENERAL.—The Secretary of the Interior, in consultation with appropriate Federal, state, county and local governmental entities, shall conduct a resource study along the route of the Mississippi River in the counties contiguous to the river from its headwaters in the State of Minnesota to the Gulf of Mexico. The study shall evaluate a range of alternatives for protecting and interpreting the resources, including alternatives for potential addition to the National Trails System.

(b) STUDY OBJECTIVES.—In conducting the study under subsection (a), the Secretary shall evaluate alternatives for achieving the following objectives:

- (1) identifying the resources and historic themes associated with the route referred to in subsection (a);
- (2) making a review of existing studies and reports, such as the Mississippi River Corridor Study and the Lower Mississippi Delta Report, to complement, and not duplicate, other studies of the scenic or historical importance of the Mississippi River that may be underway or undertaken;
- (2) establishing connections with partnerships already engaged in the development of various trails and sites long the corridor of the Mississippi River;
- (3) preserving recreational opportunities and facilitating access for a variety of recreational users;
- (4) protecting rare, threatened, or endangered plant and animal species, and rare or unusual plant communities and habitats;
- (5) protecting historically significant landscapes, districts, sites, and structures;
- (6) identifying alternatives for preservation and interpretation of the route referred to in subsection (a) by the National Park Service, other Federal, state, or local governmental entities, or private and non-profit organizations; and
- (7) identifying cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance

associated with the alternatives referred to in subsection (a).

(c) TRANSMISSION TO CONGRESS.—Within three years after funds are first made available for the study, the Secretary shall transmit the final study to the Committee on Energy and Natural Resources of the United States Senate and to the Committee on Resources of the United States House of Representatives.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

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PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL
PARKS, HOUSE RESOURCES COMMITTEE, CONCERNING H.R. 3085, A BILL TO AMEND THE
NATIONAL TRAILS SYSTEM ACT TO UPDATE THE FEASIBILITY AND SUITABILITY STUDY
ORIGINALLY PREPARED FOR THE TRAIL OF TEARS NATIONAL HISTORIC TRAIL AND PROVIDE FOR
THE INCLUSION OF NEW TRAIL SEGMENTS, LAND COMPONENTS, AND CAMPGROUNDS
ASSOCIATED WITH THAT TRAIL

April 27, 2006

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. 3085. The bill would amend the National Trails System Act to update the feasibility and suitability study of the Trail of Tears National Historic Trail (NHT).

We thank Representative Zach Wamp and the co-sponsors of H.R. 3085 for their interest in and support of the commemoration of the Trail of Tears NHT. The Department supports updating the feasibility and suitability study for the Trail of Tears NHT; however, we recommend that H.R. 3085 be amended to remove the automatic designation of any additions to the original trail the study determines to be eligible. In a time of austere budgets and a refocusing on the core mission of the National Park Service (NPS), we believe that available funding should be first directed toward taking care of what we already own.

H.R. 3085 would update the feasibility and suitability study for the Trail of Tears NHT through the examination of additional routes, land components, and campgrounds associated with that trail not included in the initial study. The Secretary of the Interior would determine if some or all of these components are eligible additions to the trail at the completion of the study. Further, it would authorize the Secretary to make designations of any of these additional routes, land components and campgrounds that she found eligible. The National Trails System Act does not provide for additions to trails subsequent to their designation by Congress.

A network of 24 scenic and historic trails has been created since the enactment of the National Trails System Act in 1968. These trails provide for outdoor recreation needs, providing enjoyment and appreciation, which in turn, promotes good health and well-being. They traverse resources that connect us to history and provide an important opportunity for local communities to become involved in a national effort by encouraging public access and citizen involvement.

In 1987, Congress designated the Trail of Tears National Historic Trail. The trail encompassed the primary water route and northern land route used during the forced removal of the Cherokee Nation from its homelands in the southeast to Indian Territory (present day Oklahoma). The trail is administered by the NPS.

The Indian Removal Act of 1830 mandated the removal of all Indian tribes from east of the Mississippi River to lands west of Arkansas and Missouri. Of the Five Civilized Tribes, the Cherokee were perhaps the most successful at resisting the Act's implementation. At the end of 1835, a small faction within the Cherokee leadership signed a removal treaty that sealed their fate. The majority of the Cherokee protested, but by 1838 the U.S. government was determined to complete the Removal. The roundup began in May, as thousands of Cherokee families were brought by force to nearby military forts or camps, and subsequently marched to the principal emigration depots at Ross's Landing or Fort Cass in Tennessee, or Fort Payne in Alabama. From there, they either walked overland or rode river steamboats, flatboats, and keelboats to Indian Territory. By the spring of 1839, nearly the entire Cherokee Nation, comprising some 16,000 individuals from all levels of society, had been removed west.

The 1992 Comprehensive Management and Use Plan for the Trail of Tears NHT identified the need to study two additional major routes of Cherokee Removal, the Bell and Bengie Routes in the states of Tennessee, Alabama, Missouri, Arkansas, and Oklahoma as possible additions to the existing trail. Both of these routes are included in H.R. 3085. Subsequently, the Cherokee Nation, the Eastern Band of Cherokee Indians, the Trail of Tears Association, and other trail supporters have urged the NPS to include additional important routes of Cherokee Removal in Georgia, North Carolina, Alabama, Tennessee, and Oklahoma. These routes lead from the many removal forts established by the military during the roundup of the Cherokee to the major embarkation sites from which the Cherokee people left on their tragic journey to Indian Territory. The roundup of the Cherokee is a major part of the story of the Trail of Tears, and it is not adequately represented by the current trail.

The Department recognizes the importance of telling the complete story of the Trail of Tears. Updating the feasibility and suitability study would cost approximately \$175,000. Also, the NPS estimates that it would require an additional \$295,000 per year to adequately provide funding for staff, travel, supplies, and other costs to administer the new routes.

Historic trails cross public and private lands, and the intent of the National Trails System Act is one of respecting private property rights. In so doing, the development of strong partnerships is critical to administering and managing the historic trails and achieving preservation of trail resources and interpretation of the trail to the public. The Trail of Tears NHT demonstrates the results of this type of effort.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

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INTERPRETATION AND EDUCATION, VOLUNTEERS, AND OUTDOOR RECREATION, NATIONAL
PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL
PARKS, HOUSE RESOURCES COMMITTEE, CONCERNING H.R. 4612, A BILL TO REDESIGNATE
DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK IN THE STATE OF OHIO AS
“WRIGHT BROTHERS-DUNBAR NATIONAL HISTORICAL PARK”

April 27, 2006

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. 4612. The bill would redesignate Dayton Aviation Heritage National Historical Park in the state of Ohio as the “Wright Brothers-Dunbar National Historical Park.” The Administration supports the provisions in H.R. 4612 related to the name change, which are consistent with an Administration legislative proposal transmitted to Congress on September 16, 2005, but opposes the grant assistance provision and recommends its deletion.

During the process associated with amending the park's General Management Plan in 2002, the public proposed the idea of changing the name of the park to better recognize the individuals the park commemorates. The Dayton Aviation Heritage Commission (Commission), established for the purpose of assisting with preserving and managing the historic resources associated with the Wright brothers, aviation, and Paul Laurence Dunbar, took the lead and solicited input from a cross section of community groups and individuals regarding the proposal to change the name. After reviewing all the comments and suggestions, the Commission submitted its recommendation to the National Park Service (NPS) to change the name of the park to “Wright Brothers-Dunbar National Historical Park.”

The NPS endorses the proposed name for several important reasons: (1) It is the result of a community led public process; (2) It would clearly and distinctly connect the name and primary purpose of the park, which is to commemorate the accomplishments of the Wright brothers and Paul Laurence Dunbar; (3) It would establish a clear connection to a basic marketing philosophy that advocates a clear, simple, and direct message to the universally recognized Wright brothers' brand; (4) It would provide a better distinction between the park unit and the National Aviation Heritage Area, which extends around and beyond the park, as currently both include the word “Heritage” in their titles; and (5) It would commemorate individuals, a naming convention used by the NPS since 1916 for 50 other national historical parks, national historic sites, national monuments, and national memorials.

While Congress has defined a relatively broad mandate and mission for the park, we believe that its core purpose is to commemorate three individuals, Wilbur and Orville Wright and Paul Laurence Dunbar. This mission would more accurately and succinctly be reflected by the proposed name, the “Wright Brothers-Dunbar National Historical Park.”

H.R. 4612 also would authorize the Secretary to make grants to public and private organizations relating to the preservation, development, use, and interpretation of properties within the boundaries of the park, subject to the availability of appropriations. Implementation of partnerships with Federal, state, and local governments and the private sector associated with the Wright brothers, the invention and development of aviation, or the life and works of Paul Laurence Dunbar often requires the transfer of funding from the NPS to partner organizations.

The NPS is able to transfer funds, including appropriations intended for partner organizations, through the use of cooperative agreements for most activities when there is substantial involvement between parties. The NPS is not authorized, however, to spend funds for construction and development projects on non-federal property within the park boundary where there is not substantial involvement by the NPS. The Administration opposes the grant authority language in H.R. 4612, because it is too broad in allowing limited NPS funds to be diverted from park services and facilities, which are solely the responsibility of the NPS, and toward non-park facilities, which are responsibilities of the partner organizations. Many partnership activities can readily be addressed by cooperative agreements, so this language would only be needed to facilitate earmarks that pass through NPS funds for construction projects on non-park facilities. Therefore, we recommend deleting this section, which was not in the Administration's proposal.

The Department recommends a few technical amendments to H.R. 4612 by striking the word “Historic” and inserting the word “Historical” every place it is used to reflect the correct name of the park. We also recommend amending Title V of Division J of the Consolidated Appropriations Act, 2005 (16 U.S.C. 1132 note; Public Law 108-447), which created the National Aviation Heritage Area, to correct several section references and to strike the reference to the Neil Armstrong Air &

Space Museum, Wapakoneta, Ohio, included in Auglaize County. The reference to the museum is no longer needed since the entire county and its historic resources were included in the revised boundary of the heritage area.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other subcommittee members might have.

Proposed Technical Amendments

On pg. 1, line 5, strike “Historic” and insert “Historical”.

On pg. 1, line 9, strike “Historic” and insert “Historical”.

On pg. 2, after line 22 add the following:

“SEC. 3. NATIONAL AVIATION HERITAGE AREA.

“Title V of Division J of the Consolidated Appropriations Act, 2005 (16 U.S.C. 1132 note; Public Law 108-447), is amended—

“(1) in Sec. 503(3), by striking “104” and inserting “504”;

“(2) in Sec. 503(4), by striking “106” and inserting “506”;

“(3) in Sec. 504, by striking subsection (b)(2) and by redesignating subsection (b)(3) as subsection (b)(2); and

“(4) in Sec. 505(b)(1), by striking “106” and inserting “506”.”

Amend the title to read:

“To redesignate Dayton Aviation Heritage National Historical Park in the State of Ohio as “ Wright Brothers-Dunbar National Historical Park,” and for other purposes.”