

Mr. Patrick F. Noonan

Testimony

Before the Committee on Natural Resources
Subcommittee on National Parks, Forests and Public Lands
United States House of Representatives

Hearing on H.R. 2986:
The National Capital Region Land Conservation Act of 2009
April 27, 2010

Mr. Chairman and Members of the Committee, thank you for the opportunity to testify today in support of H.R. 2986, the “The National Capital Region Land Conservation Act of 2009,” a bill to amend the Capper Cramton Act of 1930. I am Patrick F. Noonan, Chairman Emeritus and founder of The Conservation Fund – a national non-profit organization dedicated to conserving historic, natural and working lands and to promoting sustainable economic development through tourism, education and community-based initiatives.

I am also the Vice-Chairman and founder of the Friends of the John Smith Chesapeake Trail – a regional organization focused on conservation, recreation and heritage tourism in the Chesapeake Bay watershed. For over forty years, I have worked to protect America’s great treasures, such as sites along the John Smith National Historic Trail, national wildlife refuges, and state and national parks, by forming partnerships with private landowners, major corporations, and state and federal agencies. I have lived in the National Capital Region and on the shores of the Chesapeake Bay for my entire life.

As a young man, I worked as a park planner for the Maryland-National Capital Park and Planning Commission to help carry out the vision of the Capper Cramton Act. Funding provided through the Act fueled the Commission’s work to conserve lands to maintain a high quality of life for communities in the region. I commend Representative Moran for his strong leadership in introducing H.R. 2986, bipartisan legislation to reauthorize an important conservation program for the National Capital Region.

Through his leadership on the Subcommittee on Interior Appropriations, Representative Moran has played an important role in the effort to protect America’s outdoor natural and cultural resources. His legislation would build on the important legacy that the Capper-Cramton Act has provided to the National Capital Region for outdoor recreation, scenic enjoyment, water quality and public health.

The history of outdoor resource conservation in our Nation’s Capital dates back over a century. In 1902, Senator James McMillan of Michigan chaired a commission that issued a report on ways to improve the park system in the District of Columbia. The Commission, which included renowned landscape architect Fredrick Law Olmsted Jr., was tasked with evaluating the development and improvement of the entire park system of the District of Columbia. This became known as the McMillan Plan and created the vision for an extensive network of

greenways in Washington D.C. While the McMillan Plan served as the first conservation plan for the city and the region, it was not funded until several decades later.

In 1924, Congress determined the United States government bore a significant responsibility for “...the comprehensive development of the park and playground system of the National Capital and its Virginia and Maryland environs.” The National Capital Parks and Planning Commission (now National Capital Planning Commission or NCPC) was created by Congress that year to develop a master plan and further refine and execute the vision for the Nation’s Capital and its environs as contained in the McMillan report.

In 1930, Congress established the Capper-Cramton Act, which provided funding to the National Capital Planning Commission to make grants for the acquisition of public parkland and to preserve forests, rivers and natural scenery in the District of Columbia, Virginia, and Maryland primarily for water pollution control, environmental protection, greenways and parkways and public outdoor recreation. The Act was named after the sponsors of the legislation, Senator Arthur Capper of Kansas and Representative Louis Cramton of Michigan.

The Capper-Cramton Act originally authorized \$9 million for land acquisition in Maryland and Virginia and \$16 million in the District of Columbia. Capper-Cramton funding and authority was used extensively in the ensuing four decades for planning and acquisition of Federal parkland in Maryland and Virginia and for state and local parkland in Maryland. Unfortunately, use of this funding by Virginia state and local governments was constrained because of political, institutional and cultural reasons until the early 1960’s. An amendment to the Capper-Cramton Act was passed by Congress in 1958, which increased the authorized funding amount.

Capper-Cramton funds were used to acquire significant portions of the following treasures in the National Capital Region: the Washington-Baltimore Parkway, Anacostia Park, various stream valley parks in Montgomery County (Indian Creek, Little Paint Branch, Northwest Branch, Oxon Run, Paint Branch, Sligo Creek), Rock Creek Park, Chesapeake and Ohio (C&O) Canal, George Washington Parkway, and Great Falls National Park, among many others. Cuts in Capper-Cramton funding in the 1970’s and 1980’s were partially offset by funds that had then become available in the late 1960’s under the Land and Water Conservation Fund (LWCF) and a separate program under the Department of Housing and Urban Development that provided open space grants, which no longer exists. Unfortunately, these subsequent programs have not kept up with the demand for conservation in the region.

The Capper-Cramton Act was visionary in scope and has stood the test of time. Eighty years later, the National Capital Parks (now operated by the National Park Service as four park groupings: National Capital Parks-East, Rock Creek Park, President's Park, and George Washington Memorial Parkway), encompass 780 distinct reservations totaling approximately 45,000 acres of land in the District of Columbia and the neighboring States of Maryland and Virginia. In addition, there are numerous regional and county parks in Maryland and Virginia that were purchased with funding from the Act. The National Capital Parks and nearby county parks serve the needs of residents of Virginia, Maryland and the District of Columbia, and the

millions of visitors from other States and foreign countries who annually visit the Nation's Capital.

As a result of over 100 years of Congressional leadership, through the Capper-Cramton Act and other important laws, the National Capital Region has one of the best systems of stream valley parks, memorials, parkways, highways, and trails of any major metropolitan area in the country. These resources provide the public with outstanding recreational and historic opportunities and increased quality of life in the region by providing special places close to both work and home. These resources are also vitally important for the protection of drinking water for the Washington Metropolitan area, the country's ninth largest, consisting of over 5.3 million residents that directly depend upon the region's rivers for their drinking water.

Representatives Moran's legislation would also further a top national priority – the restoration of the Chesapeake Bay. Through the federal Clean Water Act and subsequent legislation, Congress has also recognized the Chesapeake Bay ecosystem as a national priority in need of restoration and protection. Rapid population growth and accompanying development threaten to eliminate the last remaining open spaces and further damage the Bay ecosystem. Existing national, state and local conservation programs are unable to keep up with the demand for resources required to conserve land in the region and protect the Bay.

The Conservation Fund strongly supports H.R. 2986, which would amend the Capper-Cramton Act by adding a new section authorizing the Secretary of the Interior to make grants to covered states, covered local governments, and nonprofits to plan and evaluate acquisitions eligible for a grant for assistance under the Act. It provides authorization of appropriations of up to \$50 million per year for 5 years from date of enactment. It limits grant amounts to 50% of the total cost of the acquisition the grant will assist, including costs related to purchase price, appraisal, survey, title clearance, and closing.

This legislation builds upon the tremendous success of the original Capper-Cramton Act by targeting the specific open space and conservation needs of the National Capital Region. As defined by the legislation, the National Capital Region includes the District of Columbia; Calvert, Montgomery, Prince Georges, St. Mary's, Charles, and Frederick Counties in Maryland; Jefferson County in West Virginia; and Arlington, Fairfax, Prince William, Loudoun, Clarke, Warren, Stafford, Fauquier, and Spotsylvania Counties in Virginia. The region includes all the cities contained within this geographic area. We are pleased that this bipartisan legislation enjoys the support of many of the region's local and state governments, the Greater Washington Board of Trade, and many nonprofit partners.

H.R. 2986 is cosponsored by seven Members of Congress from Virginia, Maryland and the District of Columbia, including: Representative Connolly, Representative Edwards, Representative Hoyer, Representative Norton, Representative Van Hollen, Representative Wittman, and Representative Wolf. Last year, companion legislation was introduced by Senator Ben Cardin in the United States Senate. S. 1525 is cosponsored by Senator Mikulski, Senator Webb and Senator Warner. This outstanding support is a testament to Member recognition of the importance of open space and historic resource conservation in the National Capital Region.

By preserving additional lands, Congress will provide our communities with recreational opportunities that improve public health through exercise and protect our water quality by filtering pollutants from our air and water.

Today's Subcommittee hearing comes nearly one year after President Obama's historic Executive Order (#13508) to clean up the Chesapeake Bay, protect its treasured landscapes and improve access to the main stem of the Bay and its tributary rivers. We are hopeful that passage of H.R. 2986 and subsequent appropriations will allow state and local governments and their nonprofit partners in this region to respond to the President's new initiatives.

The Chesapeake Bay: A Great Natural Treasure

Our Nation's Capital sits geographically in the virtual middle of the Chesapeake Bay watershed – the largest estuary in North America. Across the watershed, there is near universal agreement that the Bay ecosystem is vital to our quality of life. We are currently witnessing a profound watershed wide ecosystem collapse evidenced by poor water quality, and a significant general decline in crab, oyster, and bay grass populations. Industrial, residential and agricultural pollution, primarily in the form of phosphorus, nitrogen and sediment, continues to flow into our prime rivers and streams, creating massive dead zones and making them no longer fishable or swimmable. Despite one of America's longest and most intensely coordinated efforts to protect and restore the estuary, ecosystem health and productivity continue to sharply decline.

The conservation of open space is an essential component of the Bay restoration effort. The lands surrounding the Bay, such as marshes and forests, are vitally important to the health of the Bay. They trap pollutants and filter water as well as provide habitat for the region's diverse array of wildlife species. Open space also plays an essential role in the production and provision of clean drinking water for local residents. In addition, these habitats and services are needed to maintain the working landscapes that many men and women depend on for their livelihoods, such as the iconic watermen of the Chesapeake Bay.

The Chesapeake Bay and its tributaries, particularly the Potomac River, have been pivotal to the great chapters in our Nation's history: the Native American peoples; Captain John Smith's voyages of exploration; the War of Independence and founding of representative democracy; the beginning of Lewis and Clark's explorations and the great march westward; the War of 1812; the Civil War and emancipation of the slaves; and now the conservation of our nation's great outdoors. These episodes of history are essential to our identity as Americans, and we must conserve the lands where these events occurred for future generations. This will allow our grandchildren and great grandchildren to appreciate our values and understand our country's storied history.

The region is fortunate to have many outstanding National Parks, National Trails and state and local parks, but many of them remain unfinished. We were pleased that Congress established the Captain John Smith Chesapeake National Historic Trail in 2006, which follows Smith's monumental routes of exploration throughout the Bay and its tributary rivers, including the Potomac, Anacostia and Patuxent Rivers. This was quickly followed by the passage of the

Star Spangled Banner National Historic Trail in 2008. These trails added to an already robust system of parks and trails in the region. H.R. 2986 would provide the National Park Service and its partners with vital resources to conserve lands along the Captain John Smith Chesapeake National Historic Trail, Star Spangled Banner National Historic Trail, Potomac Heritage National Scenic Trail, Washington-Rochambeau National Historic Trail and complete other parks in the region through the acquisition of land or interests in land.

Our region's livability and prosperity depend on conserving our outdoor resources. The National Capital Region is seeing unprecedented levels of growth and development, threatening our remaining outdoor resources. We are also seeing an alarming increase in childhood obesity and general health care costs. Our citizens have fewer opportunities for playing outdoors and are less connected with our natural world. The health and welfare of future generations and the lands and waters on which they depend are currently at stake. The population in the National Capital Region is approximately 5.3 million people and is expected to grow an additional 3 million people by 2030. This is coupled with a growing public demand for open space, green infrastructure and outdoor recreation. By protecting additional parks and open spaces, H.R. 2986 will ensure the national capital region remains a world class park system attractive to residents and visitors alike.

Conclusion

Dating back the McMillan Plan of 1902, Congress has historically recognized the National Capital Region as unique and deserving of special resources for the creation and maintenance of a system of parks and trails. Passage of H.R. 2986 will provide authorization for resources essential to protect the remaining open spaces and cultural resources in the National Capital Region. We commend Representative Moran and the bill's cosponsors for their wonderful leadership to conserve the waters, forests, fields and farms along the Potomac and Anacostia Rivers and their tributaries for future generations, which will provide our people with places to recharge and lead our nation in our next century. With the passage of this bill, our grand children and their children will be able to enjoy our Nation's natural resources and appreciate our cultural heritage.