

**STATEMENT OF STEPHEN E. WHITESELL, 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 ON H.R. 1121, A BILL TO AUTHORIZE A LAND EXCHANGE TO ACQUIRE LANDS FOR THE BLUE RIDGE PARKWAY FROM THE TOWN OF BLOWING ROCK, NORTH CAROLINA, AND FOR OTHER PURPOSES.**

**APRIL 23, 2009**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 1121, a bill to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes.

The Department supports H.R. 1121 with amendments that are described later in this testimony. H.R. 1121 would authorize the Secretary of the Interior to exchange approximately 20 acres of land at the Moses H. Cone Memorial Park, a popular recreational area located within the boundary of the Blue Ridge Parkway, for approximately 192 acres of land owned by the Town of Blowing Rock (Town). This proposed exchange would be mutually beneficial to the National Park Service (NPS) and the Town.

In 1949, the Moses Cone Hospital Trust deeded the 3,500-acre Moses H. Cone Memorial Park to the Blue Ridge Parkway. This property had been held in trust by the hospital from 1911 until 1949 under a deed from Bertha Cone, the property's owner. During that period, Mrs. Cone gave permission to the Town of Blowing Rock to install a pipeline from the Town to a creek on the property. In 1955, the NPS issued a permit to the Town allowing them to dam the creek to form a reservoir, which continues to be used by the Town as its primary source of drinking water.

The Town and NPS officials at the Blue Ridge Parkway have long been in agreement that it would be better for the Town to own and manage their municipal water supply, rather than accessing it through the NPS permitting process. Several years ago, NPS and the Town sought to initiate an administrative land exchange. In November 2003, the Town purchased a 192-acre tract of land adjacent to the Cone Memorial Park in anticipation of exchanging this land for approximately 20 acres of land within the Cone Memorial Park that would include the reservoir and a small amount of land that the Town could flood in order to increase the size of the reservoir. The proposed exchange would give the Town an unencumbered water supply and the potential for some expansion of capacity, while the NPS would receive a 192-acre buffer tract that would provide recreational opportunities and preservation and protection of resources at the Blue Ridge Parkway.

We believe that this exchange, which has been underway for several years, would be facilitated and hastened through passage of H.R. 1121, authorizing legislation that establishes clear expectations for both the Town and the NPS regarding the exchange process.

The Department recommends amending the bill in two areas, as explained below. We would be happy to work with the committee on developing language for these purposes.

H.R. 1121 would require the land exchange between NPS and the Town to be conducted in accordance with laws, regulations, and policies applicable to exchanges of land administered by the National Park Service, including those concerning land appraisals, equalization of values, and environmental compliance. We strongly support this requirement. However, the bill also

requires that the Secretary of the Interior seek to complete the exchange within two years of enactment. We estimate that it will take closer to three years to finish the necessary appraisals and environmental compliance because of the complexity involved in determining the value of the reservoir and other factors. Although the bill does not *require* the completion of the exchange within two years, expectations about finalizing this exchange will be more realistic if the bill provides that the Secretary seek to complete it in three years, rather than two.

We also recommend that the bill provide additional language regarding the equalization of values. We would like to ensure that if the lands proposed for exchange are found to be unequal in value, that the acreage amounts specified in the bill are allowed to be adjusted to meet the equalization requirement. This would help guard against the need for NPS to spend any funds on acquiring the Town's land if the appraised value of the Town's 192 acres exceeds the appraised value of the Blue Ridge Parkway's 20 acres.

Finally, the NPS will be submitting a map to accompany this legislation soon. The map should be referenced in the bill as "Blue Ridge Parkway, Proposed Land Exchange with Town of Blowing Rock," numbered 601/90,000A, and dated April 2008.

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

**STATEMENT OF STEPHEN E. WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 1376, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ESTABLISH THE WACO MAMMOTH NATIONAL MONUMENT IN THE STATE OF TEXAS.**

**APRIL 23, 2009**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 1376, a bill to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas.

The Department supports H.R. 1376, with amendments described later in this testimony. H.R. 1376 would establish a new unit of the National Park System, the Waco Mammoth National Monument (monument), near the city of Waco, Texas. The bill directs the Secretary of the Interior (Secretary) to administer the monument in accordance with the laws applicable to the National Park System and to enter into cooperative agreements with Baylor University and the City of Waco to manage the monument. The bill also authorizes the Secretary to acquire land for the monument from willing sellers with donated or appropriated funds, transfer from another federal agency, or exchange. Lands owned by the State of Texas, or its political subdivisions, may only be acquired by donation or exchange. Finally, the Secretary is authorized to construct facilities on non-federal land within the boundaries of the monument and to complete a General Management Plan for the monument within three years after funds are made available.

The National Park Service (NPS) was directed to complete a Special Resource Study (SRS) of the Waco Mammoth site by Public Law 107-341. This study evaluated a 109-acre site owned by

the City of Waco and Baylor University and found that the site meets all the criteria for designation as a unit of the National Park System.

The Waco Mammoth Site area is located approximately 4.5 miles north of the center of Waco, near the confluence of the Brazos and the Bosque rivers. Baylor University has been investigating the site since 1978 after hearing about bones emerging from eroding creek banks that led to the uncovering of portions of five mammoths. Since then several additional mammoth remains have been uncovered - making this the largest known concentration of mammoths dying from the same event.

The discoveries have received international attention and many of the remains have been excavated and are in storage or still being researched. The SRS determined that the combination of both in situ articulated skeletal remains and the excavated specimens from the site represents the nation's first and only recorded nursery herd of Pleistocene mammoths. The resource possesses exceptional interpretive value and superlative opportunities for visitor enjoyment and scientific study.

From the time the site was discovered until the present, the University and the City have managed the site responsibly. The SRS examined a range of proposed options for the NPS involvement at the site. We believe that NPS joining in partnership with the city of Waco, Baylor University, and others would offer the most effective and cost efficient management of this unique resource.

If established based upon the management alternative recommended in the SRS, we estimate that the costs to create the monument would include \$8.1 million from the identified partners to develop the facilities at the monument with the NPS providing an additional \$600,000 for enhanced interpretive media. Total operational costs are estimated to be \$645,000 with the NPS contributing approximately \$345,000 for NPS staffing of four full-time equivalent positions and associated supplies, materials, and equipment. All funds are subject to NPS priorities and the availability of appropriations.

We recommend that H.R. 1376 be amended to include a definition of the map used to show the location and boundaries of the monument in Section 3. Also, we suggest that Section 4 be amended to include language stating that the monument is established as generally shown on the map and that the map is available for inspection at appropriate NPS offices. This will make the bill consistent with other similar legislation establishing new National Park System units. We will be happy to work with the subcommittee staff on these suggested amendments.

Mr. Chairman, that concludes my statement. I would be happy to answer any questions that you or other members of the Subcommittee may have.