

**MISCELLANEOUS NATIONAL PARK BILLS**

---

---

**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON NATIONAL PARKS  
OF THE  
COMMITTEE ON  
**ENERGY AND NATURAL RESOURCES**  
**UNITED STATES SENATE**  
ONE HUNDRED SEVENTH CONGRESS  
SECOND SESSION

ON

<b>S. 202</b>	<b>H.R. 1456</b>
<b>S. 1051</b>	<b>H.R. 2234</b>
<b>S. 1061</b>	<b>H.R. 2238</b>
<b>S. 1649</b>	<b>H.R. 2440</b>
<b>S. 1894</b>	

---

FEBRUARY 14, 2002



Printed for the use of the  
Committee on Energy and Natural Resources

---

U.S. GOVERNMENT PRINTING OFFICE

79-714 PDF

WASHINGTON : 2002

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON ENERGY AND NATURAL RESOURCES

JEFF BINGAMAN, New Mexico, *Chairman*

DANIEL K. AKAKA, Hawaii	FRANK H. MURKOWSKI, Alaska
BYRON L. DORGAN, North Dakota	PETE V. DOMENICI, New Mexico
BOB GRAHAM, Florida	DON NICKLES, Oklahoma
RON WYDEN, Oregon	LARRY E. CRAIG, Idaho
TIM JOHNSON, South Dakota	BEN NIGHTHORSE CAMPBELL, Colorado
MARY L. LANDRIEU, Louisiana	CRAIG THOMAS, Wyoming
EVAN BAYH, Indiana	RICHARD C. SHELBY, Alabama
DIANNE FEINSTEIN, California	CONRAD BURNS, Montana
CHARLES E. SCHUMER, New York	JON KYL, Arizona
MARIA CANTWELL, Washington	CHUCK HAGEL, Nebraska
THOMAS R. CARPER, Delaware	GORDON SMITH, Oregon

ROBERT M. SIMON, *Staff Director*

SAM E. FOWLER, *Chief Counsel*

BRIAN P. MALNAK, *Republican Staff Director*

JAMES P. BEIRNE, *Republican Chief Counsel*

---

SUBCOMMITTEE ON NATIONAL PARKS

DANIEL K. AKAKA, Hawaii, *Chairman*

BYRON L. DORGAN, North Dakota	CRAIG THOMAS, Wyoming
BOB GRAHAM, Florida	BEN NIGHTHORSE CAMPBELL, Colorado
MARY L. LANDRIEU, Louisiana	CONRAD BURNS, Montana
EVAN BAYH, Indiana	GORDON SMITH, Oregon
CHARLES E. SCHUMER, New York	CHUCK HAGEL, Nebraska
THOMAS R. CARPER, Delaware	PETE V. DOMENICI, New Mexico

JOHN WATTS, *Counsel*

NANCIE AMES, *Bevinetto Fellow*

JEFF BINGAMAN and FRANK H. MURKOWSKI are Ex Officio Members of the Subcommittee

# CONTENTS

## STATEMENTS

	Page
Bowling, Karla Lutz, Executive Director, Bell County Chamber of Commerce, Middleboro, KY .....	6
Cantwell, Hon. Maria, U.S. Senator from Washington .....	1
Graham, Hon. Bob, U.S. Senator from Florida .....	5
Jones, Durand, Deputy Director, National Park Service, Department of the Interior, on:	
S. 202 and H.R. 2440 .....	12
H.R. 1456 and S. 1051 .....	13
S. 1061 and H.R. 2238 .....	14
S. 1649 .....	16
S. 1894 .....	17
H.R. 2234 .....	18
Jones, Terrence D., President and CEO, Wolf Trap Foundation for the Per- forming Arts .....	10
McConnell, Hon. Mitch, U.S. Senator from Kentucky .....	5
Thomas, Hon. Craig, U.S. Senator from Wyoming .....	6
Warner, Hon. John, U.S. Senator from Virginia .....	8

## MISCELLANEOUS NATIONAL PARK BILLS

---

THURSDAY, FEBRUARY 14, 2002

U.S. SENATE,  
SUBCOMMITTEE ON NATIONAL PARKS,  
COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2:34 p.m. in room SD-366, Dirksen Senate Office Building, Hon. Maria Cantwell presiding.

### OPENING STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. The Subcommittee on National Parks of the Committee on Energy and Natural Resources will come to order.

Senator Akaka is not able to be here this afternoon. He asked me to convey his apologies and to let you know that he will be submitting his questions in writing so that we can include all the questions and answers in the hearing record. Senator McConnell also wanted to be here to introduce one of our witnesses, but he is unable to attend, and he is going to submit a statement for the record as well.

The purpose of this afternoon's hearing is to receive testimony on the following park bills which are pending before the National Parks Subcommittee: S. 202 and H.R. 2440, to rename Wolf Trap Farm Park in Virginia as Wolf Trap National Park for the Performing Arts, S. 1051 and H.R. 1456, to expand the boundary of the Booker T. Washington National Monument, also in Virginia, S. 1061 and H.R. 2238 to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historic Park, S. 1649, a bill to increase the authorization of appropriations for the Vancouver National Historic Reserve, and for the preservation of Vancouver Barracks in Washington State, S. 1894, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle Site in the State of Florida, as well as the suitability and feasibility of its inclusion in the national park system as part of the Biscayne National Park, and H.R. 2234, to revise the boundary of the Tumacockary National Historic Park in the State of Arizona.

I would like to briefly discuss S. 1649, which increases the authorization of appropriations of the Vancouver National Historic Site. First, I would like to address the fact that this legislation would authorize additional Federal support for the continued establishment of the Vancouver National Historic Reserve and preserva-

tion of the Vancouver Barracks. This legislation I introduced because I believe we have a tremendous historic preservation opportunity at our fingertips in Vancouver, one that could be lost if we do not act quickly.

The National Historic Reserve of Vancouver is one of the richest and most culturally significant historic sites in the Pacific Northwest. Before the arrival of American traders and well before the Lewis and Clark expedition the area where the reserve now sits, on the shore of the Columbia River, was home to Indian tribes for over 10,000 years. The site ultimately became the center of the Western fur trade, a headquarters for both the Hudson Bay Company and a key strategic location for the U.S. Army, which has maintained a continuous 150-year presence at the site.

I do want to make clear that we have in the midst of our major metropolitan area, minutes from the I-5 corridor, a valuable treasure for understanding the Euro-American indigenous culture in Western history. This legislation, which will increase the authorization for Federal spending to rehabilitate the Vancouver Barracks is in need because of the pending transfer in ownership of the barracks. That conveyance was authorized by Congress and is nearly complete.

The transfer of the barracks was anticipated in 1990 legislation establishing the historic reserve, and was assumed in cooperative management plan signed by all of the partners involved in the reserve, including the Park Service. However, the availability of that resource, the barracks, was not anticipated in the establishment of the original act authorization level of \$5 million for capital improvements.

The conveyance of a large portion of the barracks by the U.S. Army to the city of Vancouver has created a tremendous opportunity for all of us to preserve the facilities for public use and education, but also accelerated the need for capital. Since 1985, more than \$30 million have been invested in making improvements to the properties in the reserve, with most of those funds contributed by non-Federal partners. The Park Service has been a strong partner for more than 50 years in these projects. The Service has worked hard as a lead partner in cooperative partnership to preserve and interpret other components of the reserves, including the barracks, and the Service's expertise and commitment to historic preservation are invaluable to preserve this effort, but we need to act now to prevent further structural deterioration of the barracks and buildings to maximize their value as an educational and interpretive resource.

Authorizing continued Federal improvement in this project is critical to preserving all these structures and making the whole reserve a valued asset. While the nonprofit Vancouver Historical Trust plans to obtain more than 60 percent of the funding for these rehabilitation efforts from non-Federal sources, the Federal Government has a clear role and vital interest in maintaining these resources.

I look forward to working with my colleagues on this committee to ensure that we acknowledge the rich history of the Vancouver Historic Reserve, and obviously, Mr. Jones, I look forward to hearing your testimony today, but before we call on our three panelists,

I am going to turn it over to Senator Thomas for any comments that he might like to make in the opening statement.

[The prepared statements of Senators Cantwell, Graham and McConnell follow:]

PREPARED STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Thank you, Mr. Chairman. I want to thank our witnesses for coming today to offer additional views on these proposals and look forward to hearing your testimony, particularly on legislation to authorize additional work at the Vancouver National Historic Reserve.

I'd like to take a moment to explain the importance of that legislation, Mr. Chairman. I introduced this legislation to continue federal participation in the historic preservation efforts of one of the most historically significant sites in the Pacific Northwest, the Fort Vancouver National Historic Reserve.

The Historic Reserve is rich in cultural and historic national significance, pre-dating the arrival of Lewis and Clark through the mid-20th century. Before the arrival of the American traders and well before the Lewis and Clark expedition arrived, this site on the shore of the Columbia River was a home to numerous Indian tribes for over 10,000 years, including the Cascades, Chehalis, Chinook, Clallam, Cowlitz, Klickitat, Nisqually, Tillamook, and Shasta tribes.

Located on the great American waterway, the plains now designated as the Vancouver National Historic Reserve was a center for Indian commerce, and ultimately became the center of the western fur trade the Columbia River. Eventually it became the base of Columbia region operations for the Hudson's Bay Trading Company in the early 19th century. As my colleagues know, Hudson's Bay was the powerful British fur trading company that vied for control of the trapping industry in Western lands of the present-day United States, even before political control of those lands were established. At its peak, the company built an enormous network through the region, with Fort Vancouver as the administrative headquarters and supply depot for the hundreds of employees at dozens of posts in the region.

Fort Vancouver became a trade center for the Western territories, with goods arriving frequently from Europe and the Hawaiian Islands and large quantities of furs and other natural resource products returned to London. The Fort came to serve as a hub for numerous other developing industries, including sawmills, dairies, shipbuilders, fishers and tanneries. In essence, Fort Vancouver truly served as a historic seed for the development of the entire Pacific Northwest region.

But the history of the trapping industry is not the only significant aspect of this site. The Fort also served as the Northwest's military administrative headquarters beginning in 1849. The United States Army continuously occupied the Vancouver Barracks at the historic reserve site for 150 years, and the names of the officers who served there are evidence of its value: Ulysses S. Grant, Benjamin Bonneville, Phillip Sheridan, George McClellan, Oliver Otis Howard, and of course, George C. Marshall.

In the late nineteenth century, the Vancouver Barracks served as the headquarters for General Howard's campaign against the Nez Perce and other Northwest Indian tribes in the late 1870's. Today, annual reconciliation ceremonies are held at the Reserve to commemorate the resolution of those conflicts. In the 1920s, the Army created a small airfield for the Army Air Corps, which is now the site of the oldest operating airfield in the nation—Pearson Airfield. In the 1930s, the Fort was used as a training camp for those participating in the Civilian Conservation Corps' reforestation program.

Thanks to the wisdom, perspective on history, and foresight of numerous individuals including Representative Russell Mack, the esteemed chairwoman of the House Interior Appropriations Subcommittee, Julia Butler Hansen, Congressman Don Bonker, and Congresswoman Jolene Unsoeld, among many others, the tremendous resources of the site have been protected for future generations.

President Truman signed legislation in 1948 that first authorized the Fort Vancouver National Monument. The act allowed the War Assets Administration to transfer surplus property in Vancouver Barracks to the secretary of the Interior. On June 30, 1954, the National Monument was officially established and the nearly 60 acres of the Vancouver Barracks were transferred to the National Park Service. Finally, the site was designated as a National Historic Site in 1961.

In 1996, the expanded, 366-acre Vancouver National Historic Reserve was established to protect all of the historically significant historical areas within and adjacent to the barracks. The reserve includes Fort Vancouver, the Vancouver Barracks, Officers' Row, Pearson Field, the Water Resources Education Center, and portions

of the Columbia River waterfront. The sites comprise an enormously significant historic and community resource in Southwest Washington.

The restoration of the Barracks alone is an enormously important project to stimulate the economic revitalization of Vancouver. Last year, Congress authorized the transfer of the 16 buildings that comprise the West Barracks to the City of Vancouver, and the partners involved in this tremendous project have devised a Cooperative Management Plan that identifies \$40 million in necessary spending to replace failing infrastructure and rehabilitate the 16 buildings to the Secretary's standards under the National Historic Preservation Act.

The Partner's Cooperative Management Plan for the Historic Reserve calls for the Barracks to be reused primarily for historic preservation, education, and other forms of public use. But the location of the site near the heart of Vancouver and the potential for drawing additional economic activity back to the city, make this vitally important for Southwest Washington.

The public-private partnership plan for the Reserve represents a unique cooperative partnership between federal, state, and private entities to preserve and restore these invaluable resources for public understanding for years to come.

While we at the federal level have contributed to the project in recent years, the state of Washington and the City of Vancouver have also committed significant resources, and the Vancouver National Historic Reserve Trust has initiated aggressive efforts to raise funds quickly.

This legislation, which will increase the authorization for federal spending on rehabilitating the Vancouver Barracks, is desperately needed because of the pending transfer in ownership of the Barracks. That conveyance was authorized by Congress and should be completed any day now.

The transfer of the barracks was anticipated in the 1990 legislation establishing the historic reserve—first proposed by my distinguished predecessor, Senator Adams and Representative Jolene Unsoeld and enacted with legislation introduced by my colleague Senator Murray and immediate predecessor, Senator Gorton.

The transfer was also assumed in the cooperative management plan signed by all of the principal partners involved in the reserve, including the Park Service. However, the availability of that resource—the barracks—was not anticipated in the establishment in the original Act's authorization level of five million dollars for capital improvements.

The conveyance of a large portion of the Vancouver Barracks by the United States Army to the City of Vancouver has created a tremendous opportunity for us to preserve the facilities for public use and education, but also accelerated the need for capital.

Since 1985, more than 30 million dollars have been invested in making improvements to the properties in the historic reserve, with most of those funds contributed by non-federal partners.

The Park Service has been a strong partner for more than 50 years in these projects, particularly in preserving Fort Vancouver itself and the archaeological materials still being recovered from the ground.

The City has spent more than 10 million dollars purchasing 21 historic homes on Officers' Row, and rehabilitating the Marshall and Howard Houses, which have become tremendous educational program centers for the reserve; and has worked tremendously hard to establish the reserve as a hub of community activities.

And the Army has also contributed a great deal to the initial assessments and rehabilitation plans for the facilities.

But we need to act now to prevent further structural deterioration of the buildings and to maximize their value as educational and interpretive resources.

One of these buildings is the "Red Cross Convalescent House", which is designated as an American Treasure. The West Barracks buildings also include the original hospital and the barracks headquarters.

Authorizing continued federal involvement in this project is critical to preserving all of these structures and for making the reserve whole.

While the non-profit Vancouver National Historic trust plans to obtain more than 60 percent of the funding for these rehabilitation efforts from non-federal sources, the federal government has a clear role and vital interest in maintaining these resources.

The Park Service has been the lead partner throughout the process of establishing and planning for the Reserve. The Service's expertise and commitment to historic preservation are invaluable to this preservation effort.

I believe that we must do everything possible to keep this unique partnership on track and move ahead with the preservation efforts at this site. We must never forget our cultural, political, and economic heritage, and our historic resources help educate and remind us of those origins.

I look forward to working with you, Mr. Chairman, Chairman Bingaman, and our other colleagues on Committee to move this legislation quickly and continue progress on this significant project for the Pacific Northwest and our nation. Thank you, Mr. Chairman.

---

PREPARED STATEMENT OF HON. BOB GRAHAM, U.S. SENATOR FROM FLORIDA

Since its discovery in 1998, Miami Circle has proved to be an archeological gold mine, filled with 200,000-plus artifacts of Florida's past, left by the Tequesta Indians.

And while it is not known exactly what this area was used for, we do know this site is a link to Florida's history that needs to be preserved.

This piece of Miami's heritage is not just part of Florida—it is part of America's history, too—Miami Circle is believed to be the only cut-in-rock prehistoric structural footprint ever found in eastern North America.

It is and will be a valuable tool in understanding America's indigenous peoples, their culture, and their technological prowess.

In fact, a recent discovery of Tequesta burial grounds not far from the Miami Circle has made the Miami Circle an even more significant historical site that is in need of preservation.

S. 1894 will help to set the preservation process in motion by conducting a study as to the feasibility of including the Miami Circle into Biscayne National Park.

This legislation has been endorsed by the Miami Circle Planning Group, an 18 member panel appointed by the Florida Secretary of State.

The Miami Circle could be a trove of information about an ancient people we know very little about and should be preserved so that future generations may have a better understanding of our past.

---

PREPARED STATEMENT OF HON. MITCH McCONNELL, U.S. SENATOR FROM KENTUCKY

Mr. Chairman, I want to thank you for holding this hearing today on these important National Parks bills. As you may know, I have particular interest in Senate bill 1061, the Fern Lake Conservation and Recreation Act, and its companion bill in the House, H.R. 2238.

Mr. Chairman, I introduced this legislation in the Senate last session to authorize the National Park Service to purchase Fern Lake and the surrounding watershed and to add this property to Cumberland Gap National Historic Park. Fern Lake is a pristine natural landmark on the Kentucky-Tennessee border and has served as the municipal water supply for Middlesboro, Kentucky since the lake was constructed in 1893.

My bill would achieve three goals. First, it would preserve Fern Lake as a pristine source of clean water for the residents and local businesses in Middlesboro. Second, it would enhance the scenic and recreational value of the Park. Third, it would spur economic development in the region through increased tourism. And, Mr. Chairman, like many of the environmental initiatives I have sponsored in Kentucky, this bill has a "willing sellers" clause that requires the consent of the landowner before the federal government purchases any of the property at issue.

Congressman Hal Rogers introduced an identical bill in the House last year where it passed by a voice vote on December 5, 2001 (H.R. 2238). During the House proceedings, the Park Service suggested a few technical changes that were agreed to in an amendment prior to passage. I would likely support these small changes to my bill so that we can move the legislation swiftly through the Senate and send it straight to the President's desk.

Mr. Chairman, later today you will hear from Ms. Karla Bowling, the Executive Director of the Chamber of Commerce in Bell County, Kentucky. Ms. Bowling and other community leaders in Bell County have embraced this project and rallied community support for this conservation effort. Ms. Bowling has served the Chamber of Commerce for four years, and is a member of numerous other community organizations, including the Bell County Industrial Foundation, the Bell County Tourism Committee, and the Middlesboro Downtown Association. Given her knowledge, expertise and enthusiasm with respect to economic and environmental progress in Bell County, you could not ask for a better witness, and Kentucky could not have a better representative, to testify here today.

Mr. Chairman, let me just close by saying that this is the very type of project that defines what I would call "consensus conservation": it was identified and advanced at the local level by those who best understand the community's needs; it was designed to enhance, not inhibit the local economy; and it is mindful of the rights of

private property owners. Perhaps this consensus conservation approach helps explain why this project enjoys such united support from citizens, businesses, environmentalists, and Park officials. Even the two largest newspapers in my state, hardly political or ideological allies of mine, have recognized the mutual benefits that this project brings to the entire community.

Mr. Chairman, I am delighted that your committee has begun the process to help protect this natural treasure in my state, and I thank you again for the opportunity to make a statement today.

**STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR  
FROM WYOMING**

Senator THOMAS. Thank you, Senator Cantwell. I am pleased that you are having the hearing today so that we can move these bills along. I really do not have a statement. I have some questions on a couple of issues, but I will wait until after we hear from the witnesses.

Senator CANTWELL. Well, thank you. We have Mr. Jones, Deputy Director of the National Park Service, Department of the Interior, Mr. Terrence Jones, president and CEO of Wolf Trap Foundation for the Performing Arts, and Ms. Karla Bowling, executive director for Bell County Chamber of Commerce, Middleboro, Kentucky, so I do not know what order you want to start in—if you do not have opening statements—if any of you do, maybe we should start there.

Ms. BOWLING. I will be happy to go first.

Senator CANTWELL. Okay.

**STATEMENT OF KARLA LUTZ BOWLING, EXECUTIVE DIRECTOR,  
BELL COUNTY CHAMBER OF COMMERCE, MIDDLEBORO, KY**

Ms. BOWLING. Good afternoon, Senator Cantwell and subcommittee members. My name is Karla Bowling. I am the executive director of the Bell County Chamber of Commerce. I am here to represent the citizens of Middleboro, Kentucky, to lend support for S. 1061, authorizing the Secretary of the Interior to acquire Fern Lake for the surrounding watershed for addition to Cumberland Gap National Historic Park.

First of all, let me say it is truly an honor to be asked to appear before you today in this small yet significant role in our democratic process. I appreciate the service you provide to the citizens of our country, and especially the unity you have shown, which has become a model for the rest of our Nation.

The initiative that brings us here today would accomplish several objections and strike a delicate balance in promoting the interest of business and economic development while at the same time protecting our precious natural resources. Far from just helping the citizens of Middleboro, acquiring Fern Lake would benefit the entire region, and I would dare say the hundreds of thousands of tourists who visit our part of the country each year.

This piece of legislation would help us to further capitalize on the breathtaking beauty of our natural resources through tourism initiatives, preserve and protect the environment, and increase the economic viability of our people. From my perspective as the chamber of commerce director, it almost seems too good to be true, but taken piece by piece, it is logical and makes great business sense.

Allow me to briefly address some of these points. About 5 years ago, the lake and adjacent watershed was auctioned and purchased by a local coal company. The company applied for a permit to mine the coal on the watershed, but these permits were denied, due to the inability to ensure that the water supply could be protected.

It was at this time that the city and park became acutely aware of how vulnerable that piece of property was. Protecting the integrity of the water as well as the beauty of the viewshed from the adjacent park overlook has proven to be a daunting task. Acquiring Fern Lake and incorporating it into the national park would ensure that the water supply would be protected for generations to come.

Senator McConnell has made great progress in Kentucky to bring clean water to rural areas. We must not regress and threaten this pristine water source for the more than 20,000 residents who depend on Fern Lake for their sole supply of fresh, clean water. Our land, our people, and our natural resources are too precious to leave unprotected.

Not only is our water supply important to our citizens, but it is crucial to the viability of some of our areas largest employers. Cumberland Gap Provision Company produces ham products and also manufactures Highlander Ice, both with a retail base reaching across America. Water purity is imperative in the curing, smoking, and packaging processes of their hams and ice production. It goes without saying that purity of the local water supply greatly affects the taste of all of their products. These two companies employ more than 375 people, and have recently invested more than \$14 million to expand their facilities.

Another company that depends on a quality water supply is Middlesboro Coca-Cola Bottling. These companies are significant contributors to the local economy and quality of life for our citizens. We cannot afford to jeopardize the livelihood of our city's largest employers and, most importantly, the families that rely on these good-paying jobs.

Acquisition of Fern Lake also makes sense when addressing the need to generated park revenues. Profit from the sale of water to the local water utility is approximately \$85,000 per year. Money could be earmarked to go back into Cumberland Gap National Historical Park to be used for trail maintenance, facilities upkeep, recreational needs, staffing, and other related expenses.

I would like to turn now to the issue of promoting additional recreational opportunities and ecotourism. In the fast-paced, stressful world we live in today, many tourists are looking for a way to "get away from it all." They are looking for a quiet respite from their cares and worries, simple vacations, a reconnection with nature, and a return to simplicity. More and more, Americans are looking for the kind of getaway that the Fern Lake property could provide if properly developed. The recreational opportunities from the acquisition of Fern Lake are endless, and could all be in keeping with the ecologically sound parameters set forth by national park guidelines.

In fact, the lake already functions as a small, private fishing and boating club, where a modest pavilion is used for various community activities, including weddings, family reunions, and picnics. Future plans could include a large accommodation for corporate re-

treats, business and Government conferences, a wildlife or water fowl observatory, fitness and nature trails, youth camps, scouting, and other functions that could be promoted to bring in additional tourism and recreational revenues.

The national park is the third most visited attraction in our State. Tourism is the third largest industry in Kentucky, bringing in revenues of almost \$9 billion annually. Although the Nation as a whole is experiencing a decline in tourism as a result of the tragic events of September 11, we expect to maintain, if not increase our tourism share because of the rural nature of tourist destinations in our region. In fact, in the past months we have had an influx of visitors, and increased requests for tourist information packets from places such as Tampa, Atlanta, Cincinnati, New York, New Orleans, Nashville, Asheville, and Jacksonville, to name just a few.

Tourism revenues have the potential to play a significant role in the reversal of our economic decline in Appalachia. We work extremely well with our national park, and share a similar vision of how to promote our heritage and expand tourism.

In closing, let me make one last point. In your packets and on the easel behind me are exquisite photos of the property we are discussing today. These give you just a small glimpse of the unsurpassed splendor of this region. As you stand at the Pinnacle Overlook, at the highest point above the Cumberland Gap, you are at 2,440 feet above sea level. Fern Lake and the untouched beauty of the mountains surrounding it are an integral part of the breathtaking view that lies before you. I imagine this is similar to what our ancestors saw as they stood in this very spot, hundreds of years ago, on the wilderness trail. As far as the eye can see, the pristine beauty of our heritage surrounds you. We cannot take the chance of letting this precious resource slip through our fingers.

In the past, we have made mistakes of not protecting our environment and the natural beauty it provides to nourish our souls. This is a wonderful opportunity. Seldom do we see such synergy between economic development, tourism, and the preservation of our natural resources. The Bell County Chamber, the City of Middlesboro, and the people of our region, wholeheartedly support this initiative.

Thank you for your time.

Senator CANTWELL. Thank you, Ms. Bowling, for your testimony and statement on the inclusion of Fern Lake and the surrounding areas into the Cumberland Gap National Historic Park. Before we turn to the Joneses, I was wondering if we could in fact call Senator Warner up to the table with the other panelist and have him give comments on S. 202, regarding Wolf Trap Park in Virginia, and renaming it to the Wolf Trap National Park for the Performing Arts, so Senator Warner.

**STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR  
FROM VIRGINIA**

Senator WARNER. Thank you, Madam Chairman, and my friend and colleague, Senator Thomas. I would like to ask unanimous consent that my statement may be placed into today's record for brevity purposes.

Senator CANTWELL. Without objection.

Senator WARNER. I might sound a little prosaic, but this is my 24th year in the U.S. Senate, privileged at one time to be on this committee, and throughout those 24 years I have worked with the Wolf Trap group here in Washington from the very inception of this magnificent edifice, and the foundations that are associated with it, until today, and this is a fairly simple straightforward matter in which the board has given its careful attention. We have the distinguished chairman here and others. So I shall just put in that I hope my bill is acted upon favorably in due course by the committee and the Senate as a whole.

Senator CANTWELL. Well, thank you, Senator.

Senator WARNER. The second bill I have before you is the Booker T. Washington National Monument, which we in Virginia take great pride in having in our State. There is a need to protect it from incursions of the ever-present growth of summer and other homes in various regions. The foundation, and others, have reached a complete understanding to acquire a small piece of land, roughly 15 acres. It is a friendly agreement. The owner of the 15 acres is anxious to sell it and wants to see that it goes to a part of this historic monument, and I would hope the committee would look favorably upon that bill.

I thank the chair and members of the committee.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT OF HON. JOHN W. WARNER, U.S. SENATE FROM VIRGINIA

Thank you Madam Chairman, members of the Committee on Energy and Natural Resources. I am here today to urge the committee to favorably report out two small, but important bills.

The first is a bill to rename the Wolf Trap Farm Park for the Performing Arts as the "Wolf Trap National Park for the Performing Arts". The second is a bill which will expand the borders of the Booker T. National Washington Monument.

WOLF TRAP NATIONAL PARK FOR THE PERFORMING ARTS

Wolf Trap is the only unit of the National Park System dedicated to the performing arts. It provides an unrivaled setting for live performances in the rolling countryside of Virginia outside of Washington, D.C.

This legislation recognizes Wolf Trap's status as one of the crown jewels in the National Park System. Including Wolf Trap with the already designated National Parks is intended to raise awareness of the unique role this facility plays in the nation's natural, cultural and educational life.

To provide this unique experience, the National Park Service collaborates with the Wolf Trap Foundation in a public/private partnership to offer cultural, natural, and educational experiences to the community and to the nation. The National Park Service maintains the grounds and buildings of Wolf Trap Farm Park. The Wolf Trap Foundation, a "501(c)(3)" not-for-profit organization, creates and selects the programming, develops all education programs, handles ticket sales, marketing, publicity and public relations, and raises funds to support these programs.

The Park Service has an annual budget of just over \$3 million to maintain the facility while the Wolf Trap Foundation has an annual budget of \$22 million, 60% of which is generated through ticket sales with the rest raised through private donations.

Wolf Trap offers a wide variety of educational programs including the nationally acclaimed Wolf Trap Institute for Early Learning Through the Arts for preschoolers, scholarships and performance opportunities for talented high school musicians, pre-performance preview lectures, the America's Promise mentoring program, the Mars Millennium project partnership with Buzz Aldrin Elementary School, the Folk Masters Study Units for teachers who want to incorporate the folk arts into their curriculum, a highly competitive internship program for college students, and master classes for people with all skill levels and interest.

Wolf Trap has also gained world-wide recognition for its summer residency program for young opera singers, the Wolf Trap Opera Company.

I urge the Committee to join me in recognizing the many achievements of Wolf Trap.

#### BOOKER T. WASHINGTON NATIONAL MONUMENT

The Booker T. National Washington Monument extraordinary 224 acres of rolling hills, woodlands, and agricultural fields preserves near the rapidly growing resort area near Smith Mountain Lake in Virginia. The monument protects the birth site and childhood home of Booker T. Washington. It interprets both his life experiences and significance in American history.

Many of the private landowners now wish to sell some of the surrounding farmland, including the 15-acre tract. I believe that in order to maintain this very historic area, the Park Service should acquire this property so that visitors will be ensured the same agricultural setting, which was so crucial to Booker T. Washington's life.

On April 2, 1956 the Monument was authorized by Congress to create a "public national memorial to Booker T. Washington, noted educator and apostle of good will . . ." He is known as the most powerful African American of his time. This park provides a focal point for the continuing discussions on the context of race in American society, a resource for public education, and the continuation of his legacy today.

The large agricultural landscape surrounding the Monument plays a critical role in the park's interpretation of Washington's life as an enslaved child during the Civil War era. Many of the significant experiences he had centered on this small tobacco farm. In this age of rapid development, it is remarkable that despite the passage of almost a century, the area surrounding the national monument remains relatively unchanged since the time of Booker T. Washington's birth.

As part of the park's strategic plan, a Viewshed study was conducted in 1998. Its purpose was to survey the surrounding lands in the most highly visited areas of the park and determine what visual effects urban development would have on the preservation of this historic site. The study identified a 15-acre parcel of land to be the most critical addition for this park because of its proximity to Booker T. Washington's birth site.

I urge the committee to join me in preserving this important landmark to our Nation's history for all future generations.

Senator CANTWELL. Well, thank you, Senator, for taking time out of your busy schedule to come and talk about these two important pieces of legislation.

Senator WARNER. It is always good to appear before this committee. Thank you very much.

Senator CANTWELL. Thank you.

Mr. Jones, or Mr. Jones, not to curtail any of your comments, but we are expecting a vote shortly, and I know that you are commenting on—at least one of you are commenting on many pieces of legislation, so some of that you might want to submit for the record, but with that I will turn it over to you.

#### **STATEMENT OF TERRENCE D. JONES, PRESIDENT AND CEO, WOLF TRAP FOUNDATION FOR THE PERFORMING ARTS**

Mr. JONES. I will begin. I am president and chief executive officer for the Wolf Trap Foundation for the Performing Arts, and good afternoon to you, Senator Cantwell and Senator Thomas. It is a pleasure to be here, and thank you for inviting me to speak today. I also want to thank Senator Warner for his support and his presence here today.

You have before you a request for a name change for Wolf Trap which is from Wolf Trap Farm Park for the Performing Arts to Wolf Trap National Park for the Performing Arts. This request is made with the support of the National Park Service, and with the

support of the family of our founder, Catherine Filene Shouse. This change can make an important difference for Wolf Trap.

As you know, an act of Congress established Wolf Trap Farm Park for the Performing Arts in 1966, as a result of a generous gift from Catherine Filene Shouse. Mrs. Shouse provided her farmlands and funds to construct the first Filene Center, a 7,000-seat amphitheater where more than a half million people attend performances every summer.

The National Park Service and the Wolf Trap Foundation have joint responsibility for the park. Together, we host an average of 170 performances every summer, including main stage shows at the Filene Center and a 6-week summer series for children in the Theater in the Woods. I am sure that many of you have been to Wolf Trap and have experienced the magic of the performing arts there.

Concerning funding, we are of like mind with our partners in the Park Service. Over the many years of our partnership we have developed careful mechanisms for requesting funds and recognizing funders. We are meticulously clear in distinguishing the projects that are unique to the foundation.

The proposed name for Wolf Trap accurately reflects our role as the Nation's only national park devoted solely to the presentation of the performing arts. In this role we have taken steps to build a national and international reputation. The American public and, more recently, international audiences have enjoyed television specials from Wolf Trap from our PBS series in the 1980's, featuring such stars as Beverly Sills and Victor Borge, through more recent specials, which featured artists like Judy Collins, Mary Chapin Carpenter, and the Gipsy Kings.

We are also engaged in an ongoing effort to draw attention to our fellow National Park Service units through a program that we call Face of America. Each year, we use the performing arts to celebrate the beauty and the culture of a different national park site or sites. We travel to our partner sites to film performing artists at work using high definition video. That video is then projected on giant screens at Wolf Trap as the performers themselves appear live on the Wolf Trap Center Stage.

In 2000, we presented aerial dance company project Bandeloup, and Native American flutists, Robert Mirabal in a celebration of Yosemite National Park. Last year, we created a rich festival at Wolf Trap to celebrate the Virgin Islands National Park, and the Coral Reef National Monument with performances by modern dance company Donald Byrd and the Group, performing with Steve Turre and the Sanctified Shell, storyteller Alice McGill, choreographer Ron Brown, the U.S. Olympic Synchronized Swim Team, and the Ollie Paul Original Moco Jumbi dancers from the Virgin Islands.

In addition to featuring other national park sites at Wolf Trap, we put Wolf Trap to work for them. Each park receives a video, video footage for their visitors center to use after the performance. We help our partner parks share their environmental and cultural messages by working with them to create web adventures on Wolf Trap's web site and features in our playbill.

Finally, we use the education resources of our foundation to help our partner parks in their role as good neighbors. Last year, a dancer from our production taught classes to fifth graders on the Island of St. John. This year, teaching artists from the internationally respected Wolf Trap Institute for Early Learning Through the Arts will help teach basic skills to children in Head Start classrooms in rural Kentucky near Mammoth Cave, this year's featured site, and we will provide first-time experiences of high definition technology to students in the School of Communication at Western Kentucky University.

We have begun working with other national park units for upcoming productions of Face of America. In 2003, we will celebrate the 100th anniversary of the Wright Brothers' flight with the Dayton Aviation National Historical Park in Ohio, the Wright Brothers National Monument in Kitty Hawk, and the Tuskegee Airmen National Historical Site in Alabama.

We recently enjoyed a preview of the excitement of 2004, when Hawaiian guitarist Kiola Beamer and his colleagues appeared at The Barns of Wolf Trap. Our partners for 2004 is the Hawaii Volcanoes National Park and the sister parks on the big island of Hawaii.

As you can see, Wolf Trap is truly the National Park for the Performing Arts. We do not intend to use the term, Wolf Trap National Park. This, we know, is a category reserved for our Nation's major scenic landmarks. We wish only to have our name reflect the national scope of our activities, and to be known as Wolf Trap National Park for the Performing Arts.

Thank you once again for this opportunity to speak.

Senator CANTWELL. Thank you.

Mr. Jones.

**STATEMENT OF DURAND JONES, DEPUTY DIRECTOR,  
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Mr. JONES. Senator, my name is Randy Jones. I am Deputy Director of the National Park Service. I do have statements on behalf of the administration on all the bills before you today. I ask they be submitted in their entirety for the record, and in the interest of saving the committee's time, I would be happy to go right to questions if that is the chair's pleasure.

[The prepared statements of Mr. Jones follow:]

**PREPARED STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 202 AND H.R. 2440**

Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 202 and H.R. 2440, bills that would rename Wolf Trap Farm Park as "Wolf Trap National Park for the Performing Arts."

The Department supports the intent of both bills, but recommends the approval of H.R. 2440 as passed by the House of Representatives on December 11, 2001.

A name change from "Wolf Trap Farm Park" to "Wolf Trap National Park for the Performing Arts" has been sought by the Wolf Trap Foundation as a way of increasing its visibility as a venue for performing arts and a part of the National Park System, which could potentially help with fundraising. The Wolf Trap Foundation has been an extraordinary partner for the park, bringing a high degree of professionalism to both its operational responsibilities and its fundraising initiatives, and running excellent educational and artistic programs.

The Department agrees that changing the name of the park to better reflect its purpose and status makes sense. "Wolf Trap Farm" was the name of the property that became Wolf Trap Farm Park, but most people who live in the Washington, D.C. area know the park simply as "Wolf Trap." The phrase "for the performing arts" is already commonly used in literature about the park and in advertisements for performances there. In addition, most units of the National Park System have the word "national" in their names. For these reasons, the name "Wolf Trap National Park for the Performing Arts" is appropriate for this site.

The proposal to rename Wolf Trap Farm Park as "Wolf Trap National Park for the Performing Arts" was first introduced a few years ago. Originally, the National Park Service was concerned that use of the name "National Park" would place Wolf Trap in a category of a type of park unit that implies a large, spectacular natural place that has a wide variety of attributes, often including significant historic assets. Additionally, we were concerned that the park could be subject to laws that apply only to national parks and not other units of the National Park System.

Both S. 202 and H.R. 2440 successfully address these concerns by providing that any laws, rules, or regulations that are applicable solely to units of the National Park System that are designated as a "national park" shall not apply to Wolf Trap National Park for the Performing Arts. Both bills also require the use of the full name "Wolf Trap National Park for the Performing Arts," at least for official purposes. These provisions help make it clear that as a "national park for the performing arts," Wolf Trap would be in a category of its own within the National Park System that would be separate and distinct from the system's 56 national parks.

The reason we recommend approval of H.R. 2440 as passed by the House is because it contains a simple requirement that Federal employees and Foundation employees use the new name in full in all official documents and communications, and that the full name also be used on directional signs and official signs and notices. S. 202, by contrast, contains a general prohibition on any reference to the park other than by the name "Wolf Trap National Park for the Performing Arts," which presents legal concerns about the ability of the Federal government to enforce this provision with non-Federal entities.

Finally, the proposed name change would not change Wolf Trap's legal status, nor would it alter the way that the park is administered. The National Park Service would continue the same level of management and would maintain Wolf Trap to the same standards that have always been applied at the park.

Mr. Chairman, that concludes my statement. I would be happy to respond to any questions you or other committee members may have regarding these bills.

---

PREPARED STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON H.R. 1456 AND S. 1051

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 1456 and S. 1051, identical bills, both of which would expand the boundary of Booker T. Washington National Monument, Franklin County, Virginia.

The Department gave testimony on H.R. 1456 before the House Subcommittee on National Parks, Recreation, and Public Lands on July 24, 2001. The Department supports both H.R. 1456 and S. 1051. The addition would not contribute to the National Park Service (NPS) maintenance backlog because the land would be added to the park agricultural permit program, and no additional facilities, operating funds or staffing will be needed. The current owners have indicated that they would be willing to sell the property to the United States. If authorized, this acquisition would be subject to NPS servicewide priorities and the availability of appropriations.

This legislation will adjust the boundary of Booker T. Washington National Monument to authorize acquiring from willing sellers a parcel of approximately 15 acres abutting the northeast boundary of the park. The addition and preservation of this 15-acre tract will ensure that park visitors may experience an agricultural landscape while inside the park, in a region that is subject to extreme development pressure. Seven of the 15 acres were part of the original Burrough's farm where Booker T. Washington grew up.

Booker T. Washington National Monument was authorized on April 2, 1956, to create a "public national memorial to Booker T. Washington, noted Negro educator and apostle of good will . . ." Booker T. Washington National Monument preserves and protects the birth site and childhood home of Booker T. Washington while interpreting his life experiences and significance in American history as the most powerful African American between 1895 and 1915. The park provides a resource for pub-

lic education and a focal point for continuing, discussions about the legacy of Booker T. Washington and the evolving context of race in American society.

The park is 224 acres of rolling hills, woodlands, and agricultural fields. The primary archeological resources include the Burrough's house site, or "Big House," two slave cabin sites with a 1960's reconstructed cabin on one of the sites. The agricultural landscape plays a critical role in the park's interpretation of Washington's life as an enslaved child during the Civil War. Many of his stories and experiences are centered on this small tobacco farm. In his autobiography, "Up From Slavery", Washington frequently refers to the "rural" life and the influences it had upon him.

A 1998 Viewshed Study conducted as a component of the park's March 2000 General Management Plan (GMP) identified this land as the most critical for addition to the boundary based on its elevation and proximity to the birthplace site. The parcel has been on and off the market for several years and is currently for sale. The land is currently used for open agricultural fields.

The park is located near the regional recreation area of Smith Mountain Lake, which has grown in population and development in the last ten years. The park lies a half mile from a commercial crossroads called Westlake Corner. This area has become the primary hub of services for the Smith Mountain Lake community and continues to grow. Acquisition of this parcel would provide the necessary buffer between this development and the park so that the visitors will be able to experience the area as it was during Booker T. Washington's life.

Thank you for the opportunity to comment. This concludes my prepared remarks. I would be glad to answer any question that you or members of the subcommittee might have.

---

PREPARED STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 1061 AND H.R. 2238

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 1061 and H.R. 2238, bills to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park.

The Department supports the intent of S. 1061 and H.R. 2238, both of which would help protect the magnificent landscape at Cumberland Gap National Historical Park, provide additional recreational opportunities for visitors, and help assure the continued supply of water for the city of Middlesboro, Kentucky. However, the Department recommends approval of H.R. 2238 in the form passed by the House of Representatives on December 5, 2001, with one technical amendment. We believe that H.R. 2238 as passed adequately addresses the Department's concerns about potential problems the National Park Service might encounter if it acquires a lake that serves as a source of municipal water supply.

S. 1061 and H.R. 2238 would authorize the Secretary of the Interior to purchase a 4,500-acre area located in Kentucky and Tennessee adjacent to Cumberland Gap National Historical Park that contains Fern Lake and its watershed. Existing law allows the National Park Service to acquire this area, but not by purchase with appropriated funds. S. 1061 and H.R. 2238 would allow the National Park Service to acquire the area by use of donated or appropriated funds, as well as by donation, or by a land exchange. Purchase of the property would be allowed only with the consent of the owner.

The authority to purchase the Fern Lake area is necessary because the owner of the 150-acre lake and about 600 acres of land surrounding the lake intends to sell the property. The remainder of the 4,500 acres of the watershed is not on the market at this time, but if it becomes available for purchase in the future, this legislation would provide the necessary authority for its acquisition with appropriated funds.

In addition, both bills would provide for the sale of water from Fern Lake for use by the city of Middlesboro, Kentucky and environs. They would allow the proceeds from the sale of the water to be used for the park. And, they would require the National Park Service to manage recreational use of the lake in a manner that is consistent with protecting the lake as a source of municipal water supply.

National Park Service policies generally prohibit the use of water resources in parks for entities outside of parks. However, Fern Lake, a reservoir constructed in 1893, is currently the sole source of water for Middlesboro, and we believe it is appropriate in this case to continue to allow Middlesboro to draw water from this source.

With the authority to purchase Fern Lake, the National Park Service would have the flexibility to pursue different ownership options. One possibility would be for the

National Park Service to acquire Fern Lake, in which case the Service would contract with a utility for the distribution of the water. Another option would be for the National Park Service to acquire only an interest in Fern Lake, such as a conservation easement, while another entity, such as the water utility, owns and manages the water supply system. If the National Park Service acquires the lake, the House-passed bill requires the Secretary of the Interior to ensure that the terms and conditions of the contract ensures a balance between the protection of park resources and the delivery and distribution of sufficient water to meet the demands of the city of Middlesboro.

The only amendment we recommend to H.R. 2238 as passed by the House is a change in the map reference number and date in Section 3(b). The National Park Service has produced a new map of the Fern Lake watershed that corrects an error recently discovered in the version that was used during House consideration of the bill. The new map is numbered "380/80,004A" and dated "December, 2001."

Cumberland Gap National Historical Park, established by the Act of June 11, 1940 (54 Stat 262; 16 U.S.C. 261 et seq.), commemorates the migration of hundreds of thousands of people who moved from the populous eastern states west across the Appalachian Mountains by way of Cumberland Gap to settle land in Kentucky, Tennessee, and beyond in the late 18th and early 19th Centuries. The park currently consists of about 20,000 acres in Virginia, Kentucky, and Tennessee, and is authorized to include up to 50,000 acres. The park's most visited attraction is Pinnacle Overlook, where visitors can see Kentucky, Virginia, and Tennessee and gain an appreciation of the landscape that played such a critical role in the development of our nation. Fern Lake is visible from the overlook.

The Fern Lake watershed has been a focal point for the Department of the Interior for several years. In 1996, after the Office of Surface Mining prepared a comprehensive environmental impact statement on proposed surface coal mining on the Tennessee side of the watershed, the Department declared the area unsuitable for that purpose. In 1997, after the State of Kentucky issued a permit to mine the Kentucky portion of the watershed, the National Park Service successfully appealed the permit. When the owner decided to sell the property two years ago, local residents began expressing interest in having the property added to the National Park System. The city of Middlesboro submitted a proposal to the congressional delegations of Kentucky, Tennessee, and Virginia for acquiring Fern Lake for addition to Cumberland Gap National Historical Park.

Having Fern Lake and its watershed under National Park Service management would produce many benefits. It would protect the watershed from threats of future development and thus help protect for the long term the landscape and views the park is known for. It would allow for public recreational use of a lake that is currently available only to private club members. It would also allow the development of more hiking trails in the park. These additional attractions would thus increase recreational opportunities in a region that is working hard to generate tourism. And, it would ensure that Fern Lake remains a source of water for a community that has depended on this water supply for many decades.

As you know, the Department is committed to the President's priority of eliminating the National Park Service's deferred maintenance backlog, and is concerned about the development and life-cycle operational costs associated with expansion of parks already included in the National Park System. Adding the Fern Lake watershed to Cumberland Gap National Historical Park would entail land acquisition costs, as well as additional operating and maintenance costs, including potential costs associated with dam maintenance. Although the cost of maintaining the dam is not known at this time, it is a factor that would be considered prior to the National Park Service's acquisition of the Fern Lake property. We have no intention of taking over the responsibility and cost of operating and maintaining a municipal water supply system.

The owner of the lake and surrounding property (approximately 750 acres) has offered the property for \$5 million, but the actual cost of the property will not be known until an appraisal is done and a determination is made about whether or not to acquire the water supply. If the National Park Service acquires Fern Lake, some revenue would accrue to the park from the sale of the water. According to information from the city of Middlesboro, the current owner receives approximately \$85,000 annually from the sale of water from Fern Lake. Any revenue, however, would likely be offset by increased operational costs, so this could result in a net cost to the National Park Service.

In addition, we anticipate some additional operations and maintenance costs associated with making the newly acquired land available for public use. Establishing trails and building or remodeling facilities around the lake would entail one-time development costs. There would be recurring annual costs associated with staff

needed for resource protection and visitor services in the new area. We do not have an estimate of those costs at this time, but we note that if the full 4,500 acres of the watershed is acquired, it would increase the size of the park by about 22 percent. The current annual base funding for Cumberland Gap National Historical Park is \$2.3 million.

In summary, the Department supports H.R. 2238 as passed by the House as a means to help assure protection for the natural and cultural resources of Cumberland Gap National Historical Park and to provide important benefits for the surrounding communities, through the acquisition of land from willing sellers.

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

---

PREPARED STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 1649

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 1649, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks.

The Department recognizes and appreciates the efforts of our partners to cooperatively administer the Vancouver National Historic Reserve. This is a partnership that has worked well, and we look forward to continuing to work with the City of Vancouver, the State of Washington, and the Department of the Army to achieve the goals outlined in the cooperative management plan for the Reserve. However, in light of the Department's commitment to supporting the President's initiative to eliminate the deferred maintenance backlog in our national parks, we cannot support diverting limited funds away from the Service's own needs. We believe that funds that are appropriated to the National Park Service are more appropriately directed to reducing the long list of necessary but deferred construction projects that have been identified in our national parks.

The Vancouver area of southwestern Washington was an important site of 19th-century social, economic, political, and military activity in the Pacific Northwest. In recognition of its historical significance, Congress in 1948 designated a portion of the area—Fort Vancouver—as a National Monument, and in 1961 Fort Vancouver became a National Historic Site. Over the next several decades, continuing efforts to preserve the area's other historic sites prompted Congress, in 1990, to pass legislation authorizing the creation of a Vancouver Historical Study Commission. Subsequently, the commission recommended the establishment of a reserve as the best management strategy for protection of the resources within the study area, and in 1996, Congress passed legislation that established the Vancouver National Historic Reserve. The Reserve itself is not a unit of the National Park System, although the Fort Vancouver National Historic Site component is part of the System.

The Reserve encompasses 366 acres along the Columbia River within the City of Vancouver, Washington, and includes a particularly rich collection of cultural resources, including Fort Vancouver National Historic Site, Officers Row, Vancouver Barracks, Pearson Air Museum and Air Field, portions of the Columbia River waterfront, and the Water Resources Education Center. In this nationally significant historic setting, the Reserve celebrates well over 200 years of history including the use of the area by Native Americans; the creation of the first multi-cultural village of its kind in the Pacific; the Hudson Bay Company's Fort Vancouver, which was one of the largest such British enterprises; and the growth of the U.S. Army in the Pacific Northwest as reflected in the historic Officers Row and Vancouver Barracks.

The law that established the Reserve directed the preparation of a general management plan to be developed by a partnership comprised of the National Park Service, the Historic Preservation Office of the State of Washington, the Department of the Army, and the City of Vancouver, Washington. The plan, completed in early 2000 and approved by the Secretary of the Interior, envisions an active public/private partnership in managing the shared assets of the Reserve. The Reserve partners, while maintaining full authority and management responsibilities for their individual areas consistent with applicable laws, work cooperatively on all matters relating to the Reserve. Additional financial support comes from the privately based nonprofit Vancouver National Historic Reserve Trust. The cornerstones of the 15-year management plan are preservation, education, and public use.

The plan, however, is not a budget document. While it identified estimated costs for recommended actions, it did not commit any of the agencies or other partners to specific funding requirements. Signature by the partners or the Secretaries did

not commit the Department of the Interior or the Army to any funding requirements outside of agency budgets as approved by Congress.

The law that established the Reserve authorized the appropriation of \$400,000 annually for operational costs, and a total of \$5 million for development costs. These funds have been provided in the National Park Service budgets for fiscal years 1998 through 2002 in the construction and statutory aid accounts.

The cooperative management plan for the Reserve provided a summary of development costs estimated at approximately \$85 million (in 1998 dollars). The plan contemplates that the costs will be shared by the federal government, the state, the city, nonprofit groups and organizations, and private investors, corporations, and businesses. The federal share could be allocated from the U.S. Army, the U.S. Army Reserve, the Department of Defense, or the Department of the Interior.

The Vancouver National Historic Reserve has benefited greatly from the contributions made by our partners and other donors, who have already provided over \$19 million for a wide variety of projects, and plan to provide approximately \$20 million more for projects that have already been identified.

We would like to emphasize that we are committed to working with our partners in the Vancouver National Historic Reserve to find appropriate ways to meet the goals outlined in the cooperative management plan. We encourage our partners in the Reserve to continue to seek funding and other solutions for the preservation and protection of its resources through grants and other programs administered by the Service, the Department, and other federal agencies.

This concludes my testimony. I am glad to answer any questions that you or members of the Subcommittee may have.

---

PREPARED STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 1894

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 1894, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park.

The Department supports this bill, with an amendment. However, the Department did not request additional funding for this study in Fiscal Year 2003. We believe that any funding requested should be directed towards completing previously authorized studies. Presently, there are 40 studies pending, of which we hope to transmit 15 to Congress by the end of 2002. One concern with authorizing additional studies is that it raises public expectations for establishing new park units, national trails, wild and scenic rivers, or heritage areas. We cannot afford to continue adding so many new funding requirements at the same time that we are trying to work down the deferred maintenance backlog at existing parks. To estimate these potential new funding requirements, the Administration will identify in each study all of the costs to establish, operate, and maintain the proposed site.

The Miami Circle is an archeological site in downtown Miami that was discovered in 1998 during the pre-construction survey for a condominium building. The site is located at the mouth of the Miami River, about seven miles from the northern boundary of Biscayne National Park. It consists of a circle measuring 38 feet in diameter cut into the limestone bedrock with approximately 20 irregular basins, several hundred smaller "postholes," a carving resembling an eye, and several possible astronomical alignments. Also present are several offerings, including two axes manufactured out of basaltic stone (not native to Florida), shark and sea turtle skeletons, and the skull of a bottle-nose dolphin, which bolsters the theory that this was a ceremonial site. This is the first bottlenose dolphin uncovered at an excavation in North America outside the Pacific Northwest.

A site survey by the Florida Bureau of Archeological Research completed in November, 1999 confirmed that the Miami Circle is a Tequesta Indian site approximately 2,000 years old. The Tequesta Indians were one of the earliest groups to establish permanent villages in southeast Florida. They developed a culture and subsistence that was highly successful. By using the rich marine and coastal environment along Biscayne Bay, the Tequesta developed a complex social chiefdom without an agricultural base. The Miami Circle site might have served as the center of religious, trading and political activity for this culture.

The archeological survey also determined that the Miami Circle is part of a larger complex of prehistoric archeological features on the 2.2 acre parcel, and part of a Tequesta village that occupied both sides of the Miami River. The Miami Circle is

now often referred to as the Brickell Point Project to acknowledge the archeological value of the entire 2.2-acre site, not just the circle.

Once this site was discovered, the State of Florida, Miami-Dade County, and many interested organizations and individuals combined efforts to prevent the Miami Circle property from being developed. In November, 1999, the State of Florida purchased the site for \$26.7 million with funding provided by the state's Conservation and Recreation Lands program, Miami-Dade County's Safe Neighborhood Parks Bond funds, private contributions, and a loan from the Trust for Public Land. The Florida State Division of Historical Resources has been working closely with the Division of State Lands and Miami-Dade County to develop a management plan for the property.

However, the question of how the site can best be managed over the long term, and by whom, has not yet been resolved. Interest in the possibility of National Park Service management of the site spurred the introduction of feasibility study legislation similar to S. 1894 in the 106th Congress in both the Senate and the House of Representatives. Florida Governor Jeb Bush supported the legislation. The Senate passed the legislation in October, 1999, but the House of Representatives did not vote on it.

S. 1894 directs the Secretary of the Interior to conduct a special resource study to determine whether the Miami Circle site is nationally significant as well as suitable and feasible for addition to the National Park System and, specifically, for addition to Biscayne National Park. As is standard for special resource studies, it would examine not only the option of adding the site to the National Park System but also other alternatives for protecting, managing, and interpreting the site.

Although Biscayne National Park was established primarily for the protection of its wealth of natural resources, the park is fortunate to have seven well-preserved Tequesta sites within its boundaries, all of which may be eligible for the National Register of Historic Places. The addition of the Miami Circle to Biscayne would likely enhance the park's ability to interpret the Tequesta culture. And, it would give the park a presence in Miami, which is something that numerous community members have indicated support for in the park's general management planning process. However, there may be other alternatives which could effectively achieve the protection of this resource, so it would be prudent to study other management possibilities as well.

The legislation is consistent with the requirements for special resource studies under Title III of the National Park System Omnibus Management Act of 1998 (Public Law 105-391), except for the time allotted for completion of the study. S. 1894 requires the Secretary of the Interior to conduct the study not later than one year after the date funds are made available, and to submit the study to the appropriate committees of Congress within 30 days of completion of the study. Public Law 105-391 provides for studies to be completed within three fiscal years after funds are first made available for the study. Although it is possible that the study could be completed in fewer than three years, we recommend amending S. 1894 to provide for three years to complete the study, consistent with Public Law 105-391, to ensure that there is a sufficient amount of time for public involvement and for thorough consideration of the various alternatives for management of the site.

Mr. Chairman, this concludes my statement. I would be pleased to respond to questions from you or other committee members.

---

PREPARED STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON H.R. 2234

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 2234. This bill would revise the boundary of Tumacacori National Historical Park in the State of Arizona.

The Department supports H.R. 2234, as passed by the House to correct the name and number of the map reference in the bill. On November 13, 2001 the Department testified in support of H.R. 2234 before the Subcommittee on National Parks, Recreation, and Public Lands, of the House Committee on Resources, suggesting one technical amendment relating to the name and number of the map reference in the bill which was adopted by the subcommittee at the markup held on November 15th.

The legislation would allow the park to fulfill the original purposes for which it was established, create more opportunities to expand educational and recreational partnerships within the new boundary and beyond, and has received the support of the surrounding community. Expanding the boundary of Tumacacori NHP would fulfill one of the goals identified in the park's approved General Management Plan,

and the owners of the lands proposed for addition have expressed a willingness to sell.

H.R. 2234 would amend Public Law 101-344, the Act authorizing the establishment of Tumacacori National Historical Park, and expand the boundary of the park by adding two separate parcels, which are adjacent to the original Tumacacori unit of the park and total approximately 310 acres. The legislation also defines the purpose for adding these lands.

Tumacacori National Historical Park is a 45-acre unit of the National Park System because the mission is an outstanding example of 18th century Spanish Colonial architecture and served as the source and center of a community and a way of life that survived for centuries in a harsh and demanding environment. To tell that story means more than protecting a building. It means protecting the resources that nourished and maintained it—its orchards, crops, and fields. The proposed additions to the boundary contain these resources.

Tumacacori is one of a chain of missions established by the Spanish in the Pimeria Alta (land of the Upper Pima Indians) from Sonora, Mexico to San Xavier del Bac near Tucson. Father Kino established Mission San Cayetano de Tumacacori approximately forty miles south of present day Tucson in 1691. At its height, the mission land grant included nearly 6,000 acres.

Theodore Roosevelt set aside 9 acres immediately around the church as Tumacacori National Monument in 1908. The boundary of the monument was revised with the addition of 6 acres in 1978. In 1990 the missions of Guevavi (8 acres) and Calabazas (22 acres), to the south along the Santa Cruz River, were added and the park redesignated a National Historical Park.

The 18th and 19th century Tumacacori Mission encompassed not only a church and its associated compound, but also homes for the native people. The mission supported itself by what it could grow and graze on its lands along the Santa Cruz River. Vegetables and fruits grew in a large (5 acre) walled orchard and garden irrigated by the *acequia* (irrigation ditch). Eventually homesteaders settled mission lands, and by the time Tumacacori National Monument was set aside all of the former mission lands were in private ownership. Today the mission stands divorced from its land and people. One quarter of the historic orchard and its still visible wall remains. The majority of the *acequia*, mission farmland and a section of the Santa Cruz River all lie on adjacent private land.

The park's General Management Plan (1996) identified the need to acquire additional lands to obtain the rest of the mission orchard. Acquisition of the entire historic remains of the orchard, former mission farmlands and the *acequia* would allow the park to recreate a 19th century cultural landscape. Future visitors would understand that the mission was not just a church but a complete self-sustaining community. The nearby Santa Cruz River, a desert riparian area, is a vital educational tool to understand how the native and mission communities were able to develop and thrive in the desert. In addition, expansion of the park boundary would allow the National Park Service to enhance the recreational experience of visitors along the Juan Bautista de Anza National Historic Trail between Tubac and Tumacacori as well as partner with communities all along the Santa Cruz River to further develop the recreational and educational values of the trail.

The two parcels of private land proposed to be included in the Tumacacori NHP boundary are a 90-acre parcel to the south and east and a 220-acre parcel to the north and east. The owners have expressed their interest in selling to the National Park Service. Acquisition costs for the two parcels are estimated at \$2,000,000 to \$2,500,000, although actual costs would not be known until appraisals on the land are completed. A non-profit group may be willing to purchase the properties and hold them for a short period of time until the National Park Service is able to designate land acquisition funding.

Since the National Park Service intends to return the proposed additional lands to a 19th Century cultural landscape there will be little additional park operational funding needed. Park staff would be able to provide a basic level of resource protection to lands that are acquired through existing financial resources. In the future, funding will be needed to develop visitor use trails as well as to rehabilitate and replant the mission orchard as called for in the General Management Plan. No other visitor facilities will be built in the new areas. An additional 1.5 FTE would be needed in personnel for the increased maintenance responsibilities. Costs to accomplish these projects would require one-time funding of approximately \$250,000 for visitor trail, waysides and bridge construction and \$100,000 to reconstruct and replant the orchard. A \$78,000 base increase for maintenance staff would be needed.

H.R. 2234 has generated a cross-section of support. The county supervisor on the Santa Cruz County Board of Supervisors, whose district includes the park, has expressed support. Local community groups that have expressed support for the legis-

lation include the Friends of the Santa Cruz River, the Anza Trail Coalition and the Tubac Historical Society.

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

Senator CANTWELL. Thank you, Mr. Jones, we appreciate that.

Let me ask you about the Vancouver Barracks project. Obviously, the Park Service has been very involved with this. I think there are documents that you have been involved in on a cooperative management plan basically stating that actually the National Park Service is working closely with the city and others to protect the plan for Fort Vancouver and is basically leading the site in the national historic reserve.

I am a little concerned why there is the Department's commitment to the efforts in the partners of the preserve. I am interested to know how the service plans to fulfill that role as a lead partner in making improvements in resources to the site.

Mr. JONES. We have actually some wonderful partners within the reserve and, of course, the reserve itself is not a unit of the National Park System. It is a partnership area, and we feel that what we need to do is engage in a serious dialogue with all the partners to identify alternate scenarios for obtaining the funds to accomplish the purposes and the intent of the plans, and however, that the National Park Service should not bear the full costs of that particular operation.

Senator CANTWELL. What about the specifics of the acquisition of the barracks? What is in your budget plan for that?

Mr. JONES. I am afraid I do not have the details at this point, Senator. I know the appropriations that have existed to date actually have exceeded the existing authorized level, so looking at the ceiling is something that does need to be done, but then the question is, to what extent that ceiling is looked at.

Senator CANTWELL. Why don't we submit some questions, then, about that, and you can answer them as part of the record, but obviously we are looking for a commitment that we will be working together on this.

Mr. JONES. Oh, that definitely we are happy to give you, because it is an important resource. We share the concerns that these resources need to be protected. The real question is, how, and what is the best mechanism to achieve that protection and, therefore, who should also come up with the funds to do it.

Senator CANTWELL. Thank you. Senator Thomas, do you have questions?

Senator THOMAS. I do have a couple. Mr. Jones, when are you going to have Yellowstone Park in your program?

[Laughter.]

Mr. JONES. Well, the good news is, I plan on visiting Yellowstone Park in October, so I guess that is my first site visit there.

Senator THOMAS. Well, I am sure you will bring something back with you.

Let me ask a few questions about Fern Lake. What will be the role of the Park Service in delivering water?

Ms. BOWLING. As far as I know, the water will be delivered and sold untreated, so the utility will be responsible for treating the

water, and the Park Service will not have to bear that responsibility, so they will not get into the business of being a utility.

Senator THOMAS. It does not preclude that in this bill. I understand the House bill is more specific.

Ms. BOWLING. Exactly. The House bill does state that the Secretary shall enter into a contract to sell untreated water from the lake to the utility that delivers and distributes water to the city of Middlesboro.

Senator THOMAS. Are there facilities that need to be made to collect the water, or is it simply running naturally into a stream to be collected, or what? What is the situation?

Ms. BOWLING. It is set up already. The utility has been set up in working order for, I am not sure exactly how many years, but it is already functioning utility.

Senator THOMAS. Just at random, why should the park purchase the land? Why doesn't your county or your State or your city take control of the land and leave it open space?

Ms. BOWLING. From the way that I understood it, the city did not have the funds to purchase it, and because it butted up against a national park it seemed like it would be a natural for the park to acquire it, because it fit into the scope of the national park, and it also encompassed the view from Pinnacle Overlook, and we wanted to make sure that the park was untouched, and the viewshed was protected.

Senator THOMAS. Mostly, it is a question of money.

Ms. BOWLING. Money as well.

Senator THOMAS. Can they have recreational activities in this area as well as the water program?

Ms. BOWLING. They could, if it is ecologically sound, and they do already function as a private fishing and boating lake, no motors, and they do fairly well.

Senator THOMAS. Randy, what is the position of the park on this?

Mr. JONES. Once authorized to take a look at acquisition of Fern Lake we have to take a very careful look, and we are not really ready to commit today the full extent of what we should acquire at the lake itself.

There are a variety of options, ranging from acquiring everything to not acquiring the water rights, acquiring the utility system and leaving that for the local governments, and those are some things we need to look at, and look at very closely, because we frankly are not interested in the National Park Service becoming a local utility district, but we do share a very strong vision that the lake and the environs need to be protected, and they are integral to the park itself.

Senator THOMAS. I agree with that. As many demands as there are for park resources, we have to be very certain that how we spend it contributes to the mission of the Park Service and, of course, the gateway communities are also important. But the economy of the community is not the principal purpose of the park, even though it has some impact. I understand that.

On the Vancouver issue, I understand the cost of upgrading and changing the barracks is a \$40-million project.

Mr. JONES. There are several projects that were identified in the master plan that was developed in cooperation with our partners.

The barracks is one of those projects. It is about to be transferred from the Army Reserve, is my understanding, and we are concerned about having the National Park Service, especially since the reserve portion is not actually a unit of the Park System, having us picking up all of the costs of that, which is why we need to talk to our partners to develop a good strategy that might include fundraising, and fundraising from other sources and other agencies.

Senator THOMAS. The proposal, I understand, is for \$20 million, and the total cost will be \$40 million?

Mr. JONES. Yes, sir.

Senator THOMAS. I see. What is the role of the Park Service—who else is involved as partners in this operation?

Mr. JONES. The Senator actually knows better than I do, since I have not personally visited the site, but certainly the city of Vancouver is a player, the U.S. Army, because of the Army Reserve involvement has been a player, there are some local organizations that have a great deal of interest in the site, so there are a variety of partners, and there have been a variety of funding sources that have been tapped in the past.

Senator THOMAS. What is the mission and the role of the Park Service, then?

Mr. JONES. We do have the national historic site, which is a unit of the National Park System that we do operate as a full unit.

Senator THOMAS. What is that? That is not the barracks, though.

Mr. JONES. No. Then there is the Vancouver Reserve which is adjacent, and that is just the expanded area. There are lands that are owned by other entities, and so our role as a partner, because it is part of the overall theme of the site—

Senator THOMAS. What is the park site?

Mr. JONES. Fort Vancouver National Historic Site.

Senator THOMAS. Historic Site?

Mr. JONES. Yes, sir.

Senator THOMAS. I got you. So if this \$20 million came out, what would that mean to the historic site?

Mr. JONES. The resources of the reserve directly relate to the historic site itself, but as I said are not actually part of the Park System managed area.

Senator CANTWELL. I think, Mr. Jones, maybe in the follow-up questions and answers, because we do have a vote on, and I think we are probably under the 10-minute mark, we could give a little more detail for the committee about the national historic reserve, and the fact that I think I made in some of my opening comments about the historic nature of this particular area to our European-American development as a fur-trading and commerce area for our country prior to Lewis and Clark's expedition.

It is a great centerpiece of Lewis and Clark's expedition. I am sure that is what originally got the national historic reserve funding as part of the National Park Service, but there is a variety of partners and a variety of details, and obviously not a lot of national parks probably have the U.S. Army involved in those parks. When you think about the natural beauty of the area, it does not look dissimilar to what we are talking about here in Cumberland Gap, a very beautiful part of the country, and really adjacent to another national scenic area, so the area itself is bordered by some other

reserves as well, but we will get more details on that for the committee.

Mr. JONES. Senator, we will be very happy to work with you and the committee to seek resolution.

Senator CANTWELL. Thank you. Well, in the interest of time—and I want to thank the ranking member, Senator Thomas, for being here so that we could have this hearing. In the interest of time, since we have a vote on and we have heard from the panelists, I think maybe the best thing to do is to keep the record open for 10 days or so. That way, the questions can be submitted and information back from the panelists can be available for members.

If that is acceptable, then this Subcommittee on National Parks is adjourned.

[Whereupon, at 3:05 p.m., the hearing was adjourned.]

○