

**H.R. 298, H.R. 1167, H.R. 1259,
H.R. 1633, H.R. 1846, H.R. 2015,
H.R. 2259, H.R. 2657, H.R. 2954,
AND H.R. 3188**

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS
AND ENVIRONMENTAL REGULATION

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

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LEGISLATIVE HEARING ON H.R. 298, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY TO EVALUATE THE SIGNIFICANCE OF THE MILL SPRINGS BATTLEFIELD LOCATED IN PULASKI AND WAYNE COUNTIES, KENTUCKY, AND THE FEASIBILITY OF ITS INCLUSION IN THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES; H.R. 1167, RESTORING STOREY COUNTY ACT; H.R. 1259, COLTSVILLE NATIONAL HISTORICAL PARK ACT; H.R. 1633, SMALL LANDS TRACTS CONVEYANCE ACT; H.R. 1846, LOWER EAST SIDE TENEMENT NATIONAL HISTORIC SITE AMENDMENTS ACT; H.R. 2015, LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT ACT OF 2013; H.R. 2259, NORTH FORK WATERSHED PROTECTION ACT OF 2013; H.R. 2657, DISPOSAL OF EXCESS FEDERAL LANDS ACT OF 2013; H.R. 2954, TO AUTHORIZE ESCAMBIA COUNTY, FLORIDA, TO CONVEY CERTAIN PROPERTY THAT WAS FORMERLY PART OF SANTA ROSA ISLAND NATIONAL MONUMENT AND THAT WAS CONVEYED TO ESCAMBIA COUNTY SUBJECT TO RESTRICTIONS ON USE AND RECONVEYANCE; AND H.R. 3188, TO EXPEDITE THE PLANNING AND IMPLEMENTATION OF SALVAGE TIMBER SALES AS PART OF FOREST SERVICE AND DEPARTMENT OF THE INTERIOR RESTORATION AND REHABILITATION ACTIVITIES FOR LANDS WITHIN THE STANISLAUS NATIONAL FOREST AND YOSEMITE NATIONAL PARK AND BUREAU OF LAND MANAGEMENT LANDS ADVERSELY IMPACTED BY THE 2013 RIM FIRE IN CALIFORNIA

**Thursday, October 3, 2013
U.S. House of Representatives
Subcommittee on Public Lands and Environmental Regulation
Committee on Natural Resources
Washington, DC**

The subcommittee met, pursuant to call, at 10:05 a.m., in room 1324, Longworth House Office Building, Hon. Rob Bishop [Chairman of the subcommittee] presiding.

Present: Representatives Bishop, McClintock, Tipton, Labrador, Amodei, Daines, LaMalfa, Smith, Grijalva, Holt, Horsford, Huffman, DeFazio.

Also present: Representatives Heck and Titus.

**STATEMENT OF THE HON. ROB BISHOP, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF UTAH**

Mr. BISHOP. All right. This hearing will come to order. The Chair notes the presence of a quorum.

Under the rules, the opening statements are limited to the Chairman and Ranking Member; however, I ask unanimous consent to include any other Member's opening statement in the hearing record if submitted to the clerk by the close of business today, and hearing no objections, it is so ordered.

Before we turn to the bills at hand, I want to simply comment on the events that have been occurring under our jurisdiction, especially on the Mall. Our new Secretary of Interior has—I may be wrong on this, but in my estimation, she has tried to bring an idea or an aura of new professionalism to her Department.

In vast contrast to what she is attempting to do, I see nothing but cheap pettiness on the part of the Park Service, and it is more than just putting up barricades to stop World War II veterans from attending open-air monuments, putting on more Park Service personnel to keep people away from those monuments than they ever have working them when they are open, but it is a pattern of what the Park Service has been doing that we have been talking about this entire year.

We have bills before us today where the Park Service has closed down annual church picnics in Washington because it makes too much noise for the park next door. We have experiences in Nevada where families have had to raise a great deal of money, go to court to try to get the ability of just going in and finding their relatives who have died on that Park Service property, and once the Park Service finally allowed that to take place, after a long period of time and after much money was raised, within a matter of days in the one instance and a matter of hours in the other, those bodies were actually located.

We have an experience of a river that has been congressionally designated as a recreational wild and scenic river where the Park Service has banned any kind of paddling activity in that particular river.

We have had the Park Service—Lincoln Park here in Washington has been open without ever having a Park Service person walking around it, but on Monday the playground was padlocked and chained, just the playground.

What we are seeing in the Park Service is a history of inactions where they really don't care about people.

I am told the last time there was a government shutdown in 1995, I believe it was, that the Interior bill was one of the bills that had been funded. They had their money. The Park Service shut down their parks just for the fun of it in a series of solidarity or whatever it was.

What this Park Service has done is just unacceptable. When we hear about a farm in Virginia, Park Service land, but they don't pay for the personnel, they don't put any money into it, they have insisted that those people who are being paid by an outside group, still have to close their park down. And the last one is I heard that the parking lot at Mount Vernon, which is not Federal property, has just been barricaded.

Now, if that indeed is true, then somebody should call for this Park Service Director's resignation because that is just blatant political spirit and meanness, not an effort to try and help people out. I am disgusted with what the Park Service is doing, especially

when I contrast it to what I think this new Secretary of the Interior is trying to do to add a different level of professionalism in the Department.

So having said that, I welcome our—no, I don't. I will welcome you here, but you can't talk yet. First I have to turn to the minority members for opening statements they may have.

I will turn first to the Ranking Member of the full committee Mr. DeFazio, if he has a statement he wishes to present.

STATEMENT OF THE HON. PETER A. DEFAZIO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. DEFAZIO. Thank you, Mr. Chairman. I welcome our colleagues, and there are a number of bills that will be heard here today of which I am particularly supportive.

I do want to address my remarks to one issue, and it will touch on what the Chairman raised about the shutdown or the impacts of it, and that is one of the bills that will be heard today, in particular Mr. McClintock, our colleague, is to deal with salvage of postcatastrophic fires in California.

I have considerable experience with dealing with salvage. Early in my career I cowrote, negotiated legislation to actually do salvage after a catastrophic fire in Oregon, and it was necessary to legislate at that point in order to get it done on a timely basis. So I understand the concerns of the gentleman from California and the other gentleman from California Mr. Garamendi, who is, I guess, impacted by this, or quite close to it, has also raised concerns about how we might expedite salvage.

We met with the Chief of the Forest Service earlier this week to discuss this, and here is the unfortunate thing. The Chief wants to go in, do a thorough survey of the damage, plot the whole mosaic of the burn, overlay all of the existing plans for those forests to determine what and where and how they might enter to do salvage, and that has all ground to a halt because of this shutdown. I don't know the instances that the Chairman raised regarding the Park Service and all the facts, but in this case it is not mean-spirited, it is just reality that these are not—that they will still fight fires, they are going to still do some emergency restoration work before the snows or the rains set in. They have already started in Oregon, where I also had a very large fire that I wish to have the—in this case it happens to be the BLM, although there is a rather smaller fire which the Forest Service needs to look at in terms of potential for salvage.

So, Mr. Chairman, as I said a couple of weeks ago on the floor, we have some common concerns. I am not certain that we need to—I don't believe that we are going to go down the path of suspending all laws and judicial review to do the salvage, but salvage does have a sense of urgency about it. There are tools which the Forest Service can use. They have something called an ESD, which I just learned about this week, that they can use to expedite after appeals, or after they have done a plan to preclude appeals. And we might want to look at how we could further modify tools; if we could apply HFRA to forest fires, a bill we worked on on a bipartisan basis years ago to prevent fires, which unfortunately has

never been adequately funded by either a Republican or a Democratic administration, to prevent intense fires.

So we have got a lot of work before us. I think we have some opportunity here to work together, and I just wanted to raise that. But I am hopeful we get this shutdown behind us so that the Forest Service can do an orderly plan; we get all the documentation we need that is necessary to look at where and how we could do salvage, what restoration activities are necessary; and then get an emergency appropriations of whatever we need to do to get it done.

So thank you, Mr. Chairman.

[The prepared statement of Mr. DeFazio follows:]

PREPARED STATEMENT OF THE HONORABLE PETER A. DEFazio, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF OREGON

Thank you, Mr. Chairman.

Two weeks ago we were on the floor of the House talking about forest management and ways to reduce the threat of catastrophic wildfires.

As I said then, there is common ground between Democrats and Republicans on this committee about the need for restoration to make our forests more resilient to fire and—in some cases—the need for post-fire activities to help put our forests on a sustainable, healthy path *after* a large fire.

But those activities cost money. Implementing the Healthy Forest Restoration Act—which is bipartisan legislation that *does* reduce government costs and time spent developing projects—requires congressional appropriation.

Putting together salvage projects to extract some economic benefit from post-fire events requires congressional appropriation.

Restoring the landscape, replanting, and executing emergency activities to protect communities post-fire requires congressional appropriation.

Timber sales, hazardous fuels contracts, and stewardship contracts—all activities my colleagues on the other side of the aisle strongly support—require congressional appropriation.

But none of these things are happening right now thanks to this illogical, irresponsible, completely unnecessary Government shutdown. I hope members of this committee understand that what is happening today in Washington is having real world, long-term, detrimental consequences on our land management agencies, our public resources, and on the communities and businesses that depend on these resources.

I know my colleague from California, Mr. McClintock, is very concerned about possible delays in salvage operations in the Yosemite Rim Fire area. He recently introduced a bill, which is before the committee today, to expedite salvage timber sales by waiving all environmental laws and judicial review.

I can understand the gentleman's frustrations and anxiety about getting this work done. In fact, I have 100,000 burned acres in my district from 2013 fires.

But I will tell you that the most immediate threat to delay in salvage operations in the Yosemite Rim Fire area is not process and potential litigation—it's the Government shutdown.

I talked to the Chief of the Forest Service on Tuesday. He has been forced to furlough all non-emergency personnel—some 18,800 employees total. The personnel that *WOULD* be working on planning for salvage and restoration in Yosemite aren't working.

The only work being done in Yosemite right now is emergency work to put out the last remnants of the fire, to stabilize soils, and to ensure public safety. That's it. And when, or if, Forest Service employees return from this disruptive and expensive shutdown, they are going to be facing an even greater work backlog than they do now with declining budgets and reduced staff.

You think these employees are just going to come back and pick up exactly where they left off? No. Congress is creating a mountain of paperwork for our Federal agencies because of the shutdown.

I would counsel my colleagues on the other side of the aisle, if you want timely salvage operations in Yosemite or anywhere else in the country—if that's really your goal—fund the Government.

If you want to move forward with hazardous fuel projects to reduce the risk of catastrophic fires like the Rim Fire in the future, fund the Government.

And if you want to put your constituents back to work in the woods and make sure the timber infrastructure in your district or State is supplied with material, fund the Government.

I am happy to work with my Republican colleagues on this committee on legislation that addresses fire and salvage. I don't think we need to waive all environmental laws and judicial review to accomplish our mutual goals. We should be able to come together on legislation that provides our agencies with the tools they need to better prevent and respond to wildfires and the devastation wildfires can bring to communities and the environment.

But those tools would be completely useless to our Federal agencies if they aren't open for business.

Mr. MCCLINTOCK. Will the gentleman yield?

Mr. DEFAZIO. If I have time, I would, if the Chairman allows.

Mr. MCCLINTOCK. Thank you.

Mr. BISHOP. Well, if you have to, go ahead and do it. He actually has unlimited time for an opening statement. We were going to discuss this issue later.

Mr. MCCLINTOCK. If the Chairman would prefer to discuss it later, but since the gentleman has referenced my legislation—

Mr. BISHOP. We are going to talk about your bill in detail.

Mr. MCCLINTOCK. All right. OK.

Mr. BISHOP. Let me also turn to the Ranking Member of the subcommittee Mr. Grijalva for an opening statement.

STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. GRIJALVA. Thank you, Mr. Chairman. I will submit the statement in its entirety for the record. I want to thank our colleagues for being here today.

Personally I am astounded that we are having the hearing to begin with. The Government is shut down, employees are locked out, and the public is locked out of their public places and national parks, and everything is not normal. And while there is legislation before us that I support, legislation that I would like to probe even further. There are consequences to this shutdown of this Government, and particularly the public lands.

The incidents that the Chair pointed out that are going on are a consequence of the majority shutting down the Government; consequences that are unfortunate, painful to visitors who have planned for months to be here, to bring their families, to go to the Grand Canyon. The month of October is worth \$32 million to the Grand Canyon from visitors and from all the business related to those visits. So \$3.2 million a day disappears from the revenue of surrounding communities and the park itself, 400 employees locked out, 1,500 concession employees that work for concessionaires, the river runners closed, outfitters not doing business. And so there is a series of domino consequences to this shutdown, and while we can try to nitpick which one we should and which one we shouldn't, we are looking at a wholesale shutdown of this Government, and we need to remedy it in that way.

I appreciate the Republican majority investigating this Government shutdown, having detailed information. It reminds me of President George W. Bush investigating how we got into Iraq.

The fact remains that this is a decision that was made and a decision that can be resolved. The Park Service needs to be open, the

American people need to see their lands that they pay for and sustain, and I hope as we go forward—and this hearing, while important to the people sponsoring the legislation and important to those communities that it represents, nevertheless this is a hearing in a vacuum and a hearing that, quite frankly, should occur once the Park Service is open and functioning and we can have their personnel here to react and give opinions regarding each one of these bills.

Mr. Chairman, I appreciate the time, I yield back, and I will submit the full statement for the record.

Mr. BISHOP. I thank Mr. Grijalva for his statement.

[The prepared statement of Mr. Grijalva follows:]

PREPARED STATEMENT OF THE HONORABLE RAÚL M. GRIJALVA, RANKING MEMBER,
SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION

I'm astounded that we're having this hearing today. The Government is shut down and we're going to go on with business like everything is normal? Everything is not normal. Despite the rhetoric from the other side, this hearing is not normal. Because the Government is shutdown, we will not be able to hear from the administration on several highly controversial bills. That's not how government should operate.

While I appreciate that 3 democratic bills were included in today's hearing, I'm wary about the motivation behind today's meeting.

On Monday, the majority voted to shut down the Government, shuttering our public lands, including the some of our Nation's most beloved and visited National Parks. People wait all year to see the autumn leaves at Acadia National Park in Maine or enjoy cooler temperatures at the Grand Canyon in Arizona. This year, however, they are being turned away.

October is a popular month in many of our National Parks, and local communities rely on seasonal income to get through the rest of the year. This seasonal income is at risk. In Arizona alone, over 50,000 people visit National Park units every day during the month of October. Visitation during October drives \$3.2 million in economic activity. That's \$3.2 million being sucked out of the State every day this shutdown continues.

Right now, people are being turned away from the Grand Canyon. People who planned for months, even years, have to cancel their plans and pack up their stuff. All roads and trailheads in the park are closed. Hotels on the rim of the canyon are forced to close. River launches have stopped. Concessions have stopped. The park has had to furlough over 400 employees, and that doesn't even include the 1,500 plus concession employees that will be out of work during this senseless shutdown. The shutdown has a serious ripple effect on gateway communities. Grand Canyon National Park generates \$465 million per year in economic activity. Every day this shutdown continues the communities that rely on the park are losing over \$1 million.

Shutting down the Government has serious consequences and, like I mentioned at the beginning of my remarks, I cannot believe we are holding this hearing today. We can't pretend everything is business as usual. We have to stop playing games with the American people. On Tuesday, the Majority held a vote to that singled out funding for the National Park Service, the Smithsonian, and the National Holocaust Museum. This was cute, but not an effective way to end this shutdown. I voted against this piecemeal strategy. We can't pick out individual programs that make good sound bites and fund the Government piece by piece. People do care about funding the National Park Service. They also recognize a ruse when they see one. Under the individual CR to fund the park service, 81 percent of Department of the Interior would be still be furloughed.

Several of the bills under consideration today are attempts to expedite the sale or transfer of Federal lands. Ignoring the public planning process has become a priority for the majority. But even if they had their way, under this shutdown they've orchestrated, there would be no one working to facilitate the sale of Federal lands. I just hope they appreciate that little bit of irony.

Another bill we'll be discussing today requires salvage timber sales in the recovery plan for the Rim Fire that burned nearly 80,000 acres in Yosemite National Park. Even though the impacted land in the park is primarily wilderness, the bill waives all environmental review, the Clean Water Act, and the Wilderness Act. Offi-

cials from Yosemite have publicly indicated that salvage logging is not necessary, but again, we aren't able to hear from the administration because the Government is shutdown. Under the shutdown, there all of the staff that could facilitate salvage logging are furloughed.

I spent this time to raise my concerns about the impacts of the shutdown and questioning the rationale for holding this hearing, but I would like to take a minute to thank the witnesses for joining us today. It's not under the best circumstances. I recognize that, but I do look forward to your testimony.

With that, I yield back.

Mr. BISHOP. He is right that the administration is not here, but will submit their points on each bill for the record, especially as we move toward a markup.

So I thank all of you, our colleagues, for being here. I actually appreciate the remarks of the gentleman from Arizona as well, and for those of you who are coming here and asking to create a Federal facility in your State, I might just remind you that the State parks are still open and functioning very well. It's an option.

The bills we will be discussing today include H.R. 298 by Mr. Rogers of Kentucky to authorize a study of the Mill Springs Battlefield for possible inclusion in the National Park System; H.R. 1167 and 1633 by Mr. Amodei to resolve issues and deal with small tract conveyances; H.R. 1259 by Mr. Larson to establish Coltsville National Historic Park in Connecticut; H.R. 1846 by Ms. Velazquez to have the Lower East Side Tenement National Historic Site Amendment Act; H.R. 2015 by Mr. Horsford—and by the way, we are happy to have you back here. You OK?

Mr. HORSFORD. Great.

Mr. BISHOP. You are not going to have any kind of medical issue with us while you are here? We are happy to have you back.

Mr. HORSFORD. Stronger and healthier.

Mr. BISHOP. Good. We are happy to have you back here.

H.R. 2015 to provide for certain land conveyances in the State of Nevada; H.R. 2259 by Mr. Daines, the North Fork Watershed Protection Act; H.R. 2657 by Mr. Chaffetz—or Chavez, as I have heard you called all over the place—Disposable Excess Federal Lands Act; H.R. 2954 by Mr. Miller to authorize conveyance of certain property in some county in Florida—I can't pronounce it, I am sorry; H.R. 3188 by Mr. McClintock to expedite salvage timber sales damaged in the 2013 Rim Fire.

We are going to invite you to give your testimony for 5 minutes. It is in front of you there. We will then also ask you if you would like to join us at the dais for the rest of the procedures as we go through your bills.

I also recognize the gentlelady from Nevada Ms. Titus, who has joined us here. We welcome you to the dais as well. I ask unanimous—oh, and Mr. Heck as well from Nevada. I ask unanimous consent that Members who are sponsoring bills as well as the other Representatives be able to join us on the dais and participate as well. Hearing no objections, we will proceed with that.

Now, Mr. Miller, I understand that you are the one that has the most urgent need to go somewhere else. Even though we are going to invite you to stay, you are probably just going to blow me off and not stay anyway, but we will start with you, and then I will go

down the row as well, and you have got 5 minutes. Please, Mr. Miller, go ahead.

**STATEMENT OF THE HON. JEFF MILLER, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. MILLER. Thank you, Mr. Chairman. I have to go down to the National Mall and remove some barricades.

Thank you to the Chairman and members of the subcommittee for allowing me to speak on my bill, 2954, to authorize Escambia County, Mr. Chairman, to convey certain property that was on Santa Rosa Island that has been leased to individuals that have been living on the island.

In 1947, the U.S. Government, pursuant to congressional action taken during the 79th Congress, removed Santa Rosa National Monument from the jurisdiction of the National Park Service and deeded the land located on Santa Rosa Island to Escambia County, Florida. Under the terms of the law, Escambia County was given the authority to transfer property on Santa Rosa Island with the caveat that they could not issue title to the property. Rather, the county could only lease the land or return it to the Federal Government.

Shortly after Escambia took custody of the island, they began offering to lease the property to businesses and homeowners, who would pay a lease fee, but would not be charged property taxes.

In the years since this land was given to Escambia County, Santa Rosa Island has grown from an undeveloped barrier island into a bustling community with thousands of residents, businesses contributing millions of dollars to the local community, and tourists from across the United States and around the world traveling to vacation on the island's pristine white sand beaches.

Mr. Chairman, this is a fairness issue. These significant developments on Santa Rosa Island necessitate a change in the original agreement between the Federal Government and Escambia County, and that is why the Board of County Commissioners of both Escambia County and Santa Rosa County passed resolutions asking me to introduce this bill that would allow the current Santa Rosa Island leaseholders the option of attaining fee simple title while protecting public access to the beaches and conservation areas on the island.

H.R. 2954 is a simple solution that will allow current leaseholders the option of attaining fee simple title to their property if they so choose to do. Additionally, the bill would help ease management of the island by conveying land that currently falls in the jurisdictional boundaries of Santa Rosa County but is owned by Escambia County to Santa Rosa County.

It is also vital to the many stakeholders in the current community that current agreements governing conservation, preservation, and public access or recreation on Santa Rosa Island are maintained, and that is why my legislation codifies these agreements into law in accordance with all resolutions that have been adopted by the county commission governments. This meets all the other criteria set forth to me by the Board of County Commissioners of Escambia and Santa Rosa counties, and it will help to ensure that individuals and businesses currently living and working on Santa

Rosa Island have the choice to attain title to their land while also upholding current conservation easements and public access to the island beaches.

In closing, I want to add that my bill in no way affects the right to public beach access, nor does it in any way change the boundaries of the Gulf Islands National Seashore, nor negatively impact the mission of the National Park Service at the national park.

Mr. Chairman, thank you for allowing me to testify this morning at this legislative hearing on H.R. 2954 and speaking before this subcommittee. I yield back.

Mr. BISHOP. Thank you, Mr. Miller.

I appreciate now knowing how to say Escambia County, and you are welcome to join us if you would like to, and on your way down to the Mall take wire cutters. I am told the Park Service wired the barricades together today. Again, you are welcome to join us if you would like to. If you have other business, I understand that.

Let me turn to Mr. Rogers. I think you probably have a couple of other things on the plate today as well. I will give you 5 minutes to talk about your study for the Mill Springs Battlefield.

STATEMENT OF THE HON. HAROLD ROGERS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

Mr. ROGERS. Mr. Chairman and members of the committee, thank you for this important hearing, and I am grateful for the opportunity to speak before you. Truly our Nation is blessed. We have a remarkable array of natural beauty, which people from all over the world flock to see. Additionally we have a great number of historical sites which have been dutifully and faithfully preserved so that new generations can appreciate what this country has been through and what their forefathers cared for.

I am proud today to introduce to you my friend Bill Neikirk—Bill, raise your hand so they can see who you are—Bill Neikirk, whom you will see in the next panel, I think. It seems like only yesterday, but more than 20 years ago Bill and a group of citizens in Wayne and Pulaski Counties in Kentucky grew concerned that the site of an important Civil War battlefield in our backyard was in danger of being lost forever. It was at that time that the U.S. Department of the Interior classified the site of the Battle of Mill Springs, one of the most important battles in the western theater of the war, as one of the most endangered battlefields in Kentucky.

Today, thanks to Bill and the group he founded, the Mill Springs Battlefield Association, hundreds of acres of battlefields have been diligently preserved, acquired and preserved. Through a partnership of public and private funds, his association has constructed a fantastic 10,000-square-foot Mill Springs Battlefield Visitors Center and Museum, established interpretive signage, led driving and walking tours of the battlefield, but above all they have created a very vibrant tourist attraction which hosts thousands of visitors and students each year, preserving the memory of this historic battle for generations to come, including staging the reenactment of the battle every January.

Mr. Chairman, the Mill Springs Battlefield Association has expressed its desire to turn over their tireless preservation work to the National Park Service and the people of this country so that

the joy of learning and of history will be enjoyed by many more people through the years. My bill, H.R. 298, would start this process by evaluating the feasibility of adopting this important site into the Park Service. I am proud to associate myself with their effort and to have this battlefield and generous group of citizens in my district.

I thank this subcommittee for favorably considering this legislation. I hope it will be passed to the full committee, Mr. Chairman and Members, and thank you for the time allotted me, and I yield back what is remaining.

Mr. BISHOP. Thank you, Mr. Rogers, and, again, if you would like to stay, you are welcome to it. I have a feeling you probably have other issues that you need to deal with.

I also once failed to announce that H.R. 712, which is on the agenda, will not be discussed today, but will be reassigned to a different hearing time.

Mr. Chaffetz, happy to have you back here again. Your bill, number 2657, is before us. Five minutes. Go for it.

**STATEMENT OF THE HON. JASON CHAFFETZ, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH**

Mr. CHAFFETZ. I thank the Chairman and thank the Ranking Member for their consideration.

As you know, over the course of years, the Federal Government has spent billions of dollars acquiring private property and making it public, and through that time back in 1997, the Clinton administration actually went through an exercise of assessing the BLM lands, and during that assessment they categorized them. They looked at mineral rights, they looked at road access, they looked at all the different uses of this public land. But there was a certain portion of the land that really didn't serve any sort of public purpose. It didn't have road access issues, it didn't have mineral rights; it just was excess Federal land that served no public purpose.

And as they did this assessment, the Clinton administration came to determine that just over 1 percent of that land didn't really have any other purpose, and so what this bill says is let us take that little bit of excess that doesn't serve a public purpose and let us put it up at fair market value and sell it back as private property. If it sells, if people find value to it, whether it is a conservationist or a private property owner, they could buy that, and it would go back as private property.

Now, it ends up that would be about 3.3 million acres of land through a variety of States, mostly in the West. This is, again, half of 1 percent, $\frac{1}{2}$ of 1 percent of all the Federal lands.

So the number 3.3 million acres sounds like a lot, but in the context of how much Federal land is owned by the Federal Government, it is a very, very small amount of land. But in the Western States this becomes vital to the education of our children, because if you don't have property tax, which is private property to generate the taxes that you need to educate your children, like we need in Utah—we have nearly 70 percent of our land owned by State and Federal Government. We have a hard time getting the money that we need to educate our children. So if we have excess

Federal land, just over 1 percent of the BLM, my bill suggests that we would sell that back to private property owners.

H.R. 2657, the disposal of excess Federal lands, would responsibly dispose of nearly 3.3 million acres of land the Federal Government reported it does not need, and selling these lands could generate more than a billion dollars for the Federal Treasury. In addition, putting these lands to good use would generate economic activity, jobs, and even more Federal revenue.

National treasures like national parks we have in Utah and particularly in Utah's Third Congressional District deserve Federal protection; however, during the Clinton administration there was a portion of land under their assessment that they found suitable for disposal. This bill simply would allow that process to move forward.

I appreciate the committee's consideration of this bill. I would hope we would find support. I would be happy to answer any questions as we move forward, but I appreciate, Chairman, allowing this bill to move forward and the consideration of this committee.

I yield back.

Mr. BISHOP. Thank you. I appreciate you being here. Once again, we would extend you the opportunity to stay if you would like to.

Mr. Larson, we are happy to have you here on H.R. 1259, the Coltsville National Historic Park. You are recognized for 5 minutes.

STATEMENT OF THE HON. JOHN B. LARSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CONNECTICUT

Mr. LARSON. Well, thank you, Mr. Chairman, and I want to thank you, and Mr. Grijalva, and members of the committee, and certainly the committee staff, for the ongoing work that we have been involved in. We are honored to be here. You will be hearing in the second panel from the Mayor of Hartford. I thank you again for extending an invitation to him. This will be his second appearance before the committee as well.

I can't tell you how important this is to the State of Connecticut. I think for many States it is important for us to put this in the perspective of a small State. You can fit the State of Connecticut in most of your national parks, and yet we have this very significant historic spot that not only produced the gun that won the West, but also was at the heart of the industrial revolution, a revolution that ultimately—I know we are going to get some disagreement from New Jersey about this, and I have this argument on a regular basis with Mr. Pascrell as well, but this was a place in Coltsville, as it is called, where not only did they come up with the concept of the assembly line and interchangeable parts, but we had a woman who didn't have the right to vote when her husband Samuel Colt passed away who actually was part of what would be back then in probably a Fortune 500 company in the United States. They became the first manufacturers to not only manufacture here, but the first American manufacturer to manufacture overseas as well. She developed the concept of firewalls. She introduced housing for employees there, as well as forms of insurance that ultimately led to a burgeoning insurance industry in Hartford, Connecticut, but also saw the production of the bicycle, the automobile, and the typewriter that were all part of what people commonly now refer to as the Gilded Age.

It is a great source of pride for the State of Connecticut, and I thank Ranking Member DeFazio, who visited recently and had a tour of the Colts building and was taken on that tour by Mayor Segarra, who you will be hearing from later as well. But it also has the full support of the community, from the Historic Society to the residents in the community, to the religious community, the Chamber of Commerce because of its vital importance and synergy with so many other State historic landmarks.

And I take the Chairman's admonition to heart, but as I have told him on many occasions, for Connecticut, and we consider ourselves a donor State to the Federal Government. By that I mean the amount of money that we send to the Federal Government based on what we receive back is quite disproportionate. And so this, of course, is something that I appeal to the committee's genuine sense of fairness and understanding how prideful this is and what a great designation this would be to bring the prestige of a national park to the State of Connecticut. You know from your States how important it is to you and what that designation carries with it. We are talking about a very small parcel here that we are dealing with, and we are talking about 10,000 square feet where probably the best collection in the world of that period and that era of guns will be displayed.

And so it is with a great source of pride that I come here today representing our community. We have been working on this for almost a decade now. I am proud of the National Park Service's support and so many others, both of our United States Senators, and Senator Wyden who are supporting this as well. And I especially want to thank the Ranking Member Grijalva and the Chairman for taking the time with us and our staff and meeting with our staffs to work out some of the issues that you have expressed.

We are willing to do anything and everything that it takes to gain this prestigious recognition, and I know it is a dear thing, and it comes dearly to these Members, but thank you for allowing me the opportunity to make this case before you today.

Mr. BISHOP. Thank you.

And, John, once again, if you would like to join us, you will notice that no one has taken me up on that offer, but the offer is still there, and I would still remind the gentleman—

Mr. LARSON. It is not personal, I am sure, yes.

Mr. BISHOP. I told you, you had to talk about the baseball diamonds out there. Too late, too late. You had your chance.

Mr. LARSON. I just wanted to say and also the home of vintage baseball for Connecticut, where we have Colts Ball Field, which is right there on the facility and site.

Excuse me, Mr. Chairman.

Mr. BISHOP. Thank you.

Ms. Velázquez, we appreciate you coming in here today. We recognize you for 5 minutes to talk about the Lower East Side Tenement National Historic Site.

**STATEMENT OF THE HON. NYDIA M. VELÁZQUEZ, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF
NEW YORK**

Ms. VELÁZQUEZ. Good morning. Thank you, Mr. Chairman and Ranking Member Grijalva, for holding this important hearing and taking up consideration of H.R. 1846, the Lower East Side Tenement National Historic Site Amendments Act.

Since our country's inception, immigration has been a driving force in shaping our Nation's history. For hundreds of years people from every corner of the globe have come to the United States in pursuit of a better life. Their arrival has made us stronger with their valuable contributions in a wide range of fields. In my city, New York, immigrants have been an important part of the cultural fabric. From Little Italy to Chinatown, every one of the five boroughs has been enriched by the arrival of immigrants.

Because of immigration's important role in our country and in our history, there are a number of sites that recognize the millions who came here from abroad to start a new life and help build the American dream. I am sure members of this committee are familiar with Ellis Island and the Statue of Liberty.

In my district the Tenement Museum helps visitors remember the challenges immigrants have faced when they first arrived in the city and lived in the Lower East Side. Since being founded in 1988, this local gem has helped recount the story of 7,000 working-class immigrant families who lived in these structures. They demonstrate the challenges families faced in building a new life, assimilating to a new culture, and creating a brighter future.

The stories told through the Tenement Museum range widely. The museum offers a glimpse into the lives of our first factory workers. It allows us to see how a Greek Sephardic family lived in the Lower East Side tenements. Exhibits allow visitors to experience the shops. Some of our earliest immigrants owned small businesses that provided goods and services to the area's burgeoning immigrant population.

The museum has been officially acknowledged as significant to our Nation's history. Congress designated 97 Orchard Street as an affiliated site of the National Park System in 1988, and the Secretary of the Interior declared the museum a historic landmark in 1994.

As interest in the museum has continued to grow, there is an increasing need for additional space and greater accessibility. My bill, H.R. 1846, will help meet this growing need. By having the National Park System recognize the museum's expansion at 103 Orchard Street, the bill will enhance the experience of those visiting the museum. Under H.R. 1846, the museum will be able to open a new visitors center and transform certain portions of the museum into additional educational exhibits and tours. This legislation is needed because it will make this valuable educational tool available to a wider audience.

Mr. Chairman, the immigrant story is the American story. We have always been a Nation of immigrants, and all our communities are enriched by this infusion of new ideas and cultures. The Tenement Museum honors the men, women, and children who came here to carve out a better life and in the process improved our

country. H.R. 1846 will ensure the museum can reach an even wider audience and continue telling this uniquely American story. And I thank you for giving me this opportunity and for the consideration of this legislation.

Mr. BISHOP. Thank you. I appreciate your testimony. Once again, the invitation to join us if you would like to, but I understand Members have other commitments other places.

We will now turn to the introduction of bills that are sponsored by Members who are here on the committee and the dais as well. Mr. Horsford, let us turn to yours first, 2015. You are recognized for 5 minutes to introduce your legislation.

STATEMENT OF THE HON. STEVEN A. HORSFORD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. HORSFORD. Thank you very much, Mr. Chairman, to you and to the Ranking Member Mr. Grijalva, for scheduling this hearing today.

The consensus on this important and bipartisan bill, H.R. 2015, truly is remarkable. I have dozens of letters, resolutions, and statements of support from countless elected officials, community leaders, and citizen groups who are all asking this Congress to recognize Tule Springs be designated as a national monument. And, Mr. Chairman, I would like to ask that they be included in the record with your permission. Permission to include those in the record.

Mr. BISHOP. Yes.

[The letters, resolutions and statements submitted by Mr. Horsford follow:]

LETTER SUBMITTED FOR THE RECORD BY THE BOARD OF COUNTY COMMISSIONERS,
CLARK COUNTY, NEVADA

CLARK COUNTY GOVERNMENT CENTER,
LAS VEGAS, NEVADA,
JUNE 17, 2013.

To: NEVADA CONGRESSIONAL DELEGATION:

THE HONORABLE HARRY REID, THE HONORABLE DEAN HELLER, THE HONORABLE MARK AMODEI, THE HONORABLE JOE HECK, THE HONORABLE STEVEN HORSFORD, THE HONORABLE DINA TITUS.

Re: S. 974 and H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013.

Please accept this letter as my support of S. 974 and H.R. 2015—The Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. Community support for Tule Springs legislation has been broad and inclusive, and it's important to note that the entire Nevada delegation (three Republicans and three Democrats) co-sponsored this legislation. I encourage the swift passage of this legislation so the Tule Springs National Monument may begin to take place. In the northern outskirts of Clark County/Las Vegas, thousands of fossils or Ice Age creatures' remains are buried. Founded in 2007, the Protectors of Tule Springs (POTS) has worked tirelessly to make certain this area is preserved and protected. I want future generations to enjoy all that is to be learned and seen in this wonderful area.

I fully support designating this area a National Monument, managed by the National Park Service. It has the unanimous support of local elected officials, the United States Air Force, the Las Vegas Paiute Tribe, tourism industry leaders, educators, scientists, conservation organizations, and community groups. In addition, thousands of people have registered their support. It is the right time and the right thing to do.

Thank you,

TOM COLLINS,
Clark County Commissioner.

LETTER SUBMITTED FOR THE RECORD BY THE BOARD OF COUNTY COMMISSIONERS,
CLARK COUNTY, NEVADA

CLARK COUNTY GOVERNMENT CENTER,
LAS VEGAS, NEVADA,
JUNE 4, 2013

The Honorable HARRY REID,
U.S. Senate,
Washington, DC 20510.

The Honorable MARK E. AMODEI,
U.S. House of Representative,
Washington, DC 20515.

The Honorable STEVEN A.
HORSFORD,
U.S. House of Representative,
Washington, DC 20515.

The Honorable DEAN HELLER,
U.S. Senate,
Washington, DC 20510.

The Honorable JOSEPH J. HECK,
U.S. House of Representative,
Washington, DC 20515.

The Honorable DINA TITUS,
U.S. House of Representative,
Washington, DC 20515.

Re: S. 974 and H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013

DEAR CONGRESSIONAL DELEGATION:

I am writing in support of the above referenced act. The Upper Las Vegas Wash contains thousands of paleontological resources from the Pleistocene Epoch that are preserved in a unique geological context that are of national importance. Designation of this site as a National Monument would protect the unique fossil resources of the area and the geological context of those resources for present and future generations while allowing for public education and continued scientific research opportunities.

In studies of the area conducted during the last decade, the Bureau of Land Management and National Park Service determined that the area likely contains the longest continuous section of Pleistocene strata in the desert southwest, which span multiple important global climate cooling and warming episodes.

The Upper Las Vegas Wash is significant to the culture and history of the native and indigenous people of the area, including the Southern Paiute Tribe.

The entire Nevada delegation along with Clark County and the cities of Las Vegas and North Las Vegas has shown its support for this legislation.

This designation would protect the fossil specimens and, hopefully, lead to a new tourist destination as well.

I request and urge the swift passage of the legislation so that the development of a management plan that provides for the long-term protection and management of the Monument can be accomplished soon.

Sincerely,

CHRIS GIUNCHIGLIANI,
Commissioner.

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF NORTH LAS VEGAS

OFFICE OF THE MAYOR AND CITY COUNCIL,
NORTH LAS VEGAS, NEVADA,
JUNE 3, 2013.

Honorable STEVEN A. HORSFORD,
2250 Las Vegas Blvd North, Suite 500,
North Las Vegas, NV 89030.

DEAR CONGRESSMAN HORSFORD:

The city of North Las Vegas City Council wishes to express our support for H.R. 2015, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. We believe this legislation reflects a well-balanced approach to public land management policy in the Las Vegas Valley, and we urge you to support this important measure.

The legislation would achieve important conservation goals by establishing the Tule Springs Fossil Beds National Monument. Located at the northern edge of the Las Vegas Valley and within the boundaries of the Cities of North Las Vegas and Las Vegas (the "Cities") are the Tule Springs National Register Historic Site and an area known as the Upper Las Vegas Wash, a unique natural drainage channel

that carries storm water from the surrounding mountains toward Lake Mead. Found within these areas are significant paleontological sites containing numerous fossils demonstrative of the Pleistocene Ice Age that span geologic history from 7,000 to nearly 200,000 years ago. These areas also contain endangered and imperiled plants such as the Merriam's and Las Vegas Bearpoppy and the Las Vegas Buckwheat, as well as important habitat for threatened species such as the desert tortoise and burrowing owls.

Recognizing the significance of these areas, the mayors and city councils of the Cities unanimously passed a resolution, in collaboration with the Clark County Commission and the Tribal Council of the Southern Nevada Paiute Tribe, requesting that Congress designate the area surrounding Tule Springs and the Upper Las Vegas Wash a unit of the National Park Service. We believe a national monument is the appropriate designation. Due to the large number and variety of resources that are available for study and viewing within the area it is expected that the national monument would attract visitors from all over the world with a wide range of interests, including educational, scientific, cultural and recreational. The Cities have worked closely with a broad range of stakeholders, including the U.S. Air Force, conservation groups, and NV Energy, to develop a boundary for the national monument that balances conservation and resource protection with the future growth needs of the Cities.

The legislation also facilitates important economic development goals for the city by making surplus Federal land available for future job creation and development in accordance with local land use plans. The city expects the release of these lands to create thousands of jobs over the next decade.

The city appreciates all you do for southern Nevada, and we thank you for your support of this important public lands legislation for the benefit of current and future generations of Las Vegas Valley residents and visitors.

Sincerely,

SHARI L. BUCK,
Mayor.

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF NORTH LAS VEGAS

MAYOR-ELECT,
NORTH LAS VEGAS, NEVADA,
JUNE 6, 2013.

The Honorable HARRY REID,
U.S. Senate,
Washington, DC 20510.

The Honorable MARK E. AMODEI,
U.S. House of Representatives,
Washington, DC 20515.

The Honorable STEVEN A.
HORSFORD,
U.S. House of Representatives,
Washington, DC 20515.

The Honorable DEAN HELLER,
U.S. Senate,
Washington, DC 20510.

The Honorable JOSEPH J. HECK,
U.S. House of Representatives,
Washington, DC 20515.

The Honorable DINA TITUS,
U.S. House of Representatives,
Washington, DC 20515.

Re: S. 974 and H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013.

DEAR SEN. REID, SEN. HELLER, REP. HECK, REP. AMODEI, REP. TITUS, AND REP. HORSFORD:

I am writing to strongly urge you to support S. 974 and H.R. 2015—The Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. As Mayor-Elect of North Las Vegas, I believe the National Monument is not only culturally and historically significant, but has the potential to provide a positive economic affect on our city.

The broad and overwhelming community support for the Tule Springs legislation matches the bi-partisan effort of the entire Nevada Congressional delegation. While on the campaign trail over the last several months, a countless number of people expressed their support and excitement for Tule Springs. Nevadans are excited and eager for the wonderful addition of the monument to our State.

I hope you will continue your work to quickly pass the Tule Springs Fossil Beds National Monument Act. Thank you for your consideration of this important issue.
Respectfully,

JOHN LEE.
Mayor-Elect, North Las Vegas.

**Clark County
Board of County Commissioners**

**RESOLUTION
OF THE BOARD OF COUNTY COMMISSIONER**

**A RESOLUTION SUPPORTING THE DESIGNATION
OF AN AREA KNOWN AS THE UPPER LAS VEGAS WASH
AS AN URBAN NATIONAL PARK UNIT
MANAGED BY THE NATIONAL PARK SERVICE**

WHEREAS, Americans have deep and enduring love for the National Park System, and places identified as national park units embody America's highest ideals and values; and

WHEREAS, America's National Park System enjoys consistent and global goodwill, embraces more than 272 million visitors, generates more than \$10 billion for local economies, and generates community pride; and

WHEREAS, the Upper Las Vegas Wash has been deemed worthy of inclusion in the National Park System; and

WHEREAS, the Upper Las Vegas Wash has been confirmed by scientists to have significant paleontological fossils demonstrative of the Pleistocene Ice Age, and these fossil findings appear to contain the longest continuous section of Pleistocene strata, spanning important global climate cooling and warming episode in the desert Southwest; and

WHEREAS, a four-month intensive study of the area in 1962, chronicled by *National Geographic*, catalogued thousands of Ice Age mammal fossils including Columbian Mammoth, Ground Sloth, American Lion, Camelops, Bison and ancient species of Horse and found this area "greatly significant;" and

WHEREAS, the significance of the Upper Las Vegas Wash area, established in 1962, was re-confirmed in the past few years with the scientifically documented removal of thousands of fossils through recent paleontology studies and inventory contracted by the Bureau of Land Management, and through a 2009 study commissioned by the National Park Service; and

WHEREAS, findings of Ice Age palynomorphs (plants) and invertebrates (animals) within the Upper Las Vegas Wash provide study opportunities uncommon in most fossil localities, and are thus expected to attract international scientific interest and onsite research; and

WHEREAS, the Upper Las Vegas Wash is significant to native and indigenous people and offers interpretive opportunities to show a broad range of history, from Ice Age through Native American history to contemporary culture; and

WHEREAS, the vision for the Upper Las Vegas Wash as a new national park unit is expected to include state-of-the-art visitor facilities and amenities, working field sites in which the public can observe scientific research, paleontology curation facilities; and interpretive displays that engage visitors in area history, flora and fauna; and

WHEREAS, the Upper Las Vegas Wash is expected to attract international and domestic visitors to bolster tourism revenues; and

WHEREAS, the proximity of the new national park unit is expected to be used as an educational resource for the area's schoolchildren, and integrated into plans for the northern campus of the University of Nevada Las Vegas; and

WHEREAS, the protection and conservation of the natural, cultural and paleontological resources within an urban national park unit will enhance southern Nevada's efforts for sustainable economic growth; and

WHEREAS, the American people have entrusted the National Park Service for nearly a century with the care of our most special places and treasures, and have recognized that creating national park units preserves special places in perpetuity, for our children, grandchildren and their children; and

WHEREAS, it is a privilege to add a new park designation to 392 units within the National Park Service; and

WHEREAS, the Clark County Board of Commissioners, the Las Vegas City Council, and the North Las Vegas City Council support establishing an area of the Upper Las Vegas Wash as a national park unit and recognize the rare opportunity to create a new urban national park unit, managed by the National Park Service; and

WHEREAS, we intend for Clark County, the city of Las Vegas, the city of North Las Vegas, and the Las Vegas Paiute Tribe to work with local, State, tribal and Federal jurisdictions and agencies to collaboratively participate in the planning of the new urban national park unit;

NOW, THEREFORE BE IT RESOLVED that the Clark County Board of Commissioners urge the United State Congress, the U.S. Department of Interior, and the National Park Service to make a land management designation that is appropriate for the protection of the resources, done in a timely manner to avoid further degradation of the area, with appropriate funding to fully develop the scientific, educational and recreational potential.

LETTER SUBMITTED FOR RECORD BY THE DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 99TH AIR BASE WING,
NELLIS AIR FORCE BASE, NEVADA,
NOVEMBER 13, 2009.

Colonel HOWARD D. BELOTE,
Commander,
430 Grissom Ave, Suite 101,
Nellis AFB, NV 8919.1

Chairman RORY REID,
Clark County Board of County Commissioners,
500 Grand Central Pkwy,
Las Vegas, NV 89106.

DEAR CHAIRMAN REID,

On behalf of Team Nellis, which comprises Nellis AFB, Creech AFB, Tonopah Test Range, and the Nevada Test and Training Range (NTTR), I would like to express our ongoing support for the protection and conservation of the Upper Las Vegas Wash. We believe the various efforts to protect this sensitive region, such as your resolution, are integral to the sustainment of Team Nellis's future by maintaining current and future air and ground military operations throughout the region.

Team Nellis is one of our Nation's most valuable military complexes. We conduct approximately 40,000 test and training flights each year. Our missions range from operational testing of new weapons systems and simulated combat during allied Red Flag operations, to ground combat operations and real-time combat missions flown from Creech AFB in Indian Springs. The Nellis Complex is truly a national treasure, and the unmatched testing and training capabilities it provides are critical to our ability to fight and win our Nation's wars.

Compatible conservation of the Upper Las Vegas Wash region presents a great opportunity to protect two different national treasures—the Wash and the Nellis Complex. As you know, the wash region contains significant paleontological, botanical, and cultural resources on the ground, which require long term protective measures. In addition, the area also provides critical airspace that supports Team Nellis's air and ground operations. We have crucial low/high-level flight arrival, departure, and training routes throughout the wash region, and the area serves as a gateway to our testing and training ranges. By federally protecting the region with an associated military aviation reservation, we can ensure the sustainment of both critical habitat and military airspace, creating a truly win-win compatible future for Nevada.

Team Nellis remains committed to working with community leaders to develop processes that foster compatible growth solutions to secure Nevada's future. My point of contact for this matter is Ms. Deb MacNeill, Director of Public Partnerships.

HOWARD D. BELOTE,
Colonel, USAF.

LETTER SUBMITTED FOR THE RECORD BY THE NATIONAL PARKS CONSERVATION
ASSOCIATION

10161 PARK RUN DRIVE, SUITE 150,
LAS VEGAS, NV 89145,
JUNE 3, 2013.

TO: THE HONORABLE HARRY REID, THE HONORABLE DEAN HELLER, THE HONORABLE
MARK AMODEI, THE HONORABLE JOE HECK, THE HONORABLE STEVEN HORSFORD,
AND THE HONORABLE DINA TITUS.

RE: S. 974 and H.R. 2015—The Las Vegas Valley Public Land and Tule Springs
Fossil Beds National Monument Act of 2013.

FROM: THE NATIONAL PARKS CONSERVATION ASSOCIATION.

On behalf of more than 350 million visitors to America's national parks, more than 800,000 members of the National Parks Conservation Association (NPCA), and nearly 5,000 members and parks enthusiasts from Nevada who are actively engaged with NPCA, we thank all members of Nevada's Congressional delegation for legislation to create Tule Springs Fossil Beds National Monument.

Legislation to protect this fossil-dense area in the northwest part of the Las Vegas Valley is expected to enhance educational opportunities for area school children, bolster the area's tourism-based economy, and complement America's national park system. The area—rich with Pleistocene-era fossils of Columbia mammoth, American lions and camels, saber-tooth cats, dire wolves, bison and sloth that span nearly 200,000 years in geologic time—also provides scientists from multiple disciplines with rare opportunities for research.

The legislation—which has been co-sponsored by all members of Nevada's Congressional delegation—is endorsed by the cities of Las Vegas and North Las Vegas, Clark County, business and tourism organizations, educational institutions, and conservation organization. Most recently, a resolution supporting the Federal legislation was passed near unanimously by the Nevada State Legislature.

In addition, the legislation is endorsed by the U.S. Air Force for preserving an essential military air corridor above the proposed new national monument.

NPCA is honored to play a part in seeing this significant Ice Age fossil site added to our national park system. We thank the Nevada Congressional delegation for recognizing this important opportunity.

Sincerely,

LYNN DAVIS,
Sr. Program Manager, Nevada Field Office.

LETTER SUBMITTED FOR THE RECORD BY THE OFFICE OF THE GOVERNOR

STATE OF NEVADA,
CARSON CITY, NEVADA,
AUGUST 12, 2011.

The Honorable HARRY REID,
U.S. Senate,
Washington, D.C. 20510.

DEAR SENATOR REID:

I am submitting this letter in support of legislation to create a new National Park unit in Nevada for the area surrounding Tule Springs and the Upper Las Vegas Wash. As you know, thousands of Nevada citizens have expressed their support for a new national monument in this region. Additionally, the mayors and city councils of North Las Vegas and Las Vegas, the Clark County Commissioners, and the Tribal Council of the Las Vegas Paiute Tribe unanimously passed resolutions requesting Congress to designate Tule Springs as an urban national park.

Legislation to establish the Tule Springs Fossil Beds National Monument will not only protect the unique paleontological resources existing in the area, but also cre-

ate new opportunities for economic development by attracting tourists and Nevada citizens to the region. I understand you have been working with Nevada's Congressional Delegation to create legislation that accomplishes National Park designation and also considers the concerns and needs of various stakeholders.

Thank you for your continued support of this effort.

Sincere regards,

BRIAN SANDOVAL,
Governor

LETTER SUBMITTED FOR THE RECORD BY THE PROTECTORS OF TULE SPRINGS

NORTH LAS VEGAS, NV,
JUNE 3, 2013.

To: Nevada's Congressional Delegation; The Honorable HARRY REID, The Honorable DEAN HELLER, The Honorable MARK E. AMODEI The Honorable JOE HECK, The Honorable STEVEN A. HORSFORD and The Honorable DINA TITUS.

Re: S. 974 and H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013.

The Protectors of Tule Springs, a citizens group founded in 2006, have joined a diverse coalition of groups in advocating for the protection of the Tule Springs fossil beds in the northern Las Vegas Valley. We have a unique opportunity to create an educational laboratory in an urban area where students and visitors can learn about the last 250,000 years of ice age history and climate change. This new National Monument will be an economic boost for Las Vegas economy.

We urge swift passage of these bills so that Tule Springs may receive the protection and preservation that it deserves.

Respectfully,

JILL K. DESTEFANO,
President.

LETTER SUBMITTED FOR THE RECORD BY THE LAS VEGAS ICE AGE PARK FOUNDATION

Helen Mortenson—President.	Thalia Dondero—Vice President.
Steve Rowland—Secretary.	Bob Anderson—Treasurer.
Paul Aizley—State Legislature.	Harry Mortenson-Liaison
Jill DeStaphano—Liaison, P.O.T.S.	Samantha Rubinson—Liaison, State Stewardship.
Sandy Croteau—Public Relations.	Lonnie Hammargren—Public Relations.

ICE AGE PARK

DEAR MEMBERS OF THE NEVADA CONGRESSIONAL DELEGATION:

Thank you for co-sponsoring S. 974 or H.R. 2015—The Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. Our Board of Directors has been actively working for several years toward the establishment of an Ice Age Park, visitor center, and research center in the Upper Las Vegas Wash, and the creation of Tule Springs Fossil Beds National Monument will be a huge step in that direction. Such a park will provide a significant incentive for nature-oriented and science-oriented tourists to linger in Las Vegas for an extra day or two, instead of driving directly to Zion National Park, or Grand Canyon, or Death Valley. It will also contribute very significantly to the scientific and educational richness of southern Nevada.

We strongly support the passage of S. 974 or H.R. 2015.

Respectfully,

HELEN MORTENSON,
President—Las Vegas Ice Age Park Foundation.

LETTER SUBMITTED FOR THE RECORD BY THE RED ROCK CANYON INTERPRETIVE
ASSOCIATION6755 W. CHARLESTON BLVD. SUITE D,
LAS VEGAS, NV 89146,
JUNE 3, 2013.

To: Nevada's Congressional Delegation:

The Honorable HARRY REID.	The Honorable DEAN HELLER.
The Honorable MARK E. AMODEI.	The Honorable JOSEPH J. HECK.
The Honorable STEVEN A. HORSFORD.	The Honorable DINA TITUS.

Re: S. 974 and H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil
Beds National Monument Act of 2013

On behalf of the Red Rock Canyon Interpretive Association and the Southern Nevada Conservancy, I want to express our support for passage of S. 974 and H.R. 2015—The Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. We appreciate the hard work of the Nevada delegation to draft the legislation and to jointly introduce the legislation. This collaborative effort among the delegation is deeply appreciated.

The creation of the Tule Springs Fossil Beds National Monument is not only important to Nevada but to the entire nation and world community. This is truly an extraordinary resource, one of the most important paleontological sites in the world. Fossil findings in the Tule Springs area, chronicled over 250,000 years in geologic time, make this area unique and of great scientific and educational interest. There is no unit in the National Park System that spans such a long period where you can actually see how ecosystems have transitioned from warm climates to cold climates and back again through several ice ages.

The mission of the Red Rock Canyon Interpretive Association is to enhance the recreational, educational and interpretive programs of the Bureau of Land Management, and other governmental agencies, by providing materials and services to the public which promote an understanding, and appreciation of, the natural history, cultural history and sciences of southern Nevada and specifically, Red Rock Canyon National Conservation Area. As an educational, interpretive and scientific organization, we are enamored with the opportunity that the Tule Springs National Monument offers for learning, especially among our youth. The Monument can be a great asset to the Clark County School District and to the university system as a place for authentic learning and science.

Designation as a National Monument also helps broaden the economic base and public perception of Las Vegas. In these tough economic times, it is critical that we look at broadening our economic base. The Monument would provide another reason to visit Las Vegas and can help lengthen the stay.

Thanks for your hard work and we hope to see the legislation enacted during this session of Congress.

Sincerely,

BLAINE BENEDICT,
Executive Director.

LETTER SUBMITTED FOR THE RECORD SUBMITTED BY SCENIC NEVADA

P.O. BOX 32,
RENO, NEVADA, 89504,
NOVEMBER 12, 2009.

TO WHOM IT MAY CONCERN:

Scenic Nevada would like you to consider supporting the resolution for the Upper Las Vegas Wash. Scenic Nevada is a 501(c) non-profit, non-partisan, conservation organization that works to preserve, protect, and enhance the scenic beauty of Nevada.

Our principal activity is to educate the general public on the economic, social, and cultural benefits of scenic preservation by means of encouraging billboard and sign control, protecting and supporting scenic byways, promoting sound-wall alternatives, supporting open space and green-way plans, minimizing the impact of cell towers, preserving hill sides and drainage ways.

A Nevada *LAST CHANCE* Scenic Places is our publication which illustrates Nevada's treasured landscapes and describes both pending environmental threats as well as their potential solutions. Scenic Nevada, in 2007, designated the upper Las Vegas Wash (Tule Springs) as one of Nevada's 13 *LAST CHANCE* Scenic Places. Scenic Nevada requests that you support the resolution presented before you to protect the Upper Las Vegas Wash.

Sincerely,

DOUG SMITH,
Board of Director's Scenic Nevada;
Member of the Scenic Nevada Board of Directors Statements.

State of Nevada

Executive Department

A Proclamation by the Governor

WHEREAS, the month of April each year has been designated as "Paleontological Awareness Month;" and

WHEREAS, the study of paleontology seeks to find information about the history of the Earth through the study of fossils' environment and evolution; and

WHEREAS, the necessity for state and local officer's, private and nonprofit groups and foundations, schools, businesses, and other. public and private entities to work toward the goal of preserving the paleontology resources of Nevada resides in the importance of understanding its earth history and its contribution to future business; and

WHEREAS, the recognition of the important contribution of prehistoric fossils and other paleontological sites of Nevada also illuminates the impact of paleontological sciences and their importance in Nevada history and future; and

WHEREAS, the paleontological sites in Nevada, including Berlin-Ichthyosaur State Park and Tule Springs, have contributed to bringing renowned scientists and producing distinguished research on the Ichthyosaur fossils and Pleistocene animals, making Nevada a notable area in paleontology science;

NOW, THEREFORE, I, BRIAN SANDOVAL, GOVERNOR OF THE STATE OF NEVADA, do hereby proclaim April 2011, as

PALEONTOLOGICAL AWARENESS MONTH IN NEVADA

LETTER SUBMITTED FOR THE RECORD BY THE UNIVERSITY OF NEVADA LAS VEGAS,
 UNLV

DEPARTMENT OF GEOSCIENCE,
 LAS VEGAS, NEVADA,
 NOVEMBER 12, 2009.

CLARK COUNTY BOARD OF COMMISSIONERS,
 500 S. Grand Central Parkway,
 Las Vegas, NV 89155-1601.

DEAR COMMISSIONERS:

I fully support the designation of an urban national park unit in the Upper Las Vegas Wash. I am a paleontologist who has been conducting research in the Upper Las Vegas Wash for several years. The area has enormous scientific and educational potential, and it has the potential to attract a different type of tourist than we presently attract to Las Vegas.

I urge you to approve the resolution in support of this new urban national park or monument.

Sincerely,

STEPHEN M. ROWLAND,
Professor of Geology.

LETTER SUBMITTED FOR THE RECORD BY THE UNIVERSITY OF NEVADA LAS VEGAS,
UNLV

OFFICE OF THE PRESIDENT,
LAS VEGAS, NEVADA,
NOVEMBER 10, 2009.

TO WHOM IT MAY CONCERN:

This letter is to express the support of the University of Nevada, Las Vegas for the conservation and preservation of the Upper Las Vegas Wash (Tule Springs) area with the creation of the Fossils Bed National Monument. The university has long-term plans to create a North Las Vegas Campus east of the proposed site and adjacent to the southern border of the Desert National Wildlife Refuge. Our plans for a campus focused on sustainability principles are enhanced by the potential monument, which would offer myriad opportunities for education, research, recreation, and partnerships.

We initially envisioned higher education programs at the North Las Vegas Campus focusing on technology, business management, and elementary education, while our research interests included transportation and wind/solar energy. With the addition of the monument, we have the possibility of creating unparalleled science education and research in the areas of paleontology, conservation biology, vegetation and wildlife ecology, health, outdoor education, and recreation management.

UNLV's plans will co-exist with the future plans of the cities, county, tribe, and Federal agencies. Each entity will see plans bolstered by a seamless collaborative network of education, research, and recreation endeavors.

We are hopeful the proposed monument will be given strong consideration.

Sincerely,

NEAL J. SMATRESK,
President.

Mr. HORSFORD. Thank you.

I also want to highlight just a few of those letters of support. In November 2009, three governmental entities, the Clark County Commission, and the mayors and city council members of Las Vegas and North Las Vegas unanimously passed resolutions asking Congress to make Tule Springs a part of the National Park System. H.R. 2015 and its Senate companion are cosponsored by all members of Nevada's congressional delegation, and I am thankful that Congresswoman Titus, Congressman Heck, my fellow member here on the committee Congressman Amodei, and I all are here today to show support for this legislation, and I want to thank my colleagues in the Congress for their leadership and support of this important bipartisan bill.

Our city and county officials did important groundwork by coordinating an active coalition of local supporters to define the boundaries in a way that will serve both the national interests and our local population. Additionally, we worked very closely with the U.S. Air Force on this legislation to carefully define a critical military air corridor between Nellis and Creech Air Force Bases by protecting airspace above the national monument.

Finally, I want to point out that the administration testified in support of this legislation when our colleagues in the Senate examined this bill earlier in the year. Due to the current government shutdown, the Department of the Interior is not able to be here today to testify, but I would ask the Chairman to allow the administration to submit their testimony after this hearing once the government reopens.

This area is indeed unique and definitely has a place as a new part of the National Park System. The local economic benefits are

clear. Tule Springs will increase tourism by attracting more travelers to southern Nevada, and by increasing their stay in our region. The area is expected to attract scientists from around the world and capture the imagination and interest of children and adults alike. Establishing the Tule Springs Fossil Beds National Monument would make the region a world-class destination for archaeological tourism that will revitalize southern Nevada's economy and enhance the area's quality of life.

The monument is expected to generate jobs to build the monument's infrastructure, and permanent jobs and businesses to support the monument's gateway needs. In addition, community leaders intend to locate geosciences and technology businesses in the local area. Community leaders have also discussed design features for bordering development with plans for a nearby satellite campus for the University of Nevada-Las Vegas.

Finally, Mr. Chairman, I must also point out that the region is an archaeological treasure. Colombian mammoths, massive beasts with tusks as long as 10 feet and molars the size of a human head, once roamed here as did prides of American lion and herds of bison, dire wolves and saber tooth cats, the sloth the size of a small sports car.

Tule Springs Fossil Beds National Monument is significant for an array of national and historic resources, specifically fossils from the ice ages. Fossils discovered in this arid desert terrain harken back to a time when the area was lush with vegetation, a span of 200,000 years of geologic time which offers rare scientific opportunities to study the rise and demise of ice age species.

I would like to thank you, Mr. Chairman, for scheduling today's hearing and for accepting the request to invite our Mayor from the city of North Las Vegas, John Lee; Councilman Steve Ross, who has served as my councilman for my local area, and who represents the area of where Tule Springs will be located; as well as Las Vegas Metro Chamber President and CEO Kristin McMillan as witnesses on this important bipartisan legislation that grows our economy, creates jobs, and will have significant positive research and education opportunities for the region of southern Nevada.

Thank you very much, Mr. Chairman, for this hearing and to our witnesses who are here today.

Mr. BISHOP. Thank you, Mr. Horsford, and as I said before, we are happy to have you back here, and hopefully you are feeling well.

Mr. HORSFORD. I feel great. Thank you. Good to be back.

Mr. BISHOP. I am going to do an audible here. Usually I would refer to Representative Titus and Representative Heck when we do the rest of the bill, but that is on the third panel, and I don't know what your schedules are like, so were you wanting to make a statement on this particular bill?

Ms. TITUS. Yes.

Mr. BISHOP. Please. You are recognized.

STATEMENT OF THE HON. DINA TITUS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Ms. TITUS. Thank you very much, Mr. Chairman, for the courtesy, and Ranking Member Grijalva. I am just here to briefly voice

my support for H.R. 2015, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act.

Although the area in question is largely in North Las Vegas and unincorporated Clark County, not in District 1, I am joining the entire Nevada delegation in support of this bill because its provisions will certainly affect people who live throughout the valley, and there may be some people who travel to visit these fossils who will then want to come and stay on the Las Vegas strip, which is in my district. Just a little plug, Mr. Chairman.

Although—you will hear from other witnesses, and you have heard from Mr. Horsford, this legislation is vital to the preservation of our region's history, which dates back to the ice age. It includes a number of provisions that will enhance tourism and will also encourage economic development, job creation, and increase education and research opportunities. At the same time, it will protect some of Las Vegas' most precious open spaces and its paleontological treasures.

The support for this legislation runs the gamut from the chamber of commerce to the environmental organizations, local Native American tribes, educational institutions, and elected officials at all levels. I would urge your support of this bill, and I will hope you will move it forward without delay, and I thank you for the opportunity just to express my support.

Mr. BISHOP. Mr. Heck, I am assuming you are speaking to this one? There is a couple of other Nevada bills, but whatever you want to do, go ahead.

STATEMENT OF THE HON. JOSEPH J. HECK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Dr. HECK. Thank you, Mr. Chairman. First I thank the Chair and the Ranking Member for allowing me to testify in support of H.R. 2015, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act. H.R. 2015, offered by my friend and colleague from Nevada Mr. Horsford and supported by the entire Nevada delegation, is a commonsense piece of legislation that will protect and preserve our natural treasures, open up land for public use, and help create much-needed jobs in Nevada.

Specifically, H.R. 2015 will create the Tule Springs Fossil Beds National Monument to protect those archaeological sites that contain remarkable fossils that date back to the ice age and have attracted international attention.

As you all know, travel and tourism is the largest industry in southern Nevada, and this designation is incredibly important to our economy as it will help attract additional visitors to our State and provide opportunities for new businesses around the monument area.

Additionally H.R. 2015 supports the public use of public lands by conveying roughly 1,200 acres of land in the Nellis Dunes area for an off-highway vehicle recreation park to be managed by Clark County, and designating approximately 10,000 acres of public land surrounding the park as an OHV recreation area.

Furthermore, the bill includes a number of additional provisions and supported—recommended and supported by local stakeholders that will protect access to critical water and energy resources, sup-

port the Las Vegas Metropolitan Police Department, the Nellis Air Force Base, and the Nevada System of Higher Education by conveying land for future educational, research, and administrative needs.

With the Las Vegas Valley bordered on all sides by Federal land, bills like H.R. 2015 are critical to allowing our community to expand and grow. This bill was worked, reworked, and worked yet again by stakeholders at the Federal, State, and local level of government and is an example of how public land bills should be created.

For all these reasons I support H.R. 2015 and want to thank the subcommittee for holding this important hearing on this bill that is important to all Nevadans. And I yield back the balance of my time.

Mr. BISHOP. Thank you.

Mr. Grijalva.

Mr. GRIJALVA. Thank you. Thank you, Mr. Chairman.

I would like to take this moment to welcome our newest member to the subcommittee, Representative Huffman from California. Welcome. And I think his expertise and participation is going to be very good for this committee.

Thank you for the time.

Mr. BISHOP. We welcome you here. It is a learned experience.

To the members of the Nevada delegation, I appreciate it. I have to do one other thing about your bill, though. I understand Tule is spelled T-U-L-E? There is a county in my State spelled T-O-O-E-L-E, and anyone who doesn't know it calls that Tule, which it is actually pronounced Tu-wil-a. So I am sorry, every time you all say Tule, I just want to blurt out, no, it is Tu-wil-a. So you are going to have to change the name of whatever it is if you want this bill to go forward.

Mr. HORSFORD. Phonetically, Mr. Chairman.

Mr. BISHOP. I don't care.

Mr. HORSFORD. Call it whatever you want. I will accept that as a motion to do pass.

Mr. BISHOP. Well, we will work on that one, too.

Mr. Amodei, since this is turning into Nevada month, you also have two bills that are before us, H.R. 1167 and as well as H.R. 1633. We will offer you time to introduce both of those if you will, and if you need extra time to do it since there are two bills, please feel free to use that extra time.

STATEMENT OF THE HON. MARK E. AMODEI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. AMODEI. Thank you, Mr. Chairman and Mr. Ranking Member. I will endeavor to be crisp.

The first bill, which is the Quitclaim Surface Rights of Federal Land under the Jurisdiction of the Bureau of Land Management in Virginia City, Nevada, otherwise known as the Restoring Storey County Act, H.R. 1167, is a pretty simple story.

As a result of the mining that occurred in the mid-1800s, there was not a lot of attention paid to township plots, parcels, things like that. Never really went back and fixed it. You have a county

manager and one of the county commissioners with some pretty deep roots in the county that will testify later as a part of a panel.

I will just say this: The objective of the bill which, by the way, came at the suggestion of the BLM folks in Nevada, was to say there are a lot of title issues in Virginia City in those township areas, and we would just as soon be out of it. The objective of the bill is to remove the Federal Government from the title reports for those parcels that are in various incorporated, unincorporated urban areas of Storey County, if you will.

So if somebody is concerned about this is going to give something away, there is still plenty of title work to do on those parcels in terms of the competing owners. And actually I will say this in front of the Storey County folks: Be careful what you ask for, we will be quitclaiming under this legislation to the county to let them basically step into the position of the Bureau of Land Management for purposes of all further title-clearance issues, and there are plenty.

What it does, though, is it acknowledges the fact that these parcels have all been residential or commercial in nature in a small western town. Not the only instance in Nevada, but this is the one we are talking about today, allows the Federal Government to get off of people's preliminary title reports and lets the landowners and the county with jurisdiction sort out the rest of it.

The Bureau of Land Management in Nevada has not the resources nor the interest, according to my meetings with them, to engage in this. They have other things to be doing in a State which they own various portions of 86 percent of. I understand they are not here today. I can tell you that one of the accommodations made in it, though, is this is surface rights only; deals nothing in mineral rights. So that is what we are trying to accomplish with H.R. 1167.

H.R. 1633, conveyance of small parcels, is meant to address another issue which is, at least in Nevada, and I believe in other Western States, if you have a State that is 33 percent owned by the Federal Government or more, which includes most of the West, including my colleague from California that I see is here today, and you have inholdings that are a quarter section or less that are in or near an urban area, which there are no environmental issues, it sets up a public process 18 months long where, in exchange for fair market value, those parcels can be sold into private ownership, or into municipal ownership, or into tribal ownership to put them in the stream of commerce.

Now, we have limited the size to say this is not some subterfuge to buy multi-hundred-, multi-thousand-acre parcels, but when you are talking along the fringe of urban areas or things like that that don't lend themselves to national forests management on a mega scale or BLM on that same scale, if you have cleared those, and there are no environmental NEPA type of issues, then if somebody wants to buy them, we ought to set up a process where at fair market value they can do that.

So that is it in a nutshell, except the one thing that we have done that we think is kind of interesting is the proceeds of that, because of our earmark rule, are distributed for from each sale half to the State where the sale originated and then half to the other remaining Western States on a per capita basis for use to do things like comply with the Endangered Species Act, do things that are

resource related in those States so that we can hopefully in the West keep those funds working for the resource as a result of these parcels that are sold.

That is it in a nutshell, Mr. Chairman, and I thank you, and I yield back.

Mr. BISHOP. Thank you, Mr. Amodei.

I'll turn to Mr. Daines, if you would like to present H.R. 2259.

**STATEMENT OF THE HON. STEVE DAINES, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MONTANA**

Mr. DAINES. Thank you, Chairman Bishop and Ranking Member Grijalva, for hosting this hearing and carrying out our constitutional legislative duties even though the Government shut down. As we say in Montana, we just use pictures, words usually aren't necessary, so we are going to talk about this bill.

Agreement in our Government seems far gone these days. However, today, despite the dark clouds over DC, perhaps there is a silver lining. Today we are having a hearing on H.R. 2259. It is a bill I have introduced called the North Fork Watershed Protection Act. It is an initiative that I have joined my Democrat Montana colleague Max Baucus to support. In fact, as we saw the entire Nevada delegation, congressional, supporting it, I can tell you the entire Montana delegation supports it. I am the only one.

My support for this bill marks the first time in almost 30 years that the Montana delegation, House and Senate, have supported public lands legislation in a bipartisan, bicameral fashion, and we are hoping to get this bill across the finish line.

If DC looked a little more like Montana, I think we would have better government. At no cost to the American taxpayer, and in no loss in production of minerals, and in no loss in timber harvests and grazing rights, the North Fork Watershed Protection Act protects multiple use in a special part of our State from future energy development on 362,000 acres in the Flathead and Kootenai National Forests that border Glacier National Park.

The current leases are held in suspension due to a 1988 Ninth Circuit Court of Appeals decision that held the Department of the Interior did not adequately complete environmental impact statements prior to issuing the leases. Current leaseholders are not paying rentals or royalties. Due to the sensitivity of the area—and you can just see the pictures behind me that made me explain that—and the low prospect of developing these leases, nearly 80 percent of the existing leaseholders have already voluntarily relinquished their leases. Though no production is taking place, in this bill we ensure that lawful leaseholders maintain the ability to produce on their leases should the Interior again seek to go through the environmental review process.

Let me tell you why this is important for Montana. The North Fork of the Flathead River extends about 90 miles from its headwaters in southern British Columbia, and it moves south into Montana where it forms the western boundary of Glacier National Park through the watershed to British Columbia. The North Fork is widely treasured as a remote corner of our State. We harvest timber, we hunt elk, we catch trout, and we launch expeditions near the adjacent Glacier National Park.

This bill will sustain our local economy and strengthen long-term community stability. It is supported by a wide variety of stakeholders from local businesses, community leaders, and conservation groups. In fact, Mr. John Anderson, a Whitefish, Montana, City Councilman, is here today to testify about this bill's importance to the Whitefish community and to the business community of the Flathead Valley as a whole.

Lumber mills, like the longest family owned mill in the Flathead, Stoltze Lumber, find the bill important sustaining healthy forest management in the area. Though a witness from Stoltze Lumber wanted to testify today, they were not able to attend. Mr. Chairman, I ask unanimous consent to enter testimony from Paul McKenzie of Stoltze Lumber into the record, as well as statements of support from Conoco Phillips, the Outdoor Alliance, Trout Unlimited, the Wilderness Society, the Kalispell Chamber of Commerce, and The Nature Conservancy. I would like unanimous consent to enter into the record. Unanimous consent to enter into the record.

Thank you, Mr. Chairman.

[The statements and letters of support follow:]

LETTER SUBMITTED FOR THE RECORD BY CONOCO PHILLIPS COMPANY

1776 EYE STREET, NW, SUITE 700,
WASHINGTON, DC 20006.
OCTOBER 1, 2013.

The Honorable STEVE DAINES,
U.S. House of Representatives,
Washington, DC 20515.

DEAR MR. DAINES:

I am writing to express ConocoPhillips' support for H.R. 2259, the North Fork Watershed Protection Act of 2013, which would conserve an area of Montana that has important economic and recreational qualities and is a gateway to Glacier National Park.

ConocoPhillips was pleased to voluntarily give up its interest in 108 Federal oil and natural gas leases, covering 169,000 acres in the watershed. ConocoPhillips is confident that it could have developed those leases in a safe and environmentally responsible manner, but relinquished the acreage after considering the unique characteristics of the area.

We hope that the Natural Resources Committee and the House will act expeditiously in its consideration of H.R. 2259.

Sincerely,

JIM FORD,
Vice President,
Federal and State Government Affairs.

LETTER SUBMITTED FOR THE RECORD BY F.H. STOLTZE LAND & LUMBER COMPANY

LUMBER MANUFACTURERS,
COLUMBIA FALLS, MT 59912,
OCTOBER 1, 2013.

The Honorable ROB BISHOP,
Chairman,
U.S. House of Representative,
Committee on Natural Resources,
Subcommittee on Public Lands and Environmental Regulation,
Washington, DC 20515.

RE: H.R. 2259—North Fork Watershed Protection Act of 2013

DEAR CHAIRMAN BISHOP AND MEMBERS OF THE COMMITTEE,

Please accept the following testimony on behalf of F.H. Stoltze Land & Lumber Co. regarding H.R. 2259, the *North Fork Watershed Protection Act of 2013*, sponsored by Congressman Daines from Montana.

Clean air, clean water and robust wildlife habitats are valued by all Americans. The trans-boundary North Fork of the Flathead River valley has a long history of balancing resource development with residential and recreational uses while protecting the ecological functions of a unique landscape. H.R. 2259 is supported by a broad coalition of local businesses, community leaders and conservation groups and is fully supported by F.H. Stoltze Land & Lumber Co. H.R. 2259 is a logical step in ensuring that this balance of historic uses and ecological values can continue for future generations.

The North Fork valley is home to one of the most robust wildlife and aquatic habitats in the lower United States. Threatened and endangered species including grizzly bear, bull trout, Canada lynx along with ungulates, wolverine, fisher, wolves and mountain lion thrive in the North Fork. These wildlife populations have thrived in concert with responsible timber management, grazing and recreational uses of our Federal lands managed by the U.S. Forest Service.

The unique balance of use and conservation in the North Fork of the Flathead River Valley has been recognized internationally as a successful model of landscape management. To that end, our neighbors to the north have committed to preservation of the trans-boundary North Fork Flathead River Valley by limiting mineral and geothermal development on the Canadian side of the border. H.R. 2259 will fulfill the commitment made in an international agreement to similarly limit development on the U.S. side of the border to ensure the ecological integrity and function of the entire watershed.

It is important to recognize that H.R. 2259 specifically protects historic uses such as forest management, livestock management and recreational uses. Eliminating the potential impacts of development of mining and geothermal will help ensure the continued viability of these historic uses. The restrictions in this bill only apply to Federal lands and will not affect activities or rights of private or state interests.

The scope of the bill is narrow and focused. The bill does not include wilderness designation, closure of access or roads, limitation on historic uses or infringement on existing rights, private or public.

It is my understanding that the potential for mineral and geothermal development is very low to non-existent in the area and that consultation with these industries has indicated they have no objection to the proposed bill. The bill as proposed will NOT affect any existing leaseholder rights in the area. Additionally, I understand that if the bill is allowed to be marked up, Rep. Daines is committed to strengthen protections of rights of existing leaseholders.

F.H. Stoltze Land & Lumber Co. is the oldest family owned sawmill and forest management company in Montana. We recently celebrated our 100 year anniversary of operation in Montana. We believe strongly in the saying "*healthy forests make for healthy communities and healthy families*". The concept of Stewardship is central to our business and land management activities. We have proven and continue to demonstrate that active management of our natural resources is compatible with conservation goals, both on our own private timberlands and on those lands owned by other private and State interests. There is no reason we cannot balance use and conservation on our Federal lands as well. Balancing the needs for stewardship management and conservation has been an essential part of our 100 years of success as a company. H.R. 2259 is fully consistent with this balance that has ensured our long term success and the Montana way of life.

For the last 12 months, I have been a participant in a citizen driven collaborative effort called the Whitefish Range Partnership to help develop a forest plan revision proposal for the U.S. Forest Service managed lands in the North Fork area. This broad collaborative includes representatives of conservation groups, wilderness advocates, timber managers, motorized and non-motorized recreation, North Fork residents, commercial recreation, local government and local business. This group spent endless hours discussing various topics, including the language included in H.R. 2259. This larger collaborative group has come to tentative consensus agreement to support the language in S. 255 and echoed in H.R. 2259 and will likely make final consensus agreement this next week at our next meeting. This is further indication of the broad based support for the proposed language.

H.R. 2259 is an essential step in the stewardship of the natural resources on Federal lands in the North Fork Valley. Balance requires understanding of benefits and risks. In this situation, the benefits of protecting the North Fork Valley from potential impacts from new mining and geothermal development far outweigh the risk as

sociated with lost opportunity. The collaborative support for H.R. 2259 is indicative of the wise use and balance needed to meet the needs of our local communities while ensuring ecological integrity and function for future generations.

Please fully consider the benefits of H.R. 2259 and I encourage the committee to allow further deliberation and mark up of this important bill. Thank you for the opportunity to provide testimony and I look forward to monitoring the progress of this legislation.

Sincerely,

PAUL R. MCKENZIE C.F.,
Lands and Resource Manager.

LETTER SUBMITTED FOR THE RECORD BY MONTANA TROUT UNLIMITED

MAIN OFFICE, PO BOX 7186,
MISSOULA, MT. 59807,
OCTOBER 1, 2013.

The Honorable DOC HASTINGS,
Chairman,
Committee on Natural Resources,
U.S. House of Representatives
Washington, DC 20515.

The Honorable PETER A. DEFAZIO,
Ranking Member,
Committee on Natural Resources,
U.S. House of Representatives,
Washington, DC 20515.

RE: H.R. 2259—North Fork Watershed Protection Act

DEAR CHAIRMAN HASTINGS AND RANKING MEMBER DEFAZIO:

We write on behalf of Trout Unlimited and its 3,600 members in Montana to sincerely thank you for scheduling a hearing on H.R. 2259, the North Fork Watershed Protection Act of 2013.

Trout Unlimited strongly supports the North Fork Watershed Protection Act, and we thank Rep. Daines for his leadership on this important legislation. The bill would withdraw U.S. Forest Service land in the North Fork of the Flathead River's watershed from future mineral leasing activities. The North Fork of the Flathead is one of Montana's most special places to hunt and fish. The eastern half of the valley is comprised of Glacier National Park, the watershed provides critical habitat for bull trout and cutthroat trout, and hunting is a cornerstone of the region's heritage and culture. World-class mule deer, elk and moose hunting opportunities, angling for native trout and the natural wonders of Glacier National Park attract visitors from across the country. This valley is truly one of the most wildlife-rich regions in the continental United States, and we believe that we should keep it as it is so that future generations will be able to experience this unique and special place.

The North Fork Watershed Protection Act is an important step in ensuring that traditional land uses such as timber and outdoor recreation are protected in this valley. Oil, gas and hard rock mineral extraction in the North Fork would forever change this extraordinary place and pose a serious threat to water and air quality, trout populations, and big game habitat. That means big business in Montana, where hunters and anglers contribute \$1 billion annually to the State economy. Moreover, Glacier National Park borders the withdrawal area and mineral extraction would negatively impact the economic engine created by 2 million tourists that spend over \$150 million each year to experience the scenery, clean water and wildlife of Glacier National Park.

The act also satisfies a Memorandum of Understanding between the State of Montana and the Canadian Province of British Columbia, under which British Columbia has already moved to withdraw its portion of the watershed from mineral development.

A final reason we support H.R. 2259 is because it is a collaborative, bi-partisan solution. Montana's entire Congressional delegation is working together to pass legislation that will protect this watershed from the threat of oil and gas development, and the act enjoys broad support locally and throughout our State. Moreover, several oil and gas leaseholders have voluntarily relinquished over 200,000 acres of leases in the watershed. We understand our need for fossil fuels and hard rock min-

erals, and we believe that part of responsible development is recognizing that some places are too special to be industrialized—Montanans from all walks of life agree that the North Fork is one of these places.

Today there is a unique and timely opportunity to enact a model of collaborative conservation that will protect the North Fork of the Flathead and Glacier National Park and preserve our sporting traditions for future generations. H.R. 2259 is an essential piece of legislation to complete this legacy.

Sincerely,

DOUG HAACKE,
Chairman,
Montana Trout Unlimited.

LETTER SUBMITTED FOR THE RECORD BY THE MONTANA WILDLIFE FEDERATION

P.O. BOX 1175,
HELENA, MONTANA 59624,
OCTOBER 3, 2013.

The Honorable ROB BISHOP,
Chairman,
U.S. House of Representatives,
Subcommittee on Public Lands and Environmental Regulation,
Washington, DC 20515.

The Honorable RAÚL M. GRIJALVA,
Ranking Member,
U.S. House of Representatives,
Subcommittee on Public Lands and Environmental Regulation,
Washington, DC 20515.

RE: The North Fork Watershed Protection Act (H.R. 2259)

DEAR CHAIRMAN BISHOP AND RANKING MEMBER GRIJALVA:

The Montana Wildlife Federation (MWF) is writing to thank you for holding a hearing on the North Fork of the Watershed Protection Act (H.R. 2259) and also to express our support for this important piece of legislation.

Founded in 1936, MWF is Montana's oldest and largest hunter and angler-based conservation group. We are comprised of over 5,000 hunters, anglers, landowners and other conservationists who share a mission to protect and enhance Montana's public wildlife, lands, waters, and fair chase hunting and fishing heritage. MWF strongly supports H.R. 2259 and we appreciate Congressman Daines's leadership to advance this important legislation.

The North Fork of the Flathead valley is a special place and a cornerstone of Montana's natural heritage. Flanked by Glacier National Park to the east, the Whitefish Range to the west and cut by the North Fork of the Flathead River, this valley is a sportsmen's paradise as well as an economic driver for the region. The region abounds with wildlife: moose, elk, deer, grizzly bears, black bears, wolverines, eagles, bull trout and Westslope cutthroat trout are just a sampling of the wildlife inhabit the North Fork. Anglers can cast flies to native trout, hunters have ample room to roam on Forest Service lands that comprise the withdrawal area, and 2 million tourists flock to region every year, contributing over \$150 million to the local economy. Put simply, in a State with many special places, the North Fork is near the top of the list.

MWF supports responsible energy development in places where oil and gas drilling and hard rock mining are compatible with the conservation of fish and wildlife habitat. However, the North Fork of the Flathead is a place that deserves to be set aside for future generations. For this reason, protecting the North Fork of the Flathead has been a fixture of MWF's work for over three decades.

In 1982, the Forest Service leased lands in the North Fork for oil and gas development, sparking a controversy that we finally have an opportunity to resolve by passing H.R. 2259. Today there is a broad consensus among Montanans that protecting the North Fork is the right thing to do. Our entire bipartisan Congressional delegation supports legislation to withdraw Forest Service lands from oil, gas and hard rock mineral leasing and numerous business owners, sportsmen and women, municipal governments, organizations, local chambers of commerce and conservationists have all endorsed the North Fork Watershed Protection Act. Additionally, several oil and gas companies have voluntarily relinquished over 200,000 acres of leases.

Last, enacting H.R. 2259 will fulfill Montana's agreement with British Columbia to prevent mining in the trans-boundary North Fork of the Flathead watershed. In 2010, British Columbia banned development in their portion of the watershed and it is time for us to hold up our end of the agreement.

Protecting the North Fork of the Flathead is an example of diverse interests coming together and uniting around a solution that will benefit future generations. Passing H.R. 2259 is the final step in a three decade effort to conserve this extraordinary place and MWF is hopeful that Congress will help us complete this work.

Sincerely,

SKIP KOWALSKI,
President, Montana Wildlife Federation.

LETTER SUBMITTED FOR THE RECORD BY THE OUTDOOR ALLIANCE

OCTOBER 2, 2013.

RE: North Fork Watershed Protection Act

DEAR CONGRESSMAN DAINES,

Outdoor Alliance is a coalition of five national, member-based organizations that includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, and Winter Wildlands Alliance. We write in support of your bill, H.R. 2259, the North Fork Watershed Protection Act. Many of our members and supporters know the North Fork Flathead watershed first hand, and we appreciate your efforts to protect this treasured landscape.

The Flathead is one of Montana's few Wild and Scenic Rivers and an important resource for the human powered outdoor recreation community. Any development, especially mineral, ought to take other values of the landscape into consideration. H.R. 2259 achieves this end, effectively limiting development and providing the watershed with the protection it deserves. Furthermore, we recognize and support your bill's provision to preserve recreation access.

Thank you for your efforts on behalf of the clean water, clean air, abundant wild-life and spectacular recreation in the North Fork watershed.

Best regards,

Brady Robinson,
*Executive Director,
Access Fund.*

Michael Van Abel,
*Executive Director,
International Mountain Bicycling
Association.*

Wade Blackwood,
*Executive Director,
American Canoe Association.*

Mark Menlove,
*Executive Director,
Winter Wildlands Alliance.*

Mark Singleton,
*Executive Director,
American Whitewater.*

Adam Cramer,
*Policy Architect,
Outdoor Alliance.*

LETTER SUBMITTED FOR THE RECORD BY THE NATURE CONSERVANCY

32 S. EWING STREET,
HELENA, MT 59601

TO: House Committee on Natural Resources, Subcommittee on Public Lands and Environmental Regulation.

DEAR MEMBERS OF THE COMMITTEE,

The Nature Conservancy wishes to go on record in favor of H.R. 2259: the North Fork Watershed Protection Act of 2013.

At a time when so many issues seem to divide upon partisan lines, the North Fork Watershed Protection Act is a shining example of bipartisan cooperation to ensure clean water for many generations to come. The North Fork of the Flathead River isn't just a sparkling natural treasure; it is the lifeblood of a huge segment of northwestern Montana's economy. Flathead Lake, alone, brings millions of dollars a year to Montana's tourism economy. People from across the United States and around the world fish the pristine waters, float the rapids, and are refreshed and renewed simply watching its calming flow. People count on it for clean drinking water for many miles downstream.

Americans have demonstrated their commitment by supporting protection of this precious waterway. This act ensures that the investment the public has already made in the river will endure for generations.

We applaud the bipartisan supporters of this legislation for recognizing the importance of preserving the clean water and opportunities for recreation that the North Fork provides, not simply today, but as a legacy we are leaving to the generations to come.

We also thank Congressman Daines for sponsoring this legislation, and we look forward to working with him on other common sense conservation solutions down the road.

Respectfully,

RICHARD JEO,
State Director.

PREPARED STATEMENT OF THE WILDERNESS SOCIETY

H.R. 2259—North Fork Watershed Protection Act of 2013

The Wilderness Society (TWS), representing over 600,000 members and supporters from across the United States, would like to go on the record as enthusiastically supporting H.R. 2259, the “North Fork Watershed Protection Act of 2013” introduced by Congressman Steve Daines of Montana. Glacier National Park, as well as many of the national forest lands addressed in this bill, are of national significance and H.R. 2259’s passage would benefit many Americans from all walks of life as well as future generations. In addition, passage of this bill ensures that the United States “acts by example” and fully engages in the coordinated, partnership approach requested by the province of British Columbia when they agreed in 2011 to take action to protect the Canadian side of the North Fork Flathead from coal, oil and gas, and mining development.

Also important is that this bill has almost no active opposition, as to our knowledge, no organized group, relevant elected official, Montana newspaper, or affected constituency has spoken out against H.R. 2259 or its Senate companion legislation, S. 233 (introduced by Senators Baucus and Tester, and which The Wilderness Society also enthusiastically supports). Instead, over the past several years there has been an impressive outpouring of diverse and formal support from local businesses, civic groups, Chambers of Commerce, City Councils, sportsmen and conservation groups, and others. From the Montana Logging Association and Citizens for Balanced Use to the North Fork Landowners Association and Glacier Raft Company, divergent interests have come together behind this bill.

This bill will help protect the recreation and natural assets that support the growing local and regional economy in this part of the State. Consider that in a 4/5/2010 letter to the Montana delegation, the Kalispell Chamber of Commerce praised this legislation (the Senate version) as “being good for business” further stating, “The Chamber wishes to ensure that Glacier Park, the North Fork River Valley, and Flathead Lake remain as economically productive as they are today. We think that oil and gas development in the Whitefish Range would be inconsistent with our interest to see the entire watershed protected from upstream (Canadian) pollution.”

Though only a single page in length, this bill is nonetheless significant in two notable ways. First, it provides an important example of bipartisan cooperation, as it represents the first Montana focused public lands bill in decades where the entire State’s delegation, regardless of party, has “been in agreement and working to do the right thing for Montanans,” as Congressman Daines put it when he introduced H.R. 2259. Second, it is worth noting that major players in the oil and gas industry have already made important business decisions regarding protection of the North Fork Flathead watershed based on support for and assumed passage of this legislation. During 2011–2012, Conoco Phillips, Chevron, and Exxon Mobil subsidiary XTO Energy all voluntarily agreed to relinquish their valid leases in the watershed, covering an area of almost 200,000 acres.

Indeed, over the past 8 years, Congress has passed similar Federal legislation withdrawing sensitive national forest and/or BLM lands from new oil and gas leasing, mineral entry, and other forms of energy development for several other places. This includes 2005 bi-partisan legislation that withdrew the Valle Vidal area in northern New Mexico, 2006 legislation for Montana’s Rocky Mountain Front that was first introduced by then Senator Burns (R) but then moved by Senator Baucus (D), and most recently legislation introduced in 2008 (passed in 2009) by Republican Senator Barrasso of Wyoming (co-sponsored by Senator Enzi) that withdrew 1.2 million acres of national forest in the Wyoming Range.

TWS enthusiastically supports H.R. 2259 and sincerely thanks Congressman Daines for his dedication to protecting his nationally important watershed next to Glacier National Park and in the heart of the nationally significant Crown of the Continent Ecosystem. We equally thank the Congressman and Montana's two Senators for their combined leadership and effective coordination on this important matter. We urge swift passage of the North Fork Flathead Watershed Protection Act as it will serve Montana and the Nation well for decades to come.

Mr. DAINES. The first stakeholders, including the Montana Logging Association, the Citizens for Balanced Use, a multiple-use organization, the North Fork Landowners Association, the Glacier Raft Company, Trout Unlimited, Ducks Unlimited, ConocoPhillips, XTO Energy, Chevron, and the Wilderness Society, they are all supporting this bill. In fact, we cannot list a single group that has organized opposition to this bill. I can say this: That list of supporters does not often agree on much, but we agree on this.

In addition to protecting our way of life and supporting the local community in the Flathead Valley, H.R. 2259 upholds an international agreement we have already made with Canada. In February 2010, the province of British Columbia and the State of Montana signed an MOU to preclude mineral extraction along the Flathead.

British Columbia completed prohibition of mineral development along the Flathead River in 2011. H.R. 2259 is necessary to uphold the United States' end of that bargain.

Mr. Chairman, I am happy my colleagues can learn about the importance of this legislation today. I urge support of this legislation. I look forward to working together to get it passed.

Mr. BISHOP. Thank you.

Now, Mr. McClintock, you may be last, but you are certainly not least in this pantheon of bills that we have. I would like to recognize you for your bill, 3888, that deals with salvage timber.

STATEMENT OF THE HON. TOM McCLINTOCK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. McClintock. Thank you, Mr. Chairman. I want to thank you for holding this hearing today and for the speedy consideration of H.R. 3188.

It is estimated that up to 1 billion board feet of fire-killed timber can still be salvaged out of the forests that have been devastated by the Yosemite Rim Fire, but it requires immediate action. As time passes, the value of this dead timber declines, until after a year or so it becomes unsalvageable.

The Reading Fire in Lassen occurred more than 1 year ago. The Forest Service has just gotten around to selling the salvage rights last month. In the year that the Forest Service has taken to plow through the endless environmental reviews, all of the trees under 18 inches in diameter, which is most of them, have become worthless. After a year's delay for bureaucratic paperwork, extreme environmental groups will often file suits to run out the clock, and the Ninth Circuit Court of Appeals has become infamous for blocking salvage operations.

We have no time to waste in the aftermath of the Yosemite Rim Fire, which destroyed more than 400 square miles of forest in the

Stanislaus National Forest and the Yosemite National Park. It is the largest fire ever recorded in the Sierra Nevada mountains.

The situation is particularly urgent because of the early infestation of bark beetles, which have already been observed attacking the dead trees. As they do so, the commercial value of those trees drops by half.

Four hundred miles of roads are now in jeopardy. If nearby trees are not removed before winter, we can expect dead trees to begin toppling, risking lives and closing access. Although the Forest Service has expedited a salvage sale on road and utility rights-of-way as part of the immediate emergency measures, current law otherwise only allows a categorical exemption for just 250 acres. That is enough to protect just 10 miles of road.

Now, earlier today we heard the Ranking Member Mr. DeFazio say that the sequester is delaying the U.S.—or pardon me, the shutdown is delaying the U.S. Forest Service review of salvage. What he didn't explain was that process takes a year or more, and by the time the normal environmental review of salvage operations has been completed, a year from now, what was once forestland will have already begun converting to brushland, and by the following year reforestation will become infinitely more difficult and expensive, especially if access has been lost due to the impassability of roads. By that time only the very biggest of the trees will still be salvageable.

Within 2 years, 5 to 8 feet of brush will have built up, and the big trees will begin toppling on this tinder. You couldn't possibly build a more perfect fire than that: dry tinder at the bottom and large, dry logs at top.

If we want to stop the conversion of this forestland to brushland, the dead timber has to come out. If we take it out now, we can actually sell salvage rights, providing revenue to the Treasury that could then be used for reforestation. If we go through the normal environmental reviews and litigation, the timber will be worthless, and instead of someone paying us to remove the timber, we will have to pay someone else to do so. The price tag for that will be breathtaking. We will then have to remove the accumulated brush to give seedlings a chance to survive, again, another very expensive proposition.

This legislation simply waives the environmental review process for salvage operations on land where the environment has already been incinerated, and allows the government to be paid for the removal of already dead timber rather than having the government pay somebody else.

There is a radical body of opinion that says, well, just leave it alone, and the forest will grow back. Well, indeed it will, but certainly not in our lifetimes. Nature gives brush first claim to the land, and it will be decades before the forest is able to fight its way back to reclaim that land.

This measure has bipartisan precedent. It is the same approach as offered by Democratic Senator Tom Daschle a few years ago to salvage beetle-killed timber in the Black Hills National Forest.

Finally, salvaging this timber would also throw an economic lifeline to communities that have already been devastated by this fire,

as local mills could be brought to full employment for the first time in many years.

Time is not our friend. We can act now and restore the forest, or we can dawdle until restoration becomes cost prohibitive.

Thank you, and I yield back.

Mr. BISHOP. Thank you.

I appreciate the Members who are here and those who are not here for presenting the bills before us.

We are now going to turn to the second panel, which is some of the expert testimony. I would invite Bill Neikirk, who will talk about the Mill Springs Battlefield—from the Mill Springs Battlefield Association to come up to the microphones; Morris Vogel, who is the President of the Lower East Side Tenement Museum. I was going to say, we have two good German names there, but then we come up with Pedro Segarra, who is the Mayor of the city of Hartford. And you changed the pattern right there. Also invite John Anderson, who is a Councilman from White Fish, Montana; and Tom Partin, who is the President of the American Forest Resource Council. If they would join us at the panel to give testimony on individual bills.

What we will do is go bill by bill and, after each presentation, ask if there are questions pertaining to that particular piece of legislation.

So we will start with—and I will urge all of you, because we would like to be done fairly soon here, you have 5 minutes to make your presentations. We appreciate your time and effort to come here to do that. I want you to use the time wisely, but once the 5 minutes are up, we want you to stop at that time, and then we will open up for questions afterwards.

If you have not been here before, your written testimony is already part of the record. This should be additional oral testimony to that. And you will have the time clock in front of you, which will start timing down. If you see the yellow light come on, that means you have 1 minute left. Please stop when it goes red again.

So we will first turn to Mr. Neikirk from the Mill Springs Battlefield Association. If you would give testimony on House bill 298. Mr. Neikirk.

**STATEMENT OF WILLIAM R. NEIKIRK, FOUNDER, MILL
SPRINGS BATTLEFIELD ASSOCIATION**

Mr. NEIKIRK. Thank you, sir. I appreciate this opportunity to be here before the committee today. The Mill Springs Battlefield is a national historic landmark. It is located on both sides of Lake Cumberland in Pulaski and Wayne Counties, Kentucky. Mill Springs Battlefield Association is a 501(c)(3) nonprofit corporation which was founded in 1992 by me and 20 other concerned individuals for the purpose of preserving, protecting, maintaining and interpreting the Mill Springs Battlefield.

The significance of the Mill Springs Battlefield nationally, the Mill Springs battle was fought on January 19, 1862. It resulted in a decisive Union victory that ultimately drove the Confederates from Kentucky and enabled the Federal advance into Middle Tennessee in February 1862. The defeat of the Confederates at this battle helped secure Kentucky for the Union, a vital achievement,

and was the first major Union victory of the war, following the disastrous defeat at First Manassas on July 21, 1861.

The defeat of Confederate General Felix K. Zollicoffer, who died during this battle, was the first of many victories for Union General George H. Thomas, who, at the end of the war, was the third highest-ranking Union general.

In 1992, the National Park Service identified Mill Springs Battlefield as one of the 25 most endangered battlefields. Under the guidance of the American Battlefield Protection Program, the protected areas of the battlefield have been able to grow from ½ acre to over 600 acres. To be on this list, the battle outcome had to have a significant outcome on the war itself, the land had not changed since the war, and it was in danger of being developed. The National Park Service American Battlefield Protection Program again this year in August 2013 put Mill Springs on that most endangered battlefield list as a category 1.

Today the Mill Springs Battlefield Association is comprised of a 15-member board of directors whose purpose is to preserve and interpret the battlefield for future generations of Americans. The board owns and administers over 600 acres of the battlefield land, along with a 10,000-square-foot visitor center built in 2006, which is located adjacent to the Mill Springs National Cemetery.

Our proposal—in recognition of the National Park Service’s ability and expertise in generating tourism is asking this committee to support Congressman Hal Rogers’ House bill 298, which directs the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Mill Springs Battlefield and the feasibility of its addition into the National Park Service as part of the Cumberland Gap National Park. Why Cumberland Gap? The same troops that fought at Mill Springs fought at the Battle of Cumberland Gap 1 month before that.

Mill Springs is unique in that we are not asking the Park Service to take over undeveloped battlefield land. In contrast, we are offering the National Park Service 600 acres with miles of well-kept interpretive trails, a marked driving tour, a visitors center museum.

MSBA has spent over \$12 million to preserve and interpret the battlefield for future generations. The Mill Springs Battlefield Association will continue as a fringe group in support of the battlefield. Our dedication to preserve and protect the battlefield will not change when this becomes a national park. Thank you all.

[The prepared statement of Mr. Neikirk follows:]

PREPARED STATEMENT OF WILLIAM R. NEIKIRK, FOUNDER, MILL SPRINGS
BATTLEFIELD ASSOCIATION

H.R. 298

INTRODUCTION

The Mill Springs Battlefield, a National Historic Landmark, is located on both sides of Lake Cumberland in Pulaski and Wayne counties, Kentucky. The Mill Springs Battlefield Association, a 501(c)3 non-profit corporation was founded in 1992 by Association President William R. Neikirk and 20 other concerned individuals for the purpose of preserving, protecting, maintaining and interpreting the Mill Springs Battlefield.

SIGNIFICANCE OF THE MILL SPRINGS BATTLEFIELD, NATIONALLY

The Battle of Mill Springs, fought on January 19, 1862, resulted in a decisive Union victory that ultimately drove the Confederates from Kentucky and enabled the Federal advance into Middle Tennessee in February 1862.

The defeat of the Confederates at this battle helped secure Kentucky for the Union, a vital achievement, and was the first major Union victory of the war following the disastrous defeat at First Manassas on July 21, 1861. The defeat of Confederate Brigadier General Felix K. Zollicoffer, who died during the battle, was a first of many victories for Union General George H. Thomas.

In 1992, the National Park Service identified Mill Springs Battlefield as one of the 25 most endangered battlefields. Under the guidance of the American Battlefield Protection Program (ABPP), the protected area of the battlefield has been able to grow from ½ acre to over 600 acres.

The National Park Service American Battlefield Protection Program published a *Draft update to the Civil War Sites Advisory Commission on the Nation's Civil War Battlefields, August 2013*. The report states the Mill Springs Battlefield of Kentucky condition as "portions altered, most essential features remain. Previous CWSAC priority 1, new priority 1." (See NPS publication *Civil War Battlefields Update, August 2013*).

MILL SPRINGS BATTLEFIELD TODAY

Today the Mill Springs Battlefield Association is comprised of a 15-member board of directors, whose main purpose is to preserve and interpret the battlefield for future generations of Americans. The board owns and administers over 600 acres of battlefield land, along with a 10,000 square foot visitor's center built in 2006, which is located adjacent to the Mill Springs National Cemetery.

PROPOSAL

The Mill Springs Battlefield Association, in recognition of the National Park Service's ability and expertise to generate tourism, is asking this committee to support Congressman Harold Rogers' H.R. 298, which would direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Mill Springs Battlefield located in Pulaski and Wayne Counties, Kentucky, and the feasibility of its addition to the National Park System as part of the Cumberland Gap National Park.

MSBA is unique in that we are not asking the Park Service to take over undeveloped battlefield land. In contrast, we are offering the NPS 600 acres with miles of well-kept interpretive trails, a marked driving tour, and a visitor's center/museum. MSBA has spent \$12 million to preserve and interpret the battlefield for future generations. The Mill Springs Battlefield Association will continue as a "friends group" in support of the battlefield. Our dedication to preserving and protecting the battlefield will not change when this becomes a National Park.

Mr. BISHOP. Thank you. I appreciate your testimony and explanation of the bill, which is about authorizing a study of this area.

Do any of the Members have questions on this particular piece of legislation? If not, I thank you so much. You are welcome to stay there as long as you want to, but if you need to return back or anything, you are free to do that.

We will turn now to Mr. Vogel, talking about the Lower East Side Tenement Museum. Welcome. Happy to have you here. Same rules. You have 5 minutes to present the testimony about this particular act.

STATEMENT OF MORRIS J. VOGEL, PRESIDENT, LOWER EAST SIDE TENEMENT MUSEUM

Mr. VOGEL. Thank you, Mr. Chairman and members of the committee, for allowing me to speak on behalf of H.R. 1846. This legislation would expand the boundaries of our current National Park Service-affiliated site to include a recently purchased building two doors away.

It is my privilege to serve as President of the Tenement Museum, which since 1988 has been presenting the stories of immigrants who brought their dreams to the United States, made their homes on New York's Lower East Side, built lives, established families, earned livelihoods, and lived the struggles common to many newcomers in difficult settings.

In the case of the immigrants' whose lives we present to 200,000 visitors a year, that setting was an 1863 tenement at 97 Orchard Street purpose built to house the poor when that neighborhood, Mr. Chairman, was *Kleine Deutschland*, the largest concentration of German speakers in the history of this country.

They lived in 325-square-foot apartments, as many as 8 or 10 or 12 to a 3-room home, without indoor toilets, without heat, water or utilities. Seven thousand people lived in that building before the city of New York condemned it as unfit for human occupancy in 1935.

The museum uses that tenement to tell the stories of immigrants from Ireland and Italy, Poland and Greece, Austria, Russia, Germany and Lithuania. We use it to help visitors who come from across the United States and around the world understand how this Nation evolved, how people of many different backgrounds became the American people.

Their children and grandchildren have moved out of the neighborhood for the most part. Their descendants have continued to play vital roles in shaping our common destiny.

Earlier this week I visited the 9/11 memorial, our neighbor in downtown New York. There, among the nearly 3,000 names etched into the footprints of the towers, I found Frank Reisman, the great-great-grandson of Nathalie Gumpertz, who, as a single mother born in East Prussia, raised three children at 97 Orchard Street. Even more meaningfully, I found among those names individuals from more than 90 nations, who, like our tenement residents, brought their dreams to this land of promise.

So many of those names identify individuals who joined our common destiny from the new immigrant waves of recent decades; from China, the Caribbean, Africa, Central America, South Asia. The museum can't tell their stories at 97 Orchard Street because that building closed before those immigrant waves arrived.

Our recently acquired building at 103 Orchard Street, which dates from 1888 and escaped condemnation because it met the city's evolving life and safety standards, will allow us to broaden the story we tell. We began documenting Puerto Rican and Chinese families who lived in the building. We will be using the facts of their lives in the homes in which they actually lived to provide an account of the largest Puerto Rican community on the American mainland and the largest Chinatown in the Western Hemisphere.

We have documented in that building as well a family of Holocaust survivors allowed into the United States under this country's very first Refugee Act.

Taken individually, those stories will allow us to respond to the Park Service's injunction to tell America's untold stories. Taken together, which is how we will present them, those stories tell about the people we have become.

I welcome your support to recognize the property that will let us undertake this historical presentation as an affiliated site of the National Park Service.

Thank you, Mr. Chairman and members of the committee, for your time.

Mr. BISHOP. Thank you.

[The prepared statement of Mr. Vogel follows:]

PREPARED STATEMENT OF MORRIS J. VOGEL, PRESIDENT, LOWER EAST SIDE
TENEMENT MUSEUM

H.R. 1846

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today on behalf of H.R. 1846, the Lower East Side Tenement National Historic Site Amendments Act.

The Lower East Side Tenement Museum was founded in 1988; for 25 years now it has preserved and interpreted the history of immigration through the personal experiences of the generations of newcomers who settled in and built lives on Manhattan's Lower East Side, America's iconic immigrant neighborhood. The Museum forges emotional connections between visitors and immigrants past and present through tours of its historic building at 97 Orchard Street, which was declared a National Historic Landmark in 1994. The historic site became an affiliated site of the National Park System (NPS) in 1998 in Pub. L. 105-378 and is part of the National Parks of New York Harbor, which includes the Statue of Liberty, Ellis Island, and Castle Clinton.

The Museum now serves 200,000 visitors per year, including 40,000 school children. Visitors explore recreated apartments and hear the stories of real families from over 20 nations who lived in the building from 1863 until 1935, when the city of New York condemned the building as unfit for human occupancy. The Museum has transformed this everyday tenement into a National Historic Site, its worn hallways and tired homes a monument to how imaginative historic preservation can summon the ghosts of the past to explain America's most cherished ideals. The Museum helps visitors explore how the tenement's immigrant residents worked, raised families, kept house, built communities, accommodated to America's promise, and built this wonderful country.

The Museum purchased 103 Orchard Street, an 1888 tenement building, in 2007 and renovated its lower floors as a visitor and education center. Unlike the Museum's first historic structure, 103 Orchard Street did not close to residents in mid-century, and so provided homes to more recent immigrant waves. The Museum is now developing an exhibit to present stories of Jewish Holocaust survivors, post-1965 Chinese families, and 1950s Puerto Rican migrants. Together, these will extend the Museum's immersive historic interpretations beyond 1935, where they now end, into the present.

This project is a direct response to former NPS Director Jon Jarvis's "Call to Action" to tell America's untold stories. The exhibit would be the first at a National Park Service site to interpret the history of Holocaust survivors rebuilding lives in America. It would also be one of the few telling the stories of Puerto Rican migrants to the mainland and post-1965 Chinese immigrants. The interpretation differs from ethnic museums in that it presents the larger narrative of how Americans came to be the people they are today; in presenting these three distinct cultural narratives side by side for the first time, the Museum will provide a powerful lens on how Americans moved beyond the race-based immigration quota laws of the 1920s. The new exhibit will provide the setting for a powerful narrative reflecting the experiences of contemporary Americans in the diverse communities that now constitute much of the Nation.

House bill 1846 expands the boundaries of the National Park Service affiliated site at 97 Orchard Street to include this newer tenement building. Including 103 Orchard Street is a direct response to the Department of the Interior's 2006 General Management Plan for the site, which recognized the need for visitor orientation, administrative facilities, and additional exhibit space. It determined that any boundary adjustment include significant features related to the primary purpose of the site, address operational issues including access, or protect resources critical to the site's mission. It also required legislation to adjust the site's boundaries.

These new exhibits are directly related to the Museum's mission and allow visitors to see how immigration has continued to evolve into the present. We estimate

the expansion would allow it to accommodate 50,000 additional visitors annually, including 12,000 school students. Furthermore, these exhibits will be fully ADA accessible which the majority of the original exhibits are not.

This legislation will secure a partnership between the new space and the National Parks of New York Harbor. NPS would be able to assist this site with education workshops, tours for New York City school children, and exhibition construction and preservation, just as it has done at the original site. This designation would help preserve America's iconic immigrant neighborhood. It is critical to provide the Tenement Museum with the resources it needs to continue to educate our children and tell the important stories of our past immigrant experience. The immigration story is America's story; New York's Lower East Side has been a portal to freedom for countless generations of new Americans.

The Lower East Side Tenement Museum has worked for 25 years to enhance appreciation for the profound role immigration has played and continues to play in shaping this country. Today we ask that you support H.R. 1846 and expand the affiliated site boundaries to include this second historic building and help ensure the Tenement Museum's success for years to come.

Mr. BISHOP. I appreciate your testimony and coming here today. You actually had me on Kleine Deutschland when you got to that point there.

Are there any other questions on this particular piece of legislation? If not, once again, we thank you for the testimony. Thank you for explaining it. We appreciate your attendance here with us today.

Mr. VOGEL. Thank you.

Mr. BISHOP. Let me turn to the mayor. We welcome you again.

Mr. SEGARRA. Thank you.

Mr. BISHOP. As I said, you had German names, German names, and then you broke the pattern right here. But we thank you. We turn to you for testimony on H.R. 1259. And same rules. I appreciate it. You are recognized.

STATEMENT OF PEDRO E. SEGARRA, MAYOR, CITY OF HARTFORD, CONNECTICUT

Mr. SEGARRA. Thank you, Chairman Bishop. And it is indeed a pleasure to be here again to speak in support of House bill 1259. Thank you, Ranking Member Mr. Grijalva and other members of the committee.

It is a pleasure to be here on behalf of the city of Hartford in support of House bill 1259, the designation of the Coltsville Historic District as a national park. I want to thank Congressman John Larson and Senators Blumenthal and Murphy for their tireless support of this critical and important initiative.

This effort, which also has the broad support of the city's business community, institutions and organizations, is critical to the revitalization of Connecticut's capital city and will become a centerpiece of the city's effort to increase its focus on heritage tourism. It would also stand as a model for future innovation.

The Colt manufacturing facility and surrounding structures played a critical, if not essential, role in the national defense, defining the direction of the United States during a time of great exploration and innovation. It not only changed the face of national and international business and commerce, but also enhanced and further promoted the spirit of American business ingenuity and the role in the local community.

It is symbolic that we are now again presented with a monumental decision that, if approved, will help to shape and encourage an ongoing renaissance in the city of Hartford and further promote the historic and necessary investment that Governor Dannel Malloy has made to restore funding designed to promote Connecticut's culture and tourism destinations.

The city of Hartford, the State of Connecticut and collaborative and associated public and private entities are deeply invested in the Coltsville neighborhood. The city has already rebuilt two schools and improved housing stock in the immediate area, and has committed almost \$3 million in matching funds to improve the surrounding streets in ways that will redefine space, improve visuals, increase safety, and enhance the overall vibrancy of the area.

We also stand ready to assist with other developments and elements in the greater scope and definition as we add this to America's first and arguably the most preeminent industrial zone.

A commitment has also been made by Riverfront Recapture and the Capital Region Education Council to preserve and maintain and manage their properties in accordance with the National Park Service and Historic Preservation Guide.

A national park at Coltsville will only require the Park Service to manage only 10,000 square feet designated in the East Armory. All other areas will be interpreted externally, or an agreement with the National Park Service will be established during the evaluation period. In other words, if anything shuts down, Congressman Bishop, we can manage this on our own.

It is important to briefly recognize the number of jobs this effort will create and the overall impact to the economy. Not only will the trades benefit through an intense construction effort, but long-term job growth across the region and in the entire job spectrum. Not only does it benefit the leisure and hospitality sector, but also those critical indirect and secondary job markets.

So far, with the investments we have made, 1,000 jobs have been added, and an additional \$175 million has been brought to the local economy. If we get the designation, we estimate that an additional 1,000 jobs and an additional \$150 million will come to the local economy.

I couldn't finish also without mentioning to you that it is the home of vintage baseball. Congressman Larson wanted, and I also want, to extend an invitation to you and members of the committee to come see vintage baseball. It is civility at its best in sportsmanship.

I want to thank you for your consideration as we move forward with this resolution not only because its recognition is past due, but because of many of the positive outcomes that will come from recognizing Coltsville as a national park.

[The prepared statement of Mr. Segarra follows:]

PREPARED STATEMENT OF PEDRO E. SEGARRA, MAYOR, CITY OF HARTFORD,
CONNECTICUT

H.R. 1259—Coltsville National Historical Park Act

Distinguished members of the committee,
On behalf of the city of Hartford, I appear before you today in support of H.R. 1259, the designation of the Coltsville Historic District as a National Park. I

want to thank Congressman John Larson and Senators Lieberman and Blumenthal for their tireless support of this critical and important initiative. This effort, which also has the broad support of the city's business community, institutions, and organizations, is critical to the revitalization of Connecticut's Capital City, and will become a centerpiece of the city's effort to increase its focus on heritage tourism. It will also stand as model for future innovation.

The Colt Manufacturing facility, and surrounding structures, played a critical—if not essential—role in our national defense, defining the direction of the United States during a time of great exploration and innovation. It not only changed the face of national and international business and commerce, but also enhanced and further promoted the spirit of American business ingenuity, and its role in local community. It is symbolic that we are now again presented with a monumental decision that, if approved, will help to shape and encourage an on-going renaissance in the city of Hartford and further promote the historic and necessary investment that Governor Dannel Malloy has made to restore funding designed to promote Connecticut's culture and tourism destinations.

The city of Hartford, State of Connecticut, and the collaborative of associated public and private entities, is deeply invested in the Coltsville neighborhood. The city has already rebuilt two schools and improved housing stock in the immediate area, and has committed almost \$3 million in matching funds to improve surrounding streets in ways that will redefine space, improve visuals, increase safety and enhance the overall vibrancy of the area. We also stand ready to assist with other elements as greater scope and definition are added to the revitalization of one of America's first, and arguably most preeminent, industrial zones. A commitment has also been made by local businesses, property owners, and managers, such as the Colt Gateway, Riverfront Recapture and the Capitol Region Education Council, to preserve, maintain and manage their properties in accordance with the National Park Service and Historic Preservation Guide. A National Park at Coltsville will only require the Park Service to manage the 10,000 square feet designated in the East Armory. All other areas will be interpreted externally or an agreement with the National Parks Service will be established during the evaluation period outlined in the legislation.

It is important to briefly recognize the number of jobs this effort will create and the overall impact to the economy. Not only will the trades benefit through an intense construction effort, but long term job growth for the region across the entire job spectrum; not only in direct benefits to the leisure and hospitality sector, but also those critical indirect and secondary job markets that will be added and supported as well. With an intense focus and commitment in these areas, the region has already seen over 1,000 new jobs created and the infusion of \$175 million into the regional economy. This designation, critical to the further restoration of Colt Manufacturing, has been independently estimated to generate an additional \$150 million for the regional economy and create 1,000 additional jobs over the next 5 years. If no further development occurs, it will only yield \$30 million and 229 jobs.

I thank you for your time and consideration and do hope that you will move this resolution forward, not only because this recognition is long past due, but because of the many positive outcomes that will no doubt result from Coltsville being designated as a National Park.

Mr. BISHOP. Thank you. I appreciate you, Mr. Mayor, for being here again.

Are there any questions for this particular witness?

Mr. Holt.

Mr. HOLT. Thank you, Mr. Chairman.

Mr. Segarra, I want to commend you and Mr. Larson and the others for preparing a good piece of legislation. I think this will work well. I certainly appreciate the benefits that heritage tourism and recreation bring to a community and to an entire region. We certainly see that in New Jersey.

And one of the things I like about the Coltsville presentation is it complements and in no way detracts from the Paterson Great Falls National Historical Park, the site of the beginning of the industrial revolution in America, and the site of the invention of the Colt revolver, and the first place where interchangeable-part manu-

facturing was undertaken, which was then developed so highly at Coltsville.

In fact, just for the record, it was March 1836 that Samuel Colt started the Patent Arms Manufacturing Company in Paterson, New Jersey, and production of the pocket model Paterson revolver began in 1837. And in 1848, Colt started the Colt's Patent Firearms Manufacturing Company in Hartford; in other words, a dozen years later.

So I think they complement each other well, and I commend you for putting together a good proposal.

Mr. SEGARRA. Thank you.

Mr. BISHOP. Thank you.

Any other questions?

Then we have—Mr. LaMalfa. Go ahead. Could I add one thing before you do that, Mr. LaMalfa? I appreciate it.

And I also want to thank you for talking about the baseball field, because Paterson didn't include their ballpark in their park. They screwed it up.

Mr. LaMalfa.

Mr. HOLT. We tried.

Mr. LAMALFA. Thank you, Mr. Chairman.

I am excited to hear about this as well, as a longtime fan of Colt products here, the 1911 semiauto pistol, and AR-15, and going all the way back to the previous history in the beginning, the founding of America, and of the importance it was for the defending and taming of the West. It is a great history here, so I am excited that this is moving forward in Connecticut.

And you did mention that only 10,000 square feet would be subject to the National Park Service, and the rest would be autonomous to the local area?

Mr. SEGARRA. That is correct. We have made significant investments in restoring this park. We have built two schools. So the park is—

Mr. LAMALFA. How close are the schools to the—

Mr. SEGARRA. The schools are right within the region. It is over 300 acres, but the park that would be the national park is only 10,000 square feet. There is an armory portion to this, but there is also Armsmere, which is the old Colt mansion; and there is a park, which was basically the park for the workers. There is also housing, the Potsdam Cottages.

So there are a lot of amenities within this district, but the National Park request that we are making is for the 10,000-foot museum portion, which will represent the history of all these different assets.

Mr. LAMALFA. So the rest of the park would not be subject to Park Service barricades and things like that? You would be able to control that yourself, right?

Mr. SEGARRA. That is correct.

And I also failed to mention that in addition to baseball, something very important happened right within the proximity of this land, and that is that the first written constitution, the Magna Carta, was drafted right there. So not only did we draft the first written constitution, we also developed there the means, the manu-

facturing means, to build us this great country. So I think asking for 10,000 square feet in return is a small thing to ask.

Mr. LAMALFA. Great. Great. OK. I would be excited to visit that someday here, catch a baseball game and see the Constitution, and especially enjoy the Second Amendment aspects of that—

Mr. SEGARRA. Absolutely.

Mr. LAMALFA [continuing]. On the site there. So I think it is a great bill and will be happy to support it when it is time.

Mr. SEGARRA. Thank you, sir.

Mr. LAMALFA. Thank you.

Mr. BISHOP. Thank you very much. I appreciate it. Thank you for being here, Mr. Mayor.

Mr. SEGARRA. Thank you.

Mr. BISHOP. We will now turn to John Anderson, the Councilman from White Fish, Montana, if you would like to talk about Mr. Daines' legislation.

**STATEMENT OF JOHN ANDERSON, CITY COUNCILOR,
WHITEFISH, MONTANA**

Mr. ANDERSON. Thank you, Chairman Bishop, Ranking Member Grijalva, members of the subcommittee, and, of course, Congressman Daines. Thank you very much for inviting me to speak on this bill, H.R. 2259, the North Fork Watershed Protection Act.

My name is John Anderson, and I am a City Councilor from White Fish, Montana. In White Fish, my wife and I are raising two young boys, and if all goes well, when I get done testifying here, I plan to spend the weekend hunting with my oldest boy. On Monday, he finished his hunter safety courses, so this will be his first trip, and we plan to hunt these same lands that are the subject of this bill. In addition to the deer and elk that we will be chasing, we hope to see moose, wolverines even, mountain goats, and with any luck we will run across a grizzly bear from a distance.

One of the important aspects of these lands is, similar to my family, generations are able to enjoy the recreation there. It binds communities together, and it binds families together throughout Montana.

An additional aspect of this bill is the continuation of existing recreational activities as well as natural resource management, such as livestock and forest management. And that is particularly important to me. Prior to going to law school at the University of Montana, I ran a logging company. I had little more than a chainsaw and a team of draft horses, and I made my living in the woods. And this bill allows this part of Montana to continue to enjoy its logging heritage.

From my perspective this bill benefits the local economy as well as the local taxpayers. During the great recession, I was Chairman of the Board of the White Fish Chamber of Commerce, and I saw firsthand the difficulties of those times within my community. My friends lost their jobs, their businesses, many of them got divorced and suffered other tragedies.

The city of White Fish itself experienced some very difficult budgetary times, but thanks to a mayor, city council and a talented city manager in Chuck Stearns, as well as his dedicated city staff,

the city of White Fish was able to balance their budget, and we have not raised property tax rates in 4 years.

As a local official, my focus, similar to Mayor Segarra's, I suspect, is the blocking and tackling of local government. We deal with fixing sewer lines, filling potholes and balancing the budget, and that, of course, is the most important thing we do in a local government.

This bill helps us balance that budget. It protects our watershed, where we get our drinking water from. Our primary source of water is the mountain streams in Haskill Basin, which is just north of White Fish. We also draw from White Fish Lake, which is adjacent to our town and actually part of the city of White Fish. If these lands are subject to heavy extractive industries, our costs of treating that water will go up. We will find ourselves drawing more and more from the lake. And the cost of treating drinking water from that lake is about two-and-a-half times that of treating drinking water straight from those mountain streams.

I hate to think about the decisions that we will have to make and the costs that we will have to pass on to our taxpayers should heavy mining and extractive industries take place there. As a matter of fact, on Monday on our council agenda is an item to consider the water usage fees. This is a very real issue, very pertinent and very timely to us in the local community of White Fish.

That is why this bill makes sense. As Congressman Daines mentioned, it enjoys broad, diverse support. The industries, from the energy sector, such as ConocoPhillips and Chevron support it. The forest products industries supports it, Plum Creek and Stolze Lumber included. Stolze Lumber, as Congressman Daines mentioned, is one of Montana's oldest family owned lumber companies, a stone's throw away from these lands.

Some of the other businesses that support this include the outfitters and guide services that have used these lands for decades, as well as the Glacier National Park concessionaire.

I want to thank you for your time, and I would be happy to answer any questions that you might have.

Mr. BISHOP. Thank you.

[The prepared statement of Mr. Anderson follows:]

PREPARED STATEMENT OF JOHN ANDERSON, CITY COUNCILOR, WHITEFISH, MONTANA

H.R. 2259—North Fork Watershed Protection Act of 2013.

Chairman Hastings, Ranking Member DeFazio, members of the subcommittee, thank you very much for considering this important piece of legislation, H.R. 2259: The North Fork Watershed Protection Act of 2013. My name is John Anderson. I am from Whitefish, Montana, where I am a city councilor and where my wife and I are raising two young boys.

When I return to Montana after testifying today, I will spend the weekend hunting with my oldest son on the same lands that are the subject of this bill. It is his first hunting season, so this will be his first time hunting rather than merely accompanying me. We hope to see not only the deer and elk we will be stalking, but also moose, mountain goats, wolves, wolverines, black bears, grizzly bears, and bighorn sheep, all of which are found here in one of our Nation's most robust wildlife habitats. This bill will allow local hunters and anglers to enjoy these same lands that bind together not only my family, but also families and communities and throughout the State of Montana.

This bill also provides for the continuation of recreational, livestock, and forest management activities currently allowed on these lands. This is particularly important both to me and to our local economy. Before attending law school, I owned a

logging company and made my living with little more than a chainsaw and a team of draft horses. Thanks to this bill, the area's deep logging heritage can continue.

From my perspective, this bill benefits not only the local economy, but also the local taxpayers. As Chairman of the Whitefish Chamber of Commerce during the Great Recession, I witnessed first hand the effects of unpredictability on the local economy. Many of my friends lost their houses, their businesses, and their sense of optimism. Some divorced and many suffered other personal tragedies. The city of Whitefish faced harsh budgetary prospects. Thanks to the mayor and city council, a talented city manager in Chuck Stearns, and a dedicated city staff, Whitefish passed balanced budgets and has not raised property tax rates for the last 4 years. We have been able to build reserves, stabilize services for our residents, and clear the path for continued success.

As a local official, my focus is on the "blocking and tackling" of government. Our city council agendas are filled with issues such as repairing sewer lines, filling pot holes, and plowing snow. But perhaps the most basic job of local government is balancing the budget. H.R. 2259 helps us do that. It protects a significant portion of our watershed, obtained directly from mountain streams in Haskill Basin that run through the lands that are preserved by this bill. If these lands are not safeguarded, and water quality in turn suffers, Whitefish will be faced with spending more money to treat water obtained from Whitefish Lake or other sources. Treating water from the lake costs nearly 2.5 times as much as treating water from the mountain streams. Fortunately, the land above Whitefish Lake is also protected by this bill. Should this land be mined or subject to heavy extraction activity, the local taxpayers may face rate and tax increases they can scarcely imagine.

That is why this bill makes sense. It enjoys especially broad, local support. A varied cross section of industries, business groups, local governments, hunting and fishing organizations, conservation groups, and the State of Montana have publicized their support. Additionally, the entire Montana Congressional Delegation unanimously supports this bill.

Industry supporters include energy companies such as ConocoPhillips and Chevron and forest product companies such as Plum Creek and Stolze Land and Lumber, the latter of which is headquartered in nearby Columbia Falls, Montana, and is one of the Nation's oldest family owned forest product companies. Our area's largest private employer, Kalispell Regional Medical Center, also supports this bill, as does our world-class ski resort, Whitefish Mountain Resort. Additionally, local chambers of commerce and numerous small businesses support this bill. The small businesses range from long-standing guide services that make their living on these lands to the concessionaire in Glacier National Park, which is adjacent to these lands. The area's largest tribal government, the Confederated Salish and Kootenai Tribes, also supports this bill, as do the cities of Whitefish and Kalispell as well as local county governments.

In the U.S. Senate, this bill received unanimous support from the Senate Energy and Natural Resources Committee without any opposition. I ask that you also unanimously support passage of this bill.

As I mentioned previously, the State of Montana supports this bill. On February 19, 2010, Montana and the Province of British Columbia signed a Memorandum of Understanding to preclude mining, oil and gas development, and coalbed methane extraction throughout the transboundary Flathead region on State and provincial lands in this area. Virtually the entire watershed in British Columbia is provincial property, and the Province of British Columbia has since legislated a mining ban on those lands. On the United States side of the border, some 90 percent of the North Fork watershed is federally owned. I now ask you to provide the same support to my community and my State as our neighbors to the north have received from their government.

A significant benefit of this bill is that it protects private property rights. It does not affect current leases on these Federal lands. Section 3 explicitly provides that the withdrawal of Federal land is subject to existing rights. Several major energy companies, including ConocoPhillips, Chevron, Andarko, Pioneer, Allen, and Kirms, have voluntarily relinquished their existing leases on these lands. To date, approximately 80 percent of current leased acreage—more than 180,000 acres—has already been returned to the Department of the Interior, free of charge to the American taxpayer.

In closing, I again urge you to unanimously support passage of this important bill. Its importance to my local community is evidenced by its local support. This comes from the people themselves.

That concludes my prepared remarks. Thank you for your attention and for inviting me to speak. I would be happy to answer any questions you may have.

Mr. BISHOP. Are there questions for this particular witness?

Mr. DAINES. I do, Mr. Chairman.

Mr. BISHOP. Mr. Daines, you are recognized.

Mr. DAINES. All right. Thank you.

Mr. Anderson, thanks for being here. Congratulations to your 12-year-old son passing hunter safety. Good luck.

Mr. ANDERSON. Thank you.

Mr. DAINES. I remember my first hunt in Montana, and it is something you never forget. So enjoy your time with your son this weekend.

Given you are a representative of the city of White Fish, I would like to focus on how important this bill is to your community. To my knowledge, there are three streams in the withdrawal area, the first, second and third creeks that are part of that water supply and the watershed for the city of White Fish. I understand the city has also already had to shut off the third creek due to some street runoff pollution. If the water doesn't flow from these creeks, White Fish, as you mentioned in your testimony, must get its water from White Fish Lake, which is more expensive; is that correct?

Mr. ANDERSON. That is correct.

Mr. DAINES. And I think you said it was two-and-a-half times more expensive to get it from the lake than from the streams.

You also mentioned that if the water quality in the tributaries and the city water supply are not protected, the city is going to have to increase taxes, potentially. How would a tax increase affect Montana families and how might it impact the city and county coffers?

Mr. ANDERSON. Well, speaking as somebody who lives there and would be directly affected by those taxes, I think it would without a doubt have a detrimental effect on our local economy. That money that we would like to go to private businesses would have to go to the city to pay for things like cleaning the water. I think that money is probably better spent in our community otherwise.

Mr. DAINES. You also mentioned, Mr. Anderson, how H.R. 2259 is important to maintaining our hunting and our outdoor recreation heritage in Montana. Do you see H.R. 2259 harming those historic uses in the area in any way?

Mr. ANDERSON. No, I do not. As a matter of fact, I think it helps to support those continued uses.

Mr. DAINES. Thanks.

You also mentioned that private property rights are important to you. Some may wonder about the right to produce on the existing leases that have not yet been relinquished. Will H.R. 2259 harm private property rights or the ability for these energy companies to produce?

Mr. ANDERSON. My understanding is this bill has no effect on existing private property rights.

Mr. DAINES. It is also my understanding that if this bill is marked up in committee, we are going to include an amendment to explicitly prohibit the bill's impact on the ability for that suspension to be lifted. A similar amendment was adopted in the markup of Senator Baucus' bill in the Senate Energy and Natural Resources Committee. So we will move that forward. And I plan on offering and including that amendment.

Mr. ANDERSON. Good.

Mr. DAINES. I have no more questions, Mr. Chairman.

Mr. BISHOP. Thank you.

Are there—Mr. Holt?

Mr. HOLT. Thank you.

First of all, I want to commend the author of this bill and those who have worked on it, the councilor and others. I was beginning to despair that we would ever see legislation from the State that had the endorsement of industry and those who want to protect the environment over the long term and both parties. It is remarkable, but my question is am I correct that this has some urgency because of the agreement that has been reached upstream in Canada that gives the opportunity to actually protect this area?

Mr. ANDERSON. Yes. That agreement is now over 3 years old, and most of the lands on the Canadian side of the border in this watershed are provincially owned. And Canada, or British Columbia specifically, has enacted legislation to fulfill its part of the MOU. But on the southern side of the boundary, roughly 90 percent of these lands are federally owned, and so that is why I am here today and so thankful that Congressman Daines and Senator Baucus and Tester have introduced this bill.

Mr. HOLT. Well, thank you. I am pleased to see this for a variety of reasons. And, again, I would like to commend my colleague Mr. Daines for his part in putting together a bill with such broad support.

Mr. DAINES. Thank you.

Mr. ANDERSON. And also a very brief one, you will notice.

Mr. BISHOP. Thank you.

Are there any other questions? If not, councilman, we appreciate you being here with us.

We now turn to Mr. Partin of the American Forest Reserve Council to—I am sorry—American Forest Resource Council—

Mr. PARTIN. Right.

Mr. BISHOP [continuing]. Makes a difference—to discuss H.R. 3188 with us. Sir, you are recognized.

STATEMENT OF TOM PARTIN, PRESIDENT, AMERICAN FOREST RESOURCE COUNCIL

Mr. PARTIN. Thank you. Good morning, Chairman Bishop, Ranking Member Grijalva and members of the subcommittee, and especially Mr. McClintock, for inviting me here today to speak on H.R. 3188. My name is Tom Partin. I am President of the American Forest Resource Council, and we are based in Portland, Oregon.

I am here today, as I mentioned, to testify on H.R. 3188, a bill to expedite salvage and rehabilitation activities on lands inversely impacted by the 2013 Yosemite Rim Fire in California.

The American Forest Resource Council represents the forest products industry in five Western States. We advocate for sustainable forest management on our public forests, which will help provide healthy forests, a vibrant forest products industry, and healthy rural communities and counties.

Unfortunately, our Federal forests are far from being managed today in a sustainable manner. They are overcrowded, riddled with

insects and disease, and, as we have just witnessed on the Yosemite Rim Fire, a tinderbox ready to explode and destroy a quarter of a million acres in timber.

This committee has on several occasions discussed with the Forest Service and BLM what actions need to be taken to prevent those catastrophic wildfires, and I encourage and applaud you to keep prompting these agencies to better manage their lands and find a new path forward.

I am not here today to further those discussions, rather I am here to promote H.R. 3188, as I mentioned, that will immediately address the disastrous conditions that we are left with following the Yosemite Rim Fire.

With the fire finally extinguished, we were left with as much as a billion board feet of charred timber and denuded watersheds, soon to be choked with ash, burn debris and soil coming off the hillsides from rains and snow.

Disasters of this magnitude call for actions equal in scale. Waiting for months or even years to analyze all of the on-the-ground conditions before developing a plan, like we usually do when we have such large fires, is just not acceptable, and the horrific conditions left in the fire's path calls for immediate action.

H.R. 3188 allows for this immediate action by the Forest Service, BLM and National Park Service to promptly plan and implement salvage timber sales of dead, damaged or downed timber resulting from that wildfire, without doing time-consuming NEPA or other lengthy planning efforts. Salvage timber sales prepared under this bill will also not be subject to administrative review or judicial review by any court that can take months or years to resolve.

Members of the committee, we need to quickly capture the value of this dead timber before it deteriorates in the coming months and put those dollars toward a massive regeneration and restoration program like none we have tackled in the past. As a sawmill manager, I know how quickly burnt timber deteriorates from blue stain, checking and insect borings. For example, a standing burnt tree today may have a value of \$1,000. Twelve months from now, it may only be worth one-third of that value. Time is money when it comes to restoring a burnt forest.

The Forest Service, BLM and Park Service have no reserve funds for planting burnt forests or doing much of their rehabilitation. Those dollars for replanting only come from the sale of salvaged trees from that burn. The more value that these agencies get for the sale of their burnt timber, the more acres of valuable watersheds can be restored.

Finally, sawmills that can access wood from the Rim Fire located in Sonora, Chinese Camp, Lincoln and Terra Bella desperately need the wood now for continued operations and need the forest replanted for a long-term sustainable forest for the decades to come.

For every 1 million board feet of timber harvested, approximately 18 jobs of direct or indirect nature are created. This would be a boon for many of our rural California counties with double-digit unemployment, as well as reestablishing young, green, growing forests.

The salvage of burnt trees on private land in California has an expedited process to capture the value under the California Forest

Practices Act. In these cases only a notification of salvage work is needed, not a full-blown timber harvest plan. H.R. 3188 would bring those expedited features to the public lands consumed by the Rim Fire by only requiring that the agencies plan and implement projects put forth by professional foresters on their staff, and those projects must at least comply with the standards put forth in the California Forest Practices Act.

As I said before, extreme events call for extreme actions, and I strongly urge you to support H.R. 3188 for the rapid restoration of our forests, our watersheds and rural communities, where many jobs will be provided. Thank you very much for accepting my testimony.

Mr. BISHOP. Thank you for coming here and giving testimony.
[The prepared statement of Mr. Partin follows:]

PREPARED STATEMENT OF TOM PARTIN, PRESIDENT, AMERICAN FOREST RESOURCE COUNCIL

H.R. 3188

THE IMPACT OF CATASTROPHIC WILDFIRES ON WATERSHEDS, SUCH AS THE RIM FIRE, STANISLAUS NATIONAL FOREST

The Forest Service is hamstrung nationwide with the aftermath of catastrophic wildfire. Particularly in the West and specifically in the Sierra Nevada Mountains of California, the number, size and intensity of wildfires are increasing. Just in the last 25 years, the high severity burned acres has increased from 21 percent to 33 percent of total acres burned. The fire behavior, particularly over the past year, has reached a new level. The Rim Fire expanded 35,000 acres on Day 4 and then an additional 50,000 acres on Day 5 and was burning in every direction throwing embers up to a mile. There's never been anything like it and it's, in large part, because of the ever-increasing tree density on the national forests coupled with long, dry fire seasons. Today, in the California Region on the national forests, productive forest lands have 266 trees/acre on a landscape that can only support about 40–100 trees/acre. The Forest Service mechanical thinning and fuels reduction program only removes 7 percent of annual growth. The Forests are getting denser and denser and denser. It's no surprise that we are seeing fire behavior like never before.

Following a catastrophic wildfire, the Forest Service has short term burned area emergency rehabilitation (BAER) authority that is by definition part of the wildfire "emergency". These short term activities (water barring dozer lines, rehabilitating other suppression-related activities on the landscape, putting hay bales across streams to try to reduce the sediment transport so that drainages don't gully over the winter months and next spring, . . .) are very limited in scope.

The longer term work of restoring the denuded watersheds is left to the Forest Service to figure out how to accomplish using normal NEPA procedures, ESA processes, and paying for it out of their normal appropriations (there is no special money for longer term watershed restoration).

The priorities of the Rim Fire are:

- (1) Roadside hazard tree removal on about 400 miles of Forest Service system road inside the burn perimeter. This work is needed for public and administrative safety and to keep the road system open to perform the rehab and restoration work. If the hazard trees are not removed, there will be literally thousands of trees that fall across the roads during the coming winter and close the roads.
- (2) Because of the complexity of National Environmental Policy Act (NEPA)/Endangered Species Act (ESA) processes and procedures, it generally takes the Forest Service, California Region about 10–12 months to complete an Environmental Impact Statement and Decision on what actions to take to maintain the integrity of the road system and restore the denuded watersheds.
- (3) Twelve months from now, brush will have already sprouted and the moderate-high severity burned acres on what was productive forest land will be well on their way to type converting to brushfields. If no salvage, site preparation and planting of seedlings occur within 12–20 months on these lands, they will be brushfields for many, many decades to come (likely until the next

wildfire burns the same acres again). Over the next 5–8 years, standing dead trees will rot off and fall over onto brush that could be 5–10' high or higher.

(4) The opportunity to save most of the existing road system is rapidly diminishing as winter approaches. Forest Service models predict that stream runoff could be 4½ times greater than normal and the runoff will be mud and debris. None of the existing culverts in the road system were designed for these types of events. There's a high probability that many culverts will plug, pond and blowout sending thousands of cubic yards of dirt down the stream channels and closing the roads for a long time to come. Closed roads mean no access to perform rehabilitation or restoration activities, even if planned and NEPA-cleared.

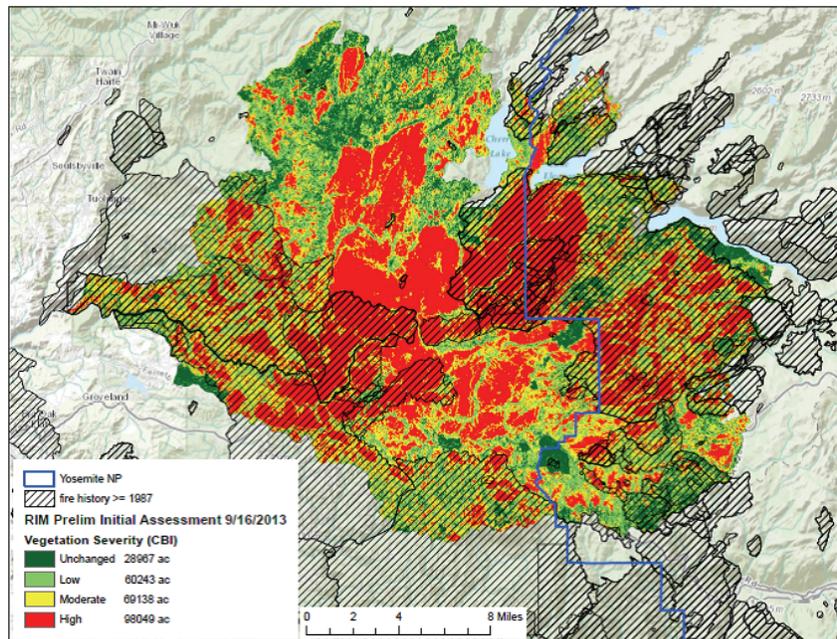
Much of the existing road system has inside ditches; in just 2 weeks during the fire, dry ravel off the cut banks already filled miles of these ditches. On the fill slopes following the fire, dry ravel is eroding the fill slopes and exposing the pavement and crushed aggregate base on the mainline roads.

These are just indicators of a catastrophe that is likely to happen during rain events this winter.

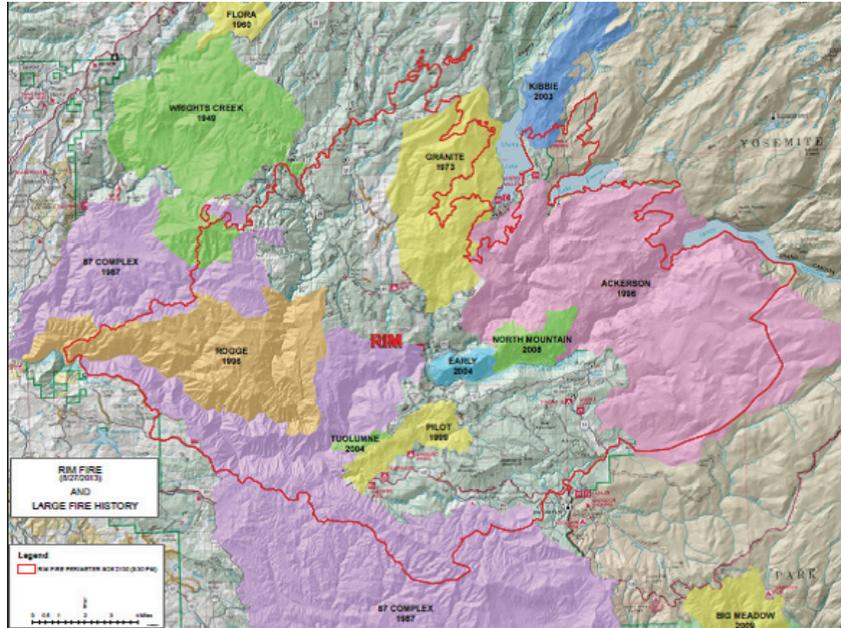
The importance of rapid restoration of the denuded watersheds cannot be overstated. Activities begin with salvaging merchantable dead trees that will make lumber. The revenue from these trees generally can support cutting and piling of small trees and brush to help prepare the productive forest lands for planting of seedlings.

Without rapid deployment of the salvage activity, the brush will quickly sprout and totally occupy the growing space. Replacing the brush with tree seedlings that will survive is an expensive process. Further, rapid salvage is necessary because the value of the merchantable trees rapidly declines from beetles, wood borers, and other insects. As the value declines, the opportunity for revenue from the salvage operation to pay for preparing the site for tree planting is lost.

Reforestation on acreage the Forest Service deems important to watershed restoration has to occur within 12–20 months. This will enhance the opportunity to return the watershed to a "forest" rather than a brush field.



The Rim Fire, Stanislaus National Forest, Vegetation Burn Severity Map (September 26, 2013)



Stanislaus National Forest Fire History Map

Mr. BISHOP. Are there questions?

Mr. McClintock, I am assuming?

Mr. MCCLINTOCK. Absolutely. Thank you, Mr. Chairman.

Mr. Partin, I first want to thank you very much for coming out on very short notice to provide testimony for this hearing. As you know, time is of the essence on this.

The first question I would have for you is what do you say to those that say, well, if we just leave it alone, it is all going to grow back?

Mr. PARTIN. Well, we will have growth coming back, but in the meantime we are going to have a considerable amount of erosion. The growth we will get back will not be a conifer stand of trees, it will be brush. It will take decades to get trees regrowing on these sites, and in the meantime we are going to have some disastrous conditions. We are going to have harm to our watersheds. Our municipal watersheds that depend on water for drinking are going to get impacted. We don't have the time. We need to take immediate action.

Mr. MCCLINTOCK. So if we listen to that advice, basically what we are doing is consigning what was once forestland to become brushland for the next several decades?

Mr. PARTIN. Absolutely. There are a tremendous amount of examples of this on fires that have happened in California over the decades, where we do not have conifer stands established; we have brushfields. We are not going to get the value out of those forests for the long term, and we just have poor conditions.

Mr. MCCLINTOCK. So that 400 square miles of incinerated forest—of course, not all of it is incinerated, but much of it is. And the fire was severe, rated severe, I believe, at about 60 percent of that area. If we just leave it alone, that forest is not coming back in our lifetimes.

Mr. PARTIN. It will not come back in our lifetime. And we have witnessed this time and time again. Case in point, up in Oregon the 2002 Biscuit Fire had very little salvage done. It is mostly a brush field right now. We do not have a forest coming back. It is going to take time to get trees established to compete with the brush, to get a forest back.

And, again, as I say, the important thing is we have to get in there and manage those watersheds, or we are going to have some extreme events with soils in the creeks going down to the rivers and impacting our drinking water.

Mr. MCCLINTOCK. What is the effect of going through the normal NEPA process? We heard the Ranking Member say, well, we have got to reopen the Government—which we all agree we need to reopen the Government, and that is a great issue that is raging right now—but if we simply resumed the normal process for salvage sales, what is the prognosis for the Sierra Nevada?

Mr. PARTIN. The normal NEPA process, I think, as you pointed out earlier, takes about a year to go through to either do an EIS, environmental impact statement, or an environmental analysis. Twelve months is a long time. On top of that, almost every one of our salvage sales are appealed by environmental groups, taking at least another 6 months to a year. You are left with 2 years after a burn, and almost all of the value at that point is gone. So having an expedited process, at least in this case, is very important. We have some unique circumstances out there right now that need some immediate attention.

Mr. MCCLINTOCK. Now, when we put this dead timber up for salvage sale, you pay us to take it out; do you not?

Mr. PARTIN. Absolutely.

Mr. MCCLINTOCK. And can you give us some example per acre of a typical salvage sale if it occurred in a timely manner where the trees actually retain their commercial value?

Mr. PARTIN. Well, let us just take an example of if someone bought the timber for \$200 per thousand, and there are 10,000 board feet per acre. That would be \$2,000 taken off of each acre in value.

Mr. MCCLINTOCK. So that would be \$2,000 going directly to the Federal Treasury that could then be spent on reforestation of that acreage?

Mr. PARTIN. I think that is the important part. We don't have the dollars in hand, the Forest Service, BLM or Park Service, to do that replanting and rehabilitation. They need cash from someplace else.

Mr. MCCLINTOCK. We wait a year, we are already pretty much past the harvest season going into the next winter, so it will be about a year and a half to 2 years if we follow the normal process. How much is that timber going to be worth after 2 years for salvage?

Mr. PARTIN. I have spent my entire career either as a forester, or logging manager, or sawmill manager and watching the deterioration of fallen salvage, and it is a huge impact. You lose at least half of the value during the first year, and it can be more than that on small trees. Small trees deteriorate more quickly.

Mr. MCCLINTOCK. So after a year the most we could expect is to take \$1,000 per acre out in salvage, and after 2 years pretty much nothing?

Mr. PARTIN. There would be a little value after 2 years, but only in the larger trees that don't have the checking or deterioration simply because of the size and there is so much mass inside. But we would lose over half of the value.

Mr. MCCLINTOCK. And after that, if we want to get that dead timber out of the forest, and it has been ordered to do reforestation, we would have to pay somebody to come in and haul it out because it then has no value.

Mr. PARTIN. It has no value. The long-term impacts, you have a heavy fuel loading, standing snags all over the place, brush growing underneath, as you mentioned. These larger trees will tip over in time, and then you have even worse fire conditions in decades to come.

Mr. MCCLINTOCK. Thank you.

Mr. BISHOP. Thank you.

Mr. Grijalva?

Mr. GRIJALVA. Thank you, Mr. Chairman.

And without objection, I would like to enter two letters of opposition to the legislation, H.R. 3188, one representing Sierra Club Wilderness Society, Defenders of Wildlife and Earth Justice; and the other, Outdoor Alliance, representing various recreation advocacy groups, if there is no objection, Mr. Chairman.

Mr. BISHOP. Without objection.

Mr. GRIJALVA. Thank you.

If I may, Mr. Partin, one question, or for my own clarification here. In July 1985, Congress established an emergency salvage timber sale program. According to a GAO report from 1997, the elimination of the appeals associated with the salvage riders, as it came to be called, had little impact on the amount of timber sold and salvaged in the salvage sales.

Has something fundamentally changed in those since that study that it is now necessary to eliminate administrative review for the Rim Fire?

Mr. PARTIN. I think a lot of things have happened since 1985, particularly—

Mr. GRIJALVA. 1995.

Mr. PARTIN. Pardon me?

Mr. GRIJALVA. 1995.

Mr. PARTIN. 1995? Particularly when it comes to the length of analysis needed for a lot of these projects, what the agencies have to go forward in preparing their NEPA work, their EISs, their EAs. As I mentioned, it can take up to a year.

We don't have a year out here. These are extreme conditions in this particular area. I think it calls for extreme action. It calls for getting in there now, generating some funds that you can get from the salvage of this wood to put back into the ground, to help re-

plant some trees, to help reclaim these watersheds. We don't have time, and this is a unique circumstance.

Mr. GRIJALVA. And just last, Mr. Partin, does the Resource Council or yourself, do you support logging in Yosemite National Park?

Mr. PARTIN. I think there are places where a national park can benefit from taking material out. We have a lot of people visit these parks. We do not want to have a dangerous situation. We want to have a green forest. And what we can do to make their presence in these national parks a good experience for them, I think we need to do some work there.

Mr. GRIJALVA. I think, Mr. Partin, there a lot of reasons, but the iconic nature of the park that we are talking about, that the opposition to elimination of NEPA, Clean Water Act, the concern is that it is a precedent, number one, and because it is an iconic area, that the issue of expeditedness is an open question, but the point of eliminating, I think that is where there is a great deal of concern.

I yield back, Mr. Chairman.

Mr. BISHOP. Thank you.

Mr. LaMalfa.

Mr. LAMALFA. Thank you again, Mr. Chairman.

Mr. Partin, when we contrast, I will call it the response time on private land versus this process you have to go through on public land, how quickly are private landowners able to get on, recover timber that has value so that—again, we have all heard about how it works well to be able to make money off of what you are recovering instead of having to come out of either a private person's profit or, in public land, on a Treasury that is already empty. What is that response time, contrasting the two—

Mr. PARTIN. Well, as I mentioned, under the California Forest Practices Act, when private landowners have a burn of any kind of magnitude, all they have to do is provide a notification to the forestry department they are going to take these actions. Again, all of the actions have to comply with the California Forest Practices Act, but there is immediacy and an urgency to get out there, oftentimes within weeks or a month or two after the fire has burned. So you are looking at a quick response time on private lands to capture the value, to get their lands back in production and get a new stand established.

Mr. LAMALFA. Which means you have a property that is not subject to the erosion problems, wildlife are going to be returning, the trees will be growing, you can fly over it within X amount of years, and it will look like a pretty good stand of forest once again, yes?

Mr. PARTIN. Absolutely. You will have trees established. You will not have the brush fields. And it is important to recognize getting out and maintaining these forests, you get to maintain the roads, you get to prevent the massive erosion that can occur on these unstable slopes, and there is a lot of environmental pluses for taking the immediate action, capturing the value, getting trees replanted, make sure we preserve our infrastructure.

Mr. LAMALFA. So what have you seen in the past where there have been land swaps where public land has gone into private ownership? Has the land somehow become different on the way it regrows trees or the way it affects the environment when a private person replants it as opposed to—is there some kind of magic trick

here that because it is public property, that recovering the land, recovering the value, getting it replanted, or instead having to go through a year and a half, 2 years worth of hassle, why is it different on public land than private land? Is there something different about the soil or the air? What is the problem?

Mr. PARTIN. Again, there is nothing different about the soil. There is nothing different about the trees. The lands are side by side. What is different is the time it takes to analyze, do the NEPA work, do the environmental impact statements to actually get to a project, and then you have the possibility—

Mr. LAMALFA. So if the American public understood what is going on with the ability to recover land quickly on the private level, and their public assets are languishing for 2 years, and then they don't have the money anymore to do it. I can think of instances up in Trinity County and Shasta County in northern California where a fire has gone through and devastated—actually very close to the town of Weaverville and not far from Redding, et cetera, putting them in peril, but then just a few years later, because these areas weren't managed, recovered, reforested, that they become brush fields; all the dead timber, all the snags, they become this tinderbox for another fire just 7 years later.

Do you think if the American public understood all these different things, that they would think that this NEPA process is efficient, especially a jewel like the Yosemite area, where people come from around the world to visit? What do you think they would think of that?

Mr. PARTIN. I would think they would think our rules are broken, and we need to do something to take immediate action.

I would like to just say one thing. In 1973, I worked for the Forest Service, and I actually fought a fire inside the Rim Fire, it is called the Granite Fire, next to Cherry Creek Reservoir. Again, we are having reburns of these areas that haven't been salvaged. It devastates the landscape. We return to them time and time again.

Something has to change to, number one, get the value off these lands in a timely manner, to go back and reestablish growth, and to make sure we preserve our amenities out there such—

Mr. LAMALFA. Quickly. I am running out of time. I appreciate it.

The Ranking Member mentioned a 1995 congressional piece of legislation that was to expedite salvage, and mentioned that a survey or a report done on that showed very few acres have actually been recovered because of this bill to expedite the process. Do you know much about that bill, or do know why it isn't working? Because if we are not getting the acres under the law intentionally done by the Congress to do so, I guess there is something wrong with the breadth of that law, right?

Mr. PARTIN. Yes. I don't know exactly that law. If it were the section 318 salvage rider, there was an immediate volume put up that had some timber sales moving forward in that year or 2 years. Since then it is out of date.

As I say, we have a lot of rules and regulations that take time under NEPA, EIS and EA to get a project moving forward, and then it could be impacted by litigation in the courts, taking another year. It is a bad process. And there was the FERRA bill passed in

the House in 2005. Some of you might remember that, the Forest Emergency Recovery and Restoration Act. We have been trying to address this issue for many years, decades. We haven't an answer, we haven't a solution; hence, we are in this limbo land. This bill would at least get us beyond that for this project.

Mr. LAMALFA. Thank you. My time is up, Mr. Chairman. I yield back.

Mr. BISHOP. Are there any other questions?

Before I do, I recognize Mr. Huffman.

Lest I forget again here, we appreciate all of you being here. We would remind you that the record is still open. You may be asked to respond to written questions. If they come to you, we would ask you do that in a relatively short period of time.

Mr. Huffman.

Mr. HUFFMAN. Thank you, Mr. Chair, and thanks to the witnesses for their testimony.

This is an incredibly broad bill. It covers a broad area of land, a lot of acreage that includes forestland, National Park Service land. Ninety-two percent of the area, I am told, that burned in Yosemite National Park is designated as wilderness. We have all sorts of various protected categories that apply to certain parts of this land, and yet this bill would basically mandate, or at least permit, salvage logging without any normal administrative procedures or judicial review, safeguards in every part of it.

And so my question for you, Mr. Partin, is salvage logging appropriate everywhere?

Mr. PARTIN. I think the projects that would be developed by the professionals in the Forest Service, BLM and the National Park Service would look at where salvage is appropriate. I think they have the expertise to know if we can't get into wilderness areas, we can't get into some areas, those wouldn't be entered. But we have a tremendous amount of general forested areas that either need some help, need some rehabilitation, need some work done to make sure we have safety for our folks entering the forest, and I think those are the experts that really need to work to develop these projects.

Mr. HUFFMAN. How will we know that they will apply the kind of rigor that you just indicated if we are waiving all normal procedures and judicial review?

Mr. PARTIN. I think you have to look at it as these are professional folks, much like doctors, much like other professionals, that have a lot of history, that have a lot of experience, that are going to go forward and present professional projects. This is—

Mr. HUFFMAN. Would you agree, sir, that there are instances where salvage logging is not appropriate; where if it is not done right, you could actually worsen some of the things that you have mentioned in your testimony, things like erosion, water quality; that if it is not done right, there is even some science to suggest you could create greater fire-safety impacts? Would you agree with those propositions, that there are actually some studies from the Forest Service and others that suggest that improperly done, salvage timber operations can make things worse?

Mr. PARTIN. Well, I am not sure it would make it worse for safety aspects, because what we are left with out there is a tremendous

amount of hazard. As far as could salvage done incorrectly on soils or on slopes have a negative impact? Yes, it could. I—

Mr. HUFFMAN. Again, if done incorrectly, if impacts are created, let us say water quality impacts for the city and county of San Francisco, who pays for that mitigation if there is no NEPA process, if there are no safeguards in place to address the issue of mitigation under this bill? Taxpayers?

Mr. PARTIN. I think the taxpayers would, much like they are going to pay for the problems we are having right out there that were naturally caused by this fire. We have got 250,000 acres of a problem right now, and somebody has to address it. We don't have the money—

Mr. HUFFMAN. I appreciate that.

Mr. PARTIN. We don't have the money—

Mr. HUFFMAN. I appreciate that. There is also a maxim about making sure that the cure is not worse than the disease, and proper procedures and safeguards are an important part of ensuring that.

You have mentioned municipal water supply quality as one of the factors in support of this very open-ended salvage logging proposal. There is a very large municipal water supply we are talking about, the city and county of San Francisco. Has anybody asked the San Francisco PUC if they think open-ended salvage logging in their watershed is a good idea? That might be one of the many empty chairs that we would like to have filled so we could get some information. The other would be the Park Service, whether they think some additional logging is appropriate.

I would note a very compelling part of your testimony, sir, is about the need for the roadside hazards to be addressed. I think we could all agree that we don't want trees falling on roads all over watersheds; however, I have some information informally that those trees have been removed in Yosemite National Park already, again, one of many, many pieces of information that we would have to inform this debate if we had some of the empty chairs filled by folks from the Park Service, from the Forest Service and other authorities that are missing from this debate.

There is a lot that needs to be said about this bill. There is not a lot of time, unfortunately, but I would suggest that a bill that waives every environmental law in this entire very important public area, including wilderness laws, roadless laws, endangered species, NEPA, is not going to pass, and I don't think anybody seriously believes that it will. There are pieces of this that we could be working on in a cooperative way, and my hope is that eventually we will have a more practical discussion where maybe we can find common ground.

And I yield back.

Mr. AMODEI. [Presiding.] Thank you.

Anything else on this panel.

Mr. DAINES. Yes, Mr. Chairman?

Mr. AMODEI. Mr. Daines.

Mr. DAINES. I yield my time to Mr. McClintock.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Partin, first of all, doesn't the bill direct the U.S. Forest Service and the National Park Service to develop plans according to their own best judgment?

Mr. PARTIN. Absolutely.

Mr. McCLINTOCK. So all of the concerns over protection of watersheds, what kind of temporary egress would be required to move this dead timber out, all of that would be subject to the restrictions imposed by the U.S. Forest Service and the National Park Service, correct?

Mr. PARTIN. Absolutely.

Mr. McCLINTOCK. Is there anything in this bill that attempts to micromanage them or to override their judgment in any respect?

Mr. PARTIN. No. As I mentioned earlier, I think it is the professionals within each agency that would be doing the work. They have boundaries they have to work within, and they would be followed.

Mr. McCLINTOCK. And they also have procedures that are well established that this bill does not affect; is that correct?

Mr. PARTIN. Absolutely.

Mr. McCLINTOCK. This bill simply waives the more-than-year review process that makes salvage pretty much impractical.

Mr. PARTIN. Waives the NEPA requirements for the long-term study and also the judicial review, which can take months or years as well. We are trying to expedite this, get it to a process that takes a couple of months rather than a couple years, capture our value, and get some stands reestablished.

Mr. McCLINTOCK. But all of the professional foresters in their judgment, all of the biologists in their best judgment, all of the folks that manage these things for the U.S. Forest Service and the U.S. Park Service would be developing the plans for the salvage operations; is that correct?

Mr. PARTIN. Absolutely. You would have teams from all walks within the Forest Service, wildlife, streams, watershed, timber, developing these plans with their best knowledge to put something forward that would work.

Mr. McCLINTOCK. Could you speculate on the damage that we can expect if we simply do nothing for the next year?

Mr. PARTIN. Well, we mentioned watersheds and water supplies, and I think we have to look no further than what happened to the Denver municipal watershed in the Hayman Fire. We had a reservoir that collected water for that city that was almost half filled with silt during the early 2000s fire that hit in that Denver watershed. These are examples, many examples, of what can and will happen if we don't get out there and take some aggressive action.

Mr. McCLINTOCK. Now, if we do allow this to go to brushland, and we have the progression of events that can normally be expected through the policy of benign neglect, we are going to have 5 to 8 feet of brush in the next couple of years covered by large timber-killed treefalls; is that correct?

Mr. PARTIN. Brush is a very aggressive pioneer species. It comes in following a fire, does very well. It will outcompete the conifer trees. Unless the conifers are reestablished quickly, we will have brush fields. We will have a lot of large dead trees as a canopy.

Eventually they fall down and create a tremendous fuel loading for future fires.

Mr. MCCLINTOCK. That is how you build a fire in a fireplace. You put in lots of dry timber, and then you put the logs on top, and that is what we can expect.

Now, from this fire I have seen estimates of just horrendous erosion and runoff as a result of expected rains just this year; is that correct?

Mr. PARTIN. That is correct, and I witnessed firsthand the amount of erosion and runoffs from these fires once you have large events, whether it is heavy rain or snow. We are coming into the fall and winter season. We are going to get these runoffs. If we don't have something to hold this water back—

Mr. MCCLINTOCK. So we can expect that this year through benign neglect, and then if there is another fire a few years from now, with all the brush and stacked dead timber that will be created by benign neglect, we can expect that again in the next few years.

Mr. PARTIN. In the decades to come. As I mentioned, I was on the Granite Fire in 1973 within this area. I assume the conditions were not taken care of, they burned heavily, and we need to stop this process.

Mr. MCCLINTOCK. Now, when you say that the conifers can't compete with the brush, that means that about the only way that we are going to get the region reforested within our lifetimes is to go in there and do it ourselves, right?

Mr. PARTIN. Well, absolutely. You have got an area of 250,000 acres that has been burned. We don't have a seed source naturally out there to redevelop, to reestablish these conifer trees. If we are going to get a conifer stand established, we have to go out and plant them, and we have to put the dollars up to get those young trees going.

Mr. MCCLINTOCK. Now, can we plant them with the dead timber that is there now?

Mr. PARTIN. We can, but, again, we are—

Mr. MCCLINTOCK. But then we don't have the money to do it.

Mr. PARTIN [continuing]. Playing with fire, anticipating other fires to happen in the future, which we have seen, destroying the young stands that we are planting right now. So the best alternative, let us get those trees off, those dead trees now; let us establish a new stand, have a healthy forest for the future.

Mr. MCCLINTOCK. Great. Thank you.

I thank the gentleman for yielding.

Mr. AMODEI. Anything else for this panel?

Mr. GRIJALVA. A second round, sir.

Mr. AMODEI. You have something?

Mr. GRIJALVA. Yes. Thank you. Thank you very much.

Just a quick follow-up, Mr. Partin. When we were discussing discretion right now from Mr. McClintock's question about that the professional land managers would have discretion as to what happened, and so this bill does nothing to that discretion. The assumption is that if it was, as Mr. Huffman said, an area in which salvage would do more harm than good, then that discretion would lay there in the legislation. It would be that permissive.

So, but as I read it, and it gets to the portion about—it says very specifically that with respect to affected Yosemite National Park and Bureau of Land Management lands, that professional “shall promptly plan and implement”—implement—“salvage timber sales.” That is a “shall” not a “may.” Would you think it should be a “may”?

Mr. PARTIN. I think it is “shall,” but I think it is also important to look at the professionals developing this that will—shall put a project out there, and those professionals will decide where it is appropriate and where not.

Mr. GRIJALVA. But it is still required to have a prompt salvage sale?

Mr. PARTIN. Yes.

Mr. GRIJALVA. It kind of defeats the “shall/may,” huh?

Anyway, the other point and the comparison, private property, expedited process, salvage, you use the California model, all they would have to do is the notice of intent, and we go forward.

I think there is a marked difference. These are public lands, they are a shared asset of the American taxpayer, and the administrative reviews that are in place are to protect that asset. I mean, we are not talking about my personal land that I can do what I want with. We are talking about a shared asset of millions and millions of shareholders in it, and those reviews are there for that overall protection of that asset, and that is the biggest difference, and they are there for that reason.

I just think that the “shall/may” is really—that there is only one option, and that is to salvage and sell; that there is no real discretion left to that professional staff that you indicated are so capable on those public lands.

I yield back.

Mr. PARTIN. If I may, this is not a unique approach. Tribal lands that are managed, tribal forestlands expedite their salvage. Lands owned by the State Department of Natural Resources in Washington State last year had a huge fire. Within a few weeks they were back managing, salvaging the lands that had burned. It is an exercise—

Mr. AMODEI. Mr. Partin, I appreciate your response, but your time comes through the person that is questioning you, and Mr. Grijalva has yielded back. However, the next person is Mr. LaMalfa. If you would like him to answer the question, maybe—

Mr. LAMALFA. Mr. Partin, please continue on your line there, and I will have another question or two after that.

Mr. PARTIN. I was just mentioning other landowners, tribal landowners, State landowners go through an exercise very similar to what is in this bill to look at moving salvage forward quickly; to get replanting, rehabilitation done on the land so they have a forest to manage for the long term. It is not just unique to what is in this bill.

Mr. LAMALFA. Let me follow up on this note. First, we are hearing about an asset, whether it is a public asset. I think any American that would see what is going on would say their asset is being poorly handled, poorly protected because it is so subject to a refire just a few years later.

So all you hear from the opposition are ways to obstruct. I have yet to hear a method that I would be open to for future legislation to say how do we follow a prescription for speedy salvage, because I liken this to a patient who has suffered an accident, has to be hurried to the emergency room, is bleeding out, and yet you run into somebody that has to sign you up on a Web site first before you can receive treatment, thereby losing the patient. In this case here you are losing the opportunity to salvage something that you would have positive value for instead of negative value 2 years from now.

I have never heard yet a way for somebody that would like to work with those who think that expedited salvage would be a way to go. We just hear NEPA, judicial review, ways to obstruct and stop.

What do we learn—I would like to hear from you, what do we learn from each NEPA, each EIS, each one of these lawsuits that we don't already know from multiple go-rounds of this in the past? The bill Mr. McClintock is working on, this isn't the first time this has happened with a fire like this on a public land, yet for years and years and years, haven't we ever established a precedent that says, wow, we have had a fire on a public land. That means we are going to have to go and salvage some trees. Yes, there might be a stream here; we will probably want to stay away from the stream 100 feet. There might be some old growth; maybe we will stay away from that. There might be an owl nest over here; we will figure out how to work around that. But there is a whole bunch of acres in between.

It is like we are reinventing the wheel every single time, with new lawsuits, new obstruction, a new NEPA process. What do we learn from these processes and these lawsuits that we don't already know and we can't apply a prescription for?

Mr. PARTIN. I don't think we learn a lot. As you mentioned, each of the criteria on each forest are known by the professionals. They go through a good system to develop the plan. It should go forward.

But I would like to go back to the FERRA bill that I think it was 2005 or 2006, and one of the parts of that called for establishing up front some criteria on how to salvage once the fire gets established on each forest. And I would highly recommend the committee look at this, revisit it to get some kind of game plan for when we have these large fires and catastrophic events, because, as you mentioned, we go back to square one every time. It is the same NEPA process, lengthy EIS, lengthy EA, court battle taking as much as 2 or 3 years, and we never get past that.

I do think there is a better way of doing it. We have a tremendous value and asset out there we need to manage, and I think it really behooves us to look at a better way of doing business.

Mr. LAMALFA. Yes. It would seem a template for this like we have templates for other emergency measures in the country, how you respond, would make a lot of sense.

So let me again come back to the treatment of private land, you know, fairly immediately. Now, do they have any of the problems after the treatment with water quality threats or some of the other concerns that the opposition always brings up that might affect?

Don't they have to follow a prescription that would be quite similar?

Mr. PARTIN. Well, yes. Like I say, these actions and projects have to follow the California Forest Practices Act.

Mr. LAMALFA. So they are following—already established in our State a practice act whether it is private, and it always seems to work out, right? It doesn't affect water quality because they have a wide zone of—

Mr. PARTIN. We have buffers. We have measures put in place to protect the resources. It is a matter of getting the value out, getting stands reestablished, making sure we have green forests for the future.

Mr. LAMALFA. So you would be working with the Forest Service, you would be working with the Department of the Interior, you would be working with national parks on these—the people that have expertise that are already supposed to know their region, know their zone?

Mr. PARTIN. Exactly.

Mr. LAMALFA. You say, do this here, do that there, you would probably be fine.

Mr. PARTIN. Exactly.

Mr. LAMALFA. And so if we could follow that private pattern here, we would be saving and replanting and reforesting much sooner than we do now, correct?

Mr. PARTIN. Absolutely. We would be bypassing the lengthy NEPA, the court injunctions, and get right to doing the salvage work and reestablishing a stand of trees out there.

Mr. LAMALFA. I just don't understand the obstructionism. But thank you for your testimony.

Mr. PARTIN. Certainly.

Mr. AMODEI. Thank you very much for your testimony. This panel is dismissed.

Mr. AMODEI. The next panel is Pat Whitten, County Manager of Storey County; Kristin McMillan, President of Las Vegas Chamber of Commerce; John Lee, Mayor of city of North Las Vegas; and Steve Ross, Councilman from the city of Las Vegas.

We want to thank the Silver State panel for your patience. We saved the best for last.

Mr. Whitten, we are going to go ahead and start out with you.

For all the witnesses, good to see you all. I see Mr. Horsford, my colleague from the old days, is here, as is His Honor, the Mayor of the city of Las Vegas, and I guess Kristin is here for South Las Vegas. Isn't that how you refer to Las Vegas and North Las Vegas is South Las Vegas?

Anyhow, Mr. Whitten, if you would proceed, you have 5 minutes.

STATEMENT OF PAT WHITTEN, COUNTY MANAGER, STOREY COUNTY, NEVADA

Mr. WHITTEN. Thank you, Mr. Acting Chairman, Ranking Member Grijalva, and distinguished members of the subcommittee. And again, once again, specifically thank you, Congressman Amodei, for inviting me here today. I appreciate the honor and the opportunity to testify before you on H.R. 1167, the Restoring Storey County Act as introduced by Congressman Amodei.

I am Pat Whitten. I serve as the County Manager for the Storey County Commission in Nevada, and joining me to the back today is Commissioner Marshall McBride, Vice Chairman of the Storey County Board of Commissioners.

Last April the Board of County Commissioners resolved to support H.R. 1167 by unanimous vote. Storey County is the smallest of 17 counties in the State of Nevada, and our history dates back to 1864, when miners discovered substantial amounts of underground gold and also the country's first major silver deposits. During these boom days historians say almost 25,000 people lived in the area.

After the decline of mining in the late 1800s, life became very quiet on the Comstock. Today we are a popular oldtown tourist destination with some small-scale mining also taking place.

Virginia City and Gold Hill are located about 30 miles between our State capital and Reno. As far back as 1864, people have bought, sold, and/or built both commercial and residential buildings. Under normal circumstances this would pose no issues or concerns; however, errors occurring throughout our history creates detrimental impact on approximately 75 percent of the parcels in Virginia City and 100 percent of the parcels in Gold Hill.

In 1867, the General Land Office survey of the Virginia City town site was approved, but subsequent required actions were never completed, and no Federal patent was ever issued. Without this patent proper ownership of surface rights fall under question as to who actually owns the land where our homes and businesses are located. This creates a situation where residents might be considered to be trespassing on Federal Government lands and also clouded title issues where individuals buying or selling real property cannot because of difficulty in obtaining standard title insurance. I want to stress that our issues lie only with resolving surface rights and do not involve any subsurface mineral rights whatsoever.

On the Federal Government side, the Bureau of Land Management has the task of dealing with the fallout from these historic events. For almost 20 years we have patiently worked together seeking solutions. I want to state that at all levels of their organization, BLM has not only been good to work with, they have been great to work with, but like any government, they are bound by the laws of the land. Simply said, BLM cannot rectify this problem without authorization from Congress. Citizens wishing to obtain clear surface title rights would have to petition Congress as separate individuals.

So BLM encouraged us to turn to our congressional Representatives for long-term solutions, and we were fortunate that Congressman Amodei was already familiar with our problems. Congressman Amodei has developed a simplified, streamlined approach to cure this issue. It, in essence, is give any interest the U.S. Government has in surface rights regarding the impacted properties to the local government for proper reparation and release to the respective lawful owners.

There are approximately 1,285 parcels over 1,705 acres covered by our request. H.R. 1167 would rectify in one single act issues that have prevailed for over a century and a half. This approach

is also tremendously cost-efficient. Last year a BLM spokeswoman for their Nevada field office said, and I quote, trying to figure out how many properties may be in trespass and revolving discrepancies on a case-by-case basis would be a monumental task. She goes on to say, these issues extend back to the mid-1800s, and finding solutions would be at a cost of probably millions of dollars and several years, end quote.

And that is why we are here today, to speak in full support of H.R. 1167. It is a logical, simple act that will restore property rights to Storey County citizens as the rightful owner.

Mr. Chairman, committee members, and especially committee staff as well, who have been great to work with, we urge you to support and help us with H.R. 1167.

I would be happy to answer any questions. Thank you.

Mr. AMODEI. Thank you, Mr. Whitten.

[The prepared statement of Mr. Whitten follows:]

PREPARED STATEMENT OF PAT WHITTEN, COUNTY MANAGER, STOREY COUNTY,
NEVADA

H.R. 1167—Restoring Storey County Act

Mr. Chairman, Ranking Member Grijalva, and distinguished members of the Subcommittee on Public Lands and Environmental Regulation, thank you for the honor and opportunity to testify before you today in support of H.R. 1167, the Restoring Storey County Act, introduced by Congressman Mark Amodei.

I am Pat Whitten. I serve as the appointed County Manager for the local governing board of Storey County Commissioners in Nevada, and joining me today is Commissioner Marshall McBride, Vice Chairman of the Storey County Board of Commissioners. The Board of County Commissioners resolved to support H.R. 1167 by unanimous vote on April 2, 2013.

Storey County is the smallest of 17 counties in the State of Nevada. Our history is rich and dates back to the days preceding our admission into the Union as America's 36th State in 1864. In the late 1850s, Virginia City and the surrounding areas began its origin and boom when miners discovered substantial amounts of underground gold, and also the Country's first major silver deposits. Monies gained from the gold and silver mines are said to have financed the Union's efforts during the Civil War and built San Francisco.

After the decline of mining in the late 1800s, there were a handful of brief upturns, but overall, life became very quiet on the Comstock. Fast forward to the dawning of the 1960s when two parallel events converged to bring us into our modern day history. First, on July 4, 1961, the National Park Service granted our request and established the Comstock Historic District as one of the Nation's largest historic districts ever designated. This was truly monumental in preserving and protecting the Comstock's mining heritage and history. At almost the same time, NBC aired a television series known as Bonanza. Running for 14 seasons and continuing in syndication today, Virginia City quickly became re-discovered as the town the Cartwrights rode into before they trekked back to the Ponderosa Ranch on the shores of Lake Tahoe. From our town's perspective, it was a dream come true and today, almost 2 million visitors from around the world come to Virginia City to walk our streets and boardwalks where the Cartwrights once roamed.

Virginia City and Gold Hill are located about 30 mountain miles in between our State capitol, and Reno. As far back as 1864, people have bought, sold, leased, rented, improved and/or built buildings for both commercial and residential purposes within the Virginia City and adjacent Gold Hill communities. Under normal circumstances, this would pose no issue or concern. However, errors and omissions throughout our history creates severe detrimental impact on approximately 75 percent of the land parcels in Virginia City and almost 100 percent of those in Gold Hill.

In 1867, the General Land Office Survey of the Virginia City Townsite was approved. Unfortunately, subsequent requisite actions were never completed and no Federal patent was ever issued for the townsites of Virginia and Gold Hill. Without issuance of such patent, proper ownership of surface rights within the townsites fell and continue to fall under question as to who actually owns the land upon which

many of our citizens have purchased in good faith, and paid taxes on for decades. Not only does this create a situation where hundreds of residents might be considered to be trespassing on Federal Government land, the end result is what is typically termed as a clouded title issue where individuals wishing to buy or sell real property cannot because of insurmountable challenges in obtaining standard title insurance. This occurs when local and national land title underwriters move in and out of the market based on their risk comfort levels regarding true ownership of the property. This frequently occurs and results in a substantially reduced field of prospective insurers. It is critical to note that our issues lie only with ascertaining and resolving surface rights and do not involve any sub-surface mineral rights.

As predominant trustees of Federal Lands in Nevada, the Bureau of Land Management has the unenviable task of dealing with the repercussions from these historic events. Over the last two decades, they have proactively worked with our local government officials to develop both short and long term solutions. I want to stress that at all levels of their organization, BLM has not only been good to work with . . . they've been GREAT. But, like any Federal, State or local government; they are bound by their own policies and of course, the law of the land. Simply stated, BLM cannot rectify this problem without authorization from Congress. Individuals wishing to fully and clearly obtain unclouded surface title rights would have to petition Congress separately under a large scale series of mini "Land Acts". Within their respective levels of authority, they have encouraged us to continue to find permanent solutions to clarify and rectify property ownership issues. We therefore turned to our Congressional Representatives and were fortunate to capture the interests of Congressman Amodei who was familiar with our problem based on his background as a Nevada State Senator and lawyer. Congressman Amodei has developed a simplified, streamlined approach to cure this centuries-old issue. It is, in essence:

Give any interest the U.S. Government has in surface rights regarding the impacted properties to the local government for proper reparation and release to the respective lawful owners.

Storey County has drafted its own simplified process to pass through any ownership rights via quit claim deed to the estimated 1,285 individual property owners on a low-to-no cost basis. Approximately 1,705 acres are constituted in our request and we have asked for inclusion of 40 additional acres in the contiguous community of Mark Twain covering 4 additional residential parcels that have been impacted due to conflicting surveys. H.R. 1167 would rectify and enable, in one single act, issues that have prevailed for over a century and a half. This approach is immeasurably cost efficient. In fact, a BLM spokeswoman from their Nevada State Field Office was quoted as saying:

Trying to figure out how many properties may be in trespass and resolving discrepancies on a case-by-case basis would be a monumental task. These issues extend back to the mid-1800s, and finding solutions would be at a cost of probably millions of dollars and several years. (1)

And that is why Commissioner McBride and I have traveled here today . . . to speak in full support of H.R. 1167 and ask for your support as well. It is a logical, simple act that will once and for all restore property rights to the people of Storey County as the rightful owners and end over a century and a half of confusion and frustration.

Mr. Chairman and Congressmen; we thank you for your time and interest and urge this committee to support H.R. 1167, the Restoring Storey County Act. I am happy to answer any questions you might have or provide additional information.

Mr. AMODEI. Ms. McMillan, welcome to low altitude, and please proceed with your testimony.

**STATEMENT OF KRISTIN McMILLAN, CEO AND PRESIDENT,
LAS VEGAS METRO CHAMBER OF COMMERCE**

Ms. McMILLAN. Mr. Chairman, Ranking Member, and subcommittee, thank you very much for the opportunity to testify here today in support of H.R. 2015.

Mr. Chairman, I might start out by saying that we are now the Las Vegas Metro Chamber of Commerce, so I am happy to report

that we represent both north and south as part of one big, happy partnership.

Mr. AMODEI. Thank you for including the people to the south of North Las Vegas in your efforts.

Ms. MCMILLAN. I want to first thank Congressman Horsford for introducing this legislation, and also Congressman Amodei, and Congresswoman Titus and Congressman Heck for cosponsoring this bill. We also want to thank Congressman Amodei for sponsoring H.R. 1167 and H.R. 1633. These bills are important to our State's economic development as well.

So it is an honor for me to speak here today on behalf of over 5,500 employers in southern Nevada that comprise the Las Vegas Metro Chamber of Commerce. This represents close to a quarter of a million employees in southern Nevada. These are businesses in diverse industries, of diverse size. Over 85 percent of our businesses are small businesses. And for over 100 years the mission of the Las Vegas Chamber of Commerce has been to promote a strong, healthy, and diversified economy, and over those 100 years, we have grown to be not only the largest business association in the State of Nevada, but also the third largest Metro Chamber in the United States.

And I have only been here for about 2½ years in this position. I was one of those 5,500 members of the business community 2 years ago. I have been in Las Vegas for 24 years. I have been in business all that period of time. I was CEO of a company there. I was a volunteer Chairman of the Chamber of Commerce at one point in time. And while in private industry I did firsthand witness the devastation that we experienced that was delivered as a result of the recession, and as I was asked to step up into this role, I can say that I took it on with a commitment, a proud commitment, to be able to work with other organizations in the Las Vegas community as well as our local governments to help rebuild our economy. And I think it is our job to singularly focus on creating and maintaining good jobs in our community.

Now, we are making some progress, but Las Vegas still, unfortunately, has an unemployment rate among the highest in the country. It is currently at 9.7 percent, and, as recently reported, we have only been able to recover about a third of the jobs that we lost during the recession.

So our job—and I am looking to my colleagues as well—is to look at every viable opportunity to rebuild our economy and to put people back to work. And this is one of those opportunities. H.R. 2015 presents a very unique and balanced opportunity whereby the preservation of our past can be an economic driver of the future, an opportunity to create jobs and expand our community.

Congressman Horsford, you highlighted in a very good way many of the benefits of this legislation. I am not going to repeat those. I just want to focus and highlight a couple of the areas.

First of all, preservation of natural history. This has been referred to as mammoth heaven. This is an opportunity to protect unique ice age fossils, enabling public education for generations to come and scientific research. We know that there have been geologists from the University of Arizona as well as archaeologists from California that have been studying these fossil beds for many,

many years, and it has taken them a while, but they have developed a case for preservation and curation of these important natural resources.

The second thing is it creates economic opportunities for our core industry in Nevada, and that is tourism. This site is located, as you know, in close proximity to one of the world's most popular tourist destinations, that being Las Vegas. Almost 40 million people visited southern Nevada last year. That generated about a \$45 billion economic impact in southern Nevada, supporting about 400,000 jobs, or about 47 percent of our workforce locally. So tourism remains and will continue to be a major driver in our community. We are continually looking for ways to capitalize on ways to diversify within that core industry, and particularly when it comes to job creation.

I might add that international tourism has become a significant focus for southern Nevada, as it has in other areas of the country. You probably know that inbound travel into the United States is the number one service export. The U.S. Travel Association in 2012 reported that nearly half of the international visitors to Las Vegas sought out nearby areas of historical or ecological significance to visit, such as Grand Canyon, Hoover Dam, Death Valley, Zion, Bryce Canyon. So this is going to add to the mix of those opportunities to diversify within the tourism sector and really points out that the popularity of ecotourism is really on the rise.

In that vein, this bill also enables us to plan for our future, because it provides for land for flood protection in preparation of the proposed Southern Nevada Supplemental Airport, which, of course, is designed to accommodate an increase in travel.

In terms of general economic development, my colleagues will testify more to that area, but the creation of economic or commercial zones, development zones will enable the local communities, who will take upon themselves to determine the best uses of this land, of this Federal land, for jobs and for economic creation opportunities.

It also provides, very importantly, land to UNLV, the University of Nevada-Las Vegas, as well as the Community College of Southern Nevada to expand their influence and their reach within our community.

I want to take just a moment to reiterate the broad community support that Congressman Horsford talked about. Many community organizations have been at the forefront of championing this designation. Long-time community leaders Helen Mortenson and Thalia Dondero have tirelessly dedicated their efforts to educate our community through the Las Vegas Ice Age Park Foundation. Also thanks to another community group, The Protection of Tule Springs, that is just another example of a community organization that has come forward with tireless support for this initiative.

The designation has the support, as you know, of State government, of local governments, the Las Vegas Paiute Tribe, Nellis Air Force Base, and even the local utilities in southern Nevada support preservation of the utility corridors for economic development and renewable energy components associated with the bill.

The bill is widely supported because it makes sense. It strikes the right balance among preservation, education and economic de-

velopment, and presents a very unique and balanced opportunity where the preservation of our past can be an economic driver of our future.

So, in conclusion, we would ask for and appreciate your support in a vote on this legislation. Thank you very much, Mr. Chairman, members of the subcommittee, for your time, for your consideration, and for the honor of testifying in front of this subcommittee.

Mr. AMODEI. Thank you.

[The prepared statement of Ms. McMillan follows:]

PREPARED STATEMENT OF KRISTIN MCMILLAN, CEO AND PRESIDENT, LAS VEGAS METRO CHAMBER OF COMMERCE

H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013

Chairman Bishop, Ranking Member Grijalva, members of the subcommittee, thank you for the opportunity to be here today. It is an honor for me to speak to you on behalf of the Las Vegas Metro Chamber of Commerce's 5,500 member businesses representing diverse sectors within the economy and who employ more than 230,000 employees in southern Nevada. 85 percent of our members are small businesses.

Founded in the early days of Las Vegas, the Metro Chamber has a strong legacy of protecting and strengthening the southern Nevada business community, helping its member businesses grow and thrive, and providing a voice for those employers and employees in local, State and Federal Government for over 100 years. Today, the Las Vegas Metro Chamber of Commerce is one of the largest metropolitan chambers of commerce in the United States.

The Las Vegas Metro Chamber of Commerce is committed to serving and supporting the entire Las Vegas metropolitan area. Its mission is to promote a strong and diversified economy that will attract new businesses and industries, enable existing businesses to expand, and create good jobs and opportunities for all who call southern Nevada home.

As a member-based organization focused on regional policy issues, I appreciate the opportunity to testify in support of H.R. 2015, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act. I want to thank Congressman Horsford for introducing this legislation and Congressman Amodei, Congresswoman Titus and Congressman Heck for co-sponsoring this bill. I thank each of Nevada's House Members for their bi-partisan efforts to introduce this bill and to build support for this important land bill that will not only benefit southern Nevada but the entire southwest region.

Land bills such as H.R. 2015 are an important component to the success of a vibrant and diversified economy to regions such as southern Nevada. This is true for many metropolitan cities throughout the western portion of the United States. Our State currently has an unemployment rate of 9.5 percent, among the highest in the country. We at the Metro Chamber have a responsibility to our employers and their employees to support bills such as H.R. 2015 because it would give us the enabling legislation to bring needed positive change to our region. This bill represents a unique opportunity where the preservation of our past can be the economic driver of our future.

For the Metro Chamber, this bill would accomplish several objectives: preservation of our irreplaceable natural history; expansion of educational opportunities for our children and scientists; utilization of land for research, Nellis Air Force Base and outdoor recreation; and creation of much needed jobs for our community. This bill is broadly supported by the entire State of Nevada, including the business community. The Nevada State Legislature passed a resolution in support of this designation earlier this year.

I want to highlight just a few of the many benefits:

First, this bill will preserve a significant area of natural history. The Las Vegas Valley has one of the largest collections of fossils from the Pleistocene Epoch Period, or the ice age, in the northern edge of our valley. Archaeologists and scientists have been exploring this area for almost a century because of the vast amounts of fossil remains in the area. To date, almost 10,000 fossils have been removed and stored in facilities in San Bernardino, California. Some experts suggest that these finds only represent 1 percent of the fossils that could be potentially located in the Las

Vegas Upper Wash. The educational lessons that can be learned from these fossils are countless and priceless.

The preservation value, educational benefits and economic benefit that would be gained has the potential to be an economic game changer for our eco-tourism industry in southern Nevada. For example, this bill will provide 1,211 acres for a park for off-roaders, which is part of 10,000 acres allocated for recreation. The creation of this park has the potential to be a major tourism draw for off-road enthusiasts in the Southwest. This bill also provides additional acreage to the Red Rock National Conservation Area, which is a natural treasure in southern Nevada. Both of these provisions support economic development and preservation in their respective manner.

Second, this designation would create economic opportunities. Las Vegas is often referred to as the Entertainment Capital of the World because of its spectacular hotels, fine dining and breathtaking shows. According to the Las Vegas Convention and Visitors Authority, almost 40 million people visited southern Nevada last year and tourism generates a \$45 billion economic impact in southern Nevada, which in turn supports almost 400,000 jobs or about 47 percent of the local workforce. Tourism remains the driver of our economy and we are continually looking for ways to capitalize on this core industry, particularly when it comes to job creation.

Third, this bill will help economic development in our metropolitan area. While the bill will preserve some Federal land, it also gives Bureau of Land Management land back to the community for developmental purposes. The city of Las Vegas would receive 660 acres and the city of North Las Vegas would receive 645 acres for commercial development purposes. These additional lands would allow for the cities of Las Vegas and North Las Vegas to recruit new businesses to come to their communities and facilitate the expansion of existing businesses. This will result in new jobs for our region, additional revenue to the local tax base and the expansion of economic diversification efforts.

Fundamentally, this bill allows us to plan for our future because it would provide Clark County with 2,320 acres near Primm, Nevada for flood protection in preparation of the proposed Southern Nevada Supplemental Airport.

The Metro Chamber is also a strong advocate for higher education in Nevada and supports the provisions of the bill that would provide acreage to the University of Nevada, Las Vegas (UNLV), College of Southern Nevada and Great Basin College in Northern Nevada. This provision will allow UNLV to create a new regional campus to further serve the needs of our community. Currently, UNLV's main campus has 335 acres, which services more than 28,000 students and 3,100 faculty and staff. The additional parcels would allow them to expand educational opportunities for the students in our state, create new programs and recruit new faculty to our state's largest public institution of higher education.

The Metro Chamber is also a partner in supporting the men and women serving in our military and works closely with the leadership at Nellis Air Force Base. This legislation recognizes and protects the important role that Nellis Air Force Base plays in our national security interests through the provisions regarding the military over flights. Nellis Air Force Base is an important part of our community and we need to help preserve their ability to continue their military objectives. We believe this bill preserves the mission of Nellis Air Force Base, while balancing the efforts between preservation, economic development and military needs.

The bill designates a qualified electric utility corridor with a 400-foot right of way for the construction of a high-voltage transmission facility and a 100-foot right of way for the construction of a buried water conveyance pipeline. The local utilities in southern Nevada support the preserving of the utility corridor for economic development and renewable energy components associated with the bill.

In addition to the support of our employers and their families, the designation of this area as a national monument has the support of local government entities such as the city of Las Vegas, city of North Las Vegas, Clark County and the Las Vegas Paiute Tribe and shows the broad support that this bill has in our community.

Many community organizations have been at the forefront of championing this designation. Long-time community leaders Thalia Dondero and Helen Mortensen have tirelessly dedicated their efforts to educate our community about this important treasure in southern Nevada through the Las Vegas Ice Age Park Foundation. This group has actively advocated for the passage of this legislation because of the historical preservation value, the curating of the fossils and educational research opportunities associated with this site.

As we continue to rebuild our economy and tackle the many challenges ahead, now, more than ever, your support of H.R. 2015 matters a great deal to the people of southern Nevada. If we can secure the designation of this area for a national monument, we will preserve fragile parts of our world's natural history, while pro-

viding a catalyst to create jobs, put people to work while sparking the fire for innovation and interest in the minds of students. Your interest, your vision and your commitment matter to the residents of southern Nevada. Thank you for your time and consideration, and for the honor of testifying in front of the subcommittee. Thank you, Mr. Chairman and members of the subcommittee.

Mr. AMODEI. Your Honor.

STATEMENT OF JOHN LEE, MAYOR, CITY OF NORTH LAS VEGAS

Mr. LEE. Co-Chair Amodei, Cochair Horsford, friends, for the record my name is John Lee, and I am the Mayor of the city of North Las Vegas. I appreciate the opportunity to testify today in support of H.R. 2015 and the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013.

The legislation before us today enjoys the bipartisan support of the entire Nevada congressional delegation. I would like to thank Representative Steven Horsford, my Congressman and former colleague in the legislature, for his leadership on this legislation. I would also like to thank Senator Majority Leader Harry Reid and Dean Heller for all their hard work in crafting what I believe is the most significant public lands legislation in southern Nevada for over a decade.

H.R. 2015 designates over 22,000 acres of Federal land in the northern part of Las Vegas Valley as a national monument. A significant portion of this acreage lies within the city of North Las Vegas. The city has worked closely for the past several years with Clark County, the city of Las Vegas, Nellis Air Force Base, local conservation groups and business communities to develop a consensus boundary for the monument that balances our desire for resource protection and our future plans for economic development.

H.R. 2015 not only establishes a unique urban national monument, the bill creates opportunities for job creation and economic development. As policymakers I am sure you hear the buzz words in almost every hearing; however, H.R. 2015 provides critical economic development opportunities for our city.

The bill includes over 1,300 acres set aside for job-creation zones to be used by the city of North Las Vegas and Las Vegas. Additionally, the urban national monument established by H.R. 2015 will provide a tremendous benefit to our tourist-dependent region. Our national parks attract over 350 million domestic and international visitors each year. We believe this new monument will appeal to a percentage of the 40-million-plus visitors southern Nevada hosts each year, in addition to attracting new visitors to our region. Our financially struggling communities could benefit from the fact that national park units typically generate at least \$10 for nearby gateway communities for every dollar invested.

North Las Vegas has struggled financially. One of our ZIP codes is nationally ranked as one of the top 10 for worst rates of home foreclosures. As the new Mayor of North Las Vegas, I believe H.R. 2015 is a gigantic step in the right direction toward our region's economic recovery. I believe the establishment of the Tule Springs Fossil Beds National Monument will serve the dual purpose of protecting nationally significant paleontology resources and promoting economic development and tourism in North Las Vegas.

North Las Vegas is a diverse minority-majority city largely comprised of a vibrant Hispanic community, and the monument will be a place for our schoolchildren to visit and learn firsthand about our Nation's and Nevada's natural history. The location of the monument on the border of a large Hispanic community provides one possible exclusion to the National Park Service's widely publicized effort to attract more minorities. The Service's commissioned report found that only 1 in 10 of its visitors are Hispanic, the Nation's fastest-growing demographic group. H.R. 2015 establishes an urban national monument that can act as a gateway for attracting non-traditional visitors to our national parks.

While the national monument is clearly a focal point of H.R. 2015, there are several other provisions of the legislation as important to the future growth and development to the city of North Las Vegas. Section 4 of the bill conveys 645 acres of BLM land to the city for economic development purposes. The land is adjacent to the proposed UNLV North Campus, and a conveyance would allow the city to master-plan develop this area to provide ancillary services that support the mission of this new campus.

Section 8 of the bill expands the Southern Nevada Public Lands Management Act disposal boundary for BLM-managed lands in North Las Vegas. The city intends to nominate these parcels for sale for the industrial development at a future BLM auction and thereby increase our local tax base by converting Federal lands into private ownership. We anticipate that hundreds of jobs will be created as a result of this industrial development.

North Las Vegas is home of Nellis Air Force Base, and the city is proud to be home of many airmen and civilians who work at the base. The city has gone to great lengths to work with Nellis to develop joint land-use plans to allow for responsible development by the city while protecting the base from encroachment that would threaten its training mission. The city supports the provisions of the bill addressing military overflights, the transfer of BLM land to the Air Force to protect the important mission of Nellis.

H.R. 2015 also creates an economic opportunity by establishing the Nellis Dunes Off-Highway Vehicle Recreation Area for outdoor enthusiasts. The city supports Clark County's effort to establish the Nellis Dunes area on BLM land on the northeast side of Las Vegas Valley. Our community is in desperate need of these dedicated areas for this type of recreational activity. Since the city would be responsible for providing certain utility services to this area, we are pleased that the legislation provides for a memorandum of understanding between the city and Clark County before any economic development may occur in this recreation area.

Mr. Chairman, like many other communities, the city of North Las Vegas has had its share of challenges over the past 4 years. As we focus on the future, I believe the establishment of the Tule Springs Fossil Beds National Monument will bring a tremendous benefit to North Las Vegas. H.R. 2015 is a critical piece of legislation that will protect an area that is currently subject to vandalism and unauthorized road vehicle use. It will provide a new destination for our visitors of southern Nevada, and will provide North Las Vegas residents with the sense of pride shared by all communities and are fortunate enough to have the National Park Service

as our neighbor. I urge you to support this important piece of legislation, and thank you for giving me the opportunity to testify.

On a personal note I would like to thank both you gentlemen for what you are doing for our community and for our State. You are definitely a tribute to the things that we taught you in the Nevada Senate, and you are edifying that education, and I am very proud to call you friends and great Nevadans.

Thank you, Mr. Chairman.

Mr. AMODEI. Well, thank you very much, Your Honor.

[The prepared statement of Mr. Lee follows:]

PREPARED STATEMENT OF JOHN LEE, MAYOR, CITY OF NORTH LAS VEGAS, NEVADA

H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013

Chairman Bishop, Ranking Member Grijalva, and members of the committee, my name is John Lee, and I am the Mayor of the city of North Las Vegas. I appreciate the opportunity to testify today in support of H.R. 2015, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013.

The legislation before us today enjoys the bipartisan support of the entire Nevada congressional delegation. I would like to thank Rep. Steven Horsford, my Congressman and former colleague in the Nevada Legislature, for his leadership on this legislation. I would also like to thank Senate Majority Leader Harry Reid and Senator Dean Heller for all of their hard work in crafting what I believe to be the most significant public land legislation for southern Nevada in over a decade.

H.R. 2015 designates over 22,000 acres of Federal land in the northern part of the Las Vegas Valley as a national monument. A significant portion of this acreage lies within the city of North Las Vegas. The city has worked closely for the past several years with Clark County, the city of Las Vegas, Nellis Air Force Base, NV Energy, local conservation groups, and the business community to develop a consensus boundary for the monument that balances our desire for resource protection with our future plans for economic development.

H.R. 2015 not only establishes a unique urban national monument, the bill creates opportunities for job creation and economic development. As policymakers, I am sure you hear these buzz words in almost every hearing; however, H.R. 2015 provides critical economic development opportunities for our city. The bill includes over 1,300 acres set aside for job creation zones to be used by the city of North Las Vegas and Las Vegas.

Additionally, the urban national monument established by H.R. 2015 will provide a tremendous benefit to the tourist dependent region. Our national parks attract over 350 million domestic and international visitors each year. We believe this new monument will appeal to a percentage of the 40 million-plus visitors southern Nevada hosts each year, in addition to attracting new visitors to our region. Our financially struggling community could benefit from the fact that national park units typically generate at least \$10 for nearby gateway communities for every dollar invested. North Las Vegas has struggled financially, one of our zip codes is nationally ranked as one of the top 10 for worst rates of home foreclosures, and as the new Mayor of North Las Vegas, I believe H.R. 2015 is a gigantic step in the right direction toward are regions economic recovery.

I believe the establishment of the Tule Springs Fossil Beds National Monument will serve the dual purpose of protecting nationally significant paleontological resources and promoting economic development and tourism in North Las Vegas. North Las Vegas is a diverse minority-majority city largely comprised of a vibrant Hispanic community, and the monument will provide a place for our school children to visit and learn first hand about our Nations and Nevada's natural history. The location of the monument on the boarder of a large Hispanic community provides one possible solution to the National Park Service's widely publicized efforts attract more minorities. The Service's commissioned reports found only 1 in 10 of its visitors are Hispanic—the Nation's fastest-growing demographic group. H.R. 2015 establishes a urban national monument that can act as a gateway for attracting non-traditional visitors into our national parks.

While the national monument is clearly the focal point of H.R. 2015, there are several other provisions of this legislation as important to the future growth and development of the city of North Las Vegas. Section 4 of the bill conveys 645 acres of BLM land to the city for economic development purposes. The land is adjacent

to the proposed UNLV North Campus, and the conveyance would allow the city to master plan and develop this area to provide ancillary services that support the mission of the new campus. Section 8 of the bill expands the Southern Nevada Public Land Management Act disposal boundary for BLM-managed lands in North Las Vegas. The city intends to nominate these parcels for sale for industrial development at a future BLM auction, and thereby increase our local tax base by converting Federal land into private ownership. We anticipate that hundreds of jobs will be created as a result of this industrial development.

North Las Vegas is the home of Nellis Air Force Base, and the city is proud to be the home of many airmen and civilians who work on the base. The city has gone to great lengths to work with Nellis to develop joint land use plans that allow for responsible development by the city while protecting the base from encroachment that could threaten its training mission. The city supports the provisions in the bill addressing military overflights and the transfer of BLM land to the Air Force to protect the important mission of Nellis.

H.R. 2015 also creates economic opportunities by establishing the Nellis Dunes Off-Highway Vehicle Recreation Area for outdoor enthusiasts. The city supports Clark County's effort to establish the Nellis Dunes Area on BLM land on the northeast side of the Las Vegas Valley. Our community is in desperate need of a dedicated area for this type of recreational activity. Since the city would be responsible for providing certain utility services to this area, we are pleased that the legislation provides for a Memorandum of Understanding between the city and Clark County before any economic development may occur near the recreation area.

Mr. Chairman, like many communities, the city of North Las Vegas has had its share of challenges over the past 4 years. As we focus on the future, I believe the establishment of the Tule Springs Fossil Beds National Monument will bring tremendous benefits to North Las Vegas. H.R. 2015 is a critical piece of legislation that will protect an area that is currently subject to vandalism and unauthorized off-road vehicle use. It will provide a new destination for visitors to southern Nevada, and it will provide North Las Vegas residents with the sense of pride shared by all communities that are fortunate enough to have the National Park Service as a neighbor.

I urge your support for this important legislation, and I thank you for giving me the opportunity to testify today.

Mr. AMODEI. That is the good news. The bad news is for the Councilman from the city of North Henderson, between Kristin and John, they used all of your time, so—

Mr. ROSS. I recognize that, Mr. Chairman.

Mr. AMODEI. But on behalf of the city of Las Vegas, please proceed, Mr. Ross.

**STATEMENT OF STEVE ROSS, COUNCILMAN, CITY OF LAS
VEGAS, WARD 6**

Mr. ROSS. Thank you very much. I appreciate it.

Good afternoon, Mr. Chairman, Ranking Member, and members of the committee. I am Las Vegas City Councilman Steve Ross, representing Ward 6 in the great Northwest, and fortunately my border borders a great deal of North Las Vegas, as you can tell.

I am here today, of course, as we are here today, of course, to support and persuade you to support the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. I appreciate the opportunity to be here. It is actually quite an honor, because you are both Congressmen from Nevada, and my Congressman is sitting right there, Congressman Horsford. So, again, I want to echo what the mayor had said: Thank you for your service to our State.

I also want to recognize the comments from Congressman Heck and Congresswoman Titus for their continued support of what we are trying to accomplish.

And, Congressman Horsford, you probably remember when we were kids going out to Tule Springs Park and what it has turned into today, so it is just awesome to be here. This is a real home run for Nevada.

Some key points I want to make, though, and you have heard them before, but I want you to hear them again. This bill has huge community support. It will create jobs, and it will conserve and preserve this very important resource we have in the desert. You have already heard it, and it is rare for an elected official to have the privilege to work on legislation that is being supported by so many organizations, especially in the southern Nevada community: NV Energy; Nellis Air Force Base; the Las Vegas Metro Chamber; elementary and high school educators; area colleges and universities, including University of Nevada-Las Vegas; the Public Lands Institute; and, of course, environmental and conservation groups. Representatives from these organizations, among others, are working closely with a group of concerned citizens that have developed public support for this bill. Ms. McMillan mentioned them. They are The Protectors of Tule Springs.

The Board of Clark County Commissioners, the Las Vegas City Council, the North Las Vegas City Council, the Nevada State Legislature, and the Tribal Council of the Las Vegas Paiute Tribe unanimously passed resolutions urging Congress to pass legislation creating a national monument, and for the record, and with your permission, Mr. Chairman, I would like to submit those letters of support.

Mr. AMODEI. That is fine.

[The letters and resolution submitted by Mr. Ross follows:]

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF LAS VEGAS, NEVADA

495 S. MAIN STREET,
LAS VEGAS, NEVADA, 89101,
SEPTEMBER 30, 2013.

The Honorable ROB BISHOP,
Chairman,
U.S. House of Representatives,
Committee on Natural Resources,
Subcommittee on Public Lands and Environmental Regulation,
Washington, DC 20515.

The Honorable RAÚL GRIJALVA,
Ranking Member,
U.S. House of Representatives,
Committee on Natural Resources,
Subcommittee on Public Lands and Environmental Regulation,
Washington, DC 20515.

DEAR CHAIRMAN BISHOP AND RANKING MEMBER GRIJALVA,

On behalf of the city of Las Vegas, I write to whole-heartedly support the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013 (S. 974/H.R. 2015). We worked closely with the Nevada Congressional Delegation to designate the Tule Springs area as a National Monument in the 112th Congress, and we look forward to moving the bill forward in this Congress.

As you may know, this legislation enjoys broad support in southern Nevada and would result in many mutually beneficial outcomes. The city of Las Vegas supports swift passage of S. 974/H.R. 2015 as it is imperative to protect paleontological and sensitive plant resources. We also believe that the legislation would create opportunities for economic development and job creation while providing for responsible urban development of adjacent lands, and allowing for necessary infrastructure to service existing developed areas.

Again, we strongly support S. 974/H.R. 2015 and look forward to its successful passage.

Respectfully,

STEVEN ROSS,
City Councilman,
City of Las Vegas, Nevada, Ward 6.

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF LAS VEGAS AND THE CITY OF NORTH LAS VEGAS, NEVADA

JULY 9, 2012.

The Honorable MARK E. AMODEI,
U.S. House of Representatives,
Washington, DC 20515.

DEAR CONGRESSMAN AMODEI:

We are writing to express our support for H.R. 6072, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2012. We believe this legislation reflects a well-balanced approach to public land management policy in the northern part of the valley, and we urge you to cosponsor this important measure.

The legislation facilitates important economic development goals for the Cities by making surplus Federal land available for commercial development in accordance with local land use plans. The Cities expect the release of these lands to create thousands of jobs over the next decade.

The legislation would achieve important conservation goals by establishing the Tule Springs Fossil Beds National Monument. Located at the northern edge of the Las Vegas Valley and within the boundaries of the Cities of North Las Vegas and Las Vegas (the "Cities") are the Tule Springs National Register Historic Site and an area known as the Upper Las Vegas Wash, a unique natural drainage channel that carries storm water from the surrounding mountains toward Lake Mead. Found within these areas are significant paleontological sites containing numerous fossils demonstrative of the Pleistocene Ice Age that span geologic history from 7,000 to nearly 200,000 years ago. These areas also contain endangered and imperiled plants such as the Merriam's and Las Vegas Bearpoppy and the Las Vegas Buckwheat, as well as important habitat for threatened species such as the desert tortoise and burrowing owls.

Recognizing the significance of these areas, the mayors and city councils of the Cities unanimously passed a resolution, in collaboration with the Clark County Commission and the Tribal Council of the Southern Nevada Paiute Tribe, requesting that Congress designate the area surrounding Tule Springs and the Upper Las Vegas Wash a unit of the National Park Service. We believe a national monument is the appropriate designation.

Due to the large number and variety of resources that are available for study and viewing within the area it is expected that the national monument would attract visitors from all over the world with a wide range of interests, including educational, scientific, cultural and recreational. The Cities have worked closely over the last 4 years with the Nevada Congressional Delegation and a broad range of stakeholders, including the U.S. Air Force, conservation groups, and NV Energy, to develop a boundary for the national monument that balances conservation and resource protection with the future growth needs of the Cities.

The Cities appreciate all you do for southern Nevada, and we urge you to cosponsor this important public lands legislation for the benefit of current and future generations of Las Vegas Valley residents and visitors.

Sincerely,

CAROLYN G. GOODMAN, MAYOR,
City of Las Vegas.
SHARI BUCK, MAYOR,
City of North Las Vegas.

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF LAS VEGAS, CITY OF NORTH
LAS VEGAS AND NV ENERGY

MARCH 28, 2011.

The Honorable HARRY REID,
U.S. Senate,
Washington, D.C. 20510.

DEAR SENATOR REID:

The cities of North Las Vegas and Las Vegas, in collaboration with NY Energy, have met to discuss the creation of a unit of the National Park Service in the area surrounding the Upper Las Vegas Wash. All parties are in complete agreement on (1) the need for legislation to make the area surrounding Tule Springs and the Upper Las Vegas Wash a unit of the National Park Service, and (2) that there is a proposal for a transmission corridor across the northern part of the valley linking NY Energy's Northwest Substation and the Harry Allen Generating Station, and legislation should accommodate a transmission/utilities corridor that would adhere to all applicable local, State and Federal regulations.

Legislation making these unique and significant areas a unit of the National Park Service will result in mutually beneficial outcomes, including:

- Protect paleontological and sensitive plant resources,
- Create opportunities for economic development and job creation by attracting national and international visitors from a wide range of interests including educational, scientific, cultural and natural resources,
- Provide for responsible and orderly urban development of adjacent lands,
- Allow for necessary infrastructure to service existing developed areas and future development

We would like to lend our support to moving forward with legislation designating the area a unit of the National Park Service.

Thank you for your continued support of this important project.

Sincerely,

SHARI L. BUCK, MAYOR,
City of North Las Vegas.

OSCAR B. GOODMAN, MAYOR,
City of Las Vegas.

MICHAEL W. YACKIRA,
President and Chief Executive Officer NY Energy.

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF LAS VEGAS, CITY OF NORTH
LAS VEGAS AND LAS VEGAS PAIUTE TRIBE

DECEMBER 21, 2011

TO THE EDITOR:

Earlier this month, more than 100 economists, including three Nobel Laureates, signed a letter to President Barack Obama urging Federal support to establish new protected areas such as national parks, wilderness areas and national monuments, particularly in the western part of the United States. Their reason: these projects have a substantial impact on economic growth and job creation.

In southern Nevada, we have reaped tremendous economic and quality of life benefits from federally protected lands. Imagine how much benefit our residents and visitors get out of such public wonderlands as Lake Mead National Recreation Area, the Red Rock Conservation Area, and Mount Charleston and Lee Canyon in the Toiyabe Forest. We have another national treasure that has the same potential to be a major local and national attraction—the proposed Tule Springs National Monument that encompasses the length or the entire northern section of the Las Vegas Wash.

Not only is this site tilled with potential recreational benefit, out this section of the Las Vegas Wash is also internationally recognized as one of the most significant fossil bed sites in North America depicting life in the Ice Age, a period covering more than 200,000 years of climate change and biological adaptation. Fossils from prehistoric camels, woolly mammoths, giant sloths, lions and other animals have been unearthed at the site, along with fossils representing an abundance of marine and plant life

Recently, 1,500 members of the Vertebrate Paleontological Society held their annual meeting in Las Vegas precisely because of its proximity to this incredible site. As reported in the Review-Journal, one participant neatly summed up the need for the area's protection: "It's a world-class fossil site. You can actually see how ecosystems have transitioned from warm climates to cold climates and back again through several ice ages."

As the elected leaders of our respective local and tribal governmental entities, we are urging our congressional delegation to come together and act quickly to establish this National Monument and to provide the resources to turn it into a world class visitor site. The economic and quality of life benefits are tremendous.

As the economists' letter points out: "Today, one of the competitive strengths of the West is the unique combination of wide-open spaces, scenic vistas and recreational opportunities alongside vibrant, growing communities that are connected to larger markets via the Internet, highways and commercial air service. Increasingly, entrepreneurs are basing their business location decisions on the quality of life in an area. Businesses are recruiting talented employees by promoting access to beautiful, nearby public lands. This is happening in western cities and rural areas alike."

By protesting and creating recreational opportunities in our canyons, rivers, deserts and mountains, we also establish a unique and compelling environment that plays a pivotal role in attracting and retaining people and businesses. Public lands, such as the proposed Tule Springs National Monument, support activities like hunting, fishing and hiking that improve our quality of life, attracting visitors and supporting economic growth.

We encourage Senator Reid, Senator Heller, Congresswoman Berkley, Congressman Heck and Congressman Amodei to join together and move for a swift action. We have a golden opportunity to do something today that will have immediate impact and that will positively affect generations to come.

Sincerely,

CAROLYN G. GOODMAN, MAYOR,
City of Las Vegas.

SHARI L. BUCK, MAYOR,
City of North Las Vegas.

TONIA MEANS, CHAIRPERSON,
Las Vegas Paiute Tribe.

LETTER SUBMITTED FOR THE RECORD BY THE CITY OF LAS VEGAS AND THE CITY OF
NORTH LAS VEGAS

NOVEMBER 19, 2010

Honorable HARRY REID,
U.S. Senate,
Washington, D.C. 20510-2803

DEAR SENATOR REID:

As you are aware, the mayors and city councils of the cities of North Las Vegas and Las Vegas unanimously passed a resolution, in collaboration with the Clark County Commission, and the Tribal Council of the Southern Nevada Paiute Tribe, requesting that Congress make the area surrounding Tule Springs and the Upper Las Vegas Wash a unit of the National Park Service, with a land management designation that is appropriate for the protection of the resources and that would be managed by the National Park Service.

Due to the large number and variety of resources that are available for study and viewing within the area it is expected that the proposed National Park Service unit would attract visitors from a wide range of interests including educational, scientific, cultural and natural resources, and it is anticipated that visitors will be attracted from a broad geographical area; from local to international.

The cities have, and continue to work diligently with all interested parties, including NV Energy, and are confident that resolution of all outstanding issues in regard to proposed legislation will be achieved in the near future.

The cities look forward to the legislation that will make these unique and significant areas a unit of the National Park Service. We thank you for your support and

appeal to you to advance the legislation that will ultimately establish this national park monument.

Sincerely,

HONORABLE SHARI L. BUCK, MAYOR,
City of North Las Vegas.
HONORABLE OSCAR B. GOODMAN, MAYOR
City of Las Vegas

ASSEMBLY JOINT RESOLUTION NO. 1—ASSEMBLYMAN AIZLEY

ASSEMBLY JOINT RESOLUTION—Expressing the support of the Nevada Legislature for the designation of the Upper Las Vegas Wash as a national monument.

WHEREAS, The Upper Las Vegas Wash contains thousands of Pleistocene mammal fossils of national importance, including Columbian mammoth, ground sloth, American lion, camel and horse fossils; and

WHEREAS, Since 1933, the Upper Las Vegas Wash has been valued by scientists because of the significant paleontological fossils demonstrative of the Pleistocene epoch, commonly referred to as the ice age, that are located in the area; and

WHEREAS, In 2004, during the preparation of the Las Vegas Valley Disposal Boundary Final Environmental Impact Statement, the Bureau of Land Management identified sensitive biological, cultural and paleontological resources determined to be worthy of more evaluation with respect to the protective status of the resources; and

WHEREAS, The harsh desert environment of the Upper Las Vegas Wash supports unique and imperiled plants, including the Las Vegas buckwheat, Merriam's bearpoppy, Las Vegas bearpoppy, the halfring milkvetch, Joshua trees and several species of cacti; and

WHEREAS, The Upper Las Vegas Wash provides important habitat for the threatened desert tortoise, endemic poppy bees, kit foxes, burrowing owls and a variety of reptiles; and

WHEREAS, In 2010, a National Park Service reconnaissance survey of the area determined that the area likely contains the largest continuous section of Pleistocene strata in the desert southwest; and

WHEREAS, The Upper Las Vegas Wash is significant to the culture and history of the native and indigenous people of the area, including the Southern Paiute Tribe; and

WHEREAS, Despite the findings and recommendations of the aforementioned Environmental Impact Statement and reconnaissance survey, the Upper Las Vegas Wash remains inadequately protected; and

WHEREAS, Many irreplaceable fossil specimens in the Upper Las Vegas Wash have been lost to vandalism or theft; and

WHEREAS, Designation of the Upper Las Vegas Wash site as a national monument would protect the unique resources of the area for present and future generations while allowing for public education and continued scientific research opportunities; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the members of the 77th Session of the Nevada Legislature hereby recognize that the Upper Las Vegas Wash contains unique, nationally important biological, cultural and paleontological resources; and be it further

RESOLVED, That to conserve, protect, interpret and enhance for the benefit of present and future generations these unique and nationally important resources, the Nevada Legislature expresses its support for the designation of the Upper Las Vegas Wash site as a national monument; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the U.S. Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the Governor and the Director of the State Department of Conservation and Natural Resources, and to the Director of the Department of Wildlife for distribution to the various conservation groups that have participated in the effort to designate the Upper Las Vegas Wash site as a national monument; and be it further

RESOLVED, That this resolution becomes effective upon passage.

Mr. ROSS. We are all concerned about jobs. One of the reasons this bill has such committed support is because it creates opportu-

nities for economic development and job creation. As government officials, it is important that we support policies that create jobs for our communities. The passage of this bill would attract national and international visitors from a wide range of interests, including educational, scientific, cultural, and natural resources. Las Vegas is one of the most recognized brands in the world. Last year we had nearly 40 million people come to Las Vegas.

I would like to draw your attention to section 5 of the bill. This provision, known as the Las Vegas Job Creation Zone, will transfer land from the Bureau of Land Management to the city of Las Vegas to be made available for private development through competitive auction. This transfer of land from Federal control to private ownership will facilitate important economic goals for the city of Las Vegas by making surplus Federal land available for commercial development. The surplus land is ideally situated for development of a business and technology center that will support both Creech and Nellis Air Force Bases.

Third, conserve and preserve this very important resource. The site is one of the most significant fossil beds in North America depicting life in the ice age. Fossils from prehistoric camels, mammoths, giant sloths, lions, and other animals and plants have been unearthed at this site. Thousands of Pleistocene-era fossils have been found in Tule Springs for examination and viewing. Fossils and fossilized pollen in the area nearly span 200,000 years of time, offering important insight into at least two ice ages and multiple warming and cooling periods of our planet.

I have visited the site on a number of occasions and personally seen tusks bigger than me that came from ice age Columbian mammoths. This site should be set aside so other others can visit and learn from these resources. Tule Springs has allowed faculty from UNLV and other academic institutions to get students practical paleontological and geological experience. The site provides excellent educational opportunities within close proximity to our city and to the city of North Las Vegas for visiting school groups and the general public. This is a very unique situation for most fossil locations.

Nevada is home to great institutions like the University of Nevada-Reno that is a national Tier 1 university, according to U.S. News and World Report. In southern Nevada the Desert Research Institute conducts cutting-edge applied research in air, land, life, and water quality across Nevada, the United States, and around the world.

This isn't just about us here today. It is about conserving and preserving a valuable resource for generations to come. The creation of a national monument would add to our ability to preserve a place in history. For these reasons, broad community support, job creation, and conserving important resources, I am honored to be here today to present this to you and ask for your support of the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. Thank you.

Mr. AMODEI. Thank you very much, Mr. Councilman.

[The prepared statement of Mr. Ross follows:]

PREPARED STATEMENT OF STEVE ROSS, COUNCILMAN, CITY OF LAS VEGAS, NEVADA,
WARD 6

**H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds
National Monument Act of 2013**

Good Morning Mr. Chairman, Ranking Member and members of the committee. For the record, my name is Steve Ross, City Councilman for the city of Las Vegas, Nevada, representing Council Ward 6

I am here to support the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013. Thank you for the opportunity to speak today about this important bill for our southern Nevada community. It's an honor to testify before two committee members from the State of Nevada, Congressman Mark Amodei and Congressman Steven Horsford.

There are three key points I will make: (1) This bill has broad community support; (2) it will create jobs; and (3) conserve important resources.

First, Broad Community Support. It is rare that an elected public official has the privilege of working on legislation that is being actively supported by all sectors of a community. In particular, there is active support from NV Energy, Nellis Air Force Base, Las Vegas Metropolitan Chamber of Commerce, elementary and high school educators, area colleges and universities, including the University of Nevada, Las Vegas, Public Lands Institute, and environmental and conservation groups. Representatives from these organizations, among others, are working closely with a group of concerned citizens and have developed public support for this bill.

The Board of Clark County Commissioners, the Las Vegas City Council, the North Las Vegas City Council, the Nevada State Legislature, and the Tribal Council of the Las Vegas Paiute Tribe unanimously passed resolutions urging Congress to pass legislation creating a national monument. With your permission, I would like to submit their letters of support for the record.

Second, Job Creation. One of the reasons this bill has such committed support is because it creates opportunities for economic development and job creation while providing for responsible urban development of adjacent lands, and allowing for necessary infrastructure to service existing developed areas. It would attract national and international visitors from a wide range of interests including educational, scientific, cultural and natural resources.

I'd like to draw your attention to section 5. This provision, known as the "Las Vegas Job Creation Zone" will transfer land from the Bureau of Land Management to the city of Las Vegas to be made available for private development through competitive auction. The proceeds of the sale will stay with the Federal Government. This transfer of land from Federal control to private ownership will facilitate important economic goals for the city of Las Vegas by making surplus Federal land available for commercial development in accordance with local land use plans. The city expects the release of lands will create thousands of jobs over the next decade. This surplus land, supported by urban infrastructure and amenities, is ideally situated to provide development opportunities for businesses supporting Creech and Nellis Air Force Bases.

Third, Conserve Important Resources. The site is one of the most significant fossil bed sites in North America depicting life in the ice age. Fossils from prehistoric camels, mammoths, giant sloths, lions and other animals and plants have been unearthed at this site. Thousands of Pleistocene-era fossils have been found in Tule Springs, and thousands remain for scientific excavation, examination and public viewing. Fossils and fossilized pollen in the area span nearly 200,000 years of time, offering important insight into at least two ice ages and multiple warming and cooling periods.

I have visited this site on a number of occasions, and personally seen tusks bigger than me that came from ice age Columbian mammoths. This site should be set aside so others can visit and learn from these resources. Tule Springs has allowed faculty from UNLV and other academic institutions to get students practical paleontological and geological experience. The site provides excellent educational opportunities within close proximity to a large city for local students, visiting school groups and the general public. This is a unique situation for most fossil locations.

For these reasons: Broad community support, job creation, and conserving important resources, I am honored to be here to ask you to support passage of the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013.

Thank you again for the opportunity to be here. I would be happy to answer any questions.

Mr. AMODEI. I also want to indicate for the record the presence of former Representative Jon Porter, whose presence here is unknown to either one of the committee members here, but evidently he was in the neighborhood, thought he would stop by; and also to recognize Storey County Commissioner Marshall McBride, the nemesis of my high school basketball career in the last century. It is good to see you, and I am glad that we are both still alive.

Any questions for this panel, Mr. Ranking Member?

Mr. HORSFORD. Thank you very much, Mr. Chairman. It is good to say that. I think we would get a lot done on behalf of public lands if you and I had these positions.

Mr. AMODEI. It is a Kodak moment. Somebody will be in here quickly to relieve us, I am sure.

Mr. HORSFORD. I want to thank our representatives from Nevada, throughout the State of Nevada, for being here on a number of important public lands bills, and thank you for your leadership, because each of you have played an integral role over the months and years to get to this point, so we wouldn't be here without you. So I want to thank you very much for your efforts.

And I do want to just ask a couple of questions for the record, and I would like to first start by asking each of the panel to share just how extensive the support again is for this bill, and how did the community come together around this proposal?

The Chairman and I on this committee hear all the time the need to do these local-Federal partnerships between the private sector and the public sector, but getting it done and making it happen isn't as easy as it sounds. So can you share how the community was able to come together to bring the type of broad support that you have on the Tule Springs project?

Mr. ROSS. If I may, Mr. Chairman and Ranking Member, Las Vegas City Council, Steve Ross, again for the record. Congressman, it is interesting you ask that question because it was the community support; it was the group of people, the Protectors of Tule Springs, if you will, that actually was the driving force behind this. This didn't have to come from one of our offices. This came from the public. This came from the area of the city that I represent, and it is moving to know that we are here today because of that community support. And I think once it started gaining momentum, it certainly got all of our attention in our cities, certainly the Clark County Commission, and certainly with the Metro Chamber in regards to the opportunities that are there.

More importantly, keep in mind that third point I made about preserving those artifacts; most significant, protecting that area. We have got youth groups that go out there and volunteer their time to pick up trash, to watch the desert, if you will, to make sure people aren't out there disturbing these artifacts.

It is a home run for our State, both economically and at the same time protecting that treasure that exists underground out there.

Thank you, Mr. Chairman.

Mr. HORSFORD. Thank you very much.

Mr. LEE. Also for your remembrance, the shooting range 14 years ago was brought to fruition by one man walking up in my driveway and saying, we need a shooting range. And from there we have built one of the finest shooting ranges in America there.

Congressman Horsford, in this particular case we had somebody who wanted to protect what she thought was one of the most valuable assets that she had ever seen in her life. Her name was Jill DeStefano. She started a group called The Friends of Tule Springs. It started with her and a friend, and pretty soon it just blossomed into the most interesting eclectic group of people I have ever seen. But they have been able to, as private citizens, drive the discussion on this, and we owe a big debt of gratitude to those wonderful females for seeing the future before we had an idea what was even available.

Ms. McMILLAN. Well, I think it is important to recognize this didn't happen overnight. There was a lot of working and reworking, as Congressman Heck indicated to us earlier. But I think the unique circumstances here was there were a lot of groups with diverse interests who recognized the common ground, who recognized that there was more common ground here than there were differences, and I think Councilman Ross indicated what that common ground was. It was the preservation of a treasure that we have in our own backyard, something that we could preserve for not only our current children, but for future generations of our children balanced against what we are all here to advocate for, and that is jobs and economic opportunities for southern Nevada.

So I think when these groups came together, even though they each had their diverse interests, they sat down over a period of 4 to 5 years, and they worked out those differences because of those areas of common ground. And I know the Metro Chamber of Commerce has been involved in those discussions for probably the last few years. We have been coming to Washington for the last couple years to advocate for this issue as one of our Federal priorities, and I think it is a testament to the positive result that can happen when you start breaking down those silos and start working together.

Mr. HORSFORD. Thank you, Mr. Chairman. And I know Congressman Amodei and I both, having served on this committee, on a number of occasions have wanted to have the opportunity to show how partnerships can work and how our experience in Nevada demonstrates that. Private sector, public sector, local, State, Federal, and I am just honored and very proud that you all are able to exhibit that today. And I want to again commend you, and hopefully the Chairman of the overall committee and all the members of our Natural Resources Committee can use this as a model for how we, as the Federal representatives, can partner to do good things. Despite all of the partisanship and sometimes the gridlock, there are places where there is common ground and where we can get things done, and I think today is a perfect example. Thank you.

Mr. LEE. Mr. Chairman, because there are so few of us here, and there is so many of us back here that care, might we be bold enough to ask you two who are working so closely with us if we could maybe get this to the hearing this year to the full committee?

Mr. AMODEI. Well, you sure can, which is what you are doing right now, my dear colleague.

Mr. LEE. For a vote. I mean for a vote.

Mr. AMODEI. In case you are unaware of the procedures of the committee, we don't do subcommittee markups, so the next time

you hear about this will be in markup before the whole committee, which is the stop before the floor.

Mr. LEE. Will that be this year?

Mr. AMODEI. And, by the way, if you really want to ask somebody in position of authority, you should ask somebody a lot older than either one of the people looking back at you here right now.

But I can assure you that you have done a nice job. Pat, you have done a nice job on it. This committee has historically—in the time that I have been here has the reputation for moving bills that should be moved, and that does include Nevada bills in the past, and I expect it to include these ones. But thank you for that, although, as you recall from your time, it is usually us that asks you the question, not the other way around.

Mr. LEE. I was bold, I know.

Mr. AMODEI. Thank you very much. Pat, thank you for coming and bringing Marshall with you. Both good bills. I think you will see it reflected in markups later on this year, if I may be so bold as to have a prediction. But, of course, that is subject to other things going on which are a little bit above the pay grade of the folks floating around here.

So with that, I want to thank everybody for their testimony and ask that all witnesses respond in writing to any written questions submitted by members of the subcommittee.

Steve, I am going to submit one to you asking what it is that you and Mr. Horsford did in the desert when you were younger when you guys were hanging out out there.

And if there is no further business, without objection, the subcommittee stands adjourned. Thank you.

[Whereupon, at 12:50 p.m., the subcommittee was adjourned.]

[Additional Material Submitted for the Record]

PREPARED STATEMENTS OF THE FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

H.R. 1633—Small Lands Tracts Conveyance Act

The Department opposes H.R. 1633.

H.R. 1633 would provide States, units of local government, federally Recognized Indian tribes, and private land owners the opportunity to purchase up to 160 acres of National Forest System land or Federal lands if their property adjoins the Federal land. Eligible properties would include National Forest System lands or lands administered by the Bureau of Land Management that are located within the boundaries of an incorporated or unincorporated area with a population of at least 500 residents, with certain limitations that are provided in the legislation.

The bill further requires the Forest Service and Bureau of Land Management (BLM) to develop procedures for a purchase request, evaluation of the request, and an appeals process. Purchasers would pay market value if the Federal property requested is bounded by only one landowner. A competitive process would be used to determine purchase price if there are two or more landowners. None of the proceeds from the sale would return to the Federal Government. Half of the proceeds from the sale would be distributed to the State where the Federal property is located, and the remaining proceeds would be distributed equally to those States with more than 33 percent of Federal land ownership. States could only use the proceeds to purchase additional eligible parcels, or to comply with Federal requirements under the Endangered Species Act of 1973, the Federal Water Pollution Control Act or National Environmental Policy Act of 1969.

As a condition of the sale, the Regional Forester or the Director of the Bureau of Land Management would require the purchaser to comply with local land use or-

dinances and master zoning plans. All properties would be conveyed by quitclaim deed with all rights held by the United States included.

Our first concern is that the language defining eligible properties may be overly broad. The definition of populated areas that include incorporated and unincorporated areas with a population of 500 residents could be construed to include much of the area where NFS lands border non-Federal land. Even with exclusions provided for in the bill, areas such as those with endangered species habitat or areas with exceptional resources, trust lands held for the benefit of an Indian tribe or those lands that have an exceptional resource such as Wilderness or National Recreation Area, a large amount of the land along the Federal/non-Federal border would be eligible for transfer. After the property is transferred, the property along the new border would be eligible for transfer. This could result in a yearly expanding loss of the National Forest along its borders.

The Department is also concerned with conveyance of National Forest System Lands without consideration. The proceeds from the sales would be distributed between the State where the sale occurred and all States where Federal Land ownership is greater than 33 percent of the total land area of the State. These funds could be used only to purchase additional land parcels or for the State to comply with Federal law. The benefits of the sale proceeds would go only to the States that receive the money, not the American public as a whole.

H.R. 1633 specifies that market value will be established by an appraisal submitted by the applicant, subject to agency approval. Federal agencies are required to comply with the Uniform Appraisal Standards for Federal Acquisitions. Applicant appraisals not meeting these standards cannot be accepted. This could increase the time to achieve a compliant appraisal and the cost to the Federal Government because of requirements for a second appraisal. H.R. 1633 also imposes timelines for review of applications that would be difficult to meet in the best of circumstances. It would also require recipients of those proceeds to comply with certain Federal laws, with no means for ensuring compliance or enforcement.

The Forest Service already has authority under the National Forest Townsite Act to sell up to 640 acres of National Forest System Land for fair market value to any qualifying county, city, or other governmental subdivision in the 11 contiguous Western States and Alaska. The lands would have to serve community objectives that outweigh the public objectives and values of retaining the lands in Federal ownership. These objectives include space for housing and for service industries, expansion of existing economic enterprises, new industries utilizing local resources and skills, public schools, public health facilities, community parks, and other recreation areas for local citizens.

Other authorities are available to the Forest Service to sell or exchange NFS lands. Under the Small Tracts Act the Forest Service can sell lands, in part, to rectify innocent trespass problems. The Forest Service Facility Realignment and Enhancement Act of 2005 allows for the sale of unneeded administrative sites. Additionally, land exchanges are authorized under a number of authorities and are the primary mechanism for land disposition.

A key component of all of these authorities is a determination that the exchange or sale of the Federal Land is within the public interest. H.R. 1633 has no requirement for determining that the conveyance would be in the public interest. Further, it would require the use of categorical exclusions which we do not support. The Service uses its planning process and the NEPA process to provide opportunities to consider environmental impacts, public engagement, and mitigation opportunities, as well as to ensure that unknown or unforeseen issues are not overlooked. Failure to use these planning processes can result in a failure to provide relevant and useful information to the public and the decisionmakers.

The Department is also concerned with the effect of removing parcels out of Federal ownership on an ad hoc basis. This would make boundary management much more difficult and expensive as the boundaries could change every year. The fragmentation that would occur along the borders of NFS land would exacerbate insect and disease management challenges.

Additionally, USDA is concerned that enactment of H.R. 1633 would exacerbate the spread of homes and communities into areas prone to wildfire magnifying or multiplying an already increasing management challenge. Studies indicate that about one-tenth of the land area occupied by housing and about one-third of all housing units in the conterminous United States are located in the Wildland Urban Interface (WUI). Almost certainly, enactment of H.R. 1633 would open up more "natural" areas for development, complicating and making more costly suppression tactics when a fire occurs. Purchase of these lands could also lead to an increase in the number of fires, since, in general, the more houses and people, the more human-caused fire ignitions occur.

H.R. 2259—North Fork Watershed Protection Act of 2013

H.R. 2259 would, subject to valid existing rights, withdraw National Forest System (NFS) lands located in the North Fork and Middle Fork of Flathead River watersheds in the State of Montana which are primarily managed as part of the Flathead National Forest from location, entry and patent under the mining laws and from disposition under the mineral and geothermal leasing laws. H.R. 2259 would also withdraw a small amount of land in the Kootenai National Forest. Currently there are 39 existing leases or claims in the North Fork comprising 56,117 acres and 18 existing leases or claims in the Middle Fork comprising 8,595 acres.

While USDA supports H.R. 2259, I would like to clarify that although the Forest Service has surface management authority concerning mineral operations, the management of the Federal mineral estate falls within the jurisdiction of the Secretary of the Interior. We defer to the Department of the Interior on issues related to the status of the existing claims and leases.

The Forest Service administers surface resources on nearly 193 million acres of NFS lands located in 43 States and the Commonwealth of Puerto Rico. The Forest Plan for the Flathead National Forest blends areas of multiple uses in the North Fork and Middle Fork with areas of specific or limited uses elsewhere on the Forest. Under current law, NFS lands reserved from the public domain pursuant to the Creative Act of 1891, including those in H.R. 2259 are open to location, entry and patent under the United States Mining Laws unless those lands have subsequently been withdrawn from the application of the mining laws. This bill would withdraw approximately 362,000 acres from the operation of the locatable and leasable mineral laws subject to valid existing rights. This includes approximately 291,000 acres on the Flathead National Forest and approximately 5,000 acres on the Kootenai National Forest in the North Fork watershed and 66,000 acres in the Middle Fork watershed on the Flathead National Forest.

The majority of North Fork and Middle Fork of the Flathead has low to moderate potential for the occurrence of locatable and leasable minerals. A portion of the Middle Fork does have an area of high potential for oil and gas occurrence. Much of the North Fork and Middle Fork was leased for oil and gas in the early 1980s. Subsequently, the Bureau of Land Management (BLM) and Forest Service were sued and BLM suspended the leases in 1985 to comply with a District Court ruling (*Conner v. Burford*, 605 F. Supp. 107 (D.Mont.1985)). Presently, there are no active locatable or leasable operations, including oil and gas, in the North Fork or Middle Fork.

We recognize the bill would not affect the existing oil and gas leases because they would constitute valid existing rights. We also recognize the bill would not change the court's order in *Conner v. Burford* requiring the BLM and Forest Service to prepare an environmental impact statement (EIS) under the National Environmental Policy Act before authorizing any surface disturbing activities on the affected leases.

The Flathead National Forest and Flathead County rely on the close proximity of local sources of aggregate to maintain roads economically and as a source of building materials. We are pleased this bill would not preclude the removal and use of mineral materials, such as aggregate. The ability to continue using those local mineral materials would allow us to more easily maintain local roads, thus reduce erosion related impacts to streams and lakes in the North Fork and Middle Fork drainages.

PREPARED STATEMENTS OF THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR

H.R. 1167—Restoring Storey County Act

Thank you for inviting the Department of the Interior to provide testimony on H.R. 1167, the Restoring Storey County Act. This bill would direct the Bureau of Land Management (BLM) to convey approximately 890 acres of Federal surface estate in and around Virginia City, Nevada, to Storey County. The Department supports the goals of H.R. 1167, but opposes the bill's exemptions from existing laws, and suggests other modifications described below.

BACKGROUND

Virginia City is a community of about 855 people in Storey County, Nevada, approximately 25 miles southeast of Reno. Virginia City and Storey County contain major portions of the historic Comstock Lode, one of the largest gold and silver discoveries in the world. Virginia City once boasted 15,000 residents and was one of

the richest cities in North America in the early 1870s. Due to its economic wealth and importance for the development of the United States, including its association with notable people such as Mark Twain, as well as the preservation of many of its historic buildings and structures, Virginia City was designated a National Historic Landmark on July 4, 1961. Today, cultural heritage tourism contributes significantly to the local economy.

Over 140 years ago, when thousands of people rushed to the area in search of gold and silver, title transactions on the part of Storey County occurred very quickly, often before proper surveying and identification of public land versus properly located and surveyed town site lots had been completed. This unique situation resulted in residential and commercial structures being constructed in whole, or in part, on lands that BLM records identify as public lands and county title documents indicate as privately owned. It also resulted in similar discrepancies with regard to undeveloped land.

H.R. 1167—RESTORING STOREY COUNTY ACT

H.R. 1167 would direct the BLM to convey approximately 890 acres of Federal surface estate in and around Virginia City to Storey County. Under the bill, the BLM would be responsible for all costs associated with the conveyance. Since the Federal Government owns both the surface estate and mineral estate of most of these lands, the mineral estate would remain in Federal ownership under H.R. 1167.

Due to the specific set of historical circumstances surrounding the residential and commercial development of Virginia City and Storey County, the Department supports the primary goal of H.R. 1167 to resolve the title inconsistencies described above. While the Department generally supports the conveyance of these lands to Storey County, we have several concerns with the bill.

As written, H.R. 1167 would exempt the conveyance from the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). The Department opposes exemption from these laws, which provide opportunities for consideration of environmental impacts, public engagement, identification of mitigation, an informed decisionmaker, and identification of unknown or unforeseen issues. Given that much of this land lies within a National Historic Landmark, there is a high potential for cultural resources in the area that require careful attention under NEPA and NHPA. Failure to comport with NEPA, alone, can result in a failure to provide relevant and useful information to the public and the BLM decisionmaker.

H.R. 1167 also would require the BLM to cover all costs and convey the identified lands to Storey County within 60 days of enactment. The Department believes that conveyance costs should be paid by the county, consistent with past legislation that has supported local community development. Additionally, we recommend more flexibility in timing to satisfy the requirements of the Federal Land Policy and Management Act (FLPMA) and other applicable laws.

Similarly, H.R. 1167 does not specify the payment of fair market value for the public lands that would be conveyed. It is our understanding that the sponsor intends for the conveyance under the bill to be made without the payment of fair market value. The Department recommends that H.R. 1167 be amended to provide payment for the fair market value of any lands that would be conveyed.

Furthermore, the Department would like to work with the sponsor and the subcommittee on some technical modifications to the bill, including protection of valid existing rights; the addition of a direct reference to monetary consideration; amendment of the map reference; and minor boundary changes. H.R. 1167 does not include language that makes the conveyance under the bill subject to valid existing rights. There are at least 12 existing land use authorizations on these lands, including rights-of-way for power lines, Federal highways, pipelines, and railroads, as well as Recreation and Public Purposes Act leases. There are also approximately 149 mining claims and two grazing allotments on these lands. Because the bill does not address grazing, the reduction in the existing grazing permits and removal of any authorized range improvements on these lands ordinarily would be carried out in accordance with FLPMA and the BLM's grazing regulations (43 CFR part 4100). However, the bill's 60-day timeframe for conveyance conflicts with FLPMA and the operation of the grazing regulations.

The bill also currently references a legislative map entitled "Restoring Storey County Act," and dated July 24, 2012. It is our understanding that the sponsor intends to change the reference to a map dated November 20, 2012. The more recent map informs the Department's position on the legislation. In addition, the Department recommends some minor changes to align the conveyance boundaries with ex-

isting lots that already have been surveyed. We would be happy to work with the sponsor and the subcommittee on these changes and other, more minor, technical corrections.

Last, the Department of Justice recommends that the bill be revised to make absolutely clear that the County would have to agree to the proposed conveyance, as requiring the County to accept the land without consent might raise constitutional concerns. This change might be accomplished by adding “, and subject to the agreement of the County” before “the Secretary shall convey to the County” in section 4(a) of the bill.

CONCLUSION

Thank you again for the opportunity to testify on H.R. 1167. The bill is important to the people of Virginia City and Storey County, and the Department looks forward to working with the sponsor and the Subcommittee on modifications so we can fully support the bill.

H.R. 1633—Small Lands Tracts Conveyance Act

Thank you for inviting the Department of the Interior to testify on H.R. 1633, the Small Lands Tracts Conveyance Act. The Department of the Interior opposes H.R. 1633 as it applies to lands under the administrative jurisdiction of the Bureau of Land Management (BLM). The BLM has the authority to dispose of public land as appropriate with full public involvement; H.R. 1633 circumvents that critical public process. The Department defers to the U.S. Department of Agriculture for lands under the jurisdiction of the U.S. Forest Service.

BACKGROUND

The BLM manages more than 245 million acres of public land primarily in 12 Western States. Our mission is to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations. As the Nation’s largest Federal land manager, the BLM administers the public lands for a wide range of multiple uses and sustained yield, including energy production, recreation, livestock grazing, conservation use, forestry, and open space. The 1976 Federal Land Policy and Management Act (FLPMA) provides the BLM with a clear multiple-use mandate which the BLM seeks to implement through its land use planning process. Additionally, FLPMA includes policy direction that the United States should generally retain Federal lands in public ownership. This was a departure from previous land disposal policies of the U.S. Government and FLPMA repealed many of those former disposal laws.

BLM’s Land Disposal Authorities

The FLPMA is the BLM’s primary authority for disposals of Federal lands through exchanges, sales and various conveyances. Section 203 of the FLPMA allows the BLM to identify lands (though the land use planning process) as potentially available for disposal by sale if they meet one or more of the following criteria:

- Lands consisting of scattered, isolated tracts that are difficult or uneconomic to manage;
- Lands that were acquired for a specific purpose and are no longer needed for that purpose; or
- Lands that could serve important public objectives, such as community expansion and economic development, which outweigh other public objectives and values that could be served by retaining the land in Federal ownership.

Section 206 of FLPMA provides land exchange authority. To be eligible for exchange under FLPMA, BLM-managed lands must have been identified for disposal through the land use planning process. Land exchanges are a tool the BLM uses to acquire environmentally sensitive lands while transferring public lands into private ownership for local needs and the consolidation of scattered tracts.

The Recreation and Public Purposes Act (R&PP) is an extremely popular authority used by the BLM to help States, local communities, and nonprofit organizations obtain public lands at no or reduced cost for important public purposes. Examples include parks, schools, hospitals and other health facilities, fire and law enforcement facilities, courthouses, social services facilities and public works. Over the last 5 years, the BLM has sold nearly 9,000 acres of public land through R&PP conveyances and leased an additional 10,000 acres of public land under the R&PP Act.

Another important law for the facilitation of land disposals over the last decade is the Federal Land Transaction Facilitation Act (FLTFA). The administration strongly supports reauthorization of the FLTFA, which expired on July 25, 2011.

Under the FLTFA, the BLM could sell public lands identified for disposal prior to July 2000 through the land use planning process, and retain the proceeds from those sales in a special account in the Treasury. The BLM and the other Federal land managing agencies were then able to use those funds to cover processing costs for future land sales and to acquire, from willing sellers, lands within or adjacent to certain federally designated areas that contain exceptional resources. The National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), the U.S. Forest Service (FS), and the BLM were all able to acquire lands with FLTFA funds. Over the life of the FLTFA, approximately 27,000 acres of BLM-managed public lands were sold under this authority and approximately 18,000 acres of high resource value lands were acquired. These acquisitions consolidate land ownership, frequently providing access to increased recreational opportunities for the public and reducing costs to the Federal Government in areas with fragmented land patterns.

BLM's Land Use Planning Process

Many of the decisions about how best to manage the public lands entrusted to the BLM's stewardship are made through the land use planning process. The BLM's field offices document these decisions in 157 individual Resource Management Plans (RMPs) developed with full public participation at the local level. These RMPs provide the foundation for every on-the-ground action taken or authorized by the BLM and include inventories and assessments of a broad range of resource values and public land uses. Among the many decisions made through the RMP process is the identification of lands that are potentially available for disposal. Extensive public involvement is a critical component of this process.

Each RMP is unique to the local situation and the local community. The RMP identifies lands as potentially available for disposal by various means. For example, lands may be identified as available for sale or they may be identified as available for exchange (e.g. to further particular resource goals).

The process of identifying lands as potentially available for disposal typically does not include the clearance of impediments to disposal such as the presence of threatened and endangered (T&E) species, cultural or historic resources, mining claims, oil and gas leases, rights-of-way and grazing permits. Also not included in this identification process is an appraisal of values or a specific survey of the lands. Furthermore, because land use plans typically extend over many years, lands identified as potentially available for disposal at one point in time may be found later to be unsuitable as a result of subsequent changes, such as oil and gas leasing, listing of T&E species, and establishment of extensive rights-of-way or other encumbrances. For this reason, the BLM normally conducts site-specific NEPA analysis prior to disposal of a particular tract or tracts of public land. The Department uses the NEPA process to provide opportunities to consider environmental impacts, public engagement, and mitigation opportunities, as well as to ensure that unknown or unforeseen issues are not overlooked. Failure to use the land planning process, and the associated NEPA review, can result in a failure to provide relevant and useful information to the public and the BLM decisionmakers.

H.R. 1633

H.R. 1633 would provide for the sale of "eligible Federal lands parcels" to adjacent landowners at their request. The bill defines "eligible Federal lands parcel" broadly, as BLM-managed public lands that share a boundary with non-Federal land, are within an area with a population of more than 500 persons, do not contain "exceptional resources," do not provide habitat for an endangered or threatened species, and are "not subject to existing rights held by a non-Federal entity." Adjacent landowners could petition for up to 160 acres annually under the legislation. Within 30 days of receiving a request for sale, the BLM would have to make a determination as to whether or not the parcel met the eligibility criteria established in H.R. 1633. If a parcel were determined to be eligible, the purchaser would be required to pay the BLM the fair market value for the land as well as the costs of the conveyance. Determination of fair market value under the bill would not require an appraisal completed under the "Uniform Appraisal Standards for Federal Land Acquisitions." The proceeds of the sales would be deposited into an account in the Federal Treasury and distributed by a formula to States in which the Federal Government owns more than 33 percent of the land area in the State.

The Department of the Interior opposes H.R. 1633. The BLM is committed to a process for the disposal of public land rooted in the core principle of public participation. H.R. 1633 excludes tribes, States, and local governments, as well as user groups, and the public at large from the process of land disposal and undermines key tenants of FLPMA. Furthermore, H.R. 1633 provides a blanket exemption from the National Environmental Policy Act (NEPA) analysis and circumvents BLM's

land use planning process. Failure to comport with FLPMA and NEPA, alone, can result in a failure to provide relevant and useful information to the public and BLM decisionmakers. Furthermore, while it excludes units of the National Landscape Conservation System (NLCS) and other environmentally sensitive lands from eligible sale lands, H.R. 1633 does not limit lands to be sold to those preliminarily identified for disposal through the public land use planning process, and broadly redefines lands eligible for transfer to include significant amounts of land along the Federal/non-Federal border without determination that the conveyance is in the public interest. A 30-day window to make a determination on whether or not requested lands meet the eligibility requirements excludes the public and likely makes a thorough, thoughtful process nearly impossible.

H.R. 1633 effectively establishes new criteria for lands eligible for disposal that are inconsistent with established FLPMA criteria. Many of these new criteria are confusing and unclear. For example, section 2(a)(3)(C) provides that eligible lands do not include those “subject to existing rights held by a non-Federal entity.” Typically, administrative and legislative sales of lands are subject to “valid existing rights.” This provision protects established rights such as power lines or roads, but does not prohibit the transfer of such lands. On the other hand, the bill does not address other existing uses of the land that are not rights, such as livestock grazing and unproven mining claims, which would be considered during the land planning process under FLPMA and NEPA.

When determining the value of public lands, the BLM and the Department are committed to using the “Uniform Appraisal Standards for Federal Land Acquisitions” and the “Uniform Standards of Professional Appraisal Practice.” To deviate from these long-established procedures, which apply across the Federal Government, would expose the process to uncertainty, inconsistency, and irregularities.

Additionally, the Department opposes the establishment of a new fund in the Treasury and the proposed distribution of land sale revenues to certain States, rather than the public as a whole. Under current law, typically 96 percent of the value of land sales are returned to the Treasury and typically 4 percent distributed to the individual states as required by individual statehood acts.

CONCLUSION

The BLM’s land use planning process, as directed by FLPMA and NEPA, ensures that all of the users of the land have an opportunity to participate in the public land management process. Tribes, States, local governments, user groups, conservation groups, and the public at large become actively involved in these processes and final decisions made by the BLM are better and stronger because of that involvement. We oppose efforts, however well intended, which would undermine that process.

H.R. 2015—Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013

Thank you for inviting the Department of the Interior to present this statement on H.R. 2015, the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act. The Department generally supports H.R. 2015 and would welcome the opportunity to work with the sponsor and committee on modifications to provisions of the bill.

BACKGROUND

The Las Vegas Valley is home to nearly 2 million people, the famous Las Vegas Strip, spectacular desert landscapes, and historic, cultural, and paleontological treasures. Balancing the protection of these important natural, cultural, and scientific resources with economic development and growth is a challenge embraced by the Nevada delegation. Over the last 20 years, a number of laws have been enacted to help maintain that balance. Among these are: the Red Rock Canyon National Conservation Area Establishment Act (Pub. L. 101-621); the Southern Nevada Public Land Management Act (Pub. L. 105-263); and the Clark County Conservation of Public Land and Natural Resources Act (Pub. L. 107-282), several of which are the subject of today’s hearing.

H.R. 2015

Tule Springs Fossil Beds National Monument (Section 2)

H.R. 2015 would designate a new unit of the National Park Service (NPS)—the Tule Springs Fossil Beds National Monument. This bill would transfer administrative jurisdiction of approximately 22,650 acres of public land from the Bureau of Land Management to the National Park Service. The bill would establish the Tule

Springs Fossil Beds National Monument Advisory Commission to provide guidance for the management of the Monument.

The Department supports the establishment of the Tule Springs Fossil Beds National Monument and the Advisory Council. The NPS does not currently have a park designated specifically to protect and interpret Pleistocene fossils and the creation of this site would comprise the most significant Pleistocene paleontological resources in the American Southwest. However, since a special resource study has not been completed, there are many outstanding questions regarding the most efficient and effective means for managing this area.

The NPS completed a Reconnaissance Report for the Upper Las Vegas Wash/Tule Springs area in June 2010. Preliminary findings from this report indicated that the resources in this area appeared to be nationally significant and suitable for inclusion in the national park system but further study would be needed to compare the resources of Tule Springs to other similar areas that represent nationally significant resources of the late Pleistocene epoch. Preliminary findings also indicated that the area is potentially feasible but that the initial determination would greatly benefit from a full study of alternatives that would more fully examine site issues such as vandalism, unauthorized removal of fossils, and ORV use that may affect future options for management and protection of the area. Additionally, the report recommends an analysis of operational costs, particularly those associated with an active paleontology management program involving the preparation and curation of fossils, such as collection storage equipment, materials and supplies, dedicated curation space, and staff time to prepare fossils.

Section 2(d)(5)(B)(IV) directs the NPS to include a travel management plan for the national monument that may include existing public transit. Although it is unclear what is being proposed by this language, this proposed monument is on the border of the cities of Las Vegas and North Las Vegas and transit options for existing residents will be taken in account during the planning process.

Finally, section 2(e) provides for a renewable energy transmission corridor to be managed by the Bureau of Land Management (BLM) on the north side of the new National Monument. The BLM recommends that this narrow strip of land be withdrawn from the mining and mineral leasing laws, and that access to these lands be limited to administrative uses in order to avoid incompatible activities.

Red Rock Canyon National Conservation Area Additions (Section 3)

First established by an Act of Congress in 1990, the 196,000-acre Red Rock Canyon National Conservation Area (NCA) is located 17 miles west of the Las Vegas Strip. The NCA welcomes over 1 million visitors annually who are looking to explore the natural wonders beyond the traditional Las Vegas experience. The Red Rock Canyon NCA offers opportunities for hiking, rock climbing, horseback riding, biking, and photography. A 13-mile scenic drive provides an up close look at this spectacular desert landscape.

The BLM supports the provisions of H.R. 2015 (section 3) which propose to expand the boundaries of the NCA by approximately 1,540 acres. We would like to work with the Sponsor and the Committee on some minor boundary modifications to improve manageability of the NCA addition.

Conveyances to the Cities of North Las Vegas & Las Vegas (Sections 4 and 5)

H.R. 2015 (sections 4 and 5) provides for the conveyance of public lands to the city of North Las Vegas (645 acres) and the city of Las Vegas (660 acres) respectively at no cost. The lands proposed for conveyance are within the Southern Nevada Public Land Management Act (SNPLMA) (Pub. L. 105-263) boundary established by acts of Congress. Under these provisions of the bill, the two local governments would then be able to sell, lease, or otherwise convey these lands at fair market value to third parties. All revenues derived from these conveyances would be distributed consistent with direction under SNPLMA as if the conveyances had been undertaken by the BLM under its existing authorities. Additionally, the bill would allow these governments to retain some of the lands for uses consistent with those allowed under the Recreation and Public Purposes (R&PP) Act, such as for schools, parks and fire stations. All costs related to the initial transfer of land to the city governments or from them to third parties would be the responsibility of the cities of North Las Vegas and Las Vegas.

SNPLMA identified these lands for disposal, and specified the use of the proceeds from the sale of these lands. By transferring the lands to the cities of North Las Vegas and Las Vegas, the bill will allow those communities to determine the development of the lands within their boundaries, while requiring fair market value for subsequent conveyances. The BLM does not oppose these transfers, but recommends amending this section to eliminate the leasing option. Such leases are difficult to

oversee and manage; by only allowing reconveyance by the cities through sale or R&PP conveyance, we can better protect the integrity of the process.

Expansion of Police Shooting Range (Section 6)

The Clark County Conservation of Public Land and Natural Resources Act of 2002 (Pub. L. 107-282) transferred 176 acres of BLM-managed public land to the Las Vegas Metropolitan Police Department for a shooting range. H.R. 2015 (section 6) would transfer an additional 80 acres of BLM-managed lands to the Las Vegas Police Department.

The BLM supports this conveyance, which will allow the Police Department to establish long-range shooting and training facilities. We recommend that the legislation specify that the transfer will be subject to valid existing rights.

Spring Mountain National Recreation Area Withdrawal (Section 7)

The Department of the Interior defers to the Department of Agriculture on the Spring Mountain National Recreation Area provisions of H.R. 2015 (section 7), which affect lands administered by the U.S. Forest Service.

SNPLMA Boundary Modification (Section 8)

The SNPLMA, as amended, was designed to provide for the responsible disposal of BLM-managed public land within the Las Vegas Valley. Under the act, funds generated from the sale of these lands are deposited into a special account to be expended consistent with the provisions of the act. Funds from SNPLMA lands sales have been used for a variety of purposes as stipulated by the act, including: acquisition of high value environmentally sensitive lands; establishment of parks, trails, and natural areas; creation of new conservation initiatives; and a number of other projects. To date, nearly 45,000 acres have been conveyed out of Federal ownership under the provisions of SNPLMA, and approximately 39,500 acres remain to be considered for disposal under SNPLMA.

H.R. 2015 (section 8) proposes to modify the SNPLMA disposal boundary by removing approximately 9,950 acres of public land currently inside the boundary and by adding approximately 6,795 acres of public land currently outside the boundary, resulting in a net reduction of lands within the SNPLMA boundary of approximately 3,158 acres. Total public land acres within the SNPLMA boundary would be 36,890 acres if H.R. 2015 is enacted. The acres proposed for removal are lands that H.R. 2015 would transfer (section 2) to the National Park Service for inclusion in the Tule Springs Fossil Beds National Monument. The acres proposed for addition to the boundary are primarily on the northeast and northwest sides of the Las Vegas Valley, and the most significant current uses are for the mining of aggregate materials for construction. The BLM supports section 8 of S. 974.

Conveyances to Nevada Colleges and Universities (Section 9)

The Nevada System of Higher Education (NSHE), a subdivision of the State of Nevada, provides for the education for over 125,000 students throughout the State at 8 different colleges and universities. The NSHE is seeking to expand the capacity of three of those schools in southern Nevada in order to improve higher education opportunities.

H.R. 2015 (section 9) provides for the conveyance of three parcels of public land for three of these colleges and universities in southern Nevada at no cost and for uses consistent with those allowed under the Recreation and Public Purposes Act (R&PP). All costs associated with the transfers would be paid by the NSHE. The three conveyances include approximately 285 acres for the Great Basin College in Pahrump, Nevada, 41 acres for the College of Southern Nevada, and 1,886 acres for the University of Nevada-Las Vegas (UNLV).

The R&PP Act authorizes the Secretary of the Interior to lease or convey public lands at nominal costs for recreational and public purposes, including for educational facilities. The BLM generally supports appropriate legislative conveyances at no cost if the lands are to be used for purposes consistent with the R&PP Act, and if the conveyances have a reversionary clause to enforce this requirement.

The BLM supports these conveyances for higher education in H.R. 2015 and would like to work with the Sponsor and the Committee on minor and technical modifications to these provisions. Specifically, we recommend the addition of a clause allowing the Secretary to add reasonable terms and conditions to the transfer. For example, the lands proposed for transfer for the Great Basin College are adjacent to the BLM's Pahrump Fire Station. In the conveyance documents we may want to include building height restrictions in areas closest to the helipad to ensure safe aerial fire activities. The addition of a "terms and conditions" clause would allow the agency to address this and similar situations.

Ivanpah Airport Conveyance (Section 10)

The Ivanpah Valley Airport Public Lands Transfer Act (Pub. L. 106–362) provided for the sale of approximately 5,750 acres of public land to Clark County for the construction of a future airport. The completion of the sale of the land and construction of the airport is contingent on a number of factors, including approval by the Federal Aviation Administration (FAA). H.R. 2015 (section 10) provides for the conveyance, at no cost, of approximately 2,350 acres to the east of the proposed airport for flood mitigation projects related to the airport. The land would not be conveyed unless and until the FAA approves the airport project.

H.R. 2015 also reserves to the Federal Government the mineral estate (potentially valuable sand and gravel) of the 2,350 acres to be conveyed for the airport, except that the county may construct flood control facilities and remove aggregate following flood events under the bill. The BLM supports these provisions. However, provisions providing that the county pay all costs associated with this transfer and a terms and conditions clause (similar to those in section 9 of H.R. 2015) should be added to this section as well. We would note, that there are desert tortoise concerns in this area, and the BLM and the Fish & Wildlife Service would like to continue to work with Clark County to address them.

Sunrise Mountain Instant Study Area Release (Section 11)

The Sunrise Mountain Instant Study Area (ISA) lies to the east of Las Vegas. The 9,700-acre area has been managed by the BLM to protect these lands for possible future wilderness designation as required by law. Over the last decades, and most recently in 2009, the Congress has legislatively released portions of the Sunrise Mountain ISA from those protections, but the BLM does not have the independent authority to release the remaining acres.

The BLM supports the provisions of H.R. 2015 (section 11) which would release the entire Sunrise Mountain ISA from interim protected status, thereby allowing the consideration of a full range of multiple uses. The Sunrise Mountain ISA does not possess significant wilderness characteristics. Furthermore, it is the assessment of the BLM that this area is appropriate for the expansion of high-voltage transmission lines, including those for renewable energy transmission, as well as a possible interstate natural gas and water pipelines.

Nellis Dunes Off-Highway Vehicle (OHV) Recreation Area (Section 12)

The Nellis Dunes OHV area is a popular recreation area with over 100,000 visits annually. H.R. 2015 (section 12) would promote the further development of this area as a destination OHV site. OHV use is a popular and growing activity in Nevada and across the West. The BLM welcomes opportunities to support this type of recreation in appropriate locations.

Studies conducted by the UNLV at the request of the BLM have indicated that there are high levels of naturally occurring arsenic in the Nellis Dunes area. While the area is presently open to OHV use, the BLM makes visitors aware of these potential health concerns. Currently, the UNLV is conducting a health risk assessment of the area in accordance with the Environmental Protection Agency's human health risk assessment processes and protocols. The BLM expects to receive a completed study by late 2014, and believes that it is premature to make permanent decisions about the Nellis Dunes area prior to receiving the final report. Therefore, the BLM recommends deferring sections 12(a), (b), and (c) until the final report is available.

However, if Congress elects to move forward with these provisions of H.R. 2015, the BLM recommends a number of substantive modifications. The bill (section 12) allocates uses in Nellis Dunes in three parts. First, it establishes a BLM-managed Nellis Dunes Off-Highway Vehicle Recreation Area on approximately 10,000 acres of public land. Second, it transfers approximately 960 acres of public land to Clark County for a more intensively managed OHV Recreation Park. Third, it establishes an "Economic Support Area" adjacent to the other two areas.

The BLM could support the establishment of the Nellis Dunes OHV Recreation Area if our safety concerns are appropriately addressed. Likewise, we could support the transfer of land to Clark County for an OHV Recreation Park if the transfer and management of those lands is done consistent with the R&PP Act, and if the transfer addressed issues outlined in our discussion of section 9 regarding similar no cost conveyances. Finally, the BLM does not object to the establishment of an Economic Support Area; however, we strongly urge that these 290 acres be sold to the county at fair market value, rather than setting up a system of revenue sharing between the county and Federal Government for private enterprises on these lands. The BLM does not typically participate in commercial activities such as these and we do not believe that it would be appropriate in this case.

The BLM would like to work with the sponsor and committee on perfecting these sections of H.R. 2015, provided the human health risk assessment determines that establishing an OHV park in this area is appropriate.

Expansion of Nellis Air Force Base (Sections 12(d) and 13)

H.R. 2015 (sections 12(d) and 13) provides for the expansion of Nellis Air Force Base through withdrawal, reservation, and transfer of administrative jurisdiction of approximately 1,120 acres of BLM-managed public lands. The administration supports the future use of these lands by the Department of the Air Force for national security purposes. However, these sections permanently transfer administrative jurisdiction over these lands to the Air Force, rather than withdrawing them from the public land and mining laws and reserving them for the military's use for a specific time period, as is more typical and consistent with adjacent military lands. The Administration could support these provisions if they were amended to withdraw and reserve the lands for military use, including terms and conditions of past legislative withdrawals, and if they were subject to valid existing rights. The BLM would also like to work with the Sponsor, the Committee, and the Department of Defense to ensure appropriate access for several mining companies that have long-term contracts for the use of some lands in this area in a manner consistent with the requirements of Nellis Air Force Base.

Military Overflights (Section 14)

Section 14 of the bill would address military overflights over new units established by the bill. Providing for such military overflights requires a careful balancing of conservation and national defense requirements and is highly factually specific. The Department of the Interior believes it needs to conduct additional discussions with the Department of Defense with regard to the specific circumstances of flights over the lands covered by this bill before determining whether legislative guidance is needed and, if so, what form that guidance should take.

CONCLUSION

Thank you for the opportunity to present the Department's views on H.R. 2015. We look forward to working with the sponsor and the committee to resolve the outstanding issues.

H.R. 2259—North Fork Watershed Protection Act of 2013

Thank you for the opportunity to provide a statement on H.R. 2259, the North Fork Watershed Protection Act of 2013. The Department of the Interior supports H.R. 2259, which would withdraw Federal lands within the North Fork watershed of Montana's Flathead River from all forms of location, entry, and patent under the mining laws and from disposition under all laws related to mineral or geothermal leasing. Enactment of H.R. 2259 would mark an important milestone in the work occurring across multiple jurisdictions to help preserve the remarkable resources in the Crown of the Continent ecosystem.

BACKGROUND

The Flathead River Basin, a key portion of an area known as the Crown of the Continent ecosystem, spans the boundaries of the United States and Canada. It includes part of the United States' Glacier National Park and borders Canada's Waterton Lakes National Park. These two parks comprise the world's first International Peace Park as well as a World Heritage Site. The U.S. Forest Service's Flathead National Forest is also located within the Flathead River watershed. The Bureau of Land Management manages the Federal mineral estate underlying the Flathead National Forest.

Running along the west side of the Continental Divide, the North Fork of the Flathead River enters the United States at the Canadian border and forms the western border of Glacier National Park until its confluence with the Middle Fork of the Flathead River near the southern end of Glacier National Park. The North Fork watershed, a sub-basin of the Flathead River watershed, includes areas currently managed by the National Park Service, the State of Montana, the U.S. Forest Service, and some private landowners.

The Flathead River Basin is recognized for its natural resource values, including wildlife corridors for large and medium-sized carnivores, aquatic habitat, and plant species diversity. The area is rich in cultural heritage resources, with archeological evidence of human habitation starting 10,000 years ago. Several Indian tribes, including the Blackfeet, the Salish, and the Kootenai, have a well-established pres-

ence in the area. The area also has celebrated recreational opportunities, including hunting, fishing, and backcountry hiking and camping.

There has been interest in protecting the Crown of the Continent resources for some time. On February 18, 2010, the State of Montana and the Province of British Columbia executed a Memorandum of Understanding which addresses a myriad of issues related to the Flathead River Basin on both sides of the U.S.-Canada border. The intention of part I.A. of that memorandum is to “[r]emove mining, oil and gas, and coal development as permissible land uses in the Flathead River Basin.”

The Flathead River Basin contains federally owned subsurface mineral estate under National Forest System lands that the Federal Government has leased for oil and gas development. At the time legislation was initially proposed in 2010, there were 115 oil and gas leases in the North Fork watershed that the BLM issued between 1982 and 1985. The leases, which cover over 238,000 acres, are inactive and under suspension as part of the 1985 court case *Conner v. Burford*. At the request of Montana Senators Max Baucus and John Tester, leaseholders have voluntarily relinquished 76 leases consisting of almost 182,000 acres. The BLM has not offered any other leases in the Flathead National Forest since the *Conner v. Burford* litigation suspended the existing leases in 1985.

The U.S. Forest Service is responsible for the surface management of National Forest System land; however, as noted earlier, the Secretary of the Interior and the BLM are responsible for administering the Federal subsurface mineral estate under the Mining Law of 1872, the Mineral Leasing Act of 1920, and various mineral leasing acts. With respect to locatable minerals and oil and gas resources, the Forest Service has authority to regulate the effects of mineral operations upon National Forest System resources. The BLM only issues mineral leases for locatable minerals and oil and gas resources upon concurrence of the surface management agency and always works cooperatively with the agency to ensure that management goals and objectives for mineral exploration and development activities are achieved, that operations are conducted to minimize effects on natural resources, and that the land affected by operations is reclaimed.

H.R. 2259

H.R. 2259 withdraws all Federal lands or interest in lands, comprised of approximately 430,000 acres of the Flathead National Forest, within the North and Middle Fork watersheds of the Flathead River from all forms of location, entry, and patent under the mining laws and from disposition under all laws related to mineral or geothermal leasing. We note that National Park acreage within the watershed is already unavailable for mineral entry. H.R. 2259 does not affect valid, existing rights, including the 39 leases in the North Fork watershed that are suspended under the *Conner v. Burford* litigation. H.R. 2259 also does not restrict existing recreational uses, livestock management activities, or forest management activities. The Department fully supports H.R. 2259 as it furthers the goal of preserving the important resources of this region.

The Waterton-Glacier International Peace Park, which extends from Canada into the United States, is one of the great protected ecosystems on the North American continent. A 2010 World Heritage Center/International Union for the Conservation of Nature Report noted that the International Peace Park is “one of the largest, most pristine, intact, and best protected expanses of natural terrain in North America. It provides the wide range of non-fragmented habitats and key ecological connections that are vital for the survival and security of wildlife and plants in the Waterton-Glacier property and the Flathead watershed.” Retaining this expanse of natural landscape in the Crown of the Continent ecosystem is of vital importance for providing ecosystem connectivity, which is essential for the growth and survival of plants and animals in the region. H.R. 2259 will help accomplish this goal.

The Department of the Interior is also committed to maintaining the ecological integrity of Glacier National Park, one of the most noteworthy natural and cultural treasures of our Nation. Preserving the region’s and the park’s water resources is also critical. The rich aquatic ecosystems provide breeding and feeding habitats for a variety of important species, and the Department recognizes the importance of maintaining critical habitat corridors when planning for resources uses. H.R. 2259 will help protect and preserve the important resources of the greater Crown of the Continent ecosystem, including those within Glacier National Park.

CONCLUSION

The Department supports H.R. 2259 and commends the many parties involved in protecting the North Fork of the Flathead River and the important resources shared by the United States and Canada. We hope that this legislation and the efforts of

the Federal and State/provincial governments add to the important legacy of conservation in the Glacier/Waterton Lakes area and Flathead River basin.

H.R. 2657—Disposal of Excess Federal Lands Act of 2013

Thank you for inviting the Department of the Interior to testify on H.R. 2657, the Disposal of Excess Federal Lands Act. The Administration strongly opposes H.R. 2657 and instead encourages the Congress to reauthorize the Federal Land Transaction Facilitation Act (FLTFA) which has a proven track record of providing for the thoughtful, efficient, and economical disposal of appropriate public lands.

BACKGROUND

Congress has long recognized the national interest in preserving and conserving the public lands for present and future generations of Americans. In 1976, Congress declared it the policy of the United States that “. . . the public lands be retained in Federal ownership, unless as a result of land use planning . . . it is determined that disposal of a particular parcel will serve the national interest” (Federal Land Policy and Management Act of 1976 (FLPMA); Public Law 94–579). Section 203 of FLPMA allows the BLM to identify lands as potentially available for sale through the land use planning process, provided they meet one or more of the following criteria:

- Lands consisting of scattered, isolated tracts that are difficult or uneconomic to manage;
- Lands that were acquired for a specific purpose and are no longer needed for that purpose; and
- Lands that could serve important public objectives, such as community expansion and economic development, which outweigh other public objectives and values that could be served by retaining the land in Federal ownership.

The BLM oversees the public lands through 157 Resource Management Plans (RMPs). Since 2000, the BLM has completed 75 RMP revisions and major plan amendments. Additionally, the BLM is currently working on planning efforts for 57 new RMPs. Each land use planning document is unique and typically identifies lands as potentially available for disposal through sale, exchange (typically to further particular resource goals), or for conveyance under the Recreation and Public Purposes Act (R&PP) for public purposes such as schools, fire stations, and community parks. Lands identified for potential disposal may be available for any or all of these purposes. The BLM may only dispose of lands that are identified for disposal in the appropriate land use plan unless otherwise directed by Congress.

Lands that are identified for disposal in RMPs do not represent a Federal “multiple listing service” and there may be substantial impediments to disposal. The process of identifying these lands as potentially available for disposal in an RMP typically does not include site-specific identification of impediments to disposal, such as the presence of threatened or endangered species, cultural or historic resources, mining claims, mineral leases, rights-of-way, and grazing permits. Also not included in this identification process is an appraisal to establish market value or a specific survey of the lands. Furthermore, because land use plans typically extend over many years, lands identified as potentially available for disposal at one point in time may be found later to be unsuitable because of new circumstances such as oil and gas leasing, the listing of threatened and endangered species, the establishment of rights-of-way, or other encumbrances.

Disposal of BLM-Managed Lands

A number of authorities and mechanisms currently exist that provide for the disposal of BLM-managed public lands. The BLM has the authority under FLPMA (section 203) to sell lands identified for disposal. The proceeds from sales are deposited into the General Fund of the Treasury. Typically these sales have been for low value lands, for example isolated parcels surrounded by private land.

FLPMA (section 206) also provides the agency with administrative land exchange authority. To be eligible for exchange, BLM-managed lands must be identified for disposal through the land use planning process. Exchanges allow the BLM to acquire environmentally sensitive lands while transferring public lands into private ownership for local needs and to consolidate scattered tracts.

Congress also has provided specific direction to the BLM through legislated land exchanges. For example, the Utah Recreational Land Exchange Act of 2009 (Public Law 111–53) mandated the exchange of specific public lands in Grand and Uintah Counties in Utah for State lands in those same counties. Another example is the Southern Nevada Public Land Management Act (Public Law 105–263, as amended),

whereby Congress provided for competitive auction of public lands in the Las Vegas Valley with the proceeds from those sales used to acquire environmentally sensitive lands and other purposes.

The R&PP Act is an extremely important authority utilized by the BLM to help States, local communities, and nonprofit organizations obtain at no or low cost lands for important public purposes. Examples include parks, schools, hospitals and other health facilities, fire and law enforcement facilities, courthouses, social services facilities, and public works projects. Over the last 5 years, the BLM has sold nearly 9,000 acres of public land through the R&PP process and leased an additional 10,000 acres of public land under the act.

Finally, enactment of the FLTFA in 2000 (Public Law 106-248), which expired on July 25, 2011, allowed the BLM to sell public lands identified for disposal through the land use planning process prior to July 2000, and retain the proceeds from those sales in a special account in the Treasury. The BLM could then use those funds to acquire, from willing sellers, inholdings within and adjacent to certain federally designated areas that contain exceptional resources, including areas managed by the National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), the U.S. Forest Service (FS), and the BLM. Approximately 27,000 acres were sold under this authority and over 18,000 acres of high resource value lands were acquired.

1997 Lands Report to Congress

In 1996, the Congress (Public Law 104-127, section 390) directed the Secretary of the Interior to report to Congress on lands that may be suitable for disposal or exchange to benefit the Everglades Restoration effort in Florida. The Department of the Interior's May 27, 1997 report to Congress included a list of BLM-managed lands that had been identified for disposal through the BLM's land use planning process, while excluding lands that had been withdrawn, segregated, or identified for other specific purposes detailed in the report. The report was a general county-by-county summary and did not provide individual parcel information, though it did include a list of potential impediments to disposal, including lack of legal access; the presence of mineral leases and mining claims; threatened and endangered species habitat; historical and cultural values; hazardous material contamination; and title conflicts. No appraisals or surveys were conducted of the lands included in the 1997 report. Lands were not identified in California or Alaska because public lands in those States that were identified for disposal were committed to needs identified under other acts of Congress.

H.R. 2657

H.R. 2657 directs the Secretary of the Interior to sell at competitive sale, for no less than fair market value, all lands included in the Department of the Interior's 1997 Report to Congress. The bill excludes from consideration lands that are no longer identified for disposal, under an R&PP application, identified for state selection, identified for tribal allotments, or identified for local government use. Under the bill, proceeds from the sale of these lands are to be deposited in the U.S. Treasury. While a timeframe for sales is not established, a report to Congress is required 4 years after enactment that includes a list of unsold lands and the a reason lands have not been sold. The bill provides no exceptions to the requirement to dispose of identified Federal land for resource or value reasons.

Before any parcels could be sold at auction, the BLM may need to undertake reviews of every parcel (including cultural resource and threatened and endangered species inventories), and a survey and appraisal of every parcel. These actions would be both time-consuming and costly, requiring the BLM to redirect limited resources from other more critical priorities. With limited resources and competing priorities such as oil and gas leasing, and renewable energy rights-of-way, a mandate to sell large blocks of land would severely affect the BLM's ability to respond to the Nation's energy needs and the needs of local communities. In many cases, the end result would be costs in excess of any value realized, and further deflated land values in struggling western communities.

Furthermore, the bill could negatively affect public land ranchers. Many of the lands identified for disposal are within existing grazing allotments. In the past, grazing permittees have frequently declined to acquire these lands when they are offered for sale, for financial or other reasons. Moving these lands into other private hands could have a deleterious effect on ranching communities.

Many of the lands that BLM has identified for potential disposal through the land use planning process are isolated, rural parcels with minimal market value. Others are in or adjacent to communities that have seen a dramatic erosion of land values. Flooding those markets with additional land could further undermine the economic health of those communities. Still others may have important historic or cultural

sites that deserve to be protected for future generations. Important energy resources may yet be tapped on other lands which could provide a revenue stream to the Treasury and State governments.

The administration strongly opposes H.R. 2657. H.R. 2657 would be costly, harmful to local economies and communities, and undermine important resource values. It also would be unlikely to generate significant revenues to the U.S. Treasury.

The Federal Land Transaction Facilitation Act addressed many of these impediments to disposal by providing a careful, thoughtful process for land disposal together with a mechanism for funding that disposal. Furthermore, the proceeds of the sale of BLM-managed lands under the FLTFA are used to acquire inholdings from willing sellers in the most environmentally sensitive areas. Thus, the long-term interest of the American public and future generations is protected. The administration continues to urge the Congress to reauthorize the FLTFA and allow the BLM to continue with a rational process of land disposal that is anchored in public participation and sound land use planning, while providing for land acquisition to strengthen this Nation's conservation heritage.

CONCLUSION

Thank you for the opportunity to testify. We would like to work with Congress so that the thoughtful, efficient and economical disposal of public lands appropriate for disposal can go forward.

