

STATEMENT OF MITCHELL BUTLER, DEPUTY ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 5540, A BILL TO AMEND THE CHESAPEAKE BAY INITIATIVE ACT OF 1998 TO PROVIDE FOR THE CONTINUING AUTHORIZATION OF THE CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK.

APRIL 24, 2008

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on H.R. 5540, a bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network.

The Department supports authorization of continued technical assistance to the Chesapeake Bay Gateways and Watertrails Network. However, the President's budget did not include targeted grant funding under Stat Aid for this work. Therefore, while we support the Chesapeake Bay cleanup mission, we cannot support authorization for grants.

H.R. 5540 would provide for the permanent authorization of the Chesapeake Bay Gateways and Watertrails Network (Network) with annual appropriations as necessary to carry out its authorized purposes. Under the current authorization, federal funding would expire at the end of fiscal year 2008. This bill would authorize permanent appropriations to the Network similar to the manner in which national park units, wild and scenic rivers, and national trails are funded.

Authorized as part of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312), the Network includes over 160 refuges, parks, historic sites, trails, and museums working together to foster citizen stewardship of the Chesapeake Bay across six states and the District of Columbia. Through this Act, Congress mandated the National Park Service, as coordinator of the network, to provide technical and financial assistance in cooperation with other federal agencies, state and local governments, nonprofit organizations, and the private sector to create a network of Chesapeake Bay Gateways sites and Chesapeake Bay Watertrails.

The Network and all Gateways sites have three main objectives: first, to educate people about the Chesapeake Bay and help them learn its stories through place-based interpretive education; second, to facilitate access to the Chesapeake Bay and Chesapeake Bay-related resources; and third, to foster conservation and restoration of the Chesapeake Bay and its rivers, stimulating public understanding of and involvement in stewardship. The Network hosts more than 10 million visitors annually at more than 160 sites across 64,000 square miles in six states and the District of Columbia.

Through technical and financial assistance, the National Park Service has assisted the Gateways to develop hundreds of partnerships across the watershed to help people understand and appreciate the Chesapeake Bay. The Network has been especially effective in helping to build the capacity and credibility of smaller, less known sites throughout the region.

The Gateways Network provides a framework for appreciating the Chesapeake Bay as a whole by experiencing its remarkable natural and cultural diversity. Connecting the places people visit

and value to an understanding of the Bay as a system will lead to greater public commitment to restoration and conservation of the Chesapeake Bay. This is a fundamental aspect of the Chesapeake Bay Gateways and Watertrails Network vision. Reflective of the Network's success in accomplishing this intent, the Network was recognized by the White House Conference on Cooperative Conservation in 2005 as a cooperative conservation success story.

Over the past eight years, unrequested earmarks have directed the National Park Service to provide financial assistance to Network sites for a total of \$7.7 million, which was matched by \$11.9 million by the Gateways, a factor of over \$1.50 for each contributed federal dollar. This has resulted in interpretive signage at key places throughout the watershed, hands-on watershed education programs for children, the development of a map and guide for the Network, additional access and orientation to the Chesapeake Bay and tributaries along the water trails, and over 35,000 hours of volunteer restoration activities.

The National Park Service has also provided technical assistance in the form of interpretive planning, water and land trail planning, capacity building workshops, development of a visitor friendly website used by over one million people annually to learn about the Gateways and to help plan their visits to the Chesapeake Bay, and other activities that support the Network. The Network has been instrumental in developing over 1,500 miles of water trails throughout the Chesapeake watershed, including trails from the headwaters of the Susquehanna River in New York to the James River in Virginia, providing recreational experiences for thousands of water trails users.

There is widespread support for the Network. The governors of Virginia, Maryland, and Pennsylvania, the Mayor of the District of Columbia, and the Chairman of the Chesapeake Bay Commission are all on record in support of continuing authorization of the Network. They stated in a letter to the Secretary of the Interior that “the Chesapeake Bay Gateways Network connects citizens to the Bay by providing them with opportunities to learn about our maritime and natural history and by involving them in stewardship activities....A fully-funded Chesapeake Bay Gateways Network program of the National Park System will sustain the Network’s innovative approach to cooperative conservation, connecting ten million visitors with the Chesapeake each year.” Representatives of other federal agencies, local governments, and non-governmental organizations such as the Citizens Advisory Committee to the Chesapeake Executive Council, have also expressed their support for the continuing authorization of the Network.

Mr. Chairman, that concludes my testimony and I am prepared to answer any questions that you or other members of the committee might have at this time.

STATEMENT OF MITCHELL BUTLER, DEPUTY ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 859, TO ESTABLISH THE SANGRE DE CRISTO NATIONAL HERITAGE AREA IN THE STATE OF COLORADO, AND FOR OTHER PURPOSES.

APRIL 24, 2008

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 859, a bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado.

Two grassroots organizations, the Los Amigos Caminos Antiguos Scenic and Historic Byway and the Sangre de Cristo NHA Steering Committee, collaborated on a 2005 study which found the Sangre de Cristo region appropriate for designation. Nevertheless, we recommend that the committee defer action on H.R. 859 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. In Summer 2006, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to

enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

H.R. 859 would establish the Sangre de Cristo National Heritage Area (NHA) to recognize the outstanding and nationally significant natural, cultural, scenic and recreational resources found within the San Luis Valley of Colorado. The Department testified on S. 443, an identical bill, on March 20, 2007, and on S. 2037, a similar bill, in the 109th Congress.

H.R. 859 contains safeguards to protect private property, including a prohibition on the use of federal funds to acquire real property. The bill proposes no new restrictions with regard to public use and access to private property and does not convey any water right or water restrictions to the federal government.

H.R. 859 designates the Sangre de Cristo National Heritage Area Board of Directors as the management entity and outlines their duties. The Board represents a broad spectrum of the valley's residents, organizations, and agencies that were involved in the planning for the NHA. The bill also authorizes the development of a management plan within three years of enactment and authorizes the use of federal funds to develop and implement that plan. If the plan is not submitted within three years of enactment of this Act, the Heritage Area becomes ineligible for

federal funding until a plan is submitted to the Secretary. Additionally, the Secretary may, at the request of the management entity, provide technical assistance and enter into cooperative agreements with other public and private entities.

Exceeding 7,700 feet in elevation, the San Luis Valley is flanked by the Sangre de Cristo and San Juan Mountains and the geology and climatology within the valley have contributed to the formation of America's tallest Sand Dunes, part of Great Sand Dunes National Park and Preserve.

The Rio Grande, the second largest river in North America, has its headwaters within the proposed NHA and twists its way through the San Luis Valley on a 1,900-mile journey, offering outstanding scenic and recreational opportunities, including trout fishing, rafting, and tubing. The availability of water in this largely arid and alpine environment tends to concentrate the abundant wildlife in highly visible and public preserves creating exceptional wildlife and bird watching opportunities.

The area's rich natural resources include one National Park, three National Wildlife Refuges, one National Forest, two National Forest Wilderness Areas, six Areas of Critical Environmental Concern administered by the Bureau of Land Management, and 15 State Wildlife Areas. The cultural resources associated with the proposed national heritage are equally impressive. The San Luis Valley with its abundant natural resources may have been inhabited by native peoples including the Ute, Navajo, Apache, Tiwa, Tewa, Comanche, Kiowa, and Arapaho for more than 12,000 years.

More recently, the San Luis Valley served as a crossroads for European exploration and settlement. Spanish explorers and Franciscan priests first entered the valley in 1776 in an attempt to strengthen Spain's weak hold on her remote empire. Captain Zebulon Montgomery Pike camped in the shadows of the Sangre de Cristo Range along the banks of the Conejos River and was captured by Spanish soldiers, arrested for trespassing on Spanish soil, and escorted to Mexico for questioning. His campsite is commemorated as a National Historic Landmark along with 22 other properties that are listed on the National Register of Historic Places.

Extensive Mexican land grants triggered the initial settlement of the area as families from northern New Mexico found enough water to support their sheep and water their crops. The proposed NHA contains the oldest continuously occupied town in Colorado, (San Luis), the oldest parish (Our Lady of Guadalupe), the oldest church (San Acacio), and the first water right (San Luis People's Ditch).

The Hispanic cultural traditions associated with this first wave of European settlement can still be found in this isolated and predominantly agricultural region of Colorado where a version of 17th century Spanish is still spoken by about 35% of the population.

The feasibility of recognizing the area's impressive cultural and natural resources as a national heritage area was the subject of a study produced in 2005 by two grassroots organizations, the Los Amigos Caminos Antiguos Scenic and Historic Byway, in conjunction with the Sangre de Cristo NHA Steering Committee.

The feasibility study was largely based upon the results of a symposium held in the fall of 2002 where scientists, historians, and anthropologists from interested colleges as well as local ranchers, community leaders, and tribal elders presented papers on the history, natural resources and local culture of the San Luis Valley. The feasibility study identified four interpretive themes for the NHA and addressed the ten interim criteria that the National Park Service has developed for designation of national heritage areas. The study concluded that the area's cultural and natural resources met those criteria.

All local governments within the proposed area have passed resolutions in support of the establishment of the proposed NHA. Moreover, State and federal land managers within the proposed NHA have expressed a willingness to work with the management entity in accomplishing their congressionally authorized conservation and education responsibilities.

If the committee chooses to move forward with this bill, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

We also recommend that the bill be amended to remove paragraph 5(d)(2) which would require 100 percent federal funding prior to completion of the management plan and to change the termination authority in Section 11 to expire 15 years after enactment. In addition, we would like to work with the Subcommittee to ensure that the management planning process is coordinated with the affected federal land management entities. These amendments would make H.R. 859 consistent with other, similar, national heritage area establishment bills.

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

STATEMENT OF MITCHELL BUTLER, DEPUTY ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 3227, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONTINUE STOCKING FISH IN CERTAIN LAKES IN THE NORTH CASCADES NATIONAL PARK, ROSS LAKE NATIONAL RECREATION AREA, AND LAKE CHELAN NATIONAL RECREATION AREA.

APRIL 24, 2008

Mr. Chairman, thank you for the opportunity to provide the Department of the Interior's views on H.R. 3227, a bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area (hereafter referred to as "North Cascades Complex").

The Department recommends that Congress defer action on H.R. 3227 pending completion of the Mountain Lakes Fishery Management Plan and Environmental Impact Statement (Plan/EIS). The department believes the results of this NEPA analysis will help inform a balanced legislative process that takes into account the importance of recreational fishing while protecting the aquatic environment in these mountain lakes.

The 2006 Management Policies of the National Park Service (NPS) allow for the management of fish populations when necessary to restore resources to their natural state or reestablish a native species that has been extirpated. Stocking of other plants or animals is also allowed under certain circumstances. Specifically, *"In some special situations, the Secretary may stock native*

or exotic animals for recreational harvesting purposes, but only when such stocking will not unacceptably impact park natural resources or processes and when:

- the stocking is of fish into constructed large reservoirs or other significantly altered large water bodies and the purpose is to provide for recreational fishing; or*
- the intent for stocking is a treaty right or expressed in statute, applicable law, or a House or Senate report accompanying a statute.*

The Service will not stock waters that are naturally barren of harvested aquatic species.”

As such, fish stocking is allowed and will continue to be allowed in reservoir lakes or other highly altered lakes such as Diablo Lake and Gorge Lake.

The National Park Service collectively manages North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area as North Cascades National Park Service Complex. In 1988, Congress designated ninety three percent of the North Cascades as the Stephen Mather Wilderness. All of the 245 mountain lakes in the North Cascades Complex are naturally fishless and 90 of the 91 lakes that have historically been stocked are within the Wilderness area. At the time the Wilderness was designated the Congress did not address the issue of stocking the lakes.

The practice of fish stocking in the North Cascades Complex has been ongoing since the late 1800's, with approximately 91 lakes having been stocked at one time or another during the period from the late 1800's to today. As a result of this stocking, fishing became a popular recreational activity. In 1968 when the proposal to create the park was introduced, concern arose about the continuation of fish stocking. Although the enabling legislation does reference the

requirement for a Washington state license while fishing in the park, it is silent regarding fish stocking. Stocking continued after the park was established. However, soon after, the National Park Service policy was changed and it specifically addressed concerns over the ecological impacts of fish stocking in naturally fish free waters concluding that this activity should not occur. Fish stocking was phased out in many national parks across the country in order to restore natural conditions and to preserve native species.

The NPS appreciates the collaborative partnership with the Washington Department of Fish and Wildlife (WDFW) at North Cascades Complex and throughout the State of Washington. Despite this strong working relationship, a number of challenges have historically arisen when trying to reconcile the missions and policies of the WDFW and NPS on this stocking program. However, multiple attempts have been made to negotiate a mutually acceptable outcome on this issue. For example, the Assistant Secretary of the Interior, Fish and Wildlife and Parks, negotiated an agreement in 1987 whereby the NPS allowed fish stocking to continue in certain lakes while simultaneously conducting research into the ecological impacts of stocking even though NPS policy prohibits the stocking of historically fishless waters because the presence of nonnative fish is a departure from natural conditions. Of the 254 mountain lakes in this area, 154 have not been stocked with fish. A decade of research, conducted in the North Cascades Complex through Oregon State University and the USGS Biological Resources Division, documented that self-sustaining populations of non-native trout can have significant effects on native aquatic organisms such as amphibians and zooplankton. However, in the North Cascades lakes where fish had been stocked in low numbers and could not reproduce, no statistically significant ecological effects to native aquatic species were detected.

In 1991 the National Park Service entered into a Consent Decree wherein NPS agreed to conduct research into the ecological impacts of fish stocking at North Cascades and then to conduct a NEPA review of the fish stocking of naturally fish-free lakes.

In 2003, the NPS in collaboration with WDFW began development of a comprehensive Mountain Lakes Fishery Management Plan/Environmental Impact Statement. The purpose of the planning effort was to apply the results of the research and resolve the longstanding conflict over fish stocking in the mountain lakes. The draft Plan/EIS contains a preferred alternative that would stop stocking and remove fish from lakes where significant impacts were occurring (49 lakes) but allow stocking of non-reproducing fish to continue in up to 42 lakes. This plan is still being finalized.

The draft Plan/EIS notes two concerns with allowing fish stocking at North Cascades. First, the NPS has determined that fish stocking in the Stephen T. Mather Wilderness does not meet the minimum requirements analysis conducted under section 4(c) of the Wilderness Act. Second, due attention should be paid to the precedential effect a change in the enabling legislation for the North Cascades Complex to allow for continued fish stocking might have on other NPS units.

The NPS respects the authority of Congress to make exceptions to park management policies. These exceptions should be guided by science and an understanding of the impact that such policy decisions would have on park resources. Should a management alternative that allows for continued stocking be selected through this Plan/EIS decision-making process, implementation

of this alternative would require clarification and clear direction from Congress. The Department believes that legislative clarification can best be undertaken when informed by application of the sound science and public input that will ultimately be reflected in the final Record of Decision for the NEPA analysis. We would welcome an opportunity to work with the Committee and the sponsors of this legislation to ensure that the science is accommodated in any legislation resulting from the Plan.

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

TESTIMONY OF MITCHELL BUTLER, DEPUTY ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 3667, TO AMEND THE WILD AND SCENIC RIVERS ACT TO DESIGNATE A SEGMENT OF THE MISSISQUOI AND TROUT RIVERS IN THE STATE OF VERMONT FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

APRIL 24, 2008

Mr. Chairman, thank you for the opportunity to appear before you today to discuss the views of the Department of the Interior on H.R. 3667, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System.

The Department supports enactment of this legislation with the amendments described in this testimony. However, the Department feels that priority should be given to the 29 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to the Congress.

H.R. 3667 would direct the Secretary of the Interior to study the segment of the Missisquoi and Trout Rivers from the headwaters of the rivers downstream to the confluence of that segment with the Missisquoi Bay of Lake Champlain in the State of Vermont. A report that describes the results of the study is required to be submitted to Congress not later than three years after the date of enactment of this Act.

Two segments of the Missisquoi River are listed on the Nationwide Rivers Inventory of candidate wild and scenic rivers. The mouth of the river includes the Missisquoi National Wildlife Refuge which comprises the Missisquoi River Delta and Missisquoi Bay on Lake Champlain. Upper portions of the Missisquoi and Trout Rivers are prized for their scenic beauty, recreational boating and fishing opportunities, and historic and archaeological values.

The Missisquoi Valley Rail Trail parallels much of the upper Missisquoi River, and offers excellent potential for public access and recreational opportunities linked to the river and the broader river valley. Portions of the river also serve as the route for the Northern Forest Canoe Trail, based on the river's historical significance as a travel route for the Abenaki Indians. Great Falls on the upper Missisquoi is recognized as Vermont's largest undammed falls, and is part of a series of spectacular gorges and falls located on the upper river.

The State of Vermont, Agency of Natural Resources (ANR) has been working extensively with communities of the upper Missisquoi watershed to address river management issues related primarily to agricultural run-off affecting water quality of the river and Missisquoi Bay/Lake Champlain. The forum that has been created through these efforts offers an ideal opportunity for the National Park Service to join the ANR and local communities in a comprehensive study that would add broader natural, recreational, and cultural considerations to the issues already being considered. The ANR and affected communities of the upper Missisquoi have all expressed their support for such a partnership-based study.

The Department notes that several large hydroelectric generating facilities are located on the lower Missisquoi River, making it inappropriate for wild and scenic river consideration. In addition, a segment of the upper Missisquoi River bows north into Canada, and should be excluded from this study effort. Therefore, we recommend H.R. 3667 be amended to direct the study effort to the following river segments:

- The approximately 25-mile segment of the upper Missisquoi from Enosburg Falls upstream to the Canada border in East Richford;
- The approximately 25-mile segment of the upper Missisquoi from the Canada border in North Troy upstream to the headwaters in Lowell;
- Approximately 20 miles of the Trout River from its confluence with the Missisquoi to its headwaters.

The Department would also like to work with the committee on several technical amendments to make this bill consistent with other recently enacted wild and scenic river study bills.

This concludes my prepared remarks, Mr. Chairman. I will be happy to answer any questions you or other committee members may have regarding this bill.

**Statement of
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House Committee on Natural Resources
Subcommittee on National Parks, Forests and Public Lands
H.R. 3930, Lesser Prairie Chicken National Habitat Preservation Area Act of 2007
April 24, 2008**

Thank you for inviting me to testify on H.R. 3930, the Lesser Prairie Chicken National Habitat Preservation Area Act of 2007. This legislation reflects a broad-based effort in New Mexico to conserve the habitat of the lesser prairie chicken and other species of concern. Representative Pearce has worked to craft a balanced conservation approach that would protect crucial wildlife habitat and provide for vital economic development. We support the resulting legislation with some specific modifications as described below.

Background

Southeast New Mexico contains crucial habitat for the lesser prairie chicken and sand dune lizard, which are both Federal species of concern and candidates for listing under the Endangered Species Act (ESA). The sand dune lizard is found only here and adjacent areas of Texas. The lesser prairie chicken was once widespread and abundant in portions of Kansas, Colorado, Oklahoma, New Mexico and Texas, but its habitat and population have declined substantially since the settlement era. Today, the Sand Ranch, located in Chaves County in southeast New Mexico, is one of the best remaining strongholds for these birds. The Sand Ranch area is part of the largest continuous area of publicly-owned lesser prairie chicken habitat within the bird's historic range.

For over a decade the BLM has been working proactively with diverse public land users to develop conservation strategies for the lesser prairie chicken and sand dune lizard. Through this cooperative effort, the BLM developed a suite of management opportunities and proposals for conserving the crucial habitats for these species. A key proposal is the Santa Teresa Land Exchange initiated jointly by the BLM and New Mexico State Land Office. The land exchange would enhance Federal ownership of crucial habitat in the Sand Ranch area while at the same time enabling the State of New Mexico to acquire lands near Las Cruces that are vitally needed for economic development, including construction of a new rail yard facility by the Union Pacific Railroad. The BLM is currently pursuing administrative actions to facilitate the proposed exchange.

H.R. 3930

Section 4 of H.R. 3930 provides for a land exchange between the United States and the State of New Mexico. It is our understanding that the Secretary would convey approximately 7,262 acres of BLM-managed lands in Dona Ana County in exchange for approximately 14,048 acres of State lands in Dona Ana and Chaves Counties. The Department supports the acquisition of the State land because it would consolidate Federal ownership and management of crucial habitat for the lesser prairie chicken and sand dune lizard in Chaves County. It would also consolidate

Federal ownership within and adjacent to environmentally important areas in Dona Ana County, including the Organ/Franklin Mountains Area of Critical Environmental Concern (ACEC) and the Dona Ana Mountain ACEC. In addition, the exchange would transfer to the State lands that are appropriate and needed for commercial, industrial and residential development.

Not all of the Federal lands included in this exchange are currently identified for disposal. The BLM in New Mexico, as noted earlier, is preparing a plan amendment to facilitate the exchange.

While the legislation provides that the exchange is to be conducted in accordance with the Federal Land Policy and Management Act (FLPMA), as amended, we would like the opportunity to work with the Sponsor and the Committee to clarify this provision. Specifically, we wish to ensure that the exchange would be subject to appraisals completed in accordance with the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice. We would also like to work with the Sponsor to ensure the acreages identified for exchange are up-to-date.

Section 5 of the bill establishes the Lesser Prairie Chicken National Habitat Preservation Area (NHPA) in Chaves County. Following completion of the land exchanges directed in Section 4, the Preservation Area would contain approximately 39,462 acres of BLM-managed public land. The Department strongly supports establishment of the NHPA because it will protect habitat essential for the conservation of the lesser prairie chicken and sand dune lizard, and it will benefit numerous other species that rely on the area's unique ecosystem. We would like to work with the Committee to provide for the possibility of including within the NHPA additional lesser prairie chicken habitat in nearby areas should future opportunities arise.

The bill directs that the NHPA be managed to protect, conserve and enhance the habitat for the lesser prairie chicken and withdraws the land, subject to valid existing rights, from the public land laws, mining laws and mineral leasing laws. In addition motorized vehicles are limited to roads and trails designated for their use.

Section 6(e) specifically provides that grazing within the NHPA is allowed solely for the purpose of vegetative management to enhance lesser prairie chicken habitat. There is currently not an authorized permit for grazing in the area.

The management direction provided in the legislation is consistent with conserving this critical habitat. Passage of this legislation will allow the BLM to manage these special status species in a manner that may preclude the need for future listing under the ESA.

We applaud the foresight and balance in H.R. 3930, and look forward to working with the Sponsor and Committee to address a few minor issues and technical amendments.

Thank you for the opportunity to testify. I will be happy to answer any questions.

STATEMENT OF MITCHELL BUTLER, DEPUTY ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE HOUSE COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 3981, TO AUTHORIZE THE PRESERVE AMERICA PROGRAM AND SAVE AMERICA'S TREASURES PROGRAM, AND FOR OTHER PURPOSES

APRIL 24, 2008

Mr. Chairman and Members of the Committee, thank you for inviting me to appear before you today to present the Department of the Interior's views on H.R. 3981, the Preserve America and Save America's Treasures Act. I would also like to thank the sponsors of the bill in both in the Senate and the House for introducing this important legislation. The administration strongly supports enactment of H.R. 3981.

The historic and cultural structures and sites in communities throughout the country serve as the backdrop to the stories of our past and inspire the future. To help ensure that future generations will have the opportunity to experience our past and appreciate our identity as communities and as a Nation, across America people are adapting places once used in bygone eras to modern purposes, as community attractions, places of work, and educational centers. With these efforts, we are preserving our Nation's culture, history and identity both for the benefit of future generations and for the enjoyment of citizens and visitors today. Citizens in communities across America are the engine behind this historic preservation. Through a variety of Federal stewardship programs, these efforts have expanded and flourished. Chief among these programs are the complementary Preserve America and Save America's Treasures programs.

Established in 2003, Preserve America is an Administration initiative that encourages and supports community efforts to preserve and enjoy the country's cultural and natural heritage. Preserve America fosters reuse and interpretation of cultural resources that form the social, educational and economic fabric of communities. The goals of the initiative include a greater shared knowledge about our Nation's past, strengthened regional identities, and increased local participation in preservation efforts.

Consider just a few examples of how communities throughout the country are putting these grant dollars to work. In Fort Smith, Arkansas, local leaders and organizations are developing a marketing plan to promote the historically significant central city area to developers, investors, business, and tourists sparked by a \$47,000 Preserve America grant. Organizers in Gastonia, North Carolina are applying a \$29,500 Preserve America grant to the Preserving and Promoting Gastonia's Heritage project. With these funds, Gastonia will produce wayfinding signs, a walking-tour brochure and updated Gastonia Downtown website to promote Gastonia as a heritage and cultural tourism destination. The people of Burlington, Vermont are developing a web-based guide to Burlington's cultural and historic resources for travelers, planners and educators with a \$94,000 Preserve America grant to promote their unique heritage.

The Preserve America program has been well received by States and is generating tangible preservation outcomes. For example, communities in Colorado's southeastern plains, devastated by job loss, are looking to heritage tourism as a means of revitalization. A \$130,000 Preserve America grant to the Colorado Historical Society (in association with the statewide nonprofit, Colorado Preservation, Incorporated) created a partnership among several counties to develop a

regional planning and marketing program. The effort has helped connect a host of local historic and prehistoric sites, including the largest dinosaur track site in North America, and fostered cooperation among federal, state, and local officials, business owners, and non-governmental organizations. In addition, the participating counties have been designated as a pilot project for Colorado's newly created Heritage Tourism Initiative. The Preserve America funding, matched by the State of Colorado, has also leveraged additional \$355,500 in financial support from local foundations, the counties, and other entities.

Preserve America does not fund construction, rehabilitation, or restoration of historic resources. Rather, it supports planning and development of activities and programs in heritage tourism, adaptive re-use, and "living history" programs that may be usefully replicated across the country. Perhaps most important, it helps to provide needed support for communities (including municipalities, urban neighborhoods, counties, and tribal communities) to fully realize and sustain preservation's benefits.

Six years ago, the Preserve America initiative was a concept on paper. Today, thanks, in part, to the tremendous efforts of John Nau, Chairman of the Advisory Council on Historic Preservation and co-chair of Preserve America, over 600 Preserve America communities representing all 50 states enhance their historic and cultural assets through heritage tourism, education, and preservation. Through John's creativity, the initiative now includes a grant program to support heritage tourism, an award program to honor outstanding partners in historic preservation, and a national history-teacher-of-the-year award. These accomplishments could not have occurred

without John Nau's vision, tireless focus on implementation, and ability to inspire partners across the Nation.

The Save America's Treasures (SAT) grant program is dedicated to the preservation and celebration of America's priceless historic legacy. The program also complements the planning and development support of preservation offered by Preserve America. The SAT grant program funds "bricks and mortar" improvements to important cultural and historic landmarks and irreplaceable collections in every corner of the country. This national effort, created by Executive Order in 1998, recognizes and protects America's threatened cultural treasures, including historic structures, collections, works of art, and maps and journals that document and illuminate the history and culture of the United States.

These competitive grants encourage sustainable historic resource management and make these enduring symbols of the American tradition more accessible to scholars and the public through exhibits, traditional publications, and websites. The Save America's Treasures grants have educated the public on preservation challenges at the buildings, sites, monuments, objects and documents that represent America's diverse cultural legacy and supported preservation of historic collections and properties.

Over 1,000 Save America's Treasures matching grants have been, or are in the process of being awarded to Federal agencies, State, local and tribal governments, and nonprofit institutions. Administered by the National Park Service, grants are awarded competitively, with individual projects only eligible for one grant, and with all grants requiring a dollar for dollar local match.

Among the accomplishments of the Save America's Treasures grant program is restoration of the home of American Industrialist Henry Ford and his wife, now a National Historic Landmark, located in Dearborn, MI. The Fords lived there from its construction in 1915-16 until their deaths in the 1940s. The National Historic Landmark received \$350,000 in Save America's Treasures funds to repair the deteriorating steam-heating system, which had caused damage to the building and its collections.

In Colorado, the Georgetown Schoolhouse, was a contributing building in the Georgetown-Silver Plume National Historic Landmark District, which preserves much of the flavor of the early mining era of the West. The Schoolhouse received \$150,000 grant from Save America's Treasures to address deterioration of the building envelope.

Finally, Woodrow Wilson Hall, on the campus of Monmouth University in New Jersey received \$100,000 to assist with the structural repairs to the monumental portico. Built in 1927, this Beaux-Arts style National Historic Landmark was the home of the president of the F.W. Woolworth Company and sits on the site where Woodrow Wilson delivered his party's acceptance speech for the 1916 Presidential campaign.

Together, these programs generate community partnerships, economic and educational opportunities, and the promotion of historical and cultural tourism. Both Preserve America and Save America's Treasures promote better coordination and, therefore, greater efficiencies in meeting existing preservation needs. They also expand future opportunities by allowing local stakeholders to determine which strategies best meet their goals.

H.R. 3981 would authorize both the Preserve America and the Save America's Treasures programs, making them permanent resources for citizens and civic organizations engaged in historic preservation activities. Since their creation, both programs have been sustained through the annual appropriations process. However, without permanent authorization, they lack the foundation for sustained success. Without the "stamp of legitimacy" achieved by the Congressional legislative process, both programs, despite their records of success, remain vulnerable to termination. The legislation would institutionalize the Preserve America and Save America Treasures programs and cement them as permanent tools for protecting our Nation's cultural resources.

The results are clear. Both programs have demonstrated significant on-the-ground success in fostering preservation partnerships, leveraging private dollars with public funds, and sustaining efficient resource management strategies and sound business practices in the preservation of our heritage assets. These grants and designations give citizens in communities across the country good reason to say "Welcome to my town!" They provide communities greater opportunity to realize economic development through historic preservation and the celebration of the rich heritage and unique stories of the American experience.

Thank you again for the opportunity to testify on these programs and this legislation. I would be happy to answer any questions.