

H.R. 408, H.R. 532 and H.R. 1289

LEGISLATIVE HEARING

BEFORE THE
SUBCOMMITTEE ON NATIONAL PARKS, RECREATION,
AND PUBLIC LANDS

OF THE
COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

—————
Tuesday, July 15, 2003
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LEGISLATIVE HEARING ON H.R. 408, TO PROVIDE FOR EXPANSION OF SLEEPING BEAR DUNES NATIONAL LAKESHORE; H.R. 532, TO REVISE THE BOUNDARIES OF THE GOLDEN GATE NATIONAL RECREATION AREA IN THE STATE OF CALIFORNIA, TO RESTORE AND EXTEND THE TERM OF THE ADVISORY COMMISSION FOR THE RECREATION AREA, AND FOR OTHER PURPOSES; AND H.R. 1289, TO ESTABLISH THE NATIONAL PARKS INSTITUTE AT THE UNIVERSITY OF CALIFORNIA, MERCED, AND FOR OTHER PURPOSES.

Tuesday, July 15, 2003

**Subcommittee on National Parks, Recreation, and Public Lands
Committee on Resources
Washington, DC**

The Subcommittee met, pursuant to call, at 1 p.m., in room 1334, Longworth House Office Building, Hon. George Radanovich [Chairman of the Subcommittee] presiding.

Present: Representatives Radanovich, Christensen, Kildee, Cardoza and Souder.

Mr. RADANOVICH. Good afternoon. The hearing will come to order.

STATEMENT OF THE HON. GEORGE RADANOVICH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

This is the Subcommittee on National Parks, Recreation and Public Lands. Our hearing today is on three bills: H.R. 408, H.R. 532, and H.R. 1289.

Our first bill, H.R. 408, introduced by Congressman Dave Camp of Michigan, provides for the expansion of Sleeping Bear Dunes National Lakeshore in Michigan.

Our second bill is H.R. 532, introduced by Congressman Tom Lantos of California, would revise the boundaries of the Golden Gate National Recreation Area in the State of California and

restore and extend the term of the advisory commission for the recreation area. Our last bill, H.R. 1289, which I introduced, would establish the National Parks Institute at the University of California in Merced.

Before turning my time over to Mrs. Christensen, I would ask unanimous consent that Mr. Camp and Mr. Lantos be permitted to sit on the dais following their statements. Without any objection, so order.

In addition, I would like to also inform our witnesses today that the full Resources Committee is meeting at 2 o'clock to mark up a series of bills which may require this Subcommittee to recess if votes are called. So I would ask that all witnesses please keep to your 5-minute statements.

I now turn to the Ranking Member of the Subcommittee, Mrs. Christensen from the Virgin Islands for any opening statement you may have, Donna.

[The prepared statement of Mr. Radanovich follows:]

Statement of The Honorable George Radanovich, Chairman, Subcommittee on National Parks, Recreation, and Public Lands, on H.R. 408, H.R. 532, and H.R. 1289

Good afternoon. The hearing will come to order

This afternoon, the Subcommittee on National Parks, Recreation, and Public Lands will receive testimony on three bills—H.R. 408, H.R. 532 and H.R. 1289.

Our first bill, H.R. 408, introduced by Congressman Dave Camp of Michigan, provides for the expansion of Sleeping Bear Dunes National Lakeshore in northern Michigan.

Our second bill, H.R. 532, introduced by Congressman Tom Lantos of California, would revise the boundaries of the Golden Gate National Recreation Area in the State of California and restore and extend the term of the advisory commission for the recreation area.

Our last bill, H.R. 1289, which I introduced, would establish the National Parks Institute at the University of California, Merced.

Before turning the time over to Mrs. Christensen, I would ask unanimous consent that Mr. Camp and Mr. Lantos be permitted to sit on the dais following their statements. Without objection, so ordered. In addition, I would like inform our witnesses today that the Full Resources Committee is meeting at 2:00 to markup a series of bills, which may require this Subcommittee to recess if votes are called, so I would ask that all witnesses please keep their statements to 5 minutes.

I now turn to the Ranking Member, Mrs. Christensen for any opening statement she may have.

**STATEMENT OF THE HON. DONNA M. CHRISTENSEN, A
DELEGATE IN CONGRESS FROM THE VIRGIN ISLANDS**

Mrs. CHRISTENSEN. Thank you, Mr. Chairman.

As you have indicated, we are going to hear testimony on three unrelated bills. The first one, H.R. 408, sponsored by Representative Camp and cosponsored by Representative Stupak, would authorize the acquisition of more than 100 acres for eventual addition to Sleeping Bear Dunes National Lakeshore in Michigan. Apparently the owner of the property is actively pursuing commercial development on this site, which could have very negative impacts on the lakeshore.

While we support this legislation, there are several technical issues that need to be explored. We look forward to discussing this beautiful part of Michigan and exploring the details of this legislation with our witnesses.

The next bill, H.R. 532, introduced by our colleague who has already joined us, Mr. Lantos, expands the boundaries of the Golden Gate National Recreation Area in California, and includes the reauthorization of the park's advisory commission. It is my understanding that the park additions made by this bill include important scenic and open space lands and the park advisory commission has served an important role with the park since its establishment in 1972.

Our last bill, H.R. 1289, is the legislation that you, Mr. Chairman, introduced, along with Representative Cardoza, to establish a National Park Institute at the University of California at Merced. I would like to have one of those in my district, Mr. Chairman.

Mr. RADANOVICH. You had a hearing last year.

Mrs. CHRISTENSEN. Yes. I would like to welcome our colleagues and the witnesses to this hearing and look forward to learning more about the three measures before us today.

Mr. RADANOVICH. Thank you, Mrs. Christensen.

Mr. RADANOVICH. Mr. Kildee, do you have any opening statement?

Mr. KILDEE. Has Mr. Camp been here yet?

Mr. RADANOVICH. He is on deck. We are going to take Mr. Lantos' testimony and go on with the Park Service if Mr. Camp is not here yet, but we will make sure he gives his opening statement once he gets here.

Mr. KILDEE. I will wait until that time.

Mr. RADANOVICH. Thank you, sir.

Mr. RADANOVICH. Congressman Lantos, welcome to the Subcommittee. I know you are here to discuss H.R. 532, which is to revise the boundaries of the Golden Gate National Recreation Area in the State of California.

Please begin. Thank you for being here.

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

Mr. LANTOS. Thank you very much, Mr. Chairman, Ms. Christensen, and my good friend, Mr. Kildee.

Mr. Chairman, I want to thank you for your most gracious invitation to sit with the Subcommittee, which I would be delighted to do. I am managing on the floor the State Department authorization bill on the Democratic side, so if you will allow me, I will excuse myself after I make my presentation.

Mr. Chairman, H.R. 532, the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act, is a truly extraordinary piece of legislation which is intended to protect and to preserve a unique national treasure and landscape. We have an historic opportunity, Mr. Chairman, to make a valuable addition to the National Park System at a fraction of the cost to the Federal Government.

GGNRA, the Golden Gate National Recreation Area, is a national treasure. It provides open space and recreation in the midst of a densely populated urban area, and it is one of our Nation's most heavily used national parks. My bill adjusts the boundary of GGNRA to include approximately 5,000 acres of adjacent existing parkland along the Pacific Ocean. The upper parcels of lands offer

spectacular vistas, sweeping coastal and bay views, and stunning headland scenery. Inclusion of these lands, Mr. Chairman, protects the important habitats of several species of rare or endangered plants and animals. It reauthorizes GGNRA and Point Reyes National Seashore Citizens Advisory Commission for an additional 10 years.

Our legislation was considered during the 107th Congress and was passed by both houses. However, because of issues unrelated to GGNRA, the bill was not cleared for final action. In the current Congress, Mr. Chairman and members, Senators Dianne Feinstein's and Barbara Boxer's companion legislation passed the Senate by unanimous consent on April 3, 2003. My House cosponsors include every single member of the Northern California delegation, Ms. Pelosi, Mr. George Miller, Ms. Eshoo, Ms. Lee, Mrs. Tauscher, Mr. Honda, Mr. Thompson, Mr. Stark, Ms. Lofgren and Ms. Woolsey.

This, Mr. Chairman, is a private-public partnership. The Peninsula Open Space Trust, POST, represented today by its president, who has done incredibly valuable things for generations to come, Audrey Rust, purchased the 4,262 acre Rancho Corral de Tierra for \$29.75 million to protect the property from development. Commitments from public and private sources will provide nearly half of the amount. In addition to State funds, the California Department of Transportation will donate approximately 800 acres to our new park.

The National Park Service understandably is concerned that new acquisitions detract from their ability to deal with the enormous backlog of deferred maintenance, and I am very sympathetic to this concern. But we are proposing a remarkable addition at less than half the market value of this incredibly beautiful piece of land. I believe that our Park Service needs to balance its priorities so our great natural parks may be maintained and enhanced so that tremendous opportunities like the one we are presenting are not lost.

Mr. Chairman, the Golden Gate Natural Recreation Area and Point Reyes National Seashore Citizens Advisory Commission has adopted a resolution endorsing this addition. So has the San Mateo County Board of Supervisors, the county in which the area is located. Without this much-needed protection, we will miss this golden opportunity for the Golden Gate. I strongly urge all of my distinguished colleagues to support this legislation.

Thank you, Mr. Chairman.

Mr. RADANOVICH. Thank you, Mr. Lantos.

[The prepared statement of Mr. Lantos follows:]

**Statement of The Honorable Tom Lantos, a Representative in Congress
from the State of California**

Thank you Mr. Chairman and Mrs. Christensen and members of the Subcommittee for the opportunity to be here today to support my legislation the Rancho Corral de Tierra Golden Gate National Recreation Area (GGNRA) Boundary Adjustment Act, H.R. 532.

This is truly an extraordinary piece of legislation intended to protect and preserve an extraordinary landscape. I am thrilled to be here today because I believe we have before us a wonderful opportunity to make a valuable addition to the National Park System at a fraction of the cost to the Federal Government.

Mr. Chairman, the GGNRA is a true national treasure. It provides open space and recreation in the midst of a densely populated urban area, and it is one of our

nation's most heavily used national parks. H.R. 532 would adjust the boundary of the GGNRA to permit the inclusion of lands directly adjacent to existing parkland as well as nearby lands along the Pacific Ocean. The upper parcels of land offer spectacular vistas, sweeping coastal and bay views and stunning headland scenery. Inclusion of these lands would also protect the important habitats of several species of rare or endangered plants and animals.

This legislation was considered during the 107th Congress and was passed by both Houses. However, because of issues unrelated to the GGNRA the bill was not cleared for final action. In this Congress, Senators Dianne Feinstein and Barbara Boxer sponsored companion legislation that passed in the Senate by unanimous consent on April 3, 2003. I am very proud that in the House of Representatives this legislation is cosponsored by my very distinguished Bay Area colleagues, Ms. Pelosi, Mr. George Miller of California, Ms. Eshoo, Ms. Lee, Mrs. Tauscher, Mr. Honda, Mr. Thompson of California, Mr. Stark, Ms. Lofgren, and Ms. Woolsey.

The new additions to the GGNRA will be accessible to more than 6 million people who live within a one hour's drive of the park and will provide national park programs and experiences to millions of national and international visitors. The dramatic ascent of Montara Mountain from the sea, 2000 feet in just over 1 mile, is a spectacular sight not duplicated anywhere else in the Park and in few other places on the California coast.

We can accomplish permanent protection of these lands through a tripartite partnership involving Federal, state and private contributions. I urge the Subcommittee to seize this unique, exciting and significant opportunity for a public-private-partnership to preserve open space. Without this much-needed protection, I have no doubt that this pristine wilderness will soon be lost to housing projects on land that is not suited for housing. And in the not too distant future we will not only lose this great natural resource but undoubtedly the Federal Government will be called upon to pay for the much greater public costs of flood, fire, and landslides resulting from development of this fragile ecosystem.

Three Important New Additions to GGNRA

The Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2003 contains three important additions to the GGNRA. The largest parcel, the Rancho Corral de Tierra addition is one of the largest undeveloped parcels on the San Mateo coast. It is comprised of the four main peaks of Montara Mountain rising 2,000 feet from sea level. This 4,262-acre property includes a panorama of amazing views, important watersheds, miles of public trails, and an incredible array of wildlife and plant life. The Rancho Corral de Tierra shares three miles of boundary with the GGNRA. Its relatively untouched upper elevations preserve rare habitat for several threatened and endangered plant and animal species. The property also contains four important coastal watersheds, which provide riparian corridors for steel head trout, coho salmon and other aquatic species.

H.R. 532 also authorizes the National Park Service to include within the GGNRA the Martini Creek-Devil's Slide Bypass right-of-way, which was purchased by the California Department of Transportation (Caltrans) to build a highway across Montara Mountain. When San Mateo voters overwhelmingly decided in a local referendum in favor of building the Devil's Slide tunnel rather than the Martini Creek Bypass, this right-of-way became obsolete. This property covers approximately 300 acres and divides the Rancho Corral de Tierra property and connects the proposed additions to the GGNRA to existing state parkland, creating a seamless belt of parkland. Once the GGNRA boundary is adjusted through this legislation to include this right-of-way, Caltrans will be able and intends to donate the property to the NPS.

H.R. 532 also authorizes the NPS to include within the GGNRA boundaries approximately 500 acres of land along the Devil's Slide section of Coastal Highway 1, the scenic highway that winds its way along the entire California coast. These properties will make a logical addition to the park by filling in gaps to adjacent and existing State and Federal parkland. Caltrans either already owns or will acquire these lands when it builds the Devil's Slide tunnel and will then donate these properties for open space use after the tunnel is built. It is not the intention of this legislation, Mr. Chairman, to interfere with Caltrans' responsibility for building the tunnel at Devil's Slide. This legislation will simply make it possible for Caltrans or any other state or local agency to donate these properties to the National Park Service when the Devil's Slide tunnel is completed and when the National Park Service has determined that the acquisition of these lands is appropriate.

Private-Public Partnership

Mr. Chairman, the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act provides the Federal Government a unique

opportunity to place approximately 5,000 new acres of pristine land under permanent protection. The Peninsula Open Space Trust (POST) purchased the Rancho Corral de Tierra site for \$29.75 million to save the site from development and to preserve this important natural area. POST is a local land conservancy trust in the San Francisco Bay Area and has a remarkable track record in working with and assisting the Federal Government with the protection of other important open space in the Bay Area. POST has offered to donate a significant amount towards the Federal acquisition of the Rancho Corral de Tierra property through private contributions. I am pleased that POST President Audrey Rust could be here today to testify on behalf of this bill.

Under this legislation, the Rancho Corral de Tierra will be preserved through a tripartite partnership between the National Park Service, California State Parks and the Peninsula Open Space Trust. For the Rancho Corral de Tierra property, we will seek 50% of the acquisition from the Federal Government and 50% through state and private contributions. The other properties will be donated by Caltrans.

Strong Local Support

H.R. 532 enjoys strong local support. The Golden Gate National Recreation Area and Point Reyes National Seashore Citizens Advisory Commission adopted a resolution endorsing this legislation and supporting the addition of these areas into the GGNRA after holding a public hearing and receiving public comment from local residents. The San Mateo County Board of Supervisors also passed a resolution supporting enactment of this legislation. The legislation also has the strong support of local environmental advocacy and preservation groups. The proposed additions were studied by POST in accordance with National Park Service criteria and in consultation with National Park Service staff. The study found that the three tracts of land meet the criteria for additions to units of the National Park Service. The study found that the properties will preserve significant natural, scenic and recreational resources that are equal to or are unparalleled in the Golden Gate National Recreation Area.

Reauthorizes Citizens Advisory Commission

H.R. 532 will also reauthorize the Golden Gate National Recreation Area and Point Reyes National Seashore Citizens Advisory Commission for an additional 10 years. The Advisory Commission has been an invaluable resource for park management since its inception in 1972. It provides an important forum for the gathering and receipt of public input, public opinion and public comment and allows the park to maintain constructive and informal contacts with both the private sector and other Federal, state and local public agencies. The Advisory Commission aids in strengthening the spirit of cooperation between the National Park Service and the public, encourages private cooperation with other public agencies, and assists in developing and ensuring that the park's general management plan is implemented.

Concerns Raised

Mr. Chairman, while this bill was passed in both Houses during the last Congress and has already been passed by the Senate in this Congress, two questions have come to my attention as we approached this hearing. The first is the question of agricultural leases within the park boundary. Approximately 300 acres of land within the proposed boundary expansion are currently leased for agricultural uses. Some concern has been raised about whether those leases will continue. I am pleased that NPS Director Mainella has responded directly to Senator Feinstein's inquiry on this question and indicates that current law allows landowners to reserve agricultural rights for 25 years or life and also allows the NPS to extend agricultural leases beyond the 25-year period.

The other question regarding park additions is their impact on the backlog of deferred maintenance by the National Park Service. I agree that the backlog of deferred maintenance is an important priority and should be addressed. However, I also believe that this priority should not exclude all other priorities particularly when we have an opportunity to make a valuable addition at a bargain rate. I urge the Subcommittee to join with the local and state partners to acquire this valuable property while we have the opportunity. To be sure an opportunity like this will not last long.

Conclusion

Mr. Chairman, preserving our country's unique natural areas is one of our highest national priorities, and it is one of my highest priorities as a Member of Congress. We must preserve and protect these unique and rare areas for our children and grandchildren today or they will be lost forever. Adding these new lands to the GGNRA will provide greater recreational opportunities for the public to enjoy and

will allow us to protect these fragile natural areas from encroaching development or other inappropriate uses which would destroy the scenic beauty and natural character of this key part of the California coast. The California coast is a true national treasure and with your help we can preserve it for the generations that follow us. I strongly urge your support of H.R.532, the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2003.

Thank you.

Mr. RADANOVICH. The Subcommittee welcomes to testify on H.R. 408 Congressman David Camp from the State of Michigan. Dave, welcome to the Committee. Feel free to begin your testimony.

STATEMENT OF THE HON. DAVE CAMP, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. CAMP. Thank you, Mr. Chairman. I appreciate you holding this hearing today and I appreciate the Subcommittee's willingness to consider H.R. 408, which is a bill that I introduced in January that would provide for the expansion of the Sleeping Bear Dunes National Lakeshore in my district.

This legislation represents really the culmination of years of debate on the issue of whether or how to include certain acreage into this part of the park system. I am pleased the former director of the National Park Service, Mr. Jim Ridenour, can be here with me to attest to the significant benefits that H.R. 408 will deliver to residents and tourists alike.

There are two main points I would like to make today. One, the bill will help to protect a pristine, globally rare parcel of land from future development and enhance the scenic beauty of the lakeshore. Second, all interested parties, including the NPS, the current owners of the property, local environmental groups and the community, all support this legislation.

I am pleased to share with the Subcommittee a statement of support submitted for the record by one of the local environmental groups, the Friends of the Crystal River, that have long been involved in attempts to resolve this previous land dispute. I would like to submit their statement for the record.

Mr. RADANOVICH. There being no objection, so ordered.

[The statement of the Friends of the Crystal River submitted for the record follows:]

FRIENDS OF THE CRYSTAL RIVER

P.O. BOX 123

GLEN ARBOR, MICHIGAN 49636

**Testimony of Friends of the Crystal River, Barbara Gilmore Weber,
President, on H.R. 408**

July 11, 2003

Mr. Chairman, members of the Subcommittee on National Parks, Recreation and Public Lands, it is my great pleasure to offer this written support for H.R. 408.

Friends of the Crystal River, a 750 member grassroots 501c3 organization, was formed 17 years ago, in response to a threat of a golf course/residential development being constructed along the river. Our mission was clear. We would explore ways and means of preserving the natural, ecological, historic, recreational, aesthetic and educational values of the Crystal River and its adjacent lands. Expanding Sleeping Bear Dunes National Lakeshore boundaries to include the Crystal riverine land offered to the National Park for purchase by the Homestead Resort accomplishes our

goal and benefits the resort. The Friends, with sheer joy, enthusiasm and relief, support H.R. 408.

Friends, joined by other environmental groups, has truly struggled and fought diligently to have the Crystal preserved. Sierra Club, Michigan Environmental Council, Northern Michigan Environmental Action Council, Trout Unlimited, Michigan United Conservation Club, Friends of the Cedar River, National Wildlife Foundation, Lake Michigan Federation, Izaak Walton League, National Parks and Conservation, Michigan Land Use Institute and the Leelanau Conservancy have joined with us in our mission. Citizens, from nearly every state, as well as citizens living abroad have written to the Friends or to Sleeping Bear Dunes National Lakeshore urging the Park Service to purchase the Crystal River land that is presently for sale.

It has been a long and circuitous journey to finally reach an agreement on the controversial land use. Friends group has been in Michigan's District, Appellate and Supreme Court with our contested case. The Federal Court placed our case under the jurisdiction of the Army Corps of Engineers. U.S. Fish and Wildlife evaluated the Homestead's proposed golf course/residential development and found a golf course to be an inappropriate use of the river land. Residential construction, within the confines of local and state permits, would be allowed. Last year, The Homestead Resort, publicly stated they would no longer consider constructing a golf course. Instead, other options would be investigated: The resort could build on the land, they could sell the property or they could exchange publicly owned park land for a portion of the Crystal River land. The last option met with a loud public outcry. Now, a rare opportunity is ours: The Homestead Resort has offered to sell this exquisite natural resource to the National Park Service. The land parcel contains an internationally and nationally rare dune and swale land formation. The Natural Features Inventory authored for the Michigan Department of Natural Resources (see below) describes the essence of the Crystal River. A picture of the property in question provides additional perspective (see above). Perhaps, a comment offered by a park visitor canoeing the river, best describes the Crystal; "Look at this...you can see right down to the bottom of the river...I've never seen a river so crystal clear."

Thank you for allowing Friends of the Crystal River to offer our support for H.R. 408. We urge you to approve this legislation in a most timely manner. Including the Crystal River parcel within the park boundaries will be a wonderful gift to the citizens of the United States. In turn, the Crystal River will be professionally managed by the Park Service and preserved in perpetuity.

RESPECTFULLY SUBMITTED,

BARBARA GILMORE WEBER, PRESIDENT

FRIENDS OF THE CRYSTAL RIVER

MICHIGAN NATURAL FEATURES INVENTORY

CRYSTAL RIVER

BY

GARY A. REESE, ECOLOGIST

AND

MICHAEL R. PENSKAR, BOTANIST

FEBRUARY 8, 1989

INTRODUCTION

The Michigan Natural Features Inventory (MNFI) maintains a comprehensive and continually updated database on all state occurrences of threatened and endangered plants and animals, as well as lands qualifying as natural areas. In addition to maintaining the database, the program surveys Federal, state and private lands for additional occurrences of these entities. MNFI is a joint venture of The Nature Conservancy and the Michigan Department of Natural Resources (MDNR), under contract to the latter agency.

In February, 1989, MNFI conducted a survey of the Crystal River basin in Glen Arbor Township, Leelanau County, Michigan. This survey included lands owned by

both The Homestead and the National Park Service. This is the site of a proposed golf course and homesite development to which The Homestead has applied for a wetlands permit to the MDNR under provisions of the Goemaere-Anderson Wetland Protection Act, P.A. 203 (1979). This act calls for a review of "the probable impact on recognized...ecological...values" of proposed wetlands projects and a determination of "whether the activity is in the public interest." To this end, the Michigan Natural Features Inventory wishes to have its findings on the ecological values of this project area considered along with other available evidence.

METHODS

The Crystal River area was photointerpreted by the senior author from photos taken August 18, 1938 (USDA B&W BEA-3R-113 and 114), July 26, 1952 (USDA B&W IR BEA-1K-67 and 68), June 19, 1978 (MDNR Color IR 13-33-222 and 223), April 30, 1985 (MDNR Color 36-636 and 637), and June 15, 1987 (MDNR B&W IR 320-19-104 and 105). Multiple imagery allowed for a more accurate determination of wetland/upland boundaries and provided information on past land use which was necessary for judging the natural area boundaries. These boundaries are shown on the accompanying maps titled "Homestead Golf Course, Location and Generalized Vegetation/Topography" and "Homestead Golf Course, Natural Communities and Natural Area."

The presettlement vegetation of this site was determined from U.S. General Land Office survey records. A map entitled "Homestead Golf Course, Presettlement Vegetation" shows the locations and nature of the surveyor's observations in 1850.

Accuracy of the interpretation was field checked on February 5, 1989. Peat depths were taken in each major palustrine plant community type and soil textures determined in the terrestrial types. Plant species composition (primarily of the woody vegetation) was determined for four major topographic zones: ridge, swale, river flats, and swamp. Tree ages were obtained by reading rings on recently cut stumps and increment cores from breast height on live trees. Diameter measurements were also taken to determine size-class distribution of the trees by species.

RESULTS

Site Characterization

The Crystal River area is characterized by conifer-dominated forest on glacial lakeplain representing an old lake embayment. Meandering through this area is the Crystal River (also known as Crystal Run). As this river approaches Lake Michigan, it meanders through swales lying between a repeating series of sand ridges. These sand ridges represent former beach ridges formed during the receding of higher lake levels immediately following glaciation. These ridges are most pronounced approximately one-half mile from the present Lake Michigan shoreline and can be easily viewed from along Highway M-22, near the junction with County Highway 675. Toward the southeast, these ridges become progressively less pronounced, eventually grading into an extensive cedar swamp. This combination of former dune and swale topography associated with a meandering river is unique to at least the Lower Peninsula of Michigan. Further study is needed to determine if a similar occurs in the Upper Peninsula.

The dune ridges are comprised of medium to coarse sand and dominated by conifers in areas which have not had recent logging or clearing. The coniferous trees include northern white-cedar (*Thuja occidentalis*), white pine (*Pinus strobus*), balsam fir (*Abies balsamea*), hemlock (*Tsuga canadensis*), and tamarack (*Larix laricina*), listed in their relative order of dominance. Where white pine has been logged, or where human activities have disturbed the ground, hardwoods are common. These include white oak (*Quercus alba*), trembling aspen (*Populus tremuloides*), sugar maple (*Acer saccharum*), red maple (*A. rubrum*), and paper birch (*Betula papyrifera*).

The swales have organic soils (peat and muck) from 2.5 to over 4 feet deep. In general, the less pronounced the topographic gradient between ridge and swale, the shallower the peat depth. The slopes between the ridges and swales tend to have a muck and sand mix. The swales are dominated by speckled alder (*Alnus rugosa*) and silky dogwood (*Cornus amomum*), with northern white-cedar, white pine, tamarack, sweet gale (*Myrica gale*), shrubby cinquefoil (*Potentilla fruticosa*), and Bebb's Willow (*Salix bebbiana*) as abundant. The latter three species tend to dominate in the more open swales. Where the swales open to the Crystal River, a floodplain shrub-herb community occurs. Swamp rose (*Rosa palustris*), speckled alder and sweet gale dominate, with other swale species as associates. The ground layer in this community is dominated by marsh fern (*Thelypteris palustris*), blue-joint grass (*Calamagrostis canadensis*), and marsh wild-timothy (*Muhlenbergia glomerata*).

Approximately one-half mile southeast of M-22 and south of Co. Hwy. 675, the ridge and swale topography becomes much less pronounced and has mostly organic soils. This swamp is dominated by northern white-cedar with areas of hemlock, underlain by shallow peat over medium to coarse sand. Other important species in the swamp include hemlock, black spruce (*Picea mariana*), tamarack, balsam fir, and paper birch. Old stumps of white pine, many of which display fire scars, are found occasionally throughout the swamp, but few cedar stumps were noted. This is undoubtedly due to repeated windthrows in the swamp, which has prevented attainment of old-growth cedars since presettlement survey time. It must be emphasized that old-growth cedar does not imply large diameter trees. The size and structure of trees that currently dominate the swamp appear to be a good facsimile of the swamp forest that was extant prior to settlement of the area. The many windthrows observed during the site survey also indicate a disturbance regime similar to that mentioned and recorded by the early land surveyors.

Size-class distribution with selected tree aging revealed a primarily second-growth nature of the forest communities. White pines present on the ridges range in size from 18 to 23.5" diameter (at breast height) and are essentially equal to the stump diameter of the trees present when the site was initially logged (prior to the turn of the century). In general, good to excellent regeneration has occurred on ridges which have not received a second cutting in modern times. Northern white cedar on both the ridges and in the swales range from 4 to 8 (up to 13") diameter, representing 40 to 85 years old trees. Cedar and balsam fir (average 7" diameter) have likely become more abundant following logging.

Within the cedar swamp, northern white cedar is extremely dense, windthrown, and predominately even-aged with 7.8" diameters. This corresponds closely to the presettlement character of the swamp. Since the present trees are approximately 65 years old, it is likely that the site was catastrophically windthrown in the 1920's. Presettlement surveyors noted a similar wind thrown nature in 1850. White pine stumps within the swamp are approximately 24" stump diameter, with only minor, local regeneration of white pine.

The site was also examined for the presence of potential habitat for the Michigan monkey-flower, (*Mimulus glabratus* var. *michiganensis* (Pennell) Fassett), a taxon wholly endemic to Michigan and known to be extant at approximately 10 sites. Michigan monkey-flower, currently a candidate for Federal listing by the U.S. Fish and Wildlife Service (Category 2 candidate, Federal Register, Feb. 27, 1985), is known to occur on the shore of Glen Lake, and thus the potential exists for its occurrence in the immediate region. Its habitat is primarily springy seepages on forest edges, cedar swamps, and in small openings along streams and lakeshores. The presence of ice and a snow cover (although relatively shallow) prevented a reasonable assessment of the site for the presence of this specific habitat. However, since populations of this species are well-known to be associated with ancient or modern shorelines of the Great Lakes, the glacial topography of the area, as well as the natural community composition, suggest that potential habitat for this species does exist, but cannot be assessed until spring. Both the river corridor and cedar swamp areas should be closely examined by an experienced, knowledgeable botanist.

Natural Area Significance

The identified natural area is comprised of two natural community types recognized by MNFI, a Wooded Dune and Swale Complex and a Rich Conifer Swamp. There is a total of forty occurrences of the Wooded Dune and Swale Complex in the Lower Peninsula and this community type has provisionally been ranked as "rare" by MNFI. Very few of these occurrences have been surveyed for natural area significance. However, it is the opinion of the authors, based on considerable field experience in Michigan and a cursory examination of historical aerial photos for each occurrence, that this community type has been heavily impacted by logging throughout the state and that few, if any, higher quality and less impacted examples than the Crystal River site exist. The Crystal River occurrence is slightly smaller than average in size, but is well recovered from early human disturbances (e.g., it has good to excellent conifer regeneration following historic logging, has attained essentially similar age structure to that present at logging, and has a tree species composition similar to that reported by land surveyors in 1850). Furthermore, it is unique among occurrences in the Lower Peninsula by virtue of its association with an exemplary aquatic feature, the Crystal River, which courses through some of the interdunal troughs. We consider this occurrence to be important for protection as a natural area under county or regional government jurisdiction. This occurrence is possibly significant for state or Federal Government jurisdiction pending further study of the type in Michigan.

The Rich Conifer Swamp type is provisionally ranked between “rare” and “secure” within Michigan, with comparatively more pristine or near pristine examples known than for the Wooded Dune and Swale Complex. The Crystal River occurrence of this community type is relatively undisturbed by humans, having had only local cutting of white pine (and possibly hemlock) at the turn of the century. There is no evidence of cedar cutting, probably because the swamp was severely windthrown. Present tree species composition and structure is like that reported in the 1850 land survey. Alone, the Rich Conifer Swamp is of significance as a natural area under county or regional jurisdiction.

Upon additional study of Michigan’s other Wooded Dune and Swale Complex occurrences, it is possible that this site could qualify as a Federal Research National Area.

Mr. CAMP. Mr. Chairman, this legislation is simple. H.R. 408 would authorize the National Park Service to purchase 104 acres of property now owned by a private resort community and include it within the boundaries of Sleeping Bear Dunes National Lakeshore. The history behind the bill, however, is complex and deserves some explanation. I think it is important to briefly share with the Subcommittee how we got to the point we are at now with the consideration of H.R. 408.

In establishing Sleeping Bear Dunes National Lakeshore in 1970, Congress gave the Park Service the authority to condemn privately owned land and include it within the park system, and that was a unique approach to that date. The lakeshore was created from roughly 1,600 tracts of privately owned land, and at the time the Federal Government indicated to the private property owners that the land would be protected for the public to enjoy.

The Homestead is a privately owned resort community located in Glen Arbor, Michigan, in my district. The Homestead has been in Glen Arbor for more than 70 years, property owners for nearly than 30 years, and in the mid-1980’s the Homestead purchased the property that is in question that fronts the Crystal River. The U.S. Fish and Wildlife Service describes this property as “globally rare.”

Since the purchase of the Crystal River property, the owners of the Homestead have sought to build a golf course and over 30 single-family homes. The resort’s desire to build on this pristine acreage has caused great concern among a number of community residents and local environmental groups who oppose the development of this property.

To resolve this dispute, the Homestead and the National Park Service began discussions to trade or exchange the environmentally sensitive riverfront property for acreage already included in the lakeshore. However, the only property that is available for exchange was previously privately owned lands that had been condemned. So residents and area environmental organizations rejected the idea of an exchange.

Understandably, opponents of the land exchange argued it would unfairly give land from one private property owner to another. The idea of trading that land to be developed into a golf course and homes was not a policy local residents and environmental groups could endorse, and I agree with them.

Finally, after much negotiation and compromise, a solution has been reached that aims to benefit all the stakeholders. The deal is embodied in H.R. 408, a bill I introduced with Representative Bart Stupak—a similar bill was introduced by him in the last Congress.

He represented this area up until redistricting. H.R. 408 authorizes the Park Service to acquire 104 acres of property currently owned by the Homestead Resort and include it within the boundaries of Sleeping Bear Dunes National Lakeshore. It stipulates the purchase of this land would be made on a willing seller basis. The stipulation was included intentionally to provide assurances to the Homestead that their property will not be taken or withheld from them for any reason without their express consent. The bill also prohibits the Park Service from acquiring the property by an exchange or swap.

At present, there is an independent surveyor who has completed an appraisal of the property and the Park Service is currently reviewing his estimate. I don't have that for you today, but it is expected that a negotiated value of the lands between the Park Service and the Homestead will be determined by the end of this month. By that time the willing sellers, the owners of the Homestead, will ask the Park Service to purchase the property. I am hopeful that the Park Service will be provided the necessary budgetary allowances to buy the property and settle this longstanding dispute that has gone on for many, many years.

But before we get to that final resolution that has alluded these stakeholders for years now, H.R. 408 needs the support of this Subcommittee, and I urge you to support this measure. I appreciate your willingness to consider the merits of this legislation.

Thank you very much.

Mr. RADANOVICH. As was mentioned earlier, please feel free to join us on the dais for the rest of the hearing.

[The prepared statement of Mr. Camp follows:]

**Statement of The Honorable Dave Camp, a Representative in Congress
from the State of Michigan, on H.R. 408**

Thank you Mr. Chairman for conducting this hearing today. I appreciate your Subcommittee's willingness to consider H.R. 408, a bill I introduced in January that would provide for the expansion of the Sleeping Bear Dunes National Lakeshore. This legislation represents the culmination of years of debate on the issue of whether, or how, to include certain acreage into the Park Service system. I am pleased that the former Director of the National Park Service (NPS), Mr. Jim Ridenour could be here with me to attest the significant benefits that H.R. 408 will deliver to Michigan residents and tourists alike.

There are two main points that I would like to make today. One, this bill will help protect a pristine, globally rare, parcel of land from future development and enhance the scenic beauty of the Lakeshore. Two, all interested parties including the NPS, the current owners of the property, local environmental groups, and the community all support this legislation. I am pleased to share with the Subcommittee a statement of support submitted for the record by one of the local environmental groups, the Friends of the Crystal River, that have long been involved in attempts to resolve this previous land dispute. I would like to submit their statement for the record.

Mr. Chairman, this legislation is simple; H.R. 408 would authorize the NPS to purchase 104 acres of property now owned by a private resort community and include it within the boundaries of the Sleeping Bear Dunes National Lakeshore ("Lakeshore"). The history behind the bill, however, is complex and deserves some explanation. I think it is important to briefly share with the Subcommittee how we got to the point we are now with the consideration of H.R. 408.

In the mid-1980's The Homestead, a privately owned resort community located in Glen Arbor, Michigan, purchased property that included frontage on the Crystal River. The U.S. Fish and Wildlife Service describes this property as "globally rare." Since the purchase of the Crystal River property, the owners of The Homestead have sought to build a golf course and over 30 single-family homes. The resort's desire to build on the pristine acreage caused concern among a number of commu-

nity residents and local environmental groups who opposed development of the property.

To resolve the dispute, The Homestead and the NPS began discussions to trade, or "swap", the environmentally sensitive riverfront property for acreage already included in the Lakeshore. However, residents and area environmental organizations soundly rejected the idea of a swap. Opponents of the swap idea argued that it would unfairly give land from one private landowner to another. Back in the 1970's the Federal Government condemned private land and included it in the Lakeshore. At the time, the Federal Government indicated to the private landowners that the land would be protected for the public to enjoy. The idea of trading that land to be developed into a golf course and homes was not a policy local residents and environmental groups could endorse.

Finally, after much negotiation and compromise, a compromise has been reached that aims to benefit all stakeholders. The deal is embodied in H.R. 408, a bill I introduced with Representative Bart Stupak. The legislation authorizes the Park Service to acquire approximately 104 acres of property currently owned by The Homestead resort and include it within the boundaries of the Sleeping Bear Dunes National Lakeshore. H.R. 408 stipulates that the purchase of this land be made on a "willing seller" basis. This stipulation was included intentionally to provide assurances to The Homestead that their property will not be taken or withheld from them for any reason without their express consent. The bill also prohibits the Park Service from acquiring the property by an exchange or "swap".

At present, an independent surveyor is performing an appraisal of the property. It is expected that the appraised value of the land will be determined by the end of this month. At that time, the willing sellers, the owners of The Homestead, will ask the NPS to purchase the property. I am hopeful that the NPS will be provided the necessary budgetary allowances to buy the property and settle this longstanding dispute. Before we get to a final resolution that has eluded these stakeholders for years now, H.R. 408 needs the support of the Subcommittee. I urge you to adopt this measure and I appreciate your willingness to consider the merits of this important legislation. Thank you.

Mr. RADANOVICH. With that we will move on to Mr. Kildee. Did you have an opening statement?

STATEMENT OF THE HON. DALE E. KILDEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. KILDEE. Just briefly. First of all, Mr. Camp is in the long bipartisan tradition of this beautiful, beautiful area of this Michigan Sleeping Bear Dunes National Lakeshore—I see in the audience former Congressman and former Senator Don Riegle, who was elected to the seat I hold now, in 1966 to the House and 1976 to the U.S. Senate. Don has played a great role in this.

This has been a bipartisan concern for many, many years. This is an opportunity to acquire one of the most beautiful pristine pieces of lands. The bill is bipartisan. The people of Michigan are for it. We were very fearful this would be developed. Now we have a chance to make this part of the Sleeping Bear Dunes National Lakeshore. It will be a wonderful, pristine addition. Thank you, Mr. Chairman.

Mr. RADANOVICH. Thank you, Mr. Kildee.

Mr. RADANOVICH. Mr. Souder.

STATEMENT OF THE HON. MARK E. SOUDER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. SOUDER. Thank you very much. As a fellow sponsor of the bill and one who believes we don't put enough dollars into preserving Midwest lands, I hope that we also pay special attention

to this not only in authorizing but in appropriations. But I wanted to make a couple of additional comments, because I am very frustrated that the land swap didn't go ahead. I would like to make a couple of comments in the record.

We have so few dollars, I have for the last two sessions tried to bump up the national parks' dollars, and we are trying to do it again this year. We came in at least initially under the President's budget. We have this big backlog in Indiana Dunes and National Lakeshore. We have many parcels of property where they authorized, but we have not been able to come up with the dollars from Congress to buy that land; landowners are sitting there holding the land, can't sell it.

In this particular case, the arguments, in my opinion, that were made—and I have vacationed up in that area for 30 years, watched the national lakeshore develop, I have walked this land—I do not believe it is an accurate reflection to say that the land that was in question for this swap was environmentally sensitive land. Most of it already can be sprayed. Much of it is at the sign at the front, and most of the people who visit that national lakeshore would be astounded to learn it is actually national parkland anyway.

Nobody disagrees that the Crystal River should be preserved. It is a beautiful area. It would be a disaster to build condos in that area, because there are very few places where you can canoe in that pristine area.

But it is in effect false for some of the environmental groups to have said that this is somehow not a land swap. By taking the 7 million to 9 million most likely that it will cost to buy this, means we can't buy other land in the United States. Instead of buying land that may have been more valuable than the land that is in question here, we are now not going to protect other land in America or in the Midwest or in the Sleeping Bear Dunes National Lakeshore area. Because it is a zero sum game. There are only going to be so many dollars we have, and if we spend the dollars to buy, if we could have taken not valuable land for the National Park Service and swapped it, we add other things to either Sleeping Bear or the other parks in Michigan or the lakeshore. So it is still a land swap, it is just a different kind of land swap.

I also have some concerns that I know for a fact that some of the individuals who were most objecting to the land swap have protected land. There were agreements when we put Sleeping Bear together, just like Indiana Dunes, because Sleeping Bear isn't as complicated as Indiana, but almost. It is not as urban. Some people were grandfathered in. Some of those people are in an area complaining, but they didn't give up their land.

The one farm in question that the original owner of the land differs some from their children is definitely, as the Congressman from that area said, a sticky wicket, so to speak. There is no way, given the community opposition, that you could have really done anything else, and I understand that and respect that. But I think it is important for the record to show this is still a land swap; it is just different land. And the dollars we are necessarily going to spend here, which absolutely should be spent—and, in my opinion, is one of the only requests that will be coming from the Midwest for dollars for more land buying, and we ought to have it as a pri-

ority in our bills—nevertheless, it disappoints me that in this case we could not do a swap, and instead are winding up having to buy this rather than other land in the area that needs to be under protection.

Mr. CAMP. Well, I appreciate your comments. I certainly hope you will vacation there this summer as well. I also want to acknowledge Senator Riegle's support and help in trying to craft this compromise.

I would ask if we could make the case in Appropriations and compete with the other requests that are there, but this is really unique in the way this lakeshore was set up. They condemned privately owned lands. Those descendants are still in the area who no longer can live on land that is theirs. Then to see it be transferred to another private property owner is unacceptable. You can see why that just would not work.

So most national parks, as this Committee is well aware, were created by donations of large tracts of lands by families or corporations or willing sellers. This lakeshore was created by condemnation, with unwilling sellers. So that is why it is somewhat unique. And this has gone on for many years, long before I represented this area, and I know Bart Stupak worked mightily to try to resolve this as well. It looked as if the exchange was something that might work. When you realize the Federal Government would be in the position of taking from one person and giving to another private property owner, that is a problem we faced that is somewhat unique.

Mr. SOUDER. The land in question was not condemned.

Mr. RADANOVICH. Mark, we are running out of time here. I am sorry. Dave, I want to thank you. You are more than welcome to join us up here.

I recognize Mr. Cardoza to speak on H.R. 1289.

STATEMENT OF THE HON. DENNIS A. CARDOZA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. CARDOZA. Thank you, Mr. Chairman.

Mr. Chairman, I want to welcome my good friend, Carol Tomlinson-Keasey, and thank her in advance for her enthusiastic testimony on behalf of UC-Merced.

I want to thank you, Mr. Chairman, for moving forward on this measure. This is an important measure, not only for my district, but for all people who care about maintaining our good resources. Your work in this area is really fantastic. I am pleased to have joined with you on this measure, H.R. 1289.

The National Parks Institute as envisioned by H.R. 1289 will provide the National Park Service a dedicated location from which it can train high-level facilities managers, promote scientific research and environmental stewardship, and develop sustainable resource management practice that can be shared worldwide.

Currently, as the National Park Service does not have a facility to accommodate these diverse goals, UC-Merced's unique position as an emerging educational institution provides each partner with complimentary services for the greater good of our natural treasures.

UC-Merced, as our Nation's first research university of the 21st century, is a perfect partner to assist the National Parks Institute in meeting the unique challenges of the 21st century, from resources issues to management issues to research issues.

The University of California system as a whole has a reputation across the United States as a world-class, state-of-the-art educational system. Locating a National Parks Institute at the campus in Merced will allow the Park Service and its affiliates the opportunity to partner with the university in structuring a program that meets the Park Service's needs. It will also provide the Service with the ability to access the most current and credible information when deciding complex resource management issues which they face on a daily basis.

But the National Parks Institute is not just about UC-Merced and the National Park Service. Instead, I believe this institute will foster a much wider appreciation for our national parks and will help to develop a shared set of values focused on sustainable resource management and environmental stewardship.

As a Representative from the area with some of the world's worst air quality, I have long been an ardent supporter of innovative ways to address my district's air quality dilemmas. As referenced in Chancellor Keasey's testimony, which I have had an opportunity to review, identifying the specific sources of contaminants and studying their interaction with our natural resources is a vital first step in improving air quality.

I am grateful that the Chancellor is here today working on this particular research project. I look forward to the product of this cooperative agreement between UC-Merced and the National Parks Institute.

As has always been my position, that the establishment of UC-Merced in California's Central Valley is essential to providing underserved population groups an important opportunity to attend a first-class educational institution, I support the National Parks Institute in its conception and because it falls in line with the educational, scientific and environmental goals set forth by UC-Merced's mission statement.

Mr. Chairman, I very much appreciate, as I said before, your having the Chancellor here and working on this issue. I look forward to working with you on it.

Mr. RADANOVICH. Thank you, Mr. Cardoza. I appreciate the opening statement.

Mr. RADANOVICH. With that, we will move on to Panel 2, which consists of Dan Smith, the Special Assistant to the Director of the National Park Service here in Washington, D.C. Dan, good afternoon. You are here to speak on H.R. 408, H.R. 532, and my bill, H.R. 1289. You have 5 minutes to do it, so get going.

STATEMENT OF DAN SMITH, SPECIAL ASSISTANT TO THE DIRECTOR, NATIONAL PARK SERVICE, WASHINGTON, D.C.

Mr. SMITH. Mr. Chairman, I will try to do that. I will summarize.

Mr. Chairman, thank you for the opportunity to testify on H.R. 408, a bill to provide for the expansion of Sleeping Bear Dunes National Lakeshore to include selected acreage along the Crystal River. The Department supports efforts to protect Sleeping

Bear Dunes National Lakeshore. However, in order to meet the President's initiative to meet the deferred maintenance backlog, we must continue to focus our resources on caring for existing areas in the National Park System. Therefore, we recommend deferral of this legislation during the 108th Congress.

Mr. Chairman, H.R. 408 would redraw the boundary of the 71,192-acre lakeshore and include in that boundary 104.45 acres that encompasses interesting wetland riparian upland habitat along the Crystal River. The land appraisals have not been completed for this acquisition. However, the estimate is between \$7 million and \$9 million.

There was an attempt to do a land exchange here. For the reasons that have been talked about, that was not successful, and thus this legislation was proposed as a solution for the protection of this property.

The existing National Park System has more demands on it than ever before. Since 1991, 34 new units have been added to the system. These units alone in fiscal 2003 add \$25.6 million to the system's operating budgets, over \$30 million in unfunded operational needs, and over \$265 million in unfunded one-time projects. Our focus now, though, is to take better care of the natural, cultural, and historic resources and visitor facilities already in the system, and that is why we request deferral.

Mr. Chairman, that concludes my remarks on 408. I look forward to answering questions.

[The prepared statement of Mr. Smith follows:]

**Statement of P. Daniel Smith, Special Assistant to the Director,
National Park Service, U.S. Department of the Interior, on H.R. 408**

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 408, a bill to provide for the expansion of Sleeping Bear Dunes National Lakeshore to include selected acreage along the Crystal River.

The Department supports efforts to protect Sleeping Bear Dunes National Lakeshore. However, in order to meet the President's Initiative to eliminate the deferred maintenance backlog, we must continue to focus our resources on caring for existing areas in the National Park System (NPS). Therefore, we recommend that the Committee defer action on H.R. 408 during the 108th Congress.

H.R. 408 would redraw the boundary of the 71,192.60-acre Lakeshore to include a parcel of land that is contiguous to the existing Lakeshore. The 104.45-acre parcel encompasses 6,300 feet of frontage on the Crystal River and contains wetland, riparian, and upland habitat for a variety of species within mixed northern forests. The land appraisals have not been completed, but the estimated cost of acquiring the private land is between \$7-9 million dollars.

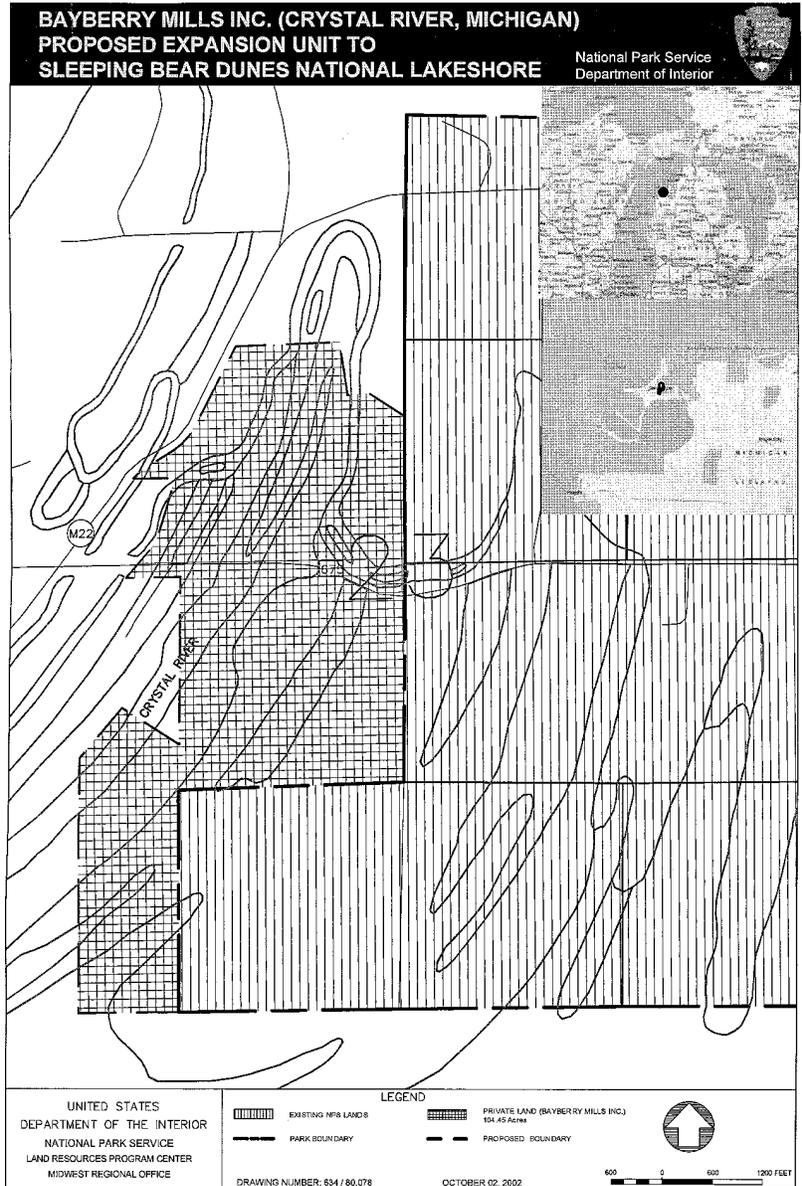
The private landowner first proposed development, including a golf course and homes, on the parcel in the late 1980s. To protect the parcel from development, several land exchange alternatives have since then been considered by the NPS and interested parties. However, for a variety of reasons, an agreed upon exchange could not be reached. The interested parties wished to acquire NPS land that was not suitable for exchange since NPS had previously acquired it through condemnation. In addition, through the General Management Plan scoping process, 87 percent of the 850 comments received expressed opposition to any type of exchange involving NPS lands. Comments were received from local entities, interested organizations, visitors, and the general public. This legislation was proposed as a solution for the protection of the property.

The existing National Park System has more demands on it than ever before. Since 1991, 34 new units have been added to the System. These units alone in FY 2003 add \$25.6 million to the System's operating budget, over 30 million in unfunded operational needs, and over \$265 million in unfunded one-time projects. In addition, we have expanded a number of units over that time period. Expansions also can bring with them increases in operational costs and maintenance needs. These units and expansions include important resources that we as Americans rec-

ognize as nationally significant. Our focus now though is to take better care of the natural, cultural, and historic resources and visitor facilities already in the System.

The Department of Justice has advised that Section 1(c)(2) of the bill, as introduced, violates the Recommendations Clause of the Constitution. In addition, the Fiscal Year 2004 budget request has already been submitted. We recommend that this section be removed.

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



Mr. SMITH. H.R. 532, a bill to revise the boundaries of the Golden Gate National Recreation Area and to extend the term of the advisory commission for the recreation area. H.R. 532 would facilitate a partnership effort between the State of California and the Federal Government to protect and make available for public use over 4,700 acres of coastal mountain lands south of San Francisco.

We recommend that the Committee defer action on H.R. 532 during the 108th Congress for the same reasons I just expounded upon for H.R. 408. The proposal at Golden Gate would entail approximately \$15 million in Federal expenditures and unknown amounts of operational, maintenance and facility costs.

H.R. 532 would also extend the Golden Gate National Recreation Area Advisory Commission for 10 years. The Department has no objection to this portion of the bill. However, we would at some time like to discuss with the Congress the whole situation of Federal advisory commissions and when they ever do go out of business, this will be an extension to carry this commission on into a 40-year time period, and we think that needs to be looked at as an overall issue.

The Corral de Tierra property includes 4,200 acres. The property was acquired by the Peninsula Open Space Trust for \$29.7 million. POST is holding the land in anticipation of having it included within the boundaries of Golden Gate and conveying it to the Park Service, and it is being looked at in a coordinated effort with the State. However, the land is currently protected because of POST's acquisition in 2001.

The addition to Corral de Tierra also includes 461 acres of land known as Devil's Slide which would be conveyed from Cal-Trans. We have concerns about that. The reason Cal-Trans is building a tunnel is this is a slide area, and even though, as some people say, it does have recreational value, the Park Service responsibility for keeping that open is a concern to us.

The bill also has included in it 232 acres of agricultural lands, and we realize there are concerns about drawing a boundary around that land and we would work with the Committee to clarify any of those concerns.

Mr. Chairman, if the Committee does expand the boundary for the Golden Gate recreation area, we do wish to submit a new reference map which we think will more clearly delineate the recommendations we have made in this legislation.

[The prepared statement of Mr. Smith follows:]

**Statement of P. Daniel Smith, Special Assistant to the Director,
National Park Service, U.S. Department of the Interior, on H.R. 532**

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 532, a bill to revise the boundaries of the Golden Gate National Recreation Area (NRA) and to extend the term of the advisory commission for the recreation area.

H.R. 532 would facilitate a partnership effort between the State of California and the Federal Government to protect and make available for public use over 4,700 acres of coastal mountain lands south of San Francisco that have exceptional natural, scenic, and recreational values. These lands would be an appropriate addition to Golden Gate NRA. However, we recommend that the Committee defer action on H.R. 532 during the 108th Congress. The Department supported similar legislation last Congress but, because of the major priority the Administration has placed on reducing the National Park Service's backlog of deferred maintenance, we have been taking a closer look at proposals that could divert resources from that effort. This

proposal would entail \$15 million in Federal land acquisition costs along with an unknown amount of operation, maintenance, and facility costs.

The existing National Park System has more demands on it than ever before. Since 1991, 34 new units have been added to the System. These units alone in FY 2003 add \$25.6 million to the System's operating budget, over 30 million in unfunded operational needs, and over \$265 million in unfunded one-time projects. In addition, we have expanded a number of units over that time period. Expansions also can bring with them increases in operational costs and maintenance needs. These units and expansions include important resources that we as Americans recognize as nationally significant. Our focus now though is to take better care of the natural, cultural, and historic resources and visitor facilities already in the System.

H.R. 532 would also extend the Golden Gate NRA Advisory Commission for 10 years. The Department has no objection to this portion of the legislation.

Golden Gate NRA was established in 1972 by Public Law 92-589 "...to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties..." and was expanded to include lands within San Mateo County in 1980. Located at the center of a metropolitan area of more than eight million people, a major factor in the significance of Golden Gate NRA is its ability to provide national park experiences to unprecedented numbers of local, regional, national, and international visitors.

H.R. 532 would expand the boundary of Golden Gate NRA to include lands known as the Rancho Corral de Tierra and the Devil's Slide area, expanding the portion of the NRA within San Mateo County. Along with protecting an unusually large piece of significant scenic and ecological resources that are linked to existing parklands, the addition of these properties would provide the NRA with a logical and understandable southern boundary.

The Corral de Tierra property includes 4,262 acres and contains the headwaters and most of the watershed of the four major coastal stream systems, providing riparian habitat for a number of threatened and endangered animal species, and a scenic backdrop that visually distinguishes the San Mateo mid-coast region. The peaks of Montara Mountain rise to more than 1,800 feet just two miles from the water's edge, providing some of the most spectacular panoramic views to be found in northern California. This property was acquired by the Peninsula Open Space Trust (POST) in 2001 for \$29.7 million. POST is holding the land in anticipation of having it included within the boundaries of Golden Gate NRA and conveying it to the National Park Service and/or other public land management agencies for \$15 million from the Federal Government and \$14 million from the State of California. The state's contribution is contingent upon a matching Federal contribution to the purchase.

In addition to the Corral de Tierra property, H.R. 532 would also include within the boundaries of Golden Gate NRA approximately 461 acres of land in the area known as the Devil's Slide. These lands are associated with plans by the California Department of Transportation (Caltrans) to reroute Highway 1 through a new tunnel that is to be constructed in the area.

These proposed additions to the recreation area were the subject of a boundary study conducted by POST in May 2001, in consultation with National Park Service staff, which found that these properties meet the criteria established by the National Park Service for addition of land to units of the National Park System. The properties include many old trails and farm roads that could be easily adapted to recreational use, which could become the principal visitor activity within the area, and would provide trail links to state and county parks in the area. In addition, these lands would be of great value through their role in protecting important wild-life habitat and maintaining the integrity of scenic views.

The Corral de Tierra parcels contain 232 acres of active agricultural land that is farmed under a lease agreement with POST. POST, the current agricultural tenant, and the community would like this activity to continue. The National Park Service would also like this use to remain, as we believe that the agriculture lands are part of the cultural landscape of this area. Section 317 of P.L. 95-625 provides for continued use for agricultural, ranching or dairying purposes with respect to lands purchased for the NRA and would apply to the new addition.

H.R. 532 also extends the term of the advisory commission for the recreation area for 10 years from the date this legislation is signed into law. The advisory commission was established by the same law that created the recreation area in 1972 and serves to provide for the free exchange of ideas between the National Park Service and the public. The 30-year term for the commission expired on October 27, 2002.

If the Committee decides to act on the boundary expansion portion of H.R. 532, we recommend amending H.R. 532 to substitute a new map reference. The new map excludes the "Devil's Slide Tunnel alternative" from the boundary. H.R. 532

as introduced excludes a portion of this area from the boundary, but does so through the text of the bill rather than by delineation on the map. We think there will be less confusion about the boundary over the long run if the new map reference is used in the legislation. This change would conform the language of H.R. 532 to that of S. 302, companion legislation that the Senate passed on April 3, 2003.

That concludes my testimony. I would be glad to answer any questions that you or the members of the Subcommittee may have.

Mr. SMITH. The final bill, Mr. Chairman, is H.R. 1289, a bill to establish a National Parks Institute at the University of California, Merced. H.R. 1289 would authorize the Secretary of the Interior to establish a National Parks Institute on the campus of the University of California, Merced.

Mr. Chairman, this is a very interesting bill in the concept that it looks at, especially to have shared funding between the university and the Park Service, basically a 50-50 match. However, Mr. Chairman, I cannot present a position for the administration at this time, and we will try to coordinate and communicate that position to you as soon as possible following this hearing.

That concludes my statement, Mr. Chairman. I look forward to answering questions on all three bills.

[The prepared statement of Mr. Smith follows:]

**Statement of P. Daniel Smith, Special Assistant to the Director,
National Park Service, U.S. Department of the Interior, on H.R. 1289**

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 1289, a bill to establish a National Parks Institute at the University of California, Merced.

H.R. 1289 would authorize the Secretary of the Interior to establish the National Parks Institute on the campus of the University of California at Merced. The bill provides for the institute to be jointly administered by the National Park Service and the University of California, Merced. The legislation also provides the Secretary with authority to enter into contracts and cooperative agreements, acquire or construct a facility, and accept donations from private parties and transfers from other Federal agencies. It calls for Federal funding for the institute to be matched equally with non-Federal funding.

Mr. Chairman, we cannot present a position on this bill at this time. This is an important issue, and we were unable in the time before the hearing to develop a coordinated Administration position on the bill. We appreciate your efforts in introducing this legislation and assure you that we will communicate our position to you in writing shortly.

Mr. RADANOVICH. Thank you very much, Mr. Smith.

Let me start off with a couple of questions. One would be on 1289. I understand the Park Service or the Department of Interior did not take a position on it as of right now, I think in particular due to issues of training programs and what is offered currently by the Department of Interior and what might be offered through something as a Parks Institute at UC-Merced. I look forward to the fact that I think those are minor issues that can be worked out between this hearing and the markup of the bill, so that at least I anticipate Interior's support of this bill, at least by the time it gets there.

I am sure that you will continue to work with us to try to achieve that by the time we get into markup.

Mr. SMITH. Mr. Chairman, I am here to make that commitment to you. It was because of a major program within the Department to look at all the human resource capital and training needs of how

this would fit in. It looks at agreements we have all over the country with universities. This is such a far-reaching proposal, which you are aware of what this could move toward, and we do need some type of a look-see at what the possible costs would be, how actually it would operate and that type of thing. Between OMB and the Department, well, we were not able to get to that level of specificity, and we need to work on that in the very short future.

Mr. RADANOVICH. I would look forward to working with you and the Department of the Interior. Thank you.

Mrs. Christensen.

Mrs. CHRISTENSEN. Hello, again.

Mr. SMITH. Good to see you.

Mrs. CHRISTENSEN. Yes. Let's see, the question about the maintenance backlog, I guess that is what has been the obstacle to really supporting 532 and 409, am I correct?

Mr. SMITH. That is correct; and other bills, I might add, Mrs. Christensen.

Mrs. CHRISTENSEN. You did support the legislation, 532, when it was introduced in Congress last year and the maintenance backlog was presumably higher since we have been making some progress. What is the difference between last year and this year?

Mr. SMITH. Technically it is what has just happened in the past several weeks with the submission of the report on the Park Service accomplishments, and I imagine you read about it in the paper. We really are in a budget climate where the funds for the Park Service have to include all of our operational costs, have to include some land acquisition. There just is a push by this administration, by this President, to really address the backlog costs in his budget this year in the level of funds that he asked for for that to stay within the cap that Congress works at. We are just aware this also is an accompanying land acquisition backlog that is running parallel with that.

Mrs. CHRISTENSEN. Let me ask a question that has to do with another Committee that I serve on. To what extent is Homeland Security spending—because I understand the Park Service spends quite a bit daily when we go up to an Orange Alert—to what extent does that impact you? It is about \$64,000 a day?

Mr. SMITH. I don't have the figures on that. It can be that per day when the country goes into Orange, and that is mostly because of the icons, such the Statue of Liberty and here in Washington. Those costs, as shared by other agencies of government in the law enforcement realm, do carry a cost to the Park Service, and I can get that number for you if you would like, Mrs. Christensen.

Mrs. CHRISTENSEN. OK.

Mrs. CHRISTENSEN. On 1289, you spoke briefly about relationships you have to other universities and colleges. Is this similar to some of those?

Mr. SMITH. There actually is in place with the University of California at Merced a wonderful MOU involving Yosemite, King's Canyon and Sequoia National Parks. This would build on that. But the Park Service probably has 12 to 15 interesting MOUs around the country to get such things as concessions help. We work under contract with the University of Indiana under contract. There are many of these kinds of arrangements around the country.

This one in concept, as it has been discussed, actually is a further thought than what has been there before. It would have a research component, a training component, and really a very far-reaching type of National Park Service executive training involved. So this is really a step beyond anything that has been attempted before.

Mrs. CHRISTENSEN. In the MOUs that exist now, there is cost-sharing involved in some of them?

Mr. SMITH. Very much so, yes.

Mrs. CHRISTENSEN. I have some more time. Let me ask a question about 408. Would you know why 408 prohibits the use of an exchange or conveyance as a means of acquiring a property?

Mr. SMITH. It has been touched on today. Actually, in the general management planning process which we halted for other reasons, the public did comment rather lengthily on this, and it was the perception that land that had been condemned from another owner should not come to an owner now who would develop it.

I would tell you this: I was in Sleeping Bear Dunes last year right about this time, saw the maps that were proposed for that exchange, and at the park level it was an exchange that would have worked very well for the National Park Service as far as being able to provide recreation and natural opportunities for the public and also let the developer do what he needed to do to develop the property adjacent to the property he already has in the sea shore. But, again, public comment and because of its past history of condemnation, that exchange failed after almost 2 years of very hard work and an awful lot of people.

Mrs. CHRISTENSEN. Can you describe for us the development proposed for this site and how it would impact the lakeshore if it was completed?

Mr. SMITH. As I understand it now, Mrs. Christensen, it is no longer a golf course. It is to do—I don't know the exact acres—but it is to do 25 to 30 very upscale homes, so it would be a residential community.

Mrs. CHRISTENSEN. And the impact on the lakeshore?

Mr. SMITH. The lakeshore, it is along Crystal River which empties into the lakeshore. This property is not immediately adjacent to the lake. I imagine in getting the permits that the developer has gotten, there are setbacks and that type of thing. The only thing could be possibly in some of the water quality. But I am sure the State and local environmental things have made sure that that has been minimized. So no huge impact, except this is something people would like to keep open for recreational use rather than development.

Mrs. CHRISTENSEN. I see my time is up. I know we are short of time.

Mr. RADANOVICH. Mr. Souder?

Mr. SOUDER. You heard the reference to Indiana University that Mr. Ridenour worked with, and I hope as we develop a good strong concept for national park training and so on, you will work with the existing universities that have been worked with for a long time. I want you to know that I have a personal interest in that.

Mr. SMITH. We will, very closely.

Mr. SOUDER. Second, regarding the land swap question, I think that the point on the difference between the Crystal River and the lakeshore, the lakeshore is really a little bit misnamed in the sense it has come to encompass the Platte River and the Crystal River and some of the water systems that come into the lakeshore as well. There were two types of developments being argued, one over on the Crystal River, which is still potential if we don't purchase the land; and the second is what would he have done if he would have done the lands swap, which would have been a minimal impact on the lakeshore, and contrary to public opinion, you could not see it from the water and other things.

Does the National Park Service—are there other places in the United States where you have condemned lands to add to the national lakeshores and recreation areas and parks?

Mr. SMITH. Yes, there are, Congressman. Having had knowledge of that for years, condemnation is by far the last way we should ever resort to, and Congress has not gone that way in quite a long time. The Cuyahoga National Recreation Area, now national park in Ohio, had condemnation. There has been minimal use, but it has been used on the Appalachian trail, and it was used on several of the lakeshores because of configuration.

I would personally say condemnation should be a very last resort that the Congress should ever use because of the way people hold property dear in this country.

Mr. SOUDER. But wouldn't you agree—the westerners on this Committee certainly would—in the case of Indiana, Dunes National Lakeshore where I was with Senator Coats in working with it, that there is a very fine line? Sometimes there is an absolute condemnation which tends to occur after you have a checkerboard pattern.

We often in Congress endorse an area, there are private land holdings inside, and as they see their usage restricted, we would kind of have involuntary selling, and then we never allocate the funds with which to get the land.

If you can't put a pizza parlor on it and you have a piece of Dune, like one of the cases in Indiana, whether that has been condemned or kind of, what, marginally condemned because you were part of a checkerboard, it is a fine line here.

In other words, if we set the pattern that we are never going to do land swaps in the United States because something has been condemned or pressured into somebody, we have in effect restricted the ability of the Park Service long term. While I strongly support this legislation, because it is the only way to do it in reality because the public has gotten so whipped up about it, but we have to make it clear this is not an absolute precedent in any way that the National Park Service can't do swaps or we have really tied our ability to add valuable land in the future. Would you agree?

Mr. SMITH. I would agree. And land exchanges have to remain a tool for lands acquisition for the Park Service. It is a very valuable tool. This one was complicated by this condemnation factor, Congressman. But your statement is correct.

Mr. SOUDER. Do you see that out of the administration that for the rest of this session and possibly into the next, the administration, particularly OMB, is going to oppose every proposal that comes up? Or would it be a quality of judgment?

Mr. SMITH. Case by case. But I have been up four times this year, and I have asked deferral except for every bill except one, and that was recently on Johnstown Flood, because a group that tried as a nonprofit to run a very valuable historic property had gone bankrupt and we felt we had to take action. So it is case by case, but we are trying to send a signal, it is very serious, that you do look at the backlog as your first priority at this time.

Mr. SOUDER. One last thing. To reinforce Congresswoman Christensen's point, I chair a Subcommittee over in Government Reform where we do oversight, and I would like the data in general terms broken out on Homeland Security, because we will probably be doing an oversight hearing related to these questions of just in approximate dollars—you alluded to the one figure being Orange.

What are the differences in law enforcement costs since 9/11? And if you could also relate it, because we have also control over all of the narcotics, what the increasing pressure on the parks is. If you can't get it here, we will be asking in another forum where we do direct oversight and have an obligation to get those kinds of figures; because we, in my opinion, when we are looking at our national parks appropriations, need to somehow figure out the homeland security and the increasing narcotics problems, which may be the problems of other agencies, and what support they should be giving or how we should be accounting it in the appropriations process. Because we are not only losing ground in the backlog—some of these spaces, these individual groups may hold them for a while—but there is going to be impatience of the landowners, like the people at the Homestead, or Golden Gate or other areas too, they are not going to hold it indefinitely if we don't take action.

Mr. SMITH. Yes.

Mr. RADANOVICH. Thank you, Mr. Souder.

Mr. Kildee?

Mr. KILDEE. I yield my time to my colleague, Mr. Camp.

Mr. CAMP. I thank the gentleman for yielding. Mr. Smith, part of my question I think you already answered with the number of deferrals. For the most part you have come to this Subcommittee and recommended in virtually every case but one that the proposal be deferred.

I think in context, the Midwest has historically been underfunded in these sorts of purchases compared to other parts of the country. But one point I would like to make, and I would like to get your comment, I think it is very important that national parks and lakeshores be good neighbors. And having been representing this area for a short time, but having come to learn the depth of the feeling and the difficulty this issue has caused the community, I think there really is something to be said for allowing the lakeshore to remain a good neighbor, resolving some of the concerns and disputes that go back to the seventies, when this was the first lakeshore, using the process of condemnation of private property in the country, and the longstanding problems that have resulted from that. The community has come together, at least in some sort of fashion, to try to seek a resolution. And I guess I would just ask that that be considered as we try to move forward in resolving what has been a very longstanding concern.

So I would like to work with you. If I could have your cooperation on that, maybe working with your great local manager there, Dusty Shultz, who does a super job—working together, maybe you can come visit and maybe join me with some of my meetings with local citizens to hear their concerns firsthand. I would certainly appreciate it.

Mr. SMITH. I appreciate that invitation. I was lucky enough to go up twice last year and met a lot of those constituents. It is a wonderful group of people, and I will report back that I need to get back there for this exact reason, Mr. Camp.

Mr. CAMP. We had a couple of issues last year that hopefully we will not be revisiting soon. This would be a little different approach, I hope.

Mr. SMITH. As I said, I think we can go back up with a little bit calmer minds. I understand things are moving along well in the seashore, and that GNP did need to be stopped, and I am glad that the Department took that action.

Mr. CAMP. Thank you.

Thank you, Mr. Chairman.

Mr. RADANOVICH. Thank you, Mr. Camp.

Mr. Cardoza, any questions?

Mr. CARDOZA. Yes. Thank you, Mr. Chairman.

Mr. Smith, I am somewhat disappointed that your agency has not taken a position of support on 1289. Are you aware that there are plans at the university for a Sierra Nevada Research Institute to study? I think it is going to be a world-class institution.

Mr. SMITH. Yes, there are two institutes. It is part of the MOU that I spoke about, Congressman, and I don't know all of the details, but it is a very far-reaching MOU as it stands now, and the Parks Institute would even be at a level above that.

So, yes, I am aware of the uniqueness of this campus, where it is, with those three units of the National Park System so close by, and what has already been done on the ground by those professionals in that area.

Mr. CARDOZA. Is there any other type of program anywhere in the government that is looking at research in the Sierra Nevadas the way this university will in the future?

Mr. SMITH. Not to my knowledge, Congressman.

Mr. CARDOZA. OK. Yosemite in Congressman Radanovich's district is just a gem, truly a national treasure. I am sure you are as proud of it as we are. I truly believe this program being proposed here in this piece of legislation is really something that will support what we have there in the shepherding of that program.

There are so many challenges we have in the Sierras and other forests in Northern California where we have forest management practices that really need to be studied. There is so much controversy. We dealt with the fire bill earlier this year. I just came back from the Klamath region where there is so much misunderstanding about positive forest practices and how we need to manage the forests, that I really, truly believe that this kind of program would really move forward in understanding what we need to do in the higher country of California especially.

So I really request that you take a hard look at this and try and find a way to support the program.

Mr. SMITH. Again, the testimony was that we don't have a position at this time, but we will work to do that between OMB, the Department and the Park Service.

Mr. CARDOZA. I yield back. Thank you.

Mr. RADANOVICH. That completes our second panel, Mr. Smith. Thank you very much for being here and for your valuable testimony.

With that we will go ahead and move on to Panel 3. I am very honored to introduce Carol Tomlinson-Keasey, the Chancellor of the University of California at Merced, California, here to speak on H.R. 1289; Mr. Bill Pauli, President of the California Farm Bureau Federation from Sacramento, California, here to speak on H.R. 532; Ms. Audrey Rust, President of the Peninsula Open Space Trust in Menlo Park, California, to speak on H.R. 532; and also the Honorable James Ridenour, Former Director of the National Park Service, from Bloomington, Indiana, here to speak of H.R. 408.

Ladies and gentlemen, welcome to the Subcommittee. We look forward to your testimony.

Carol, we will begin with you. Each person will have 5 minutes to deliver their testimony. The lights work like traffic lights. Green means go, yellow means speed up, and red means stop. Please abide by the lights, if you can, as we do have a full Committee markup going on just down the hall here. Everybody speak for 5 minutes and we will go ahead and open up the entire panel for questions from the dais here.

Mr. RADANOVICH. Again, Carol, welcome to the Subcommittee. Please begin.

**STATEMENT OF CAROL TOMLINSON-KEASEY, CHANCELLOR,
UNIVERSITY OF CALIFORNIA—MERCED, MERCED,
CALIFORNIA (H.R. 1289)**

Ms. TOMLINSON-KEASEY. Thank you, Mr. Chairman. I am delighted to be here to present the university's view on H.R. 1289, to establish a National Parks Institute at the University of California, Merced.

You can understand that we are extremely enthusiastic about this prospect as it builds not only on the MOU that Mr. Smith spoke about, but it enables us to combine our research, teaching and public service missions. It address the issues faced by the national parks.

The question has been raised already, why UC-Merced? Let me try and answer that first. We are part of the University of California, a university that has had a long and productive relationship helping address issues within the national parks. The first two directors of the National Park Service in fact held degrees from the University of California and looked to UC for research expertise.

As has been mentioned, UC-Merced has already established such a relationship with three Sierra parks that began these kinds of research activities.

Secondly, UC-Merced, because it is brand new, is not bound by existing academic structures. We can ask the critical questions of the 21st century, one of which clearly relates to protecting resources, and we can align our academic programs to encompass

those questions. To this end, you have heard about the Sierra Nevada Research Institute that we have already established.

A third reason for thinking about UC-Merced is the land grant history. This is a mission to conduct research that solves practical problems and we are all aware that the park has many complex practical problems.

Finally, working with UC-Merced would allow the National Park Institute to leverage its resources, as we would expect to match operational resources with in-kind services. So I hope you can see there are lots of reasons for supporting UC-Merced as part of the National Parks Institute.

Turning to the purposes of the institute, let me sketch briefly some of the ways in which UC-Merced could contribute. Training executive managers, we would propose high-level educational programs designed to meet the needs of the Park Service. We would draw on the faculty expertise of the Gallo School of Management and the Sierra Nevada Research Institute, as well as from faculty from around the UC system across the country and the University at Indiana.

In addition, we would provide practical information for park managers, conducting community outreach, building consensus, even downsizing. We would build on the current knowledge that park managers hold in areas like conservation, sustainability, and restoration.

A second purpose in the bill is to promote stewardship. As an initial step we would propose a national forum organized by UC-Merced. University researchers from around the country, especially those in proximity to parks, would join selected staff from the National Park Service to pinpoint areas of concern and identify the appropriate research. To me this initial forum would set the early agenda for the National Parks Institute.

Longer-term efforts would take the form of a think-tank where we would have ongoing discussions to identify and resolve critical issues, such as the relevance of the parks to differing cultural groups, the source and impact of airborne pollutants, or the international relevance of the National Park Service. In all cases, the dialogs in this think-tank would be to ensure that many perspectives were answering the research questions and driving the policy recommendations.

Finally, and perhaps where UC-Merced has its most expertise, is conducting research to support policy decisions. Let me give you three quick examples.

Water quality. From the Everglades to the Sierra, our National Parks serve as repositories for water, as conduits for water, and as the means by which water is repeatedly renewed. Understanding and maintaining these functions requires the efforts of hydrologists, environmental engineers, chemists, geologists, biologists, et cetera. We promise to bring these researchers together.

Climate change. Current climate change models predict a 75 percent decrease in the snow pack in the Sierra Nevada over the next 30 years. In collaboration with the National Park Service, we are developing comprehensive snow-monitoring networks and models.

Finally, air quality. Urbanization, transportation and industrialization all impact the air quality in our national parks. We need

to identify the sources of contaminants, trace the paths by which these pollutants come to the parks, and evaluate their impacts on plants and animals.

We are committed to developing these practical, scientifically sound and technologically sound solutions.

Thank you Mr. Chairman. I would be delighted to take questions.

Mr. RADANOVICH. Thank you, Chancellor Keasey. I appreciate your testimony.

[The prepared statement of Ms. Keasey follows:]

**Statement of Dr. Carol Tomlinson-Keasey, Chancellor,
University of California, Merced, on H.R. 1289**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to present the University's view on H.R. 1289, a bill to establish a National Parks Institute at the University of California, Merced (UC Merced). We are, understandably, extremely enthusiastic about this prospect, as it enables us to combine the University of California's missions for research, teaching, and public service with a very real need to address some of the complex issues faced by the national parks.

Perhaps the first question to be addressed when considering this bill is Why UC Merced? We offer the best of several worlds. We are part of the University of California, the world's foremost public research university and a university that has had a long and productive relationship with the National Parks. Since its founding in 1916 the National Park Service has been intertwined with the University of California. The first two directors of the National Park Service, Stephen Mather and Horace Albright, held degrees from the University of California. As directors, they continued to tap UC's research expertise as the Park Service developed. For example, Joseph Grinnell and his colleagues from UC Berkeley's Museum of Vertebrate Zoology did classic field studies on Sierra wildlife and natural resources. UC Merced has continued in this time-honored tradition and has already established a relationship with three Sierra parks that encompass research activities, outreach to students, and public service. So, we bring historical perspective on the parks and their evolving role.

In addition, UC Merced, because it is brand new, is not bound by existing academic structures. We can ask, "What are the critical questions of the 21st century?" and we can align our academic programs to answer those questions. High on any list of critical questions of the 21st century would be how do we conserve our natural resources and use them efficiently, questions that mesh well with the National Parks Institute. To this end, UC Merced has already established the Sierra Nevada Research Institute to address issues like population growth, water and watersheds, air quality, fire ecology, biodiversity, climate change, transportation, resource management and policy, and public recreation. Among our early hires are biologists, chemists, physicists, environmental engineers, and social scientists, all of whom are working on conservation and sustainability issues.

Establishing a National Parks Institute at UC Merced would also capitalize on the strength of another partner, the Lawrence Livermore National Laboratory. The latter's expertise in broad areas of science and engineering will be easily available to the National Park Service as we conduct water flow and water use studies, as we chart the direction of fire plumes in both controlled and uncontrolled fires, and as we examine the transportation of pollutants from urban areas to our national parks.

As a campus in the University of California System, UC Merced is also a land grant institution with a mission of conducting research that solves practical problems. Working with UC Merced would allow the National Park Service to leverage the resources for the National Parks Institute, as we would expect to match operational resources with in-kind services and other university resources. I hope you can see that UC Merced has much to offer as the host for the National Parks Institute.

Turning to the purposes of the Institute, I would like to sketch briefly some of the ways in which UC Merced could contribute.

Training Executive Managers

First, we would help build executive managers by offering consistent high-level educational programs designed to meet the needs of the Park Service. These ongoing programs would draw on the faculty expertise in the Ernest and Julio Gallo School of Management for management training. In addition, we would provide practical

information for park managers in areas such as community outreach, building consensus, managing crises, downsizing, and finding critical expertise. Finally, we would help build knowledge in areas of conservation, sustainability, and restoration so managers could be more effective in their roles as decision makers and in communicating decisions to their many constituencies.

Promoting Stewardship

To help identify issues for the National Parks Institute, we would propose a national forum organized by UC Merced. University researchers from around the country would join selected staff from the National Park Service in a conference to pinpoint areas of concern within the Parks and research that would address these concerns. This initial forum would set the early agenda for the National Parks Institute and would serve as the basis for a think tank designed to promote long-term stewardship of park resources. UC Merced understands and appreciates the National Park Service's need to evolve with the changing demographics and cultural interests of society. An ongoing discussion of evolving issues might focus on downsizing, or the relevance of the parks to differing cultural groups, or the source and impact of air born pollutants, or the international relevance of the National Park Service. The goal of the dialogues within the think tank would be to ensure that many perspectives are woven into research questions and policy recommendations.

Conducting Research to Support Policy Decisions

The University of California has a long and distinguished history of excellence in independent, objective, scholarly research. UC Merced will bring the expertise of its diverse faculty, staff, and students to bear on issues of import to the National Parks Institute. In addition, we will draw on the expertise of colleagues from other universities and institutes to apply sound science and rigorous analysis to the problems facing our national parks.

A few examples will provide some insight into the kinds of research that might be forthcoming.

- **Climate change, hydrology and the western snow pack.** Current climate change models predict a dramatic shift from snow to rain in the high elevation areas of the western United States. For California, modeling efforts indicate a 75% decrease in the snow pack in the Sierra Nevada mountains over the next 30 years. This change will have a profound effect on the use, management and sustainability of all western ecosystems, including the National Parks. UC Merced faculty, in collaboration with the National Park Service, Lawrence Livermore National Lab and investigators throughout the University of California and the western United States, are developing comprehensive snow monitoring networks and forecasting models. These will assist in developing better management models for these fragile ecosystems.
- **Air Quality.** Urbanization, transportation, and industrial activities have all had an impact on the air quality in our National Parks. We need to identify the specific sources of contaminants and air pollutants as the initial step in improving that air quality. We need to trace the paths by which these pollutants come to the National Parks. We need to evaluate the direct impact of particulate and chemical pollutants on a variety of plants and animals in the parks. And we need to examine the interaction of air pollutants with other resources, such as the snow pack and the soil, to understand the systemic deterioration of the park environment caused by air pollution. Atmospheric science and air quality research will be one of the primary areas of study at UC Merced and positions us to put together multidisciplinary teams throughout the nation to address these complex issues.
- **Fire Management.** Each year, late summer headlines feature the devastation caused by wildfires. Fire suppression and timber management regimes often create unstable situations in our National Parks and forests that can quickly become an uncontrolled fire. Exacting research on the proper long-term management of forested lands, as well as research to accurately predict the direction and speed of a fire are critical to successful management of forested lands.
- **Water Quality.** The availability of water and the quality of that water are critical to all forms of life. From the Everglades to the Sierra, our National Parks serve as repositories for water, as conduits for water and as the means by which water is repeatedly renewed. Understanding and maintaining these functions requires the cooperative efforts of hydrologists, environmental engineers, chemists, geologists, biologists, etc. Bringing these researchers together to help address this important agenda would be part of the mission of UC Merced and the National Parks Institute.

These examples highlight the fact that UC Merced is deeply committed to sustainable resource management and environmental stewardship. Environmental stewardship is an important theme in our programs in Environmental Engineering, Earth Systems Science and the Sierra Nevada Research Institute. Working with the National Park Service, we are committed to developing practical, scientifically sound, and technologically effective solutions to resource management problems.

Mr. Chairman, I am delighted that the Secretary and Director have taken an interest in establishing a National Parks Institute at the Merced campus of the University of California. We are committed to embracing our colleagues in the National Park Service as important partners and participants in our university community. I fully anticipate that a National Parks Institute will provide many opportunities for our students and faculty to develop close working relationships with Institute researchers and leadership and to be engaged in important analyses and critical decisions framing the future of National Parks.

That completes my testimony. I would be happy to answer any questions that you or any members of the Subcommittee may have.

Mr. RADANOVICH. Next up is Mr. Bill Pauli, the Chairman of the California Farm Bureau. Bill, welcome. You are here to speak I believe on H.R. 532. Please begin your testimony, and, again, welcome.

STATEMENT OF BILL PAULI, PRESIDENT, CALIFORNIA FARM BUREAU FEDERATION, SACRAMENTO, CALIFORNIA (H.R. 532)

Mr. PAULI. Thank you, Mr. Chairman, I am here to talk on 532. And other members, thank you as well for the opportunity.

Mr. RADANOVICH. Hey, Bill, could you pull the mike up, please?

Mr. PAULI. I will turn it on. How would that help?

Mr. RADANOVICH. That is even better.

I am Bill Pauli. I am a pear and wine grape grower from California and I am also President of the California Farm Bureau, and we are pleased to have the opportunity today to make these few comments.

You already have our written comments relative to H.R. 523, and I will gladly answer any questions on those comments, and I would like to request that I be able to supplement those comments by written comments from Mr. Jack Olson, who is a member of the County Farm Bureau and the manager of the County Farm Bureau.

Why is the Farm Bureau involved in this land use issue? It is our strong view that we must protect and preserve prime agricultural lands for future agricultural production. The transfer of this important farmland to the Park Service will preserve open space, but it probably will not preserve agriculture and agricultural land for the long term.

Why is 300 acres of farmland so important? It represents about 10 percent of the available farmland in the county. It is truly a unique resource. It is a combination of select soils and climates that produces crops that cannot be grown elsewhere. From farm workers to people that sell services to farmers, to truckers and processors, all of these people will be adversely impacted if this land is turned over to the Park Service. The impact to agricultural infrastructure is not being addressed as part of the equation and there will be long-term consequences of that.

It is also an example of continued incremental conversion of prime agricultural land not only in this area, but throughout California and the West.

Why should we care? It is easy to talk about preserving agricultural land, but it is much tougher to actually preserve those lands. Should not the current NGO have the right to sell their land to anyone? Again, this is some of the most productive agricultural land in the State. Putting this land inside the park boundary is the last thing we should do to preserve agriculture. We base this on years of experience in dealing with public land use issues.

From public land grazing issues to farming on the Klamath Basin Refuge lands, to reaching into the areas covered by the Desert Protection Act, once land is included in some form of park boundary, the agricultural uses have to be balanced against other public uses. When private lands come under Federal agency jurisdiction, it is always agriculture who is last in line in the multiple-use equation.

Lastly, funding is always a question, and we believe there are concerns there as well.

We mentioned USDA programs, specifically the Farmland Protection Program. We potentially could access FPP through this bill or separate legislation. We could work together with the USDA to promote this approach, and, in fact, yesterday we met with Deputy Under Secretary for Conservation, Mark Gray, to talk about this issue.

Lastly, understand that amending this legislation to access USDA funding would likely mean a referral to the Agriculture Committee. This is not an attempt to delay the legislation, but to find an equitable solution to ensure that this land stays in production agriculture for the long term.

Again, there are several ways we can access USDA money, and we look forward to working with the sponsors of this legislation to accomplish that.

It is our solution, we believe, to exclude some of the most protected agricultural lands, from the boundary of the Golden Gate National Recreation Area, to work collectively with USDA so funding under the Farmland Protection Program can be used to help facilitate the transfer of the land to private landowners who will maintain the land in agriculture.

We ask your help in ensuring that agriculture remains a viable industry and an important employer in San Mateo County. We would gladly work with the bill's supporters and the authors for its timely passage once these critical issues have been addressed. We thank you for this opportunity to speak today and hope we can work collectively and positively with all in order to find a proactive solution to preserving and protecting this land.

Thank you, Mr. Chairman and members.

Mr. RADANOVICH. Thank you, Mr. Pauli, for your testimony.

[The prepared statement of Mr. Pauli follows:]

**Statement of Bill Pauli, President,
California Farm Bureau Federation, on H.R. 532**

Chairman Radanovich and members of the Committee, my name is Bill Pauli. I am a pear and wine grape grower from Mendocino County and I am the President of the California Farm Bureau Federation, the state's largest farm organization representing more than 37,000 farm families. It is an honor to be able to address this Committee regarding H.R. 532, a bill that would add thousands of acres to the Golden Gate National Recreation Area.

I begin this statement with the Policy of the American Farm Bureau Federation on Land Ownership. Our policy states:

“We oppose further expansion of Federal land ownership, and we support a national policy of no net loss of private lands.” Another statement from this policy states: “Tax exempt environmental organizations should not have access to public money for funding land acquisitions. In addition, we oppose the transfer of land owned by these groups to any Federal agency.”

That statement clearly defines our objectives for land ownership and preserving agriculture. When you add to this, the multi-billion dollar backlog that the Park Service is facing for operation and maintenance, we could easily be asking the question, why does the agency need more land, especially this unique and productive resource when they don’t have enough money to manage the land they already own?

Of the more than 4000 acres included in this proposal, we are concerned about preserving agriculture on nearly 300 acres of land. You will note that I did not say preserving land as there is absolutely no threat that this land will ever be developed. Our focus is on preserving agriculture.

This is the same focus we have when the California Farm Bureau Federation opposes urban development on productive farm and ranch properties, including those lands under our State’s Williamson Act. Yes, an organization that supports property rights has opposed projects where landowners were attempting to exercise their “perceived right.” Others believe selling to the Park Service is their right. In both cases, we have sided with maintaining agriculture.

This land has been identified by its current landowner as some of the richest farmland in California. But it’s clear that it is coveted for uses which are not compatible with farming. When this legislation was being considered in 2001, the Park Service indicated “The addition of these lands will preserve exceptional natural, scenic and recreation resources displaying values commensurate with or exceeding those of the lands currently within the boundary of the Golden Gate National Recreation Area.” Regarding the future of agriculture in the area, the Park Service noted: “The properties include many old trails and farm roads that could be easily adapted to recreational use, which may become the principle visitor activity within the area.”

I am sure the Park Service will offer assurances that farming can continue, but, designating agricultural land a park is all but a death knell for farming. Farming may be allowed for a short time. After this bill passes, the Park Service will evaluate its objectives in managing the land. In balancing the needs of the public versus those of maintaining agriculture, agriculture rarely wins.

The key point here is the courts or Congress can always redefine farming and ranching on public land regardless of what is intended in this Congress. By including the farmland in this boundary, you will ensure that farming is at best a short-term use for the land.

We have learned from experience that the last thing you do to preserve agriculture is to include the land into a park boundary, as the goals of the Park Service are not compatible with preserving agriculture.

This farmland is unique due to the area’s location and climatic conditions and it’s some of the most productive agricultural property in California. More importantly, it is some of the most productive land left in San Mateo County. The 300 acres represents roughly ten percent of the county’s available cropland.

As an urban county, agriculture still remains an extremely important industry grossing \$183,148,000.00 in 2002. Agriculture is still the number one employer on the coastal side of San Mateo County including some 50 jobs tied to agricultural production on this property.

This is land that is intensively farmed producing a wide variety of valuable crops. For example, the production of Brussels sprouts grosses close to \$7,000 per acre annually, a valuable contribution to the local economy that multiplies as the product moves from the farm to the consumer. In addition, a critical component of the current farm operation is a retail farm stand that sells directly to consumers. It’s hard to manage intense agricultural production and a produce stand under Park Service guidelines.

San Mateo County is at a critical juncture. For agriculture to survive, there must be sufficient farming to support a viable infrastructure. From the people who work the fields, to those who provide needed production tools, to the processors, all segments of the local agricultural industry face an uncertain future as agricultural properties are being “retired.” Some of this is due to urban sprawl. Even more parcels are falling victim to habitat sprawl, where agricultural lands are being converted to habitat. At ten percent of workable cropland, this property is a critical component to maintaining a viable agricultural economy in San Mateo County.

Our solution

1. The exclusion of some of the most productive agricultural land in our state (approximately 300 acres) from the boundary of the Golden Gate National Recreation Area.
2. We could work collectively with USDA to direct funding under the Farmland Protection Program to help facilitate the transfer of the land to private landowners who will maintain the land in agriculture.
3. We ask for your help in ensuring that agriculture remains a viable industry and important employer in San Mateo County.
4. We would gladly work with the bill's supporters and the authors for its timely passage, once these critical changes are included.

The Congressional Budget Office estimated that the Park Service would offer to pay \$15 million to acquire the 4,262 Rancho Corral de Tierra and over 300 acres of property on the Devil's slide area for an average price of \$3,300 per acre. At \$3,300 per acre, there is a commitment to work with local interests to identify potential owners for the land. We believe that since the land faces no threat of urban development, the value to acquire the land should be reflective of current agricultural values.

With the amendments we have mentioned, the California Farm Bureau Federation is indicating its support for legislation that would add the 4000 acres to the recreation area. This addition should satisfy the needs of the Park Service to expand their holdings, while also meeting the needs of the local agricultural economy.

We thank you for this opportunity to speak today and we hope we can work together on a solution that will allow agriculture to survive in San Mateo County and that will ensure the future of this land will always be agriculture.

Mr. RADANOVICH. Next is Ms. Audrey Rust, the President of Peninsula Open Space Trust, also here to speak on H.R. 532. Welcome to the Subcommittee. You may begin your testimony.

**STATEMENT OF AUDREY C. RUST, PRESIDENT, PENINSULA
OPEN SPACE TRUST, MENLO PARK, CALIFORNIA (H.R. 532)**

Ms. RUST. Thank you very much. Thank you, Mr. Chairman, Mrs. Christensen, members of the Subcommittee. I have also prepared written testimony which has been submitted and in the interest of time, I will not cover all of the details of the wonderful resource that we are talking about here, but I will go over a couple of matters.

First of all, I am Audrey Rust, the president of the Peninsula Open Space Trust. We are a 26-year-old nonprofit organization operating in San Mateo and Santa Clara Counties. We have in that time protected over 52,000 acres of open-space land, included in which has been some important agricultural land in San Mateo County; actually some 2,000 acres. So by Mr. Pauli's statistics, I guess we have done two-thirds of the agricultural land in San Mateo County.

I think that the Rancho Corral de Tierra property, which is 4,262 acres, would be a stunning addition to the Golden Gate National Recreation Area. There could in fact be no more fitting southern entrance to the GGNRA than this property. As stated, the Rancho Corral de Tierra, "the Corral of Earth," it rises from the ocean up 2,000 feet, and it is an amazing array of wildlife habitat.

I wish that I could take each of you out there and stand you on the highest of the four peaks of Montara Mountain and give you a view that would just knock your socks off. It is an amazing 360-degree view across the Bay Area, across from the ocean to the bay, across to the mountains and the Diablo Range, seeing Mount

Diablo, Mount Hamilton. It is an incredible view, an incredible spot.

There are many rare and endangered species on the property and many important plant communities. Really for me it is the fact that here you are in a major metropolitan area, only 7 miles from San Francisco, and here we have mountain lions hunting and eagles soaring. It is just quite a remarkable opportunity.

It is this dramatic and beautiful wildland and the hope for opportunity to access it and to experience it through low intensity recreation that has moved so many people to support this bill, and that support has come in many different ways. It has come in letters of endorsement, in media support, and it has come, very importantly, in the form of money.

We have been working on this property for 3 years. It has been in front of the Federal Government for two. And in that time period, we have arranged for \$14,750,000 in private and State money to supplement what we hope will be the eventual Federal appropriation.

I want to clarify that POST has not really protected this property yet. It is really a partnership activity to do so. We use our funds that we raise privately as working capital so that we can obtain properties like this in a real opportunity. We do a great job of negotiating, as witnessed by any confirmation by appraisal processor or otherwise, and then we are able to hold it while partnerships can be put together. This is one such partnership.

What we are looking for, we have arranged for this \$14,750,000 if the Federal Government is able to put together its share over a 5-year time period, knowing the difficulties in the appropriations process, knowing of the backlogs that were referred to here today, we feel that we will need the full 5 years to obtain all of this money. So your passage of H.R. 532 is really important to us to maintain and keep this partnership into the future.

It is an extraordinary property with extraordinary views. It also does contain some 262 acres of agricultural lands. Let me say we are looking to have the boundaries moved to encompass this agricultural land as part of it, but we are not looking to move it into Federal ownership; that agricultural lands would be withheld and we have always planned and have been in negotiations with the tenant farmer on that property. In your packet of materials is an endorsement letter from him in which he endorses this approach for many reasons.

I would be happy to take your questions, but first I want you to really think to take this essential step now and to endorse and pass H.R. 532. Thank you.

Mr. RADANOVICH. Thank you, Ms. Rust.

[The prepared statement of Ms. Rust follows:]

Statement of Audrey C. Rust, President, Peninsula Open Space Trust

The Peninsula Open Space Trust (POST) appreciates this opportunity to request your support of H.R. 532, which extends the southwest boundary of the Golden Gate National Recreation Area (GGNRA) to encompass the 4,262-acre Rancho Corral de Tierra property and some additional 800 acres of land located in coastal San Mateo County, California. The availability of this much national park quality land in a major metropolitan area that has seen and continues to experience intense urban growth represents a rare opportunity.

PENINSULA OPEN SPACE TRUST

POST is a nonprofit land trust located in Menlo Park, California. POST is the owner of the 4,262-acre Rancho Corral de Tierra property under consideration today by House Resources Subcommittee on National Parks, Recreation and Public Lands. Our organization works in partnership with public agencies and private citizens to create parks and to give permanent protection to open lands in San Mateo and Santa Clara Counties in California. Since our founding 26 years ago, we have participated in saving more than 52,000 acres of wetlands, forest, grassland, beaches and farmland.

POST is a land trust works to acquire land for permanent protection. During the time land is in POST's ownership it is not open to the public. With appropriate protective measures in place, POST transfers these lands to public or private ownership. We have partnered with many Federal, state, regional and local public agencies. We partner with private buyers when land is to be used for agriculture or is best suited for private stewardship.

With the assistance of the Federal Government, POST added the Phleger Estate to the GGNRA as well as Bair Island and other wetlands to the Don Edwards San Francisco Bay National Wildlife Refuge. These projects have brought together Federal, state and local agencies and have had substantial participation by the private donor community.

SIGNIFICANCE

H.R. 532 is a critical step in achieving a long-held goal to place this dramatic and strategically important property into the ownership of the National Park Service. The passage of H.R. 532 will make possible Federal ownership of the unique lands of Montara Mountain, creating a highly visible and spectacular southern entrance to the park along the Pacific coast, protecting significant ecological resources and linking tens of thousands of acres of existing Federal, state, and county parklands.

The 4,262 acres of Rancho Corral de Tierra encompass a nearly intact 1839 Mexican land grant, named Corral de Tierra-Palomares. It is adjacent on the north and east sides to other GGNRA lands, most notably the 23,000-acre San Francisco Watershed lands over which the National Park Service holds a protective and recreational easement, and to the north McNee Ranch State Park (780 acres) and San Mateo County San Pedro Valley Park (978 acres), with further linkages to the GGNRA.

The lands proposed for annexation offer an unparalleled scenic addition to the park. The rise of Montara Mountain from the sea to nearly 2,000 feet is a striking sight. The coastal ridge-tops provide one of the most spectacular panoramic views to be found in northern California, sweeping from the San Francisco Bay and the East Bay hills, past the Point Reyes peninsula and Farallone Islands to Pescadero Point—65 miles from north to south as the crow flies. The peaks of Montara Mountain dominate the setting of this part of the GGNRA and will dramatically define the southern limits of the park and "establish a clear and logical southern entrance" as found by the San Mateo County Boundary Study that was submitted to the Committee in May 2001 and re-submitted with H.R. 532 this year.

The property contains four coastal creeks with runs of Federally-listed threatened steelhead trout. The riparian areas serve as habitat for the threatened California red-legged frog and San Francisco garter snake, provide a vital source of water, increased cover, feeding and nesting opportunities and migration corridors for the abundant wildlife in the area. Other species of concern that inhabit the properties are Cooper's hawk, the dusky-footed woodrat, California brown pelican, common murre, and the San Bruno elfin butterfly. Bobcat, brush rabbits, kestrels, California quail, several species of hawk, mountain lions and eagles are among dozens of other wildlife species found on the property.

Due to the topography, climate and natural condition of the site, the plant assemblages of Montara Mountain are considered by biologists to be genuinely unique, displaying plants, soils and exposures found together nowhere else on earth. Seven plants on site are included in the California Native Plant Society's inventory of species of particular concern. Two of these plants, the Montara manzanita (*Arctostaphylos montaraensis*) and Montara blue lupine (*Lupinus eximius*), are found nowhere in the world other than Montara Mountain and are Federally listed. Three other Federally listed rare and endangered plant species have been identified: coast rock cress (*Arabis blepharophylla*), San Francisco wallflower (*Erysimum franciscanum*) and Hickman's cinquefoil (*Potentilla hickmanii*).

The boundary study undertaken by Peninsula Open Space Trust, and prepared in conjunction with the National Park Service, also found that acquisition of these properties will not impose a significant new management burden on the National Park Service. There are no buildings or other facilities which would require Park

Service maintenance expenditures. Principal management requirements would include trail maintenance, fire management and other natural resource management measures already carried out in adjacent areas of the park. Furthermore, the proposed park expansion would benefit the recovery of species within the area and benefit populations existing on adjacent lands already within the GGNRA. Preservation of these properties will contribute significantly to the effectiveness of ecosystem management in the area, avoiding the problems that so often plague other park sites where important components of park ecosystems are outside of park control.

CULTURAL USES

Three generations of the Lea family have been tenant farmers on this land. When POST assumed ownership we found that the farmers had been operating on six-month and one-year leases, under constant threat of loss of the farmland due to the fact that each of the former owners had development plans for the property, which would have eliminated agricultural operations. Until POST took over there was no possibility of family ownership or long-term leases for these farmers.

At this time, I would like to register POST's unease about having to reveal private, landowner and tenant confidential information. Due to third-party concerns about plans to have these lands included within the boundary of the GGNRA, POST has had to make public information that would otherwise remain confidential between landowner and tenant.

In 2001, POST entered into an option to purchase the 4,262 acres and took over management of Rancho Corral de Tierra. POST continued to lease farmland to the Lea family. POST has worked well with the family over several years on this and other agricultural property in the area.

After taking ownership of the Rancho Corral property we entered into discussions with Mr. David Lea and his family regarding the sale, subject to conservation easements, of the 232-acre Rancho Corral farm. These negotiations need to be treated confidentially as they entail private business matters of the Lea family (Cabrillo Farms). Mr. David Lea, spokesperson for the family, supports the inclusion of the farmland in the boundaries of the GGNRA. Please find his letter of support for H.R. 532 attached.

If the Lea family chooses to own this land they are obviously concerned that they would be able to sell it should the need arise to realize their investment in the property. Farming on the San Mateo County coast is experiencing acute financial difficulties and very few, if any, farmers may be interested in buying the land at the time the Lea family might need to sell. With the property's inclusion in the GGNRA, the Federal Government could become a fair market buyer should no farmer be available to purchase the land. The option of selling to the GGNRA would not be open to them if the land is not within the park boundary. In addition, the Lea family could also consider selling the land to the GGNRA while retaining a lease allowing them to continue their farming operation—another option not open if the land is not included in the boundary.

If the Lea family does not or cannot purchase the 232-acres for farming, it is POST's intention to continue leasing these areas to them and other family farmers for as long it is viable or reasonable for the organization to do so. Because POST is obligated to pay property taxes on leased land, the instability of farming in the area, and other related matters, the financial ability of POST to continue to hold this land far into the future is questionable.

In addition to the immediate concerns of the landowner and farmer, these acres by and of themselves, as indicated in the Boundary Study, deserve inclusion in the GGNRA if the long history of farming is no longer viable— as sad as that may be.

These agricultural areas are found on four separate parcels of land; three parcels abut State Scenic Highway 1 and one parcel is tucked in the middle of Rancho Corral de Tierra in Denniston Valley. Three of the coastal streams mentioned earlier run through the agricultural areas: Denniston Creek, San Vicente Creek and Martini Creek, making the 232 acres long-term protection important from a species-of-concern perspective.

Should the time come to move these lands into Federal ownership, the considerable scenic value would be assured. There are also logical recreational trail connections that could be realized. To remove these parcels from H.R. 532 would create an irregular boundary and detract from the rural, scenic quality of the San Mateo coast.

SUPPORT

Inclusion of these lands in the GGNRA is endorsed by numerous groups and public officials. At the well-attended public hearing held at the beginning of this process on June 26, 2001 in Half Moon Bay, CA, every speaker was in favor of this addition.

Elected officials, representatives of the San Mateo County Farm Bureau, equestrian groups, neighbors and environmental groups unanimously applauded the project.

Additionally, a hearing was held on July 26, 2001 before the Subcommittee on National Parks of the Senate Committee on Energy and Natural Resources, which passed with support from the Department of Interior.

The entire San Francisco Bay Area delegation including both of California's Senators support this effort that was nearly enacted in the 107th Congress. Both Houses acted on the measure but issues unrelated to the boundary extension intervened in the closing days of the session which precluded final action on the bill. POST asks that this legislation be enacted in this session. The Senate Energy Committee has already passed its legislation (S. 302) and we, as the landowner, hope you will do the same.

FUNDING

This project continues to demonstrate the kind of public-private partnership that has led to so much success in land conservation. POST paid \$29,750,000 for the property which it is prepared to sell to the Federal Government for \$15,000,000 once the boundary expansion has been approved.

POST has secured commitments for the needed matching funds—\$14,750,000 million from state and local private sources. The state funds carry the stipulation that Federal participation of \$15,000,000 be achieved within 5 years, which makes the timing of this boundary expansion critical.

The state and private funds are secure. The committed State of California funds will come from bonds, the issuance of which is not threatened by the state's current budget crisis. Our local private commitments have been realized. We are now are looking to the Federal Government to realize this dynamic three-way partnership.

In order to obtain this property at a favorable price which will benefit the Federal Government, POST used its "working capital" land fund as a loan to the project. Because we were able to borrow from our own fund, and not pay commercial interest rates, POST will be able to continue to hold the land through the estimated two to three more years it will take to achieve the appropriation needed for acquisition by the National Park Service. Putting so much of our capital into a project for so many years is a considerable cost to POST and, of course, prohibits us from undertaking other locally focused land conservation projects in our area.

CONCLUSION

Expanding the boundary of the Golden Gate National Recreation Area to include Rancho Corral de Tierra through such a beneficial partnership is an opportunity not to be missed. A vast land within a major metropolitan area that offers extraordinary scenic views, a place with plants found nowhere else on earth, a home for rare and endangered animals, is available now for our protection and enjoyment. We have the chance to enjoy this special land and to leave a lasting legacy for our children and our grandchildren. Extending the boundary of the Golden Gate National Recreation Area to include this property is an essential step. Please make all of this possible by supporting H.R. 532.

Mr. RADANOVICH. We are pleased to have the Honorable James Ridenour, former Director of the National Park Service, here to speak on H.R. 408.

Mr. Ridenour, welcome to the Subcommittee. You may begin your testimony.

STATEMENT OF HON. JAMES RIDENOUR, FORMER DIRECTOR, NATIONAL PARK SERVICE, BLOOMINGTON, INDIANA (H.R. 408)

Mr. RIDENOUR. Thank you very much, Mr. Chairman. It is good to be back visiting from Indiana. I want to start off by complimenting the staff member up here who has one of the most outstanding ties I have ever seen. I think it is unbelievable.

I have long been an opponent of the National Park Service or any Federal agency acquiring additional new park areas. I was involved in a lot of discussions about the backlog at the closing of my term as National Parks Director. In fact, I have written a book called "The National Parks Compromised Pork-Barrel Politics and

America's Treasures," in which I go to great lengths to talk about the importance of taking care of what we have rather than expanding in new park areas.

However, as parks director, I got involved in this Michigan situation clear back in the late eighties and early nineties and tried to figure out if I could figure out some way that the citizens, the natural resources environmental groups and the owners, could all work out a compromise and be fairly treated. I could not reach a conclusion at that time, and so in the mid-nineties I was hired by a citizens group to come out and see if I could find some way to get to a solution that would treat the owner fairly, that would preserve and protect this great stretch of river in Michigan, and that all would come out in some sort of a win-win situation.

I could not find it, Mr. Chairman, and I worked very hard at it. I would call it a blood, sweat, and tears effort. I went back to Indiana only to be contacted in 2001 to see if I would come up and try one more time to figure out if there was not some sort of a way that we could make this thing work. It was politically disruptive, people were upset, it was a very, very difficult situation.

What we have come up with I believe is the best possible solution, and we are not talking about creating a new park, we are talking about expanding an existing park. We are not talking about taking on a big operational responsibility. Essentially the land we are talking about is riverside, undeveloped land, that would basically be left as is. In fact, the National Park Service owns the land upstream of the river, so they would just be basically coming downstream the river more toward the mouth, which is into the lake itself.

Blood, sweat and tears. I can tell you that the groups I have met with and the groups that are now supportive include a lot of strange bedfellows, but they are in the same house at this point; and that is that is the Sierra Club, the Michigan Environmental Council, the Northern Michigan Environmental Action Council, Trout Unlimited, Michigan United Conservation Club, Friends of the Cedar River, National Wildlife Federation, Isaac Walton League, the National Parks and Conservation Association, the Michigan Land Use Institute, and the list goes on and on.

This, believe me, has been an extremely difficult thing to try to accomplish. I believe that in fairness to the owner of this land, a company called Bayberry Mills, I believe in fairness to the owner of this land, this issue needs to be resolved. It is written so it would work only with a willing seller. I need to tell you now that I have been retained by the owner of the land to try to work this to conclusion. So we do have the willing seller language in there, and we are restricting it to 104 acres.

So, after many public meetings, many public hearings, constant, continual upheaval in the community, I can say that everyone back there is now saying maybe, after many, many years, we have got this to a conclusion and we can stop fighting this battle every year, with thousands of letters to the Congress and newspaper articles going on and on and on.

This is a high-quality piece of land. It provides an exceptional backdrop for recreational users and tourism. It is the only example of a freshwater dune system with river in the United States. I be-

lieve in fairness to the owner, in fairness to the citizen groups who have fought so hard, you know, this is a piece of land that should be included within the National Park Service.

There is not any disagreement about that, by the way. The owner himself has now said, yes, I believe that that should go within the National Park Service. But he cannot walk away from the debt he incurred when he borrowed the money to buy that land.

So, in any event, that is what I have come to support, Mr. Chairman, and I appreciate very much the audience.

Thank you.

Mr. RADANOVICH. Thank you very much, Mr. Ridenour.

[The prepared statement of Mr. Ridenour follows:]

Statement of James M. Ridenour, Director, National Park Service—1989-1993, Director, Eppley Institute for Parks and Public Lands, Indiana University—1993-2001, Retired—Part-Time Consulting on Public Lands Issues, on H.R. 408

Mr. Chairman, members of the Subcommittee on National Parks, Recreation, and Public Lands—it is my pleasure to testify before you today. I appreciate the opportunity.

First, let me say, as former Director of the National Park Service and as an interested citizen, I strongly support the authorization to expand the boundary of Sleeping Bear National Lakeshore to allow the purchase of the land along the Crystal River. This land epitomizes the beauty and natural character that makes Sleeping Bear Dunes and northern Michigan such a desirable tourist destination for people from all over the world.

The land to be acquired adjoins the Lakeshore, has an area of approximately 105 acres and lies along both sides of the Crystal River. There are approximately 6,300 feet of high quality river frontage and other land forms that have been classified as “globally rare” by Federal resource agencies.

Notably, the reach of the river running through this land is the single most visible and beautiful section of the river. It is highly desirable for swimming, canoeing, sightseeing and other recreational activities. And, it is a highly logical addition to the Lakeshore as the NPS owns the upstream frontage from the river’s headwaters to this land.

This issue of the best use of this land did not pop up overnight. It has been a highly debated and emotional issue for Michiganders and others for many years. I first became aware of the issues involving this land when I was Director of the NPS in the early 1990s.

The owner of this land—a corporation known as “Bayberry Mills”—purchased it in 1986 with the stated intent of building a championship quality golf course to serve an adjoining destination resort, The Homestead.

From day one, strong dissent from the environmental community arose over the owner’s plan. Countless meetings, hearings, lawsuits, articles and editorials and hundreds of letters to Congress and other governmental agencies followed.

In the mid-1990s I was asked by a local citizens’ group to see if I could help solve this issue. Alternatives were considered. An exchange of land between the owner and the NPS was one. A purchase by the NPS was another. At that time, I did not find a consensus position that would respect the owner’s private property rights, satisfy the concerns of a variety of environmental groups and be acceptable to the National Park Service.

Although we were unable to successfully address the issues and satisfy the personalities in the 1990’s, I felt then as I feel now—this land is a highly valuable community and national asset. The use of this land has become much more than a local issue. Elected and appointed leaders of the State of Michigan have become involved as have the U.S. Corps of Engineers, the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency and the National Park Service. So, too, have a large number of entities—both local and national—which support various alternatives to the land use issue.

Early in 2001—again, at the request of the owner and a number of citizens—I agreed to act as a consultant and to again try to find a way to break this long standing impasse.

A dialogue ensued among the owner, the National Park Service and representatives of various environmental groups as to what might be possible. The previously

considered exchange concept was revisited. Draft boundaries were drawn; public meetings were held; but strong opposition to the exchange concept erupted—both locally and nationally. Park support groups feared the precedent of giving up any NPS land.

Rightfully so, the owner deserves a final decision as to park expansion on this land. The newspaper coverage on this issue has been voluminous; strong opinions have developed. However, there is an opinion that most all appear to share—that this land is a beautiful natural resource and there is great value in having it remain in open space for public enjoyment.

The owner has agreed to consider a purchase in order to get this long-standing issue off the table. Environmental groups believe this land should be made a part of the Sleeping Bear Dunes National Lakeshore. The NPS Regional Office in Omaha concurs and has made this land the number one candidate for acquisition in the Midwest Region.

After years of studying this area and after years of interacting with citizen groups, environmental groups, the National Park Service and the owner, I have come to the conclusion that the best course of action—indeed, the only prudent course of action—is to expand the boundaries of the Lakeshore and direct the NPS to purchase this land for the benefit of the public.

I am reasonably confident that most all of the engaged parties, including the state, the NPS, the citizen groups, the environmental groups and the owner are in agreement with this conclusion and are anxious to draw this matter to an end. I ask you to approve H.R. 408 so this matter might finally be resolved in the best interests of all.

Mr. RADANOVICH. I am going to begin with a few questions to Ms. Keasey. I had a question regarding the Sierra Nevada Research Institute. As we both know, there is an institute that focuses on the Sierra Nevada Mountains and the research there is currently in place in collaboration with UC-Merced. Can you tell me, if a National Park Institute at Merced became a reality, how would this opportunity differ from the institute currently operating at UC-Merced?

Ms. TOMLINSON-KEASEY. Well, the institute right now is focused primarily throughout the Sierra, so there is a lot of overlap with concerns in the park. But the National Park Institute would allow us to put together a group that would work very closely together on issues that are critical to the national parks and frame those in research terms and then have the research address those issues.

Mr. RADANOVICH. Those would be from a national perspective. Do you think that any training element that might be involved in an institute such as this could possibly train nationally our park superintendents, do you believe there is a possibility you could go beyond that so it might become an international destination for training the world's future park managers?

Ms. TOMLINSON-KEASEY. I would think that would be a wonderful goal to pursue. Initially we have a lot to do, and we want to do it with the National Park Service's input on all levels to get the executive training in. But we are constantly, as you know, at the parks being asked by other countries how we did this and what kinds of training are appropriate. So I think the National Park Institute would help there.

Mr. RADANOVICH. Ms. Keasey, can you give me an idea where the institute might be housed if it were to indeed happen?

Ms. TOMLINSON-KEASEY. We would like to put it on the campus, and then have branches as necessary in parks or in other places around the country to make sure we are meeting the needs of the National Parks Institute.

Mr. RADANOVICH. One last question. You mentioned the changing demographics in this country and the evolving role of parks. Can you elaborate how the NPI might address this issue?

Ms. TOMLINSON-KEASEY. Well, one of the first things we need to do is to diversify the folks who are working at the national parks, because if we have a diverse Park Service they will be able to have input into these questions. Having graduates from the University of California, Merced, many of whom will be underrepresented and will have internships and research experience in the parks, would be a step toward diversifying the Park Service workforce.

Once we have that in place, it seems to me that we need to have this think-tank begin to address that as one of the central issues for the National Park Institute: What do different cultural groups need and demand of the national park when they go to visit?

Mr. RADANOVICH. Thank you very much, Chancellor Keasey. I appreciate your answers.

Ms. Rust, if I may ask a question, I think you have a microphone there—clarify a couple of things for me. It was mentioned there was as much as 300 acres of farmlands. I am hearing 232 and 216.

Ms. RUST. The actual amount under lease at this time is 232.

Mr. RADANOVICH. 232 acres. If you can clarify what I thought I heard in your testimony, the POST, the organization, owns that property; but did you say in your testimony that you support that area being excluded from the land that would be entered into the GGNRA?

Ms. RUST. No. I very much support that that land would be included within the boundaries of the park. What we would not be doing in the next step is transferring the land's ownership to park ownership at this time. We are working with the local farmer, and, again, this is—usually these kinds of things are completely confidential and we don't discuss them, but we are working with the local farming family to see if there is a way we can help them to acquire the property in their ownership.

If the property is included within the boundaries of the GGNRA at some time in the future, should that farmer wish to sell and there not be another farming interest to buy the property, he would have the opportunity then to offer it for sale to the Federal Government. If the boundary is not there, then it is not a possibility.

He also supports that view, because, as you know, you have to go through the boundary legislation, and that is an expensive and time-consuming process, as we know, and probably would not happen again. Therefore, we would like to see it included in the boundary at this time, although we do not anticipate any transfer of ownership of that section to the Federal Government.

Mr. RADANOVICH. Thank you.

Mr. Kildee, did you have any questions?

Mr. KILDEE. Thank you, Mr. Chairman.

Mr. Ridenour, it is good to see you again. You I think properly described the struggle as blood, sweat and tears, because I have been through it for I think three different Governors of Michigan, many Members of Congress. I have succeeded in getting everyone mad at me at one time or another on all sides of this issue. So it is remarkable that we have before us the possibility of a solution which I think will meet the needs of the environmental groups, the

owner, the taxpayers, and the neighbors up there. So I think we have done a remarkable job. It is a bipartisan endeavor also.

So I think sometimes these things come all in conjunction, one with another, and very often that might not last that long, and I think we should strike while the iron is hot and do it while we have all these groups together and the conjunction of all these, in the past, differing views. I think this is the year to do it, and I really appreciate your hard work on bringing about this agreement.

Thank you.

Mr. RIDENOUR. Thank you very much, sir.

Mr. RADANOVICH. Before I recognize the next member, I want to let Mr. Ridenour know my staff person is from California and is a very dedicated Californian. He is going to school in Indiana. I am going to see to it that he has a California tie in the future as well.

Mr. Souder.

Mr. SOUDER. I want to beat a dead horse one more round a little bit. And that is, that while I very much appreciate that we have an agreement and we need to do that, I do believe that I am concerned that the attitude and the precedent that this could set is that reasonable negotiations will be set aside if everybody thinks they can just buy their way out, and I strongly support doing this. It is the only thing the property owner has left, because he could build in this area. You would be canoeing down a wild river and all of a sudden confront all sorts of homes, and then go back in the wild river and then hit the town before you hit the mouth.

I have canoed up in that area since I was in college, which was in a whole other century, actually halfway through that century, partly, and it is a beautiful area, and I have watched that battle.

But one other thing I would like to correct on the record, and you as the former Director of Natural Resources know, this isn't much different that we had in the Indiana Dunes before the Sleeping Bear even started. I remember sitting in Senator Coats' office, even in the last rounds of expansion, which was much more mild than the first establishment of that park, because there were more people involved, more cities involved, whereas at least with Sleeping Bear you had smaller communities and farms, as opposed to that.

These are difficult areas as we look to move into areas where there are more people than in some of the areas of the West. We have to have different types of cooperation from the environmental groups when we move into areas where there are populations about what kinds of swaps and what kind of land we are going to have in addition to purchases.

I wondered if you had any additional comments based on how we are going to work through these things as we try to add land in the Indiana Dunes National Lakeshore and as other things may come up in the Sleeping Bear or Cuyahoga Valley, or even as you look at some of the areas in the Upper Peninsula as they start to move, where there is more population and uses. If we don't have a little more flexibility than having to buy the land, we are going to be in deep trouble in some of these places.

Mr. RIDENOUR. I think that is true. One of the questions that comes up in my mind, and I don't know the answer to this, is I am not so sure what is magic about the idea that something might have been condemned 30 or 40 or 50 years ago. The government

in effect owns it. At that point, it would seem to me, it is the government's decision as to whether, let's say, it became excess to the needs of a highway for example, that they couldn't turn around and dispose of it. I think that is the basis of the argument I have heard in Michigan.

I understand the emotion of the whole situation, but I think you are right. I think the Park Service, to acquire additional lands, you know, there are going to have to be some trades that go on, and I think environmental groups are going to have to recognize that that is a possibility.

Let's face it: The last great natural parks of this country have been discovered. There aren't any more Yellowstones out there that I know of. If those parks are not already on Federal lands of the Park Service, they are probably on some other Federal lands, like the Forest Service or something like that.

Now, we are going to find pieces here and there that you fit in to fill out the picture, and certainly from an historic standpoint, there is going to be history made in the future, and that is going to mean—like the space program. We need the space park, whatever that might be. But, you know, the last great natural parks in this country have been established. I think the Chairman would be in agreement with that. Having served as director, there is a huge difference in terms of feelings and philosophy that go from the East Coast to the West Coast.

If I lived in a State that was 80-some percent Federally owned, I would probably have those feelings. I live in a State that is less than 1 percent Federally owned and I might like to see something else happen. But those are legitimate arguments. But I think the idea of trading lands probably makes a lot of sense, and I am not sure I understand the complications about whether it was condemned 50 years ago or not. I don't know that I know what the difference is.

Mr. SOUDER. I would like for the record, if Mr. Ridenour could submit some comments on what they do at Indiana University in reaching—and what some of the other institutes we have—because I have a concern about the testimony I heard today that when Steve Mather and Horace Albright and the early people in the National Park Service, they had a balance of usage and environmental. It was supposed to be both.

In the testimony we heard today, I didn't see the balance. I saw the early hires of biologists, chemists, physicists, environmental engineers and social scientists. I believe that when they actually train people to manage parks, the National Park Institute, they should be focused also on the financial management, how you do the law enforcement, how you do campgrounds, how you actually do parks.

If we are going to have a National Park Institute, those two things have to be balanced. The three issues that were raised today were all things that really don't affect a superintendent of a national park. The superintendent doesn't have anything to do with climate change, and, quite frankly, we are not looking for politicians who are going to lobby on climate change if they are going to be working at a park. We are looking for people who manage the park, not people who editorialize to us about policy.

Air quality issues will need to be managed inside the park, but the goal here of the institute, if it is an environmental institute that wants to train people on environmental issues, and it is also important that the park managers and the park personnel would understand the impact of that outside of how to manage it. But the same thing with water quality. The park should be focused, in my opinion, on the parks, not on policy, which is what we are supposed to be doing. They need to understand that.

But I am concerned what was outlined here was not a training institute for people who work in the parks, but a different type of thing. We need to work through with the Chairman's legislation to make sure that balance is there, and that in any National Park Institute—which, by the way, I am sure the Chairman agrees with what I just said there—representing Yosemite, it is very important that we work through those.

It may just be that you only covered part of it and some of the new things you are trying to do. But I think that is partly what some of the traditional training has done is to prepare people in how to manage a park and work in a park, and they may need additional supplements; because when you said times are changing, well, actually financial management, personnel management, law enforcement, how to manage wildlife when they are mobile in an area, those are the types of things we really need to try to continue to train our park managers in: very practical, real-life things which they may not be getting in traditional universities.

Mr. RADANOVICH. Thank you, Mr. Souder. I look forward to continuing that debate with you. This is a hearing on a bill that would study the issue, and part of the study would be to develop the concept of what it might be, which most members here on this Subcommittee would have a chance to have a say on. So I welcome your viewpoints on that.

Mr. Cardoza.

Mr. CARDOZA. Thank you, Mr. Chairman. I would like to give Chancellor Keasey time to answer those last questions; and also my question was, how is UC-Merced going to shape the program to best meet the needs of the Park Service?

So, the two questions sort of come together.

Ms. TOMLINSON-KEASEY. Let me respond first to the initial questions. We were envisioning the Gallo School of Management as having an important role in the executive education and providing some of the financial and management techniques that you talked about. We were also envisioning taking some of our curriculum guidance from the National Parks Institute and the National Park Service people themselves so that they could have a major role in identifying the issues that need to be addressed.

You are quite right that up-to-date research is not necessarily useful unless it is translated in some way to respond to the needs of the park. But, on the other hand, the park is a reservoir of all kinds of resources that do have implications for the functioning of our various States.

So, as you mentioned, we need the balance there.

Now, if I can turn to your question, Congressman Cardoza, how would we shape this? If from the University of California-Merced's points of view, having the Park Institute there would end up giving

us guidance in what sorts of faculty we hire, both in the disciplinary areas as well as in areas like the professional schools and the School of Management. Since we are just now hiring those people, you can see that having the National Park Institute there would be very influential.

A good analogy is Scripps Institute in San Diego. Because Scripps was there before San Diego started, it has continued to play a major role in both the way the UC-San Diego campus has grown, as well as the questions that the Scripps Institute addresses and the symbiotic relationship has worked for the benefit of both institutions, I believe.

Mr. CARDOZA. Thank you.

Mr. RADANOVICH. Thank you. Mr. Cardoza.

A couple of questions. Mr. Pauli, I would like to get a response from you. It is my impression the Federation would prefer that the farmed acreage be placed outside the proposed expanded GGNRA boundary. Can you tell me why the Federation feels that way?

Mr. PAULI. Over the umpteen years that we have been involved through the Farm Bureau, our experience in terms of the Park Service and other government agencies in running agricultural operations on their lands has not been good, and we are concerned about the longer-term consequences over 5, 10, or 20 years in terms of the impact on that land for the multiple use as well as agriculture. Sometimes they are not compatible.

Mr. RADANOVICH. Sometimes there is the school of thought that once that is in the boundary, that in many cases that begins the slow progression of the cessation of any type of human activity on the land sooner or later, right?

Mr. PAULI. That is one of our main concerns, is it is not necessarily completely compatible with the multiple-use aspects of the park for which they are responsible for other aspects in terms of the public, in terms of trails, in terms of wildlife.

Mr. RADANOVICH. I would say sometimes not even multiple use is in keeping with some of the objectives of Federal land ownership. Forgive me.

Mr. PAULI. I agree completely with you, but I am trying to remain focused on this particular piece of property. That is our long-term concern, that it would not remain in agriculture, that ultimately agriculture would be sacrificed to other multiple uses.

Mr. RADANOVICH. Ms. Rust, has the POST worked with the Farm Bureau Federation to address their concerns for ensuring historical farming on the 232 acres?

Ms. RUST. Not exactly. We originally had the support of the local Farm Bureau on this, and then it was reversed without discussion with us, so we were not party to their thinking and why they changed that. But our philosophy has always been we are the landowner, we have always treated our tenants, agricultural tenants, as if there were ways for them eventually to become landowners. I might say that we are probably more well-suited than Mr. Pauli knows to know the difficulties of keeping land in agriculture, since that is what we do; versus other groups that may legislate or regulate it, we actually do it. We buy the land and we find ways for our farmers to continue to farm, using conservation easements and other techniques.

In this particular case, we have extremely important agricultural lands. Part of the reason we acquired the property was to protect that land. And as we look to what are the options to take, what gives the most opportunity for the agricultural use and the very long-term uses by the park, if that should change, our feeling really has been that extending the boundary is a very important step and then later the ownership pattern is different.

Some of the examples that Mr. Pauli cited in the north bay are really lands that the Park Service owns and then leases back for agricultural purposes. This is quite different. This would-be land-take would be owned by the farmer, should the farmer wish to buy it.

Mr. RADANOVICH. Ms. Rust, is there a willingness on the part of POST—as you know, this is a hearing on this bill, there is going to be a lot more movement before it goes through—a willingness to sit down with the Farm Bureau to see if there is some common ground that can be found on the disposition of this?

Ms. RUST. We would always talk with anyone. I doubt there is common ground.

Mr. RADANOVICH. Thank you very much.

Mr. Cardoza?

Mr. CARDOZA. I am curious what is grown on that 232 acres. They say it is unique.

Ms. RUST. What is grown there is not unique. What is unique about it is the productivity of the property. Brussel sprouts, leeks, peas, all the common crops, some artichokes, the common crops of coastal San Mateo County.

Mr. CARDOZA. I hesitate to ask this, Mr. Chairman, but I am always curious why people don't think there can be common ground. I hesitate to ask the question, because usually you should know the answer before you ask it. I am curious as to why two groups that both talk about their having the same philosophy of promoting agricultural land can't come to common ground.

Ms. RUST. Of course, I should not have said that anyway either, but I did. I think that the issue here for us is that we are looking at a bigger picture than just this 232 acres of agricultural lands, so what we would like to see is the entire boundary so that the land does not become at some point in the future perhaps an inholding.

Coastal San Mateo—an undercurrent you hear from both Mr. Pauli and myself, is the coastal San Mateo agriculture is hanging on by a thread. It has had so many different things undermine it over the years, some of which has been lands use; but, more importantly, has been the global agricultural picture, changing markets, increasingly fewer people interested in agriculture, all the things that you know of that have happened across the country probably, but they are happening very acutely here in San Mateo County.

As I look out and take a 50-year view, I want to be sure that this property that we are protecting in part with State money, hopefully with Federal money and with donor money, really has that opportunity for permanent protection. So what I want to see is that if in fact agriculture does not stay on this property, not because of lands use issues, not because of the National Park Service, but because of the economic conditions of agriculture in our county, that

in fact it has a home and it would have the ability to become part of the park.

Mr. CARDOZA. One more question, Mr. Chairman, if I could. Can't you do that currently through perpetual easement?

Ms. RUST. You mean protect it or move it into the park? It is the moving into the park that I am concerned about.

Yes, we would do it. What we would do is sell the land to the farmer, subject to a very strict conservation easement, and we would hold that easement. The Federal Government would not be involved in that part. So we would be using a conservation easement.

But I am saying— well, I could talk about this quite at length. Mr. Lea, who is the spokesperson for Cabrillo Farms that farms the property, he is approximately 50 years old, he doesn't have a family member who he perceives wants to take over this land when he finishes farming.

Just say that he does decide that he will invest his capital and buy this property; down the road 20 years, he wants to put the property up for sale to realize his retirement funds back again. In 20 years will there be viable buyers for this property as agricultural lands? In order to increase his opportunity in the competitive markets to realize his money back again for his retirement fund, my concern is that there be at least a buyer for it, or more than one buyer. If there is only one farmer that wants to buy it, he is kind of hung out to dry.

So I would like to see the Federal Government as a potential buyer for the property in the future, because I see that will encourage him to buy it now. Otherwise, he looks at this property and thinks maybe I just want to keep leasing it, because I am not sure I want to put my money in it. I would like to see the land in the ownership of a farmer. This provides us with the maximum opportunity to do that.

Mr. CARDOZA. Thank you, Mr. Chairman.

Mr. RADANOVICH. Mr. Souder?

Mr. SOUDER. Mr. Pauli, this just a slightly related question, but when the National Park Service or the government agencies or the different coalitions lease farmland, do restrictions at all—common pesticides or any other type of restrictions—does that ever become an issue?

Mr. PAULI. Yes, sir, it has. You get into some of the sustainable questions, some of the questions related to sustainability and best management practices, and then you are in a situation where you are negotiating with the locals from the park or from the governmental agency. This is one of the problems we have, and that is why perhaps the Merced situation and the questions you asked are relevant. These people are very good in some areas and have great expertise, but not in a balanced approach in terms of what is necessary production agriculture to remain on that land. Their perception of what you need to have for best management practices sometimes conflicts greatly with what is necessary in order to have an economic return. I think one of the things that Ms. Rust pointed out is it has to be economically viable in order to have a buyer or have someone remain in agriculture. And in many cases those restrictions make it uneconomical to continue.

Mr. SOUDER. Thank you.

I earlier raised something about the Parks Institute, and I wondered if Mr. Ridenour could explain a little bit about what the Eppley Institute does with the parks and public lands now in teaching.

Mr. RIDENOUR. I would be pleased to discuss that and talk with you, Mr. Chairman, and others.

When I left here in 1993, Lawrence Rockefeller was gracious and provided me with \$50,000 to put in the university's foundation. I went on the faculty at Indiana University and I created an institute called the Eppley Institute for Parks and Public Lands. I expanded the language from "parks," because I wanted to be able to include BLM, Forest Service and other people who might be interested in those areas.

We immediately began to put together training programs and distance satellite learning opportunities for Park Service employees and became involved in putting satellite dishes in various parks around the country so that training could be done. Rather than buying airplane tickets and sending everyone to St. Louis, we could send in the dead of winter training programs to Yellowstone or Alaska or wherever it might be.

So that is a program that is ongoing. Some of it is research, some of it is think-tank. Most of it is hard-core, day-to-day training in terms of everything from teaching clerk typists how to fill out the forms you are supposed to use for travel or reporting various things to Washington.

So we have had a nice leg up with the help of Mr. Rockefeller and the program has grown. It has been successful. I am kind of semi-retired from the university. Both of my kids live in California, by the way. Mr. Chairman, I might apply to your faculty.

Let me put it this way: We have had a lot of experience in this, and as you go through your discussions, I would be glad to be helpful in any way I could be.

Mr. RADANOVICH. All right. Any other questions?

Ladies and gentlemen, I want to thank you very much for your valuable testimony today. That concludes our hearing on all three of these bills. Again, I appreciate your presence here. This hearing is adjourned.

[Whereupon, at 2:45 p.m., the Subcommittee was adjourned.]

[A statement submitted for the record by the San Mateo County Farm Bureau follows:]

**Statement of Jack Olsen, Executive Administrator,
San Mateo County Farm Bureau, on H.R. 532**

Chairman Radanovich and members of the Committee, my name is Jack Olsen. I am the Executive Administrator of the San Mateo County Farm Bureau. Our membership includes over 900 families—of which 275 are involved directly in production agriculture. It is an honor and privilege to represent my county farm bureau before your committee today regarding H.R. 532.

When one hears about the coast of San Mateo County, we here it called the jewel in a crown, we hear it extolled for its pristine bucolic condition and the wonderful vistas with pastoral scenes, extolled for its sublime beauty and habitat it offers. One of the main reasons for this is the agricultural heritage of coastal San Mateo County. Many of the farmers here have roots and linkages that span a century or more. Our farmers are a major reason that we are a jewel and have such bucolic, pastoral, and pristine beauty.

From the first introduction of this legislation to expand the Golden Gate National Recreation Area, we have expressed concerns over the future of agriculture on these lands. We are concerned about how inclusion within the boundaries of a recreation area may impair the historic and continued agricultural viability of this land. In February of this year the County of San Mateo held its first agricultural summit. Gail Raabe, San Mateo County Agricultural Commissioner, presented data from The Annual County Crop Reports from 1997 to 2001 which showed a staggering 40% loss of harvested acres. This, in a county that has some of the best and most protective agricultural zoning in America. Ms Raabe attributed this loss to three factors, In-fill development in residential areas, Residential development located in close proximity to agricultural operations leading to ag/urban conflict, and lastly the most important factor, the sale of thousands of acres of land in the County's Planned Agricultural District to open space and parks. In fact to quote from the Proceedings of the San Mateo Agricultural Summit and show the level of concern about the transfer of lands to parks and open space,

"Some acreage has been successfully sold or leased to growers and ranchers, but a significant amount of grazing land and agricultural fields are currently not in production. Leaving land fallow and removing cattle from historic grazing lands can create significant land management problems such as the spread of invasive weeds and detrimental animals and non native species both plant and animal. Ms Raabe points out that three hundred acres of agricultural fields in San Mateo County are slated to be transferred into public ownership. County growers would like the protection of existing agricultural resources and operations to be part of the initial public planning process before a transfer takes place." Gail's comments were derived from a focus meeting with over 40 growers present and written comments received after a mailing to all the recognized producers in our county.

I offer this as background for the concern we have about the state of agriculture in our county. Also, the California Public Resources Code Section #30241 states, "The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses." Hence the concern we have about additional losses of agricultural lands. Within the proposal before you today, the amount of prime, or "most productive agricultural land in San Mateo County...and some of the richest farmland in California", as identified by the current owners in their description of the property, is only 300 acres out of over 4000. Our position and desire is to exclude the agricultural lands and find a means to secure placement of a suitable agricultural easement and transfer this land and its agricultural resources into the hands of a farmer to insure the continued agricultural use into perpetuity.

The National Park Service is great at operating parks, but so are many men and women farmers great at maintaining and protecting agricultural resources. The current leaseholder has expressed his support of the current proposal, but we feel that this is not enough. This land has an agricultural use and history stretching over 100 years. The actions of the National Park Service at this time seem to be more favorable and willing to work with agriculture to resolve the problems of the past. However, the direction and focus of the National Park Service can change and Congress can move ahead with other focuses and desires at anytime. Again, I stress control of agricultural land and agricultural decisions should be left in the hands of farmers. Farmers and the resources available within our current Farm Bill can be the best stewards of the land and the resources it holds.

Another issue of concern is the loss of tax revenues to local service providers. Much of the time and responses from local fire and public safety providers are for individual coming to utilize our area for its scenic resources. A review of the log sheets for fire response actually showed that over 80% of the calls in our area were for non-residents. Not only are safety services impacted, but also so are our schools, sewer districts, libraries, harbor district, and resource conservation district.

Our county farm bureau is pledged to keeping the prospectus and future of agriculture in San Mateo County healthy and bright. Every inch of ag land and every farm are important to securing this goal. Our agriculture is a fragile economy of scale. All facets are needed to keep the support services and materials required to keep us forging ahead. The loss of a single farm can have ripple effects that are felt throughout our county. We have already lost our county farm supply, which has made it more difficult to obtain supplies and material used on the farms in our county. Resulting in the loss not only of materials but jobs as well. However, history shows, coastal agriculture in San Mateo County is a very adaptable and resilient creature. It has faced many challenges and disasters over the years and with the resilience shown it can overcome many obstacles.

The background on this issue shows that the landowner paid \$29,500,000 for this property. To date, public agencies in California have contributed over \$14,000,000 toward the purchase of this land to help allow for a lowered price to the National Park Service. We feel that with the value of \$15,000,000 that is suggested as an eventual price for the National Park Service to pay, that we can work with local interests and the Department of Agriculture to match or better the price and keep this land in agricultural production in perpetuity.

As Audrey Rust mentioned at our San Mateo County Agricultural Summit, "POST and agriculture are tied. There is much common interest, yet minor differences are seen as huge stumbling blocks. While preserving agricultural lands is such an emotionally charged issue, it is important to keep emotions from getting in the way of solving problems in a way everyone is capable of doing together." I offer this as a close to my comments. We have a great opportunity to create a plausible and lasting solution to a complex problem.

San Mateo County Farm Bureau thanks you for the chance to offer our thoughts and comments. We hope that we can continue to work together and find a solution that suits all parties and helps to keep agricultural land in San Mateo County and our great country the United States of America viable for many years to come. Thank you.

