

**H.R. 1479, H.R. 1504, H.R. 8931,  
H.R. 8946, H.R. 9159, H.R. 9492,  
H.R. 9516, AND S. 612**

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**LEGISLATIVE HEARING**

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

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HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Federal Lands Republican Members  
**From:** Subcommittee on Federal Lands; Aniela Butler, Brandon Miller, and Colen Morrow—Aniela@mail.house.gov, Brandon.Miller@mail.house.gov, and Colen.Morrow@mail.house.gov; x6-7736  
**Date:** Wednesday, September 18, 2024  
**Subject:** Legislative Hearing on 8 Bills

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The Subcommittee on Federal Lands will hold a legislative hearing on 8 bills:

- H.R. 1479 (Rep. Ciscomani), “Chiricahua National Park Act”;
- H.R. 1504 (Rep. Horsford), “Apex Area Technical Corrections Act”;
- H.R. 8931 (Rep. Stefanik), To redesignate Saratoga National Historical Park as Saratoga National Battlefield Park;
- H.R. 8946 (Rep. Matsui), “Reversionary Interest Conveyance Act”;
- H.R. 9159 (Rep. Lawler), “Appalachian Trail Centennial Act”;
- H.R. 9492 (Rep. Valadao), To amend Public Law 99-338 with respect to Kaweah Project permits;
- H.R. 9516 (Rep. Chavez-DeRemer), “Military Families National Parks Access Enhancement Act”; and
- S. 612 (Sen. Cortez Masto), “Lake Tahoe Restoration Reauthorization Act”.

The hearing will take place on **Wednesday, September 18, 2024, at 10:15 a.m.** in room 1324 Longworth House Office Building.

Member offices are requested to notify Will Rodriguez (Will.Rodriguez@mail.house.gov) by 4:30 p.m. on Tuesday, September 17, if their Member intends to participate in the hearing.

#### **I. KEY MESSAGES**

- The Republican bills on today’s hearing include locally supported efforts to support our nation’s Gold Star Families, establish a new national park, emphasize the historic importance of a Revolutionary War battlefield, strengthen public-private partnerships for trail maintenance, extend the operation of a critical hydroelectric project, and continue the supply of needed resources to the Lake Tahoe Basin.
- Representative Chavez-DeRemer’s legislation extends eligibility of free Gold Star Family passes to our national parks and public lands to next of kin who lost loved ones serving on active-duty, an important sign of support for our nation’s military families.
- Representative Ciscomani’s legislation elevates Chiricahua National Monument to National Park status, in recognition of this unique Arizona landscape rich in natural, cultural, and historic resources.

- The Lake Tahoe Restoration Reauthorization Act is a bicameral and bipartisan effort led in the House by Representatives Duarte, Kiley, and Amodei. This important legislation will extend the period in which previously authorized funding can be spent on restoration and resilience activities around Lake Tahoe, including critical work preventing catastrophic wildfires and improving forest health.
- Representative Lawler’s Appalachian Trail Centennial Act seeks to strengthen and leverage public-private partnerships that are vital to the care of our nation’s scenic and historic trails.
- Representative Valadao’s bill authorizes the renewal of a special use permit in the Sequoia National Park for the continued operation of a hydroelectric project, ensuring continued reliable and affordable power.
- Representative Stefanik’s bill redesignates the Saratoga National Historic Park as a National Battlefield Park to distinguish the site for its critical significance in the American fight for independence ahead of our country’s 250th anniversary.

## II. WITNESSES

### Panel I (Members of Congress):

- **To Be Announced**

### Panel II (Administration Officials and Outside Experts):

- **Ms. Jacqueline Emanuel**, Associate Deputy Chief, National Forest System, U.S. Forest Service, Washington, D.C. [H.R. 9159, H.R. 9516, S. 612]
- **Mr. Mike Caldwell**, Associate Director, Park Planning, Facilities, and Lands, National Park Service, Washington, D.C. [H.R. 1479, H.R. 1504, H.R. 8391, H.R. 8946, H.R. 9159, H.R. 9492, H.R. 9516, S. 612]
- **Ms. Monica Preston**, President, Wilcox Chamber of Commerce and Agriculture, Willcox, Arizona [H.R. 1479]
- **Ms. Julie W. Regan**, Executive Director, Tahoe Regional Planning Agency, Stateline, Nevada [S. 612]
- **Ms. Sandi Marra**, President and CEO, Appalachian Trail Conservancy, Harpers Ferry, West Virginia [H.R. 9159]
- **Ms. Gabriella Kubinyi**, Member, Gold Star Spouses of America, Inc., Washington, D.C. [H.R. 9516]
- **Ms. Pamela Goynes-Brown**, Mayor, City of North Las Vegas, North Las Vegas, Nevada [H.R. 1504] [Minority Witness]
- **Ms. Justine Jimmie**, Deputy Attorney General, San Carlos Apache Tribe, San Carlos, Arizona [H.R. 1479] [Minority Witness]

## III. BACKGROUND

### H.R. 1479 (Rep. Ciscomani), “Chiricahua National Park Act”

In 1924, President Calvin Coolidge established Chiricahua National Monument, located in the Chiricahua Mountains in southeastern Arizona.<sup>1</sup> The area, which the Apache called “The Land of Standing-Up Rocks,” is known for its ancient volcanic hoodoos, pinnacles, and other rock formations.<sup>2</sup> The National Park Service (NPS) administers this 12,000-acre monument, of which over 85 percent is designated as wilderness.<sup>3</sup> Chiricahua National Monument contains evidence of diverse human history spanning thousands of years, including that of prehistoric indigenous peoples, Chiricahua Apache, Buffalo Soldiers, and European American pioneers and ranchers.<sup>4</sup> The national monument contains the Faraway Ranch, which was home to Swedish immigrants in the 19th century.<sup>5</sup> Chiricahua is also a popular hiking

<sup>1</sup>National Park Service, “Chiricahua National Monument, Management”, <https://www.nps.gov/chir/learn/management/index.htm>.

<sup>2</sup>National Park Service, “Chiricahua National Monument, Nature and Science”, <https://www.nps.gov/chir/learn/nature/index.htm>.

<sup>3</sup>National Park Service, “Foundation Document Overview Chiricahua National Monument”, <http://npshistory.com/publications/foundation-documents/chir-fd-overview.pdf>.

<sup>4</sup>*Id.*

<sup>5</sup>National Park Service, “Chiricahua National Monument, Faraway Ranch”, <https://www.nps.gov/chir/learn/historyculture/faraway-ranch.htm>.

and camping destination, offering several scenic hiking trails that showcase unique rock formations and forested areas with a variety of desert foliage including prickly pear, yuccas, agave, and hedgehog cactus.<sup>6</sup>



Hoodoos in the Chiricahua National Monument. **Source:** Lawrence S. Richardson Jr., 2017.

H.R. 1479 would redesignate Chiricahua National Monument as Chiricahua National Park, making it the country's 64th national park and the fourth national park located in Arizona. Local supporters of this legislation believe that elevating Chiricahua to full national park status would allow Chiricahua to take its place among the other "crown jewels" of the National Park System, increase visitation and benefit nearby gateway communities.<sup>7</sup> Companion legislation, S. 736, has been introduced by Senator Kelly (D-AZ) in the Senate.

#### **H.R. 1504 (Rep. Horsford), "Apex Area Technical Corrections Act"**

Clark County, Nevada, is widely known as one of the premier entertainment capitals of the world. This region experienced significant population growth in recent years, and estimates project that the county will reach a population of 3.43 million by 2080.<sup>8</sup> This sharp rise in population presents both opportunities and challenges as local officials attempt to attract businesses to the region to support the growing workforce. Unfortunately, one factor inhibiting the region's economic prosperity is the significant presence of federal land. Over 86 percent of land in Clark County is owned by the federal government, deterring developers from investing in the region and adding bureaucratic red tape to important projects.<sup>9</sup>

To incentivize economic growth and attract new businesses, Congress created the Apex Industrial Park (Apex) in 1989 by authorizing the sale of roughly 21,000 acres of Bureau of Land Management (BLM) land to Clark County to establish an industrial park. Once completed, the Apex will have 7,000 acres of developable land and is expected to employ over 6,500 workers.<sup>10</sup> A convergence point for freight from California and other parts of the western United States, the Apex is a prime location for many Fortune 500 Companies. While the original law directed BLM to issue utility and transportation rights-of-way for the Apex, businesses that want to start construction or expand at the Apex must endure a complicated permitting process.

<sup>6</sup> Backpacker.com, "This Arizona Monument Could Be Our Next National Park," Mary Beth Skyllis, March 13, 2023, <https://www.backpacker.com/news-and-events/news/chiricahua-national-monument-national-park/>.

<sup>7</sup> Cronkite News, "Congress considers making Chiricahua National Monument Arizona's fourth national park", Sarah Min Heller, May 24, 2023, <https://cronkitenews.azpbs.org/2023/05/24/chiricahua-national-monument-arizonas-fourth-national-park/>.

<sup>8</sup> Center for Business and Economic Research, 2023 CBER Population Forecasts, <https://webfiles.clarkcountynv.gov/2023%20CBER%20Population%20Forecasts.pdf>.

<sup>9</sup> University of Nevada Las Vegas, Counties and the Bureau of Land Management, [https://digitalscholarship.unlv.edu/cgi/viewcontent.cgi?params=/context/bmw\\_lincy\\_env/article/1002/&path\\_info=Solano\\_Patricio\\_Beavers\\_Saladino\\_Brown\\_Environment\\_No.3\\_Land\\_Use\\_in\\_Nevada\\_Counties\\_and\\_the\\_BLM.pdf](https://digitalscholarship.unlv.edu/cgi/viewcontent.cgi?params=/context/bmw_lincy_env/article/1002/&path_info=Solano_Patricio_Beavers_Saladino_Brown_Environment_No.3_Land_Use_in_Nevada_Counties_and_the_BLM.pdf).

<sup>10</sup> KTNV, North Las Vegas Industrial Center Expected to Generate Thousands of Job Opportunities, <https://www.ktnv.com/news/apex-industrial-center-set-to-generate-thousands-of-job-opportunities-for-valley-residents#:~:text=The%20focus%20is%20on%20an,6%2C500%20employees%20when%20built%20out.>

The delayed installation of utilities like sewer and gas, as well as access roads or broadband lines across BLM-controlled corridors, has stalled the growth of existing businesses in the Apex area. Additionally, the prolonged permitting process acts as a deterrent for new businesses, hindering economic development in North Las Vegas.

H.R. 1504 amends the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to streamline the permitting process for the site. Specifically, the legislation allows the Secretary of the Interior to grant utility and transportation rights-of-way to the Apex Industrial Park Owners Association (Association) and City of North Las Vegas, along with Clark County, for electric, power, water, natural gas, telephone, railroad, or highway facilities.<sup>11</sup> The legislation also strengthens the requirement to grant such rights-of-way by amending the law so the Secretary *shall* issue the rights-of-way rather than *may* issue the rights-of-way. These changes are necessary, as the Association and North Las Vegas, rather than Clark County, now own most of the site. Finally, the legislation eases requirements regarding the sale of mineral materials from the Apex due to grading or land balancing. In total, these changes will simply the process for installing the utility and transportation infrastructure necessary to facilitate economic growth and attract new business investment.

**H.R. 8931 (Rep. Stefanik), To redesignate Saratoga National Historic Park as Saratoga National Battlefield Park.**

On September 19, 1777, an army of Continental troops under the command of General Horatio Gates stood its ground against the British Empire in present-day Saratoga County, New York.<sup>12</sup> Thus began the Battles of Saratoga, in which American colonists would rout a British invasion force marching southward from Canada, capture an unprecedented six thousand English soldiers and Hessian mercenaries, and create a turning point in the Revolutionary War.<sup>13</sup> Today, a 3,400-acre expanse of rolling hills and forested ravines bordering the northern Hudson River conserves the location of the pivotal Battles of Saratoga as the Saratoga National Historic Park (Saratoga NHP), a unit of the NPS.<sup>14</sup> The area provides visitors with trails and tour routes to experience the battlefield, which is carefully managed to resemble its appearance right after the events of the battle, and includes landmarks, fortifications, and important buildings. The Saratoga NHP also hosts artifacts exhibits, historical reenactments, and guided tours to keep the memory of the battle alive and tell the stories of those who lived through it.<sup>15</sup> While the Saratoga NHP was initially named “Saratoga Battlefield Park” as a New York State Historical Site, the “Battlefield” nomenclature was dropped in 1938 when the area became part of the National Park System.<sup>16</sup> With the upcoming 250th anniversaries of both the United States and the Battles of Saratoga, residents of Saratoga County and the State of New York have pushed to rename the Saratoga NHP to clarify its place in the heroic struggle for American Independence.<sup>17</sup> Congresswoman Elise Stefanik’s (R-NY-21) legislation would redesignate the site as the Saratoga National Battlefield Park to identify its importance as a historical battlefield to visitors and more effectively emphasize the sacrifices of soldiers who fought on the land.

**H.R. 8946 (Rep. Matsui), “Reversionary Interest Conveyance Act”**

During the 19th century, Congress granted many railroad rights of way across public lands through the Pacific Railroad Acts.<sup>18</sup> The Supreme Court interpreted these Acts to grant land ownership to railroad companies; however, if a railroad was not built or was no longer used for railroad purposes, the land would revert back to the United States.<sup>19</sup> Courts also ruled that railroad companies lack the authority to convey portions of these rights-of-way to third parties, even if the remainder of the land is still used for railroad purposes. Despite this consistent interpretation, several railroad companies conveyed portions of lands within their rights-of-way.

<sup>11</sup> Public Law 101-67; 103 Stat. 168.

<sup>12</sup> *Saratoga*. American Battlefield Trust. (n.d.). <https://www.battlefields.org/learn/revolutionary-war/battles/saratoga>.

<sup>13</sup> *Id.*

<sup>14</sup> U.S. Department of the Interior. (n.d.). *Saratoga—National Historic Park New York*. National Parks Service. <https://www.nps.gov/sara/index.htm#>.

<sup>15</sup> *Id.*

<sup>16</sup> NEWS10 ABC, *Saratoga Co. looks to change historical park name*, Deuso, C, June 19, 2024, <https://www.news10.com/news/saratoga-county/saratoga-co-looks-to-change-historical-park-name/>

<sup>17</sup> *Id.*

<sup>18</sup> “Title Issues Raised by Railroad Right-of-Way in Sacramento, California”, [https://republicans-naturalresources.house.gov/UploadedFiles/Summary\\_Package\\_for\\_Matsui\\_1-c1.PDF](https://republicans-naturalresources.house.gov/UploadedFiles/Summary_Package_for_Matsui_1-c1.PDF).

<sup>19</sup> *Id.*

Unbeknownst to the new landowners, the reversionary interest in these conveyed properties encumbers what the landowners can do with their land.

In Sacramento, private owners of an 8.43-acre property within the Sacramento Center for Innovation Specific Plan have recently uncovered a similar reversionary interest on their land, originally conveyed to them by the Southern Pacific Transportation Company.<sup>20</sup> According to BLM:

*Southern Pacific's predecessor received a railroad right-of-way grant from Congress over the land in question as part of the Pacific Railroad Act of 1862, which gave the railroad a limited fee with a reversionary interest held by the United States. Consequently, the United States continues to have a reversionary interest that is realized only when Southern Pacific formally abandons the right-of-way (or a portion) consistent with applicable law. Even if Southern Pacific were to abandon the right-of-way, which it has not, title would revert to the United States and not Southern Pacific or the adjacent property owners.*<sup>21</sup>

BLM further explained that, although it does not believe it has the authority to remove the reversionary interest, “it has no programmatic need for the land in question” and encouraged Congress to pursue a legislative solution.<sup>22</sup> H.R. 8946, led by Representative Doris Matsui (D-CA-7), would resolve the reversionary conflict on this parcel of land in Sacramento. This bill would require the BLM to convey the relevant reversionary interests to the applicable landowners for fair market value. This would resolve uncertainty for the current landowners and allow the area to develop further without complications from the federal government.

#### **H.R. 9159 (Rep. Lawler), “Appalachian Trail Centennial Act”**

Regarded as one of the most iconic trails in the United States, the Appalachian National Scenic Trail (Trail) is the longest hiking-only footpath in the world.<sup>23</sup> The Trail spans roughly 2,190 miles, with the southern terminus located in Springer Mountain, Georgia, and the northern terminus in Katahdin, Maine.<sup>24</sup> Built by private citizens and completed in 1937, the Trail was designated the first National Scenic Trail in 1968.<sup>25</sup> Today, it attracts more than 3 million visitors from across the globe and is managed through a combination of federal agencies, partners, and thousands of volunteers.<sup>26</sup> The Appalachian Trail is supported by the Appalachian Trail Conservancy (ATC), a 30,000-member organization that oversees its protection and management.<sup>27</sup>

H.R. 9159, the Appalachian Trail Centennial Act (ATCA), aims to build on the success of the Appalachian National Scenic Trail by expanding partnerships, adding direction for agencies to coordinate and advance land conservation, and providing tools to monitor visitor and usage patterns on National Scenic and Historic Trails. H.R. 9159 establishes Designated Operational Partners (DOPs) for National Scenic and Historic Trails, organizations with “experience in the management, maintenance, and preservation of the trail.”<sup>28</sup> The legislation would allow DOPs to enter into cooperative agreements with the Secretary of the Interior to steward and maintain specific trails. It also strengthens consultation requirements for trail planning and requires economic impact assessments for trails to analyze the benefits of trails for gateway communities regularly. These changes will allow the federal government to improve collaboration with local partners and improve trail maintenance by leveraging non-federal partnerships. Senators Thom Tillis (R-NC) and Tim Kaine (D-VA) have introduced companion legislation in the Senate.

<sup>20</sup> *Id.*

<sup>21</sup> Bureau of Land Management, Letter to Representative Matsui, August 1, 2022, [https://naturalresources.house.gov/uploadedfiles/blm—correspondence\\_to\\_rep\\_matsui\\_re\\_land\\_conveyance.pdf](https://naturalresources.house.gov/uploadedfiles/blm—correspondence_to_rep_matsui_re_land_conveyance.pdf).

<sup>22</sup> *Id.*

<sup>23</sup> Appalachian Trail Conservancy, About Us, The Appalachian Trail, <https://appalachiantrail.org/our-work/about-us/>.

<sup>24</sup> *Id.*

<sup>25</sup> Pacific Crest Trail Association, America's National Trails System, <https://www.pcta.org/our-work/national-trails-system/#:~:text=America's%20National%20Trails%20System%20is,nation's%20first%20National%20Scenic%20Trails>.

<sup>26</sup> *Id.*

<sup>27</sup> Appalachian Trail Conservancy, About Us, The Appalachian Trail, <https://appalachiantrail.org/our-work/about-us/>.

<sup>28</sup> H.R. 9159.

**H.R. 9492 (Rep. Valadao), To amend Public Law 99-338 with respect to Kaweah Project permits.**

Southern California Edison, a subsidiary of Edison International, is one of the largest electric utilities in the United States, serving roughly 15 million people over a 50,000-square-mile area in Central, Coastal, and Southern California.<sup>29</sup> Since 1899, Southern California Edison has operated the Kaweah Hydroelectric Project (Project) on the Kaweah and East Fore Kaweah Rivers, located near the community of Three Rivers in Tulare County.<sup>30</sup> The Kaweah Project has a generating capacity of 8.85 megawatts and is split into three developments.<sup>31</sup> In 1943, Congress expanded the boundaries of Sequoia National Park and, in so doing, acquired lands that contained part of the Project.<sup>32</sup> As a result, Kaweah #3 has diversion dams and 4.4 miles of flow line in the national park.<sup>33</sup> From 1943 to 1986, Congress authorized the Secretary of the Interior to extend California Edison's special use permit to use these lands for the continued operation of the project.<sup>34</sup> Congress subsequently reauthorized the extension of this permit for 10 years and provided the option to renew for ten additional years. The Consolidated Appropriations Act of 2005 allowed for two additional renewals, expiring in 2026.<sup>35</sup> H.R. 9492, led by Representative David Valadao (R-CA-22), would authorize the Secretary of the Interior to issue four additional renewals, extending the project for 40 years. Without a renewal, Southern California Edison would be forced to remove their infrastructure from the area, a significant cost for the company's ratepayers. Extending the special use permit will allow California Edison to continue supplying reliable and affordable energy to this region.

**H.R. 9516 (Rep. Chavez-DeRemer), “Military Families National Parks Access Enhancement Act”**

Across the country, military families play a critical role in protecting our freedoms. They support loved ones who risk their lives defending the values that make our country a beacon of hope around the world. While many military members return home, others make the ultimate sacrifice by laying down their lives for our country. Families that lose loved ones in the military are commonly referred to as “Gold Star Families,” and often wear a Gold Star Lapel Button. These families must confront their worst nightmare and attempt to find closure amidst traumatic circumstances. For many such families, recreating outdoors can offer relief in times of profound tragedy. Outdoor activities can provide valuable opportunities for Gold Star Families to reconnect with nature, reflect on their loved ones, and find moments of peace.

In 2021, Congress permanently codified free, lifetime passes to our national parks and public lands for Gold Star Families in the Alexander Lofgren Veterans in Parks (VIP) Act.<sup>36</sup> The VIP Act was intended to recognize and honor the sacrifices of Gold Star Families and ensure their access to healing outdoor recreation destinations. Pass eligibility for Gold Star Families under the VIP Act is determined by section 3.2 of Department of Defense Instruction 1348.36, which sets the criteria for issuing Gold Star Lapel Buttons.<sup>37</sup> This instruction covers eligible next of kin of service members who lost their lives in a qualifying situation, such as a war, an international terrorist attack, or a military operation outside of the U.S.<sup>38</sup> Unfortunately, this instruction excludes families of active-duty military members who lost their lives in other circumstances, such as hazardous combat training accidents inside the U.S. Such families are authorized to wear the Gold Star Next of Kin Lapel Button. H.R. 9516 would expand access to free, lifetime America the Beautiful Passes to Gold Star Next of Kin family members. This legislation is a meaningful way to support families who lost loved ones selflessly serving our nation. Expanding eligibility to such families will also ensure their permanent access to the nation's iconic national parks and public lands that their loved ones died protecting.

<sup>29</sup> Edison International, “Our Companies”, <https://www.edison.com/>.

<sup>30</sup> Southern California Edison Company, “Kaweah FERC Project No. 298,” January 2019, [https://www.sce.com/sites/default/files/inline-files/CUL1\\_BuiltEnvironmentTSR.pdf](https://www.sce.com/sites/default/files/inline-files/CUL1_BuiltEnvironmentTSR.pdf).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> Public Law 108-447.

<sup>36</sup> Alexander Lofgren Veterans in Parks (VIP) Act; P.L. 117-81.

<sup>37</sup> DOD Instruction 1348.36, [https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/134836p.pdf?ver=mN9Jeg1LSLW\\_wc52VRljhdQ%3D%3D](https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/134836p.pdf?ver=mN9Jeg1LSLW_wc52VRljhdQ%3D%3D).

<sup>38</sup> *Id.*

**S. 612 (Cortez Masto), “Lake Tahoe Restoration Reauthorization Act”**



Source: U.S. Forest Service, 2021.

Lake Tahoe has long been a driver of recreation and economic growth for Nevada and California, attracting over 6.4 million visitors annually.<sup>39</sup> For the past several decades, the Lake Tahoe Basin has faced a confluence of threats, including insects, disease, drought, invasive species, and catastrophic wildfires. To address these challenges, the federal government, Nevada and California, local governments, and private interests have collectively invested nearly \$2 billion since 1997 to increase the Tahoe Basin's health and resiliency.<sup>40</sup> In 2000, Congress passed the Lake Tahoe Restoration Act, which authorized \$300 million to restore the lake and surrounding basin. Congress reauthorized the bill in 2016 in the Water Infrastructure Improvements for the Nation (WIIN) Act and increased the authorization level to \$415 million. The WIIN Act also created a 10,000-acre categorical exclusion (CE) for the U.S. Forest Service (USFS) to expedite forest management projects in the Lake Tahoe Basin Management Unit. The expedited forest treatments made possible by this CE have been literal lifesavers. In 2021, the Caldor Fire was approaching South Lake Tahoe when it reached areas treated under that special CE.<sup>41</sup> The mega-fire, which had been moving rapidly as a crown fire, began to slow, and the 150-foot flame lengths dropped to a more manageable 15 feet when the fire entered the treatment area.<sup>42</sup>

The Lake Tahoe Restoration Reauthorization Act extends the period of time the \$415 million authorized in 2016 can be spent for ten additional years, until 2034. The bill also extends the authorization for cooperative authorities to enter into contracts and cooperative agreements with states and local governments to provide fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and other activities. Reauthorizing these authorities will prevent an interruption in conservation and restoration planning. The Senate passed S. 612 by unanimous consent on July 11, 2024. Representatives Mark Amodei (R-NV-2) and Kevin Kiley (R-CA-3) are leading companion legislation in the House.

<sup>39</sup> National Forest Foundation, Lake Tahoe West Restoration Partnership, <https://www.nationalforests.org/regional-programs/california-program/laketahowest>.

<sup>40</sup> Public Law 114-322, <https://www.congress.gov/114/plaws/publ322/PLAW-114publ322.pdf>.

<sup>41</sup> Wildfire Today, “Examining how fuel treatments affected suppression of the Caldor Fire in California”, Bill Gabbert, October 8, 2021, <https://wildfiretoday.com/2021/10/08/examining-how-fuel-treatments-affected-suppression-of-the-caldor-fire-in-california/>.

<sup>42</sup> Wildfire Today, “Firefighters work to secure the Caldor Fire near South Lake Tahoe”, Bill Gabbert, September 2, 2021, <https://wildfiretoday.com/tag/caldor-fire/>.

#### IV. MAJOR PROVISIONS & SECTION-BY-SECTION

##### H.R. 1479 (Rep. Ciscomani), “*Chiricahua National Park Act*”

###### Section 2. Designation of Chiricahua National Park, Arizona.

- Designates the 12,305-acre Chiricahua National Monument as Chiricahua National Park and specifies that the boundaries shall remain the same.
- Clarifies that funding made available to the monument shall also be available to the national park.
- Specifies that the national park shall be administered in accordance with the presidential proclamations establishing and expanding the monument, as well as laws generally applicable to NPS units.

##### H.R. 1504 (Rep. Horsford), “*Apex Area Technical Corrections Act*”

###### Section 2. Apex Project, Nevada Land Transfer and Authorization Act of 1989.

- Amends the Nevada Land Transfer and Authorization Act of 1989 to allow the Department of the Interior to grant utility and transportation rights of way to the City of North Las Vegas and the Apex Industrial Owners Association for the connection of existing power, water, natural gas, telephone, railroad, and highway facilities to the Kerr-McGee site and other lands conveyed in the bill.
- Grants the City of North Las Vegas and the Apex Industrial Owners Association rights-of-way on public lands as necessary to support the development as a heavy-use industrial zone.
- Specifies mineral materials taken from the site due to grading or land balancing shall be exempt from quantity and term limitations imposed on non-competitive sales. Specifies such transfers shall still comply with other federal environmental laws.

##### H.R. 8931 (Rep. Stefanik), To redesignate Saratoga National Historic Park as Saratoga National Battlefield Park.

###### Section 1. Saratoga National Battlefield Park.

- Redesignates Saratoga National Historical Park as Saratoga National Battlefield Park.
- Specifies all references in laws or maps to Saratoga National Historical Park shall be deemed a reference to Saratoga National Battlefield Park.

##### H.R. 8946 (Rep. Matsui), “*Reversionary Interest Conveyance Act*”

###### Section 2. Conveyance of United States Interest in Certain Land.

- Requires the conveyance of the applicable reversionary interest for approximately 8.43 acres of land under the administrative jurisdiction of the BLM in Sacramento, California, to current landowners of the covered parcel.
- Stipulates that the conveyance shall be subject to valid existing rights and must be for fair market value.
- Stipulates certain conditions of the conveyance, including determining payment of fair market value and costs. In particular, it specifies that the recipient shall pay all costs for relevant surveys, appraisals, and other administrative costs for the conveyance.
- Directs the proceeds from the fair market value transaction to be deposited in the Federal Disposal Account of the Federal Land Transaction Facilitation Act.

###### Section 3. Statutory Construction.

- Emphasizes that nothing in this bill shall diminish the right-of-way associated with the covered parcel within 50 feet of the tracks established and maintained by the Southern Pacific Transportation Company.

- Specifies that nothing in the bill validates or confirms any right or title to an interest in covered lands not confirmed by conveyance made by the Southern Pacific Transportation Company.

**H.R. 9159 (Rep. Lawler), “Appalachian Trail Centennial Act”**

**Section 4. Establishing Designated Operational Partners for National Historic Trails and National Scenic Trails.**

- Requires the Secretary of the Interior to designate the Appalachian Trail Conservancy as the Designated Operational Partner (DOP) for the Appalachian National Scenic Trail within one year of enactment of the bill.
- Authorizes the Secretary to designate eligible entities to serve as DOPs for any other covered trails.
- Allows the Secretary to enter into cooperative agreements with a DOP for a covered trail for up to 20 years and provide financial assistance and other authorized activities as part of the cooperative agreement.
- Allows DOPs to construct, maintain, or develop facilities to help maintain and steward certain trails.
- Authorizes the Secretary to dispose of surplus property to the DOP of a covered trail.
- Requires the Secretary to proactively consult with DOPs on trail administration and maintenance.
- Includes protections for private property rights.
- Requires the Secretaries of the Interior and Agriculture to consider volunteer needs of DOPs.
- Requires DOPs to periodically develop and submit proposed priority lists for land and resource protection for a covered trail.
- Allows the Secretaries to enter into other agreements to advance partnerships with DOPs.
- Exempts DOPs from the Federal Advisory Committees Act (FACA).
- Allows DOPs to be involved in developing comprehensive plans for applicable trails.

**Section 5. Improving Covered Trail Planning and Development.**

- Requires the appropriate Secretary to identify one or more methods to assess visitation levels on covered trails every two years and to report estimated visitation levels on covered trails every five years.
- Requires consultation with federal, state, and private partners.
- Requires the Secretary to identify one or more methods to assess the economic impact of covered trails on gateway communities.
- Requires a report to Congress on challenges associated with planning for trails.
- Exempts committees established under this section from FACA.
- Authorizes appropriations for fiscal year 2025 through 2030.

**H.R. 9492 (Rep. Valadao), To amend Public Law 99-338 with respect to Kaweah Project permits.**

**Section 1. Amendment to Kaweah Project Provision.**

- Authorizes the Secretary of the Interior to permit the continued use of lands within Sequoia National Park for a hydroelectric project for four additional ten-year renewals.
- Strikes “Southern California Edison Company,” allowing the project to continue even in the event of a sale or name change of the company.

**H.R. 9516 (Rep. Chavez-DeRemer), “Military Families National Parks Access Enhancement Act”**

**Section 2. Lifetime Passes.**

- Amends the Federal Lands Recreation Enhancement Act to allow family members who meet the requirements of Section 1475 of Title 10 U.S.C. to qualify for a free, lifetime America the Beautiful pass.

**S. 612 (Cortez Masto), “Lake Tahoe Restoration Reauthorization Act”**

**Section 2. Reauthorization of the Lake Tahoe Restoration Act.**

- Reauthorizes cooperative authorities under the Lake Tahoe Restoration Act until September 30, 2034.
- Extends the ability to spend \$415 million on Lake Tahoe restoration activities from September 30, 2024, to September 30, 2034.

**V. COST**

The Congressional Budget Office (CBO) estimated the Senate version of the Lake Tahoe Restoration Reauthorization Act during the 117th Congress would not affect direct spending or revenues.<sup>43</sup> CBO has not issued formal cost estimates for the other bills on the agenda.

**VI. ADMINISTRATION POSITION**

In testimony before the Senate Energy and Natural Resources Committee during the 117th Congress on S. 1583, the Senate companion of the Lake Tahoe Restoration Reauthorization Act, the USFS expressed support for the legislation.<sup>44</sup> NPS testified in support of S. 1320, the Senate companion of the Chiricahua National Park Act in the 117th Congress.<sup>45</sup> In testimony before the Senate Energy and Natural Resources Committee during the 118th Congress, the BLM testified in support of S. 1760, the Senate companion of the Apex Technical Corrections Act, with proposed amendments.<sup>46</sup>

The administration’s position on the remaining bills on the agenda is unknown.

**VII. EFFECT ON CURRENT LAW (RAMSEYER)**

**H.R. 1504**

[https://naturalresources.house.gov/uploadedfiles/h.r.\\_1504\\_-\\_ramseyer.pdf](https://naturalresources.house.gov/uploadedfiles/h.r._1504_-_ramseyer.pdf)

**H.R. 9492**

[https://naturalresources.house.gov/uploadedfiles/h.r.\\_9492\\_-\\_ramseyer.pdf](https://naturalresources.house.gov/uploadedfiles/h.r._9492_-_ramseyer.pdf)

**H.R. 9516**

[https://naturalresources.house.gov/uploadedfiles/bill-to-law\\_hr\\_\\_\\_military\\_families\\_national\\_parks\\_enhancement\\_act.pdf](https://naturalresources.house.gov/uploadedfiles/bill-to-law_hr___military_families_national_parks_enhancement_act.pdf)

**S. 612**

[https://naturalresources.house.gov/uploadedfiles/bill-to-law\\_118s612es.pdf](https://naturalresources.house.gov/uploadedfiles/bill-to-law_118s612es.pdf)

<sup>43</sup> Congressional Budget Office, “S. 1583, Lake Tahoe Restoration Reauthorization Act”, November 21, 2022, <https://www.cbo.gov/publication/58810>.

<sup>44</sup> Statement of Christopher B. French before the Senate Energy and Natural Resources, Regarding S. 1583, October 19, 2021, [https://www.fs.usda.gov/sites/default/files/fs\\_media/fs\\_document/20211019-usdafs-senr-plfm-testimony-chris-french.pdf](https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/20211019-usdafs-senr-plfm-testimony-chris-french.pdf).

<sup>45</sup> Statement of Michael A. Caldwell before the Senate Energy and Natural Resources Subcommittee on, Regarding S. 1320, June 23, 2021, <https://www.doi.gov/ocl/s-1320>.

<sup>46</sup> Statement of Thomas Heinlein before the Senate Energy and Natural Resources, Regarding S. 1760, July 12, 2023, <https://www.blm.gov/sites/default/files/docs/2023-07/07.12.23%20SENR%20Hearing%20BLM%20Testimony.pdf>.

LEGISLATIVE HEARING ON H.R. 1479, TO ESTABLISH THE CHIRICAHUA NATIONAL PARK IN THE STATE OF ARIZONA AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES, "CHIRICAHUA NATIONAL PARK ACT"; H.R. 1504, TO AMEND THE APEX PROJECT, NEVADA LAND TRANSFER AND AUTHORIZATION ACT OF 1989 TO INCLUDE THE CITY OF NORTH LAS VEGAS AND THE APEX INDUSTRIAL PARK OWNERS ASSOCIATION, AND FOR OTHER PURPOSES, "APEX AREA TECHNICAL CORRECTIONS ACT"; H.R. 8931, TO REDESIGNATE SARATOGA NATIONAL HISTORICAL PARK AS SARATOGA NATIONAL BATTLEFIELD PARK; H.R. 8946, TO CONVEY THE REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN LAND IN SACRAMENTO, CALIFORNIA, "REVERSIONARY INTEREST CONVEYANCE ACT"; H.R. 9159, TO ENHANCE THE PRESERVATION, MAINTENANCE, AND MANAGEMENT OF NATIONAL HISTORIC TRAILS AND NATIONAL SCENIC TRAILS, AND FOR OTHER PURPOSES, "APPALACHIAN TRAIL CENTENNIAL ACT"; H.R. 9492, TO AMEND PUBLIC LAW 99-338 WITH RESPECT TO KAWEAH PROJECT PERMITS; H.R. 9516, TO AMEND THE FEDERAL LANDS RECREATION ENHANCEMENT ACT TO PROVIDE FOR LIFETIME NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASSES FOR FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES WHILE SERVING THEIR COUNTRY, "MILITARY FAMILIES NATIONAL PARKS ACCESS ENHANCEMENT ACT"; AND S. 612, TO REAUTHORIZE THE LAKE TAHOE RESTORATION ACT, AND FOR OTHER PURPOSES, "LAKE TAHOE RESTORATION REAUTHORIZATION ACT"

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Wednesday, September 18, 2024  
U.S. House of Representatives  
Subcommittee on Federal Lands  
Committee on Natural Resources  
Washington, DC

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The Subcommittee met, pursuant to notice, at 10:16 a.m. in Room 1324, Longworth House Office Building, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Tiffany, Bentz, Moylan, Westerman; Neguse, Kamlager-Dove, and Leger Fernández.

Also present: Representatives Chavez-DeRemer, Ciscomani, Kiley, Valadao; Horsford, and Stansbury.

Mr. WESTERMAN [presiding]. The Subcommittee on Federal Lands will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to consider eight bills: H.R. 1479, sponsored by Representative Ciscomani, the Chiricahua National Park Act; H.R. 1504, sponsored by Representative

Horsford, the Apex Area Technical Corrections Act; H.R. 8931, sponsored by Representative Stefanik, to redesignate Saratoga National Historic Park as Saratoga National Battlefield Park; H.R. 8946, sponsored by Representative Matsui, the Reversionary Interest Conveyance Act; H.R. 9159, sponsored by Representative Lawler, the Appalachian Trail Centennial Act; H.R. 9492, sponsored by Representative Valadao, to amend Public Law 99-338 with respect to Kaweah Project permits; H.R. 9516, sponsored by Representative Chavez-DeRemer, the Military Families National Parks Access Enhancement Act; and S. 612 sponsored by Senator Cortez Masto, the Lake Tahoe Restoration Reauthorization Act.

I ask unanimous consent that the following Members be allowed to participate in today's hearing from the dais: the gentlelady from New Mexico, Ms. Stansbury; the gentlelady from California, Ms. Matsui; the gentleman from Nevada, Mr. Amodei; the gentlelady from New York, Ms. Stefanik; the gentleman from California, Mr. Valadao; the gentleman from Nevada, Mr. Horsford; the gentlelady from Oregon, Ms. Chavez-DeRemer; the gentleman from Arizona, Mr. Ciscomani; the gentleman from California, Mr. Kiley; and the gentleman from New York, Mr. Lawler.

Without objection, so ordered.

Under Committee rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I, therefore, ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I now will recognize myself for an opening statement.

**STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS**

Mr. WESTERMAN. Today's agenda is full of important pieces of legislation that improve conservation and forest management, expand access to our public lands, and offer innovative public-private partnership models. The eight lands bills on today's agenda are among the many that the Federal Lands Subcommittee has processed throughout this Congress, and will continue to advance through the remainder of the year. Some of the lands bills we have processed this year may be parochial in nature, but they address some of the most important issues facing our constituents back home.

The bills we have advanced and will continue to advance all represent the principles we have strived to uphold this Congress: promoting conservation, supporting increased access, incentivizing innovation, and encouraging new technologies to flourish. As we approach the end of this Congress, I am committed to working in a bipartisan and bicameral fashion to get as many of these bills across the finish line as possible. We want to send legislation to the President's desk that serves our constituents and makes this country and our land management policies better.

Turning to the specific items of today's agenda, I want to recognize several of the bills' sponsors before us for their leadership. They include the Chair of the House Republican Conference,

Congresswoman Elise Stefanik, as well as Representatives Ciscomani, Lawler, Valadao, and Chavez-DeRemer.

In particular, I would like to highlight Representative Chavez-DeRemer's legislation, which is a continuation of efforts this Committee championed last year to permanently codify free lifetime passes to our national parks and public lands for veterans and Gold Star families. Her legislation, which would ensure that all Gold Star families and next of kin are eligible for these passes, will benefit many military families in my district and across the nation.

I would also like to recognize the sponsors of the House companion legislation to the Lake Tahoe Restoration Reauthorization Act we are considering today, including Representatives Amodei, Duarte, and Kiley. I have had the pleasure of visiting Lake Tahoe in the past and have seen firsthand the phenomenal work taking place there.

I want to yield a few minutes to the Congressman who represents this area, Representative Kiley, to discuss the importance of this reauthorization a little further.

Mr. KILEY. Thank you, Chairman Westerman, for your leadership of the House Natural Resources Committee and for considering today the Lake Tahoe Restoration Reauthorization Act.

As the Congressman who represents the entire California side of Lake Tahoe, this bill is of the highest importance to my constituents, as well as to the states of California and Nevada. But more than that, Lake Tahoe is a national treasure. Preserving its beauty and accessibility is an important national interest and an important national responsibility, with 80 percent of its watershed under Federal ownership.

The Lake Tahoe Restoration Act has been crucial in enabling the small communities in the basin to protect the lake for all Americans and for generations to come. This bipartisan legislation has become a national model for collaboration in the name of conservation. The Restoration Act needs to be reauthorized to allow this to continue and assure continued funding for conservation efforts in the Lake Tahoe Basin.

Specific programs include forest health and fuels reduction, combating invasive species, water infrastructure, and water quality improvement. As one example, the forest health treatments enabled by the Act serve as a model of effective forest management, and they proved crucial in stopping the devastating Caldor Fire of 2021 from becoming an even more catastrophic event, saving the city of South Lake Tahoe. But much more work remains to restore the areas burned by the Caldor Fire and to reach the goal of 9,000 acres treated.

Beyond forest health, the restoration efforts enabled by the Act are working. In 2023, Lake Tahoe achieved its highest clarity since the 1980s, but more work is needed to reduce stormwater pollution and to reach the lake clarity goal of 100 feet.

Reauthorizing the Lake Tahoe Restoration Act will be a key accomplishment of this Congress. It is of tremendous importance to the residents of the basin, and will be a benefit to all Americans.

Thank you, Mr. Chairman, for bringing this bill up for consideration, and I yield back.

Mr. WESTERMAN. Thank you, Representative Kiley, for your leadership on this important bill. I appreciate you bringing this to the Committee's attention and for your fierce advocacy on behalf of the Lake Tahoe Basin, which is an absolutely beautiful place.

With that, I would like to thank the witnesses for being with us today, and I yield back the balance of my time.

Next, I recognize Representative Valadao for 5 minutes on H.R. 9492.

**STATEMENT OF THE HON. DAVID VALADAO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. VALADAO. Thank you, Chairman Westerman, members of the Subcommittee, and witnesses for taking the time to hold this important hearing today.

My bill, H.R. 9492, extends the special use permit to allow for the continued operations of the Kaweah No. 3 hydroelectric project within the Sequoia National Park. For the past century the Kaweah No. 3 hydroelectric project has generated clean, renewable energy for California's electrical grid. The project not only provides power to the larger electrical grid, but also supplies power to nearby foothill communities and even some national park facilities.

By continuing operations, we are ensuring the sustained production of 4.6 megawatts of electricity, which is the equivalent of powering 3,700 homes annually. If the project were abandoned, rural communities in Tulare County would face environmental restoration costs and the potential of being cut off from the grid during disasters or emergencies. Renewing these permits is a positive thing for our communities, the environment, and the stability of our energy supply.

I would like to submit a letter of support from Southern California Edison to the Committee for the record.

Mr. WESTERMAN. Without objection, so ordered.

Mr. VALADAO. Thank you, Chairman. I yield back.

Mr. WESTERMAN. The gentleman yields back, and I want to recognize the Ranking Member, the gentleman from Colorado, Mr. Neguse, for an opening statement.

**STATEMENT OF THE HON. JOE NEGUSE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO**

Mr. NEGUSE. I want to first thank the Chairman of our Full Committee. It is great to be back in our first Federal Lands Subcommittee hearing since returning from the August district work period, and I hope each of the Members here had some great visits in their districts, as I did back in Colorado's 2nd District.

I am very pleased to see a bipartisan mix of public lands-related bills on our agenda today. I do want to emphasize, though, that as we head into the final stretch of the 118th Congress, there are a significant number of conservation and land-based priorities still waiting for action from this Committee, and I certainly hope that we can take those bills up in the weeks and the months ahead. Some of them have been awaiting action since the beginning of this Congress. It includes Democratic bills as well as Republican bills from members of this Committee, and I just would encourage the Subcommittee Chair, of course, we will certainly relay this message

to him from the Full Committee Chair, to take those bills up in the next several weeks.

To that end, I do want to mention a few things with respect to the bills that we are considering today before turning it back over to you, Mr. Chairman.

I want to first offer my thanks to the Chairman in particular for including Representative Horsford's bill, H.R. 1504, the Apex Area Technical Corrections Act, on today's agenda. This bill represents Congressman Horsford's dedication to his community to ensure that they can utilize the land granted to them to the utmost potential. And I am just very grateful to Congressman Horsford for bringing this issue to our attention, and look forward to hearing more about this bill and why it is so critical for us to get it done.

I also want to thank all of the witnesses for being here today.

Of course, Ms. Jimmie, as the Deputy Attorney General for the San Carlos Apache Tribe, I am very grateful to you and the work with your community's efforts to ensure traditional access and ongoing consultation with tribal communities as part of the redesignation of the national monument that we will be discussing today. And I am certainly happy to see that proposal, but I just want to make it clear that we believe it is vital that we work with tribal communities, even if we are just discussing a name change, that that consultation and collaboration is crucial.

Finally, I know Representative Matsui cannot be here this morning to speak on her bill, but I do want to ask unanimous consent to enter into the record testimony from Mr. Scott M. Lee, the Managing Partner of Dimension Properties, LLC, in support of H.R. 8946, the Reversionary Interest Conveyance Act.

Mr. WESTERMAN. Without objection, so ordered.

[The information follows:]

**Statement for the Record**

**Scott M. Lee Managing Partner  
Dimension Properties, LLC**

Chairman Tiffany and Ranking Member Neguse,

My name is Scott M. Lee, I serve as the Managing Partner of Dimension Properties, LLC (Dimension Properties). Our headquarters is in Rancho Cordova, California. Thank you for holding this hearing and for the opportunity to submit this testimony.

I submit this testimony today in support of H.R. 8946, Reversionary Interest Conveyance Act, introduced by Congresswoman Doris Matsui. Congresswoman Matsui, thank you for your support and introduction of this legislation.

H.R. 8946 grants the Department of Interior—Bureau of Land Management the authority to convey a railroad right-of-way which crosses over approximately 8.43 acres of land owned by Dimension Properties, LLC. This right-of-way was initially granted in 1862 under the Pacific Railroad Act to Central Pacific Railroad Company. This conveyance will allow Dimension Properties, the City of Sacramento, and Sacramento State University to continue moving forward in our partnership to develop The Sacramento Center for Innovation, a research park that will allow Sacramento to retain and grow the level of talent the region needs to attract investment and business.

Under longstanding United States Supreme Court precedent, when a railroad has never built on a right-of-way granted by statutes like the Pacific Railroad Act of 1862, the right-of-way reverts to the United States. *See, e.g.,* North Pacific Ry. Co. v. Townsend, 190 U.S. 267 (1903). The United States then holds these rights-of-way in perpetuity or until granted the authority by the United States Congress to disclaim interest of the United States and convey the designated right-of-way to the

landowner whose property is impacted by the right-of-way. The United States Congress has previously recognized this need for authority to be granted to the Department of the Interior—Bureau of Land Management, and this legislation similarly provides that authority to the Department of the Interior—Bureau of Land Management. *See, e.g.*, Railroad Right-of-Way Conveyance Validation Act, Pvt.L. 103-2, 108 Stat. 5057 (1994) *as amended by* Railroad Right-of-Way Conveyance Validation Act of 2004, Pvt.L. 108-2, 118 Stat. 4025 (2004); Railroad Right-of Way Conveyance Validation Act of 1985, Pub.L. 99543, 100 Stat. 3040 (1986).

Following the passage of this legislation, Dimension Properties looks forward to working with the Department of Interior—Bureau of Land Management to acquire the right-of-way permitted in this legislation. Enactment of this legislation and finalizing of this conveyance will allow Dimension Properties, in partnership with the City of Sacramento and Sacramento State University to continue to invest in The Sacramento Center for Innovation to advance the development of technology talent and capability for the City, the State, and the Nation.

Thank you for holding this hearing and advancing this important legislation.

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Mr. NEGUSE. Thank you.

And before yielding my time, I also just want to thank Chairman Tiffany and his staff for accommodating a last-minute request to add North Las Vegas Mayor Pamela Goynes-Brown to the witness panel. And I appreciate this, the tight turnaround.

And a special shout out to Will Rodriguez from the Majority staff, who worked late to get out the invitation and to circulate her testimony. I am very grateful for that.

Mr. Chairman, I yield back.

Mr. WESTERMAN. The gentleman yields back. It is now time to move on to our second panel of witnesses, and it looks like we have a very full panel this morning.

Let me remind the witnesses that under Committee Rules, you must limit your oral statements to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, please press the “on” button on your microphone. We do use timing lights. When you begin, the lights will turn green. At the end of 5 minutes, the lights will turn red, and I will ask you to please complete your statement.

First, I would like to introduce Ms. Jacqueline Emanuel, Associate Deputy Chief for the National Forest System at the U.S. Forest Service. Associate Deputy Chief Emanuel, you are recognized for 5 minutes.

**STATEMENT OF JACQUELINE EMANUEL, ASSOCIATE DEPUTY CHIEF, NATIONAL FOREST SYSTEM, U.S. FOREST SERVICE, WASHINGTON, DC**

Ms. EMANUEL. Chairman Westerman, Ranking Member Neguse, and members of the Subcommittee, thank you for this opportunity to testify today on three bills that affect the USDA Forest Service. I am Jacqueline Emanuel, Associate Deputy Chief of the National Forest System for the Forest Service. My oversight within NFS includes recreation, heritage and volunteer resources, engineering, business administration, and ecosystem management.

Regarding the bills discussed today, H.R. 9159, the Appalachian Trail Centennial Act, would affect the management of all national scenic and historic trails, including the Appalachian Trail, a hugely popular and highly-used trail known commonly as the AT. Approximately 8,000 miles of scenic and historic trails are on National

Forest System lands, and the Forest Service is the administering agency for six of them, including the Continental Divide Trail and the Pacific Crest Trail. So, this bill would affect those trails, as well.

Our national trails play a critical role in connecting communities, diversifying visitation, creating economic opportunity, providing habitat corridors, growing future conservation stewards, and healing veterans.

In stewarding roughly 1,000 miles of the AT that traverse NFS lands, we work in close coordination with the Appalachian Trail Conservancy and numerous other organizations, including the National Park Service, which is the administering agency of the trail. In 2023 alone, AT volunteer organizations contributed over 77,000 hours, valued at over \$2.5 million, of work on the trail. H.R. 9159 seeks to recognize the upcoming centennial of the AT, as well as the historic and ongoing role of volunteer organizations in the planning, construction, development, and stewardship of the AT. I would like to take this opportunity to thank the ATC for their invaluable partnership with us and congratulate them on the upcoming centennial anniversary of their organization.

Because our testimony raises questions and concerns with H.R. 9159 and its relation to the National Trails System Act, USDA can't support the bill as currently written, and we would welcome opportunities to work with the Subcommittee and the bill's sponsors to address these concerns.

USDA supports S. 612, the Lake Tahoe Restoration Reauthorization Act. S. 612 would extend USDA authority to enter into contracts and cooperative agreements under the Lake Tahoe Restoration Act and reauthorize appropriations through September 30, 2034. The LTRA has proven to be a valuable authority, increasing our ability to complete forest, watershed, erosion control, and invasive plant projects on both NFS and private lands.

In addition, LTRA has greatly accelerated the pace and scale of forest restoration activities accomplished by USDA in the Lake Tahoe Basin.

H.R. 9516, the Military Families National Parks Access Enhancement Act, would provide free lifetime national parks and Federal recreational lands passes for certain next-of-kin members of armed forces. The recipients of the benefit are not eligible for the existing Gold Star or Veterans Pass. USDA thanks this Subcommittee for their work to honor our military and their families who sacrificed so much in serving their country, and we look forward to working with the sponsor and Subcommittee on this bill.

In closing, we appreciate the Subcommittee's attention to these issues, particularly the interest in reauthorizing the Lake Tahoe Restoration Act. We look forward to working with you. Thank you, and I welcome any questions.

[The prepared statement of Ms. Emanuel follows:]

PREPARED STATEMENT OF JACQUELINE EMANUEL, DEPUTY CHIEF, NATIONAL FOREST  
SYSTEM, U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE  
ON H.R. 9159, H.R. 9516, AND S. 612

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) on H.R. 9159, the “Appalachian Trail Centennial Act”, H.R. 9516, the “Military Families National Parks Access Enhancement Act,” and S. 612, the “Lake Tahoe Restoration Reauthorization Act.”

**H.R. 9159, Appalachian Trail Centennial Act**

USDA cannot support H.R. 9159, the Appalachian Trail Centennial Act (ATCA), as currently written and would like to work with the Subcommittee and bill sponsor to address the items identified in this testimony. We defer to the U.S. Department of the Interior (DOI) regarding provisions affecting the management of lands administered by the DOI agencies and the National Park Service’s role as administering agency of the Appalachian National Scenic Trail (Appalachian Trail).

The objective of H.R. 9159 is to enhance the preservation, maintenance, and management of the Appalachian Trail as well as all other national historic trails and national scenic trails. Section 2 of the ATCA clarifies that the administration and management of national scenic and historic trails are built on partnerships, collaboration, and community engagement as envisioned by the National Trails System Act (NTSA) (16 U.S.C. 1241). USDA has a long and proud history of successfully partnering with a wide range of non-governmental organizations and coordinating with State, Federal, and Tribal governments in stewarding these iconic trails. The Department is grateful for the ongoing coordination with the National Park Service in management of the Appalachian Trail and appreciates the National Park Service’s role as the administering agency for the Appalachian Trail. USDA also is deeply appreciative of its outstanding partnership with the Appalachian Trail Conservancy (ATC) and the many volunteer organizations that work with the Forest Service to steward significant portions of the Appalachian Trail on National Forest System (NFS) lands.

America’s National Trails System is one of the nation’s best examples of partnership and shared stewardship on our federal public lands. USDA is concerned that the definitions and concepts in Section 3 of the bill could cause confusion about the respective roles and responsibilities of the national trail administering and managing agencies and their cooperators or may alter the structure and administration of the National Trails System as envisioned and set forth in the NTSA. We would appreciate an opportunity to better understand the sponsor’s intent in Section 3 of the ATCA and to discuss possible alternative approaches to achieve it. For example, if Congress wishes to revise the National Trails System as a whole, USDA recommends effectuating those revisions as amendments to the NTSA to avoid the potential for confusion or actual or perceived conflicting legal requirements.

Section 4 of ATCA would make the Appalachian Trail Conservancy “the Designated Operational Partner” for the Appalachian National Scenic Trail and provides for other national scenic and national historic trails to have a Designated Operational Partner. USDA greatly values ATC as a longstanding and stable partner in stewardship of the Appalachian Trail. However, statutorily codifying one primary partner with unique rights over others could have unanticipated effects on national trail management across a mosaic of jurisdictions and unintended consequences of creating conflicts with existing partnership agreements, potentially precluding other partners from playing a role in national trail stewardship. Multi-dimensional partnerships are a basic tenet in administration and management of national trails. More broadly, USDA is concerned that the concept of a single “Designated Operational Partner” in this bill runs contrary to the purpose of the NTSA, which is, in part, “to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails” (16 U.S.C. 1241(c)). We would like to work with the sponsor and subcommittee to better understand the role envisioned and intended for Designated Operational Partners, particularly in relation to development and approval or disapproval of comprehensive plans for national trails. Furthermore, we have concerns regarding resolution of disputes if a Designated Operational Partner disapproves a proposed comprehensive trail plan or amendments and revisions to comprehensive trail plans.

Section 5 of the bill would require a visitation assessment, an economic impact assessment, and long-term planning for all national scenic and national historic

trails. USDA has technical concerns with Section 5 that the Department would like to address with the bill sponsor and the Subcommittee.

While we share the goal of supporting and enhancing public-private partnerships for national scenic and historic trails, for the reasons discussed above, we cannot support H.R. 9159 as currently drafted.

**H.R. 9516, Military Families National Parks Access Enhancement Act**

H.R. 9516, “Military Families National Parks Access Enhancement Act,” would modify the Federal Lands Recreation Enhancement Act to provide a free, lifetime America the Beautiful—the National Parks and Federal Recreational Lands Pass for next-of-kin to a member of the Armed Forces who are eligible for a death gratuity under 10 U.S.C. 1475. The National Defense Authorization Act for Fiscal Year 2022 (Pub. L. No. 117-81) made Gold Star Families and veterans eligible for a lifetime America the Beautiful—the National Parks and Federal Recreational Lands Pass. This bill would expand that benefit to next-of-kin of members of the Armed Forces who lost their lives while serving their country. The recipients of the benefit that would be provided by the bill are not eligible for the existing Gold Star or Veteran’s Pass.

USDA recognizes the importance of honoring our military and their families who sacrifice so much in serving their country. The Department also notes that there are financial and programmatic impacts of this bill as it is currently written because it would not be revenue-neutral compared to existing authority. We would like to work with the sponsor and subcommittee to minimize these revenue impacts. We defer to DOI as to any potential impacts of the bill on DOI agencies. USDA looks forward to working with the sponsor and subcommittee on this bill.

**S. 612, Lake Tahoe Restoration Reauthorization Act**

The Lake Tahoe Restoration Act (P.L. No.106-506) authorized \$415,000,000 in appropriations for a period of seven fiscal years, beginning the first fiscal year after the date of enactment of the Water Resource Development Act of 2016. Of that amount, \$150,000,000 was authorized to carry out fire risk reduction and forest management priority projects, with at least \$100,000,000 to be used for programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan. Further, \$113,000,000 was authorized to support stormwater management, erosion control, and total watershed restoration priority projects.

A significant amount of the appropriated funds authorized under the Lake Tahoe Restoration Act (LTRA) have been delivered through our cooperators as they increase our ability to complete forest, watershed, erosion control, and invasive plant projects on both NFS and private lands. In addition, the agency has greatly accelerated the pace and scale of forest restoration activities using the categorical exclusion provided through Section 3603 of the Water Infrastructure Improvements for the Nations Act (WIIN Act, P.L. 114-322), which amended the LTRA. With the ability to conduct mechanical thinning on up to 3,000 acres of NFS lands around Lake Tahoe without preparing an environmental assessment or an environmental impact statement, the Forest Service has reduced the timeframe and cost of planning efforts, resulting in faster implementation of projects. By coordinating with our cooperators, we have minimized conflicts in project planning and implementation.

S. 612 reauthorizes appropriations for the LTRA through September 30, 2034. USDA supports S. 612 as these federal funds will continue to allow work with states, local governments, and other public and private entities to provide for fuel reduction, erosion control, reforestation, and other management activities on federal and non-federal lands under the programs outlined in the LTRA.

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Mr. WESTERMAN. Thank you, Associate Deputy Chief Emanuel. I would now like to introduce Mr. Mike Caldwell, Associate Director for Park Planning, Facilities, and Lands at the National Park Service.

Associate Director Caldwell, you are now recognized for 5 minutes.

**STATEMENT OF MIKE CALDWELL, ASSOCIATE DIRECTOR,  
PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK  
SERVICE, WASHINGTON, DC**

Mr. CALDWELL. Chairman Westerman, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on five of the bills on today's agenda. I would like to submit our full statements for the record and summarize the Department's views.

I would also like to submit statements for the record for two other bills: H.R. 1504, the Apex Area Technical Corrections Act; and H.R. 8946, the Reversionary Interest Conveyance Act. These statements were prepared by the Bureau of Land Management, and we would request that any questions about these bills be referred to them.

H.R. 1479 would redesignate Chiricahua National Monument as Chiricahua National Park. The Department supports H.R. 1479 with amendments.

Redesignating the monument as a national park is consistent with the nomenclature patterns of the National Park System. The unit has a wealth of varied natural and cultural resources that span a large land mass, making it appropriate for the designation of national park. The Department would like to work with the sponsor and the Committee on amendments that would ensure the protection of traditional, cultural, and religious sites in the park, and continued access to those sites by members of culturally-affiliated Indian tribes for religious and cultural purposes. We also recommend a change in the title of the bill.

H.R. 8931 would redesignate Saratoga National Historical Park as Saratoga National Battlefield Park. Since this park meets the National Park Service's general criteria for designation as either type of unit, the Department defers to Congress on the most appropriate title. We want to note, however, that if this legislation is passed, changing all the signs, displays, printed materials, and wayides would require time and resources, and would not be completed before our nation's upcoming 250th anniversary celebrations.

H.R. 9159 seeks to enhance the preservation, maintenance, and management of National Historic Trails and National Scenic Trails. The Department opposes H.R. 9159. We have concerns that this bill fundamentally alters the intent and implementation of the National Trails System Act.

The Trails Act describes cooperation and encouragement regarding management and operation outside of federally administered areas, and does not contemplate the concepts of cooperative management, a cooperative management system, or identify a singular designated operational partner as these terms are defined in H.R. 9159. These concepts significantly reshaped the structure and administration of the National Trails System as envisioned in the Act, and suggest trail-wide management or operational roles that may extend the Federal administration and coordination authorities assigned to the Department through the Act.

We share the goal of supporting and enhancing public-private partnerships, and would be happy to discuss these issues further with the bill's sponsor and the Subcommittee.

We also, like the Forest Service, congratulate the ATC and the trail on their upcoming centennial.

H.R. 9516 would provide for lifetime national parks and Federal recreational lands passes for family members of members of the armed forces who lost their lives while serving their country. The Department is supportive of efforts to honor service members and their families, particularly those who lost their lives while serving our country. We note there are revenue and administration impacts associated with administering free passes for a new category of individuals. We would be happy to work with the Committee on this legislation and provide any potential proposed amendments upon request.

H.R. 9492 would amend Public Law 99-338 with respect to the Kaweah Project permits. The Department supports this bill. H.R. 9492 would increase the number of permit renewals the Secretary of the Interior is authorized to issue for the Kaweah hydroelectric project from three to seven. It would also remove the reference to a specific utility company.

While hydroelectric operations are generally not an appropriate use of national park lands, this system has been in operation in Sequoia National Park for over a century, and it is understood that removal of the infrastructure would pose substantial technical challenges and have significant short-term environmental impacts.

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

[The prepared statement of Mr. Caldwell follows:]

PREPARED STATEMENT OF MICHAEL A. CALDWELL, ASSOCIATE DIRECTOR OF PARK  
PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE,  
U.S. DEPARTMENT OF THE INTERIOR

ON H.R. 1479, H.R. 8931, H.R. 9159, H.R. 9492, AND H.R. 9516

**H.R. 1479, To establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes**

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 1479, a bill to establish the Chiricahua National Park in the state of Arizona as a unit of the National Park System.

The Department supports H.R. 1479 with amendments.

H.R. 1479 would redesignate Chiricahua National Monument in Arizona as Chiricahua National Park.

Chiricahua National Monument was established on April 18, 1924, by President Calvin Coolidge by presidential proclamation. The monument is located in Cochise County, approximately 37 miles southeast of Willcox, Arizona. It is located at the intersection of the Chihuahuan and Sonoran deserts, the southern Rocky Mountains, and the northern Sierra Madre.

Chiricahua National Monument is known as a "Wonderland of Rocks" because of its distinctive pinnacle formations. These formations are the result of powerful volcanic events combined with geologic erosive forces over time, creating the rhyolitic rock formations in the monument. The Madrean Sky Island ecosystem of the monument protects a great diversity of flora and fauna and serves as a critical habitat for threatened, endangered, and endemic species.

Chiricahua National Monument also preserves evidence of diverse human history spanning thousands of years, including prehistoric indigenous peoples, Chiricahua Apaches, Buffalo Soldiers, European-American pioneers and ranchers, and the 1930's Civilian Conservation Corps. The monument's Faraway Ranch Historic District includes structures, resources, and landscapes associated with the former pioneer homestead and working cattle ranch. Stories and evidence of struggle,

perseverance, stewardship, and connection to the land unite the experiences of each of these groups, which left a lasting legacy on the land and our country.

Re-designating the monument as Chiricahua National Park is consistent with the nomenclature patterns of the National Park System. Units designated as national parks generally contain a variety of resources and encompass a large land or water area to help provide adequate protection of the resources. With its wealth of both natural and cultural resources over a large land mass of approximately 12,025 acres, it is appropriate to designate this unit as a national park.

The Department would like to work with the sponsor and the Committee on amendments that would ensure the protection of traditional cultural and religious sites in Chiricahua National Park, and ensure continued access to those sites by members of culturally-affiliated Indian tribes for religious and cultural purposes. Additionally, because Chiricahua National Monument is already a unit of the National Park System, we recommend a change in the title of the bill.

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

### **H.R. 8931, To redesignate Saratoga National Historical Park as Saratoga National Battlefield Park**

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 8931, to redesignate Saratoga National Historical Park as Saratoga National Battlefield Park.

The Department defers to Congress on H.R. 8931.

According to a July 3, 2024 statement released by the bill's sponsor, the purpose of the legislation is to "more accurately reflect the historical significance of the site and emphasize the crucial military engagements that took place there" and acknowledge the significance of "one of the most decisive American battles of the American Revolution." Several local entities, such as the County of Saratoga and the Saratoga County 250th Commission, express support for the bill as a timely effort in light of the upcoming 250th Anniversary of the American Revolution and the Battles of Saratoga.

The National Park Service shares the goal of highlighting the importance of those events. The Park recently completed a \$6.6 million Great American Outdoors Act (GAOA) project in preparation for the 250th Anniversary commemorations by replacing all 72 of the waysides, and pathways. The Park is working closely with the County and Commission planning multiple events up to and throughout 2027, which is the 250th Anniversaries of the Battles of Saratoga (September 19, 1777 and October 7, 1777) and British Army Surrender (October 17, 1777).

In 1938, Congress designated the park as a unit of the National Park System as Saratoga National Historical Park. This park preserves, protects, and interprets the sites associated with the battles, siege, and surrender of the British forces at Saratoga. In addition to the battlefield unit, the park includes four other non-contiguous sites, including General Philip Schuyler (House) Estate, the Saratoga Monument, Saratoga (Sword) Surrender Site, and Victory Woods. With approximately 25 miles of trails and a 10-mile loop tour road, the park is also a popular destination for hiking, biking, horseback riding, and birding, among other passive recreational activities.

The Department notes that visitation to Saratoga National Historical Park has increased 15% since 2008, with recreational visitors representing the largest growing contingent visiting the park. It is unclear how this redesignation will impact visitation. In a report published last November 2023, the Congressional Research Service found that "[e]vidence is mixed as to the effectiveness of such redesignations as a way of increasing tourism at a unit and in surrounding communities." Nevertheless, the Park will continue to work to attract a broad audience to connect to the park through a variety of narratives, recreational opportunities, interpretive stories, and educational experiences that appeal to a wide audience and continue to demonstrate relevance. As Saratoga National Historical Park meets the standards, under our general criteria for designation, as either a National Historical Park or a National Battlefield Park, we defer to Congress on H.R. 8931.

If this redesignation legislation is passed, changing all the signs, displays, printed materials, and waysides, including the 72 new waysides just installed as part of the GAOA project, would be phased as these resources are replaced over time. All of these changes are extensive, require additional resources, and could not be completed before the 250th anniversaries to be celebrated in 2027. The National Park

Service will continue to work to increase public awareness and understanding of the role Saratoga played in the founding of this country.

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

**H.R. 9159, To enhance the preservation, maintenance, and management of national historic trails and national scenic trails, and for other purposes**

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 9159, a bill to enhance the preservation, maintenance, and management of National Historic Trails and National Scenic Trails, and for other purposes.

The Department opposes H.R. 9159. We defer to the U.S. Department of Agriculture on those provisions of the bill affecting its role in managing the Appalachian Trail National Scenic Trail and National Forest System lands.

H.R. 9159 seeks to strengthen the role and authority of national trail partners through provisions that codify the concepts of "cooperative management" and "cooperative management system." It establishes the Appalachian Trail Conservancy as the first Designated Operational Partner for the Appalachian National Scenic Trail, and it lays out an opportunity and criteria for additional national trails partners to become Designated Operational Partners for other national scenic and national historic trails.

Of particular note is Subsection 4(d), Protection of Property Rights, which authorizes a Designated Operational Partner to request that the Secretary concerned and the U.S. Attorney consider violations of property rights and make a determination on appropriate action within a prescribed time frame. Also of note is Subsection 4(f), Land and Resource Preservation Proposed Priority lists, which requires a Designated Operational Partner to periodically develop and submit to the Secretary concerned and the heads of any other appropriate Federal land management agencies a proposed priority list for land and resource protection for the applicable covered trail. The Secretary concerned must then prioritize the use of funds for land identified for Federal protection in the list, except when the Secretary has determined otherwise for a specific priority and, in that case, the Secretary must provide a written justification to the Designated Operational Partner.

Other provisions in H.R. 9159 include requirements and authorities related to cooperative agreements, volunteer services, comprehensive plans, visitation assessments, economic impact assessments, trail planning, appropriations, and a Federal Advisory Committee Act exemption.

America's national scenic and historic trails form a remarkable network of well over 50,000 miles that protects and links together many of America's most significant natural, cultural, and recreational resources. Both types of trails are planned and administered under the authorities of the National Trails System Act (NTSA, 16 U.S.C. 1241-1251) and serve as the backbone of the National Trails System. These trails are unique in that they typically:

- include federal national trail administration responsibilities for coordination trail-wide;
- span hundreds, if not thousands, of miles and many jurisdictions;
- depend upon complex coordination among federal, Tribal, state, private, and non-governmental entities for local management, operations, and other cooperative trail activities, as appropriate, for large portions of national scenic and national historic trails

However, little is standard about these trails. From the Appalachian National Scenic Trail to the Ala Kahakai National Historic Trail, each national trail has its own unique identity, legislation, administration and management challenges. Additionally, the non-profit partners have vastly different structures, capacity, expertise and resources.

The Department has concerns that H.R. 9159 fundamentally alters the intent and implementation of the NTSA. We note that the authorities and opportunities within the NTSA already meet several of the collaborative objectives identified in H.R. 9159, including: direction for a public comprehensive plan process, authorities for cooperative agreements, guidance on carrying capacity considerations for implementation, and acquisition or protection planning information for each national scenic or national historic trail.

The Department notes that the NTSA describes cooperation and encouragement regarding management and operation outside of federally administered areas, and

does not contemplate the concepts of cooperative management, a cooperative management system, or identify a singular Designated Operational Partner, as these terms are defined in H.R. 9159. These concepts significantly reshape the structure and administration of the National Trails System as envisioned in the NTSA and suggest trail-wide management or operational roles that may exceed the federal administration and coordination authorities assigned to the Department through the NTSA. Further, changes that significantly alter the NTSA should be considered as amendments to the act to avoid the potential for confusion or perceptions of conflicting legal requirements.

In addition, the Department notes that the NTSA does not envision a single partner elevated above other potential partners. In contrast, the H.R. 9159 appears to delegate unique powers through the Designated Operational Partner concept at the exclusion of other potential cooperative management partners, limiting the Secretary's ability to exercise federal discretion in the public interest. This exclusivity could be in conflict with existing agreements or other opportunities to enter into agreements to achieve local trail objectives. In addition, it is unclear if there may be unintended consequences for federal land managing agencies, Tribes, state and local governments, private landowners, or others with land management jurisdiction for trail management and operations if a Secretary identifies a single, trail-wide operational partnering organization. It is also crucial to understand the role envisioned and intended for "Designated Operational Partners," particularly in relation to public engagement under the National Environmental Protection Act (NEPA), land use planning, Comprehensive Plan development, approval/disapproval, and dispute resolution.

Subsection 4(b) of the bill allows for cooperative agreements with a Designated Operational Partner for a term of not more than 20 years. The Department notes that currently financial assistance agreements are awarded for no more than 5 years. This extended timeframe discounts the benefits of judicious review and evaluation that ensures effective and relevant partnerships. It also exceeds budgetary planning horizons of the Executive Branch. Additionally, any issues could be costly and burdensome if a 20-year partner is not performing adequately. It is also important to understand that relationships, needs and staffing change overtime.

The bill's Protection of Property Rights provision raises a number of legal issues that the Department is continuing to review. We recommend that the bill sponsor also seek the views of the Department of Justice regarding the U.S. Attorney's role as outlined in the provision.

Because the bill's provision on Land and Resource Preservation Proposed Priority Lists delegates acquisition prioritization, an inherently governmental function, to a non-federal entity, we cannot support this provision. We strongly recommend deleting this provision in its entirety from the bill.

We would be happy to discuss our concerns further with the bill sponsor and the Subcommittee. While we share the goal of supporting and enhancing public-private partnerships, for the reasons discussed above, we oppose H.R. 9159.

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

#### **H.R. 9492, To amend Public Law 99-338 with respect to Kaweah Project permits**

Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 9492, a bill to amend Public Law 99-338 with respect to Kaweah Project Permits.

The Department supports H.R. 9492.

H.R. 9492 would increase the number of permit renewals the Secretary of the Interior is authorized to issue for the Kaweah hydroelectric project from three to seven. It would also remove the reference to a specific utility company.

Between 1900 and 1910 a regional power company was permitted to construct several small dams and a system of flumes within Sequoia National Park to power hydroelectric power plants outside of the park. Pursuant to legislation requiring Congressional authorization for operating such power infrastructure within park boundaries, in 1986 Congress authorized the Department to issue up to two ten-year permits for Southern California Edison to operate the Kaweah Project. In 2004 the law was amended to allow for three additional permit renewals. The existing permit authority expires in 2026.

While hydroelectric operations are generally not an appropriate use of national park lands, this system has been in operation for over a century, and it is under-

stood that removal of the infrastructure would pose substantial technical challenges and have significant short-term environmental impacts. H.R. 9492 continues the practice of allowing the Secretary to issue permits for no more than 10 years at a time—a practice which allows for relatively frequent review of resource impacts and modifications of the permit, if necessary, to assure protection of park resources. The Department also recognizes that the flexibility to permit an appropriate alternative energy producer for an increased number of renewals enables a more viable business model for its commercial operation.

Chair Tiffany, Ranking Member Neguse, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

**H.R. 9516, To amend the Federal Lands Recreation Enhancement Act to provide for lifetime National Parks and Federal Recreational Lands Passes for family members of members of the Armed Forces who lost their lives while serving their country**

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 9516, the Military Families National Parks Access Enhancement Act. H.R. 9516 would amend the Federal Lands Recreation Enhancement Act (FLREA) to provide for lifetime National Parks and Federal Recreational Lands Passes for family members of members of the Armed Forces who lost their lives while serving their country.

The Department recognizes the importance of honoring those who serve our country in the Armed Forces. However, at present, the Department does not have a formal Administration position on this legislation as it was not introduced with sufficient time for an in-depth analysis of the bill text and the number of additional individuals who would potentially qualify for a free lifetime pass who are currently ineligible. We would be happy to provide the Committee with our views, including any potential proposed amendments, upon request. We defer to the U.S. Department of Agriculture (USDA) on how this legislation would affect USDA programs.

As a part of FLREA, Congress established the multi-agency America the Beautiful—The National Parks and Federal Recreational Lands Pass Program (Interagency Pass Program) to cover entrance fees for the National Park Service and U.S. Fish and Wildlife Service and standard amenity recreation fees for the Bureau of Land Management, U.S. Forest Service, and Bureau of Reclamation. The Interagency Pass Program began in 2007 and included an annual pass for \$20 and a lifetime pass for \$80 for those aged 62 years or older (Lifetime Senior Pass), and a free lifetime pass for persons with permanent disabilities (Access Pass). Public Law 113-121, enacted in 2014, authorized the U.S. Army Corps of Engineers to also participate in the Interagency Pass Program. In 2021, Congress passed the *Alexander Lofgran Veterans in Parks Act* as a part of the *National Defense Authorization Act for FY 2022* (P.L. 11781) which authorized free lifetime access to federal lands for veterans and Gold Star Families. In 2023, an estimated 1.2 million passes were sold or distributed by these six agencies. Revenue from the sale of the passes—which totaled approximately \$94 million in 2023—is a critical source of supplemental funding for these agencies that significantly enhances their efforts to address maintenance issues, better manage federal lands, and respond to changes in visitation levels and service requirements.

We are supportive of efforts to honor service members and their families, particularly those who lost their lives while serving our country. However, we are also mindful of the impact that free Federal recreation passes will have on recreation fee revenues and the costs of administering passes for each new category of eligible individuals. We encourage Congress to carefully consider the need for adequate resources so that all Americans can enjoy their public lands.

We also want to note that FLREA is not a permanent program. Since the 10-year initial authorization for the program expired in 2013, Congress has extended the authority for the program in one- or two-year increments in appropriations bills. If the authority for FLREA were to expire, so too would the authority for no-cost recreation passes.

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

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Mr. WESTERMAN. Thank you, Associate Director Caldwell.

We are now going to go back to our first panel of witnesses, and I recognize Representative Horsford for 5 minutes on H.R. 1504.

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

Mr. HORSFORD. Thank you to the Chairman and to Ranking Member Neguse for the courtesy and for the opportunity to testify today on H.R. 1504, the Apex Area Technical Corrections Act.

In 1989, Congress enacted the Apex Project Nevada Land Transfer and Authorization Act, which authorized the direct sale of 21,000 acres of Bureau of Land Management land to Clark County for the establishment of the Apex Industrial Area, which is a major economic development area in Nevada's 4th District. This law permits only the Bureau of Land Management to issue utility and transportation rights-of-way, resulting in a long permitting process for businesses that need to construct sewer, gas, power, and broadband infrastructure.

In addition, it limits the authority of permitting only to parties to use the lands that are granted for right-of-way usage to Clark County. Originally, Clark County had the authorization in order to make the permitting process shorter. In recent years, the City of North Las Vegas and the Apex Industrial Owners Association primarily manage the site, not Clark County. I want to recognize Mayor Pamela Goynes-Brown from the City of North Las Vegas, who is here to testify to that effect.

Due to this stipulation, whenever a business wants to start construction or expand at Apex they must go through a lengthy permitting process, which defeats the purpose of the original law. Since the Bureau of Land Management and Clark County still have primary control over the sewer, gas, power, access, roads, and broadband lines across the site, amending the original legislation to include the City of North Las Vegas and the Apex Area Industrial Owners Association as permittees would allow the original congressional intent of an expedited permitting process to be fulfilled.

Updating the law would help relieve technicalities that have created permitting and development inefficiencies. Modernizing this law will greatly benefit this area of the county through jobs and economic growth that can only come to the area as a result of flexibility with the authorized permittees being expanded. For this situation to be rectified, congressional action is required.

This legislation is a simple fix to a complex problem that plagues Apex and causes major slowdowns at the Southern Nevada Bureau of Land Management office. That is why I introduced H.R. 1504. It is the House companion to Senator Catherine Cortez Masto's legislation, which the Senate Committee on Energy and Natural Resources passed unanimously last year. Not only does it add the City of North Las Vegas and the Apex Area Industrial Owners Association as authorized permittees, it corrects another ongoing issue related to the movement and sale of surface minerals by allowing the sales to be non-competitive. Lastly, it ensures any additional land transfers within the Apex site area to be in compliance with both the National Environmental Policy Act of 1969 and the Federal Land Policy and Management Act of 1976.

I am proud to say that this legislation has secured wide support from the City of North Las Vegas. Again, I want to commend Mayor Pamela Goynes-Brown for her leadership and the Apex Industrial Area Owners Association, which includes all the major businesses that we are recruiting to the site. Letters from these groups have been submitted to the Committee, and I would ask for consent that they be made part of the record.

Mr. TIFFANY [presiding]. Without objection.

Mr. HORSFORD. Thank you, Mr. Chairman, and I look forward to working with the Committee. Again, thank you for your courtesy and for including this important piece of legislation on your work session.

And I want to once again thank you, Mr. Chairman, Ranking Member Neguse, and all the Committee members for allowing me to testify.

And with that, I yield back.

Mr. TIFFANY. Thank you, Representative Horsford. I now recognize Representative Chavez-DeRemer for 5 minutes on H.R. 9516. The floor is yours.

**STATEMENT OF THE HON. LORI CHAVEZ-DEREMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON**

Mrs. CHAVEZ-DEREMER. Thank you, Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee. Thank you for the opportunity to speak on my legislation, the Military Families National Parks Access Enhancement Act.

My bill would expand free lifetime access to national parks for Gold Star, next-of-kin family members of fallen members of armed forces who were not killed in action. The Gold Star family is one that has experienced a loss of an immediate family member who died as the result of active duty military service. The family that is left behind are parents, siblings, spouses, and children, and these family members often wear a Gold Star lapel button.

In the 2022 NDAA, Congress permanently codified lifetime passes to our national parks for active duty service members, veterans, and eligible next-of-kin service members who lost their lives in a qualifying situation, such as war, an international terrorist attack, or a military operation outside of the United States. However, some Gold Star families who wear the lapel button are confused when they are turned away from free access to our national parks.

Last March, I was visited by a constituent of mine from Bend, Oregon, Peter Ostrovsky, who is a Gold Star parent. In 2020, his 20-year-old son, Jack-Ryan, tragically was lost during a United States Marine Corps pre-deployment combat training exercise near San Diego. He was among eight platoon members that perished that day. Jack-Ryan has been described as a patriot who loved serving his country and who was interested in military service from a young age. Throughout his years of growing up, Jack-Ryan, his fraternal twin brother, Samuel, and his parents often frequented the national parks of the Pacific Northwest.

Because Jack-Ryan was killed under a non-qualifying circumstance, despite training for active military combat, his

surviving family is not eligible for the free lifetime access to the national parks.

Anyone who has visited a national park will quickly understand each of their fascinating natural wonders, majestic landscapes, and captivating beauty. Many have described preserving the national parks as the best idea Americans have ever had, an opportunity to appreciate the stewardship of nature, and a deeper sense of pride of what our nation has to offer to its citizens in this world. We have been recognizing our parks since 1864, with the protection of Yosemite, and we continue to recognize our parks on this very day, with the consideration of my colleague, Congressman Ciscomani's Chiricahua National Park Act.

But I believe none of this would be possible without our servicemen and women. Not only do these brave men and women put their lives on the line to defend our freedoms, values, and liberty, they defend the land of the United States, as well. Many service members, veterans, and their families are avid outdoorsmen and outdoorswomen. That is why, should these servicemen and women pay the ultimate sacrifice for defending our nation's land, regardless of where their sacrifice is realized, their surviving family should continue to freely access our national parks to hike, to camp, and to reflect on their loved ones, to continue making lasting memories, and to find moments of peace.

I would also like to recognize our witness on the panel, Gabriella Kubinyi, who was kind enough to join us today and speak in support of this legislation. As a member of the Gold Star Spouses of America, she would also qualify under my legislation because, as she will explain later in this hearing, her husband tragically died of a heart condition while the ship he was stationed on was 2 months away from a 6-month deployment.

The Military Families Parks Access Enhancement Act would expand free lifetime access to our iconic national parks to Gold Star next-of-kin family members like Gabby and Peter. I call on my colleagues on both sides of the aisle for their support in granting these free lifetime passes, a small but meaningful way to honor the sacrifice of the fallen and help aid in the healing of their families.

And with that, Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Representative Chavez-DeRemer. I now recognize Representative Ciscomani for 5 minutes on H.R. 1479.

**STATEMENT OF THE HON. JUAN CISCOMANI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA**

Mr. CISCOMANI. Thank you, Chairman Tiffany, and thank you, Ranking Member Neguse and Subcommittee members, for allowing me to testify today. It was such a pleasure having the Subcommittee in my district back in February of this year, and I am happy to be joining you all today again. So, thank you, sir.

Today, I am testifying in support of my bill, H.R. 1479, the Chiricahua National Park Act. This bipartisan, bicameral piece of legislation would rename Chiricahua National Monument to Chiricahua National Park, making it the fourth national park in Arizona.

The Chiricahua National Monument, located in Cochise County, Arizona, was first established by presidential proclamation in 1924.

For 100 years, visitors from around the world have been drawn to the wonderland of rocks, over 12,000 acres of towering geologic structure formed through volcanic eruption. The landmark includes 25 campsites and over 17 miles of hiking trails. Having seen it firsthand myself, I can tell you the sights are breathtaking, and I will be glad to extend an invitation to all of you to come visit and see it for yourselves.

Aside from being a favorite spot for hikers, avid birders, and campers, Chiricahua National Monument is a key driver of economic activity in Willcox, Arizona. Monica Preston, the President of the Willcox Chamber of Commerce and Agriculture will speak more to this in the later panel, but the renaming of this monument will only multiply the economic growth in the area.

As I know you all know well, spurring economic activity and growth is crucial for our rural communities, and it is our responsibility to ensure we enact policies and designations that positively impact the individuals who call these communities home.

Further, the Chiricahuas are more than deserving of the honor of being deemed a national park, and this renaming is a simple way of giving the landmark the respect it deserves without a cost to the taxpayers or expanding any Federal jurisdiction over the land.

On this centennial year, it is now more important than ever to get this legislation passed to promote conservation of the Chiricahuas, boost tourism, and create more economic opportunities in southern Arizona.

I want to also note that you will all later today hear testimony from Ms. Jimmie of the San Carlos Apache Tribe. I want to thank them for their feedback on this bill, that we had a great conversation yesterday, a lot of common ground that we were able to find to make sure that this goes through in the right way while respecting everyone. And I am committed to working with and ensuring that tribal interests are protected, as well.

Additionally, I want to recognize Mayor Laws of Willcox, thank you so much, sir, and Monica Preston, as I mentioned earlier, of the Willcox Chamber for coming all the way from southern Arizona here to DC to support this legislation. Their dedication to their community is unmatched. And I encourage all of you to pay close attention to Ms. Preston's testimony later today.

The natural resources present throughout my home state are rich, as shown here in the support of our local communities. And there is no doubt in my mind that the Chiricahuas deserve this designation, given the extensive natural and historical resources there.

Thank you again for the opportunity, and I yield back.

Mr. TIFFANY. Thank you for the testimony, Representative Ciscomani.

Now we will go back to our panel, and I recognize Ms. Julie Regan, Executive Director at the Tahoe Regional Planning Agency.

Ms. Regan, you have 5 minutes.

**STATEMENT OF JULIE W. REGAN, EXECUTIVE DIRECTOR,  
TAHOE REGIONAL PLANNING AGENCY, STATELINE, NEVADA**

Ms. REGAN. Thank you. Good morning, Chair Tiffany, Ranking Member Neguse, members of the Subcommittee, and staff. I am Julie Regan, the Executive Director of the Tahoe Regional Planning Agency.

Our agency was formed by an interstate compact between California and Nevada and ratified by Congress nearly 55 years ago. Our mission is to protect Lake Tahoe, a designated Outstanding National Resource Water, while supporting our communities and economy.

Lake Tahoe is the ancestral and current home of the Washoe Tribe of Nevada and California, and is truly breathtaking to behold, as Chair Westerman noted earlier. It is the second deepest lake in the United States, and one of the clearest large lakes in the world. As Congressman Kiley introduced, nearly 80 percent of the Tahoe Basin is owned by the Federal Government and managed by the USDA Forest Service. Our small, year-round population of 55,000 people swells to metropolitan levels on peak days, and millions visit annually to enjoy our public lands. Tahoe also has a sizable community of second homeowners, who hail from more than two-thirds of the nation's congressional districts and visitors from nearly every state.

I appreciate the opportunity to address the Committee today about the Lake Tahoe Restoration Act, S. 612, on behalf of our broad partnership called Team Tahoe.

This crucial legislation is the cornerstone of Federal investment in restoring Lake Tahoe's world-renowned environment.

I also want to recognize Tahoe's Congressional Representatives and co-sponsors of the House companion bill: Congressman Mark Amodei of Nevada and Congressman Kevin Kiley of California. Their leadership in the House has been key to our bipartisan and bicameral progress to date.

Let me offer some important context that is germane to this hearing. In the 1990s, after witnessing a rapid decline in lake clarity and the surrounding environment, Lake Tahoe leaders came together to launch the Environmental Improvement Program, or EIP, as we call it. This collaborative approach to solving Lake Tahoe's most pressing challenges has become a national model. Congress has delivered the Federal share of the EIP through passage of the Lake Tahoe Restoration Acts of 2000 and 2016. The Lake Tahoe Restoration Act is an example of bipartisan collaboration in practice that not only protects an irreplaceable natural resource, but also generates jobs for local communities.

Today's hearing concerns the extension of the Act, which originally authorized up to \$415 million over 7 years. However, that legislation is expiring at the end of this month, and with only 29 percent of the original authorization having been appropriated thus far, we are simply asking for more time on the congressional clock.

With \$122 million appropriated since 2016, we have accomplished a great deal. Partners have treated 21,000 acres of forest to reduce wildfire risk, restored 342 acres of wetlands to protect biodiversity and the lake's clarity, and inspected 51,000 boats for aquatic invasive species. These Federal funds have leveraged \$500

million in state, local, tribal, and private matching funds. Additionally, the program supports an average of 1,700 jobs a year, and every million dollars in spending generates \$1.6 million in economic output.

The Lake Tahoe Restoration Act calls out the urgent need for forest management projects. The U.S. Forest Service and other fire service agencies have accelerated work over the last several years. These projects, as Congressman Kiley noted, have helped protect our community during the 2021 Caldor Fire, which burned 10,000 acres and forced the evacuation of 30,000 residents in the Tahoe region. Previously treated areas of the forest reduced fire intensity, allowing firefighters to directly attack the blaze, resulting in zero homes lost, including my own, which was directly in the path of one of the most powerful wildfires in California's history. Federal support through the Lake Tahoe Restoration Act allowed the Tahoe Basin to demonstrate that active forest management and home hardening can save lives and protect natural resources and personal property.

Finally, we know it is important to be good stewards of public funding. We have continued to invest in public transparency through a project tracker at [LakeTahoeInfo.org](http://LakeTahoeInfo.org). More than 10,000 people visit this website annually.

The Lake Tahoe Restoration Act is essential to ensuring Lake Tahoe remains a national treasure. Without it, crucial support is in jeopardy for conservation projects aimed at protecting Tahoe's crystal clear waters, managing invasive species, and preventing wildfires. Without this work, Lake Tahoe's environment, communities, and economy will suffer. Congressman Kiley said it best at our annual Lake Tahoe summit this August: "We can get past the political divides by implementing projects of common importance at the local level. Tahoe is the perfect example, spanning two states, multiple overlapping jurisdictions, and red and blue counties. Yet, we can all agree on the goal of protecting something that is larger than us."

Thank you for your consideration today, and I would be happy to answer any questions.

[The prepared statement of Ms. Regan follows:]

PREPARED STATEMENT OF JULIE W. REGAN, EXECUTIVE DIRECTOR, TAHOE REGIONAL PLANNING AGENCY

ON S. 612

Good morning, Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, I am Julie Regan, Executive Director of the Tahoe Regional Planning Agency. Our agency was formed by an interstate compact between California and Nevada and ratified by Congress nearly 55 years ago. Our mission is to protect Lake Tahoe, a designated Outstanding National Resource Water, while supporting our communities and economy.

Lake Tahoe is the ancestral and current home of the Washoe Tribe of Nevada and California and is truly breathtaking to behold. High in the Sierra Nevada, its nearly 200 square-mile surface straddles the borders of California and Nevada at more than 6,200 feet in elevation. It is the second deepest lake in the United States and one of the clearest large lakes in the world.

Nearly 80 percent of the Tahoe Basin is owned by the federal government and managed by the USDA Forest Service. Our small, year-round population of 55,000 swells to metropolitan levels on peak days and millions visit the region annually to enjoy the region's public lands. Tahoe also has a sizable community of second home-owners who hail from more than two-thirds of the nation's congressional districts.

I appreciate the opportunity to address the committee today about the Lake Tahoe Restoration Act Reauthorization. This crucial legislation is the cornerstone of federal investment in restoring Lake Tahoe's world-renowned environment. I also want to recognize Tahoe's congressional representatives and co-sponsors of the House companion bill who have joined the sub-committee meeting today, Congressman Mark Amodei of Nevada and Congressman Kevin Kiley of California. Their leadership in the House has been key to our bipartisan and bicameral progress to date.

Let me offer some important context that's germane to this hearing item. In the 1990s, after witnessing a rapid decline in lake clarity and the surrounding environment, Lake Tahoe leaders came together to launch the Environmental Improvement Program, or EIP as we call it. This collaborative approach to solving Lake Tahoe's most pressing challenges has become a national model for conservation. Congress has delivered the federal share of the EIP through passage of the Lake Tahoe Restoration Acts of 2000 and 2016.

The Lake Tahoe Restoration Act is an example of bipartisan collaboration in practice that not only protects an irreplaceable natural resource but also generates jobs for local communities.

Today's hearing concerns the extension of the Act, which originally authorized up to \$415 million over 7 years. However, that legislation is expiring at the end of this month, and with only 29 percent of the original authorization having been appropriated thus far, we are simply asking for more time on the Congressional clock.

With the \$122 million appropriated since 2016, we have accomplished a great deal. EIP partners have treated 21,000 acres of forest to reduce wildfire risk, restored 342 acres of wetlands to protect biodiversity and the lake's clarity, and inspected 51,000 boats for aquatic invasive species. These federal funds have leveraged \$500 million in state, local, tribal, and private matching funds. Additionally, the program supports an average of 1,700 jobs a year and every \$1 million in spending generates \$1.6 million in economic output.

The Lake Tahoe Restoration Act goes beyond funding authorizations. Key policy provisions have called out the urgent need for forest management projects. The US Forest Service and other fire service agencies have accelerated work over the last several years. These projects helped protect our community during the 2021 Caldor Fire which burned more than 10,000 acres and forced the evacuation of 30,000 residents within the Tahoe Region. Previously treated areas of the forest reduced fire intensity allowing firefighters to directly attack the blaze resulting in zero homes lost, including my own which was directly in the path of one of the most powerful wildfires in California history. Federal support through the Lake Tahoe Restoration Act allowed the Tahoe Basin to demonstrate that active forest management can save lives and protect natural resources and personal property.

Finally, we know it is important to be good stewards of public funding. We have continued to invest in public transparency through a project tracker at [LakeTahoeInfo.org](http://LakeTahoeInfo.org). Using this online dashboard, the public can track Restoration Act investments from all sectors, individual projects, and performance-based results. More than 10,000 people visit this website annually.

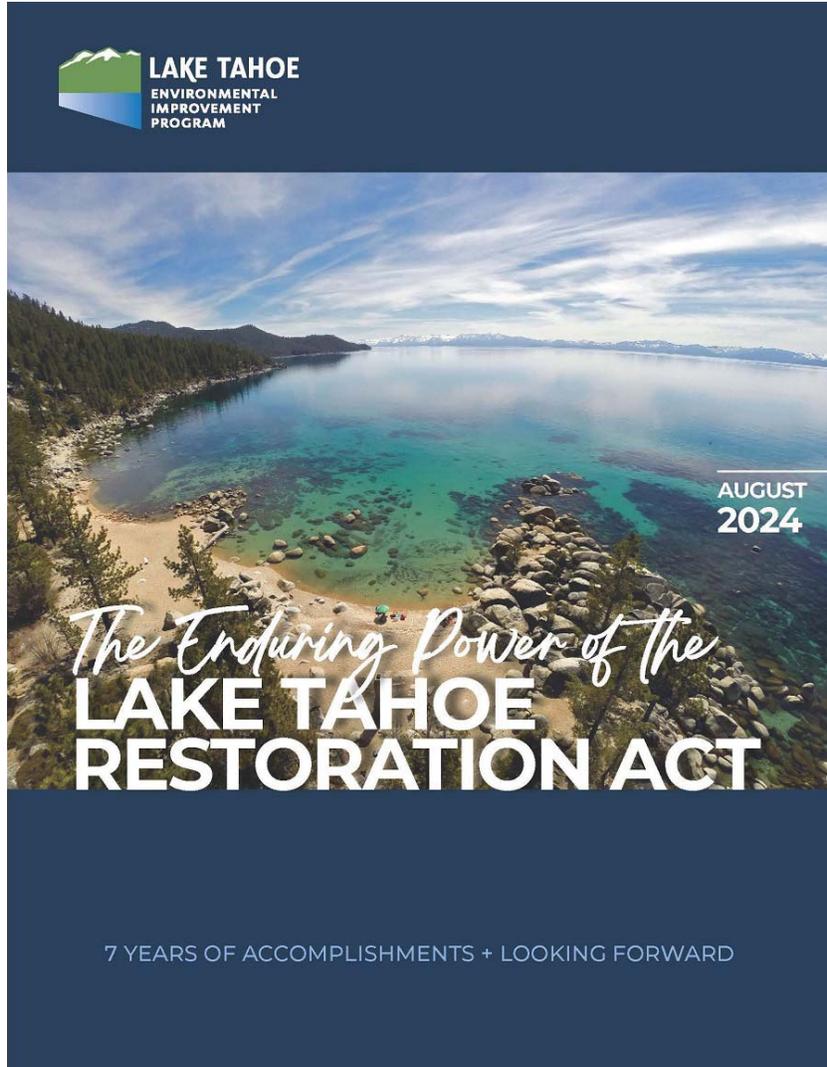
The Lake Tahoe Restoration Act is essential to ensuring Lake Tahoe remains a national treasure. Without it, crucial support is in jeopardy for conservation projects aimed at protecting Tahoe's crystal clear waters, managing invasive species, and preventing wildfires. Without this work, Lake Tahoe's environment, communities, and economy will suffer.

Congressman Kiley said it best at our annual Lake Tahoe Summit this August. "We can get past the political divides by implementing projects of common importance at a local level. Tahoe is the perfect example. Spanning two states, multiple overlapping jurisdictions, and red and blue counties. Yet we can all agree on the goal of protecting something that is larger than us. That transcends political differences."

Thank you for your consideration today and I'd be happy to answer any questions.

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The following documents were submitted as supplements to Ms. Regan's testimony.



The full pdf of this document is available for viewing at:

<https://docs.house.gov/meetings/II/II10/20240918/117635/HHRG-118-II10-Wstate-ReganJ-20240918-SD001.pdf>

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**FINAL REPORT**

**Fuel treatment effectiveness in the Caldor Fire (2021) perimeter, Lake Tahoe, California: a report to the Tahoe Science Advisory Council, the League to Save Lake Tahoe, and The Tahoe Fund**

March 15, 2024

Hugh D. Safford<sup>1,\*</sup> and Saba Saberi<sup>1</sup>

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**Executive Summary**

We investigated the effectiveness of forest fuel reduction treatments in mitigating fire severity and reducing tree mortality in wildland urban interface environments during the Caldor Fire (2021) in the Lake Tahoe Basin, California. We found that: (1) Across all treatment types, trees were 3x more likely to survive fire in treated areas, and three of five forest stand-level fire severity measures (crown scorch percent, crown torch percent, torch height) as well as the remotely sensed RdNBR fire severity measure were significantly lower in treated versus untreated areas; (2) The presence of unburned fuel piles in a number of areas led to higher than expected fire severity and tree mortality in those areas and resulted in higher scorch height and bole char height than in neighboring untreated forest; and (3) The most effective fuel treatment – which surprisingly did not include prescribed fire or pile burning – was multiple entry (pre-2005 and 2019) mechanical and hand thinning followed by mastication (with a 15-cm maximum fuel depth restriction). Hand thinning and fuel piling followed by pile burning was also an effective treatment. Important considerations related to these findings and others are discussed in the main text.

**Introduction**

In fire-prone conifer forests in the western United States, the mean annual area impacted by severe wildfire (where >75% of canopy biomass is killed) has increased notably over the last four decades (Parks and Abatzoglou 2020, Parks et al. 2023). The trend has been particularly well-documented in California, where 2018 burned 2x more area at high severity than the next most severe year (2014), and the years 2020 and 2021 burned more area at high severity than the preceding 28 years combined (Miller et al. 2009, Mallek et al. 2013, Steel et al. 2015, Williams et al. 2023). These trends are increasingly threatening forest sustainability and multiple important ecosystem services (e.g., Miller et al. 2018, Richter et al. 2019, Dove et al. 2020). At the same time, the rising severity of wildfires has been accompanied by an increase in destructiveness. In California alone, an annual average of 8500 structures (c. 60% homes) was destroyed by wildfire between 2015 and 2021, and insured losses have been in the \$10s of billions (Safford et al. 2022).

In response, federal, state, and local land and fire management agencies have redoubled efforts to reduce fuels in the wildland urban interface (WUI), where 10s of millions of Americans now live. California is on the front line of the situation: with > ¼ of its population living in the WUI, it has experienced 9 of the 10 most destructive wildfires in US history (<https://www.fire.ca.gov/our-impact/statistics>). The Lake Tahoe Basin (LTB) on the California-Nevada border is one of the

The full pdf of this document is available for viewing at:

<https://docs.house.gov/meetings/II/II10/20240918/117635/HHRG-118-II10-Wstate-ReganJ-20240918-SD002.pdf>

Mr. TIFFANY. Thank you, Ms. Regan. I would now like to recognize Ms. Sandy Marra, the President and CEO of the Appalachian Trail Conservancy.

Ms. Marra, you have 5 minutes.

**STATEMENT OF SANDRA MARRA, PRESIDENT AND CEO,  
APPALACHIAN TRAIL CONSERVANCY, HARPERS FERRY,  
WEST VIRGINIA**

Ms. MARRA. Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to testify on H.R. 9159, the Appalachian Trail Centennial Act.

My name is Sandra Marra. I am the President and CEO of the Appalachian Trail Conservancy, which is the sole NGO working trail-wide to facilitate the operation of the Appalachian National Scenic Trail, or ANST. I have nearly 40 years of experience with the Appalachian Trail as a maintainer, a volunteer leader, and now CEO.

Next year, the ATC turns 100 years old, and the National Trail System turns 57. For our centennial, we have been working with NGO partners and congressional champions such as Congressmen Lawler and Beyer on how to secure and strengthen the cooperative nature of the national scenic and historic trails. The AT Centennial Act provides valuable definitions of existing law, recognizing the role of organizations like the ATC, and provides direction to the executive branch to study and report to Congress on how best to further develop national and scenic historic trails.

America's National Trail System is comprised of dynamic public land units which are distinct from conventional National Park and Forest Service units. This is because the trails depend more on the utilization of volunteers and NGOs to perform substantive work and provide direction that, for most of our Federal lands, are responsibilities reserved to the Federal Government. The National Trail System Act has protected the ability of individuals and NGOs to serve in these roles. I say "protected," because the work that the ATC and our NGO partners do on the ANST predates the Trails Act.

The Appalachian Trail started as a volunteer and citizen-led effort and was not the vision of the Federal Government. The ATC was founded in 1925 to coordinate this work. While the Trails Act was an innovation for the Federal Government, it was simply the formalization of the system that began in 1921.

With the bipartisan Appalachian Trail Centennial Act, Congressmen Lawler and Beyer are both building on and recognizing the exceptional work that the national trails community has undertaken over the last several decades, as well as considering recent innovations currently at work in promoting trail stewardship today.

While this is our centennial, and the legislation bears our trail's name, the Appalachian Trail is but one of 32 congressionally-designated national scenic and historic trails the bill could benefit. Every trail and partnership system is different, but most function under the model of skilled volunteers and NGOs serving in substantive roles to make these long trails available to the public. However, like the Trails Act, the legislation recognizes that final responsibility and authority for our nation's trails must reside with the trail administrator.

While the Appalachian Trail has permeated our cultural consciousness, the day-to-day realities that enable its existence are not well understood. The trail is a network of complicated agreements,

relationships, and responsibilities, which we call the Cooperative Management System, and includes 14 states, 30 trail clubs, and two Federal agencies. Much of the distribution of the responsibilities for the AT was determined by convention and practice, rather than by statute or agreement. That is why this legislation is so important. The law should reflect what works now and how to make things work better in the future.

Through it all, what is undeniable is that the Federal Government simply cannot maintain our nation's scenic and historic trails alone. For example, the Appalachian Trail is over 2,100 miles long, and it is more than 400,000 acres across 14 states. For that entire distance, the AT park office has 10 full-time employees. The ATC has an average of 85 employees a year. Compare that to the Great Smoky Mountains National Park, which covers a little over 500,000 acres, and they have 200 full-time and another 150-plus seasonal employees. I mean, think about it. The AT must depend on its skilled volunteers for its upkeep.

Last year alone, the clubs provided more than 5,000 volunteers, and many clubs also have staff members engaged in supporting the trail. The AT Centennial Act recognizes the vital contributions of the volunteer community. The bill also maintains important guardrails for the Federal Government, while clarifying for the executive branch that partnership and substantive roles for volunteers and volunteer organizations are essential aspects of the national scenic and historic trails. Volunteerism has helped shape the character of our American communities and the advancement of conservation in America. The ATC believes that the partnerships that have built and continue to maintain the Appalachian Trail and our sister trails are key components of a sustainable future for public lands.

We look forward to continued discussions on how to secure and support our national scenic and historic trails, and I welcome your questions. Thank you.

[The prepared statement of Ms. Marra follows:]

PREPARED STATEMENT OF SANDRA MARRA, PRESIDENT AND CEO OF THE  
APPALACHIAN TRAIL CONSERVANCY

ON H.R. 9159

Chairman Tiffany, Ranking Member Neguse, Members of the Subcommittee, thank you for the opportunity to testify on H.R. 9159, the Appalachian Trail Centennial Act (ATCA). My name is Sandra Marra, and I am the President and CEO of the Appalachian Trail Conservancy (ATC), the sole NGO working trail-wide to facilitate the operation of the Appalachian National Scenic Trail (ANST or Trail). I come to you with nearly 40 years of experience with the Appalachian Trail Conservancy, as a maintainer, volunteer leader, and now CEO of the ATC. We are proud of this legislation, and grateful to the bipartisan leadership of Congressmen Lawler and Beyer for developing it with Senators Kaine and Tillis. By enacting H.R. 9159, Congress will clarify the partnership nature of National Scenic and Historic Trails (NSHTs), establish a legal class of volunteer organizations that reflects the work the National Trails System Act (NTSA) has protected for organizations like the ATC, and direct the executive branch to better understand NSHTs to unlock their conservation and recreation potential.

The ATC is the sole 501(c)(3) organization working across the entirety of the ANST, a unit of the National Park System (System). The ATC was founded in 1925 to facilitate the development of the Appalachian Trail, what is now the ANST, and spearheaded the NTSA (and its amendments) to establish the first NGO partnership

park in the federal government.<sup>1</sup> There are now 30 additional NSHTs.<sup>2</sup> The ANST is governed by the Cooperative Management System (CMS),<sup>3</sup> which partners federal and state agencies, non-governmental organizations (NGOs), and individual volunteers to collaboratively develop and steward the conserved areas adjacent to this nearly 2,200-mile footpath surrounded by over 400,000 acres of land.<sup>4</sup>

Many people believe that the ANST is merely a “simple footpath.” It is not. It is a large landscape conservation effort designed to connect the people and places of the Appalachian Mountain range and to protect the natural, scenic, cultural, and historic values of that physiographic region to provide for the “maximum recreational potential.”<sup>5</sup> The footpath, or treadway, of the ANST is the way in which any single individual can access these values, something some estimated 4 million people do every year.<sup>6</sup> It is this quirk of the NTSA from which much confusion about NSHTs arises: that is, the Act does not protect treadways; rather, it establishes continually developing federal public lands<sup>7</sup> organized around treadways. The second quirk of the NTSA is that volunteers and volunteer organizations are empowered to do—and do, in fact do—much of the work that, on other federal lands, is done by federal employees, based on the operation of the Appalachian Trail prior to its gaining National Scenic Trail status.<sup>8</sup>

At its core, the ATCA seeks to promote the successes and the strengths of cooperative management partnerships by stating the nature of the highest achieving to-date NTS partnership: that of the ANST.<sup>9</sup> This legislation will address inconsistencies in the treatment of NSHTs and the partnerships that enable them without requiring the adoption of one model of cooperative management over another, as well as provide direction to the agencies to include NSHTs in their evaluations of conservation impact, such as through visitor economic impact analyses.<sup>10</sup>

### Definitions and Roles

The National Trails System Act of 1968, as amended, has protected the ability of individuals and NGOs to serve in essential roles. We say “protected” because the work that we and our NGO partners perform on our respective trails largely predates the inclusion of those trails in the NTSA (or its enactment, in the case of the ATC and the Pacific Crest Trail Association). In fact, more or less down the line of the 32 NSHTs in existence today, there is one (or two) primary NGO partner(s) who envisioned the designation of the trail they operate (sometimes more than a single trail) and advocated to have Congress include that trail in the NTS.<sup>11</sup> These Congressionally protected roles are exceedingly uncommon in the federal land management agencies and can cause consternation for those who are unfamiliar with

<sup>1</sup>*National Park System: Units Managed Through Partnerships*, CRS Report R42125, p. 7. April 5, 2016. A review of the partnership parks surveyed by this report reflects the ANST is the first NGO partnership park in the System.

<sup>2</sup>The Pacific Crest National Scenic Trail, administered by the USDA Forest Service, was established alongside the ANST in the original 1968 Act. This brings the total number of NSHTs to 32.

<sup>3</sup>This is a generally accepted term describing the network of partnerships that enable NSHTs to operate, although the term “Cooperative Management System” is not used on every NSHT.

<sup>4</sup>The ATC continues to work with the NPS and USFS in particular to determine the gross acreage of the ANST and the exact acreage under the responsibility of the given land managers/owners. The NPS FY25 Budget Justification at O-22 posits that the gross acreage is 243,542.49 and the NPS-managed acreage is 183,166.13, but this number does not include the acreage included in management areas in the National Forest System, nor does it include acres managed by states or non-federal entities for the ANST (or clarify acreages managed by other NPS units).

<sup>5</sup>16 U.S.C. 1242(a)

<sup>6</sup>This number is the ATC’s best estimate, given a 2007 visitation estimate performed by the USFS and tracking with modern visitation trends. The NPS and the ATC are currently collaborating on a visitation estimate relying on anonymized “big data.”

<sup>7</sup>Although we generally refer to NSHTs as public “lands,” they are in fact lands and waters, and rivers, lakes, and shores are features of many NSHTs. The Captain John Smith National Historic Trail (NHT), for example, is entirely water-based.

<sup>8</sup>16 U.S.C. 1246(h) lays out allowable roles for non-federal entities in federally administered areas of a NSHT, empowering them to “operate, develop, and maintain any portion of such a trail either within or outside a federally administered area,” although the NTSA does not define these terms, as the ATCA would. 16 U.S.C. 1250 includes additional allowable roles for “volunteers” and “volunteer organizations,” which the NTSA do not define, but the ATCA would.

<sup>9</sup>It also includes the first statutory reference to the “A.T. Clubs,” independent non-governmental organizations that partner with the NPS, USFS, and ATC to operate the ANST.

<sup>10</sup>Currently, the federal land management agencies do not measure the visitor economic impact of those visiting the NSHTs.

<sup>11</sup>Some NSHTs have more than one organization operating at the same level of engagement, but serving different regions or responsibilities of a given NSHT. The New England National Scenic Trail and the Lewis and Clark National Historic Trail are two examples.

the practices of NSHTs, whether they be new hires to federal unit offices or an individual responsible for processing grants and agreements.<sup>12</sup> Because NSHTs are so few, as are the staff members who rotate through them, and operate so differently than conventional federal public land units, continual and recurring education is required despite the 57 years of ANST Cooperative management under the NTSA. The ATCA's adoption of clear definitions will decrease confusion and increase the volunteer- and partnership-centric operation of NSHTs.

The NTSA implies, but does not declare, that three general aspects of "land management"—as we understand them—are disaggregated on NSHTs. On the ANST, overall "trail administration" belongs to the NPS (consulting with the USFS),<sup>13</sup> "land management" can reside with the NPS, USFS, state, or private entity (as "land owner"), and "operation,"<sup>14</sup> generally lives in ATC and the A.T. Clubs.<sup>15</sup> Therefore, much of the day-to-day work in the ANST and NSHTs are performed by volunteers and NGO staff. This is because the Trail was designed by volunteers and NGO partners, with the footpath predating the park unit's establishment by 40 years. The NPS park office was created to integrate the pre-existing network of partnerships into the federal public land management apparatus, not exclusively to "manage" the ANST in the conventional NPS sense.<sup>16</sup> Our management model, enabled by the NTSA, is premised on "non-delegability," meaning that any inherently governmental activity<sup>17</sup> must be performed by the government and everything else can be (and on the ANST is) generally done by NGO partners.

This disaggregation is, in some sense, radical, but it is the only way that the ANST or any other long trail could ever be successful. By separating out these roles, the NTSA protected the volunteer and volunteer organization roles on NSHTs but it also protected the legal structure of lands Congress had already conserved in 1968. The APPA Superintendent administers the ANST, but does not manage all the land that constitutes the ANST—this would give an NPS official final decision-making authority over portions of the Cherokee National Forest, Sky Meadows State Park, and the Cherry Valley National Wildlife Refuge, for example—and the NPS has never truly operated the ANST, as from the moment of designation, the ATC and the Clubs continued to perform most of the day-to-day work on the Trail, a model replicated to varying degrees across the other NSHTs.

### **Recognizing the Roles of Organizations like the ATC**

The statutory versatility of the NTSA, while still a novel innovation to many is an unequivocal necessity and the formalization of the system that began on the A.T.

<sup>12</sup>While orienting new staff members to a given NSHT "unit" office can be complicated enough, it is the orientation of those federal employees who are not specifically staffed to a "unit" where one can see the steepest learning curve. NSHT unit offices are generally more static than those of the park units they intersect, those of Great Smoky Mountains and Shenandoah National Parks, for instance, or those working in the regional offices. Unlike NSHT unit staffers, staffers in other parts of the federal land management agencies may have little to no interaction with cooperative management outside of a discrete task relating, but may still require a full crash course in the legal and practical differences of the NSHTs from conventional federal land units.

<sup>13</sup>See 16 USC 1244(a)(1).

<sup>14</sup>What we refer to as "operation" in this letter has often been described as "local NGO management," a term which has caused some confusion because of the association of "land management" with final decision-making under many federal land use laws. Under the NTSA, the NPS is statutorily identified as the "trail administrator," or final decision maker for the ANST on most topics, but is expressly not the land manager for large stretches of the Trail; the USDA Forest Service is statutorily the consulting administrator, as well as the land manager for approximately 47% of the Trail. Delineating between administration of the cooperative enterprise, management of the lands, and operation of the treadway and conserved corridor is just one example of how NSHTs are complex.

<sup>15</sup>This disaggregation is complex, and not explicitly stated itself in the NTSA. It can be inferred however, by the reference to "administration" as being only to federal entities and "management" and "operation" as allowable for non-federal entities. The ATCA would cement these distinctions for the benefit of all.

<sup>16</sup>Generally speaking, "federal land management" refers to the exclusive and final decision-making authority of the agency assigned the responsibility by Congress for a given area. Because the ANST and PCNST were in part located on areas that had already been conserved by Congress, a distinction between "administration" and "management" was necessary because, for example, Shenandoah National Park was already being managed by the NPS and the ANST was never intended to overwhelm the pre-existing management prerogatives of that park, or usurp management authority from the Chief of the Forest Service for White Mountain National Forest, as an example. Trail administration and trail/land management have been different from the inception of the NTS.

<sup>17</sup>Essentially, law enforcement, compliance, title of lands, and oversight of overall management and operation. These are the core responsibilities of "trail administration." *Solicitor's Opinion on Delegation to ATC*, March 17, 1983, p.4.

47 years prior to President Johnson’s signing of that Act,<sup>18</sup> and even before the first formal agreement with the NPS and USFS during President Franklin Roosevelt’s administration.<sup>19</sup> The flexibility of the Act, as well as its safeguarding of prior congressionally-established conserved lands were enhanced with the amendments signed into law by President Carter<sup>20</sup> and President Reagan.<sup>21</sup> The ATCA does not limit this versatility; rather, it reflects practically how it is implemented.

Although the NTSA was written (and amended) to continue to allow the ATC to do what it began in 1925 and to empower other organizations to do the same, the NTSA does not make explicit that the role we and similar organizations play is to be expected. The novel experiment, however, has proved tremendously successful, and the lingering statutory ambiguity tends to help neither the trail administrator nor the NGO partner. By collecting the NTSA-permissible authorities and laying out clear requirements and guardrails for behavior, the ATCA confirms that the disaggregated model of management authorities is successful and appropriate for NSHTs. It is, in fact, the only way that these long, multi-jurisdictional areas are able to be effectively governed.

The NPS park office<sup>22</sup> for the 2,194-mile long and over 400,000-acre ANST is, at full compliment, 10 people. The ATC is, in the peak season, somewhere around 85. The A.T. Clubs provided upwards of 5,000 volunteers in 2023, and many have additional staff members engaged in supporting the ANST. Our collective non-governmental effort is worth almost \$7 million.<sup>23</sup> That’s just one of the 32 National Scenic and Historic Trails. What is undeniable on the ANST, and for many of our well-performing National Scenic and Historic Trails, is that the federal government simply cannot do it alone. H.R. 9159 recognizes that fact and maintains important guardrails for the federal government while clarifying for the executive branch that partnership and substantive roles for volunteers and volunteer organizations are essential aspects of the National Scenic and Historic Trails. Congress understood this in drafting and amending the NTSA, including its references to the ATC in the 1968 Act.<sup>24</sup> We recognize that some agency partners have concerns about diminished authorities, or about placing NGOs in final decision-making positions. H.R. 9159 neither diminishes agency authority nor places any NGO in a final decision-making position.<sup>25</sup>

As drafted, with the exception of the recognition of the ATC as the first “Designated Operational Partner” (DOP)—the ATC remains the only NGO referenced in the NTSA—no other NSHT would be required to have a DOP. Trails that have one or more organizations supporting the breadth of work that the ATCA does for the ANST could have more than one DOP. Even with a DOP, the trail administrator would be able to enter into cooperative agreements with other organizations to do work on NSHTs. Establishing DOPs reflects the reality of trail operation today, maintains the opportunity to broaden partnerships with for a NSHT, and provides legal clarity on how organizations like the ATC are a distinct class of NGO partners for a discrete slice of the federal public lands world.<sup>26</sup>

### Unlocking the Promise of NSHTs

The ANST is the most invested-in NSHT since the establishment of the NTS. This is due to a variety of factors, but none of them predetermine that the ANST should

<sup>18</sup>The development of the ANST began with the publishing of *An Appalachian Trail: A Project in Regional Planning*, *Journal of American Institute of Architects*, October 1921. It is accessible at: <https://appalachiantrail.org/our-work/an-appalachian-trail-a-project-in-regional-planning/>.

<sup>19</sup>*The Appalachian Trailway Agreement*, October 15, 1938.

<sup>20</sup>Via P.L. 95-248, To Amend the National Trails System Act, and for other purposes, March 21, 1978 and P.L. 95-625, National Parks and Recreational Lands Act of 1978, November, 10, 1978.

<sup>21</sup>P.L. 98-11, To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes, March 28, 1983.

<sup>22</sup>In the language of the NPS, the ANST park office is “APPA,” which is responsible for supervising the ATC and A.T. Clubs and coordinating with federal, state, and tribal governments to support the ANST.

<sup>23</sup>ANST volunteers accounted for approximately 200,000 hours in 2023, with an estimated value of \$33.49 per hour of labor, according to the Independent Sector’s calculator: <https://independentsector.org/resource/value-of-volunteer-time/>, last visited September 16, 2024.

<sup>24</sup>Today, the ATC remains mentioned in 16 U.S.C. 1244(d) and (e).

<sup>25</sup>The ATC views this as the heart of the agreement between it and the federal government that became the NTSA. The federal government has final authority and the volunteers and volunteer organizations may continue largely as they have since 1921.

<sup>26</sup>Organizations like the ATC are often slotted into inappropriate categories (such as being misunderstood as cooperating associations or “friends” groups); clarifying our collection of roles and connections to the public land units we work on is something we believe will benefit partnership networks, rather than detract from the community of partnership.

be the only NSHT developed to the degree that it has been. In designating a NSHT, Congress recognizes potential and provides some tools to unlock that potential. A lock without a key, however, remains forever closed. By directing the agencies to report on the state of the trails and determine how to build out the trails Congress has established, the ATCA will focus agency and partner attention on these dynamic public land units, bringing new populations of citizen stewards into the fold, promoting vulnerable histories, protecting at-risk ecosystems, and unlocking the maximum recreational potential at a time of overwhelming interest in outdoor recreation.

Despite what we would describe as the unqualified success of the partnership-dependent, volunteer-centered, multi-jurisdictional A.T. Project, the federal trail administrators have never quite supported these public land units the way that they support more conventional units of the System, National Forest System, or National Conservation Lands System.<sup>27</sup> For example, the staffing levels of NSHTs are entirely incommensurate with their acreage, estimated visitation, or the complexity of their partnerships.<sup>28</sup> Although the NPS and USFS measure visitation and economic impact for most of their units, they do not do so for the NSHTs.<sup>29</sup> Because official status is so important to the agencies—and rightfully so, because they are charged to follow Congress’ directions—the full suite of funding streams, planning tools, and management authorities that exist for other System units have been denied the NSHTs.<sup>30</sup> The ATCA’s requirement to gather this information will better support NSHTs, their Congressionally identified values, and the public.<sup>31</sup>

At its core, the ATCA reflects the reality of day-to-day operations of the ANST, the most invested-in, developed, and successful National Scenic Trail, as it exists today and declares what is necessary to support and enhance the NTS. The ATC is also grateful to Congressmen Lawler and Beyer for H.R. 9159’s recognition of the indispensable role of the A.T. Clubs, the first-ever statutory acknowledgement of their importance to the ANST. The ATC began coordinating this effort upon its founding in 1925, looking to the A.T. Clubs to develop the relationships necessary throughout the ANST’s 14 states to build the Trail itself. The historical and ongoing work of the A.T. Clubs cannot be understated, as there would simply be no ANST without this corps of dispersed, expert volunteers and non-governmental organizations.

We are eager to advance the discussion on the importance of the NTS and the partnerships that enable it as well as to do the hard work itself, as we have been doing for nearly 100 years. The ATCA is the product of years of discussion within both the Cooperative Management System (CMS) of the ANST and with our partners throughout the NTS. The ATC is not proprietary of the NTS, nor do we believe we have all the answers. We are committed to continue working to strengthen and secure the partnership nature of the NSHTs with our partners. We also understand that the three trail administering agencies—the National Park Service (NPS), the U.S. Forest Service (USFS), and the U.S. Bureau of Land Management (BLM)—approach trail administration in differing ways. We appreciate the extensive and substantive feedback the USFS has provided, which Congressmen Lawler and Beyer incorporated into H.R. 9159. We encourage Congress to enact the Appalachian Trail Centennial Act and look forward to continued dialog on to conserve and support the National Scenic and Historic Trails, which we believe should remain available accessible for future generations of Americans to enjoy and experience.

<sup>27</sup>That is to say, the federal agency approach to budgeting both assumes substantial non-governmental support and does not consider the state of development for any given NSHT. The recent NPS granting of “unit status” to three NPS-administered NSHTs was a response to improper resourcing and support for those (now-)units.

<sup>28</sup>The ATC and partners in the NTS community have doggedly advocated for attention to this issue, with increasingly positive responses from Congress as well as Presidential administrations.

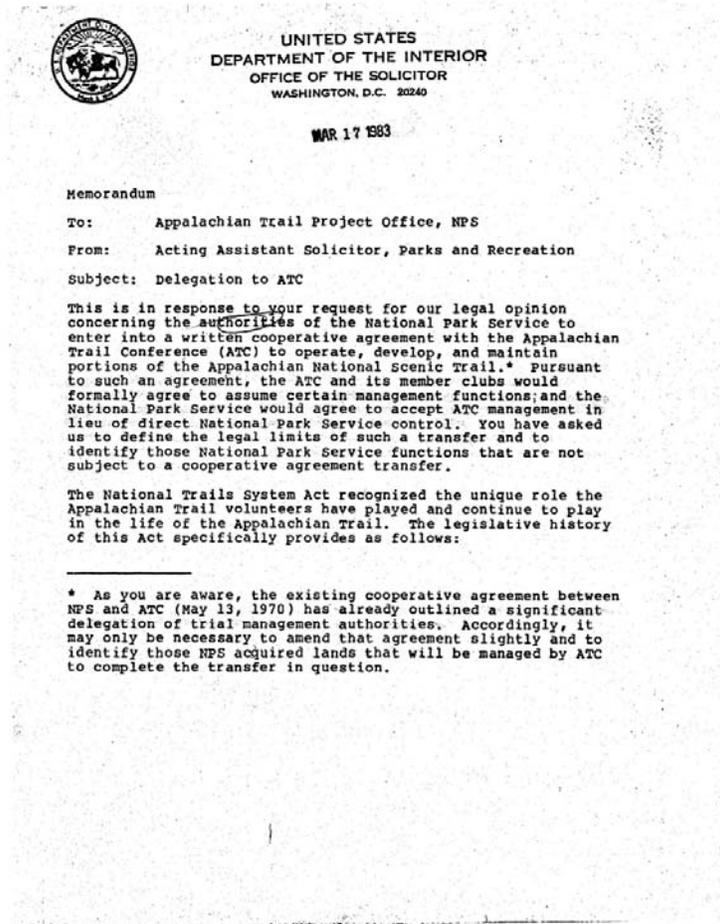
<sup>29</sup>See footnote 6, *supra*

<sup>30</sup>The NPS provides an excellent example. See, generally, *Decision Memorandum for the Director to Request the Director to Administratively Designate Three National Scenic Trails as Units of the National Park System and Initiate a Policy Process for Granting Unit Status for Other National Scenic or Historic Trails*, November 16, 2023.

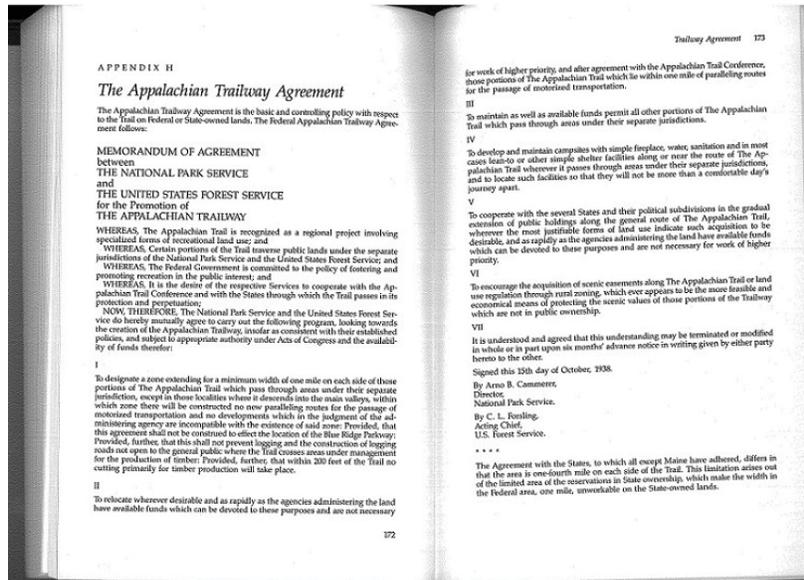
<sup>31</sup>There are many challenges in the development of the federal budget. The ATC does not argue that all of this information would necessarily result in higher allocations for NSHTs; rather, comparing apples to apples would facilitate the adjusting of budgets to more appropriate levels.

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The following documents were submitted as supplements to Ms. Marra's testimony.



The full pdf of this document is available for viewing at:  
<https://docs.house.gov/meetings/II/II10/20240918/117635/HHRG-118-II10-Wstate-MarraS-20240918-SD003.pdf>



Mr. TIFFANY. Thank you, Ms. Marra. I now recognize Ms. Justine Jimmie, the Deputy Attorney General of the San Carlos Apache Tribe.

Ms. Jimmie, you have 5 minutes.

**STATEMENT OF JUSTINE JIMMIE, DEPUTY ATTORNEY GENERAL, SAN CARLOS APACHE TRIBE, SAN CARLOS, ARIZONA**

Ms. JIMMIE. Good morning, Chairman, Ranking Member Neguse, and members of the Subcommittee. My name is Justine Jimmie. I serve as Deputy Attorney General of the San Carlos Apache Tribe. I am Apache and Navajo, and a proud member of the San Carlos Apache Tribe, in particular because of the high number of service members and veterans that we have, including my own grandfather, who served in the Korean conflict. Thank you for this opportunity.

We respectfully request the inclusion in the bill of our proposed language contained in my written testimony to better protect our continuing cultural connections to this land. Our sister tribe, the Mescalero Apache Tribe in New Mexico, requests this same amendment.

The Chiricahua National Monument is where well-known Chiricahuas, including Chiefs Mangas Coloradas, Victorio, Cochise, Naiche, and medicine men like Geronimo lived, raised families, prayed, hunted, gathered, and conducted ceremonies. They fought fiercely to protect their land, their loved ones, and their way of life. Many Chiricahuas were killed on this land or forcibly removed outright at gunpoint.

In 1872, the United States established a Chiricahua reservation through the leadership and negotiation of Chief Cochise. This

reservation spanned what is now largely Cochise County in Arizona, and this county is named after Chief Cochise himself.

[Slide.]

Ms. JIMMIE. Now on the screen is a map showing the boundaries of the Chiricahua Reservation. Within this former reservation is land that is now the national monument.

[Slide.]

Ms. JIMMIE. And the next picture, it is from the monument website. It is a picture of Chief Naiche and his wife, Haozinne. Chief Naiche was Cochise's son, and notably, Cochise passed away on the reservation. And while there are no known pictures of Cochise himself, it is said that Chief Naiche looked like his father.

In 1876, a mere 4 years after its establishment, President Grant took away the Chiricahua Reservation and gave this land to miners and settlers.

[Slide.]

Ms. JIMMIE. The next picture is of Chiricahuas imprisoned at Fort Bowie, which was established to fight Cochise. The U.S. cavalry removed Naiche, Geronimo, and other Chiricahuas from the reservation and imprisoned them at Fort Bowie and on the San Carlos Apache Reservation, which was originally established as a concentration camp.

Naiche, Geronimo, and other Chiricahuas were later imprisoned thousands of miles from home. In 1913, Naiche and other Chiricahuas were permitted to move to the Mescalero Reservation, where many of their descendants reside today. Chiricahua still have a deep connection to this land that has never been extinguished.

We understand the bill's purpose is to increase tourism and economic development. However, this bill should not come at the expense of our traditions, culture, and history. The language we seek is reasonable and recognizes that this land has always been our homeland, long before the United States was formed and long before our land was taken.

A national park designation would ramp up foot and vehicle traffic, as well as infrastructure development on this land, which would jeopardize burial sites, ceremonial areas, sight lines, and animal and plant life. Further, the Park Service would increase the number of personnel managing and patrolling the park, leading to difficulties for tribal members seeking access to the land.

National parks have become increasingly packed with tourists. In contrast, we go to our cultural areas in what are now parks to seek sanctuary, pray, and perform ceremonies. Our ancestors lived like this before these lands became tourist destinations, and we ask that our access be protected for future generations.

Congress has passed legislation like this in the past, so this language isn't breaking new ground. This language does not take anything away from the bill's purpose. It would simply guarantee us continued access and protection of our cultural resources. While the destruction of cultural resources is generically prohibited under existing law, personnel at each park have broad latitude and discretion, creating a burden on us to push for action to protect discrete areas. This amendment would require the park to actually work with us by providing specific statutory direction.

In addition, each park, again, has latitude and discretion regarding access to sacred sites. Current laws force tribes to plead for permission to go to an area that once belonged to us. This amendment would require the park to provide tribal access.

If current laws were already effective, then there would be less difficulties for tribes across the country working to protect our cultural resources and access in national parks. But sadly, this is not the case. Our suggested language is necessary to ensure protection of our deep ties to this land.

I thank you for giving us the opportunity to present our testimony, both written and here from me. Thank you.

[The prepared statement of Ms. Jimmie follows:]

PREPARED STATEMENT OF JUSTINE R. JIMMIE, DEPUTY ATTORNEY GENERAL, SAN CARLOS APACHE TRIBE

ON H.R. 1479

Good morning, Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee. My name is Justine Jimmie, and I serve as Deputy Attorney General of the San Carlos Apache Tribe (Tribe) located in southeastern Arizona. I am a member of the Tribe, which is over 17,300 members strong. Like many Apaches on the San Carlos Apache Reservation (Reservation), my family history includes Chiricahua ancestors.

Thank you for this opportunity to testify about the Tribe's concerns with H.R. 1479, which would designate Chiricahua National Monument as a National Park. We respectfully request that the Subcommittee work with us to include the amendment set forth below to protect our continuing and unbroken connections to this land, which is part of our ancestral homelands. The Mescalero Apache Tribe, comprised of Chiricahua, Lipan, and Mescalero Apaches and located in what is now southern New Mexico, submitted testimony on this bill to request this same amendment. To honor its Treaty obligations to us, the Subcommittee must work to improve the protection of our cultural resources and ensure access to this land for traditional activities.

To better understand our views, it is helpful to know more about our history. The aboriginal territory of the Apache Nation included the western part of Texas, the current states of Arizona and New Mexico, and part of the country of Mexico. The Apache Treaty of Santa Fe in 1852 was executed by Mangus Colorado and others on behalf of the Apaches. Pursuant to the Treaty, lands within the aboriginal territories of the Apache Nation were to be set aside for a permanent Tribal homeland and the U.S. promised to provide for the "humane" needs of the Apache people. In exchange, the Apache Nation agreed to the end of hostilities between the two nations.

As underscored by the name "Chiricahua" for this National Monument and the extensive information about the history of the Chiricahua Apaches in the area now known as Chiricahua National Monument compiled by the National Park Service, the federal government acknowledges the long relationship of the Chiricahua Apaches to this area. Chiricahua National Monument is located in Cochise County, which is named after renowned Chiricahua Apache Chief Cochise. In 1872, the U.S. military designated a reservation for the Chiricahuas under the leadership of Chief Cochise. This 1872 reservation contained the area that is now Chiricahua National Monument and spanned what is largely now Cochise County. However, President Grant terminated the reservation in 1876 to open the land to gold, silver, and copper mining—the same history of mistreatment of tribes by the United States told over and over again.

The U.S. Calvary forcibly removed Chiricahuas from this area to what is now the San Carlos Apache Reservation (Reservation), originally established by the U.S. Calvary as a concentration camp. Famous Chiricahuas who were imprisoned on the Reservation included Geronimo, Cochise, Nachie, Chatto, and others. Our people were treated as prisoners of war, and U.S. military forces were stationed on the Reservation until 1900, almost 30 years after the conclusion of the Western Apache wars. Even though we were removed at gunpoint by the United States from our ancestral homelands, including what is now Chiricahua National Monument, we still have deep historical and spiritual connections to this land that have never been extinguished.

We understand that a primary purpose of this bill is to boost tourism and create an economic boon for the rural towns and communities surrounding Chiricahua National Monument. While the Tribe is supportive of economic development, this legislation should not come at the expense of tribes and our culture and traditions. The land that is now Chiricahua National Monument has been our homeland since time immemorial—long before the formation of the United States and before the U.S. Calvary took our land to give to settlers, pioneers, and miners. A National Park designation would significantly increase foot and vehicular traffic and result in related infrastructure development on this land, jeopardizing tribal cultural resources, including burial sites and ceremonial areas, viewsheds, sight-lines, landscapes, and animal/plant life. Moreover, the National Park Service would exponentially increase the number of personnel that would manage and patrol the land, which will, in turn, result in difficulties for Tribal members seeking to access this land for cultural and traditional purposes.

National Parks have become so packed with tourists that many National Parks resemble amusement parks during the height of tourist season. In contrast, we go to our cultural areas, including these areas located in what are now National Parks, to seek sanctuary, pray, and perform ceremonies. Adequate statutory protections are needed so that we can continue to practice our traditional ways of life without interruption, distraction, or barriers.

To protect our historical and ongoing connections to this land that would be designated as a National Park under this bill, we respectfully request inclusion of the following straight-forward language in the bill:

### SEC. 3. TRADITIONAL CULTURAL AND RELIGIOUS SITES.

(a) INDIAN TRIBE.—Indian tribe means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a.

(b) In general.—The Secretary of the Interior, in consultation with Indian tribes, shall ensure the protection of traditional cultural and religious sites in the National Park.

(c) Access.—The Secretary of the Interior, in accordance with Public Law 95-341 (42 U.S.C. 1996),—

(i) shall provide access to the sites described in paragraph (b) by members of Indian tribes for traditional cultural and customary uses; and

(ii) may, on request of an Indian tribe, temporarily close to general public use 1 or more specific areas of the National Park to protect traditional cultural and customary uses in the area by members of the Indian tribe.

This language is essentially streamlined language from the Valles Caldera National Preserve, New Mexico, Section 3043, P.L. 113-291; 16 U.S.C. 698v-11. Further, legislation establishing national parks, monuments, and historical sites under the National Park Service routinely includes language delineating specific management or other requirements for the National Park to follow when operating a park or managing the land.

While the destruction of tribal cultural sites and resources is generally prohibited under existing law, personnel at each National Park have broad latitude and discretion in determining the extent, scope, and magnitude of management, administration, and enforcement of existing protections, creating a burden on tribes to push a specific National Park to act to protect discrete cultural sites and resources. This amendment would require a Chiricahua National Park to acknowledge its responsibilities and work actively with stakeholder tribes to protect tribal cultural sites and resources under its jurisdiction. Given the influx of people to this area of significant cultural significance to our Tribe and other tribes if this bill is enacted into law, it is essential that the protections we request are spelled out in the law in order for Tribal members to maintain our traditional ways of life and honor our ancestors.

In addition, under the American Indian Religious Freedom Act and reinforced under Executive Order 13007, it is the policy of the federal government to maintain access to sacred sites. However, again each Park Service unit has wide-ranging latitude and discretion. In practice, tribes often face difficulties in accessing and protecting our cultural sites and resources in National Parks. Basically, current law forces tribes to plead for permission for access to an area that was ancestrally our home. This amendment would require a Chiricahua National Park to ensure tribal access to cultural sites and resources as well as provide a mechanism to ensure the

protection of cultural sites and resources for tribal customary uses in a Chiricahua National Park. Given the expected crowds flocking to this area, it is necessary to make sure that certain areas of a Chiricahua National Park are protected at certain periods of time to ensure access for our tribal members for traditional activities.

Since the U.S. first began carving out National Parks from tribal ancestral lands, tribes across the country have continually experienced ongoing challenges to ensure that we can continue to practice our cultures and traditional ways of life on these lands without disruption and to ensure that our cultural resources are not damaged or destroyed. For example, tribes have faced and still face to this day a myriad of obstacles from National Park Service personnel relating to access, ceremonial practices, gathering, collection, cultural resources protection at Grand Canyon NP, Yellowstone NP, Olympic NP, Everglades NP, Smoky Mountains NP, Badlands NP, Glacier NP, and the list goes on and on. If current laws were actually effective, then there would be less difficulties experienced by tribes across the country working to protect tribal cultural resources and access in National Parks.

However, most, if not all, of these National Parks were established at a time when tribes did not have the voice they should have had, and often times these National Parks were created over tribal objections. Times have changed since then and legislation establishing a National Park should recognize, preserve, and protect tribal relationships to these lands and help ensure consistent on-the-ground application of the law from National Park Service personnel. Further, we urge that this Subcommittee hold a hearing on the difficulties experienced by tribes described above and work to develop legislation to strengthen legal protections for tribal cultural resources and access in what are now National Parks.

As we say in our Apache language, Ahi'yi' é (thank you) for your efforts and consideration. We look forward to working with you to make the changes to this bill necessary to protect our cultural resources and traditional ways of life.

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Mr. TIFFANY. Thank you very much, Ms. Jimmie. I now recognize Ms. Monica Preston, President of the Willcox Chamber of Commerce and Agriculture in Willcox, Arizona.

Ms. Preston, you have 5 minutes.

**STATEMENT OF MONICA PRESTON, PRESIDENT, WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE, WILLCOX, ARIZONA**

Ms. PRESTON. Thank you, Chairman Tiffany, Ranking Member, and distinguished members of the Subcommittee. Thank you for the opportunity to testify in support of H.R. 1479, the Chiricahua National Park Act, introduced by Representative Juan Ciscomani.

My name is Monica Preston. I have the honor of serving as the President of Willcox Chamber of Commerce and Agriculture. I am deeply invested in the success of our region, and I am honored to be here before you today to speak to the importance of redesignating the Chiricahua National Monument as Chiricahua National Park.

This designation is not only vital to the economic future of our region and the state of Arizona, but it also promises to enrich the quality of life for our local communities. I am proud to be here in person with the city's mayor, Mike Laws, Willcox City Manager Caleb Blaschke. Together, we have traveled across the country to show our full support for this critical piece of legislation, and we appreciate the Committee's attention to this issue.

The Chiricahua National Monument was first established about 100 years ago by President Calvin Coolidge. This year we celebrate the monument's centennial. The Wonderland of the Rocks, as it is known, encompasses 12,000 acres of breathtaking landscapes featuring towering rock spires known as the hoodoos. The monument

also serves as a vital ecosystem, home to diverse species of flora and fauna, including migratory birds that draw nature enthusiasts from around the globe.

Let's be honest, the redesignation of this site does not require additional Federal funding to attach to it, and it is well known that the national park designation would likely accelerate the tax base for the park and the city. We look forward to the positive changes that will be made in the area in the future.

Interstate 10, one of the major transcontinental highways, runs directly through the City of Willcox, bringing an estimated 34,000 vehicles through our city every day. This traffic flow includes both commercial freight and tourism-related travel, making Willcox an essential stopover for many visitors exploring Arizona's attractions.

Additionally, the Amtrak train passes through Willcox, and we are working diligently to secure a permanent stop in the city, which would further boost local tourism and economic activity.

Willcox is also the first city that visitors encounter when entering Arizona from New Mexico, further solidifying our role as a gateway to the state's natural and cultural attractions.

Tourism is Arizona's No. 1 industry, playing a vital role in supporting the state's economy and enriching local communities. Regionally, Cochise County is a significant contributor to this industry, attracting hundreds of thousands of visitors each year to iconic designations like Tombstone, Kartchner Caverns, local museums, and other Arizona state parks.

Willcox is a proud agricultural community with deep roots in farming and ranching. The area is known for a variety of agricultural operations, including cattle ranching, growing essential crops like alfalfa and hay, and producing nuts, particularly pecans and pistachios. Generations of hard-working families in Willcox have built their lives around the working of the land, contributing not only to the local economy but also to Arizona's agricultural output. The strong agricultural foundation remains central to the community's identity and way of life, fostering a spirit of resilience and dedication to the land that continues to drive Willcox growth and development.

Our small community is home to unique attractions, including Apple Annie's Orchard, the Rex Allen Museum, Willcox Wine Country, and world-renowned birding. In fact, 80 percent of Arizona's grapes are grown in the Willcox area. I can speak to this from personal experience. My husband and I own Birds and Barrels Vineyards, with two tasting rooms, one in downtown Willcox. Over the past 9 years, my winery has seen increasing revenues. The tourism we receive directly supports me, my family, and our local community.

I firmly believe that the national park designation will continue to strengthen local businesses like mine and provide new opportunities for growth. The City of Willcox was recently awarded an \$11 million grant to create a riparian area for bird-watching enthusiasts, further strengthening that position.

We are not alone in this effort. All of the major cities and towns in this area support this change.

In conclusion, on behalf of the Willcox Chamber of Commerce and Agriculture and the many business owners, public servants,

and community members who support this legislation, I urge you to pass H.R. 1479 and redesignate Chiricahua National Monument as Chiricahua National Park. This change will strengthen our rural economy, enrich our communities, and help preserve the natural wonders of the Chiricahuas for generations to come. Thank you for your time and consideration. We hope you will support this important legislation.

[The prepared statement of Ms. Preston follows:]

PREPARED STATEMENT OF MONICA PRESTON, PRESIDENT OF THE WILLCOX CHAMBER  
OF COMMERCE AND AGRICULTURE

ON H.R. 1479

Chairman Tiffany, Ranking Member, and distinguished members of the Subcommittee, thank you for the opportunity to testify in support of H.R. 1479, the "Chiricahua National Park Act," introduced by Representative Juan Ciscomani.

My name is Monica Preston, and I have the honor of serving as the President of the Willcox Chamber of Commerce and Agriculture. I am deeply invested in the success of our region, and I am honored to stand before you today to speak to the importance of redesignating the Chiricahua National Monument as Chiricahua National Park. This designation is not only vital to the economic future of our region and the state of Arizona, but it also promises to enrich the quality of life for our local communities.

I am proud to be here in person with our City's Mayor, Mayor Laws, and Willcox City Manager Caleb Blaschke. Together, we have traveled across the country to show our full support for this critical piece of legislation, and we appreciate the Committee's attention to this issue.

The Chiricahua National Monument was first established by President Calvin Coolidge nearly 100 years ago, and this year, we celebrated the Monument's centennial. The "Wonderland of Rocks," as it's known, encompasses 12,000 acres of breathtaking landscapes featuring towering rock spires and balanced formations unique to the Chiricahua Mountains. The Monument also serves as a vital ecosystem, home to diverse species of flora and fauna, including migratory birds that draw nature enthusiasts from across the globe.

A National Park designation would raise the profile of Cochise County, both nationally and internationally, and bring much-needed tourism revenue to our rural economy. According to a report by Headwater Economics, National Monuments that have been redesignated as National Parks experienced an average 21 percent increase in visitation in the five years following designation. Additionally, total recreation visits to National Parks grew by 49 percent between 2000 and 2016, while National Monuments saw a decrease. For Willcox, which serves as the gateway to Chiricahua National Monument, this increase in tourism could mean a significant boost to our local economy, helping businesses flourish and creating jobs.

Willcox is also positioned at a critical juncture for transportation through southern Arizona. Interstate 10, one of the major transcontinental highways, runs directly through the City of Willcox, bringing an estimated 20,000 vehicles through our city every day. This traffic flow includes both commercial freight and tourism-related travel, making Willcox an essential stopover for many visitors exploring Arizona's attractions. Additionally, the Amtrak train passes through Willcox, and we are working diligently to secure a permanent stop in the city, which would further boost local tourism and economic activity. Willcox is also the first city that visitors encounter when entering Arizona from New Mexico, further solidifying our role as a gateway to the state's natural and cultural attractions.

Tourism is Arizona's number one industry, playing a vital role in supporting the state's economy and enriching local communities. Regionally, Cochise County is a significant contributor to this industry, attracting hundreds of thousands of visitors each year to iconic destinations like Tombstone, Kartchner Caverns, local museums, and Arizona State Parks. By redesignating Chiricahua National Monument as Chiricahua National Park, we will elevate the profile of the entire region, adding another must-see destination to the list of attractions that already draw visitors from across the country and around the world. This increase in tourism would bring further economic benefits, helping local businesses and improving the quality of life for residents in Willcox and throughout Cochise County. Willcox is a proud agricultural community with deep roots in farming and ranching. The area is known for a variety of agricultural operations, including livestock and cattle ranching, growing

essential crops like alfalfa and hay, and producing nuts, particularly pecans. Generations of hardworking families in Willcox have built their lives around working the land, contributing not only to the local economy but also to Arizona's agricultural output. This strong agricultural foundation remains central to the community's identity and way of life, fostering a spirit of resilience and dedication to the land that continues to drive Willcox's growth and development.

Willcox has rallied around tourism as a cornerstone of our local economy, especially since the 2008 recession. Our small community is home to unique attractions, including Apple Annie's Orchard, the Rex Allen Museum, Tirrito Farm, and world-renowned birding and wine-tasting experiences. In fact, 75% of Arizona's grapes are grown in Willcox. Despite these strengths, many tourists overlook the Chiricahua National Monument, partly due to its current designation as a "Monument," which is often mistakenly associated with smaller sites or statues as shared with us by many visitors. A "National Park" designation would help change that perception, drawing more visitors to explore this extraordinary area. I can speak to this from personal experience. I own a winery and tasting room in downtown Willcox. Over the past 10 years, my winery has seen an increase in revenues by 500%, largely thanks to the growing tourism industry in the region. The tourism we receive directly supports me, my family, and our local economy. I firmly believe that the National Park designation will continue to strengthen local businesses like mine and provide new opportunities for growth. The City of Willcox was recently awarded an \$11 million grant to create a riparian area for birdwatching enthusiasts, further strengthening our position as a tourist destination. A National Park designation for Chiricahua would complement these efforts and bring even more visitors to our area.

Increased tourism benefits the entire community. Over the last five years, Willcox has seen a 67% increase in transient occupancy tax, or "bed tax," revenue, thanks to visitors coming to enjoy the region's attractions. Greg Hancock, the owner of the Sunset Inn, a family-owned and operated "mom and pop" hotel in Willcox, has seen firsthand the positive effects of tourism on his business. He notes, "People come from all over for birding, wine tasting, and to visit our local attractions. I always encourage them to explore the Chiricahuas. When they return, they are amazed by the stunning rock formations and natural beauty. They are often surprised at how much they would have missed had they not taken the time to visit. I believe that redesignating Chiricahua as a National Park will shine a brighter spotlight on this hidden treasure in our community, bringing in even more visitors who will support not just my business, but the entire local economy. It's a win for the community and a win for small businesses like mine."

More visitors also mean more revenue for our community. Mayor Laws has repeatedly spoke on the critical connection between local businesses and the city's economy: "In our community, business and city government go hand in hand. The revenues generated by our local businesses allow the city to provide essential public services such as public safety, road maintenance, and quality-of-life amenities like parks, libraries, and recreational facilities. This support not only benefits current residents but also makes our community more attractive to new businesses and talented employees, creating a sustainable cycle of growth and prosperity. Without these revenues, we simply wouldn't be able to maintain the ball fields, pools, libraries, and services for our youth and seniors that are so important to our community's well-being. A stronger tourism sector, boosted by the redesignation of Chiricahua as a National Park, would only enhance our ability to serve and support the people of Willcox."

We are not alone in this effort. We have received letters of support from Cochise County, the Southeastern Arizona Governments Association, Visit Tucson, and neighboring cities such as Bisbee, Douglas, Sierra Vista, Benson, and Huachuca City, all of whom understand the broader regional benefits that this name change will bring to their businesses and communities. Their letters are included as attachments.

Finally, I want to emphasize that this redesignation would not require additional federal funding, nor would it result in any need for taxpayer subsidies or increased taxes. The Chiricahua National Monument is already managed by the National Park Service, and the proposed change is merely a name designation. With an increase in visitation, however, we expect local businesses and the Park itself to see an increase in revenue, which would help support the services and attractions that make our community thrive. Specifically, the Park will benefit from increased revenue through its campground and RV hookups, as well as from sales at the visitor store.

In conclusion, on behalf of the Willcox Chamber of Commerce and Agriculture and the many business owners, public servants, and community members who support

this legislation, I urge you to pass H.R. 1479 and redesignate Chiricahua National Monument as Chiricahua National Park. This change will strengthen our rural economy, enrich our communities, and help preserve the natural wonders of the Chiricahuas for generations to come.

Thank you for your time and consideration. We hope you will support this important legislation.

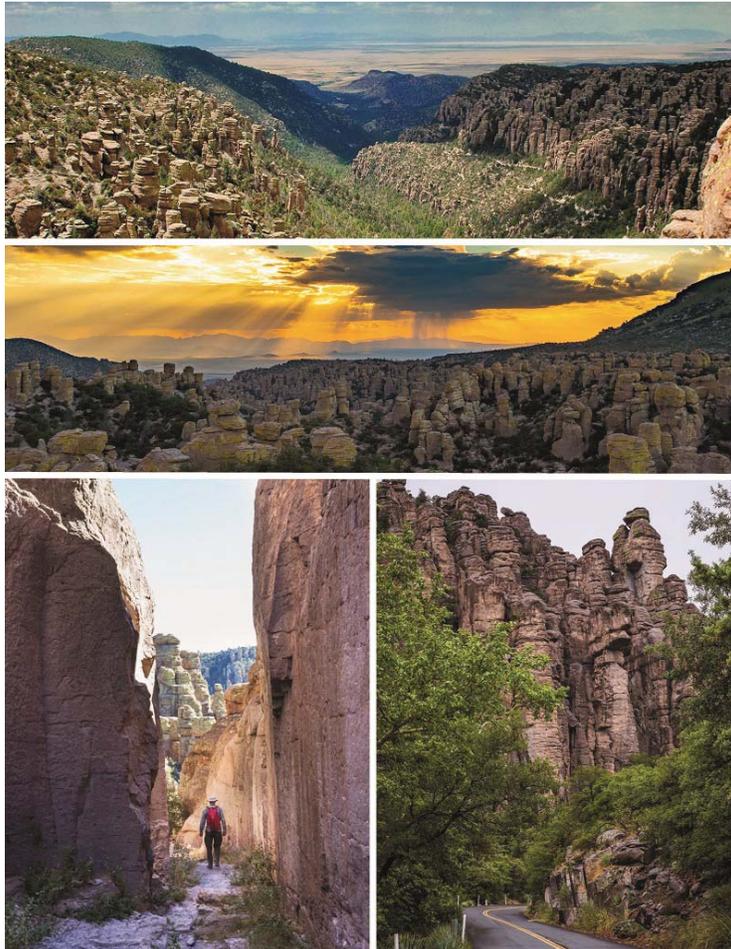
Attachments:

—Pictures of Willcox

—Letters of Support: City of Willcox, Cochise County Government, Visit Tucson, Arizona Office of Tourism, City of Benson, Southeastern Arizona Government Association, Yaqui Hideout, Northern Cochise Community Hospital, D&D Sales Inc.

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The following documents were submitted as supplements to Ms. Preston's testimony.







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**City of Willcox Arizona**

September 11, 2024

Hon. Juan Ciscomani  
1429 Longworth House Office Building  
Washington, DC 20510

Dear Congressman Ciscomani:

I am writing to thank you for introducing a bill to designate Chiricahua National Monument as a National Park.

As the Gateway to Chiricahua National Monument, seeing the name change to Chiricahua National Park is imperative to the growth of businesses in Willcox. Since the recession in 2008, Willcox has struggled to keep pace with other communities and attract new development. However, the community has rallied around tourism as the primary focus for our economy. Willcox is home to Apple Annie's, birding, wine tasting, Rex Allen Days, bicycling events and the Chiricahua Mountains. Businesses including hotels and restaurants rely on tourists visiting these spots to generate revenue.

During conversations with tourists at our visitor center, their first impression of a National Monument is often a statue or a site much smaller than a park. However, once we educate and share information about Chiricahua National Monument, they are amazed at the uniqueness, biodiversity and beauty of the area and make immediate plans to visit.

Attendance at Chiricahua National Monument has increased since the recession by 10%. We believe attendance will further increase if the name were to change to a National Park designation and would bring added revenue to small businesses in Willcox and Cochise County.

Respectively,

MICHAEL LAWS,  
Mayor, City of Willcox

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**Cochise County Board of Supervisors**

September 12, 2024

Hon. Mark Kelly  
Dirksen Senate Office Building, Ste. B40B  
Washington, DC 20510

Dear Senator Mark Kelly:

I am writing in support of legislation to designate Chiricahua National Monument as a National Park. I strongly believe such a designation would help to strengthen the local and regional economies through area tourism.

A National Park designation would significantly raise the profile of Cochise County, both nationally and internationally, drawing visitors to the region. In a report, "Economic Impacts of National Monuments Redesignated National Parks," the independent, non-profit research organization Headwater Economics found that eight National Monuments designated as National Parks experienced an average 21 percent increase in visitors in the five years after designation. Additionally, total recreation visits in National Parks grew by 49 percent between 2000 and 2016, compared to a decrease of three percent in National Monuments.

Because of its unique geographical features and outstanding natural beauty, Chiricahua National Monument is a one of-a-kind destination for Arizona tourism. Tourism is Arizona's number one industry and it plays a significant role in helping sustain the economies of communities throughout rural Cochise County. The Cochise County Tourism Council continuously works to attract new and repeat visitors to the region, and we believe this designation will make and important contribution to our ongoing goal.

I would like to thank you for introducing a bill to designate Chiricahua National Monument as a National Park and I enthusiastically enlist my support in moving this highly beneficial process forward.

Sincerely,

ANN ENGLISH,  
Chairman District 2

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**SouthEastern Arizona Governments Organization**

September 11, 2024

Hon. Juan Ciscomani  
1429 Longworth House Office Building  
Washington, DC 20515

Re: Letter of Support to re-designate the Chiricahua National Monument as the Chiricahua National Park

Dear Congressman Ciscomani:

As you may know, the SouthEastern Arizona Governments Organization (SEAGO) is the regional planning agency for the four-county region of Cochise, Graham, Greenlee and Santa Cruz counties. SEAGO has been designated an Economic Development District (EDD) by the U.S. Economic Development Administration since 1991. As an EDD, SEAGO often supports policy initiatives that have the potential to enhance the economic prosperity of the region, and it's our understanding your office has introduced Chiricahua National Park Act to re-designate the Chiricahua National Monument (CNM) as the Chiricahua National Park.

In November 2016, the SEAGO Executive Board adopted Resolution No. 2016-06, which supported legislative efforts at that time to change the designation of the CNM to National Park status. The Executive Board supported H.R. 6190 because national parks attract visitors from all over the world, and recreational activities and tourism play a significant role sustaining and increasing the local and regional economy. Moreover, re-designating the CNM to Natural Park status was not expected not have any material budgetary or staffing impacts to the National Park Service.

Assuming the legislation you introduce does not propose substantive budgetary, staffing, or land use changes to the existing CNM, I'm confident the SEAGO Executive Board would continue to enthusiastically support efforts to re-designate CNM as the Chiricahua National Park.

Should you have any questions regarding this letter, please don't hesitate to contact me.

Sincerely,

KEITH DENNIS,  
Executive Director

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**Benson Arizona**

September 11, 2024

Hon. Juan Ciscomani  
1429 Longworth House Office Building  
Washington, DC 20515

Dear Congressman Ciscomani:

We are issuing this Letter of Support for the advancement of proposed legislation to change the designation of the Chiricahua National Monument to a National Park. The redesignation would give this geologic masterpiece the recognition it deserves and attract tourists to Cochise County, where recreational tourism plays a large role in helping to sustain the economies of our local communities.

Established as a National Monument by President Coolidge in 1924, this “Wonderland of Rocks” spans nearly 12,000 acres and features formations exclusive to the Chiricahua mountain range comprised of towering columns, spires, balanced and standing rocks. Chiricahua National Monument meets the necessary criteria to be elevated to a National Park designation, boasting breathtaking natural beauty, more than 1,200 species of flora and a diverse range of fauna as the area encompasses four different ecological biomes.

The modification in designation can be accomplished without imposition on taxpayers as the Chiricahua National Monument it is already managed by the National Park Service and would not require land-use changes, additional staffing, or a budget increase. It would, however, ensure the “Land of Standing Up Rocks” is able to be enjoyed by future generations of visitors from around the country and the world, gaining and national and international attention to the region.

We therefore support approval of the Chiricahua National Park Act.

Respectfully Signed,

JOE A. KONRAD,  
Benson Mayor

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**Visit Tucson**

May 3, 2024

Hon. Mark Kelly  
Dirksen Senate Office Building, Ste. B40B  
Washington, DC 20510

Dear Senator Kelly:

I am writing to express Visit Tucson’s support for the Chiricahua National Park Act to designate Chiricahua National Monument as a National Park.

As you well know, the Chiricahua National Monument is a stunning landscape in the heart of southern Arizona. The “Land of Standing Up Rocks” is extraordinarily unique and attracts visitors from all over the world. Visitors can hike and explore this geological wonder, experience wildlife, and learn about the significant history of our region.

A National Park designation would undoubtedly raise the profile of Cochise County and southern Arizona, attracting more visitors to strengthen our local and regional economy.

Chiricahua National Monument is a unique and awe-inspiring national gem and should be a National Park. Thank you for introducing this important legislation to boost our local economy and honor a well-deserving natural and historical treasure.

Sincerely,

VANESSA BECHTOL,  
Vice President of Strategic Initiatives

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**Yaqui Hideout  
Pearce, AZ**

September 9, 2024

Re: Upgrading Chiricahua National Monument to a National Park

To Whom It May Concern:

Regarding the possibility to change the Chiricahua National Monument to a National Park, we fully support that move. We are a local ranch homestead with Lavender Farm and Bed and Breakfast and would greatly appreciate and support having a National Park in our area. I think it would bring a needed boost to the local economy, increase our business and expand local tourism. The Chiricahua Monument is a spectacular treasure and does not seem to us to get the visibility and appreciation it should have.

I certainly hope someday soon it joins the ranks of our other National Parks!

Sincerely,

BOB GLEASON-MOORE,  
Owner

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**Northern Cochise Community Hospital**

September 10, 2024

Respected Decision Makers:

I am writing to you with enthusiastic support to encourage Chiricahua National Monument to be named a National Park. This incredibly scenic area is home to many hiking trails and truly unbelievable rock formations. In my humble opinion, it is a collection of geologic marvels nestled among the Chiricahua Mountain range and well deserves recognition as a National Park.

I represent our local community hospital, and it is with unanimous board support I write this letter. Not only would this enhanced status give due recognition to the treasure we hold dear, but it would also provide additional tourism to our area. The economic benefits to the community would be well received. Clinically, we stand ready and able to care for those who may require our services.

We respectfully request consideration for this modification to name the Chiricahua National Monument as a National Park.

Sincerely,

MO SHELDON,  
CEO

**D & D Sales Inc  
Dunagan Trucking**

September 9, 2024

To Whom It May Concern:

The change of Chiricahua Monument to a National Park would be a tremendous asset to our town of Willcox and also to Cochise County.

The impact on my own business might be minimal but it would be a huge asset to our community, and county. My business depends on the agriculture success of our farmers and ranchers. From corn, cotton, cattle, alfalfa, pistachio, pecans, to commercial gardens.

Willcox is the closest town to the Monument and would most assuredly benefit from the re-branding of our beautiful mountains.

I encourage you to approve this proposed action.

Thank you,

CAROL DUNAGAN

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Mr. TIFFANY. Thank you, Ms. Preston. I now recognize Ms. Goynes-Brown, Mayor of the City of North Las Vegas.

Mayor, you have 5 minutes.

**STATEMENT OF PAMELA GOYNES-BROWN, MAYOR, CITY OF  
NORTH LAS VEGAS, NORTH LAS VEGAS, NEVADA**

Ms. GOYNES-BROWN. Chairman Tiffany and Ranking Member Neguse, thank you for the opportunity to share my support for this critical legislation. My name is Pamela Goynes-Brown, and I am honored to serve as the Mayor of the City of North Las Vegas. On behalf of myself and my more than 280,000 residents, I want to urge support for H.R. 1504, the Apex Area Technical Corrections Act.

I want to thank my Congressman, Steven Horsford, for authoring this critical legislation and the Committee for taking it under consideration.

Just in the past number of years, Apex has seen an increase in development activity from global brands significant to not just the revitalization of the City of North Las Vegas, but to the region as a whole. This bill is an important component to the continuation of the momentum in Apex.

Looking at a map, nearly 90 percent of Clark County is federally managed land. Few communities, if any, of a similar population to our region exist in this context. Understanding that many of these lands contribute to our national security, like Nellis Air Force Base, or conservation of our natural resources, like Lake Mead, the growth occurring in my city and in Clark County, it does create scarcity in terms of developable lands.

Know that the Apex industrial site is the best opportunity for large area economic development in the region.

Expediting consideration and passage of this bill will allow for expansion of the economy and the creation of my long-term career opportunities in a historically underserved part of the community.

We are grateful for the past congressional action authorizing the creation of this industrial site decades ago, but this legislation is necessary to unlock the true potential by updating and planning

and zoning authorities while maintaining environmental priorities and protections. Passage has added benefit of reducing the permitting work required by our local BLM office, which faces one of the most complex and challenging missions in the country.

Again, I want to thank Congressman Horsford for his leadership on this bipartisan bill and to this Committee for allowing me to testify. I thank you.

[The prepared statement of Ms. Goynes-Brown follows:]

PREPARED STATEMENT OF PAMELA GOYNES-BROWN, MAYOR OF THE CITY OF  
NORTH LAS VEGAS  
ON H.R. 1504

Dear Chairman Tiffany and Ranking Member Neguse, thank you for the opportunity to share my support for this critical legislation.

My name is Pamela Goynes-Brown and I'm honored to serve as the mayor of the City of North Las Vegas.

On behalf of myself and my more than 280,000 residents, I want to urge support for H.R. 1504, the Apex Area Technical Corrections Act.

I want to thank my Congressman, Steven Horsford, for authoring this critical legislation and the Committee for taking it under consideration.

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Looking at a map, nearly 90% of Clark County is federally managed land. Few communities, if any of similar population to our region, exist in this context.

Understanding that many of these lands contribute to our national security, like Nellis Air Force Base, or conservation of our natural resources like Lake Mead, the growth occurring in my city, and in Clark County, it does create scarcity in terms of developable lands.

Know that the Apex Industrial Site is the best opportunity for large acre economic development in the region.

Expediting consideration and passage of this bill will allow for expansion of the economy and the creation of myriad long-term career opportunities in a historically underserved part of the community.

We are grateful for past Congressional action authorizing the creation of this industrial site decades ago, but this legislation is necessary to unlock the true potential by updating the planning and zoning authorities while maintaining environmental protections.

Passage has the added benefit of reducing the permitting work required by our local BLM office, which faces one of the most complex and challenging missions in the country.

Again, I want to thank Congressman Horsford for his leadership on this bipartisan bill and to this committee for allowing me to testify.

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Mr. TIFFANY. Thank you, Mayor, for your testimony. I would now like to recognize Ms. Gabby Kubinyi, a member of the Gold Star Spouses of America.

Ms. Kubinyi, you have 5 minutes.

**STATEMENT OF GABRIELLA KUBINYI, MEMBER, GOLD STAR  
SPOUSES OF AMERICA, INC., WASHINGTON, DC**

Ms. KUBINYI. Good morning, Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee. Thank you for the opportunity to appear before you today. My name is Gabby Kubinyi, and I am the surviving spouse of United States Navy Petty Officer Second Class Jeffrey Ferren, who died while serving on active duty in Virginia.

I am here today to express my strong support for H.R. 9516, the Military Families National Parks Access Enhancement Act. This bill represents a meaningful step towards honoring the sacrifices made by our military families, particularly those who have lost loved ones while serving on active duty.

The National Defense Authorization Act of 2022 authorized the expansion of the National Parks Military Pass program to offer free lifetime access for veterans and Gold Star family members. This change reflected the nation's commitment to honoring the service of military personnel and their families, specifically those who wear the Gold Star lapel pin which is presented to families of service members who have died in a qualifying situation, such as in war, an international terrorist attack, or a military operation outside of the United States while serving with the U.S. Armed Forces.

The 2022 NDAA expansion was well received, but it excluded surviving families who are eligible for the Next of Kin Pin, which also has a gold star, and is presented to the families of service members who die while serving on active duty, but outside of the aforementioned qualifying situations.

H.R. 9516 seeks to broaden eligibility to include families like mine. My husband died at the age of 31. He was healthy, as far as anyone knew. But gearing up for his third deployment in 5 years, the stress and the caffeine that kept him going became a deadly combination, especially with an undiagnosed heart condition.

This change acknowledges a crucial fact often overlooked in discussions about military casualties, that the majority of military deaths occur outside of hostile action. In the year my husband died, 2012, out of the 1,308 total military deaths, only 239 resulted from hostile action. The remaining deaths were due to accidents, illness, suicide, and other non-combat-related incidents. This stark reality underscores the importance of recognizing and honoring all military families who have experienced loss, acknowledging that service-related deaths are not limited to combat, and it provides much-needed support to a much larger number of bereaved military families.

I would also like to note that H.R. 9516 would bring this benefit in line with the eligibility for the military branches' surviving family programs like the Navy Gold Star Program, which is the Navy's official program for providing long-term support for surviving families of sailors who pass while on active duty.

While I applaud Representative Chavez-DeRemer on her bill, there are still a group of survivors who are not eligible. There is an opportunity here to expand its scope to more comprehensively honor all who have given their lives in service to our country. These families are those whose loved ones passed away after their time on active duty from a disease or injury they incurred during their service.

Many veterans have enjoyed their time on Earth in our country's national parks, creating memories that their families will be able to cherish once they are gone, veterans like Katie Benson from Portland, Oregon. Tragically, Katie lost her battle with cancer, which has been linked to her deployment to Kuwait, where her barracks were next to an open-air asbestos disposal site. While Katie

was sick, the couple traveled across the nation, finding fleeting refuge in the majesty of our national parks while bravely dealing with her treatments. Her husband, Sri, said, “Those moments became our sanctuary, allowing us to escape, however briefly, from the weight of our reality. Visiting these parks now that she is no longer here allows me to connect with her memory in a way that photographs alone cannot capture.”

In closing, this is a commendable bill that honors our heroes and their families. By expanding eligibility to include all active duty deaths, we can ensure that we recognize and support those who have made the ultimate sacrifice for our nation, regardless of where that sacrifice is realized. Congress can ensure that grieving military families can find solace and healing in the beauty of our nation’s cherished public lands, free from financial constraints. It is a gesture that reflects our nation’s gratitude and underscores our commitment to those who have given so much.

I urge the Committee to consider this expansion and to move forward with this important legislation. Our military families deserve nothing less than our full support and recognition.

Thank you for your time and consideration. I am happy to answer any questions the members of the Committee may have. Thank you.

[The prepared statement of Ms. Kubinyi follows:]

PREPARED STATEMENT OF GABRIELLA KUBINYI, MEMBER OF GOLD STAR SPOUSES OF AMERICA, INC.

ON H.R. 9516

Good morning, Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to appear before you today. My name is Gabriella Kubinyi, and I am the surviving spouse of United States Navy Petty Officer Second Class Jeffrey Ferren, who died while serving on active duty in Virginia.

I am here today to express my strong support for HR 9516, the Military Families National Parks Access Enhancement Act. This bill represents a meaningful step toward honoring the sacrifices made by our military families, particularly those who have lost loved ones in service to our nation.

The National Defense Authorization Act of 2022 (NDAA 2022) authorized the expansion of the Interagency Military Lifetime Pass, or Military Pass program, to offer lifetime access for veterans and Gold Star Family members, a significant upgrade from the previous annual passes. This change reflected the nation’s commitment to honoring the service of military personnel and their families, specifically those who wear the Gold Star Lapel Pin. The Department of Defense presents this pin to families of service members who have died in a “qualifying situation,” such as in war, an international terrorist attack, or a military operation outside of the United States while serving with the US Armed Forces.

This initiative not only provides free access to roughly four hundred million acres of public land which are some of America’s most beautiful and diverse landscapes but also encourages service members, veterans, and their families to make lasting memories enjoying the country’s natural heritage. For survivors, there is an added aspect, the national parks as a place for remembrance, healing, and grief work.

The Military Pass waives entrance fees for locations run by the National Park Service and the U.S. Fish and Wildlife Service, and standard amenity recreation fees for the Bureau of Land Management, Bureau of Reclamation, U.S. Forest Service and U.S. Army Corps of Engineers sites for current military service members and their dependents, veterans and Gold Star Families.

Although the 2022 NDAA expansion was well-received, it unfortunately excluded surviving families who are eligible for the Department of Defense’s Next-of-Kin Pin, which also has a gold star, that is presented to the families of service members who die while serving on active duty.

H.R. 9516 seeks to broaden eligibility to include my family. My husband died at the age of 31 years old. He was as healthy as far as anyone knew. When he died, the ship he was stationed on, the USS Oscar Austin, was about two months away from a 6-month deployment. As an engineman, his job was imperative to the operation of the ship. This meant he was working 6 or 7 days a week, for 16 to 18 hours a day. He was also drinking a lot of coffee and Red Bull to be able to keep going. Work, stress, and caffeine became a deadly combination, especially for a sailor with an undiagnosed heart condition.

The expansion of the Military Pass program to include all families who have lost a service member is a significant and crucial step. This change acknowledges a crucial fact often overlooked in discussions about military casualties: the majority of military deaths occur outside of hostile action. For instance, in the year my husband died, 2012, out of 1,308 total military deaths, only 239 resulted from hostile action. The remaining 1,069 deaths were due to various causes including accidents, illness, suicide, and other non-combat related incidents. This stark reality underscores the importance of recognizing and honoring all military families who have experienced loss, regardless of the circumstances.

Recent data further emphasizes this point. In 2022, there were 844 military deaths, and notably, none of these deaths were attributed to hostile action or terrorist attacks. This information highlights the diverse risks and challenges faced by military personnel, extending far beyond combat situations.

The expansion of the Military Pass program is crucial because it recognizes the sacrifice of all military families who have lost a loved one, irrespective of the cause of death. It acknowledges that service-related deaths are not limited to combat and provides support to a much larger number of bereaved military families. By broadening the eligibility criteria, this initiative ensures that all families who have experienced the loss of a service member are honored and supported, offering a small but meaningful gesture of support to those left behind.

This approach better reflects the complex nature of military service and provides a more comprehensive recognition of the sacrifices made by service members and their families. It sends a powerful message that every life lost in service to the country is equally valued and remembered, regardless of how that loss occurred. The expanded program will touch many more families who have made the ultimate sacrifice, providing them with access to America's natural heritage as a means of healing and remembrance.

The bill's expansion to more surviving family members is commendable. I believe that this gesture recognizes the service and sacrifice of not only the service member, but the family as well. It would also provide a tangible benefit that can be extremely meaningful for a family's healing and remembrance. This will also ensure that these families will not face a financial barrier accessing part of what their loved one served to protect.

I would also like to note that H.R. 9516 would bring this benefit in line with the same eligibility to be a part of the military branches surviving family programs. In my case, I have been involved with the Navy Gold Star Family Program since its inception. The program shared an email on the original expansion, and it has led to confusion within the survivor community on who is eligible. Even the Navy Gold Star Program shared the information under the assumption that all families in its program were eligible.

While I applaud Representative Chavez-DeRemer on her bill to expand eligibility for the free annual military passes to surviving families of active-duty deaths, there is a group of survivors who are still not eligible. There is an opportunity to expand its scope to more comprehensively honor all those who have given their lives in service to our country.

These families are those whose loved ones passed away after their time on active duty, from a disease or injury they incurred during their service. Veterans who die from a VA service-connected disability.

The 2022 NDAA also extended a free lifetime pass to veterans. This lifetime veteran pass provides more than just individual access. It allows veterans to share the experience with their loved ones, as the pass covers not only the veteran but also the occupants of a single, private non-commercial vehicle. In locations where fees are charged per person, the pass admits the veteran and up to three additional adults.

An important implication of this expansion is its potential impact on families of veterans who pass away due to service-connected disabilities. In such cases, the surviving family members may have already been granted free admission to these lands and parks through their loved one's veteran status. This provision ensures that these families can continue to enjoy America's natural treasures without

financial burden, serving as both a gesture of gratitude for the veteran's service and a means of support for their bereaved families.

Many veterans have enjoyed their time on earth in our country's national parks, creating memories that their families will be able to cherish once they are gone. One such veteran was Katie Benson. Tragically, Katie lost her battle with cancer that has been linked to her deployment to Kuwait, where her barracks were adjacent to an open air asbestos disposal site.

Throughout her life, Katie found solace in the natural beauty of her home, Portland, Oregon. While Katie was sick, she and her husband would spend hours stargazing together, enjoying their time together. As Katie got sicker, the couple traveled across the nation, finding fleeting refuge in the majesty of our national parks while bravely dealing with her treatments.

Her husband Sri, said, "Those moments became our sanctuary, allowing us to escape, however briefly, from the weight of our reality. Visiting these parks now that she is no longer here, allows me to connect with her memory in a way that photographs alone cannot capture. Katie sacrificed her life for the freedoms we cherish and reveled in the beauty of this land. Expanding eligibility to next-of-kin of anyone who dies due to their service, whether on active duty or subsequently would be a profound tribute to their sacrifice and a gesture of healing that far surpasses any conventional acknowledgment of their service."

H.R. 9516 is a commendable bill that honors our heroes and their families. By expanding its scope to include all active-duty deaths, we can ensure that we comprehensively recognize and support those who have made the ultimate sacrifice for our nation, regardless of where that sacrifice is realized.

This amendment not only provides enduring recognition for Gold Star Families but also ensures they can find solace and healing in the beauty of our nation's cherished public lands—free from financial constraints. It is a gesture that reflects our nation's gratitude and underscores our commitment to those who have given so much. I urge the committee to consider this expansion and to move forward with this important legislation. Our military families deserve nothing less than our full support and recognition.

Thank you for your time and consideration. I am happy to answer any questions the members of the committee may have.

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Mr. TIFFANY. Thank you, Ms. Kubinyi. We are going to go to Member questions now. We will start with the gentleman from Oregon, Mr. Bentz.

Mr. BENTZ. Thank you, Mr. Chair.

Thank all of you for being here, and for making the effort to appear before us today. It is greatly appreciated. I will start with Justine Jimmie.

And these questions that I have are relevant to work that I am doing back in my state of Oregon. So, there is more going on when I am asking them than just what we are talking about today. But I am looking at page 2 of your testimony, and it sets forth some language that you would like in the bill. My first question is, does that language intend to apply only to the park discussed in the bill, or all of national parks?

Ms. JIMMIE. Thank you, Member, for that question. You actually bring up a good point.

As this is contemplated, it is directed to the bill before you, H.R. 1479, but I think what it does is it lays out a platform to extend this across the nation, because not only is this area one that is rich in culture regarding Native peoples, but there are so many places across the country that also have that history, and it all deserves to be protected. And the Native peoples in those areas also deserve to have access to those lands.

So, while this is contemplated specifically for this bill, I certainly welcome an expansion of this so that it can be realized for other areas across this country.

Mr. BENTZ. I am now going to ask you probably the most difficult question, and it came up in one of my town hall meetings 2 weeks ago back in Oregon, where someone stood up and said, "Hey, I was precluded from going out into a space I have hunted in for years, and I was told by the"—I think it was the Forest Service, it might have been the BLM—"You can't," because it had been closed off for tribal activities. And you can imagine how angry this person was.

I was unaware of the details, so I simply said, "Well, we will look into it."

My question is this. And I am a lawyer, and I have spent lots of time working with what we call split estates. A split estate is most simply understood as a house someone may own located on land they don't own. So, the person who owns the house would like to sell it, but they don't own the land under it. That is called a split estate. And what I hear people describing, and what I see in your language here is exactly that.

The tribes suggest that they have been there for many, many years, and that is the truth, and say, "We should enjoy more power, more control over our use of the land," and yet the people who are here now say, "No, that is where we used to hunt."

So, my question to you really is what is that foundational argument that the tribes have that would give them a right to the land? Because, of course, your language calls out the request, if you will, that that right, whatever it is, be recognized. Give me your best argument about that right.

And by the way, I have been in this space a long time. I don't need a long lecture. I just want your brief response, because I have a very pointed question to ask Ms. Emanuel that builds on whatever your answer might be. So, make it very short.

Ms. JIMMIE. Certainly it is not my intention to lecture you at all, but I will share my personal experiences.

With regard to your question about having these lands closed off for general public use in certain instances, I believe that those can be worked out within the national park area for certain uses and for certain periods of time. We are not intending that the certain lands be closed off forever and for anyone else to use. But there are certain ceremonies that will take place in these lands that have taken place in these lands from time immemorial.

Mr. BENTZ. So, we are going to stop there because I have to have a minute left for the other witness. I would love to have you follow up in writing. I really would, just your justifications for that authority over that land.

Ms. Emanuel, I am looking at page 2 of your testimony, and I am looking at the second paragraph, where you are saying that the Appalachian Trail Conservancy should not have the power it apparently asked for in legislation. And the language you use is, "However, statutorily codifying one primary partner with unique rights over others could have unanticipated effects on national trail management across a mosaic of jurisdictional and unintended consequences." It sounds like that flies in the face of what we just heard from the previous witness.

In other words, they, the tribes, based upon the information and arguments that we are going to hear, want additional rights. And we are going to be out of time, but take your best shot at this, of

why you don't think one group should have primary rights over another when it comes to at least the trail system.

Ms. EMANUEL. We work with such a huge mosaic of partners across all landscapes for all kinds of different mission results. And in the case of the AT language, that sets a precedent for us with other national scenic trails. Our relationship with tribes is a really different set of scenarios. So, I am having trouble drawing a parallel between those two.

Mr. BENTZ. Thank you. I would love to have more time. I don't. I yield back.

Mr. TIFFANY. The gentleman yields. I now recognize Representative Leger Fernández for 5 minutes of questioning.

Ms. LEGER FERNÁNDEZ. Thank you so much, Mr. Chair. And I think it might be very useful for us to begin in following up to some of that thought. I am going to want to ask some questions because there is a different relationship that I think exists with regards to tribes because of our trust responsibility, and where these aboriginal lands originally were.

Ms. Jimmie, thank you for joining us today.

And thank you, President Thora Padilla, who has submitted some written testimony, which I would like to ask unanimous consent to enter into the record.

Mr. TIFFANY. Without objection.

[The information follows:]

**Statement for the Record**

**Thora Padilla, President  
Mescalero Apache Tribe**

**on H.R. 1479**

On behalf of the Mescalero Apache Tribe ("Tribe"), we write to express our concerns about H.R. 1479, the Chiricahua National Park Act. This bill would designate Chiricahua National Monument, which is named after Chiricahua Apaches who are members of the Tribe, as Chiricahua National Park.

H.R. 1479 does not adequately protect our cultural resources in this area and does not ensure that Tribal members can continue to access the area for traditional purposes and gather medicinal plants and herbs as we have for centuries without interference. Also, this bill should protect the landscape, view sheds, and sight-lines in the area. The Chiricahua National Monument area is a Cultural Landscape of the Tribe.

Long before the first European settlers came to this land, our Apache ancestors roamed the southwestern region, from Texas to central Arizona and from as far south as Mexico to the peaks of Colorado. After many decades of wars to protect our homelands and our people from encroaching Europeans seeking our land and resources through brutal means, including massacres, the Apaches entered into a treaty with the United States on July 1, 1852. This treaty, known as the Treaty with the Apaches, promised the Tribe a permanent homeland in our aboriginal territory. The Mescalero Apache Reservation (Reservation), located in the White and Sacramento Mountains of rural south-central New Mexico, was created by a succession of Executive Orders in the 1870's and 1880's. Even though the federal government forcibly removed our people from our ancestral lands, the Mescalero Apache people have maintained strong cultural ties to these lands, including Chiricahua National Monument.

Three sub-tribes, Mescalero, Lipan, and Chiricahua, make up the Mescalero Apache Tribe. Chiricahua National Monument is named after Chiricahua Apaches, who have deep connections to this area along with other Apaches; and, descendants of Chiricahua Apaches are Tribal members. Famed spiritual leader and medicine man Geronimo and other Chiricahua Apaches were held as prisoners of war by the United States military from 1886 until 1913 when the surviving Chiricahua

Apaches were finally released and allowed to come to the Reservation. These Chiricahua Apaches became members of the Mescalero Apache Tribe. The descendants of renowned Chiricahua Chiefs Mangas Coloradas, Victorio, and Cochise are Tribal members and reside on the Reservation.

To protect our traditional ways of life and our ongoing connections to this land that would be designated as a National Park under this bill, we respectfully request your assistance in ensuring that the bill is amended to include the following provision:

SEC. 3. TRADITIONAL CULTURAL AND RELIGIOUS SITES.

(a). INDIAN TRIBE.—Indian tribe means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a.

(b) In general—The Secretary of the Interior, in consultation with Indian tribes, shall ensure the protection of traditional cultural and religious sites in the National Park.

(c) Access—The Secretary of the Interior, in accordance with Public Law 95-341 (42 U.S.C. 1996),—

(i) shall provide access to the sites described in paragraph (b) by members of Indian tribes for traditional cultural and customary uses; and

(ii) may, on request of an Indian tribe, temporarily close to general public use 1 or more specific areas of the National Park to protect traditional cultural and customary uses in the area by members of the Indian tribe.

This language is essentially the language from the Valles Caldera National Preserve, New Mexico, Section 3043, P.L. 113-291; 16 U.S.C. 698v-11.

Since the U.S. first began carving out National Parks from tribal ancestral lands, tribes across the country have continually experienced ongoing challenges to ensure that we can continue to practice our cultures and traditional ways of life on these lands without disruption and to ensure that our cultural resources are not damaged or destroyed. For example, tribes have faced and still face a myriad of obstacles from National Park Service personnel relating to access, ceremonial practices, gathering, collection, cultural resources protection at Grand Canyon NP, Yellowstone NP, Olympic NP, Everglades NP, Smoky Mountains NP, Badlands NP, Glacier NP, and the list goes on and on. Most, if not all, of these National Parks were established at a time when tribes did not have the voice they should have had, and often times these National Parks were created over tribal objections. Times have changed since then and legislation establishing a National Park should recognize, preserve, and protect tribal relationships to these lands and help ensure consistent on-the-ground application of the law from National Park Service personnel.

We thank the Subcommittee for its consideration of our views and look forward to working with the Subcommittee to make the necessary changes to H.R. 1479 requested above.

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Ms. LEGER FERNÁNDEZ. So, Ms. Jimmie, you had described a potential amendment to H.R. 1479 to protect traditional cultural, religious sites in the Chiricahua National Park to make sure the Park Service provides access to these sites. Can you describe some of the uses and why it is key that we actually allow this to continue on the land?

Ms. JIMMIE. Yes. Some of the reasons an Apache would go back to that area would be to collect food, food sources, plants that would be used for medicine, and to participate in ceremonies. But generally, it would be to be there, to be in a location where our ancestors lived and thrived at one time. Even though we have entered into the modern world, there is still a strong connection to that land. And just as you would understand a religious ceremony conducted in, say, a church, Native ceremonies deserve the same type of respect and to be able to occur in the lands of which they were started years and years ago.

Going back to the issue of closing off areas, in my own experience my daughter was having a ceremony, and while it wasn't in this area, it was in another area, it was in a forest area, we had to reach out to the forest and ask for permission to have her ceremony there. Now, we had to wait until we got a response before we could actually start the planning. The land that we were wanting to have her ceremony at was our aboriginal land. It was a land to which we had a strong connection to, and yet we weren't able to move forward with that ceremony until we got permission.

Under this amendment, there would be a baseline that that access should be allowed. So, it would not hamper our ability to move forward with our traditions and our ceremonies. Thank you.

Ms. LEGER FERNÁNDEZ. So, you used the concept of a church. It is sort of like saying the church has been built, the church was built before it became part of the Federal land, and you just want to be able to go back to your church. Right? And it is not built in a sense, but their cultural significance and historic significance predates the taking of the land into American ownership. Is that one way of thinking about it, using your analogy of a church?

Ms. JIMMIE. Yes, and that is the closest analogy that I can think of. But absolutely, this is something that is connected even in my own family.

But to go back there is just a feeling of connection and understanding that there were a long line of people that went before me and fought hard not only for themselves, but later on for this country in military service, as well. So, to be able to recognize that and to feel that can often only happen in those locations.

Ms. LEGER FERNÁNDEZ. Right. And would the language that has been proposed—and I think that there is some good conversation that is happening around this language—would it deny access to the park for others who want to visit the park?

I mean, it is not permanent, right? It would be for specific times and ceremonies. It is not permanently closing it off. Is that correct?

Ms. JIMMIE. That is correct. We don't envision a permanent closure or prohibition of other people to use the land.

Ms. LEGER FERNÁNDEZ. Yes.

Ms. JIMMIE. But for the times that we have ceremony and needs, sometimes those need to be done without the traffic that a national park necessarily would gather and garner. So, it is not that we want to cut off other people's enjoyment of the land, it is that we want to recognize and be able to enjoy that land ourselves, as well.

Ms. LEGER FERNÁNDEZ. And I have run out of time, but I would note that in New Mexico we have a couple of sites—they are not parks yet and, in fact, one of the reasons why the tribes are concerned about them becoming parks is where this happens, and it is sort of like notice is given, people know it is happening, is infrequent enough that there is really good understanding among the public about this, and it works fairly smoothly, I would say, just in our experience in New Mexico.

With that, I yield back, Mr. Chairman. Sorry for taking the extra 30 seconds.

Mr. TIFFANY. Thank you, Representative. Now I recognize Representative Moylan for 5 minutes of questioning.

Mr. MOYLAN. Thank you, Mr. Chairman, and thank you for our panel today. I appreciate all your testimonies. They were very helpful.

Let's see here, Mr. Caldwell, of the 21,000 acres of land authorized for sale in 1989, how much of that land has been sold to Clark County?

Mr. CALDWELL. Is that a question for the National Park Service, sir?

Mr. MOYLAN. Oh, sorry, sir. I thought, pardon me. I am sorry.

Mr. CALDWELL. It may be more appropriate for the BLM, and we would be happy to get that answer for you.

Mr. MOYLAN. All right, thank you. Hold on.

Mr. Chairman, let me just conclude there for now, and if I can yield back my time I would come back to this later, please. Thank you, Mr. Chair.

Mr. TIFFANY. The gentlelady from New Mexico, would you like to be recognized?

Ms. STANSBURY. I would like to. Thank you, Mr. Chairman.

Mr. TIFFANY. You have 5 minutes, ma'am.

Mr. TIFFANY. All right. Good morning, everyone. I am Melanie Stansbury, and I am deeply honored and humbled every day to represent New Mexico's 1st Congressional District, which also includes some of the historic homeland of the Mescalero Apache Tribe, and I want to welcome Attorney General Jimmie.

Thank you so much for being here from the sister Tribe of Mescalero. I know there are many relatives that are shared amongst the two tribes as they are known today.

So, as I know that we have witnesses that have traveled from all over the country to talk about different lands, I am going to focus on Mescalero and their connection to the Chiricahua bill. But I do want to say welcome and thank you to all of our witnesses for traveling and being here today.

As has been discussed, and Ms. Jimmie, you have shared some of this in your testimony already, I want to talk just a little bit more about Mescalero Apache's connection to the lands that are the subject of H.R. 1479, which is the Chiricahua Park Act.

As some of you may know this history, there is a long and, in many cases, painful history between the U.S. Government and the leadership of various tribes of the Apache, or Nde, people, and Mescalero is comprised today because of that history of three sub-tribes, which includes Mescalero, the Lipan, and the Chiricahua, some of whom are well known to non-Mescalero people, including Geronimo, who was the religious leader who was held as a prisoner of war for many, many years before being allowed to return home.

But long before that, the Nde people have lived and been stewards of lands that range from Arizona, Texas, New Mexico, Mexico, all the way to Colorado, and have been subjected to various efforts to forcibly remove people from the lands, to contain them, to ship them off to other places, and, of course, a number of treaties and executive orders to create what are known as the modern reservations today. But these are lands that have historical, religious, cultural significance to the people, and it is carried in the actual name of this Act itself.

And I understand that H.R. 1479 is a bipartisan bill, and I do understand that both San Carlos and Mescalero have had productive conversations with the sponsors of the bill about the amendment that is being proposed here today.

But I do want to take a few moments to say that, as the Congresswoman from New Mexico's 3rd Congressional District just said, these lands are so important to the cultural history, the religious significance, and we have many, many examples in other public lands that have been taken from historic homelands, where exceptions and protections have been put in the law, in the rules, in the regulations of our parks so that the Tribal Nations who have connections to them can connect with them and continue to use them for those traditional purposes.

And the example that was given, the Valles Caldera, is actually the language that would be the basis for the amendment that I know San Carlos and Mescalero have put forward. And all that language says is it acknowledges that history. It requires that the National Park Service and Department of the Interior do their due diligence and their consultation with the tribes, and that they allow access and use of those historic cultural sites.

So, Attorney General, I know you have spoken to this already this morning, but can you with the last minute-and-a-half that we have here, talk to us a little bit about that generational connection that the Chiricahua people, the Nde people have to these specific lands, and how that has carried forward over the generations?

Ms. JIMMIE. Thank you. In my testimony, I talked about the history, and how Chiricahuas lived in this area, that they raised their families, they participated in their ceremonies. That is part of the history that—a lot of that goes down through the generations in our oral histories and our stories and what we are taught as we are youngsters. And that connection also is a real connection, so that when we go to the land, when we are there, we have this experience that connects us back all those years.

I also wanted to say that currently Federal law generally recognizes tribal ties on Federal lands, and that there have been treaties and executive orders to recognize that and protect that. So, this amendment is requested to be placed in the bill so that it recognizes that and it also protects that continuing connection that Nde have to the land.

And this language is really specific to the Chiricahua National Park, because that area is so rich in our culture and in our experiences. And for me, it is important that I continue it with my own children and with their children, as well, so through the consultation process we can move forward.

We understand that this is an important legislation, but we want to make sure that it moves forward in an orderly fashion, giving recognition to the history and also to the lives that were lost in that area. You cannot discount that at all. So, there definitely is a connection, and I would like that connection to continue on.

Ms. STANSBURY. Thank you so much, Attorney General, and I think it can't be said more eloquently than that.

And I look forward, Mr. Chairman, to working with Representative Ciscomani and the sponsors to amend the bill. So, thank you.

Mr. TIFFANY. Thank you, Representative Stansbury. I now recognize Representative Kiley for 5 minutes.

Mr. KILEY. Thank you, Mr. Chairman. I would like to enter into the record two letters of support for the Lake Tahoe Restoration Reauthorization Act. One is from a Tahoe stakeholder group, and the next is from the Placer County Board of Supervisors.

Mr. TIFFANY. Without objection.

[The information follows:]

### **Lake Tahoe Environmental Improvement Program**

September 18, 2024

Hon. Tom Tiffany, Chairman  
 Hon. Joe Neguse, Ranking Member  
 Subcommittee on Federal Lands  
 House Natural Resources Committee  
 1324 Longworth House Office Building  
 Washington, DC 20515

Dear Chairman Tiffany and Ranking Member Neguse:

As the leaders of the Tahoe Partnership, a collection of public and private partners dedicated to protecting Lake Tahoe, we write today to share our strong support for the Lake Tahoe Restoration Reauthorization Act (LTRA) (H.R. 1274, S. 612).

This bipartisan legislation would extend the expiration of the current Lake Tahoe Restoration Act of 2016 to September 30, 2034. This will provide another decade for Congress to appropriate the remaining funds from the original authorization of \$415 million to be utilized through the Environmental Improvement Program (EIP) for conservation and maintenance purposes of Lake Tahoe and its surrounding areas.

The USDA Forest Service owns nearly 80 percent of the land in the Lake Tahoe watershed, and the LTRA provides the federal share for environmental restoration projects in partnership with more than 80 partners including California, Nevada, local governments, the Washoe Tribe of Nevada and California, non-profit organizations, and the private sector.

The EIP has become one of the nation's most successful landscape restoration initiatives, serving as a model for other regional conservation partnerships. Extending the authorization will ensure critical EIP projects and programs to restore water clarity, mitigate wildfires, fight invasive species, and improve forest health can continue unhindered. The funding goes hand in hand with private, state, and local funding to keep Lake Tahoe vibrant and thriving.

Congress passed the Lake Tahoe Restoration Act of 2016 as part of the Water Infrastructure Improvements for the Nation Act (P.L. 114-322; WIIN Act), building upon the successes of the previous authorization in 2000. The WIIN Act included language to amend the LTRA of 2000 and authorize up to \$415 million in federal appropriations over seven years, through September 30, 2024. Since 2016, \$121.8 million has been appropriated for Lake Tahoe restoration projects, about 29 percent of the total authorization.

To date, the \$121.8 million in LTRA funding has catalyzed more than \$500 million in tribal, state, local, and private matching funds. This successful collaboration has resulted in more than 21,000 acres of forest health treatment, 300 plus acres of essential wetlands restored, more than 500,000 lbs. of fine sediment and pollution prevented annually from flowing into the lake, and 51,000 boats inspected for invasive species among other critical projects implemented by more than 80 partners. Additionally, the EIP supports 1,700 jobs annually and generates \$1.6 million in economic output for every \$1 million in spending.

The timing of this hearing is critical as we approach the expiration of the current authorization. For a quarter century, the LTRA has enjoyed bipartisan, bicameral sponsorship and the support of local jurisdictions. With nearly 80 percent of the Lake Tahoe watershed under federal ownership, congressional backing is essential to restoring and protecting the lake for our small mountain communities and the tens of millions of visitors from around the world we welcome each year.

The Tahoe Partnership appreciates your leadership and support for Lake Tahoe. We all benefit from the successful collaboration between all sectors of government along with the Washoe Tribe, environmental non-profits, and the private sector.

With your continued support, we can ensure that Lake Tahoe remains a national treasure for future generations.

Sincerely,



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**County of Placer  
Board of Supervisors**

September 10, 2024

Hon. Bruce Westerman, Chairman  
Hon. Raúl Grijalva, Ranking Member  
House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, DC 20515

Re: H.R. 1274—Extension of the Lake Tahoe Restoration Act—SUPPORT

Dear Chairman Westerman and Ranking Member Grijalva:

On behalf of the Placer County Board of Supervisors, I would like to express our full support for H.R. 1274 which would reauthorize the Lake Tahoe Restoration Act (LTRA) through September 2034. We are pleased to see that this legislation has bipartisan, bicameral support as Lake Tahoe is one of the crown jewels of Placer County and the United States.

As you are aware, the LTRA provides a comprehensive approach to protecting and sustaining the environment and economy of the Tahoe region by restoring forests and protecting against invasive species. Nevada and California have committed to spending hundreds of millions in the coming years to improve and protect the Lake Tahoe basin. The Lake Tahoe Restoration Act is a keyway the federal government, which owns the majority of the land in the Tahoe basin, can partner in these efforts. Placer County has invested significant resources to ensure the local tourist-based economy continues to thrive including supporting projects that expand transit services, construct new trails and provide additional visitor-serving facilities to boost the tourism economy in North Lake Tahoe. These projects also meet environmental stewardship and economic development goals.

Placer County is hard at work on environmental restoration projects that enables smart development that allows for investment into the community for years to come. We are also enhancing critical preparedness needs and hazard mitigation in the wildland urban interface against the threat of catastrophic wildfire. Placer County along with the other four counties within the Lake Tahoe Basin have committed to spending hundreds of millions in the coming years to improve and protect the basin. To date, Placer County has invested \$41 million on projects. That funding has been used to leverage more than \$286 million in local, state, and federal matching funds.

Placer County appreciates Congress for partnering with us, as well as other local and private partners to strengthen the local economy and protect our national treasure. Should you have any questions regarding our position, please contact Joel Joyce, Legislative and Governmental Affairs Coordinator.

Sincerely,

SUZANNE JONES,  
Chair (District 4)

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Mr. KILEY. Thank you.

Ms. Regan, one of the great things about representing Tahoe is being able to witness and be part of the tremendous spirit of collaboration that exists in the basin that crosses party lines, crosses state lines, crosses jurisdictional lines, with everyone rowing in the same direction to protect something that is larger than any of us, and it has really served to maximize the value of the Restoration Act. And you have been central to that through your leadership at TRPA.

I know you touched on it a little bit in your testimony, but could you tell us a bit more about how active forest management is working at Lake Tahoe?

Ms. REGAN. Thank you, Mr. Chair, Congressman Kiley, for the question.

Absolutely. We practice what we call in Lake Tahoe “epic collaboration.” It is really like collaboration on steroids, because we have more than 10 Federal agencies that work in the basin, the Forest Service managing 80 percent of the land. We have two states. We have six local jurisdictions, the private sector, the Washoe Tribe, and our many non-profit and community member partners.

So, we have established what we really look to as a national model of landscape-scale conservation across boundaries and working with the community in public-private partnerships. And we have been doing this now, really in earnest, for 30 years since we established the Environmental Improvement Program. And forest health is one of the top priorities of that program.

And we have had two very significant wildfires over the last 17 years. The Angora wildfire of 2007 destroyed more than 200 homes in South Lake Tahoe, and that was a wake-up call to our community that this partnership must be strengthened and really advance the pace and scale of forest health treatments in the basin. And then the Caldor Fire was a test of that collaboration and partnership in 2021, when about 10,000 acres were burned inside the basin, and not one home or life was lost.

So, we have invested substantial resources through the Lake Tahoe Restoration Act and through all other funds to treat 72,000 acres since that Angora wildfire of 2007, and that has made a difference. And that has also spurred investment from private

homeowners to do their part, because it really is not enough for active forest management of public lands. Our local homeowners must do their part, as well.

We have had 75,000 defensible space inspections over the last 15 years, and our local businesses are partaking in making sure their properties are hardened and safe from wildfire, as well, because when that fire rolled into the Tahoe Basin, many thought it would never get over a wall of granite. But we are living in the era of mega-fires. We have a wildfire crisis in the country, but particularly in the Western United States. And what we have seen in action is that the partnerships and the collaboration in place, with the backing and, really, the backbone support of the Federal Government, has made a huge difference in protecting our communities, but also protecting this irreplaceable natural resource.

So, thank you for the question.

Mr. KILEY. Certainly irreplaceable. And I thank you for the work you are doing.

Another threat that is faced not just by Tahoe but throughout the West is the environmental and economic threat of invasive species. Could you tell us a bit about what Team Tahoe has been doing to combat the spread of invasive species?

Ms. REGAN. Yes. Thank you, Congressman Kiley, for the question.

Invasive species are a threat to infrastructure across the country. Since 2007, when quagga mussels arrived at Lake Mead in Nevada, we have deployed one of the most robust programs in the United States around aquatic invasive species. We have a prevention program where we inspect every boat that enters Lake Tahoe, so we have inspected more than 100,000 boats since we launched that program back in 2008. And when we find an invasive species, which we do, we have to decontaminate those boats before they can launch.

We also have a control program, where we manage invasives that are already in the lake, so invasive species like milfoil and other plants. And we are deploying one of the most robust programs, public-private partnerships, where we actually are getting Federal support, but also private-sector dollars from philanthropy and other funding partners to do those projects where we are having success in, for example, keeping Emerald Bay weed-free, which is one of the most iconic places in the United States.

So, the Restoration Act, again, has been really providing backbone support for these programs. And it takes the cooperation of everyone. We like to say we are all in this boat together in this effort to fight invasive species, because it is an ecological issue as well as an economic issue.

Mr. KILEY. Thank you for your testimony and your leadership, Ms. Regan.

I yield back.

Mr. TIFFANY. Thank you, Representative. And now I will recognize Representative Moylan.

You have a little less than 5 minutes, but go ahead.

Mr. MOYLAN. Thank you, Mr. Chair.

All right, just a quick question once again, Mr. Caldwell, regarding H.R. 9492, the Kaweah hydrogen electric project. It is

critically important in meeting California's energy needs, and the Secretary of the Interior has continually renewed Edison's permits for use.

So, sir, can you please expand upon the potential ramifications and the cost, say, for instance, if this permit were to expire?

Mr. CALDWELL. Thank you for the question. I think certainly the exact cost we could provide to the Committee, but we recognize the importance of these permits to the surrounding community, and thus we have certainly supported this legislation.

But in terms of the specific cost it would take to replace these assets, we can provide that information to you or work with, certainly, the park to provide that.

Mr. MOYLAN. Thank you sir. We are looking forward to that, and also keeping these permittings going. Thank you.

Thank you, Mr. Chair. I yield back.

Mr. TIFFANY. The gentleman yields, and now I am going to take 5 minutes for questioning. First I want to start with Mayor Goynes-Brown.

We continue to see these proposals that come in from Nevada in regards to needing additional land for development. Is it time for us to release more of these lands, or set a mechanism up where perhaps communities like North Las Vegas show a need, and we are able to transfer that more expeditiously and more readily?

Because, I mean, Nevada continues to grow, right? And you are oftentimes boxed in by, what is it, 87 percent ownership by the Federal Government? Have you thought about that? Give me your thoughts as far as how we could handle this so that we are not coming in repeatedly looking at adding additional land for development in Nevada.

Ms. GOYNES-BROWN. Thank you, Chair, for your question. And the short answer, obviously, is yes, as we are experiencing a population growth not just only in North Las Vegas, but across southern Nevada and northern Nevada.

Land is becoming more and more scarce, so we would absolutely benefit from the release of lands in various areas of our jurisdictions so that we can expand both our economic blueprint and extend growth and be able to attract businesses into the region. And it would just be a win-win all around for us, and especially for the growth. And just with the history of North Las Vegas over the last decade, we would absolutely benefit from more land.

Mr. TIFFANY. Do you have any specific suggestions?

Ms. GOYNES-BROWN. Thank you for that question. It would be just to be able to have processes in place where we can kind of expedite the permitting, the planning processes, and that would also help out potential developers, companies looking to relocate or to set up shop in North Las Vegas and across Clark County and southern Nevada.

Mr. TIFFANY. Yes, thank you for that answer.

Ms. Preston, this Committee was down in Arizona a number of months ago, and we saw the incredible amount of trash that is coming as a result of the crush of people that are coming across the border in Arizona illegally. Have you seen some of that trash accumulation that has happened as a result of that?

Ms. PRESTON. We have seen that, yes. I don't have a solution for how to fix all of that.

Mr. TIFFANY. Yes, well, I won't ask you for that solution. We know what the solution is. But you have seen it. And I take it other people in the county that you represent, Willcox, that they have seen this also, right?

Ms. PRESTON. Yes.

Mr. TIFFANY. Yes, because what was the data? It was almost 200 tons of trash that had been picked up by the Federal agencies as a result of the crush of illegal immigration that is going on across the South.

How important was that 10,000-acre categorical exclusion for helping the Lake Tahoe Basin control what has been really great concerns for perhaps another massive wildfire?

Ms. REGAN. Thank you, Mr. Chair. We have seen some major benefits from that categorical exclusion. We really appreciated the opportunity for the Forest Service to streamline some of their procedures.

Lake Tahoe is very unique in that we have environmental requirements from our organization as an interstate compact. We do have environmental safeguards in place, but by working together in that collaborative partnership over 30 years, we have developed many procedures to ensure that the environment is protected while at the same time streamlining procedures.

So, the Forest Service has taken advantage of that to accelerate that pace and scale of work.

Mr. TIFFANY. I was not able to go on the tour to Lake Tahoe earlier this year. Has that categorical exclusion been exercised? I mean, has it been actively used?

Ms. REGAN. Yes, thank you for the question. Yes, it has. On a number of projects along the South Shore, the South Shore Hazardous Fuels Project used that categorical exclusion. Many thousands of acres have been treated under that provision. Also, utility resilience corridors. It is a fairly new concept in the West. Those projects are being executed on the ground. And we did take Chairman Westerman on the tour to see how NV Energy and Liberty Utilities are thinning around power line infrastructure under some of those provisions in the bill. So, those are just a couple of examples of where that is being used on the ground with great benefit.

Mr. TIFFANY. So, in other words, the categorical exclusion has been successful. And might that be a good model for other parts around the country that are having the same challenges you folks had?

Ms. REGAN. Yes. Thank you, Mr. Chair, I know that is a great policy debate among the Committee.

I can only really speak to Lake Tahoe because we have other infrastructure in place that has made us benefit from that categorical exclusion. And the formation of what we call the Tahoe Fire and Fuels Team after that Angora wildfire is one of those pieces that we bring together the Forest Service, all the other fire service agencies. There are about 20 different entities. Our organization participates. So, having that group together that is working across boundaries to have the funding and to have the community on

board all come together in a mosaic of governance that made it possible for that to benefit Lake Tahoe.

And that, of course, will be different in every community in the country.

Mr. TIFFANY. Kudos to you for being experienced in giving diplomatic answers.

Ms. REGAN. Thank you.

Mr. TIFFANY. We really appreciate that very much, and I just want to close with Ms. Kubinyi.

Talk a little bit more about the national parks and the impact it has on people in the example that you gave, and what a powerful force that is for people to be able to get to a better place when they have had something happen that has been tragic in their life.

Ms. KUBINYI. Nature, just being outside, feeling the sun, seeing the trees, the plants, the animals has a healing quality for human beings that nothing else can touch.

When my husband died and I went home, my mom said, "The only thing I want you to do is go outside and sit outside for 5 minutes a day." When we have lost everything—because these loved ones are everything. If it is your spouse, that is your whole world that has gone sometimes like this, but sometimes it is a protracted journey to one's passing. And for people to be able to go into our national parks free from financial constraints can be life-changing.

One of my friends, her husband, is buried at Arlington National Cemetery. She went to Arlington to sit by his grave, and then she wanted to go to Great Falls National Park. She did, but she had had some problems financially with her benefits, and she didn't have the \$20 to get in, and they turned her away after leaving Arlington, and she had to go home and not enjoy the majesty that her husband served and fought and died to protect. So, ensuring that everyone who has lost someone has the opportunity to go and enjoy the literal land that our loved ones served to protect, there is nothing that can compare to that.

It is something that this country has in spades, 400 million acres from coast to coast. It is amazing. I have driven across the country twice and stopped at multiple parks along the way.

I don't have words to fully share what families who are grieving a loved one get just from sitting outside. And then, if you are somebody who has actually gone to those parks with your loved one, to be able to share in those memories and be in that same place where that loved one was, sometimes you can feel them there, and there is nothing greater and more healing than that.

Mr. TIFFANY. That concludes our questioning today, and I want to thank all of you witnesses for coming here today, some of you who have traveled from far distances. We hope you enjoy Washington, DC and all that it has to offer in terms of the history of our country while you were here. But thank you for joining us today.

Members of the Subcommittee may have some additional questions for you, and we just ask that you respond to those in writing. Under Committee Rule 3, members of the Subcommittee must submit questions to the Subcommittee Clerk by 5 p.m. on Monday, September 23, 2024. The hearing record will be held open for 10 business days for those responses.

If there is no further business, without objection, the Subcommittee on Federal Lands stands adjourned.

[Whereupon, at 11:54 a.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

**Statement for the Record**

**Elise M. Stefanik, Congresswoman  
21st District, New York**

**H.R. 8931**

Thank you, Chairman Tiffany and members of the Federal Lands Subcommittee for the opportunity to submit testimony on my bipartisan legislation, the Strengthening America's Turning Point Act for this legislative hearing today.

My bipartisan bill, H.R. 8931, would rename the Saratoga National Historical Park to the Saratoga National Battlefield Park. I am always proud to share with my colleagues in Congress and the American people that Upstate New York and the North Country are known as the cradle of the American Revolution, home to numerous battlefields and historic sites that were critical in shaping our nation's founding and history.

As we approach the 250th anniversary of American independence, it is an opportune time to ensure the rich military history in our region is honored and preserved for future generations. As Co-Chair of the Congressional Battlefield Caucus, one of my top priorities in Congress is to ensure the many battlefields and historic sites in Upstate New York, the North Country, and across the nation are preserved to protect these living classrooms for our communities and children to discover our nation's origin story on the very ground where history took place.

I am honored to have worked alongside local officials and stakeholders in our community to lead this bipartisan legislation. My Strengthening America's Turning Point Act would rename the Saratoga National Historical Park to the Saratoga National Battlefield Park, which will more accurately reflect the historical significance of the site and emphasize the crucial military engagements that took place there. The historic site was originally named the Saratoga Battlefield Park, but when it became a national park in 1938, the word 'battlefield' was left out of its name. This small but significant fix to return it to its original name, a change that is unanimously supported by the Saratoga County Board of Supervisors, will help honor the Battles of Saratoga that took place at the site and clearly identify the site as America's Turning Point in our war for independence.

Changing the name to Saratoga National Battlefield Park will also increase public understanding—of the deep significance the site holds in our military history and honor where so many gave their last full measure of devotion. This will increase the national recognition of the site's importance in our country's history. The Battles of Saratoga were the most significant turning point of the American Revolution. The American defeat of British forces at Saratoga marked a changing of the tide in the Revolutionary War, securing foreign support from France and bolstering domestic support for the American patriots and their righteous cause.

According to a recent National Park Service report, the park received about 102,000 visitors last year, generating approximately \$9 million dollars for the local economy and supporting 85 jobs in the area. Renaming our site the Saratoga National Battlefield Park will help clearly inform tourists in our region about the importance of the site, potentially fostering increased economic growth via heritage tourism in our communities.

With the 250th anniversary of our country's founding just around the corner, I'm honored to lead this legislation that acknowledges the significance of the turning point in the Revolutionary War and one of the most decisive American battles of the American Revolution. I urge my colleagues to join me in supporting the Strengthening America's Turning Point Act to distinguish this site that was crucial to the founding of our nation as a historic battlefield.

I thank Chairman Westerman and Chairman Tiffany for holding this important legislative hearing and I look forward to working with the Committee to continue to promote and preserve the rich history of Upstate New York and the North Country.

Thank you.

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**Statement for the Record**  
**Bureau of Land Management**  
**U.S. Department of the Interior**

**H.R. 1504, Apex Area Technical Corrections Act**

Thank you for the opportunity to provide this Statement for the Record on H.R. 1504, the Apex Area Technical Corrections Act. This legislation would require the Secretary of the Interior to issue utility and transportation related rights-of-way (ROW) grants for the Apex Industrial Site in southern Nevada. The bill would also allow for the unlimited noncompetitive sale of sand and gravel resources from lands on which the United States has retained mineral rights within the Apex Industrial Site.

The Bureau of Land Management (BLM) supports the goal of facilitating public infrastructure expansion for the City of North Las Vegas. We would like to work with the Sponsor to ensure that the Department retains its discretion with respect to issuance of future utility or transportation ROWs and that the sale or use of any Federal minerals follows existing law and regulations.

**Background**

In 1989, Congress enacted the Nevada Land Transfer and Authorization Act (Public Law 101-67); among other purposes, this law identified the 21,000-acre Apex Industrial Site located outside the City of North Las Vegas. The 1989 law authorized the sale of BLM-managed lands within the site to Clark County upon their request with a reservation made for ROW corridors. The 1989 law also directed the conveyance of a 3,700-acre parcel of BLM-managed lands within the Apex site to Clark County known as the Kerr-McGee site. As part of this conveyance, the Secretary of the Interior was directed to grant ROWs to Clark County for the connection of existing electric power, water, natural gas, telephone, railroad, and highway facilities to the Kerr-McGee Site. From 1989 to 1999, a total of approximately 16,000-acres of BLM-managed lands within the Apex Industrial Site were conveyed to Clark County. The remaining 5,000-acres of BLM-managed lands within the site are reserved for ROW corridors.

**H.R. 1504, Apex Area Technical Corrections Act**

H.R. 1504 would amend Public Law 101-67 to require the Secretary of the Interior to issue utility and transportation related ROW grants for the Apex Industrial Site. The bill would also allow for the unlimited noncompetitive sale of sand and gravel resources from lands on which the United States has retained mineral rights within the Apex Industrial Site.

***Rights-of-Way***

Under the FLPMA, the BLM issues ROWs for a variety of uses that are in the public interest, such as supporting energy transmission from renewable and conventional sources, expanding broadband networks, encouraging economic development, and promoting public health and safety. A ROW grant authorizes rights and privileges for a specific use of the land for a specified period that is appropriate for the life of the project. FLPMA further requires the BLM to charge rental fees that reflect the value of the uses authorized by the ROW. H.R. 1504 would amend the Nevada Land Transfer and Authorization Act of 1989 to include the Apex Industrial Park Owners Association and the City of North Las Vegas—in addition to Clark County—as parties to whom the Secretary is required to issue utility or transportation ROWs to access the Apex Industrial Site. The bill would amend the law by removing the discretion from the Secretary in the issuance of these ROW grants. The BLM supports the Sponsor's goal of facilitating the expansion of public infrastructure for the City of North Las Vegas, which is in the public interest, but would like to work with the Sponsor to ensure that the Department retains discretion on the issuance of any future utility or transportation ROWs.

***Federal Minerals***

The Materials Act of 1947 removed “common varieties” of certain widespread minerals of common occurrence, such as sand and gravel, from disposal under the Mining Law, and instead made them subject to sale or permit. The BLM's policy is to make these materials available to the public and local governmental agencies whenever possible and wherever environmentally acceptable. The BLM sells mineral materials to the public at fair market value and shares a portion of the revenues from their sale with the state from which the minerals are produced. States, counties, or other government entities are allowed to access and obtain mineral

materials for public projects at no cost under Free Use Permits. H.R. 1504 would allow for the unlimited noncompetitive sale of any mineral materials generated from activities within the Apex Industrial Site. The BLM would like to work with the Sponsor to ensure the sale or use of any Federal minerals follow existing law and regulations.

**Conclusion**

Thank you again for the opportunity to provide this statement for the record on H.R. 1504.

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**Statement for the Record**  
**Bureau of Land Management**  
**U.S. Department of the Interior**

**H.R. 8946, Reversionary Interest Conveyance Act**

Thank you for the opportunity to provide this Statement for the Record on H.R. 8946, the Reversionary Interest Conveyance Act, which provides for the conveyance of the Federal reversionary interest in approximately eight acres of land located in Sacramento, California, at fair market value. The Bureau of Land Management (BLM) supports the conveyance of the reversionary interest in these parcels and supports H.R. 8946.

**Background**

In the mid-19th century, Congress sought to encourage the development of the West by providing incentives for transcontinental railroads. Among those incentives was the Pacific Railroad Act of 1862, authorizing a transcontinental railroad to be built by the Union Pacific and the Central Pacific railroad companies. As part of that authorization, the Central Pacific railroad was granted a right-of-way (ROW) across the public lands at issue.

This ROW grant gave the railroad a limited fee with a reversionary interest held by the United States should the land cease to be used for railroad purposes. The status of these ROWs has been an ongoing issue before Congress and the courts since the late 19th century. Over time, uncertainty over whether the limited fee included a reversionary interest gave way to the lands being used for commercial and residential purposes. Currently, the BLM does not have a programmatic need for the land but has no authority to dispose of or disclaim the United States' reversionary interest.

**H.R. 8946, Reversionary Interest Conveyance Act**

H.R. 8946 provides for the conveyance of the reversionary interest held by the United States in approximately eight acres of land under the administrative jurisdiction of the BLM upon payment of fair market value. Under H.R. 8946, the value of the reversionary interest would be determined through an appraisal by the Department of the Interior's Appraisal and Valuation Services Office. Upon receiving a request from a buyer, the Secretary of the Interior would convey the reversionary interest to the buyer after payment of the appraised value. The bill specifies that all costs associated with the conveyance, including the appraisal, would be the responsibility of the buyer.

The Federal Land Policy and Management Act of 1976 (FLPMA), which is the authority under which BLM generally disposes of public land or interests, requires receipt of fair market value for public lands or interests transferred out of public ownership. This serves to ensure that taxpayers are fairly compensated for the conveyance of such lands and interests. The BLM generally supports legislative conveyances if the lands are appropriate for disposal and the legislation includes a provision requiring the payment of fair market value. The BLM supports conveyance of the reversionary interest in the parcels for fair market value, as it would facilitate economic development in the local community and the parcels are difficult for the BLM to manage given the residential and commercial uses currently occurring and the distance and isolation from other BLM-managed lands.

Additionally, the bill directs the proceeds of the conveyance to be deposited in the Federal Land Disposal Account (Account) established by section 206(a) of the Federal Land Transaction Facilitation Act (FLTFA). Under FLTFA, revenues from the sale or exchange of BLM-managed public lands that have been identified for disposal in approved land use plans are deposited into the Account for use in purchasing other lands (or interests therein, such as easements) with high conservation or recreation value. The BLM supports this use of the proceeds of the conveyance given that FLTFA is anchored in public participation and sound land use planning, while providing for land acquisitions to augment and strengthen our Nation's treasured landscapes.

**Conclusion**

Thank you for the opportunity to provide this Statement for the Record.

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**Submissions for the Record by Rep. Westerman****Statement for the Record****Tyler Ray****Senior Director for Programs and Advocacy  
American Hiking Society****in Support of H.R. 9159, Appalachian Trail Centennial Act**

Chairman Tiffany, Ranking Member Neguse, and Members of the Committee:

On behalf of American Hiking Society and the 59 million strong hiking community who enjoy the trails and green spaces across public lands and contribute to the outdoor recreation economy, we write in support of the committee's consideration of and further enhancements to the Appalachian Trail Centennial Act (ATCA), H.R. 9159, which will support hikers, the National Trails System, and public lands.

With the Appalachian Trail celebrating its 100th Anniversary in 2025, now is the time to advance the development of National Scenic and Historic Trails (NSHTs) by clarifying existing policy, recognizing "Designated Operational Partners," and providing experience-based guidance on how to further advance the National Trails System. ATCA will be a valuable tool for strengthening cooperative management, further securing the roles of volunteers and volunteer organizations who have leveraged minimal federal funding to contribute over \$835M to support the National Trails System over the last three decades.

ATCA will provide invaluable information on visitation and economic data for the National Trails System and identify ways to further develop the system to demonstrate its value as part of the outdoor recreation economy. The best way Congress can honor the 100-year legacy of the Appalachian National Scenic Trail is by strengthening what has made the trail successful for the past century and seek to replicate this support for all National Scenic and Historic Trails.

Crucial to the hiking community, a well-managed Appalachian National Scenic Trail supported by an array of federal, state, local and nonprofit partners and using the best available data will ensure a continued world-class recreation experience for the approximately three million visitors each year. It can also enhance the experience of hikers who may have more options to enjoy the Trail in compatible ways, such as alternative camping sites and improved access.

We thank the subcommittee for holding this important hearing and urge consideration by the full committee and on the house floor. We encourage the committee to work with all nonprofit trail partners of the National Trails System to further strengthen this important piece of legislation.

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**Submissions for the Record by Rep. Lawler**

**New York-New Jersey Trail Conference  
Mahway, NJ**

September 16, 2024

Hon. Michael Lawler  
1013 Longworth House Office Building  
Washington, DC 20515

Via electronic mail

Dear Congressman Lawler:

On behalf of New York-New Jersey Trail Conference, I am writing to express strong support for H.R. 9159, the Appalachian Trail Centennial Act, which seeks to enhance the preservation, maintenance, and management of national historic trails and national scenic trails. This legislation will enable better coordination between federal, state and nonprofit entities in the cooperative management of the Appalachian National Scenic Trail (A.T.), and bolster land protection efforts. Further, the proposed legislation provides for a series of important studies to collect data on visitation and the economic benefits associated with National Trails, supporting the case for these valuable resources to be maintained and conserved into the future.

The New York-New Jersey Trail Conference is one of thirty local Trail Clubs that maintain and protect the Appalachian Trail, overseeing approximately 164 miles of the Trail through the states of New York and New Jersey, respectively. Officially established in 1922, the Trail Conference shares a long and storied history with the Appalachian Trail. The first section of the A.T. was opened in New York between Bear Mountain and Harriman State Parks in 1923. Today the Trail Conference is a regional authority on outdoor recreation and trail access in the New York metropolitan area and administers a base of over 2,200 volunteers operating on trails in public parks throughout northern New Jersey and New York states.

Concerning the Appalachian Trail Centennial Act, of particular importance to the Trail Conference is the opportunity to strengthen partnerships to conserve the landscape surrounding the A.T. Pressure from development is a persistent threat and given the scale of the Trail, preserving the wilderness experience intended by its founders is increasingly challenging. Enabling a replicable structure and direction for agencies to coordinate with local organizations in support of conservation opportunities is critical for the long-term protection of the A.T.

Additionally, the Trail Conference appreciates the recognition of the success of the Cooperative Management System pioneered on the Appalachian Trail, and of the local Trail Clubs, without which managing this 2,190 mile trail would not be possible. This model continues to enable and empower local groups to coordinate improvements to the Trail and react to issues proactively and efficiently, with the necessary oversight by the Appalachian Trail Conservancy.

We appreciate the considerable effort you and your staff have undertaken in developing this legislation and reiterate our support for H.R. 9159.

Sincerely,

JOSHUA HOWARD,  
Executive Director

