STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 503, A BILL TO AUTHORIZE THE NATIONAL DESERT STORM MEMORIAL ASSOCIATION TO ESTABLISH THE NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL AS A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES.

FEBRUARY 26, 2014

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 503, a bill to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, and for other purposes.

The Department supports H.R. 503 with a technical amendment.

H.R. 503 would authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work, on Federal land in the District of Columbia. This memorial would commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield. This bill also prohibits the use of federal funds to establish this memorial and directs the Association to be solely responsible for accepting contributions for, and paying the expenses of, the establishment of the memorial.

On August 2, 1990, Iraqi forces invaded and occupied Kuwait. Fearing an Iraqi invasion of Saudi Arabia and a loss of control of Saudi oil fields, the United States launched Operation Desert Shield on August 7, 1990. This defensive buildup was intended to deter further Iraqi aggression and to persuade Iraqi forces to leave Kuwait. After diplomatic efforts failed, U.S. and other coalition forces began military actions against Iraq on January 17, 1991, in what is known as Operation Desert Storm. The aerial bombardment and the ensuing ground invasion of Iraq resulted in the destruction of Iraqi forces and their retreat from Kuwait, and hostilities concluded on February 28, 1991. A total of 294 Americans lost their lives over the course of the conflict, including 114 from enemy action. There is currently no national memorial to Operations Desert Shield or Desert Storm.

The National Desert Storm Memorial Association is a 501(c)(3) corporation organized under the laws of the State of Arkansas whose mission is to establish a national memorial to these conflicts.

The Department notes that Section 3(b) of this bill requires the establishment of the memorial to comply with Chapter 89 of Title 40, United States Code, commonly known as the "Commemorative Works Act." The Commemorative Works Act establishes a process for the establishment of new memorials on certain Federal lands within the District of Columbia.

On November 7, 2012, the National Capital Memorial Advisory Commission (NCMAC) reviewed the previous version of this bill, H.R. 5914, which was introduced in the 112th Congress. On December 20, 2012, after confirming with the Department of Defense that Operations Desert Shield and Desert Storm were major military operations, the Commission informed the House Natural Resources Committee of its unanimous support for the proposal.

Although H.R. 503 provides for the deposit of excess funds, the Department recommends that Section 3(d) of the bill be amended to clarify the disposition of excess funds should the authority to establish the memorial lapse. We would be glad to work with the Subcommittee to amend the existing language.

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

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 1192, A BILL TO REDESIGNATE MAMMOTH PEAK IN YOSEMITE NATIONAL PARK AS "MOUNT JESSIE BENTON FRÉMONT".

February 26, 2014

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you to present the views of the Department of the Interior on H.R. 1192, a bill to redesignate Mammoth Peak in Yosemite National Park as "Mount Jessie Benton Frémont."

The Department opposes this bill. The National Park Service generally discourages the commemorative naming of landscape features in national parks. In cases where commemorative naming is proposed, there should be a compelling justification for the recognition and a strong, direct association between the landscape feature and the person being commemorated. This principle is reflected in National Park Service Management Policies 2006, and in the Principles, Policies, and Procedures of the U.S. Board of Geographic Names. While Jesse Benton Frémont was among the early supporters of protecting Yosemite Valley, there is no evidence of her having a connection to Mammoth Peak.

Jesse Benton Frémont, born on May 31, 1824, was the daughter of U.S. Senator Thomas Hart Benton of Missouri, a leading proponent of the nation's westward expansion and Manifest Destiny. Ms. Benton was a gifted writer and was educated at Georgetown Seminary where she became fluent in French and Spanish. At age fifteen she met John C. Frémont, an American military officer, explorer and later, politician. They both dreamed of exploring the west, and eloped and married on October 19, 1841.

Jessie Benton Frémont used her writing skill to transform John C. Frémont's travel and exploration descriptions into popular narratives that were used by pioneers to guide their route west. In 1849, she traveled to California to join her husband at their Mariposa ranch, later returning to the East Coast to actively support her husband's unsuccessful 1856 presidential campaign.

Mrs. Frémont returned to California in 1858, where she became more familiar with the Sierra Nevada and realized the need to protect these lands from extractive industries such as mining and logging. She sought popular support to federally protect Yosemite Valley and the Mariposa Grove of Giant Sequoias from resource exploitation and private development.

This advocacy eventually lead to the "Yosemite Grant," President Abraham Lincoln's landmark legislation that set aside Yosemite Valley and Mariposa Grove to California as a protected area. The Yosemite Grant became the seed of the National Park System, and eventually led to the establishment of Yosemite National Park on Oct 1, 1890.

To be permanently commemorated in a national park is a high honor, affording a degree of recognition that implies national importance. For that reason, NPS policy generally discourages the use of commemorative works, including the commemorative naming of landscape features. Further, the U.S. Board of Geographic Names, the federal body responsible for uniform geographic name usage throughout the federal government, does not encourage or initiate changes in domestic geographic names except in rare cases. U.S. Board of Geographic Names policy also discourages the commemorative naming of features within federally designated wilderness.

Mammoth Peak, 12,117 feet, is in a federally designated wilderness area at the northern end of the Kuna Crest in Yosemite National Park. The peak is visible from Tioga Road and provides summit views of the eastern Sierra Mountains and Mono Lake region. There is no trail to the summit, and the peak is only accessible by off-trail, non-technical climbing.

Though Jessie Benton Frémont was an important figure in the advocacy for and establishment of the Yosemite Grant, there is no direct or long-term association between her work and Mammoth Peak, which is located in a federally designated wilderness area. For these reasons, the Department opposes the renaming of Mammoth Peak.

Mr. Chairman, this concludes my statement and I will be happy to answer any questions that members of the committee may have.

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H. R. 1501, TO STUDY THE SUITABILITY AND FEASABILITY OF DESIGNATING THE PRISON SHIP MARTYRS' MONUMENT IN FORT GREENE PARK, IN THE NEW YOR CITY BOROUGH OF BROOKLYN, AS A UNIT OF THE NATIONAL PARK SYSTEM.

February 26, 2014

Mr. Chairman and members of the subcommittee, thank you for the opportunity to provide the Department of the Interior's views on H.R. 1501, a bill to study the suitability and feasibility of designating the Prison Ship Martyrs' Monument in Fort Greene Park, in the New York City borough of Brooklyn, as a unit of the National Park System.

The Department supports enactment of H.R. 1501 with a technical amendment. However, we believe that priority should be given to the 27 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to the Congress.

H.R. 1501 authorizes a special resource study of the Prison Ship Martyrs' Monument. This study would determine whether this site meets the National Park Service's criteria for inclusion in the National Park System of national significance, suitability, and feasibility, and need for National Park Service management. The study would also consider other alternatives for preservation, protection, and interpretation of the resources. We estimate the cost of the study to range from $100,000 to $200,000, based on similar types of studies conducted in recent years. The Prison Ship Martyrs' Monument commemorates the sacrifice of over 11,000 patriots who died while incarcerated in British prison ships anchored off Brooklyn during the American Revolution. The monument was constructed in 1908 and is located in Fort Greene Park. Designed by the architect Stanford White and set in a landscape designed by the landscape architects Calvert Vaux and Frederick Law Olmstead, it is 149 feet tall and constructed of granite. Prominent sculptural elements were executed by Adolph Alexander Weinman. The monument's base includes a crypt containing some the remains of the prisoners recovered from the Brooklyn waterfront in the nineteenth century. Also, Fort Greene Park was the location of American fortifications during the Battle of Long Island which has been classified as a "Class A Battlefield Commemorative Property" in the National Park Service *Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States*, dated September 2007.

Construction of the monument was funded jointly by the federal government and the City of New York; it is currently owned by the New York City Department of Parks and Recreation. Both the monument and Fort Greene Park are contributing resources to the Fort Greene Historic District that is listed on the National Register of Historic Places.

We recommend a technical amendment to section 1(b)(2) as follows:
On page 2, strike lines 8 – 10 and insert the following:
"8(c) of the National Park System General Authorities Act (16 U.S.C. 1a-5(c)) shall apply to the study.".

Mr. Chairman, this concludes our prepared statement. I would be happy to respond to any questions about this matter.

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 2569, TO AMEND THE WILD AND SCENIC RIVERS ACT TO DESIGNATE CERTAIN SEGMENTS OF THE MISSISQUOI AND TROUT RIVER IN THE STATE OF VERMONT AS COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM, AND FOR OTHER PURPOSES.

February 26, 2014

Mr. Chairman, thank you for the opportunity to appear before your committee today to present the views of the Department of the Interior on H.R. 2569, a bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Missisquoi River and the Trout River in the State of Vermont, as components of the Wild and Scenic Rivers System.

The Department has preliminarily determined through the National Park Service's draft study of the Upper Missisquoi and Trout rivers that the segments proposed for designation under this bill are eligible for inclusion into the National Wild and Scenic Rivers System. However, the study report is in the final internal review stage. We recommend that the committee defer action on H.R. 2569 until the study is completed, which is consistent with the Department's general policy on legislation designating additions to the Wild and Scenic Rivers System when a study of the subject is pending.

H.R. 2569 would designate two segments of the Upper Missisquoi River totaling 35.1 miles and the entire main stem of its tributary, the Trout River, totaling 11 miles, as part of the Wild and Scenic Rivers System, to be administered by the Secretary of the Interior as recreational rivers. The segments would be managed in accordance with the Upper Missisquoi and Trout Rivers Management Plan (March 2013) prepared as a part of the study, with the Secretary coordinating administration and management with a locally based management committee, as specified in the plan. The bill would authorize the Secretary to enter into cooperative agreements with the State of Vermont, the adjoining communities, and appropriate local planning and environmental organizations. The legislation follows the model of other recent New England Wild and Scenic River designations based on a "partnership" model emphasizing locally based management solutions and a limited federal role.

H. R. 2569 would exclude from designation the property and project boundaries associated with the Troy and North Troy hydroelectric projects, both of which are small, run-of-river projects that have Federal Energy Regulatory Commission (FERC) exemptions—permanent authority to operate under existing terms. A third hydroelectric facility, the Enosburg Falls project, lies immediately downstream of the lower endpoint

of the Missisquoi mainstem proposed designation. The Department does not view these projects as being in conflict with the proposed designation.

H.R. 2569 also contains language that would allow the Secretary to designate an additional 3.8 mile segment at the headwaters of the Missisquoi within the Town of Lowell, subject to a finding of sufficient local support. This provision would allow the Town of Lowell, which did not support designation at its March 2013 Town Meeting, to opt into the designation at some future point without the need for additional congressional action.

The study of the Upper Missisquoi and Trout was authorized by P.L. 111-11, the Omnibus Public Land Management Act of 2009. The National Park Service has conducted the study in close cooperation with the adjoining communities, the State of Vermont, the Missisquoi River Basin Association, and other interested local parties. Technical assistance provided as a part of the study made possible the development of the Upper Missisquoi and Trout Rivers Management Plan (March 2013). This plan is based primarily around local partner actions designed to guide the management of the Upper Missisquoi and Trout rivers with or without a National Wild and Scenic River designation. Although the Wild and Scenic Rivers Act requires the development of a comprehensive river management plan within three years of the date of designation, it has become the practice of the National Park Service to prepare this plan as part of a study of potential wild and scenic rivers when much of the river runs through private lands. This allows the National Park Service to consult widely with local landowners, federal and state land management agencies, local governments, river authorities, and other groups that have interests related to the river prior to any recommendation for designation. Early preparation of the plan also assures input from these entities as well as users of the river on the management strategies that would be needed to protect the river's resources.

While the study has not been finalized, the data collected and presented in the preparation of the Management Plan support the conclusion that the segments proposed for designation by H.R. 2569 exhibit free-flowing character and the presence of outstandingly remarkable natural, cultural and recreation resource values consistent with Wild and Scenic River eligibility. The study process, which culminated in town meeting votes supporting both the Management Plan and Wild and Scenic River designation, has also demonstrated strong local, state and partner support crucial to successful long-term management and protection of partnership-based Wild and Scenic Rivers. Resource values of note include the Northern Forest Canoe Trail, which utilizes a portion of the Upper Missisquoi, and is developing substantial momentum as a regional and national canoe route. Big Falls State Park on the Missisquoi is home to Vermont's largest undammed falls and is one of numerous spectacular falls and gorges exhibited by the river and its tributaries. The Trout River in Montgomery is also the location of a collection of National Register-listed covered bridges considered one of the most significant assemblages in the State of Vermont.

If H.R. 2569 is enacted, the Upper Missisquopi and Trout would be administered as a partnership wild and scenic river, similar to several other designations in the Northeast,

including the upper Farmington River and the Eightmile River in Connecticut, and the Lamprey River in New Hampshire. This approach emphasizes local and state management solutions, and has proven effective as a means of protecting outstandingly remarkable natural, cultural, and recreational resource values without the need for direct federal management or land acquisition.

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

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H. R. 3222, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY OF SITES ASSOCIATED WITH THE 1657 SIGNING OF THE FLUSHING REMONSTRANCE IN QUEENS, NEW YORK, AND FOR OTHER PURPOSES.

February 26, 2014

Mr. Chairman and members of the subcommittee, thank you for the opportunity to provide the Department of the Interior's views on H.R. 3222, a bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the 1657 signing of the Flushing Remonstrance in Queens, New York, and for other purposes.

The Department supports enactment of H.R. 3222 with a technical amendment. However, we believe that priority should be given to the 27 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to the Congress.

H.R. 3222 authorizes a special resource study of the sites associated with Flushing Remonstrance, a document recognized as a forerunner of the First Amendment of the Constitution and one of the earliest demands for freedom of religion in what is now the United States. This study would determine whether the resources associated with Flushing Remonstrance meet the National Park Service's criteria for inclusion in the National Park System of national significance, suitability, and feasibility, and need for National Park Service management. The study would also consider other alternatives for preservation, protection, and interpretation of the resources. We estimate the cost of the study to range from $200,000 to $300,000, based on similar types of studies conducted in recent years.

Founded in 1645, Flushing was part of the colony of New Netherlands chartered by the Dutch West India Company. Increasing numbers of English Quaker settlers tested the principles of religious toleration established by the Dutch Republic and guaranteed to the colony by the Flushing Charter. By 1656, the colonial governor and council issued an ordinance banning all religious practice other than the Dutch Reformed Church. In 1657, after the prosecution of citizens for holding a Quaker meeting in their home, thirty non-Quaker citizens drafted the Flushing Remonstrance to the Governor stating, "Wee desire therefore in this case not to judge lest we be judged, neither to condemn lest we be condemned, but rather let every man stand or fall to his own Master." Its authors were arrested and fined while the colonial government continued its policy of non-toleration. John Bowne arrived in New Netherlands in 1661 and began to hold Quaker meetings in his home. The following year he was arrested, fined, and deported under the ban. Bowne made his way to Holland and presented his case to the Dutch

West India Company who immediately directed Governor Stuyvesant to re-establish the religious liberty in the colony guaranteed in its charter.

Two existing properties are known to be associated with the Flushing Remonstrance: the John Bowne House where meetings were held under the ban, and the Old Quaker Meetinghouse built after toleration was re-established. Both are recognized by the National Park Service for their historical significance. The John Bowne House, owned by the New York City Department of Parks and Recreation, contains the portion built in 1661 that hosted the meetings and is listed on the National Register of Historic Places. The Flushing Quaker Meetinghouse, owned by the Flushing Monthly Meeting, was built in 1694 by John Bowne and other Quakers and is a National Historic Landmark for architecture and religion. The study may also identify other resources associated with the Flushing Remonstrance.

We recommend a technical amendment to section 4(c) as follows:
On page 6, line 1, strike "Service" and insert "System".

Mr. Chairman, this concludes our prepared statement. I would be happy to respond to any questions about this matter.

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION OF THE HOUSE COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 3802, A BILL TO EXTEND THE LEGISLATIVE AUTHORITY OF THE ADAMS MEMORIAL FOUNDATION TO ESTABLISH A COMMEMORATIVE WORK IN HONOR OF FORMER PRESIDENT JOHN ADAMS AND HIS LEGACY, AND FOR OTHER PURPOSES.

FEBRUARY 26, 2014

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 3802, a bill to extend the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes.

The Department supports H.R. 3802 with two amendments.

This bill would extend to December 2, 2020, the authorization for establishing a memorial in the District of Columbia or its environs to honor President John Adams and his legacy.

The authority to establish the John Adams memorial was originally enacted on November 5, 2001. The Adams Memorial Foundation (Foundation) requested that the subject of the commemoration be determined to be of preeminent and lasting significance to the nation so that the proposed memorial might be placed in Area I, a request that was considered favorably by the National Capital Memorial Advisory Commission (NCMAC) in 2002 and recommended to Congress. Public Law 107-315, enacted on December 2, 2002, granted the Foundation the additional authority to seek a site within Area I for the memorial.

Authorizations under the Commemorative Works Act (CWA) have a seven-year sunset period, which extends from the date Area I authority is granted by Congress, to allow time to obtain a building permit and begin construction of a memorial. The Foundation was unable to select a site, design the memorial, receive the requisite approvals, or raise sufficient funds for the construction of the memorial by the expiration of its authority on December 2, 2009, seven years after the enactment of the Area I authority. Public Law 111-88 extended the Foundation's authority until September 30, 2010, and Public Law 111-169 further extended it until December 2, 2013.

With the additional seven years of legislative authority provided by H.R. 3802, the Foundation should be in a viable position to achieve site and design approvals as well as to raise the minimum 75 percent of the funds sufficient to build the memorial. Should the Foundation meet these thresholds, the Secretary of the Interior may exercise her authority under the CWA to grant an additional three-year administrative extension to allow the Foundation to finalize construction documents and raise the balance of necessary funding. The Department recognizes that the Foundation has worked diligently through the process of securing a site location within Area I,

including appearing before the NCMAC on numerous occasions. The Area I approval by Congress in 2002 would continue to be valid under this proposed extension of authority. The Department is cognizant of the complexities involved in selecting a location for this memorial, and looks forward to continuing to work with the Foundation as it moves forward through this process.

P.L. 107-62 establishes an account for the deposit of excess funds with the Secretary of the Treasury. The Department recommends one amendment that would establish the account with the National Park Foundation consistent with Section 8906(b)(3) of the CWA, and similar to authorizing laws for other memorials. The Department also recommends the bill be amended to clarify the disposition of excess funds should the authority to establish the memorial lapse. We would be glad to work with the Subcommittee on these two amendments.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members may have.