

**H.R. 390, H.R. 3971, H.R. 6826, H.R.
6843, H.R. 8206, AND H.R. 8219**

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, Jason Blore, and Colen Morrow—Aniela@mail.house.gov, Jason.Blore@mail.house.gov, and Colen.Morrow@mail.house.gov; x6-7736
Date: Thursday, June 27, 2024
Subject: Legislative Hearing on 6 Bills

The Subcommittee on Federal Lands will hold a legislative hearing on 6 bills:

- H.R. 390 (Rep. Stefanik), “*Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act*”;
- H.R. 3971 (Rep. Hill), “*Flatside Wilderness Additions Act*”;
- H.R. 6826 (Rep. Mfume), To designate the visitor and education center at Fort McHenry National Monument and Historic Shrine as the Paul S. Sarbanes Visitor and Education Center;
- H.R. 6843 (Rep. Scalise), To expand the boundaries of the Atchafalaya National Heritage Area to include Lafourche Parish, Louisiana;
- H.R. 8206 (Rep. Franklin), To ensure that Big Cypress National Preserve may not be designated as wilderness or as a component of the National Wilderness Preservation System, and for other purposes; and
- H.R. 8219 (Rep. Tokuda), “*Lahaina National Heritage Area Act*”.

The hearing will take place on **Thursday, June 27, 2024, at 10:15 a.m.** in room 1334 Longworth House Office Building.

Member offices are requested to notify Will Rodriguez (Will.Rodriguez@mail.house.gov) by 4:30 p.m. on Wednesday, June 26, 2024, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- The Republican bills on today’s hearing have broad support in their local communities and represent locally-led efforts to promote each area’s unique natural and cultural resources.
- Legislation offered by Representatives Scalise and Stefanik would expand existing heritage areas to bolster local economies without allowing the federal government to acquire land or impose new regulations.
- Bills offered by Representatives Hill and Franklin highlight the dichotomy between conservation designations with and without local support. Representative Franklin’s legislation would prevent the potential designation of hundreds of thousands of acres of wilderness in southern Florida. This proposed wilderness designation is opposed by a bipartisan coalition of Members of Congress, the local community, and Tribal stakeholders. In contrast, Representative Hill’s legislation would add new lands to the existing Flatside Wilderness and is supported by a broad coalition of state and local stakeholders.

II. WITNESSES

Panel I (Members of Congress):

- To Be Announced

Panel II (Administration Officials and Outside Experts):

- **Ms. Joy Beasley**, Associate Director—Cultural Resources, Partnerships, and Science, National Park Service, Department of the Interior, Washington, DC. [H.R. 390, H.R. 6826, H.R. 6843, H.R. 8206, and H.R. 8219]
- **The Honorable Talbert Cypress**, Chairman, Miccosukee Tribe of Indians of Florida, Miami, Florida [H.R. 8206]
- **Mr. Sean Kelleher**, Historian, Town of Saratoga, Saratoga, New York [H.R. 390]
- **Ms. Katherine Andrews**, Director—Office of Outdoor Recreation, Department of Parks, Heritage, and Tourism, Little Rock, Arkansas [H.R. 3971]
- **Mr. Justin Lemoine**, Executive Director, Atchafalaya National Heritage Area, Baton Rouge, Louisiana [H.R. 6843]

III. BACKGROUND

H.R. 390 (Rep. Stefanik), “*Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act*”

In 1984, President Reagan signed bipartisan legislation establishing the country’s first national heritage area (NHA), which broadly “recognize certain areas of the United States that tell nationally significant stories [and] conserve, enhance, and interpret those nationally significant stories and the natural, historic, scenic, and cultural resources of areas.”¹ Today, there are 62 NHAs in 36 states that “illustrate significant aspects of the heritage of the United States.”² NHAs are unique public-private partnerships that allow for the promotion of natural or cultural resources without federal management or ownership.³ In the typical NHA, land is not federally owned but is instead held by state or local governments, private landowners, or some combination of those groups.⁴ As such, NHAs are not units of the National Park System, although the National Park Service (NPS) may provide NHAs with financial and technical assistance. Because NHAs are “lived-in landscapes,” they are designed to empower locally-led approaches to resource conservation and economic development.⁵ To elevate grassroots-level decision-making, Congress frequently assigns a local coordinating entity (LCE), such as a state or local agency or non-profit organization, to be an NHA’s lead management organization.⁶

NHAs receive funding from varied sources, including private charities and donors, state and local governments, and federal appropriators.⁷ Federal funding is usually divided during the annual appropriations process between direct grantmaking support for individual NHAs and general administrative costs for the overall NHA program.⁸ NPS then distributes authorized federal funds to NHA entities, typically through the designated LCEs.⁹ In turn, the LCEs are generally required to match all federal funding received one-to-one.¹⁰ Once distributed, federal funds can be used for locally guided projects, such as rehabilitating important sites, developing tours, establishing exhibits and programs, and improving public awareness of the NHA.¹¹

¹Pub. Law. 117-339, <https://www.congress.gov/117/plaws/publ339/PLAW-117publ339.pdf>. “National Heritage Areas,” National Park Service, U.S. Department of the Interior, 2021, <https://www.nps.gov/subjects/heritageareas/upload/Final-printed-NHA-unigrid-2021-55-areas-508-L.pdf>. “What is a National Heritage Area?” National Park Service, U.S. Department of the Interior, June 17, 2019, <https://www.nps.gov/articles/what-is-a-national-heritage-area.htm>.

²*Id.*

³*Id.*

⁴*Id.*

⁵*Id.*

⁶*Id.*

⁷Mark K. DeSantis, “National Heritage Areas: Background and Issues for Congress,” Congressional Research Service, April 17, 2023, <https://crsreports.congress.gov/product/pdf/RL/RL33462>.

⁸*Id.*

⁹“What is a National Heritage Area?” National Park Service, U.S. Department of the Interior, June 17, 2019, <https://www.nps.gov/articles/what-is-a-national-heritage-area.htm>. Mark K. DeSantis, “National Heritage Areas: Background and Issues for Congress,” Congressional Research Service, April 17, 2023, <https://crsreports.congress.gov/product/pdf/RL/RL33462>.

¹⁰*Id.*

¹¹*Id.*

Most NHAs are subject to an annual funding limit of \$1 million, but actual expenditures have historically tended to be lower than that amount.¹²

After NHAs exploded in popularity, Congress passed the “National Heritage Area Act” (NHA Act) during the 117th Congress to formalize the NHA System and protect private property rights.¹³ The NHA Act established the National Heritage Area System, set formal criteria for designating NHAs, and created uniform funding and management standards.¹⁴ Through these changes, the NHA Act sought to minimize the differences and administrative inefficiencies that had resulted from creating NHAs under separate enabling acts.¹⁵ The NHA Act also set forth stringent requirements protecting private property rights and development activity in NHAs, ensuring that designations did not confer any regulatory or land use authority to the local LCE.¹⁶ In addition to NHA Act requirements, an individual NHA’s enabling statute often includes provisions that protect the rights of existing property owners within the designated area and prevent any federal land acquisitions.¹⁷

Established in 1996, the Maurice D. Hinchey Hudson River Valley National Heritage Area (Hudson River Valley NHA) was among the earliest NHAs to be designated by Congress.¹⁸ Following the Hudson River for 154 miles of its course through New York state, the Hudson River Valley NHA encompasses 10 counties, 250 communities, and approximately 3 million acres of diverse geography, woods, and farmland.¹⁹ From north to south, the Hudson River Valley NHA extends from the confluence of the Hudson and Mohawk Rivers near Albany down to the northern suburbs of New York City.²⁰ This vast region contains 107 distinct heritage sites, reflecting the Hudson River Valley’s natural, historic, and cultural contributions to the nation.²¹ This includes sites related to the American Revolutionary War, Civil War, and Underground Railroad.²²

Recognizing the vital importance of this region to the national story, H.R. 390, the “Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act,” would expand the boundaries of the Hudson River Valley NHA to include all of Saratoga and Washington Counties. Large portions of these counties are already within the Hudson NHA, and this legislation would bring the federal boundaries of the NHA in line with the state’s boundaries.²³ H.R. 390 would help enhance the interpretation of the Hudson River Valley NHA and expand opportunities for Saratoga and Washington Counties to attract more tourism and support local economic development.²⁴ This bipartisan bill is led by Representatives Elise Stefanik (R-NY) Paul Tonko (D-NY).²⁵

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ “About the Maurice D. Hinchey Hudson River Valley National Heritage Area,” Hudson River Valley National Heritage Area, <https://www.hudsonrivervalley.com/>.

¹⁹ “Hudson River Valley National Heritage Area: Overview & Boundaries,” Hudson River Valley Greenway, <https://hudsongreenway.ny.gov/hudson-river-valley-national-heritage-area>.

²⁰ *Id.*

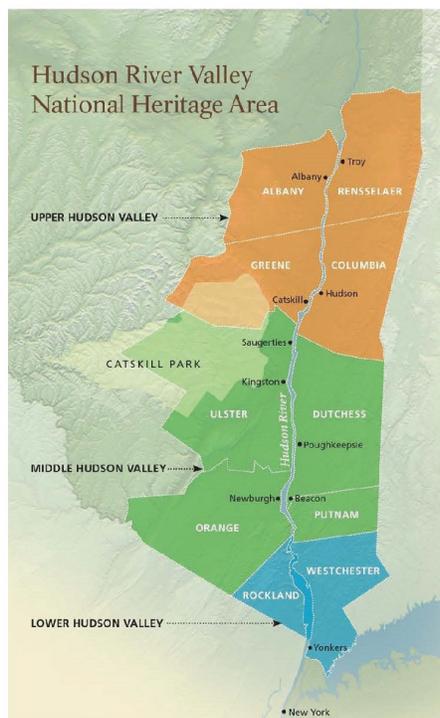
²¹ “Hudson River Valley: Maurice D. Hinchey Hudson River Valley National Heritage Area,” Hudson River Valley National Heritage Area, 2024, <https://www.hudsonrivervalley.com/documents/nationalheritagearea1-pdf>.

²² *Id.* “Themes of the Hudson River Valley National Heritage Area,” Hudson River Valley National Heritage Area, <https://www.hudsonrivervalley.com/about/themes>.

²³ Pub. L. No. 104-333, <https://www.congress.gov/104/plaws/publ333/PLAW-104publ333.pdf>. “Stefanik, Tonko Work to include Washington, Saratoga Counties in National Heritage Area,” The Office of Congresswoman Elise Stefanik, January 18, 2023, https://stefanik.house.gov/press-releases?ContentRecord_id=A7ABA6AB-C9FE-4F87-88B6-D6DF0A127206.

²⁴ *Id.*

²⁵ H.R. 390, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/390>.



Current boundaries of the Hudson River Valley NHA. H.R. 390 would add parts of two counties above the Upper Hudson Valley portion of the NHA. *Source:* Hudson River Valley NHA, 2024.

H.R. 3971 (Rep. Hill), “Flatside Wilderness Additions Act”

The Ouachita National Forest (ONF) is the oldest and largest national forest in the southern United States, spreading across nearly 1.8 million acres in Arkansas and Oklahoma.²⁶ The U.S. Forest Service (USFS) manages the ONF for a variety of uses, including timber harvesting, wildlife habitat conservation, outdoor recreation, and resource protection.²⁷ The ONF’s large expanses of hickory and pine draw an estimated 670,000 visitors annually.²⁸ Congress has designated six wilderness areas within the ONF, which account for little more than 65,000 acres, or a mere 3.6 percent of the ONF’s total area.²⁹ This includes the 9,507-acre Flatside Wilderness area near the ONF’s eastern boundary.³⁰ The Flatside Wilderness contains portions of the 223-mile Ouachita National Recreation Trail and “a popular, 1,550-

²⁶ “USDA Forest Service—Ouachita National Forest,” U.S. Forest Service, U.S. Department of Agriculture, <https://www.fs.usda.gov/ouachita>.

²⁷ “Ouachita National Forest—About the Area,” U.S. Forest Service, U.S. Department of Agriculture, <https://www.fs.usda.gov/main/ouachita/about-forest/about-area>. Debbie Ugbade, “Ouachita National Forest,” Encyclopedia of Arkansas, November 29, 2023, <https://encyclopediaofarkansas.net/entries/ouachita-national-forest-3148/>.

²⁸ Annual visitation estimate for the Ouachita National Forest, using FY 2020 figures generated from the U.S. Forest Service’s National Visitor Use Monitoring Program, available at <https://apps.fs.usda.gov/nvum/results/A08009.aspx/FY2020>.

²⁹ “Wilderness Areas: Ouachita National Forest,” U.S. Forest Service, U.S. Department of Agriculture, September 2008, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5085891.pdf.

³⁰ Hunter Field, “U.S. Rep. French Hill proposes further expansion of Central Arkansas wilderness area,” Arkansas Advocate, June 13, 2023, <https://arkansasadvocate.com/briefs/u-s-rep-french-hill-proposes-further-expansion-of-central-arkansas-wilderness-area/>. “Ouachita National Forest—Flatside Wilderness,” U.S. Forest Service, U.S. Department of Agriculture, <https://www.fs.usda.gov/recarea/ouachita/recarea/?recid=10774>.

foot-high rock outcropping called Flatside Pinnacle that overlooks the Ouachita Mountains.”³¹

H.R. 3971 would add four parcels totaling roughly 2,215 acres of ONF lands to the Flatside Wilderness. USFS recommended the inclusion of these parcels in 2021 after completing a Congressionally directed study.³² Congress previously expanded Flatside Wilderness in the 115th Congress by 640 acres.³³ H.R. 3971’s additions include Forked Mountain, whose distinctive topography culminates in a 1,350-foot summit that offers panoramas of nearby waterfalls and streams.³⁴ The bill is supported by Arkansas Governor Sarah Sanders, Arkansas Parks and Tourism, and the Arkansas Game and Fish Commission.³⁵

H.R. 6826 (Rep. Mfume), To designate the visitor and education center at Fort McHenry National Monument and Historic Shrine as the Paul S. Sarbanes Visitor and Education Center.

H.R. 6826 would name the visitor and education center at Fort McHenry National Monument and Historic Shrine (Fort McHenry) in Baltimore, Maryland, as the “Paul S. Sarbanes Visitor and Education Center.” Fort McHenry is known as the site of the 1814 attack by British troops against 1,000 American soldiers, a battle which inspired Francis Scott Key to write the Star-Spangled Banner.³⁶ The Honorable Paul S. Sarbanes served the State of Maryland in the House of Representatives for six years and in the U.S. Senate for three decades. During his tenure, Senator Sarbanes helped secure funding for constructing the new visitor center at Fort McHenry, increasing capacity and visitor access.³⁷ Naming the visitor and education center at Fort McHenry would honor Senator Sarbanes’s long history of service to Maryland and his connection with the Fort McHenry site. This bipartisan legislation is cosponsored by the entire Maryland Congressional delegation.

H.R. 6843 (Rep. Scalise), To expand the boundaries of the Atchafalaya National Heritage Area to include Lafourche Parish, Louisiana.

In 2006, Congress established the Atchafalaya National Heritage Area (ANHA), encompassing 14 parishes in Louisiana to promote the “local cuisine, music, traditions, language, and cultural landscapes of the Atchafalaya Basin in south central Louisiana.”³⁸ The Atchafalaya is the nation’s largest river swamp, containing almost one million acres of vibrant bottomland hardwoods, swamps, bayous, and backwater lakes.³⁹ The area features a diverse range of physical resources, such as ancient live oaks, towering cypress, sugarcane, and cotton.⁴⁰ The region is also home to a diverse population of people of European, African, Caribbean, and Native American descent that collectively contribute to the area’s widely recognized “Cajun Culture.”⁴¹ By promoting heritage development and ecotourism, the ANHA offers amenities for residents and visitors that highlight the region’s varied culture and physical resources while contributing to the local economy.⁴² Through the ANHA, projects have been funded to build kayak launches and install new signage along the Mississippi River that promotes the area’s heritage.⁴³ H.R. 6843 would expand

³¹*Id.*

³² On file with the Committee.

³³ H. Rept. 115-989—Flatside Wilderness Enhancement Act.

³⁴ “Forked Mountain,” Explore the Ozarks, <https://www.exploretheozarksonline.com/activities/parksnature/nationalforests/ouachita/jessieville/flatside/forkedmountain.html>. Rex Nelson, “Rugged terrain,” The Arkansas Democrat-Gazette, January 29, 2023, <https://www.arkansasonline.com/news/2023/jan/29/rugged-terrain/>.

³⁵*Id.*

³⁶ “History of Fort McHenry,” National Park Service, U.S. Department of the Interior, <https://www.nps.gov/fomc/learn/historyculture/history-of-fort-mchenry.htm>.

³⁷ “Senator Cardin Attends groundbreaking for New Fort McHenry Visitors Center,” The Office of Ben Cardin, April 27, 2009, <https://www.cardin.senate.gov/press-releases/senator-cardin-attends-groundbreaking-for-new-fort-mchenry-visitors-center/>.

³⁸ Public Law 109-338, <https://www.congress.gov/109/plaws/publ338/PLAW-109publ338.pdf>.

³⁹ Explore Louisiana, “Atchafalaya National Heritage Area,” <https://www.explorelouisiana.com/areas/atchafalaya-national-heritage-area>.

⁴⁰ Atchafalaya National Heritage Area, “The Atchafalaya National Heritage Area, America’s Foreign Country,” <https://www.atchafalaya.org/welcome>.

⁴¹ “Atchafalaya National Heritage Area,” National Park Service, U.S. Department of the Interior, <https://www.nps.gov/places/atchafalaya-national-heritage-area.htm>.

⁴² Atchafalaya National Heritage Area, “The Atchafalaya National Heritage Area, America’s Foreign Country,” <https://www.atchafalaya.org/welcome>.

⁴³ Colin Campo, “Louisiana’s congressional delegation seeks to promote Lafourche Parish’s cultural heritage,” December 15, 2023, <https://www.houmatoday.com/story/news/local/2023/12/15/louisiana-congressional-delegation-seeks-to-promote-lafourche-parishs-cultural-heritage/71931238007/>.

the boundaries of the ANHA to include Lafourche Parish, Louisiana. By expanding ANHA to include Lafourche Parish, H.R. 6843 aims to enhance the interpretation of Louisiana's diverse heritage while creating jobs and celebrating the region's rich natural and cultural resources.



A map of the proposed expansion of the Atchafalaya NHA. *Source:* Atchafalaya National Heritage Area Report, NHA.

H.R. 8206 (Franklin), To ensure that Big Cypress National Preserve may not be designated as wilderness or as a component of the National Wilderness Preservation System, and for other purposes.

In 1974, Congress created the 729,000-acre Big Cypress National Preserve (Big Cypress) in southern Florida as the nation's first national preserve.⁴⁴ At the time, Big Cypress was “a new land management concept” designed to facilitate compromise in land uses after significant controversy erupted over the proposed construction of an airport.⁴⁵ To avoid the stifling land-use restrictions and lack of access characterized by other land designations, such as wilderness areas, Congress created Big Cypress with explicit protections for certain specified activities.⁴⁶ Foremost among these are the traditional and customary uses of the Miccosukee Tribe of Indians of Florida and Seminole Tribe of Florida.⁴⁷ Protected tribal activities include using timber to build traditional shelters, called “chickees,” harvesting plants, and sustainably hunting wildlife.⁴⁸ Other specified uses of Big Cypress include the exercise of existing private property rights, operating off-road vehicles, conducting limited oil and gas exploration, grazing cattle, and hunting.⁴⁹

Despite these popular and enduring comprises, the unique nature of Big Cypress is now under threat from the Biden administration. In August 2022, NPS released a planning document entitled “Big Cypress National Preserve Supplemental Draft Backcountry Access Plan/ Wilderness Study/Environmental Impact Statement,” which contemplates creating a new wilderness designation within Big Cypress.⁵⁰ While NPS's “preferred option” for planning would designate about 25 percent of the preserve as wilderness, the 2022 document concludes that roughly 43 percent of Big

⁴⁴ “A National Preserve—One Land, Many Uses,” National Park Service, U.S. Department of the Interior, September 20, 2022, <https://www.nps.gov/bicy/learn/the-first-national-preserve.htm>. “Florida: Big Cypress National Preserve,” National Park Service, U.S. Department of the Interior, August 7, 2017, <https://www.nps.gov/articles/bigcypress.htm>.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ “A National Preserve—One Land, Many Uses,” National Park Service, U.S. Department of the Interior, September 20, 2022, <https://www.nps.gov/bicy/learn/the-first-national-preserve.htm>.

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ Big Cypress National Preserve Supplemental Draft Backcountry Access Plan/ Wilderness Study/ Environmental Impact Statement, National Park Service, U.S. Department of the Interior, August 2022, <https://parkplanning.nps.gov/document.cfm?documentID=122584>.

Cypress is eligible for a wilderness designation.⁵¹ While the exact percentages vary, each of the NPS's three plans for Big Cypress would create a new wilderness area within the preserve.⁵²

NPS's plans to designate portions of Big Cypress as wilderness have drawn stiff opposition due to concerns the designation would limit access for the public and outdoor recreationalists, disrupt invasive species eradication work, and impinge upon traditional Tribal practices.⁵³ In particular, the Miccosukee Tribe of Indians of Florida expressed significant concerns the wilderness designation would limit the ability of Tribal members to access Big Cypress and visit 15 historic cultural sites and numerous active ceremonial grounds. In a letter to NPS, Chairman Cypress wrote: "Rather than imposing arbitrary lines on a map to keep our people out, the [National Park Service] would be well-served exporting to its other parks Big Cypress's capacity for multiple uses, freedom of access, and respect for Indigenous rights."⁵⁴ Bipartisan Members of Florida's Congressional delegation also wrote a letter to Secretary Haaland expressing concerns on behalf of the Florida Fish and Wildlife Conservation Commission and Florida Department of Environmental Protection that a wilderness designation would harm the ability to address more than 900 non-native plant and animal species in the preserve, including pythons.⁵⁵ In response, Representative Scott Franklin (R-FL) introduced H.R. 8206, bipartisan legislation that would prevent any part of Big Cypress from being designated as a wilderness area.⁵⁶ This legislation would ensure Big Cypress continues to provide important benefits to outdoor recreation communities, achieve diverse conservation goals, and remain undisturbed as a sacred site to the Miccosukee and Seminole Tribes.

H.R. 8219 (Rep. Tokuda), "Lahaina National Heritage Area Act"

The town of Lahaina, located in Maui County, Hawaii, has a rich and storied history. The former capital of the Hawaiian Kingdom under King Kamehameha I and his successors from 1820 to 1845, Lahaina was historically an economic and tourism hub with incalculable cultural and historic significance for the people of Hawaii.⁵⁷ The downtown Lahaina Historic District held numerous cultural sites, including the Lahaina Jodo Mission (a Buddhist temple), Pioneer Inn (the oldest hotel in Lahaina), Waiola Church, and Old Courthouse.⁵⁸ Lahaina is also famous for its 150-year-old Banyan Tree, considered the largest in the country, which remains at the center of town.⁵⁹ Unfortunately, on August 8, 2023, a wildland fire catastrophically damaged Lahaina and became the deadliest wildfire in over a century.⁶⁰ The scenic waterfront, including much of the city center that served as a symbol of the town's illustrious history, was left unrecognizable. Ultimately, the fire destroyed more than 2,200 structures and caused approximately \$5.5 billion in damages.⁶¹ Many of the damaged and destroyed structures lost dated back centuries and held immeasurable value to Lahaina's people and culture.

As the town continues to recover from the trauma of a devastating natural disaster, local leaders have been exploring options that would allow the community to

⁵¹ *Id.* Alex Harris, "New protections for Big Cypress? Miccosukee, hunters worry about being locked out," *The Miami Herald*, March 21, 2024, <https://www.miamiherald.com/news/local/environment/article286935830.html>.

⁵² Big Cypress National Preserve Supplemental Draft Backcountry Access Plan/Wilderness Study/Environmental Impact Statement, National Park Service, U.S. Department of the Interior, August 2022, <https://parkplanning.nps.gov/document.cfm?documentID=122584>.

⁵³ Alex Harris, "New protections for Big Cypress? Miccosukee, hunters worry about being locked out," *The Miami Herald*, March 21, 2024, <https://www.miamiherald.com/news/local/environment/article286935830.html>.

⁵⁴ Note: Chairman Cypress will testify in support of the legislation at the hearing. Letter can be accessed here: <https://www.rickscott.senate.gov/services/files/BF117624-1BA7-45F6-BACA-C0310DFF5298>.

⁵⁵ Letter can be accessed here: https://donalds.house.gov/uploadedfiles/big_cypress_letter_graphics.pdf.

⁵⁶ H.R. 8206, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/8206>.

⁵⁷ Lahaina Town, "Lahaina Timeline", <https://lahainatown.com/lahaina-history.php>.

⁵⁸ *Id.*

⁵⁹ Timmy Broderick, "Why a Banyan Tree Damaged in the Maui Wildfire Was So Beloved," *Scientific American*, August 15, 2023, <https://www.scientificamerican.com/article/why-a-banyan-tree-damaged-in-the-maui-wildfire-was-so-beloved/>.

⁶⁰ "Lahaina fire becomes deadliest in the U.S. in over 100 years as death toll rises to 93," PBS, August 13, 2023, <https://www.pbs.org/newshour/nation/lahaina-fire-becomes-deadliest-in-the-u-s-in-over-100-years-as-death-toll-rises-to-93>.

⁶¹ "Preliminary After-Action Report: 2023 Maui Wildfire," U.S. Fire Administration, February 8, 2024, <https://www.usfa.fema.gov/blog/preliminary-after-action-report-2023-maui-wildfire/#:~:text=The%20disaster&text=8%2C%202023%2C%20wind%2Ddriven,than%20100%20lives%20were%20lost.>

honor its past while promoting its natural and cultural resources post-fire. H.R. 8219 would require the Secretary of the Interior, in consultation with state and local partners, to study the suitability and feasibility of designating the town of Lahaina as an NHA. A feasibility study is generally the first step of an NHA designation and ensures that the designated area meets the appropriate criteria. Under the NHA Act, studies must assess whether an area's resources reflect aspects of American heritage, whether an area would benefit from public-private management, and which entities would be capable of working together to support the proposed heritage area.⁶²

IV. MAJOR PROVISIONS & SECTION-BY-SECTION

H.R. 390 (Rep. Stefanik), “Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act”

Section 2. Hudson River Valley National Heritage Area.

- Amends Section 904(b) of the Hudson River Valley National Heritage Area Act of 1996⁶³ to expand the Hudson River Valley National Heritage Area's boundaries to include all of Saratoga and Washington Counties.

H.R. 3971 (Rep. Hill), “Flatside Wilderness Additions Act”

Section 2. Additions to Flatside Wilderness.

- Amends Section 3(d) of the Arkansas Wilderness Act of 1984⁶⁴ to designate approximately 2,215 acres of the Ouachita National Forest as wilderness.

Section 3. Fire, Insects, and Diseases.

- Specifies that nothing in the bill affects the underlying provision in the Wilderness Act to address fire, insects, and disease in wilderness areas, subject to conditions the Secretary of Agriculture deems desirable.

Section 4. Designation of Wilderness Addition.

- Names the wilderness established in Section 2 as the “Flatside-Bethune Wilderness.”

H.R. 6826 (Rep. Mfume), To designate the visitor and education center at Fort McHenry National Monument and Historic Shrine as the Paul S. Sarbanes Visitor and Education Center.

Section 1. Designation.

- Names the visitor and education center at Fort McHenry National Monument and Historic Shrine as the Paul S. Sarbanes Visitor Center and Education Center.

H.R. 6843 (Rep. Scalise), To expand the boundaries of the Atchafalaya National Heritage Area to include Lafourche Parish, Louisiana.

Section 1. Atchafalaya National Heritage Area Expansion.

- Amends Section 213 of the Atchafalaya National Heritage Area Act⁶⁵ to include Lafourche Parish.
- Adds Lafourche Parish to the Atchafalaya Trace Commission, the local coordinating entity for the NHA.

H.R. 8206 (Rep. Franklin), To ensure that Big Cypress National Preserve may not be designated as wilderness or as a component of the National Wilderness Preservation System, and for other purposes.

Section 1. Prohibition on Big Cypress National Preserve Designation as Wilderness.

- Prevents Big Cypress National Preserve from being designated as wilderness or as a component of the National Wilderness Preservation System.

⁶² Pub. Law No. 117-339, <https://www.congress.gov/117/plaws/publ339/PLAW-117publ339.pdf>.

⁶³ Pub. Law 104-333 <https://www.congress.gov/104/plaws/publ333/PLAW-104publ333.pdf>.

⁶⁴ Pub. Law No. 98-508, <https://www.congress.gov/98/statute/STATUTE-98/STATUTE-98-Pg-2349.pdf>.

⁶⁵ Pub. Law 109-338, <https://uscode.house.gov/statutes/pl/109/338.pdf>.

H.R. 8219 (Rep. Tokuda), “Lahaina National Heritage Area Act”

Section 3. Lahaina National Heritage Area Study.

- Directs the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating Lahaina, Hawaii as a Natural Heritage Area in accordance with the National Heritage Area Act.

V. COST

None of the bills received a formal cost estimate from the Congressional Budget Office.

VI. ADMINISTRATION POSITION

The administration testified on the Senate companion to the “Atchafalaya National Heritage Act” and recommended NPS complete a study to decide whether the proposed expansion is appropriate.⁶⁶ Additionally, NPS testified in support of the Senate companion to the “Lahaina National Heritage Act,” with amendments.⁶⁷ The administration’s position on the remaining bills is unknown at this time.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

H.R. 390

https://naturalresources.house.gov/uploadedfiles/h.r._390_-_ramseyer.pdf

H.R. 3971

https://naturalresources.house.gov/uploadedfiles/h.r._3971_-_ramseyer.pdf

H.R. 6843

https://naturalresources.house.gov/uploadedfiles/bill-to-law_118hr6843ih.pdf

⁶⁶ Statement of Michael A. Caldwell before the Senate Energy and Natural Resources Committee on S. 3542, May 15, 2024, <https://www.doi.gov/ocl/hr-3542>.

⁶⁷ Statement of Michael A. Caldwell before the Senate Energy and Natural Resources Committee on S. 4529, May 15, 2024, <https://www.doi.gov/ocl/s-4259>.

LEGISLATIVE HEARING ON H.R. 390, TO AMEND THE HUDSON RIVER VALLEY NATIONAL HERITAGE AREA ACT OF 1996 (PUBLIC LAW 104-333; 54 U.S.C. 320101 NOTE) TO INCLUDE ALL OF SARATOGA AND WASHINGTON COUNTIES IN THE BOUNDARIES OF THE HUDSON RIVER VALLEY NATIONAL HERITAGE AREA, “MAURICE D. HINCHEY HUDSON RIVER VALLEY NATIONAL HERITAGE AREA ENHANCEMENT ACT”; H.R. 3971, TO DESIGNATE THE FLATSIDE-BETHUNE WILDERNESS IN THE OUACHITA NATIONAL FOREST, AND FOR OTHER PURPOSES, “FLATSIDE WILDERNESS ADDITIONS ACT”; H.R. 6826, TO DESIGNATE THE VISITOR AND EDUCATION CENTER AT FORT MCHENRY NATIONAL MONUMENT AND HISTORIC SHRINE AS THE PAUL S. SARBANES VISITOR AND EDUCATION CENTER; H.R. 6843, TO EXPAND THE BOUNDARIES OF THE ATCHAFALAYA NATIONAL HERITAGE AREA TO INCLUDE LAFOURCHE PARISH, LOUISIANA; H.R. 8206, TO ENSURE THAT BIG CYPRESS NATIONAL PRESERVE MAY NOT BE DESIGNATED AS WILDERNESS OR AS A COMPONENT OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM, AND FOR OTHER PURPOSES; AND H.R. 8219, TO REQUIRE THE SECRETARY OF THE INTERIOR TO CONDUCT A STUDY TO ASSESS THE SUITABILITY AND FEASIBILITY OF DESIGNATING CERTAIN LAND AS THE LAHAINA NATIONAL HERITAGE AREA, AND FOR OTHER PURPOSES, “LAHAINA NATIONAL HERITAGE AREA ACT”

**Thursday, June 27, 2024
U.S. House of Representatives
Subcommittee on Federal Lands
Committee on Natural Resources
Washington, DC**

The Subcommittee met, pursuant to notice, at 10:22 a.m. in Room 1334, Longworth House Office Building, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Tiffany and Fulcher.

Also present: Representatives Franklin, Gosar, Hill; Mfume, and Tokuda.

Mr. TIFFANY. 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 six bills: H.R. 390, by Representative Stefanik; H.R. 3971, by Representative Hill; H.R. 6826, by Representative Mfume; H.R. 6843; by Representative Scalise; H.R. 8206, by Representative Franklin; and H.R. 8219, by Representative Tokuda.

I ask unanimous consent that the following Members be allowed to participate in today’s hearing from the dais: the gentleman from Arizona, Dr. Gosar; the gentleman from Louisiana, Mr. Scalise; the

gentlelady from New York, Ms. Stefanik; the gentleman from Maryland, Mr. Mfume; the gentleman from Hawaii, Mr. Case; the gentleman from Arkansas, Mr. Hill; the gentleman from Florida, Mr. Franklin; and the gentlewoman from Hawaii, Ms. Tokuda.

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 will now recognize myself for an opening statement.

**STATEMENT OF THE HON. TOM TIFFANY, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. TIFFANY. Today's hearing includes several pieces of legislation that recognize the importance of local communities in Federal decision making. As Chairman of this Subcommittee, I have worked tirelessly to ensure the perspectives of local communities are included in both the decision-making process and the subsequent management of our Federal lands. Our work has shone a light on the need for Federal land management agencies to meet their requirements to coordinate, not just consult, with local partners.

Why is this so important? Because the rural communities located closest to our Federal lands are typically their best stewards. Their residents have an unrivaled interest in ensuring that nearby public lands are properly managed for generations to come.

One of the bills we will be considering today, Representative Franklin's bipartisan H.R. 8206, embodies this ethic by preventing an unpopular wilderness designation from being established in Big Cypress National Preserve in Florida.

Fifty years ago, a group of local stakeholders, including tribes, conservationists, and sportsmen and women, came together to create the nation's first national preserve with Big Cypress. This new model reflected the unique needs of the community, and has proven to be a lasting compromise that balances multiple uses of the land, including outdoor recreation, tribal practices, and environmental protection. That balance is now in jeopardy, due to the Biden administration's efforts to designate one-quarter of the preserve as a wilderness area.

In a letter to the National Park Service, one of our witnesses here today, Chairman Cypress of the Miccosukee Tribe of Indians of Florida, stated, "Rather than imposing arbitrary lines on a map to keep our people out, the National Park Service would be well served exporting to its other parks Big Cypress' capacity for multiple uses, freedom of access, and respect for Indigenous rights."

I could not agree more with this sentiment. We have heard time and time again from this Administration that they value tribal voices and consult with tribal communities. Yet, from Alaska to Florida, coast to coast, it is clear that this Administration is only interested in listening to tribes when it is convenient for them. It is high time for Federal land managers to respect multiple uses of

our public lands, and access for the American public to those lands. And Federal land managers who continually fail to coordinate with local officials and members of the community will face the repercussions of those decisions in this Committee.

While I have legitimate concerns about certain components of the legislation on today's agenda, I do want to thank all of today's bill sponsors for working on their respective pieces of legislation, and I look forward to hearing their perspective throughout the hearing.

We will also hear about two bills being led by Representatives Scalise and Stefanik that expand existing National Heritage Areas.

Representative Scalise's bill adds the Lafourche Parish to the National Heritage Area that was established in 2006 by including the Lafourche Parish, which was omitted from the original designation. The region will be able to offer additional programs highlighting the unique Cajun culture and history that have made southern Louisiana famous around the world.

Representative Stefanik's bill expands the boundaries of the Hudson River Valley National Heritage Area to include all of Saratoga and Washington Counties. This boundary will put the National Heritage Area in line with state maps, and provide more tools to promote the region to tourists who visit the area.

Additionally, we are considering a bill sponsored by Representative Tokuda. The Lahaina National Heritage Area Act requires the Secretary of the Interior to study the suitability and feasibility of designating the Town of Lahaina as a National Heritage Area.

Last August, I visited Lahaina and witnessed the utter devastation left by a wildfire that destroyed 2,200 structures and caused approximately \$5.5 billion in damages. As the community rebuilds from this tragic event, I look forward to hearing how the National Park Service plans to work with local officials to honor and protect this town's rich and storied history.

While National Heritage Areas are managed locally and not federally owned, we must ensure that the planning process does not impede private property rights or restrict responsible development. Only then can these designations be supportable.

I want to thank Members on both sides of the dais for their work on today's bills.

I also want to express my appreciation to the witnesses who have traveled long distances to offer their expert testimony.

With that, I now recognize the Ranking Member, who is not in attendance at this point. We will move on.

I will now recognize the gentleman from Arkansas, Mr. Hill, to share with us information in regards to H.R. 3971.

You are recognized, sir.

STATEMENT OF THE HON. J. FRENCH HILL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. HILL. Mr. Chairman, thank you for the time this morning. I thank you and my good friend from Arkansas, the Chairman of the Full Committee, Bruce Westerman, for working with me and including the Flatside Wilderness Additions Act to this hearing.

As a ninth-generation Arkansan and a lifelong outdoorsman, I have enjoyed many extraordinary natural places across our state throughout my life. From hiking, to hunting, to camping, to

canoeing as a boy, those were critical years, and ingrained the ethos of a critical objective of conserving our resources and preserving our natural habitat.

Throughout my nearly decade in Congress, I have worked tirelessly to support our natural landscape, expand recreational outdoor opportunities in the 2nd Congressional District of Arkansas for both Arkansans and the many millions of visitors to our state. This morning, I would like to share a story with you, a story that goes back to the 98th Congress, back in 1984.

On a cold, snowy day four decades ago, in the winter of 1983, I had the pleasure of visiting a remarkable corner of the rugged Arkansas Ouachita National Forest. The Ouachita stretched west from my district all the way to eastern Oklahoma. That day, I climbed a very sharp sandstone top called Flatside for the first time, that lends its name to this area. Efforts to protect Flatside and expand the recreation in the area began with my predecessor, Congressman Ed Bethune, who worked to add Flatside to the proposed Arkansas Wilderness Act that Congress.

At that time, I was a staffer on the Senate Banking Committee, working for John Tower of Texas. Through my connection to the outdoors in Arkansas, I persuaded Senator Tower to co-sponsor the Senate version of Ed Bethune's bill, Senator Dale Bumpers' bill, which was in fact signed into law in October 1984 by President Reagan. That bill created Flatside Wilderness, which is located in Perry and Saline Counties.

When I came to Congress in 2015, I started working on strategies to enhance Flatside, and was successful in adding 640 acres to the western edge of the wilderness area when my bill, the Flatside Wilderness Enhancement Act, was signed into law by President Trump in 2019.

Following that success, John Boozman, our senior Senator, and I worked on a study by the U.S. Forest Service to see if additional lands adjacent to Flatside were eligible for inclusion in the area. That study was completed in the summer of 2021, and recommended the study areas contained in this bill for wilderness designation. These proposed additions were among those originally proposed back in 1984 that were not included in the original Act, and are currently managed by the Forest Service as potential wilderness in accordance with the Ouachita National Forest Management Plan.

After working with Chairman Westerman, his team, and Chairman Tiffany over the last 2 years, I introduced the Flatside Wilderness Additions Act last June. This bill would add approximately 2,200 U.S. National Forest acres to Flatside Wilderness. The bill would be the second and final iteration to expand the wilderness area at Flatside.

Flatside is a beautiful area of the natural state, noted for its ridges and summits that are part of the Ouachita Mountains and rise above the forest to provide visitors with amazing views. The wilderness houses multiple creeks, tributaries, and waterfalls that provide an important source of life to the area, and includes, importantly and interestingly, a 9-mile section of the 223-mile-long Ouachita National Recreation Trail.

My work to expand Flatside has been complemented by the efforts of the state to grow and expand our outdoor recreation in many ways. Related work was in June 2021. Then-Governor Asa Hutchinson and I reached an agreement with the Ouachita National Forest to transfer operation of their Lake Sylvia Recreation Area to the state of Arkansas. It is now part of the Arkansas State Park system, opening up this beautiful area in the Ouachita to campers and visitors on an all-year-long operation.

My legislation, Mr. Chairman, is fully supported by our state's conservation and outdoor recreation advocates. Additionally, the leadership of our state supports it, with formal letters of support from Governor Sarah Sanders; the Arkansas Game and Fish Commission; the Arkansas Department of Parks, Heritage, and Tourism; and our local Perry County judge.

There is something really special about hiking, camping, and hunting deep in the back country of our state that feels like it has gone untouched by human hands. Finishing the expansion of the wilderness area at Flatside will bring more opportunities for both Arkansans and the many visitors to our state to explore more of our natural qualities.

I am grateful for Chairman Tiffany's work. I appreciate the Committee's consideration of H.R. 3971, and I hope today's testimony can help progress this bill along the way to enactment.

With that, Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Representative Hill. And now I believe we are going to move on to our second panel.

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

To begin your testimony, please press the "on" button on the microphone.

We use timing lights. When you begin, the light will turn green. At the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

First of all, thank you for your patience this morning, and being here in a timely basis while I was not.

First, I would like to introduce Ms. Joy Beasley, Associate Director for Cultural Resources, Partnerships and Science at the National Park Service.

Associate Director Beasley, you are recognized for 5 minutes.

**STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR,
CULTURAL RESOURCES, PARTNERSHIPS, AND SCIENCE,
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR,
WASHINGTON, DC**

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

Two bills would expand the boundaries of National Heritage Areas. H.R. 390 would expand Maurice D. Hinchey Hudson River Valley National Heritage Area to include Saratoga and Washington

Counties in New York. H.R. 6843 would expand Atchafalaya National Heritage Area to include Lafourche Parish in Louisiana.

The Department recognizes that there could be potential benefits to expanding these National Heritage Areas, but recommends that the Committee defer action on the bills until such time as the National Park Service determines if each proposed boundary addition is appropriate. The National Park Service recommends that the local coordinating entity for each National Heritage Area submit a justification for the respective boundary additions, and to document that there is local public support for the expansion.

H.R. 6826 would designate the visitor center at Fort McHenry National Monument and National Shrine as the Paul S. Sarbanes Visitor and Education Center. Senator Sarbanes was a champion of Fort McHenry throughout his long career. He helped to promote the fort's objectives of commemorating the Battle of Baltimore, while facilitating public enjoyment and understanding of the historic events and people connected to the site.

The National Park Service generally discourages naming of park features, except when there is a compelling justification and when at least 5 years have elapsed since the death of the person. However, we recognize that Congress may also specifically authorize the placement of such recognition, and in this instance the Department defers to Congress and does not object to H.R. 6826.

H.R. 8206 would prohibit Big Cypress National Preserve from being designated as wilderness, or as a component of the National Wilderness Preservation System. The Department opposes H.R. 8206.

This bill appears to be intended to pre-empt any proposal from the Administration or any congressional decision to enact a wilderness designation within the Preserve. If Congress does not wish to designate wilderness in the Preserve, it can achieve that goal by not acting on any legislation designating wilderness within the Preserve, as only Congress can designate wilderness.

Additionally, the National Park Service has not recommended wilderness in this area, and therefore this legislation is unnecessary.

The establishment of the Preserve remains a remarkable example of unity and compromise among diverse stakeholders, including local conservationists, government representatives, outdoor recreationists, environmental advocates, and the Miccosukee Tribe of Indians and the Seminole Tribe of Florida. The law designated the Preserve as a unit of the National Park System, ensured protection of resources, while simultaneously providing for hunting, fishing, off-road vehicle use, private camp ownership, and traditional use and occupancy rights for Native American tribes.

The NPS remains committed to working with stakeholders, local and state officials, and tribes on all issues of concern within the Preserve.

H.R. 8219 would authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating a Lahaina National Heritage Area. The Department supports H.R. 8219, with amendments.

Lahaina has a rich history, and was the capital of the Kingdom of Hawaii from 1820 to 1845. Tragically, in August of last year, the

area was struck by one of the deadliest wildfires in U.S. history. Several Department bureaus were part of immediate response efforts, including staff from Haleakala National Park. The Department, the National Park Service, and Haleakala National Park will continue to support the long-term recovery efforts of the Maui community.

We would like to work with the sponsor and the Committee on an amendment that would identify a local organization to serve as the NHA management entity. Identification of a local management entity would indicate on-the-ground support and capacity for engaging in the NHA feasibility study process.

We also recommend an amendment that would require consultation with Native Hawaiian organizations and the Native Hawaiian community, state and municipal government entities, and the local community on the appropriate timing for initiating the study so as not to interfere with ongoing recovery efforts.

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

[The prepared statement of Ms. Beasley follows:]

PREPARED STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR, CULTURAL
RESOURCES, PARTNERSHIPS, AND SCIENCE,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR
ON H.R. 390, H.R. 6826, H.R. 6843, H.R. 8206, AND H.R. 8219

H.R. 390

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 390, the Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act.

The Department recognizes that there could be potential benefits in expanding the Maurice D. Hinchey Hudson River Valley National Heritage Area (NHA), but recommends that the committee defer action on H.R. 390 until such time as the National Park Service (NPS) determines if this proposed expansion is appropriate.

H.R. 390 would expand the boundary of the Maurice D. Hinchey Hudson River Valley NHA to include Saratoga and Washington Counties in the State of New York. Both counties are located within the Champlain Valley National Heritage Partnership, and portions of both counties are within the Erie Canalway National Heritage Corridor.

The Maurice D. Hinchey Hudson River Valley National Heritage Area NHA was authorized in 1996, to help preserve, protect, and interpret the history and resources of the Hudson River Valley. The region played an important role in the American Revolution and gave birth to significant developments in American art and architecture. It was important in the iron and textile industries and housed the first women's labor union and secondary school. The NHA includes National Historic Sites, National Historic Landmarks, New York State Parks, and over 1,000 sites listed in the National Register of Historic Places. The Hudson River Valley Greenway (Greenway) is the management entity for the NHA and is comprised of the Hudson River Valley Greenway Communities Council and the Greenway Conservancy for the Hudson River Valley.

Prior to beginning any effort to designate an area as a national heritage area, the NPS recommends that a feasibility study be conducted to assess several factors, including: whether the landscape has an assemblage of natural, cultural, historic and scenic resources that, when linked together, tell a nationally important story; whether an organization exists with the financial and organizational capacity to coordinate heritage area activities; and whether there is significant support for designation within the region.

A 1996 special resource study was conducted of 10 counties along the Hudson River. It found that the area's resources were nationally significant and provided insight into the effect of natural landscapes on settlement, commercial and

industrial growth, and into the development of our national political and cultural identity. The study found that the area, which had demonstrated successful partnership management, qualified as a national heritage area. The NPS recommends that the Greenway submit an addendum to the study that includes a boundary justification for the inclusion of Saratoga and Washington Counties. The addendum would document that the Greenway has reached out to the affected communities and that there is public support for the inclusion of their counties in the boundary of the NHA. Additionally, the addendum will demonstrate that the proposed inclusion of the counties supports the original intent of the NHA.

Once the Greenway completes the study addendum, the NPS will undertake its evaluation. The NPS recommends that the committee defer action on H.R. 390 until the study addendum is completed and the NPS can make a determination on the proposed expansion.

H.R. 6826

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 6826, which would designate the visitor and education center at Fort McHenry National Monument and National Shrine the “Paul S. Sarbanes Visitor and Education Center”.

The visitor and education center is located at Fort McHenry National Monument and Historic Shrine in Baltimore, Maryland, just outside the fort’s primary historic area, and is accessed from its main entrance on East Fort Avenue. The visitor and education center serves as the first contact station for visitors entering the park and offers an orientation film and exhibits regarding the Battle of Baltimore and the history of the “Star-Spangled Banner.” Fort McHenry National Monument and Historic Shrine is also one of the key sites on the Star Spangled Banner National Historic Trail.

Senator Sarbanes was a tireless champion of preserving Fort Mc Henry throughout his long career. In so many different ways, he helped to promote the fort’s chief objectives of commemorating the events of the Battle of Baltimore while facilitating public enjoyment and understanding of the historic events and people connected with the site. Over decades, the Senator secured millions of dollars in federal funds to enable critical repairs to the fort’s deteriorating seawall, masonry, and foundations, ensuring the site would be safe to visit for generations to come. He also envisioned Fort McHenry’s inclusion in the Star-Spangled Banner National Historic Trail, championing legislation to study and eventually create a National Trail to highlight the British burning of the White House and Capitol in Washington, DC, the Battle of Baltimore, and the bombing of Fort McHenry, which inspired Francis Scott Key’s composition of “The Star-Spangled Banner.”

Senator Sarbanes also worked to elevate the history of the War of 1812 in the national consciousness by introducing federal legislation to commemorate the war’s bicentennial. Through his service as Vice-Chair of the Maryland War of 1812 Bicentennial Commission from 2007 to 2015, the Senator helped improve and protect relevant historic sites like Fort McHenry and coordinated public and private events to celebrate the anniversary. Finally, in the 2000s, the Senator was integral in securing the funds that enabled the construction of a new visitor and education center at the fort, replacing the old visitor center from the 1960s with an ADA- compliant building that today welcomes hundreds of thousands of visitors a year as they learn about one of the defining moments in our nation’s history.

H.R. 6826 would designate the visitor and education center at Fort McHenry National Monument and National Shrine as the “Paul S. Sarbanes Visitor and Education Center.” The NPS generally discourages the naming of park features except when there is a compelling justification and at least five years have elapsed since the death of the person. However, we recognize that Congress may also specifically authorize the placement of such recognition. In this instance, the Department defers to Congress and does not object to H.R. 6826.

H.R. 6843

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 6843, a bill to expand the boundaries of the Atchafalaya National Heritage Area to include Lafourche Parish, Louisiana.

The Department recognizes that there could be potential benefits in expanding the Atchafalaya National Heritage Area (NHA), but recommends that the committee

defer action on H.R. 6843 until such time as the National Park Service (NPS) determines if this proposed expansion is appropriate.

H.R. 6843 would expand the boundary of the Atchafalaya NHA to include Lafourche Parish and would add one member to the Atchafalaya Trace Commission. The NHA was authorized in 2006, to help preserve the local cuisine, music, traditions, language, and cultural landscapes of the Atchafalaya Basin in south central Louisiana. The area is among the most culturally rich and ecologically varied regions in the United States, home to the widely recognized Cajun culture as well as a diverse population of European, African, Caribbean and Native-American descent. The NHA includes a part of Jean Lafitte National Historical Park, Lake Fausse Pointe State Park, Cypremort Point State Park, a part of Natchez Trace Parkway and National Scenic Trail, and the Atchafalaya Water Heritage Trail. The Atchafalaya Trace Commission was authorized as the management entity of the NHA and is composed of 14 members appointed by the governing authority of each parish within the heritage area.

Prior to beginning any effort to designate an area as a national heritage area, the NPS recommends that a feasibility study be conducted to assess several factors, including: whether the landscape has an assemblage of natural, cultural, historic and scenic resources that, when linked together, tell a nationally important story; whether an organization exists with the financial and organizational capacity to coordinate heritage area activities; and whether there is significant support for designation within the region.

A 1998 special resource study found the Atchafalaya Basin to be an outstanding example of a natural resource, possessed exceptional value in illustrating and interpreting many key natural and cultural themes of our nation's heritage, and offered exceptional opportunities for recreation, public use and enjoyment, and scientific study. The NPS recommends that the Commission submit an addendum to the study that includes a boundary justification for the inclusion of Lafourche Parish. The addendum would document that the Commission has reached out to the affected communities and that there is public support for the inclusion of their parish in the boundary of the NHA. Additionally, the addendum will demonstrate that the proposed inclusion of the parish supports the original intent of the NHA.

Once the Commission completes the study addendum, the NPS will undertake its evaluation. The NPS recommends that the committee defer action on H.R. 6843 until the study addendum is completed and the NPS can make a determination on the proposed expansion.

H.R. 8206

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. 8206, a bill to ensure that Big Cypress National Preserve may not be designated as wilderness or a component of the National Wilderness Preservation System, and for other purposes.

The Department opposes H.R. 8206.

H.R. 8206 would prohibit Big Cypress National Preserve (Preserve) from being designated as wilderness or a component of the National Wilderness Preservation System. The bill appears to be intended to preempt any proposal from the Administration, or any Congressional decision, to enact a wilderness designation within the Preserve. If Congress does not want to designate wilderness in the Preserve, it can achieve that goal by not acting on any legislation designating wilderness within the Preserve, as only Congress can designate wilderness. Additionally, the National Park Service has not recommended wilderness in this area. Therefore, this legislation is unnecessary.

The historical establishment of the Preserve remains a remarkable example of unity and compromise among diverse stakeholders, including local conservationists, government representatives, outdoor recreationists, environmental advocates, and the Miccosukee Tribe of Indians and Seminole Tribe of Florida. In the 1960s, these groups united to protect the Big Cypress Swamp from a major jetport development that posed a threat to the area's invaluable natural and cultural assets. Their collective efforts led to the establishment of the Preserve, our nation's first national preserve, in 1974. The law designating the Preserve as a unit of the National Park System ensured protection of these resources while simultaneously providing diverse public land uses, including hunting, fishing, off road vehicle use, private camp ownership, and traditional use and occupancy rights for Native American Tribes. The NPS remains committed to working with stakeholders, local and state officials, and Tribes—the Miccosukee Tribe of Indians and the Seminole Tribe of Florida—on all issues of concern within the Preserve.

H.R. 8219

Chairman Tiffany, Ranking Member Neguse, and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 8219, a bill to require the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Lahaina National Heritage Area, and for other purposes.

The Department supports H.R. 8219 with amendments.

H.R. 8219 would authorize the Secretary of the Interior to conduct a study, in consultation with appropriate State and local entities, to assess the suitability and feasibility of designating an area in Maui County, Hawai'i as the Lahaina National Heritage Area. The study area would encompass the boundaries of the census-designated place of Lahaina. The study would gather information to help determine whether the area contains an assemblage of natural, historic, and cultural resources that represent distinctive aspects of the heritage of the United States; is worthy of recognition, conservation, interpretation, and continuing use; and would be best managed through partnerships among public and private entities. The study would include public engagement and be conducted in consultation with the various stakeholders in the area.

The Lahaina census-designated place, located on the northwest coast of Maui, encompasses Lahaina town, Ka'anapali and Kapalua beaches, and the lower slopes of the West Maui mountains. Lahaina has a rich history and was the capital of the Kingdom of Hawai'i from 1820 to 1845. The Lahaina Historic District, which encompasses downtown Lahaina, Front Street, and its vicinity, was designated a National Historic Landmark in 1962. Tragically, in August 2023, the area was struck by one of the deadliest wildfires in U.S. history. The fire destroyed approximately 80% of Lahaina, and over 100 people lost their lives. Several Department bureaus were part of immediate response efforts, including staff from Haleakalā National Park. The fires directly impacted National Park Service employees, and several have familial and community ties to the Lahaina area. The Department, the National Park Service, and Haleakalā National Park will continue to support the long-term recovery efforts of the Maui community.

We would like to work with the sponsor and the Committee on an amendment that would identify a local organization in the legislation that would serve as a national heritage area management entity. Identification of a potential local management entity would indicate on-the-ground support and capacity for engaging in the national heritage area feasibility study process. We also recommend an amendment that would explicitly require consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental entities, on the appropriate timing for initiating the study so as not to interfere with ongoing recovery efforts.

Chairman Tiffany, this concludes my testimony. I would be happy to answer any questions you or other members of the subcommittee may have.

QUESTIONS SUBMITTED FOR THE RECORD TO MS. JOY BEASLEY, ASSOCIATE
DIRECTOR—CULTURAL RESOURCES, PARTNERSHIPS, AND SCIENCE, NATIONAL PARK
SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Ms. Beasley did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Question 1. Regarding H.R. 8219, how does the National Park Service plan to accommodate ongoing efforts to rebuild Lahaina as it conducts a study to determine whether this area should be designated as a National Heritage Area?

Question 2. Will the National Park Service commit to not designating any portion of the Big Cypress National Preserve as a wilderness area or wilderness study area? If no, why not?

Question 3. Will the National Park Service commit to consulting with Tribes prior to managing any area in the Big Cypress National Preserve for potential inclusion in the National Wilderness Preservation System?

Question 4. How has the National Heritage Area Act impacted the administration of National Heritage Areas?

Question 5. How many times has the National Park Service spoken to the Miccosukee Tribe of Indians of Florida to discuss the implications of turning portions of the Big Cypress National Preserve into a wilderness area?

Question 6. How many times has the National Park Service spoken to the Seminole Tribe of Florida to discuss the implications of turning portions of the Big Cypress National Preserve into a wilderness area?

Question 7. In your testimony, you recommended that prior to expanding two existing National Heritage Areas in Louisiana and New York, the National Park Service first complete studies of these expansions. How long does the National Park Service expect these studies will take to complete?

Question 8. What process is involved in putting together studies to expand existing National Heritage Areas, and how do they incorporate feedback from the local community?

Question 9. How would H.R. 390 improve ongoing planning efforts to commemorate America's upcoming 250th anniversary?

Question 10. In your testimony, you stated that "The Department, the National Park Service, and Haleakal? National Park will continue to support the long-term recovery efforts of the Maui community." Can you please expand on DOI and NPS's involvement in efforts to remediate and rebuild Lahaina following the August 2023 wildfire?

Mr. TIFFANY. Thank you, Associate Director Beasley, for your testimony.

Votes have been called, and we will be heading to the Floor. I would guess we are going to be on break here for about an hour, because we do have quite a few amendment votes that are going to be done in this series. So, there will be a significant break here.

And once again, we really appreciate your patience in helping us with this, because we really do look forward to your testimony on these bills.

The Subcommittee stands in recess, subject to the call of the Chair.

[Recess.]

Dr. GOSAR [presiding]. I want to thank Representative Scalise, and I will now recognize Representative Mfume for 5 minutes.

STATEMENT OF THE HON. KWEISI MFUME, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. MFUME. Thank you, Chairman Gosar, and to Ranking Member Neguse in his absence for hosting this legislative hearing, and including my bipartisan bill, H.R. 6826, which honors the former long-standing U.S. Senator Paul Sarbanes of Maryland by designating the Visitor and Education Center at Fort McHenry National Monument and Historic Shrine as the Paul S. Sarbanes Visitor and Education Center.

Fort McHenry, the National Monument and Historic Shrine, is a unit of the National Park Service, and it resides in the heart of my congressional district in Baltimore. As most of us know, the fort was the site of the Battle of Baltimore in 1814, which inspired Francis Scott Key to write the words to the Star-Spangled Banner. Each year, hundreds of thousands of people visit the fort to engage in outdoor recreation and to learn more about one of the most defining moments of our nation's history.

The late Senator Sarbanes was a champion of Fort McHenry, and he firmly believed that the site is critical to understanding and appreciating our national heritage and our national identity. Throughout his career, the Senator worked tirelessly to facilitate public enjoyment and real understanding of the historic events and the people who are still connected with that site.

Senator Sarbanes, as many of us will note, was a true American patriot. He secured millions of dollars in Federal funds to enable critical repairs to the fort's deteriorating seawall, its masonry, and its foundations, and he worked for the construction of a new visitor center. He also introduced numerous bipartisan bills that eventually established the Star-Spangled Banner National Historic Trail as the 26th such trail in our nation.

As we know, Congress may at any time authorize placement of a commemorative work, such as naming the Center in cases where there is a compelling justification for the recognition that would permanently express the noteworthy and nationally relevant association between both the person and the site. I believe, Mr. Chair, such is the case in this instance, and passing H.R. 6826 would be both a fitting tribute to the Senator's memory, and an appropriate acknowledgment of his connection to and advocacy for this site, the state, and the nation.

And I would ask and seek, Mr. Chair, our unanimous consent that the Friends of Fort McHenry, which is the organization that has been there forever supporting it, sent a letter in to this Committee and to our delegation in enthusiastic support for this bill, and with unanimous consent I would offer it for the record.

Dr. GOSAR. Without objection, so ordered.

[The information follows:]

**Friends of Fort McHenry
Baltimore, MD**

November 16, 2023

Re: Friends of Fort McHenry—Support for the “Paul S. Sarbanes Visitor and Education Center”

Dear Members of the Maryland Congressional Delegation:

We write today to express our enthusiastic support for a proposed effort to name the visitor and education center at Fort McHenry in memory of the late Senator Paul S. Sarbanes. With our stewardship role at Fort McHenry, we were honored to have Senator Sarbanes as a tireless champion of the fort throughout his long career. In so many different ways, he helped to promote the fort's chief objectives of commemorating the events of the Battle of Baltimore while facilitating public enjoyment and understanding of the historic events and people connected with the site. For all these reasons, we urge you to advance legislation to designate the “Paul S. Sarbanes Visitor and Education Center” at Fort McHenry.

Senator Sarbanes' legacy of public service can be felt across the country, but nowhere is it stronger than at Fort McHenry, which he often described as his favorite national park. The Senator considered the site to be one of the great public gathering places in our state—a guardian of our national heritage and a key recreational and environmental resource for the residents of Baltimore.

Over decades, the Senator secured millions of dollars in federal funds to enable critical repairs to the fort's deteriorating seawall, masonry, and foundations, ensuring the site will be safe to visit for generations to come. He also envisioned Fort McHenry's inclusion in the Star-Spangled Banner National Historic Trail, championing legislation to study and eventually create a National Trail to highlight the British burning of the White House and Capitol in Washington, DC, the Battle

of Baltimore, and the bombing of Fort McHenry, which inspired Francis Scott Key's composition of "The Star-Spangled Banner."

Senator Sarbanes also worked to elevate the history of the War of 1812 in the national consciousness by introducing federal legislation to commemorate the war's bicentennial. Through his service as Vice-Chair of the Maryland War of 1812 Bicentennial Commission from 2007 to 2015, the Senator helped improve and protect relevant historic sites like Fort McHenry and coordinate public and private events to celebrate the anniversary. Finally, in the 2000's, the Senator was integral in securing the funds that enabled construction of a new visitor and education center at the fort, replacing the old visitor center from the 1960's with an ADA-compliant building that today welcomes hundreds of thousands of visitors a year as they learn about one of the defining moments in our nation's history.

The Board of the Friends of Fort McHenry, a non-profit organization dedicated to ensuring the widest possible appreciation of Fort McHenry's enduring legacy and the fort's survival as an "historic shrine" for future generations of Americans, is very grateful that Senator Sarbanes so steadfastly shared our passion and goals for the fort. We wholeheartedly believe that designating the fort's welcome center as the "Paul S. Sarbanes Visitor and Education Center" would be a fitting tribute to the Senator's life and career and serve as a permanent expression of his close association with the fort.

Best,

PATTY DOWD,
Director

Dr. GOSAR. Does the gentleman yield back?

Mr. MFUME. I do, Mr. Chair, I am sorry. Thank you for being so gracious, and allowing me to waive on to this Committee. I appreciate it.

Dr. GOSAR. We are happy to have you.

Mr. MFUME. Thank you.

Dr. GOSAR. Always a smiling face. I now recognize Representative Franklin for 5 minutes.

STATEMENT OF THE HON. SCOTT FRANKLIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. FRANKLIN. Thank you, Mr. Chairman, and I appreciate your attention to this important matter that affects the Big Cypress National Preserve and many constituents in my district. I also thank you for your Committee's willingness to consider my bipartisan bill, H.R. 8206, which would protect this preserve from Federal Government overreach in the Miccosukee Tribe's access to their sacred lands.

Before I go any further, I would like to take a brief moment to welcome Talbert Cypress, Chief of the Miccosukee Tribe, serving as our witness today. Chairman Cypress grew up on the reservation, and understands better than anyone the adverse effect a wilderness designation would have on the preserve and the Miccosukees' way of life. He has also been a great partner, and I am pleased others will have the pleasure of hearing from him today.

In the 1960s, plans emerged for the construction of an airport in the heart of the Everglades. This project promised to spur further commercial development that threatened Big Cypress. In a compromise effort to protect their region, conservationists, environmentalists, tribes, and gladesmen teamed up to lobby Congress, and the result was our nation's first national preserve, the Big Cypress National Preserve, authorized by Congress in 1974.

Representative James Haley from my state was integral in that process.

Upon designation of the Big Cypress, Congress provided the National Park Service with the authority to study the wilderness suitability of the lands. This study was completed in 1979, and concluded that there was no wilderness-suitable acreage in the Big Cypress National Preserve, but NPS vowed to restudy the preserve in the future, and in 2006 they began that process. They released the findings publicly in the Big Cypress National Preserve supplemental draft in August 2022, which proposed that Congress could designate as much as 32 percent of the Preserve as wilderness, the operative word being “could designate.”

The ambiguity in the statute, though, that the land could be eligible for wilderness designation has led the Park Service to begin managing these areas in what they like to refer to as the “little W wilderness” in the interim, as though Congress had authorized that, which is not the case. Currently, they are managing approximately 148,000 acres of land, which is 25 percent of the Preserve, as wilderness.

And a wilderness designation sounds like a beneficial thing until you really start to look into the details. This qualification creates burdensome restrictions on Federal land, including no inhabitants, no permanent structures, and no motorized vehicles whatsoever. And due to the size and geography of Big Cypress, which is essentially the size of the state of Rhode Island, limiting traffic there means the Miccosukee Tribe won’t have access to their sacred burial sites, hunters won’t be able to help manage Florida’s ongoing invasive python invasion, and gladesmen who have used the land for generations will have their access to the land severely restricted.

And my bill, H.R. 8206, would release lands in the Big Cypress National Preserve from further wilderness consideration. If the Department of the Interior decides to move forward with proposing wilderness at Big Cypress, it will be against the will of not only the Miccosukee Tribe, but also the Florida Department of Environmental Protection, the Florida Fish and Wildlife Commission, and Hendry and Collier Counties, in which the Preserve is within their boundaries.

Executive overreach like this is why many Americans are frustrated with the Federal Government. The Supreme Court seems poised to scale back, or even return some of that authority to Congress as it is looking at the Chevron deference case, and I hope they do. Congress will be required to reclaim its Title I authority and do the job it was always intended to do under the Constitution. It will require all of us to be clearer and more precise in the laws we write, and it will also expose the absurd ways the Federal Government has exploited ambiguity or wiggle room in statute to satisfy their own agendas, and much of that has come at the expense of Americans. More legislation like this will be necessary to clarify congressional intent and agency authority, and I am fairly certain Congress never intended the Park Service to have that level of authority to manage Big Cypress as a wilderness without express approval of Congress.

As an avid outdoorsman, I appreciate the need to strike a balance between conservation and public access. And in Florida, we know that often the best way to protect our state's natural beauty is to leave it in the care of those who have been charged with preserving it for generations. Agency decisions should respect the will of Congress while benefiting our cherished lands and the public's trust.

Thank you, Mr. Chairman, I yield back.

Dr. GOSAR. I thank you, Representative Franklin. I now recognize Representative Tokuda for her 5 minutes.

STATEMENT OF THE HON. JILL N. TOKUDA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF HAWAII

Ms. TOKUDA. Thank you. Chair, members of the Federal Lands Subcommittee, thank you for including H.R. 8219, my Lahaina National Heritage Area Act, in today's hearing, and mahalo for the opportunity to speak in support of this important bill.

To Subcommittee Chair Tiffany, I want to thank him personally for joining Chairman Westerman and other members of this Committee in coming out to Lahaina in the immediate aftermath of the fires to see the destruction firsthand and offer words of support and comfort to our grieving community.

On August 8, 2023, Lahaina experienced a devastating wildfire that destroyed the entire town and claimed the lives of 102 members of our community. In just a single day, centuries of history and culture were reduced to ashes, causing significant physical damage and emotional trauma that will be felt in Lahaina, on Maui, and throughout our entire state of Hawaii for generations to come.

As we approach the 1-year anniversary of the fire, debris cleanup continues and thousands of survivors remain in short-term housing, many scattered across our islands and even the continent, focused on rebuilding their lives. It is at this moment in time that we reflect on how to honor the people and places lost, and support our community in its recovery.

While this tragedy will be felt by our Hawaii ohana for generations, it compels us to reflect on Lahaina's rich cultural history and environmental beauty, elements that the wildfire could never destroy. While Lahaina has been known worldwide as a premier tourist destination, it holds a deeper historical, cultural, and ecological significance that predates its modern reputation. Lele, or Lahaina, as it has become known, has always been a place of immense historical and cultural importance, serving as the capital of the Kingdom of Hawaii and the birthplace and home to many ali'i. As we look to rebuild, it is about grounding this place in the history and heritage from which it came.

Of the 62 National Heritage Areas in the United States, none are in Hawaii. I can think of no better place to designate as Hawaii's first National Heritage Area than Lahaina. This is why I am proud to introduce the Lahaina National Heritage Area Act, which would direct the National Park Service, in consultation with state and local partners, to study the suitability and feasibility of this designation for Lahaina. Designating Lahaina as a National Heritage Area would complement and sustain community-driven efforts

being led by lineal descendants and local leaders to preserve Lele's rich history, tradition, and culture for future generations.

While I am humbled to introduce this bill, the idea and effort to recognize and protect this special place comes from those who have called Lahaina home for generations. During my visits to Lahaina following the fires, it has become customary to end my visits at Malauulu, once the home of King Kamehameha the Third, and then walk over to the birthing stones in Lahaina Harbor. Conversations held here with lineal descendants like Archie Kalepa and Keeaumoku Kapu allowed us to imagine a future where Moku'ula and Mokuhinia are restored, and Kihawahine is finally returned to her home in Lahaina.

In recognizing the significance of this bill and its sensitivity to survivors, I have personally spoken with Governor Josh Green, Mayor Richard Bissen, and local cultural practitioners. All support this bill and would be key to its execution when passed. And I would like to ask unanimous consent to enter their written testimonies into the record.

Dr. GOSAR. Without objection, so ordered.

[The information follows:]

Statement for the Record

Honorable Josh Green, M.D.
Governor of the State of Hawai'i

Statement on H.R. 8219—Lahaina National Heritage Area Act

Chairman Tiffany, Ranking Member Neguse, Members of the Subcommittee:

Mahalo for the opportunity to submit testimony on H.R. 8219, the Lahaina National Heritage Area Act. I write to you in my capacity as the Governor of the State of Hawai'i.

On August 8, 2023, strong easterly winds caused by Hurricane Dora to the south of the State of Hawai'i strengthened various wildfires across the Counties of Maui and Hawai'i. The wildfire that began in the western part of Maui Island decimated the town of Lahaina and is the deadliest wildfire in U.S. history in the last 100 years. As of today, the incident has resulted in 101 fatalities; billions of dollars are estimated to have been lost to properties, facilities, and infrastructure. Hundreds of businesses were destroyed, and hazardous environmental conditions were created as a result of the fires.

This act would help to provide cultural significance and ensure the preservation of important sites as we continue to work to rebuild Lahaina and restore its heritage.

We greatly appreciate the subcommittee's time and attention to this matter. Beginning the process of a heritage designation through a feasibility study by the Department of the Interior would provide an important step in recognition for the people and history of our state.

I would like to commend Congresswoman Tokuda for her time and dedication for Lahaina's recovery. I am grateful that this legislation was introduced by her.

Thank you for the opportunity to provide support for this meaningful piece of legislation. My administration stands ready to support the Department of the Interior with the feasibility study and will continue to work with the County of Maui, Mayor Bissen, and Congresswoman Tokuda for the people of the State of Hawai'i and Lahaina.

Statement for the Record

**Richard T. Bissen, Jr.
Mayor, County of Maui**

Statement on H.R. 8219—Lahaina National Heritage Area Act

Chairman Tiffany, Ranking Member Neguse, members of the subcommittee:

Thank you for allowing me to submit a statement on behalf of H.R. 8219, the Lahaina National Heritage Area Act. My name is Richard T. Bissen, Jr. and I have been Mayor of Maui County since January 2023. Prior to becoming mayor, I grew up, went to school, worked as a prosecutor and judge on Maui and have called it home for many years.

Eight months after taking office, the town of Lahaina on the island of Maui endured unspeakable tragedy. On August 8, 2023, wildfires spread so quickly across Lahaina that some people were unable to evacuate. Many others barely made it out or managed to survive, homes and businesses were destroyed.

In total, 101 people died from the fires. Our beloved Front Street, home to local businesses and a centerpiece of the memories of many who have visited our island, is no longer recognizable. So much of what we had is now gone, but we have started to recover and figure out what it will take to rebuild and restore Lahaina for its new future.

One thing the fires could not take away is the historic and cultural importance of Lahaina. Lahaina was once the capital city of the Kingdom of Hawaii and served as the center of government for 50 years. Lahaina served as the residence of King Kamehameha I for decades and was where kings and queens were buried. Its harbor was the cornerstone of whaling and fishing for the Hawaiian Islands. Lahaina also served as the location for so many firsts, such as the first high school west of the Rocky Mountains and the first lit navigation tower.

I can think of no better place to be the first National Heritage Area in the State of Hawaii.

This designation would provide critical assistance to bring back important sites and help highlight the cultural significance of so many locations throughout Lahaina. This will not only help us in our efforts to rebuild and bring back Lahaina, but it is also a clear testament to Lahaina's rich heritage and a recognition of its importance to our people, our history, and to Hawaii.

H.R. 8219, the Lahaina National Heritage Area Act would begin the process of this designation by initiating a feasibility study to be conducted by the Department of Interior. If this designation is approved in the future, the County of Maui stands ready to administer and support accordingly. I wholeheartedly support its passage and thank Congresswoman Tokuda for her all her time and attention toward Lahaina's recovery and for introducing this legislation.

Thank you for the opportunity to testify in support of H.R. 8219. I look forward to the advancement of this bill and I am happy to answer any questions the subcommittee may have.

Statement for the Record

**Mr. Ke'eaumoku Kapu
Cultural Program Coordinator, Na'Aikane o Maui Community Foundation**

Statement on H.R. 8219—Lahaina National Heritage Area Act

Chairman Tiffany, Ranking Member Neguse, members of the subcommittee:

My name is Ke'eaumoku Kapu, a lifelong Native Hawaiian cultural practitioner and the cultural program coordinator at the Na'Aikane o Maui Community Foundation. Since 2011, our organization has been dedicated to helping guide Lahaina's future generations with our traditional knowledge and practices.

I also serve as chair of the Native Hawaiian Historic Preservation Council of the State of Hawaii's Office of Hawaiian Affairs. Our role is to perpetuate the cultural identity of Native Hawaiian people through responsible stewardship of our traditions, practices, values, and cultural and historic resources.

West Maui has been the ancestral home of my family for generations. To the hills east of Lahaina lies the Kaua'ula Valley in which you can find the plot of land that my ancestors were awarded in the Great Mahele, which introduced private property ownership to Hawaii for the first time in our history. Doing so separated many

Native Hawaiians from the ancestral lands they lived on, including my own family. Reclaiming this land where my family and I now live has been a decades-long journey, but it shows how deeply we are tied as a people to the 'aina.

That is why I am proud to testify in support of Representative Jill Tokuda's bill, H.R. 8219, the Lahaina National Heritage Area Act. For kanaka maoli like me whose ties to West Maui span generations, Lahaina has long been a spiritual and cultural capital for our people, even as it was transformed from wetlands into sugar plantations and then into the famous tourist hub it was for most of my life.

The fires last August changed everything. Our Na'Aikane o Maui Cultural Center on Front Street was among the thousands of buildings we lost. With it, hundreds of artifacts documenting the history of our people were lost, including traditional feathered capes, historical maps, and old land deeds that could have helped other Native Hawaiian families reclaim their ancestral lands.

Despite all this loss, the work of Na'Aikane o Maui in protecting our culture and traditions will not cease. We will rebuild and continue our work. In the meantime, I have been focused on supporting our local people and serving as a cultural advisor to our federal and state relief and recovery efforts.

The fires have given us a new opportunity to rebuild and restore Lahaina in a way that reflects its rich history and cultural heritage. The community has rallied around the restoration of Moku'ula, a sacred island once surrounded by the freshwater pond Loko o Mokuhinia and formerly the site of King Kamehameha III's royal palace, that has long been buried.

Establishing a National Heritage Area for Lahaina would go a long way in supporting the community's efforts to preserve and protect this place that is central to our history and culture, especially after the fires last August. There is already a community-driven effort to accomplish this, and the National Heritage Area designation would help tell the important stories that Lahaina has to share with the rest of Hawai'i, the United States, and the world.

Thank you for the opportunity to provide written testimony in support of H.R. 8219. I would be pleased to answer any additional questions the subcommittee may have on this bill.

Ms. TOKUDA. Thank you, Mr. Chair.

I want to also thank them for their testimony and support of this designation.

I also would like to thank my colleagues who co-sponsored this bill, especially members of this Natural Resources Committee, including Ranking Member Neguse and Congressmen LaMalfa, Huffman, Sablan, and Case. Your support is deeply appreciated. Mahalo.

Lastly, I want to thank the National Park Service, which has truly created a first-of-its-kind national model for cultural consultation throughout the cleanup and recovery process in Lahaina. The steps they have taken to meaningfully engage with the local Native Hawaiian community and incorporate the community's traditional practices in their plans has given me confidence in their ability to effectively implement this study with the kind of respect and honor that Native Hawaiians and other Indigenous people deserve.

I hope this bill is the very first step in ensuring that Lahaina finally gets the recognition that she has long deserved. Thank you, Mr. Chair, and I yield back.

Dr. GOSAR. I thank the gentlelady. I will now recognize the Chairman of Miccosukee Tribe of the Indians of Florida.

Chairman Cypress, you have 5 minutes. Thank you.

**STATEMENT OF THE HON. TALBERT CYPRESS, CHAIRMAN,
MICCOSUKEE TRIBE OF INDIANS OF FLORIDA, MIAMI,
FLORIDA**

Mr. CYPRESS. Good morning, Chair, Ranking Member, and members of the Subcommittee. Thank you for the opportunity to appear before you today. I am Talbert Cypress, Chairman of the Miccosukee Tribe of Indians of Florida, the federally recognized tribe in the heart of the Everglades and Big Cypress National Preserve. I appreciate the opportunity today to discuss the importance of the Big Cypress National Preserve to the Miccosukee people, and how wilderness designations in the Preserve threaten our way of life.

The Miccosukee Tribe supports H.R. 8206, which would prevent the Big Cypress National Preserve from being designated as wilderness. The impact of wilderness designations too often is to dispossess Native people of their lands in the name of conservation. That is because the Wilderness Act is designed to prevent occupancy, permanent improvements, or mechanized vehicle usage on designated lands. As a result, Natives still living on traditional lands have been removed, harassed, and convicted of crimes related to their traditional practices under the Wilderness Act.

The Wilderness Act must not be applied to the Big Cypress National Preserve, ever. By preventing a wilderness designation we can ensure that Big Cypress will continue to serve the purposes for which it was created, with Indigenous inhabitants to steward its lands, access for the public to experience its abundance and beauty, and effective management of invasive and exotic species.

Big Cypress is home to the Miccosukee and Seminole people. There are 15 remaining traditional Miccosukee and Seminole villages in Big Cypress National Preserve, as well as several ceremonial grounds, burial grounds, and gathering sites in every park unit within the Preserve. We live in Big Cypress, and our ancestors fought and died there. They are buried there. The Big Cypress is a part of us, and we are a part of it.

Our ancestors taught us and we teach our children that it is the duty of every Miccosukee to preserve and protect our lands. To that end, we are involved in multiple projects to protect, preserve, and restore our ancestral lands. We are finally in the driver's seat, and our voice is at the center of Everglades restoration. By placing a legal obstacle between tribes and their rights to use and occupy ancestral lands, the government will pose an impossible choice: complying with restrictions that impede our ability to use and manage our ancestral lands, or risk prosecution and incarceration.

Application of the Wilderness Act to the Big Cypress can prevent motorized access by Miccosukee tribal members to their ancestral lands, large gatherings at our sacred ceremonial grounds in the Big Cypress, and can prevent adequate management of the invasive pythons and tree species that threaten the ecosystems within the Big Cypress.

More fundamentally, a wilderness designation hinders our ability to influence the management of these lands and threatens to obstruct our traditional religious observance and way of life. Our children will not be able to enjoy the fruits of their ancestral lands, they will not see her beauty up close, we will not be able to harvest

our medicine, we will not be able to bury our dead traditionally. Our annual religious ceremonies will only continue on Federal lands if we violate Federal law. That is injustice, and does not reflect the highest ideals of the United States in the 21st century of fulfilling promises made to sovereign tribes.

The Big Cypress is the sacred land of the Miccosukee. This is our home and our responsibility. Don't just force regulation and designations on my people. Follow our lead, permit us to guide you to the right path forward in the Big Cypress, our home. Through all of this, I am still optimistic that the Tribe, Congress, and the Park Service can do what is right for the Everglades and our sacred land. But designating or proposing to designate any part of the Big Cypress as wilderness is not the answer.

I truly appreciate the opportunity to address this Subcommittee and thank you for your support that you have shown to tribes and their sovereignty. I look forward to any questions you may have.

[The prepared statement of Mr. Cypress follows:]

PREPARED STATEMENT OF TALBERT H. CYPRESS, CHAIRMAN, MICCOSUKEE TRIBE OF INDIANS OF FLORIDA
ON H.R. 8206

Good morning, Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to appear before you today. I am Talbert H. Cypress, Chairman of the Miccosukee Tribe of Indians of Florida, a federally-recognized tribe located in the heart of the Everglades and Big Cypress National Preserve. I appreciate the opportunity to discuss the importance of the Big Cypress National Preserve to the Miccosukee people and how wilderness designations in this Preserve would fundamentally alter our way of life.

The views expressed herein are those of the Miccosukee Tribe, a sovereign tribe recognized pursuant to the Indian Reorganization Act of 1934.

We support H.R. 8206, which would prevent Big Cypress National Preserve from being designated as wilderness. While wilderness designations are in theory designed as conservation tools, they have developed a troubling history with respect to their impact on Indigenous peoples. Wilderness designations have plagued Indian Country ever since the passage of the Wilderness Act of 1964. The impact of wilderness designations, too often, is to dispossess native people of their lands in the name of conservation. That is because the Wilderness Act is designed to prevent occupancy, permanent improvements, or mechanized vehicle usage on designated lands. As a result, Natives still living on traditional lands have been removed, harassed, and convicted of crimes related to their traditional practices under the Wilderness Act. Big Cypress National Preserve is one of the few places in the nation where Tribal rights reserved by treaty or statute are in conflict with a proposed wilderness designation.

The Tribe supports H.R. 8206, which would prevent the Wilderness Act from being applied in the Big Cypress. The Wilderness Act must not be applied to the Big Cypress National Preserve, ever. Big Cypress, occupying an area larger than the State of Rhode Island, was created as the nation's first multi-use preserve. Congress's intent was to allow for uses that would be prohibited in typical National Parks. The essential reasons for creating a multi-use Preserve are in complete tension with the limited uses allowed in wilderness areas. By preventing a wilderness designation, we can ensure that Big Cypress will continue to be serve the purposes for which it was created, with indigenous inhabitants to steward its lands; access for the public to experience its abundance and beauty; and effective management of invasive and exotic species.

Big Cypress is home for Native American People

There are 15 remaining traditional Miccosukee and Seminole villages in Big Cypress National Preserve, as well as several ceremonial grounds, burial grounds and gathering sites in every park unit within the Preserve. We live here. Our ancestors fought and died here. They are buried here. The Big Cypress is part of us and we are a part of it. The 1974 Enabling Legislation of Big Cypress National Preserve recognizes this history, providing that "members of the Miccosukee Tribe of Indians

of Florida and members of the Seminole Tribe of Florida shall be permitted, subject to reasonable regulations established by the Secretary, to continue their usual and customary use and occupancy of Federal or federally acquired lands and waters within the preserve and the Addition, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials.” Public Law 93-440 (Oct. 11, 1974).

Our ancestors determined that it is the duty of every tribal member to preserve and protect our lands. To that end, we are leading or partnered on multiple projects to protect, preserve, and restore our ancestral lands. We are negotiating a co-management agreement with the National Park Service so that we can police the entire Preserve, protect it from poachers and polluters, and provide support for the enforcement of Preserve regulations. We are also working with the Army Corps of Engineers to rehydrate the Western Everglades, including parts of the Big Cypress National Preserve through the Comprehensive Everglades Restoration Plan (CERP). We are finally in the driver’s seat.

Now, the National Park Service is proposing a 147,000–192,000-acre wilderness designation on top of the Miccosukee Tribe of Indians and Seminole Tribe of Florida’s reserved rights within Big Cypress National Preserve. We have been forced to gather the support of several other tribes and Native non-profits to oppose this taking of tribal rights. Nevertheless, we fear that the National Park Service is now awaiting an opportune political moment to utilize the Wilderness Act to erode Miccosukee tribal sovereignty.

Miccosukee have seen this before

It should come as no surprise that the Miccosukee experience with federal policy surrounding our homelands has been, historically, negative and rife with prejudice. For example, a 99,000-acre reservation in Monroe County, granted to the Miccosukee, was revoked when Everglades National Park was created. The Tribe no longer has hunting and fishing rights within Everglades National Park and must *get permission* to access historic tree islands within the Park for religious, cultural, or burial purposes. In Everglades National Park, we rely on the charity and good grace of the federal government. We understand and appreciate the trust responsibility that continues to be honored, but we are cognizant of the fact that shifts in society, policy, the law of the land, or even a new Superintendent can threaten our way of life.

This is what is at stake in Big Cypress for Miccosukee. This is what a Wilderness Designation can affect. Wilderness is a threat to tribal sovereignty because the plain language of the statute prohibits “permanent improvement,” human habitation, and requires the federal government to make “the imprint of man’s work substantially unnoticeable.” The Miccosukee experience tells us that we shape the land, we live within it, and we should make it better with our lives for future generations.

This is why we see the Wilderness Act’s statutory framework as being in direct conflict with our way of life: instead of relying on tribal knowledge and resources to ensure that land can continue to be managed and used in accordance with the traditional ways, a wilderness designation seeks to separate land from its Indigenous stewards.

Wilderness isn’t always good for tribes or for conservation: Examples of Legal Conflicts in other Park Units

Placing a legal obstacle between tribes and their rights to use and occupy ancestral lands means that tribal members face an impossible choice: complying with restrictions that impede their ability to use and manage their ancestral lands, or risking prosecution.

This isn’t just conjecture. Federal courts have grappled with these very issues before, and the rulings have not come down in favor of tribes. Federal courts have created a “minimum requirements test” that has a very narrow allowance for any deviation from the black letter standards of the Wilderness Act. In *United States v. Gotchnik*, 222 F.3d 506 (8th Cir. 2000), two members of the Bois Forte Band of Chippewa Indians were prosecuted for using motorized vehicles to cross wilderness areas to exercise their treaty-protected rights to tribal fishing waters. They were tried and convicted.

Relatedly, wilderness designations have in some cases been used by environmental groups as tools to prevent agencies from taking actions to save species or adequately manage invasive species. In *Wilderness Watch v. U.S. Fish and Wildlife*, 629 F.3d 1024 (9th Cir. 2010), the U.S. Fish & Wildlife Service built two water tanks on Wilderness lands to help save the Bighorn Sheep population from severe drought in Kofa National Wildlife Refuge. The Ninth Circuit rejected the adequacy

of the Service's analysis and deemed the tanks in potential violation of the Wilderness Act without further justification by the Service.

Negotiations or accords do not reliably yield adequate accommodations for tribes when attempted. The Ramah District of Navajo Nation entered into an agreement with the Bureau of Land Management to access their ancestral lands at El Malpais National Conservation Area attempting to comply with the minimum requirements test set by federal courts related to wilderness lands. This agreement allowed tribal citizens to use a vehicle on the outer perimeter of the area but limited the times of year for potential access, prohibited large gatherings of tribal citizens, and required *permission* from Bureau of Land Management staff to access their ancestral lands. The federal land manager reported that the Ramah Navajo did not request access to El Malpais for their ceremonies for 12 years after this narrow and restrictive agreement was reached.¹

Wilderness designation applied to the Big Cypress threatens all of these harms to Miccosukee and the environment

There have been assurances from the National Park Service and from the administration that their application of the Wilderness Act would not affect tribal rights to use and occupancy guaranteed to the Miccosukee and Seminole Tribe in the Big Cypress enacting legislation. But the National Park Service's policies on wilderness state that special management protocols start early in the process of considering an area for designation as wilderness. According to National Park Service Director Order #41, "[t]hroughout the study process, eligible lands continue to be managed to preserve their eligibility for designation by protecting their wilderness character," and we would anticipate that this policy would support many more restrictions on tribal activity in Big Cypress than are in place today in order to create the conditions required for a wilderness designation.

We fear that application of the Wilderness Act to the Big Cypress would prevent motorized access by Miccosukee tribal members to their ancestral lands. We fear that wilderness will prevent continued large gatherings at our sacred ceremonial grounds in the Big Cypress. We fear that wilderness will prevent adequate management of the invasive pythons that permeate Big Cypress wetlands and hammocks. We fear that wilderness will prevent the Miccosukee, the State of Florida, and federal agencies from addressing invasive and exotic flora (e.g. Brazilian Pepper, Melaleuca) which covered more than half the Preserve in the 1990s and have only been pushed back by mechanical means, resulting in an altered ecosystem within the Big Cypress and thwarting the progress made to stop their spread over the last 50 years.

More fundamentally, our concern with a wilderness designation is that it hinders our ability to influence management of these lands, and threatens to obstruct our traditional religious observance and way of life. Our children will not be able to enjoy the fruits of their ancestral lands. They will not see her beauty up close; we will not be able to harvest our medicine, and we will not be able to bury our dead traditionally. Our annual religious festivals will only continue on federal lands if we violate federal law. That is injustice and does not reflect the highest ideals of the United States in the 21st century of fulfilling promises made to sovereign tribes.

This is the sacred land of the Miccosukee, this is our home, this is our responsibility. Don't just force regulation and designations on my people, follow our lead. Permit us to guide you to the right path forward in the Big Cypress.

Conclusion

I am optimistic that the Tribe, Congress, and the Park Service can continue to do what's right for our Mother Everglades and our sacred land, the Big Cypress. But designating, or proposing to designate, any part of the Big Cypress as wilderness is not the right answer.

I truly appreciate the opportunity to address this Subcommittee and thank you for the support you have shown to tribes and their sovereignty. I look forward to any questions you may have.

¹Kathryn M. Mutz & Doug Cannon, El Malpais Area: National Monument, National Conservation Area and the West Malpais and Cebolla Wilderness Area, 31-32 (Nat. Res. L. Ctr., Univ. Colo. Sch. L. 2005) (quoting Personal communication with Ken Jones, El Malpais NCA Manager (Feb. 11, 2005).

Dr. GOSAR. Thank you very much, Chairman Cypress. I now recognize Justin Lemoine, the Executive Director of the, I am going to try to get this right, Atchafalaya National Heritage Area.

Mr. Lemoine, you now have 5 minutes.

**STATEMENT OF JUSTIN LEMOINE, EXECUTIVE DIRECTOR,
ATCHAFALAYA NATIONAL HERITAGE AREA, BATON ROUGE,
LOUISIANA**

Mr. LEMOINE. Good morning, members of the Subcommittee. My name is Justin Lemoine. I am the Executive Director of the Atchafalaya National Heritage Area.

I want to thank Congressman Scalise for introducing H.R. 6843, and for his ongoing support of our heritage area program.

I am respectfully submitting this testimony to support expanding the boundaries of the Atchafalaya National Heritage Area to include Lafourche Parish.

Lafourche Parish leadership approached our staff in 2021 with the desire to expand the boundary of our heritage area to include their parish, as it was not included in the original 2006 legislation. Lafourche is the only parish through which Bayou Lafourche flows that is not included in the heritage area. Bayou Lafourche represents the eastern boundary of the historic Atchafalaya Basin. This effort is supported by Lafourche Parish Government; Nicholls State University; our governing body, the Atchafalaya Trace Commission; the Louisiana Landowners Association; the office of Lieutenant Governor Billy Nungesser; many private entities, community groups, and all of the cities and towns within the parish.

Our program is housed within the Louisiana Department of Culture, Recreation, and Tourism, and works closely with the Offices of Tourism, Parks, and Cultural Development. We also work very closely with the State's Coastal Protection and Restoration Authority, Louisiana Economic Development, the Department of Education, the National Park Service, public universities, and many local municipalities throughout our 14 parishes.

Our work annually leverages the Federal investment at well above the one-to-one required match. The program provides technical and financial assistance to local communities, and helps to lead efforts related to cultural interpretation, environmental stewardship, recreation enhancement, historic preservation, and strengthening the region's identity. Our 14 parishes in south central Louisiana began at the confluence of the Mississippi and Red Rivers, where 41 percent of the waters in North America drain. From there, the Atchafalaya winds south through the Acadiana region, paralleling the Mississippi River as it heads to the Gulf of Mexico. Like the Atchafalaya River, Bayou Lafourche is also a tributary of the Mississippi River.

The heritage area is comprised of four regions: the upper; the area between two rivers; the Bayou Teche Corridor; and finally, the coastal region. If this legislation is passed, Lafourche Parish will join the parishes of Saint Mary, Assumption, Terrebonne, and the coastal region. Lafourche covers most of the length of Bayou Lafourche, and abuts immediately Ascension and Terrebonne Parishes and the Gulf of Mexico. It was originally the northern part of Lafourche Interior Parish which consisted of the present-

day parishes of Lafourche and Terrebonne. The parish is tied closely to Assumption and Ascension parishes, both culturally and physically, through its connection with the Bayou Lafourche.

The Fresh Water District manages water quality, accessibility, drinking water, and agricultural supplies, and much more, while the friends group raises awareness and importance of Bayou Lafourche and its revitalization through education, outreach, and recreation improvements. ANHA has a long-standing partnership with both organizations in Assumption and Ascension Parishes, and hopes to continue that work through Lafourche Parish.

The heritage area is a partner in the recently-designated-by-NOAA Estuarine Research Reserve, with partners like the University of Louisiana at Lafayette and LUMCON, the Louisiana Marine Consortium of Universities. Nicholls State University, a university in Lafourche Parish, would be an addition to that team, and the Atchafalaya Heritage Area Program would be a foundational partner in this network for education and interpretation of this habitat and its connection to our culture.

Lafourche Parish and its many cultural and natural assets weave together with Terrebonne, Assumption, Ascension, and the other heritage area parishes to preserve and promote the authentic and important regional culture. The addition of Lafourche Parish, a region that so fully honors our water story and our French language cultural themes throughout the entire Atchafalaya National Heritage Area, would allow the program to tell a more complete story of this unique piece of the nation's history. Thank you.

[The prepared statement of Mr. Lemoine follows:]

PREPARED STATEMENT OF JUSTIN K. LEMOINE, EXECUTIVE DIRECTOR, ATCHAFALAYA NATIONAL HERITAGE AREA

ON H.R. 6843

Chairman Westerman, Ranking Member Grijalva, Subcommittee Chairman Tiffany, Vice Chairman Curtis, and other distinguished members of the Subcommittee, my name is Justin Lemoine, and I am the Executive Director of the Atchafalaya National Heritage Area (ANHA), a nationally significant landscape stretching from the confluence of the Mississippi and Red Rivers in Central Louisiana to the Gulf of Mexico at Morgan City.

Your past and continued support of the National Heritage Area program is greatly appreciated. I am respectfully submitting testimony to support H.R. 6843, To expand the boundaries of the Atchafalaya National Heritage Area to include Lafourche Parish, Louisiana introduced by Representative Steve Scalise. S. 3542, a companion bill, has been introduced by Senator Bill Cassidy.

Constituents of Lafourche Parish approached Atchafalaya National Heritage Area staff in 2021 with a desire to expand the boundary of the heritage area to include the region as, though physically and culturally connected to the heritage area, it was not included in the original 2006 enabling legislation. A review by ANHA staff revealed that Lafourche is the only parish through which Bayou Lafourche flows that is not included in the heritage area. Bayou Lafourche represents the eastern boundary of the historic Atchafalaya Basin. The Louisiana Landowners Association, Lafourche Parish Government, Nicholls State University, the Atchafalaya Trace Commission (governing body of the Atchafalaya National Heritage Area), the Office of Lieutenant Governor Billy Nungesser, private entities, community groups, and the cities and towns within Lafourche Parish have offered support of this boundary expansion legislation.

Atchafalaya National Heritage Area Overview

The Atchafalaya National Heritage Area (ANHA) program is housed within the Louisiana Office of Cultural Development, an office of the Louisiana Department of Culture, Recreation and Tourism. The ANHA program works closely with the Office

of Tourism, the Office of State Parks, and the many divisions within the Office of Cultural Development to amplify their work and fulfill the ANHA program's goals of supporting cultural, natural, and recreational resource preservation and enhancement. Outside of its state agency, ANHA also works closely with the state's Coastal Protection and Restoration Authority, Louisiana Economic Development, the Louisiana Department of Education, and other state agencies, local municipalities, and public educational institutions in fulfillment of its mission. ANHA's work annually leverages the federal investment at well above the 1:1 match requirement. Since its authorization, the program has provided technical and financial assistance to local communities throughout its parishes and helped to lead efforts related to cultural interpretation, environmental stewardship, recreation enhancement, historic preservation, and strengthening the region's identity.

The ANHA is comprised of 14 parishes in south central Louisiana. The heritage area was first conceptualized as a driving loop called the Atchafalaya Trace with a path looping around the Atchafalaya Basin floodway. This path would highlight this signature water resource and its role in the region's culture and economy. In the late 1990s, the Louisiana legislature designated the Atchafalaya Trace as a state heritage area. With broad local and state support, in 2006 the Atchafalaya National Heritage Area was designated by Congress.

As the namesake of the heritage area, the Atchafalaya River and Basin is the centerpiece of a region whose extensive network of waterways strongly influence the region's culture and identity. South Louisiana's water story is a core theme of the ANHA program. Those who called the region home throughout history cultivated and continue to nourish a unique culture along these waterways. Often identified by the popular terms 'Cajun' and 'Creole,' the regional identity is a result of the intersection of Native American, African, European, Caribbean, and Acadian exiles whose language and traditions come together in this dynamic alluvial region. The strong language influence of these cultures developed the local Louisiana French dialect and the Kouri-Vini languages. Woven with other regional cultural characteristics, like the food and music, and this area has earned its moniker 'America's Foreign Country.'

The Geographical History of the Heritage Area

At its northern end, the heritage area begins with the Mississippi River delta and the historic confluence of the Mississippi and Red Rivers. From there, the Atchafalaya River winds through the Acadiana region, paralleling the Mississippi River as it winds south to the Gulf of Mexico at Morgan City. This southern portion of the heritage area is often called Bayou Country. Like the Atchafalaya River, Bayou Lafourche is also a distributary of the Mississippi River. This key waterway, a former path of the Mississippi River, has historically been used for commercial and recreational navigation. Bayou Lafourche also provides clean drinking water to thousands in the region and serves the agricultural economy. The bayou contributes to marsh nourishment and land building along Louisiana's delicate coastline thanks to the sediment and nutrient-laden waters it receives from the Mississippi River at Donaldsonville.

At the junction of the Mississippi, Red, and Atchafalaya Rivers, the U.S. Army Corps of Engineers built the Old River Control Complex for flood mitigation. Built over the course of nearly half a century, this 5-structure complex was intended to stabilize the Mississippi River's path and maintain regional navigation for commercial shipping vessels. If not for the construction of this complex in the 20th century, the Mississippi River would most certainly have changed courses from its current path to that of the Atchafalaya River, bypassing major port cities of Baton Rouge and New Orleans and adversely impacting commerce and industry for the entire central United States.

The complexity of the Atchafalaya Basin's water story goes further back in time and includes the history of Louisiana's native peoples, early European settlers' use of it for navigation, and ultimately the ongoing fight for flood control. This fight began as efforts of individual property owners, then local and state entities. After the Flood of 1927, Congress mandated flood control and mitigation as the responsibility of the U.S. Army Corps of Engineers. The continued efforts to manage the Mississippi River and its many tributaries and distributaries help to ensure that the lands in the states along their many courses are inhabitable and that their fertile delta soils are a productive part of the United States' robust agricultural economy.

After decades of public input, the U.S. Congress and the Corps transformed the largest freshwater swamp in North America, the Atchafalaya Basin. What was once an area that stretched from Bayou Teche on the west to Bayou Lafourche on the east was now a fraction of its original size. This new floodway became a critical

component of the USACE's efforts to control flooding along the Mississippi and Red Rivers which drain 41% of the continental US.

The Regions of the Heritage Area

The Atchafalaya National Heritage Area is comprised of four regions: the Upper Region, the Area Between Two Rivers, the Bayou Teche Corridor, and the Coastal Region. Each region's relationship to water is based upon its location along the Atchafalaya's varied hydrologic system.

The Upper Region, which forms the beginning of the ANHA, includes the parishes of Concordia, Avoyelles, and Pointe Coupee. Concordia Parish, the northernmost point of the Upper Region, has rivers on three sides that merge into one river. The parish is contained within levee borders except for one side and has 300 miles of waterbodies surrounding it. Lakes and rivers provide an abundance of water sports and recreation while wildlife refuges make hunting and fishing popular. Fertile, rich soil makes agriculture, music, historical agricultural homesites, and museums the area's main attractions. Vidalia sits on the banks of the Mississippi River.

Avoyelles Parish is south of Concordia Parish and contains the banks of the old Mississippi River channel. Avoyelles Parish is home to Grand Cote National Wildlife Refuge, Lake Ophelia National Wildlife Refuge, Spring Bayou Wildlife Management Area, and other public lands. ANHA's work in Avoyelles includes recreation improvements for paddle access within public lands and creative placemaking initiatives in the form of public art. The area was originally settled in 300 BC and today is known for its traditions in music, food, and culture. Native Americans play a significant role in this area evidenced by the presence of three large pre-historic burial mounds. The parish is home to the federally recognized Tunica-Biloxi Tribe of Louisiana.

Pointe Coupee Parish is home to one of the oldest settlements in the Mississippi River Valley and enjoys Creole culture at its finest. False River, a lake located in the parish, is an example of an oxbow lake formed when the Mississippi changed its course and cut off its former path. The landscape in Pointe Coupee consists of prairies and back swamp and also includes the Atchafalaya National Wildlife Refuge. It is the physical location of the Morganza Spillway, one of the main control systems the Army Corps of Engineers has in place to handle major flooding. It is designed to divert water during floods from the Mississippi River to the Atchafalaya Basin. The Morganza Spillway is a human-made structure designed to prevent the Mississippi River from forming a new channel to the Gulf of Mexico via the Atchafalaya River. Here, ANHA interprets the water story through a series of interpretive kiosks and supports community festivals and events.

The **Between Two Rivers** region consists of four parishes: East Baton Rouge, West Baton Rouge, Ascension, and Iberville. The Baton Rouge parishes were originally settled in 8000 BC. These parishes were home to the Houmas and Bayougoula tribes. Baton Rouge, the capital of Louisiana, is in East Baton Rouge Parish, and it is also home to a state rural life museum, Louisiana State University, and Southern University.

Across the river, West Baton Rouge Parish is home to the Cinclare Plantation Historic District, a sugar cane mill with a town of its own, and Port Allen. In Port Allen, you will find the Port Allen Lock which connects the Mississippi River to the Intracoastal Waterway. It also has several sites of interest including the West Baton Rouge Museum, the city of Port Allen Railroad Depot, Mississippi Riverfront Development, Scott's Cemetery, and the Port of Greater Baton Rouge.

Iberville Parish is a rural parish that is emblematic of humans living in harmony with the natural environment. Waterways are a dominant theme in the parish. The Atchafalaya National Wildlife Refuge is found in Iberville parish as well as the Mississippi River, bayous, and entrances to the 800,000 acres of the Atchafalaya Basin. Here, ANHA has partnered with community groups to host cultural festivals, develop multi-use cultural museums, and enhance outdoor recreation.

Ascension Parish covers over 300 square miles and spans both banks of the Mississippi River. Several Native American tribes settled in this area as hunters and farmers. They were known to use pottery, baskets, and ceramics. Later, they were joined by the Acadians from Nova Scotia who were exiled and eventually settled in this part of the region. These groups were joined by many diverse settlers, such as French, Italian, Spanish, German, African, and English, to name a few. Once again, traditions melded together to create the rich Cajun culture of the area.

The **Bayou Teche Corridor** consists of four parishes: St. Landry, St. Martin, Iberia, and Lafayette. St. Landry Parish has a long history dating back to pre-historic times. Two distinct Native American tribes, the Appaloussa, and the

Attakapas, lived between the Atchafalaya and Sabine Rivers. This area later became home to Acadians, French, Spanish, Caribbean, French Creoles, Spanish Creoles, and Africans. In 1805, it was established as the largest parish in Louisiana but later was divided into six parishes that include Calcasieu, Evangeline, Jeff Davis, Beauregard, and Allen. Nationally protected areas in St. Landry Parish are the Atchafalaya National Wildlife Refuge and the Jean Lafitte National Historical Park Site. ANHA partners with cultural organizations to preserve the area's unique Zydeco and Cajun music assets and native plant groups to interpret the delicate Cajun prairie ecosystem.

St. Martin Parish is unique in that it has three distinct geographical areas—the Atchafalaya Basin, the prairie, and the Bayou Teche area. St. Martin Parish reflects the beauty of nature in its bald cypress trees, oak trees, moss, sugarcane fields, low-lying swamp, and endless environment of lakes and rivers. “Evangeline” by Henry Wadsworth Longfellow, tells of a young woman sitting on the banks of Bayou Teche. The ANHA program has helped to interpret the story of Evangeline while helping to preserve historic sites and enhance access to cultural resources within the parish.

Originally settled by the Spanish, Iberia Parish is known for its Cajun, Creole, and Asian cuisine. It also has several tourist attractions such as tropical tours on tranquil islands, swamp tours, stately home tours, outdoor sport and recreation options, the famous Tabasco factory tours, festivals, fais do do street dances, fishing rodeos, cook-offs, and much more.

Concluding the Bayou Teche Corridor parishes is Lafayette Parish, the smallest parish in Louisiana. The French-speaking Acadians and Creoles of African, West Indian, and European descent settled in this area and brought their Roman Catholic belief system. Lafayette is the heart of Acadiana and the Cajun and Creole cultures are its lifeblood. It is a place where music, dance, love of family, storytelling, food, and joie de vivre reign supreme. Lafayette is a place that reflects the past through the present with beautiful scenery and a culture that lives on but adapts to the challenges of each season with strength and a determination to survive. Lafayette is also the home of the University of Louisiana at Lafayette (ULL). Here, ANHA partners with the Center for Louisiana Studies at ULL to compile the stories that make up Louisiana's cumulative history and ensure that resources are available in person and print for generations to come.

The parishes of St. Mary, Assumption, and Terrebonne make up the **Coastal Region**. St. Mary Parish is 613 square miles of land and 506 square miles of water and is recognized as a gateway to the Atchafalaya Basin. This parish is also home to Bayou Teche and the Bayou Teche National Wildlife Refuge. The earliest settlers of the coastal region were the Chitimacha Tribe who settled near the area bayous. Their name means “people of many waters.” Their diet consisted of corn for hominy meal, fish, wild game, and shellfish of the area. The tribe is well-known for its baskets made with wild cane reed dyed naturally and woven into geometric designs. Today the reservation encompasses 283 acres of land with 350 tribal members. Other groups that settled in this parish were Dutch, English, Acadians, German, Danish, and Irish. The numerous sugar plantations and sugar mills made this area an important sugar port. The sugar industry continues to thrive today through modern agricultural practices. St. Mary Parish has also been a vital source of shrimp, fish, seafood processing, salt, boat building, oil, gas, carbon black, and was once home to the world's largest cypress sawmill.

Assumption Parish has natural waterways that connect the Mississippi Industrial Corridor to the north and the Gulf of Mexico in the south, while also providing a gateway to the Atchafalaya Basin. Assumption Parish is known for its rivers, bayous, sugar, agriculture, estuaries, scenery, recreation, historic communities, agricultural industry, and ties to the French and Spanish cultures. The Louisiana French language is still spoken throughout the parish and will be a feature of a new interpretive center in development by local community champions through a partnership with ANHA.

Terrebonne Parish is the second largest parish in Louisiana and its entire southern coast is on the Gulf of Mexico. Over ninety percent of the parish is wetlands or open water. The parish is home to the Mandalay National Wildlife Refuge and Terrebonne Bay, as well as many bayous and waterways including the Intra-coastal Waterway. The inhabitants of Terrebonne, like those of neighboring Lafourche, have always lived on what nature provided. Terrebonne oysters are known internationally as some of the finest oysters in the world. Seafood (20 percent of all Louisiana seafood), wildlife (hunting and trapping), sugar cane, sugar mills, fur trading, logging, and oil and gas have long provided a livelihood for the residents. Terrebonne Parish is recognized as being a gateway port for one of the heaviest concentrations of offshore oil service companies in the state. The Houmas tribe were some of the first settlers in this area, followed by the Acadians (exiled

French colonists) and the Spanish. The authentic Acadian culture, diverse environment, wildlife, agriculture, historic homesteads, seafood, natural mineral resources, and unique location offer many educational, recreational, and economic opportunities in today's world.

Lafourche Parish

Lafourche Parish covers nearly all the length of Bayou Lafourche and immediately abuts Assumption and Terrebonne parishes and the Gulf of Mexico. Early European settlers explored the waterway known as "LaFourche Des Chetimachas," the fork of the Chitimachas, which was eventually shortened to "Lafourche," hence the name of the parish and the bayou that bisects it. The parish is located within the Barataria and Terrebonne estuaries. Bayou Lafourche, or Fork Bayou, is a tributary of the Mississippi River. Lafourche has 1,068 square miles of land area and 406 square miles of open water and is the eighth-largest parish in Louisiana by total area. It was originally the northern part of Lafourche Interior Parish, which consisted of the present parishes of Lafourche and Terrebonne.

Louisiana's coastal parishes house a wealth of economic industries ranging from oil and gas to seafood to water-based recreation and hunting. Lafourche Parish is home to many public waters and public lands including East Timbalier Island National Wildlife Refuge, Lake Boeuf Wildlife Management Area, and Pointe-aux-Chenes Wildlife Management Area. Port Fourchon, a bustling port terminal where Bayou Lafourche meets the Gulf of Mexico is not only a hub for the state's energy industry, but also an access point for recreational activities with developed recreational infrastructure.

Lafourche Parish is home to many historic communities including the city of Thibodaux and the towns of Lockport and Golden Meadow. E.D. White State Historic Site, a public museum located along Bayou Lafourche, depicts the history of the parish, the agricultural industry in the region, the many cultures of Lafourche, and the enslavement of peoples as a part of the region's agricultural development. The site is a reminder of the region's past that intrinsically ties the present to life on the water. The parish is filled with dozens of historic sites, all connected to the cumulative cultural identity of the Atchafalaya region.

The Jean Lafitte National Park and Preserve Wetlands Acadian Cultural Center (WACC) is located on Bayou Lafourche in Thibodaux, the seat of the parish. The WACC tells the story of the Acadian exiles who settled along Louisiana's bayous and created a distinctive Cajun culture based on life in a watery realm. The center shares their way of life through a film, special and permanent exhibits, musical performances, and boat tours of Bayou Lafourche that connect to other important sites like the E.D. White State Historic Site.

Bayou Lafourche, which begins at Donaldsonville in Ascension Parish, is the parish's central waterway. Once a natural tributary of the Mississippi River, it now is controlled by a pump station where it begins at the Mississippi. Lafourche is inextricably tied to Assumption and Ascension Parishes culturally and physically through Bayou Lafourche. The Bayou Lafourche Fresh Water District (BLFWD) is tasked with management of the waterway. The district balances water quality, water quantity, recreational accessibility, drinking and agricultural water supplies, and coastal nourishment through a comprehensive management strategy. The Friends of Bayou Lafourche is a nonprofit organization whose mission is to raise the awareness of the importance of Bayou Lafourche and its revitalization through education and informational outreach, and by the creation of recreation and beautification opportunities along the bayou. ANHA has partnered with both organizations in nearby Assumption and Ascension parishes throughout its history and would continue that work into Lafourche Parish upon approval of boundary expansion.

The commercial fishing industries in Lafourche Parish are strongly connected to those in neighboring parishes within the ANHA. The coastal fishing industry has been active for as long as the region has been inhabited. Native Americans lived off the land and flourished in this watery region. Their foodways and cultural traditions continue to this day. Early Europeans and newly re-settled Acadians made home along Bayou Lafourche. Their lifeways of hunting, fishing, and trapping have been handed down through time. Many commercial operations are family-owned and have been passed down from generation to generation. These fishermen are often born and raised in the area and rarely leave the bayou region. They are the torchbearers of the bayou culture of Lafourche and Terrebonne Parishes and the seafood they catch contributes to the state's robust seafood industry. Lafourche lies in the heart of the state's vast coastal wetlands. These bayous, marshlands, and fertile farmlands are defining features of this area and create an ideal environment for many seafood species including shrimp, crabs, oysters, and finfish.

Water-based recreation along the coast includes recreational fishing, ecotourism, and passive recreational boating throughout the vast wetlands and marshes. These waterways play a vital role in the culture and the region's sportsman economy. Tour groups and charter fishing businesses work with the parish's tourism agency, Louisiana's Cajun Bayou and those in Terrebonne, Assumption, and St. Mary parishes to teach residents and visitors about the value of the ecosystem. Nicholls State University is situated in the city of Thibodaux. The university is currently building a new coastal center that, together with other state universities, will drive research and innovation on best practices for coastal management. The University, along with the Barataria Terrebonne National Estuary Program (BTNEP), utilizes an applied science approach along with community engagement to help tackle the many challenges facing this delicate region. ANHA has a seat on BTNEP's quarterly management conference board.

The Louisiana National Estuarine Research Reserve site, recently designated by NOAA, further offers unique opportunities for partnership between the ANHA and organizations located in the heritage area's coastal parishes. The Louisiana Universities Marine Consortium (LUMCON), Nicholls State University, the heritage area, and other regional groups in St. Mary, Terrebonne, and Lafourche parish, will work with the state's Coastal Protection and Restoration Authority (CPRA) to partner on educational, outreach, and research opportunities for implementation of the LaNERR management plan. The Atchafalaya National Heritage Area serves as a vital partner in this network for historical and ecological interpretation as the estuarine environment provides yet another example of the critical waterbodies of the heritage area and the culture it nourishes. The history of the region's development, how the people have lived off the land, and the challenges they continue to face in a dynamic coastal environment are what weave these coastal parishes together like a traditional Chitimacha basket.

The Cajun identity that is strong throughout the Atchafalaya region is found in Louisiana's Cajun Bayou: Lafourche Parish. Cajun music is an art form unique to South Louisiana. While the once robust Cajun music scene has faded over time, advocates are working hard to sustain these traditions for future generations. The Cajun Music Preservation Society (CMPS) was formed to ensure that traditional Cajun music remains part of the vibrant culture in Lafourche for decades to come by promoting traditional Cajun music, hosting live Cajun jams, and hosting the Swamp Stomp Music Series. Adding Lafourche to the heritage area boundary will enable the program staff to better engage with organizations like CMPS to further preserve and enhance these cultural organizations and amplify their impact. Lafourche is also home to the Cajun Heritage Festival, a yearly event where locals express their memory and talent in the form of wooden carvings. This event serves as an educational program to teach younger generations about the wildlife and culture of the region.

Lafourche Parish and its many cultural assets weave together with Terrebonne, Assumption, and Ascension parishes to preserve and promote the authentic and important Cajun culture. Incorporating Lafourche Parish into the Atchafalaya National Heritage Area will enable the program to support, preserve, and enhance the cultural, natural, and recreational resources as it does throughout the area. To best serve the bayou area, the program must be able to work throughout the entire community. Water and culture know no boundaries. The addition of Lafourche Parish, a region that so fully honors the water and French-language themes of the Atchafalaya National Heritage Area, would allow ANHA staff to tell a more complete story of this unique piece of the nation's history.

Dr. GOSAR. Thanks, Mr. Lemoine. I now recognize Ms. Katherine Andrews, the Director of the Office of Outdoor Recreation at the Arkansas Department of Parks, Heritage, and Tourism.

Director Andrews, you have 5 minutes. Thank you.

**STATEMENT OF KATHERINE ANDREWS, DIRECTOR, OFFICE OF
OUTDOOR RECREATION, DEPARTMENT OF PARKS,
HERITAGE, AND TOURISM, LITTLE ROCK, ARKANSAS**

Ms. ANDREWS. Good afternoon, and thank you to my fellow Arkansans, Chairman Bruce Westerman and Congressman French Hill, and the entire Committee for inviting me here today. My name is Katherine Andrews, and I serve as Director of Arkansas' Office of Outdoor Recreation within the Arkansas Department of Parks, Heritage, and Tourism. I also chair the Confluence of States, a bipartisan group of my outdoor recreation counterparts across the United States.

It is a particular honor to appear before the Natural Resources Committee again, and I am delighted to testify today in support of H.R. 3971, the Flatside Wilderness Additions Act.

Arkansas is known as the Natural State for a reason. Our pristine streams, unspoiled wilderness, and diverse outdoor recreation opportunities including hiking, biking, floating, and climbing. Our state boasts the Mountain Bike Capital of the World, the Duck Hunting Capital of the World, the Trout Capital of the USA, and we are rapidly becoming the Climbing Capital of the South. We have the world's longest bayou, the highest waterfall between the Rockies and the Appalachians, and the nation's first national river, the Buffalo National River. Additionally, Arkansas is the only state where you can hunt both an elk and an alligator in the same state.

Our mission at the Arkansas Department of Parks, Heritage, and Tourism is to protect and promote the state's natural, cultural, and historical resources, contributing to a thriving economy and enhanced quality of life. There are numerous benefits associated with areas rich in outdoor recreation, such as business attraction, workforce retention, public health and wellness, getting kids outside and off screens, and the conservation and preservation of our natural assets.

In addition, a robust outdoor recreation industry is not just a luxury. It is essential and highly impactful. In 2022, 4.3 million visitors, a number larger than the population of the entire state of Arkansas, spent an estimated \$278 million in local gateway regions while visiting National Park Service lands in my state. These expenditures supported 3,900 jobs, \$107 million in labor income, and \$362 million in economic output for the Arkansas economy. Visitors and citizens alike flock to places where they can spend time outside.

Arkansas Governor Sarah Huckabee Sanders has prioritized improving outdoor experiences, and I, along with the Arkansas Department of Parks, Heritage, and Tourism, am working tirelessly to create outdoor recreation opportunities from our incredible state parks to communities across the state. Their executive order, the Natural State Initiative, has adopted a bold approach, involving multi-agency and private partners working together to break down silos and invite innovation into our work and public lands.

Access to outdoor recreation inspires generations of Arkansans to care for and champion the future of our natural places, ensuring that we remain the Natural State. Our office serves two main groups: industry and community partners. For industry partners

like bike shops, boat manufacturers, and outfitters, we provide resources and help overcome growth barriers. For community partners such as towns and advocacy groups, we highlight the economic benefits of outdoor recreation, and assist in securing grants and funding to enhance their natural assets and infrastructure to attract visitors and outdoor enthusiasts. This brings me to the reason I am here today.

I am here to offer the Arkansas Office of Outdoor Recreation's support of Congressman Hill's legislation, which would designate approximately 2,200 acres as wilderness, and add it to the Flatside Wilderness Area, part of the Ouachita National Forest. The Flatside Wilderness Additions Act represents the second and final phase to expand the wilderness area at Flatside. The surrounding area is either part of the Ouachita National Forest and unsuitable for wilderness designation, or privately owned, therefore deserving protection.

The addition to Flatside Wilderness will be a tremendous benefit to central Arkansas, providing a fantastic destination for hiking, camping, fishing, and other outdoor activities. This addition will serve as a cherished outdoor haven, enriching the quality of life for Arkansans and attracting nature enthusiasts from far and wide.

As the population of Arkansas grows, the need to expand outdoor access becomes crucial. Increased access to outdoor spaces fuels the outdoor economy by encouraging activities like buying hunting and fishing licenses, hiring guide services, and purchasing outdoor gear. Additionally, fostering a larger community dedicated to conservation ensures that these places and many others will remain protected.

This legislation will open numerous opportunities for young families and new residents, while providing seasoned residents with joy and adventure in a cherished location. It will also offer access to the rugged Ouachita Mountains and clear streams, providing hiking and other recreational opportunities for all.

On behalf of the Office of Outdoor Recreation and the Arkansas Department of Parks, Heritage, and Tourism, we support this proposed legislation and ask for your support, as well. Thank you.

[The prepared statement of Ms. Andrews follows:]

PREPARED STATEMENT OF KATHERINE ANDREWS, ARKANSAS DEPARTMENT OF PARKS,
HERITAGE AND TOURISM

ON H.R. 3971

Good morning and thank you to my fellow Arkansans, Chairman Bruce Westerman and Congressman French Hill, and the entire committee for inviting me here today. My name is Katherine Andrews, and I serve as the Director of Arkansas' Office of Outdoor Recreation within the Arkansas Department of Parks, Heritage and Tourism. I also chair the Confluence of States, a bipartisan group of outdoor recreation counterparts across the United States. It is a particular honor to appear before the Natural Resources Committee, and I am delighted to testify today in support of H.R. 397, the Flatside Wilderness Additions Act.

Arkansas is known as The Natural State for a reason—our pristine streams, unspoiled wilderness, and diverse outdoor recreation opportunities, including hiking, biking, floating and climbing. Our state boasts the Mountain Bike Capital of the World, the duck hunting capital of the world, and the trout capital of the USA, and we are rapidly becoming the climbing capital of the South. We have the world's longest bayou, the highest waterfall between the Rockies and the Appalachians, and the nation's first national river, the Buffalo National River. Additionally, Arkansas is the only state where you can hunt both elk and alligator. Our mission at the

Arkansas Department of Parks, Heritage and Tourism is to protect and promote the state's natural, cultural and historical resources, contributing to a thriving economy and enhanced quality of life.

There are numerous benefits associated with areas rich in outdoor recreation, such as business attraction, workforce retention, public health and wellness, getting kids outside and off screens and the conservation and preservation of our natural assets. In addition, a robust outdoor recreation industry is not just a luxury; it is essential and highly impactful. In 2022, 4.3 million visitors spent an estimated \$278 million in local gateway regions while visiting National Park Service lands in Arkansas. These expenditures supported 3,900 jobs, \$107 million in labor income, \$191 million in value added, and \$362 million in economic output for the Arkansas economy. Visitors and citizens alike flock to places where they can spend time outside.

Arkansas Governor Sarah Huckabee Sanders has prioritized improving outdoor experiences, and I along with the Arkansas Department of Parks, Heritage and Tourism are working tirelessly to create outdoor recreation opportunities from our incredible State Parks to communities across the state. Through Executive Order, The Natural State Initiative has adopted a bold approach, involving multiagency and private partners working together to break down silos and invite innovation into our work and public lands. Access to outdoor recreation inspires generations of Arkansans to care for and champion the future of our natural places, ensuring that we remain The Natural State.

Our office serves two main groups: industry and community partners. For industry partners like bike shops, boat manufacturers, and outfitters, we provide resources and help overcome growth barriers. For community partners such as towns and advocacy groups, we highlight the economic benefits of outdoor recreation and assist in securing grants and funding to enhance their natural assets and infrastructure to attract visitors and outdoor enthusiasts.

Our mission is to conserve Arkansas' strongest resource, our natural assets, and the proposed legislation leads us toward the goal of strengthening the place we call home while sculpting future generations' love for the outdoors.

This brings me to the reason I am here today. I am here to offer the Arkansas Office of Outdoor Recreation's support of Congressman Hill's legislation, which would designate approximately 2,200 acres as wilderness and add it to the Flatside Wilderness area, part of the Ouachita National Forest. The Flatside Wilderness Additions Act represents the second and final phase to expand the wilderness area at Flatside. The surrounding land is either part of the Ouachita National Forest and unsuitable for wilderness designation, or privately owned.

The addition to the Flatside Wilderness will be a tremendous benefit to central Arkansas, providing a fantastic destination for hiking, camping, fishing and other outdoor activities. This addition will serve as a cherished outdoor haven, enriching the quality of life for Arkansans and attracting nature enthusiasts from far and wide.

As the population of Arkansas grows, the need to expand outdoor access becomes crucial. Increased access to outdoor spaces fuels the outdoor economy by encouraging activities like buying hunting and fishing licenses, hiring guide services and purchasing outdoor gear. Additionally, fostering a larger community dedicated to conservation ensures that these places and many others will remain protected.

This legislation will open numerous opportunities for young families and new residents while providing seasoned residents with joy and adventure in a cherished location. It will also offer access to the rugged Ouachita Mountains and clear streams, providing hiking and other recreational opportunities for all. On behalf of the Office of Outdoor Recreation and the Arkansas Department of Parks, Heritage and Tourism, we support this proposed legislation and ask for your support as well.

Thank you for having me here today.

Mr. TIFFANY [presiding]. Thank you, Director Andrews.

Finally, I would like to recognize Mr. Sean Kelleher, Historian for the town of Saratoga in New York.

Mr. Kelleher, you have 5 minutes.

**STATEMENT OF SEAN KELLEHER, HISTORIAN, TOWN OF
SARATOGA, SARATOGA, NEW YORK**

Mr. KELLEHER. Thank you to the Committee for allowing this testimony. My name is Sean Kelleher. I am the Historian for the Town of Saratoga, and I am here to urge your support for H.R. 390, the Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act.

This is a critical piece of legislation that will help preserve our country's history and drive economic growth in the Hudson River Valley. The Town of Saratoga is committed to initiatives that enhance our economic, historic, and environmental well-being. The inclusion in the Hudson River National Heritage Area will significantly bolster our efforts to preserve our rich heritage, while fostering sustainable development and tourism.

The opportunity is particularly timely as we approach the 250th anniversary of the American Revolution, and in 2027 will commemorate the pivotal events of the Battles of Saratoga. These battles played a critical role in shaping our nation's history, and continue to be a source of pride and education not only for our country, but across the world.

The Saratoga campaign in 1777 was a pivotal act of the American Revolutionary War. British General John Burgoyne led an army to seize control of the significant Hudson River Valley. However, that campaign culminated with a defeat at the Battles of Saratoga, forcing a surrender to the American General Horatio Gates on October 17, 1777. This was an unprecedented event. It was the first time in world history a complete British army surrendered, and it had far-reaching consequences. It enabled Benjamin Franklin to secure vital foreign assistance, especially from France, that made the various countries coming to the American cause, but it also transformed our American Revolution into a global war spanning North America, the Caribbean, Africa, Asia, and Europe.

The Battles of Saratoga were monumentally significant, and it breathed life into the ideals set forth in our Declaration of Independence. Until this point, the principles of freedom and self-governance were merely words on a page, on a piece of paper. But the American victory at Saratoga demonstrated the viability of these ideas not just for our fledgling nation, but for all of humanity. And it proved that the concepts of liberty and independence could be triumphed against what were seemingly insurmountable odds, and it set a powerful precedent for future generations.

The Hudson River Valley National Heritage Area was established 28 years ago. It encompassed 10 counties in the Village of Waterford in Saratoga County. The primary purpose of this heritage area was to commemorate the American Revolution and highlight the ongoing commitment to the fundamental human rights of liberty, equality, and dignity.

However, the original heritage area boundaries were determined based upon congressional districts, rather than recognizing the historical significant areas within the Hudson Valley. Over time, the heritage area location has evolved administratively to incorporate Saratoga National Historical Park, which our county would like to see renamed as Saratoga National Battlefield. But it is crucial to note that, while the national park was added, the surrounding

communities, which witnessed some of the actual combat and where the British surrendered, were not included. So, this is an opportunity for Congress to expand that area to include that.

In conclusion, this law calls for the expansion of three simple words, but it will allow and empower our communities to better collaborate with both Federal and state agencies and achieve our common goal. By supporting H.R. 390, you won't throw away your shot to correct this historical oversight, and we can boost our local economies and ensure a future that can be fully appreciated.

I invite you to visit Saratoga County and witness our historical significance, and see our community as we are preparing for the 250th commemoration of the Battles of Saratoga.

Thank you for allowing me the opportunity for this testimony. And if you are interested in more information, we have a great website: Saratoga250.com.

[The prepared statement of Mr. Kelleher follows:]

PREPARED STATEMENT OF SEAN KELLEHER, HISTORIAN, TOWN OF SARATOGA, NY
ON H.R. 390

I stand before you today to urge your support for H.R. 390, the "Maurice D. Hinchey Hudson River Valley National Heritage Area Enhancement Act," a critical piece of legislation that will preserve our nation's history and drive economic growth in the Hudson River Valley.

The Town of Saratoga is committed to initiatives that enhance our economic, historical, and environmental well-being. Inclusion in the Maurice D. Hinchey Hudson River Valley National Heritage Area would significantly bolster our efforts to preserve our rich heritage while fostering sustainable development and tourism. This opportunity is particularly timely as we approach our celebration of the 250th anniversary of the American Revolution in 2027, which will commemorate pivotal events such as the Battles of Saratoga. These battles played a crucial role in shaping our nation's history and continue to be a source of pride and education for our community.

The Saratoga Campaign of 1777 was pivotal in the American Revolutionary War. British General John Burgoyne led an army to seize control of the strategically crucial Hudson River Valley. However, his campaign culminated in defeat at the Battles of Saratoga, forcing his surrender to American General Horatio Gates on October 17, 1777. This unprecedented event—the first surrender of an entire British army in history—had far-reaching consequences. It enabled Benjamin Franklin to secure vital foreign assistance for the American cause, transforming the conflict into a global war spanning North America, the Caribbean, Africa, Asia, and Europe. The Battles of Saratoga were monumentally significant because they breathed life into the ideals set forth in the Declaration of Independence. Until this point, these principles of freedom and self-governance were merely words on paper. The American victory at Saratoga demonstrated the viability of these ideals, not just for our fledgling nation but for all of humanity. It proved that the concepts of liberty and independence could triumph against seemingly insurmountable odds, setting a powerful precedent for future generations.

The Hudson River Valley National Heritage Area was established 28 years ago, encompassing 10 counties and the village of Waterford in Saratoga County. Its primary purpose was to commemorate the American Revolution and highlight our nation's ongoing commitment to the fundamental human rights of liberty, equality, and dignity. However, the heritage area's boundaries were initially determined based on Congressional districts rather than on communities recognized for their historical significance in the Hudson Valley. Over time, the heritage area has evolved administratively, incorporating Saratoga National Historical Park—which Saratoga County proposes renaming to Saratoga National Battlefield Park. It's crucial to note that while the National Park was added, the surrounding communities that also witnessed actual combat and the British surrender were not included.

We deeply value Saratoga National Historical Park, its dedicated staff, its stunning landscape, exceptional preservation efforts, and outstanding interpretive programs. However, we recognize that the park is distinct from the communities where part of the Battles of Saratoga actually unfolded. Our towns and villages in

Saratoga and Washington counties, each with their unique heritage and historical significance, bear the responsibility of preserving this vital part of American history. Unlike the National Park Service, our communities lack substantial resources to fulfill this important duty effectively.

The proposed Enhancement Act would expand the Heritage Area to include all locations where fighting occurred, where patriots made the ultimate sacrifice, and where American independence was secured. This region is of international importance, and our communities require your support to continue this critical conservation work and develop economic independence. By including these areas, we can ensure a more comprehensive preservation and interpretation of the events that shaped our nation's history.

The proposed addition of Saratoga and Washington Counties to the Hudson River Valley National Heritage Area through H.R. 390 is crucial for preserving and promoting our region's rich history. This inclusion aligns perfectly with the goals of the Saratoga County 250th Commission, established by the Saratoga County Board of Supervisors to educate the public about the Battles of Saratoga, increase heritage tourism, and enhance infrastructure at historic sites.

The 250th anniversary commemorations of the Battles of Saratoga will be landmark events featuring gatherings of patriotic organizations, parades, reenactments, fireworks, and scholarly symposiums. Inclusion in the Hudson River Valley National Heritage Area would significantly enhance these efforts by providing additional resources, expertise, and national recognition. This designation would improve coordination with other Revolutionary War sites along the Hudson, facilitate access to federal funding, and expand commemorative events.

The goals of the County's 250th Commission complement those of the Maurice D. Hinchey Hudson River Valley National Heritage Area. Inclusion in the Heritage Area will increase visibility for historic sites, potentially leading to higher visitation and improved preservation efforts. It will also foster collaboration with other sites in the heritage area, enhancing the coordinated 250th-anniversary celebrations along the Hudson River.

Our communities stand to benefit economically from increased heritage tourism. For instance, Schuylerville is transitioning from an aged mill community to a heritage tourism center. The Heritage Area can bring resources to assist this transformation by improving infrastructure and supporting preservation efforts. Additionally, it can provide expertise in creating enhanced educational resources for local schools and communities.

The economic impact of National Heritage Areas is significant. A 2018 report to Congress stated that these areas leveraged \$5.50 for every \$1 of federal funding received and created approximately 920,000 jobs nationally. By joining the Hudson River Valley National Heritage Area, Saratoga and Washington Counties can tap into these benefits, fostering economic growth and preserving our historical legacy for future generations.

For more information about the Saratoga County 250th Commission and its initiatives, please visit Saratoga250.com.

National Heritage Areas have generally been considered successful across the United States, and the Hudson Valley National Heritage Area has had specific successes. Studies have shown that national heritage areas contribute significantly to local economies. A 2012 study found that they contribute \$12.9 billion annually to the national economy by supporting job creation, particularly in the tourism and preservation sectors. The Hudson Valley National Heritage Area has supported the preservation and interpretation of numerous historic sites, including those related to the American Revolution. In addition, the Hudson Valley National Heritage Area has supported efforts to preserve and celebrate the diverse cultural heritage of the Hudson Valley, including Native American, Dutch, and African American histories, which are also important themes of the American Revolution. Most importantly, the Hudson Valley National Heritage Area has helped to strengthen regional identity and pride in the Hudson Valley's heritage. The Hudson River Valley is the identity of our communities. The Hudson River defines our community.

In conclusion, adding three simple words to existing legislation will empower and facilitate our communities' better collaboration with federal and state agencies to achieve our common goals. By supporting H.R. 390, you will not throw away your shot to correct a historical oversight, thus boosting local economies and ensuring that future generations can fully appreciate the birthplace of American independence. I invite you to visit Saratoga County and witness our heritage's significance and preparations for the 250th Commemoration of the Battles of Saratoga.

Thank you for considering my testimony. For more information, please visit our website at saratoga250.com

Mr. TIFFANY. Thank you, Mr. Kelleher. I now recognize Members for 5 minutes for questions.

The gentleman from Florida, Mr. Franklin, you are up for 5 minutes, if you choose.

Mr. FRANKLIN. Thank you, Mr. Chairman.

Ms. Beasley, I appreciate you being here today to respond on these, has Congress ever granted the Park Service Authority to manage areas of Big Cypress National Preserve as wilderness?

Ms. BEASLEY. No, sir. Only Congress has the authority to designate wilderness.

Mr. FRANKLIN. So, when Big Cypress was first created, it was specifically going to be a preserve, and not used as wilderness. So, it was commentary at the time that the Park Service was planning to do a subsequent study at some point in the future to look at the feasibility of designating some of those lands as wilderness, and I think it was 2022 the study was released, and it listed three options in there. The third option, the Alternative 3, would propose that Congress designate approximately 147,910 acres of land, which was 25 percent of the original preserve, as wilderness.

Has the Park Service ever come forth to Congress to submit that proposal, and request that it be redesignated as wilderness?

Ms. BEASLEY. No, there is not a proposal currently for designation as wilderness.

Mr. FRANKLIN. OK. Would you agree that the Park Service is currently managing that land, the 147,910 acres, as wilderness?

Ms. BEASLEY. Well, the Wilderness Act directs Federal agencies to study their lands for potential inclusion in the National Wilderness Preservation System, so we seek to follow that mandate. The National Park Service's management policies direct us to manage areas that are found eligible or are proposed for wilderness to be managed as wilderness.

Mr. FRANKLIN. As the Park Service has determined eligible, or as Congress has approved?

Ms. BEASLEY. Based on the findings of a wilderness study, as directed by the Wilderness Act.

Mr. FRANKLIN. OK, so the Park Service will conduct its study, make its determination, but without them getting subsequent approval from Congress, will just go forth and carry that out as though it had Congress' permission.

Ms. BEASLEY. Well, again, the Wilderness Act directs Federal agencies to study their lands for potential inclusion in the National Wilderness Preservation System. The National Park Service seeks to preserve wilderness qualities in order to allow for a future potential designation, should Congress choose to make a formal designation.

Mr. FRANKLIN. I understand and appreciate that. But you do appreciate, though, that that final authority should rest with Congress. Do you agree with that?

Ms. BEASLEY. Yes, sir. Only Congress has the authority to designate wilderness.

Mr. FRANKLIN. Thank you. And in fairness, from the conversations we have had, the relationship currently is very amicable, but there is concern about the future, what that could evolve to,

eventually, and particularly in the absence of any official designation by Congress.

Chairman Cypress, I would like to hear your thoughts, your concerns about the future of what this could hold for these tribal lands. And then also, could you comment on other areas of tribal lands around the country where this maybe has not worked out so well for the tribes?

Mr. CYPRESS. Yes. We have had a more amicable relationship with the National Park Service of late, but this designation, we believe, is the wrong answer to some of these issues that are being brought up, and the Tribe is willing to co-manage with the Park Service, and use our resources to help out. And we have had discussions, internal discussions. But this designation seems to be one of the major pushes that they are making.

And in the written testimony we have examples of certain areas that have been designated wilderness, like I think with the Chippewas, and they lost access to their lands. So, we don't want to end up in that same situation. We have been given assurances by the National Park, but assurances don't coincide with the language in the Wilderness Act.

Mr. FRANKLIN. Thank you, Chairman Cypress.

And Mr. Chairman, I would urge the Committee's strong consideration of support for this bill. There is a time and a place for wilderness areas, but it needs to be done properly and in accordance with the way Congress has set this process out. And in this case, we feel that that has not been followed, the will of Congress has been thwarted, and I would urge our colleagues' adoption of my bill.

Mr. TIFFANY. So, is it correct, Mr. Franklin, that you or no Member of Florida has introduced a bill to take some of these lands that are in question and put them into wilderness?

Mr. FRANKLIN. No. In fact, this bill would specifically prevent this.

Mr. TIFFANY. But no one from Florida has introduced a bill to move this into wilderness?

Mr. FRANKLIN. No, and quite the contrary, this is very bipartisan with our delegation.

Mr. TIFFANY. Thank you for your questioning.

Mr. FRANKLIN. Thank you, Mr. Chairman.

Mr. TIFFANY. I am going to take a few minutes here for questioning also.

Ms. Beasley, management plans for the National Heritage Areas involve partnerships between the National Park Service and state or local groups. While these designations can be used for tourism purposes, there are also concerns about if it infringes on private property rights. What assurances does the Park Service have that National Heritage Area designations or expansions will not restrict any type of private development or private property rights?

Ms. BEASLEY. Thank you for your question, sir. This is an important point, and an important distinction to make.

Designation as a National Heritage Area does not confer any ownership or other authority to the Federal Government to restrict what private property owners may or may not do with their property. It does not require private property owners to participate in

national heritage activities, or to allow, for example, public access to their land. And most authorizing legislation for National Heritage Areas includes specific provisions for the protection of private property rights.

And I will also note that the National Heritage Area System Act also contains specific and stringent provisions protecting the rights of private property owners.

Mr. TIFFANY. And there are no buffers or boundaries that are set up under a National Heritage Area that could infringe on someone's property, restricting their ability to be able to use that property?

Ms. BEASLEY. No, sir. Again, designation as a heritage area does not put any restrictions on private property owners. It does not create specific requirements for private property owners that are within the National Heritage Area.

Mr. TIFFANY. Thank you.

Chairman Cypress, in your testimony you stated that Natives still living on traditional lands have been removed, harassed, and convicted of crimes related to their traditional practices under the Wilderness Act. Can you expand on this concern, and highlight a few issues that may surprise people who generally support the idea of conservation, but might not understand some of the unanticipated consequences of wilderness designations?

Mr. CYPRESS. Yes, I don't have the specific incidents where it has happened. It is in my written testimony that I have submitted to the Committee. But I know, for us, the Tribe, we have had the experience of the Everglades National Park being established, and stripping away thousands of acres from the Miccosukee Tribe when that happened. So, that is just one instance of where the Park Service has done an action that they don't listen to the tribes when they move forward with some of these issues.

Mr. TIFFANY. Does it surprise you, or have you heard that we have seen that the Biden administration, via I believe it was the Bureau of Land Management, did not fully take into account consultation with tribes up on the North Slope of Alaska? First of all, have you heard about that?

Mr. CYPRESS. No, not—

Mr. TIFFANY. Does it surprise you that the Federal Government has not taken into account their concerns, that they did not go through the official consultation process?

Mr. CYPRESS. Yes, that is surprising. They have been very good about meeting and consulting with us, but I don't believe we are being listened to on some of these issues. I think true consultation means taking our advice that we give, and using that when they propose these different ideas.

Mr. TIFFANY. As the Chairman of Federal Lands, it has been very surprising to me when we hear an administration that talks all the time about, boy, we consult, we coordinate, and we work with the tribes, we always consider them pre-eminently in our discussions when we make decisions, and to see issues like this that fly in the face of those words, that they are actually not consulting with the tribes.

Ms. Andrews, it is good to have you back here before the Committee. And your office recently sent a letter with more than 250 organizations calling for the Senate to pass the EXPLORE Act.

Can you explain why it is so important for the Senate to take up and pass the EXPLORE Act? Give us a couple of examples of why you think it is really important for this to move to the President's desk.

Ms. ANDREWS. Yes. Thank you for the question, and first I would like to congratulate you all on moving that through the House. That has been years in the making by hundreds and hundreds of people working on that bill. So, the momentum right now that we have is critical to be able to get that and move that through the Senate.

For us and in the Office of Outdoor Recreation, the access to public lands is critical. The growth of the outdoor economy, public health and wellness, all of the benefits related to economic development, we see that when outdoor recreation access is achieved. And by passing the EXPLORE Act through the Senate, that will ensure that for future generations all of this will come to pass. So, I look forward to seeing that pass through the Senate very soon.

Mr. TIFFANY. Well, it is certainly a consistent message in regards to access. We have been hearing it across the country, people looking for access to our Federal lands and also not denying access, as we are hearing today in testimony.

Mr. Lemoine, in your role as Executive Director, how do you partner with local outfitters to promote partnerships that provide jobs and opportunities?

Mr. LEMOINE. Thank you for your question. We partner with a number of different community groups, recreation groups, and fresh water districts on a number of different waterways throughout the heritage area not only to help develop strategic plans for action for their waterways, for restoration, for recreation enhancements, but we also do a lot of work in partnership building within those different parishes and within the different state agencies to sort of help make sure that the people in our smaller communities have access to the technical and financial resources that are available to them both on the state and Federal level.

Our work often acts as the go-between to make sure that the people in our smaller communities, who don't often get access to the technical knowledge, are given those connections.

Mr. TIFFANY. Yes. Another really consistent message we have heard throughout this Committee is local communities, oftentimes small communities that are near these areas, that they get the opportunity to thrive also.

Mr. Kelleher, I really appreciate your testimony. I love hearing about Burgoyne and the Redcoats and Saratoga, and all the rest here, taking us in the way-back machine to the history books, back in grade school. And tell us how Representative Stefanik's legislation will help the Town of Saratoga as you prepare for the 250th anniversary just a couple years down the road.

Mr. KELLEHER. Thank you, Chairman, for the question.

It is really an opportunity to help our collaboration up and down the Hudson River. When you look at communities planning for the 250th anniversary, the strongest ones in our area are Westchester

County and Saratoga County. Geographically, we are pretty distant. But what we have in common is we have the Hudson River. It is what defines our part of the state, it defines our area. And that is what this heritage area does.

And we are able to use these strengths through the heritage area, whether it be Westchester County or Saratoga County, we are able to bring along some of the other counties that may not have as much strength. So, we can kind of rise that boat in the Hudson River all together by working through this partnership which gets facilitated by the National Park Service.

Mr. TIFFANY. We look forward to visiting in 2026.

Mr. KELLEHER. Thank you. We look forward to having you.

Mr. TIFFANY. Yes, I want to thank the witnesses here today. Lots of stuff going on here, a little delay, and I appreciate your patience. Most of all, I appreciate you taking the time to come here, often-times from far distances. We appreciate that more than you know.

Members of the Subcommittee may have some additional questions for our witnesses today. If they do, we will ask that the witnesses 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 Tuesday, July 2, 2024. Getting close to the Fourth of July, aren't we? The hearing record will be held open for 10 business days for those responses.

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

[Whereupon, at 1:10 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Statement for the Record
U.S. Forest Service
U.S. Department of Agriculture
on H.R. 3971—Flatside Wilderness Additions Act

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for inviting the U.S. Department of Agriculture’s (USDA) Forest Service, to discuss H.R. 3971, the “Flatside Wilderness Additions Act.”

H.R. 3971 amends the Arkansas Wilderness Act of 1984, adding 2,215 acres in the Ouachita National Forest as wilderness under the National Wilderness Preservation System. This parcel would be an addition to the existing Flatside Wilderness. The bill also renames the newly expanded Flatside Wilderness, including the 2019 addition, as the “Flatside-Bethune Wilderness.”

USDA recognizes the importance of wilderness areas, and the Forest Service embraces its mission to steward and safeguard wilderness character in Congressionally designated wilderness. USDA supports H.R. 3971 and would like to work with the Subcommittee and the sponsor of this bill to address some technical concerns.

The Forest Service would like to draw attention to the 720 acres of non-federal mineral rights underlying the proposed wilderness, all believed to be in private ownership. The proposed wilderness would be subject to pre-existing mineral rights and potential development even if Congress were to designate these additional parcels as wilderness. We are currently exploring options for consolidating these mineral rights into federal ownership and would like to work with the Subcommittee as we explore options.

The legislation as written establishes a 60-foot setback for Forest Service Road 793. The Forest Service recommends changing this setback to 66 feet, which would make the proposed wilderness addition consistent with the current Flatside Wilderness boundary legal description.

Renaming all portions of the wilderness, including the existing Flatside Wilderness, the 2019 addition, and the current proposed addition to “Flatside-Bethune Wilderness” will allow the Forest Service to maintain consistency in signage and minimize confusion. The Forest Service supports this consistent naming convention.

Thank you for the opportunity to testify on H.R. 3971. I welcome any questions from the Subcommittee.

Submissions for the Record by Rep. Neguse

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

Thank you, Chairman Tiffany.

Good morning, everyone. It's been another busy week for the Federal Lands Subcommittee, with a legislative hearing on six bills today.

From historic sites associated with the War 1812 to studying new heritage areas in Maui and designating new wilderness in Chair Westerman's home state of Arkansas, I'm sure we'll cover a lot of ground today.

The bills on today's docket serve as a reminder of the wide range of benefits and uses associated with our parks and public lands—they protect natural ecosystems, safeguard our cherished cultural heritage, and provide the backdrop for a wide range of outdoor recreational activities.

So, it is imperative that we continue to identify new places worthy of conservation and we fight to secure sufficient resources so that federal land managers have the resources they need to steward and protect them for present and future generations to come.

As members of the Federal Lands Subcommittee, we collectively have the opportunity to champion new conservation opportunities—something I was proud to lead when I served as Chair of this Subcommittee, and continue to advocate for today.

Despite the debate and disagreements we often engage in regarding the management of our public lands, it is clear that we need to do more to protect the health of our public lands.

As made clear by today's hearing, there are still plenty of places throughout the country that deserve increased protection and conservation, and I'm eager to learn more about each of these bills.

Importantly, this is one of the first hearings we have held in the entire 118th Congress that features conservation designations.

This is a great first start, and I thank the Chairman for including these measures in today's hearing. But I would also like to remind my friends across the aisle that there is a long running list of additional bills—sponsored by members of both parties—to create new national parks, designate new wilderness and withdrawals, and protect some of the most special places across our great nation.

This includes my CORE Act, which I've talked about many times in this Subcommittee, and so many more. Our constituents support real conservation, enhanced recreational opportunities, and even ways to accelerate tribal co-stewardship and enhance protections for sacred sites.

But first, let's turn to today's agenda.

H.R. 309 and H.R. 6843 expand the boundaries of existing National Heritage Areas, while H.R. 8219 will direct the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating Lahaina as a National Heritage Area.

Driven by grassroots initiatives, National Heritage Areas preserve areas of significant importance to communities through natural, cultural, and historic resources. These sites also serve the community by providing recreational and economic opportunities. I'm particularly glad to see H.R. 8219 from my friend Rep. Tokuda on today's agenda, as I am a proud original cosponsor of the bill.

Then we have H.R. 6826 to redesignate the visitor and educational center at Fort McHenry National Monument and Historic Shrine in honor of Paul S. Sarbanes, who was instrumental in ensuring the preservation of the vaunted site. This is a fitting tribute.

Finally, turning to the other key topic on today's agenda: wilderness.

Enacted in 1964, the Wilderness Act established the National Wilderness Preservation System to protect the natural environment, which today stands at approximately 111 million acres of protected land.

Only Congress can designate new wilderness, and while many have supported these designations throughout the country over the years, as is the case with H.R. 3971, which would expand the Flatside Wilderness Area in Arkansas, new designation also come with concerns regarding limitations on access for historical and traditional uses.

H.R. 8206 serves as an example of these potential concerns and conflicts. This legislation would prohibit any future wilderness designations within the boundaries of the Big Cypress National Preserve in Florida.

My understanding is that this bill was developed as a response to the National Park Service draft Backcountry Access Plan for future management in this area.

In particular, the Miccosukee Tribe has expressed specific concerns about their traditional access and use of Big Cypress.

I look forward to hearing directly from Chairman Talbert Cypress and hope that we can identify a solution that allows the planning process to proceed.

With that, I yield back.

