

H.R. 1712 and H.R. 2937

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, RECREATION,
AND PUBLIC LANDS

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

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**LEGISLATIVE HEARING ON H.R. 1712, TO
AUTHORIZE THE SECRETARY OF THE
INTERIOR TO MAKE MINOR ADJUSTMENTS
TO THE BOUNDARY OF THE NATIONAL
PARK OF AMERICAN SAMOA TO INCLUDE
CERTAIN PORTIONS OF THE ISLANDS OF
OFU AND OLOSEGA WITHIN THE PARK, AND
FOR OTHER PURPOSES; AND H.R. 2937, TO
PROVIDE FOR THE CONVEYANCE OF CER-
TAIN PUBLIC LAND IN CLARK COUNTY,
NEVADA, FOR USE AS A SHOOTING RANGE.**

**Thursday, February 14, 2002
U.S. House of Representatives
Subcommittee on National Parks, Recreation, and Public Lands
Committee on Resources
Washington, DC**

The Subcommittee met, pursuant to call, at 2:12 p.m., in room 1334, Longworth House Office Building, Hon. George Radanovich [Chairman of the Subcommittee] presiding.

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

Mr. RADANOVICH. Good afternoon. The Subcommittee will come to order. And this afternoon the Subcommittee on National Parks, Recreation and Public Lands will hear testimony and two bills, H.R. 1712 and H.R. 2937.

The first bill, H.R. 1712, introduced by our Subcommittee colleague Eni Faleomavaega—see, I got the last name right—would authorize the Secretary of the Interior to make minor boundary adjustments to the National Park of American Samoa to include additional areas of land and coral reef on the islands of Ofu and Olosega.

Currently—how was that?

Mr. FALEOMAVAEGA. Excellent.

Mr. RADANOVICH. Currently the National Park of American Samoa includes the only paleotropical rain forest in the United

States. It is my understanding that there is broad support among the local villages for boundary expansion.

Our other bill, H.R. 2937, introduced by another Subcommittee colleague, Congressman Jim Gibbons, would provide for the conveyance of approximately 2,880 acres of public land to Clark County, Nevada, for use as a regional public shooting range. For the past 20 years, the number of public and private shooting ranges throughout the Las Vegas valley have been closed due to unprecedented residential growth. It is my understanding that the administration supports this legislation.

Once again, I appreciate the witnesses being here to testify today. And now I turn my time over to our ranking member. Before I say that, I have got a sick wife and child that I need to take to the doctor, probably about 2:30. So Mr. Gibbons has agreed to take the meeting on from there. So I will be ducking out after a little bit.

But, Donna, I turn it over to you.

[The prepared statement of Mr. Radanovich follows:]

Statement of The Honorable George P. Radanovich, a Representative in Congress from the State of California

Good afternoon and welcome to the hearing today. The Subcommittee will come to order. This afternoon, the Subcommittee on National Parks, Recreation, and Public Lands will hear testimony on two bills, H.R. 1712 and H.R. 2937.

The first bill, H.R. 1712, introduced by our Subcommittee colleague, Eni Faleomavaega, would authorize the Secretary of the Interior to make minor boundary adjustments to the National Park of American Samoa to include additional areas of land and coral reef on the islands of O-FOO and O-LOW-SEGA (Ofu and Olosega). Currently, the National Park of American Samoa includes the only paleotropical rainforest in the United States. It is my understanding there is broad support among the local villages for the boundary expansion.

Our other bill, H.R. 2937, introduced by another Subcommittee colleague, Congressman James Gibbons, would provide for the conveyance of approximately 2,880 acres of public land to Clark County, Nevada, for use as a regional public shooting range. For the past twenty years, a number of public and private shooting ranges throughout Las Vegas valley have been closed due to the unprecedented residential growth. It is my understanding the Administration supports the legislation.

Once again, I appreciate the witnesses being here to testify today and I now turn the time over to the ranking member, Mrs. Christensen for an opening statement.

STATEMENT OF THE HON. DONNA M. CHRISTENSEN, A DELEGATE TO CONGRESS FROM THE TERRITORY OF THE VIRGIN ISLANDS

Ms. CHRISTENSEN. Thank you, Mr. Chairman. As you said, we are going to receive testimony on two unrelated bills today. I would like to welcome Senator Reid and, of course, our Subcommittee colleague here who is the sponsor of the first measure, H.R. 1712, which would provide for the addition of certain lands and waters to the National Park of American Samoa.

As my colleague from American Samoa can attest, this is a unique national park that helps protect an important tropical ecosystem. It is my understanding that the lands and the waters added to be park would preserve significant natural and culture resources, as well as enhance the protection of existing park resources.

The second measure before the Subcommittee today, H.R. 2937, sponsored by another of our colleagues on the Subcommittee, Mr.

Gibbons, would convey about 4.5 square miles of Federal land in Clark County, Nevada, to the county government. The acreage in question is currently managed by the Bureau of Land Management as part of the Quail Springs Wilderness Study Area, and the legislation releases the land from the WSA status.

Apparently, the purpose of the legislation is to provide a centralized firearms training facility and shooting range in the Las Vegas valley, the benefits of which are obvious. However, this transaction raises several concerns, not the least of which is the overall size of the transfer and the lack of consideration paid for the land. In addition, disposal of a part of a wilderness study area is always a cause for some concern.

Finally, the legislation provides that should any of the parcels conveyed by the bill cease to be used as a shooting range, they will revert to Federal ownership; it is unclear what the BLM might do with the land that has been used in such a manner, though.

We would thank all the witnesses for their effort and time and look forward to learning about these issues this afternoon.

Mr. RADANOVICH. Thank you, Mrs. Christensen.

I want to welcome Mr. Faleomavaega, who is welcome to join us on the dais. Of course, you are on the Committee.

And also, Senator Reid, welcome to the Committee.

And right now, I turn my time over to Mr. Gibbons to explain his bill. And then we will go to the—

STATEMENT OF THE HON. JAMES A. GIBBONS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. GIBBONS. Thank you very much. And I ask unanimous consent that a written copy of my testimony be entered into the record. I will try to summarize what I want to say here very quickly so I can turn the mike over to Senator Reid, who would also like to make comments. I know his time schedule is very, very critical in all of this today.

I want to thank you for the opportunity to have us provide this legislation before the Committee today.

H.R. 2937 is a conveyance of certain public lands in Clark County for a shooting range, as you have been told. Companion legislation by Senator Reid and Senator Ensign in the Senate have introduced a similar bill, S. 1451. We hope that both bodies can approve our legislation expeditiously.

For 15 years Nevada has had the fastest growing population of any State in the Union, and for 20 years Clark County has been the fastest county with the majority of that growth taking place in the Second Congressional District.

Accommodating our growth and meeting its challenges is something that I often discuss in this Committee. Many of us know that with this growth come increasing population demands. With 87 percent of Nevada being owned by the Federal Government, and that percentage is growing, the conflict between needs of recreation and demands of growth make it very difficult for Nevadans to find opportunities to recreate.

This piece of legislation before us today will accommodate another long-term recreational favorite in Nevada, which is target shooting. It is 2,800 acres in the North Las Vegas area to be used

as a permanent shooting range. Half of the 2,800 acres, or 1,400 acres, will serve simply as a buffer zone for public safety. And that is the reason why the acreage is as large as it is.

This facility will not only provide the public with a safe place to shoot, it will serve as a training facility for our law enforcement personnel in southern Nevada, a very important issue following September the 11th as well. Two thousand eight hundred acres are currently designated as wilderness study area by the BLM, and the release language includes that it declares that the land conveyed has been adequately studied for wilderness designation under the Land Policy Act and has been found suitable for conveyance over to the county.

Mr. Chairman, this legislation represents a simple land conveyance and makes good sense. If the county fails to use the land for the designated purpose it will revert back to it. There will be remedial, I am sure, actions to clean up any activities that remain if the county decides not to use the land; but it will revert back to the government.

With that, I yield back the balance of my time and want to thank you. And I also want to make one important statement, that I fully support my good friend from American Samoa and his bill as well.

So with that said, Mr. Chairman, I yield back.

[The prepared statement of Mr. Gibbons follows:]

**Statement of The Honorable Jim Gibbons, a Representative in Congress
from the State of Nevada, on H.R. 2937**

Mr. Chairman. Thank you for providing the opportunity to have this legislation heard before our committee today. H.R. 2937 is a bill to provide for the conveyance of certain public lands in Clark County, Nevada, for use as a public shooting range. The original author of this legislation is my Senate colleague—who joins us today—Senator Harry Reid of Nevada. As demonstrated by Senator Reid's presence, this legislation enjoys strong bipartisan and bicameral support from our Nevada delegation.

For fifteen consecutive years, Nevada has had the fastest growing population of any other state. For twenty years, Clark County, Nevada, has been the fastest growing county, with the majority of that growth taking place in the Second District of Nevada. Accommodating our growth and meeting its challenges is something I often discuss before this very committee.

Mr. Chairman, we take great pride in the outdoor recreational opportunities Nevada has to offer. As many of you know, Nevada is currently 87 percent public lands—which means that most of the recreation takes place on our public lands. I must say, it was quite discouraging for me to read recent press accounts taken from a speech delivered by our BLM Director in Nevada—where he stated that the 87 percent figure I just noted is actually increasing!

Regardless, protecting multiple-use of our lands in Nevada is important to our citizens. Whether it is hiking at Red Rock Canyon, boating at Lake Mead or Kayaking the Colorado River—we provide a wealth of out-door activities. The legislation before us today helps accommodate another long-time, recreational favorite in Nevada—target shooting.

H.R. 2937 will designate approximately 2,800 acres of public land in North Las Vegas to be used as a permanent shooting range. About half of the 2,800 acres will actually contain the shooting range, with the other 1,400 acres serving as a required buffer zone to ensure public safety. This new shooting facility will not only provide the public with a safe place to shoot, it will serve as a training facility for our law enforcement personnel in southern Nevada. As Senator Reid can attest to, significant work has gone into this legislation—including reversion language should Clark County cease to use the land as prescribed in this bill.

Further, because the 2,800 acres is currently designated Wilderness Study Area by the BLM, release language is included that declares the land conveyed has been adequately studied for wilderness designation under the Federal Land Policy and Management Act (FLPMA). Once the land is conveyed to Clark County, it will no

longer be subject to FLPMA requirements. Mr. Chairman, this legislation represents a simple land conveyance and it makes good sense. H.R. 2937 is supported by Nevada's congressional delegation, our law enforcement personnel, Clark County and the public at-large.

Again, I want to thank you for this opportunity and I hope we can move this bill in the very near future. I will be happy to answer any questions you or this committee may have "

Thank you.

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

While we are on the same bill, Senator Reid, welcome to the Committee. And please feel free to talk about this legislation.

**STATEMENT OF THE HON. HARRY REID, A UNITED STATES
SENATOR FROM THE STATE OF NEVADA**

Senator REID. I appreciate the courtesy of my friend, allowing me to go forward. Really, he showed me this Park Service visual aid of American Samoa. It reminds me of Nevada.

Mr. Chairman, thank you very much. I do hope your daughter and wife are well. There is a real plague going around in the form of a flu and very bad bronchitis and sinusitis and those kinds of things. Lucky you have a doctor on the Subcommittee here to take care of things.

I am happy to be here, especially being able to see—we lived in the same town a good part of our lives, but we never had the opportunity to visit with each other very much, Jim Gibbons and I. I am very happy to be here with Jim, who does such a great job for the State. I am sure all of you know this, but if you don't, let me remind you his wife also does a great job for the State. She is a member of the Nevada State legislature.

Mr. GIBBONS. I thank you for reminding me, Senator, that my life is run by Alfred Hitchcock.

Senator REID. She has a great—I guess the Gibbonses have a great political history. When he was called into active duty because of the Gulf War, he had to give up his position in the Nevada State legislature, and his wife was chosen to replace him; and she did such a great job. And thereafter Jim was relocated. We like them both a lot.

Mr. Chairman, also today we have another fine specimen from Nevada, Assemblyman John Lee, who is going to testify about this legislation. We are grateful that you have allowed him the opportunity to testify.

Let me just say this: I ask unanimous consent that my statement be made part of the record. I want to condense it. I know how busy everyone is.

Clark County is growing very, very rapidly. And for those of us who used to go out shooting, you can't do that any more because you wind up shooting someone. Las Vegas is the fastest growing area in the entire country, and contrary to a popular belief, Las Vegas is one of the most densely populated areas. There is not a lot of wide, open spaces in Las Vegas, and that is because 87 percent of the land in the State of Nevada is owned by the Federal Government. We are land starved.

As a result of this, the dozens—and I should say hundreds and hundreds of people who used to have little places they would go

shoot, they can't do that anymore. So now what is happening, there are makeshift shooting ranges scattered in and around Las Vegas, and they are dangerous, to say the least. And it creates a real law enforcement problem.

This legislation that has been introduced by Congressman Gibbons paves the way for a world-class shooting range, sports park, firearms training facility. The reason we need a lot of land—remember, we don't have much. The reason we need a lot of land, I say to Mrs. Christensen, is the fact that this is going to be an area where people can be shooting. We want a lot of space.

We have a lot of space in southern Nevada, but it is all owned by the Federal Government. And while 3,000 acres sounds like a lot of land, Nevada has about 75 million acres, and it is just a tiny speck of land. Remember, 87 percent of the 75 million is owned by the Federal Government.

We believe that we need safe places to shoot. Even law enforcement is having difficulty finding places for their police officers to qualify and to maintain their ability to be police officers.

This facility will benefit the public by establishing this facility in Las Vegas valley. It will enhance public safety, provide economic incentives to Las Vegas valley in the form of jobs and, of course, support services. That is why this has a literal—or I shouldn't say literal, the support of wide-ranging organizations and people—Clark County Board of County Commissioners; Clark County Parks and Recreation; Clark County Parks and Recreation Advisory Boards; city of Henderson, now the second largest city in Nevada; Nevada State Majority Leader, Las Vegas Metropolitan Police Department; National Bench West Shooters Association; International Bench West Shooters; Las Vegas Convention Visitors Bureau; USA Shooting, which is the national governing body for the Olympic shooting sports; Las Vegas Trap Shooting Park.

This is my favorite, the International Handgun Metallic Silhouette Association; the Single Action Shooting Society—I could go on and on. There are numerous organizations who spend their spare time shooting and they simply haven't had the opportunity to do that.

We have numerous letters of support. One I received was from a Boy Scout. He writes, quote, "My troop and I are looking forward to using the new shooting range. The range would provide our troop and other Boy Scouts with a safe area in which to earn our Scouting shooting merit badges. Thank you for sponsoring this bill and good luck in getting it passed."

So I say to the members of this Subcommittee, with your help today, I hope we can get the shooting range established, help this Boy Scout, his troop, and many others.

[The prepared statement of Senator Reid follows:

Statement of The Honorable Harry Reid, a U.S. Senator from the State of Nevada

Mr. Chairman, I want to thank you for giving me the opportunity to tell you about a bill that's important to the people of Nevada and to me. This bill would transfer about 2,900 acres of public land to Clark County for use as a firearms training facility and recreational shooting range.

As you may be aware, Clark County has grown rapidly over the last few decades: in just the last 12 years, for example, the county's population has almost doubled, from 770,000 to over 1.4 million. As more and more people have moved into the Las

Vegas Valley, land that was once considered the “back of beyond” is now practically in people’s backyards. This population growth, in turn, has stressed the land by increasing the demand for traditional public-land uses like hunting, fishing, and recreational target shooting.

There are dozens—maybe hundreds—of makeshift shooting ranges scattered in and around the Las Vegas Valley. Shooting posed little risk when the ranges were located far from town, but as the Valley’s population has continued to surge, activity in these places now endangers nearby homes and increasingly busy roads.

My bill paves the way for a world-class shooting range, sports park, and firearms training facility by conveying 2,880 acres of public land to Clark County. This facility will provide the public with opportunities for education and recreation and provide a location for competitive events and firearms training. Development has also encroached upon facilities operated by the Metropolitan Police Department and North Las Vegas Police Department. The proposed new facility could also accommodate law enforcement training for firearms qualification and certification.

Given the growing demand for safe places to shoot, it’s important that the area be large enough to provide for public safety, not to mention the safety of the shooters themselves. I feel that this parcel is sufficient to make sure that shooting can take place without endangering the surrounding communities or the participants. The most important way to ensure a high degree of safety is to provide a significant buffer on all sides of the range.

I strongly believe that a facility of this kind will provide significant public benefit. By establishing a world-class shooting range in the Las Vegas Valley, this bill will enhance public safety and provide economic incentives to the Las Vegas Valley in the form of jobs and support services. For these and other reasons, the following organizations and entities support my bill:

- Clark County Board of Commissioners
- Clark County Parks and Recreation Department
- Clark County Parks and Recreation Advisory Board
- City of Henderson City Council
- Nevada State Senate Majority Leader
- Las Vegas Metropolitan Police Department
- The National Bench Rest Shooters Association
- International Benchrest Shooters
- Las Vegas Convention and Visitors Authority
- USA Shooting: National Governing Body for the Olympic Shooting Sports
- Las Vegas Trap Shooting Park
- The International Handgun Metallic Silhouette Association
- Single Action Shooting Society

As the above list shows, I’ve received many letters of support. One that I received from a Boy Scout is particularly compelling. He writes, “My troop and I are looking forward to using the new shooting range. The range would provide our Troop and other Boy Scouts of America Troops with a safe area in which to earn our Shooting Merit Badges. Thank you for sponsoring this bill and good luck getting it passed.” With your help today, I hope that we can get this shooting range established to help this Boy Scout and the many other people in Las Vegas Valley who will benefit from it.

Once again, I want to thank you, Mr. Chairman, and the members of this Committee for holding a hearing on this important bill.

Mr. RADANOVICH. Thank very much, Senator.

Eni was planning, or thinking, that in my job as Chairman of this Committee, I needed to travel out to American Samoa to see this proposal here; but since I can just go to Nevada, I think I will probably—

Senator REID. What I would suggest is that when we, you and I, travel to American Samoa, we will stop in Las Vegas on the way.

Mr. RADANOVICH. Eni, welcome. Please begin your testimony.

STATEMENT OF THE HON. ENI F.H. FALEOMAVEGA, A DELEGATE TO CONGRESS FROM THE TERRITORY OF AMERICAN SAMOA

Mr. FALEOMAVEGA. Thank you, Mr. Chairman. And certainly I would like to—it is such an honor for our Subcommittee to have

the presence of our distinguished majority whip, Senator Reid, here with us testifying in our Subcommittee. I also would like to offer my cosponsorship and support of my good friend's bill that is now being considered by our Subcommittee this afternoon, Congressman Gibbons.

Mr. Chairman, I would like to ask, also, unanimous consent to have my statement be made part of the record.

In essence, this is a culmination of some 4 years of study and preparation in the expanse of our humble and little national park there in the middle of the Pacific Ocean.

Mr. Chairman, the very unique feature of our national park system in American Samoa is that it is the only tropical rain forest that we have in the United States. There are also some 3- to 4,000 years of history and culture that go with this proposed expansion effort of the park. A lot of historical sites have not even been surveyed, and hopefully, this will be part of this proposal for expansion of the national park in American Samoa.

I am also delighted to hear—and, hopefully, this will be a confirmed—I am told that our able and very good National Park Service is supportive of this proposal. That certainly makes my work a lot easier, even though I still have to depend a lot, tremendously, on you, Mr. Chairman, and our ranking member and members of our distinguished Subcommittee for your support and assistance in getting this legislation through.

With that, in essence, I would welcome any questions that members of our Subcommittee might have on this bill.

[The prepared statement of Mr. Faleomavaega follows:]

**Statement of The Honorable Eni F.H. Faleomavaega, a Delegate in
Congress from American Samoa, on H.R. 1712**

Mr. Chairman, I want to thank Chairman Hansen and Mr. Rahall, our full committee leaders, and Chairman Radanovich and Ms. Christensen with the Parks Subcommittee for their support in bringing this bill before the Committee today. H.R. 1712 will make adjustments to the boundary of the National Park of American Samoa.

The U.S. territory of American Samoa is located approximately 2,400 miles southwest of Hawaii, and the National Park of American Samoa is located on three separate islands: Tutuila, Ofu and Ta'u. The Islands of Ofu and Olosega, portions of which would be added to the park under this legislation, are small islands which lie adjacent to each other, and are connected by a short bridge.

In 1998, I received requests from village chiefs from the Villages of Sili and Olosega, on the Island of Olosega, to include portions of their village lands within the National Park. The chiefs noted the important role the Park plays in preserving the natural and cultural resources of the territory, and indicated that the village councils believe there are significant cultural resources on village lands which warrant consideration for addition to the park.

I asked the National Park Service to conduct a study to determine if there were in fact resources on the island which warranted inclusion in the park. The Park Service completed reconnaissance surveys of the Island of Olosega and of a portion of the Island of Ofu, and reported on both. The Service concluded in part:

"The archaeological significance of [Olosega Island] cannot be understated. Sites on the ridgeline and terraces may offer an important opportunity for the study and interpretation of ancient Samoa. The number and density of star mounds (31), the great number of modified terraces (46) and home sites (14), the subsistence system, and the artifacts available are all important findings. This is particularly significant in that they were recorded in only 3 days of visual surveys on only a portion of the island."

The National Park of American Samoa is continuing to develop. Established in 1988 by Public Law 100-571, the Park took several years to become operational. Today, however, tourists are visiting and school teachers are using the Park as an

educational resource to help the students learn more about Samoan history and culture, the environment, and ecological conservation. The Park is preserving the area within its boundaries, but as the population grows—there was a 22% increase from 1990 to 2000—considerable pressure is being placed on those undeveloped areas.

The additions proposed by this legislation will preserve important sections of the remaining natural and cultural resources. Due to the historical significance and expedient nature of this matter, I ask my colleagues to support this legislation.

[Attachments to Mr. Faleomavaega's statement follow:]

January 31, 2002

The Honorable Faleomavaega Eni Hunkin
Member of Congress
2422 Rayburn House Office Building
Washington D.C. 20515-5201

Dear Congressman:

Our village council of Sili is grateful and appreciative of the fine work you are doing in representing our territory in Washington. Your being a ranking member of the Sub-Committee on National Parks, Recreation and Public Lands and your efforts in establishing the National Park in American Samoa is to be congratulated.

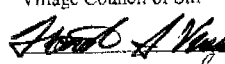
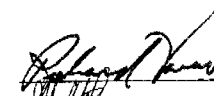

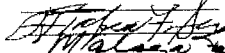
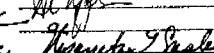
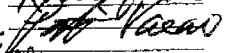
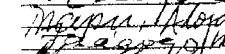
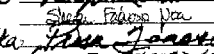
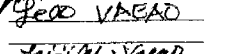
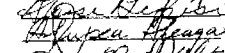
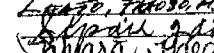
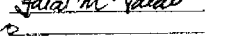
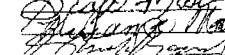
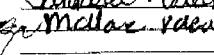
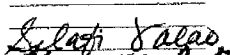
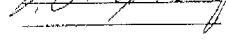
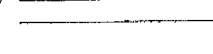

Since the establishment of the National Park of American Samoa a few years past, much has contributed to the preservation of our culture, rainforest, and coral reefs. Additionally, the Park has also been a positive factor to the economical well-being of our territory through tourism and lease payments to the villages who are included in the park.

Our Sili village council would like to be part of this valuable and worthwhile conservation effort of the National Park. Our rainforest, coral reef, archeological sites and the living culture are surely a valuable additional resources to the National Park of American Samoa.

Your hard work and efforts to include the village of Sili in the National Park of American Samoa will be greatly appreciated.

Respectfully,

Village Council of Sili

January 31, 2002

The Honorable Faleomavaega Eni Hunkin
Member of Congress
2422 Rayburn House Office Building
Washington D.C. 20515-5201

Dear Congressman:

Our village council of Sili is grateful and appreciative of the fine work you are doing in representing our territory in Washington. Your being a ranking member of the Sub-Committee on National Parks, Recreation and Public Lands and your efforts in establishing the National Park in American Samoa is to be congratulated.

Since the establishment of the National Park of American Samoa a few years past, much has contributed to the preservation of our culture, rainforest, and coral reefs. Additionally, the Park has also been a positive factor to the economical well-being of our territory through tourism and lease payments to the villages who are included in the park.

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Respectfully,

Village Council of Sili

Lolo M. Moliga

[Handwritten signatures and names follow, including: Malani, Mafuaga, Mafuaga, Mafuaga, Mafuaga, Mafuaga, Mafuaga, Mafuaga]

United States Department of the Interior



NATIONAL PARK SERVICE
National Park of American Samoa
Pago Pago, American Samoa 96799

IN REPLY REFER TO:
A5415 (NPSA)

Honorable Faleomavaega Eni
United States Congress
Washington, D.C.

Dear Congressman,

Based on GIS projection of significant lands on Olosega Island the National Park of American Samoa has determined an acreage figure of 1012 terrestrial acres and 935 marine acres could be included into the National Park. Based on lease payments approved by the High Court of American Samoa for similar lands within the Park it is estimated that the annual lease payment for these Olosega lands would be \$122,000. This figure of course can be modified through high court determinations of value and negotiation of total acreage with the village of Olosega. This represents our best estimate based on land area determined to be significant and past values placed on similar lands. The Government of American Samoa has not in the past charged for the marine areas and we expect that will continue to be the case on Olosega.

On the island of Ofu the Park primarily is interested in ensuring protection for the significant lagoon area currently under NPS management and to provide protection for the north shore reef. To do this the Park will need to manage an additional 344 terrestrial acres that will provide a buffer against potential development that could pollute or affect scenic values of reef areas. In addition another 577 marine acres are also of interest to the Park. Cost projections based on present values of the Ofu lands we currently manage are \$163,000.

Total cost for the Ofu and Olosega island areas is estimated to be \$285,000.

Lands added to the Park on Ofu and Olosega will have to be negotiated with village chiefs and costs with values determined by the High Court of American Samoa.

Sincerely,

Charles E. Cranfield
Superintendent

NATIONAL PARK OF AMERICAN SAMOA (NPSA)

Reconnaissance Survey of Olosega and Sili Village lands
Natural and Cultural Resources

October 20, 1999

Introduction

The National Park of American Samoa (NPSA) is located on three islands in American Samoa: Tutuila, Ofu and Ta'u. The Territory is located approximately 2,400 miles southwest of Hawaii. Olosega Island, the topic of this report, is a small volcanic island (5.2 km² or 1,280 acres), with a maximum elevation of 2095 feet. It lies adjacent to the island of Ofu, connected by a small bridge. On Ofu, the existing park protects 420 acres of shoreline and reef.

Authorized by Public Law 100-571 the Park was created in 1988. Its stated purpose is to "preserve and protect the tropical forest and archeological and cultural resources of American Samoa, and of associated reefs, to maintain the habitat of flying foxes, preserve the ecological balance of the Samoan tropical forest, and, consistent with the preservation of these resources, to provide for the enjoyment of the unique resources of the Samoan tropical forest by visitors from around the world."

The National Park's primary significance includes both the natural and cultural resources. The Samoan rainforest is the only "paleotropical" rainforest represented in the United States. The area is also unique as the furthest eastward extent of many species originating in Southeast Asia. Species variation decreases as distance from the greater landmasses of Southeast Asia increases. Superimposed on this natural history is the culture and its archaeological record. Protecting the traditions, customs, and 3,000-year history of the Samoan people is an important aspect of this National Park.

Purpose of this Report

On April 9, 1998, U. S. Congressman Eni F.H. Faleomavaega wrote to Robert Stanton, Director of the National Park Service, regarding the possibility of including Olosega island lands in the National Park. In subsequent discussions the National Park Service agreed that the Superintendent and his management team would travel to Olosega to discuss this request with Village Chiefs and to visually survey, evaluate, report on, and map the natural and cultural resources on portions of Olosega.

A Park team made up of Charles Cranfield, NPSA Superintendent; Dr. Peter Craig, NPSA Biologist; Epifania Suafoa, NPSA Archeologist; and Sasauli Satele, Student Conservation Association intern met with village chiefs to discuss the project and subsequently conducted the survey over several trips and supplementing team knowledge with that of other experts in marine and terrestrial biology, and archaeology. Villagers guided the NPS team during terrestrial surveys. Further details on assisting experts and methods used for the survey are given within the following sections of this report.

Summary

The island of Olosega has impressive biologic resources. Although impressive and important to preserve, many of these resources would not be especially significant within the Park. The north shore reef on Olosega, however, does offer substantial differences from other sections of the Park, including Ofu. The north shore has better protection from rough surf and therefore has developed different coral communities. Dr. Craig reports that the north coast of Olosega offers "excellent" coral reef habitat.

The coastal and reef area surrounding the village of Sili on the north side of the island, because of the rich coral and fish community, would complement the reef on Ofu and could be considered for inclusion in the Park along with the trail east of Sili leading to the highlands.

The archaeological significance of the island cannot be understated. Sites on the ridgeline and terraces may offer an important opportunity for the study and interpretation of ancient Samoa. The number and density of star mounds (31), the great number of modified terraces (46) and home sites (14), the subsistence system, and the artifacts available are all important findings. This is particularly significant in that they were recorded in only 3 days of visual surveys on only a portion of the island.

This area on Olosega, between the 300 and 800-foot elevation, is the most significant portion of the Island based on the uniqueness, importance, and integrity of the archaeological resources there. Additionally unique, and associated with this same area, is the remnant agro-forestry system. This system, with further study, could prove to have developed into a sustainable agro-forestry system in relative equilibrium with the natural system.

In addition to the archaeology, there is great recreational potential on the island. Most of the current Park is on steep and rugged terrain, making trail construction difficult and trail use strenuous. The trail opportunity on Olosega, on the other hand, is exceptional based on the low level of underbrush and the low inclination of the uplands. Pre-existing trails throughout the area would require only minor upgrading to achieve National Park standards. The land corridor east of Olosega village includes the connecting trail to the highlands and excellent seabird habitat. The village dump is located in this corridor and would be unmistakably conspicuous to hikers.

Currently the Park manages 350 acres of reef and 70 acres of land on Ofu Island. The addition of a larger land base in the Ofu/Olosega area would provide greater hiking opportunities and increase recreational opportunities beyond that of snorkeling on the reef. The availability of this additional opportunity would help to diversify visitor use and lessen impact on the reef.

The map provided on the following page shows the most important areas of biological and cultural resources associated with Olosega as determined by the NPSA study team during the reconnaissance survey.

Mr. RADANOVICH. Thank you, sir.

The only question I might have on the islands, is there—can you gauge the support for the expansion of the Park Service? Is it overwhelming? Is it 50-50?

Mr. FALÉOMAVAEGA. The island, as you see on this chart, Mr. Chairman, is about 60 miles from the main island. We don't have towns and cities as you would in Las Vegas or Los Angeles; we have villages. And in essence what we have in terms of the support that has been brought forth, at least to my attention, some 4 years ago, are the chiefs of the villages, the two basic villages that are here are very supportive of the national park. I believe you have them there, the letters that have been signed by the traditional leaders, as well as the members of the villages.

If I would also like to add that I would really welcome you, Mr. Chairman and Donna and members of our Subcommittee. We would love to have you come and visit our little national park. We have—hopefully, if the bird-watchers of America will ever catch the word, we have a flying fox, or a bat that flies during the day. You know, you see most pictures of bats in caves and they only come out at night. We have a bat that flies during the day. I thought maybe this is something that bird-watchers of America would come and love to see. It is there on our little island.

I don't know how I could explain it further, Mr. Chairman. I realize we are isolated being out in the middle of the Pacific. Our isolation also could be a blessing in a way, Mr. Chairman, where we don't have too many tourists coming to visit. But more than anything the essence of this bill is preserving the archaeological historical sites that are found in these ancient places. They have just now discovered many artifacts and ancient ruins in the villages that were there hundreds of years ago. This is one reason why we are putting this bill forward—to preserve a lot of these historical sites.

Mr. RADANOVICH. Well, looking at the pictures of the island, I wouldn't be going out there to see bats. The beaches and the mountains look just incredible, just gorgeous.

Donna, did you have any questions?

Mrs. CHRISTENSEN. I would want to just follow up on the same questions you asked at first, because as we are doing some expansion to our parks, through monuments, we have a lot of concerns in our fishing community with that, an area that is usually fished.

Would your fishermen be in that area and will they now be restricted from fishing? Has there been any concern raised about that?

Mr. FALÉOMAVAEGA. There has been no concern on any of the fishing activities, mainly because our fishing activity within the surroundings is really for subsistence. It is not for commercial purposes, even though, ironically, I do have the largest tuna canning facility in the world. But they don't fish around these areas; they fish in the central and eastern waters, deep water fishing.

Mrs. CHRISTENSEN. In the Virgin Islands, it doesn't make any difference whether it was commercial or recreational, subsistence, any fishing, we still had a large outcry from our fishing community. But that is not the case with this one?

Mr. FALEOMAVAEGA. No, because I think your tourism industry is probably a hundred times bigger than ours. That is the advantage when you have visitors; this is where a lot of the recreational fishing comes into play. We don't have that as much, not at all.

Mrs. CHRISTENSEN. I am interested not in the tourists, but how about from the native Samoan community?

Mr. FALEOMAVAEGA. Like I said, the natives fish a lot, but it is not for trying to make a \$150 million industry out of it. It is basically for subsistence living.

Mrs. CHRISTENSEN. They have no problem with the expansion of the park?

Mr. FALEOMAVAEGA. No, not at all.

Mrs. CHRISTENSEN. Thank you.

Mr. GIBBONS. [Presiding.] Thank you. I want to tell you that I have been to Pago Pago and American Samoa. If this were in Nevada, the whole thing would be a park; it is that beautiful. You live in a very pretty part of the world. I fully understand your enthusiasm for the project that you have brought before us.

I have no questions, I just want to thank you for telling us a little more about it and having the opportunity to work with you on this bill. And we certainly think that it is a very worthwhile project to do.

Mr. FALEOMAVAEGA. Even though this is an unrelated issue, I am dead serious about the situation about the Yucca Mountain. I would more than happy to sign any petition, any resolution, anything.

Mr. GIBBONS. Believe me, as we go down the road, there will be plenty for you to do on that.

Mr. FALEOMAVAEGA. I say this with sensitivity, Jim, because you know my region has experienced more the situation of our government detonating 66 nuclear bombs in the Marshall Islands, not too far from where we are and where we exploded the Bravo shot.

I don't know—many American don't realize it; this is where we exploded the hydrogen bomb that was 1,000 times more lethal than the bombs we dropped in Nagasaki and literally blew an island out of existence.

And then many Americans don't know that the French Government also exploded over 200 nuclear bombs in the South Pacific. So the sensitivity about nuclear waste and nuclear anything comes very, very high, in my opinion, in terms of the experiences that we have had to go through. With respect to some 3 million people living in the State of Nevada, why should you have to be the recipient of nuclear waste of our other fellow—sister states.

It seems to me the common logic would say, why not establish regional centers that if you want to use nuclear energy as part of your resource, then you should take care of it. But why should Nevada be the dumping ground?

One issue that I am really curious about is how the administration as well as the Congress are going to grapple with whose towns are going to be the sacrificial lambs when these things are going to be transported? What cities? What rural areas are going to be the ones that are going to be the sacrificial lambs if anything goes wrong with the transportation of this contaminated nuclear waste?

It is something that I am very curious about how the Energy Department is going to come up with a solution to that.

But anyway, I know this is unrelated, but I want to let you know that I offer to assist the Nevada delegation in fighting this. I think it is a most unfair policy to heap upon one State to benefit of the rest. It is not right.

Thank you, Mr. Chairman.

Mr. GIBBONS. Thank you. Sometimes science overtakes politics and politics overtake science. This is one of those cases. But I appreciate your eloquence and your insight into the issue, and your friendship on that as well.

I would like to call up our next panel, which is going to be composed of Mr. John Reynolds, regional director of the Pacific West Region, National Park Service; Mr. Carson Pete Culp, who is the Assistant Director of Minerals, Realty, and Resource Protection, Bureau of Land Management, and the great Honorable John Lee, Assemblyman from the State of Nevada.

Mr. GIBBONS. John, welcome. John is one of the more articulate public servants that we have from the Las Vegas area, District 3 in the State of Nevada. He very ably represents his area, and he will be able to talk to us about this legislation as well.

In fact, what I will do, John, just because of your position in the legislature, I will turn to you and let you make your opening remarks first. I want to welcome you to the Committee. If you will try to summarize your remarks within a 5-minute timeframe, we will answer questions and go to the other gentlemen as well.

**STATEMENT OF THE HON. JOHN J. LEE, ASSEMBLYMAN,
NEVADA STATE LEGISLATURE**

Mr. LEE. Thank you. My talk starts out "Chairman Radanovich," but I am much more excited to call it "Vice Chairman Gibbons" today. It is nice to see another Nevadan serving so well here.

Vice Chairman Gibbons and members of the Committee, I am John J. Lee. I represent Clark County, Assembly District 3, which is the metropolitan area of Las Vegas. I am appearing today on behalf of the State legislature to speak in favor of H.R. 3937. During its last session, the Nevada legislature unanimously approved Assembly Joint Resolution 6 that called upon Congress to support the release of property in Clark County, controlled by the Bureau of Land Management, for the development of a regional shooting park.

In Nevada, as in many other parts of the Western United States, firearms enthusiasts use public lands as places to practice their hobby. Shooters go out in the desert with a few paper targets or a stack of tin cans to sight in their rifles or hone their shooting skills.

In recent years, the BLM or local governments have restricted shooting in many areas, forcing hobbyists to travel to more remote locations. Unfortunately, some ignore these restrictions and continue to shoot near settled areas.

As you may know, Las Vegas is the fastest growing metropolitan area in the Nation. Las Vegas is located on open desert, surrounded by Federal lands. Unlike most other cities, it does not have a surrounding buffer of farms or other private property. In-

stead, outlying housing developments are immediately adjacent to public lands where sports shooters have practiced for years and which they feel entitled to continue to use. This situation poses a serious hazard to the public.

Two years ago a stray bullet killed a Las Vegas police officer. In November 1999, an errant round struck a vehicle in the local campground, and an accidental shooting killed a local man. Residents of the outlying subdivisions are beginning to voice complaints about near misses and the dangers indiscriminate shooting poses to their lives and property.

The need for a shooting park is evident. The citizens of southern Nevada own an estimated 400,000 registered handguns and an untold number of hunting rifles and shotguns. About 13,000 citizens hold concealed weapons permits. These persons must periodically demonstrate their firearms proficiency. In addition, there are 3,000 police officers, several thousand private security guards and a large number of law enforcement personnel employed by the Nevada Highway Patrol, the FBI, the Secret Service and other State or Federal agencies that need a safe, accessible area in which to train.

The proposed park would accommodate shooters of all kinds. This facility would address recreational needs, gun safety training classes, courses required for hunting licenses, and local and national competitive events. It would include facilities for archery, pistol practice, rifle shooting and shotguns. It would incorporate a variety of safety features, including buffer areas, backdrops and safety berms. It would include access roads, parking areas, rest rooms and other facilities to make the area safe, comfortable and convenient.

The proposed shooting park which has been described to you today would have several benefits. First, it would reduce the amount of indiscriminate shooting that occurs on the fringes of our city. This shooting poses a serious hazard. Shooters must share public lands with hikers, bicyclists, motorcyclists, off-road vehicle enthusiasts, horseback riders and campers. In recent years, this competition among these various users of public lands has become more intense. In some cases, the BLM has closed part of the public lands to shooters, leaving them with few areas in which they can pursue their sport.

In addition, because the BLM does not have the staff to supervise these activities, the danger of indiscriminate shooting has increased, even in areas where shooting has been banned.

Second, the unsupervised shooting on public lands poses environmental problems. In many areas, shooters leave behind garbage and debris, harm wildlife, cut dusty trails and roads or vandalize natural wilderness areas. Providing a suitable location for shooting can reduce these problems.

Third, the shooting park would replace facilities in the Las Vegas area that must be closed in the near future because of encroaching development. These include a police firearms training facility operated by the Las Vegas Metropolitan Police Department and an archery range that must be relocated to make way for the development of a wetlands park. In addition, several private shooting clubs have been recently forced to close by nearby residential or commercial developments.

Fourth, the regional shooting range would provide a venue for regional and national shooting competitions, adding an important attraction to our area's tourist-based economy which has been severely affected by the recent fall in tourist travel. This project has the enthusiastic support of the legislature and the people of Nevada. It has been endorsed by our law enforcement agencies, sports shooting clubs, the Sierra Club, and other environmental groups. In the entire time I have worked on this issue, I have yet to encounter anyone who is opposed to this project.

In conclusion, speaking on behalf of the Nevada legislature, and my own constituents in southern Nevada, I urge the Subcommittee to approve this measure that you have before you today.

Thank you, Congressman Gibbons, for your full support and concern.

Mr. GIBBONS. Thank you very much.

[The prepared statement of Mr. Lee follows:]

**Statement of The Honorable John J. Lee, Nevada State Assemblyman, on
H.R. 2937**

Chairman Radanovich and members of the committee, I am Nevada State Assemblyman John J. Lee. I represent Clark County Assembly District No. 3, which is in the metropolitan Las Vegas area. I am appearing today on behalf of the Nevada State Legislature to speak in favor of H.R. 2937.

During its last session, the Nevada Legislature unanimously approved Assembly Joint Resolution No. 6 that calls upon Congress to support the release of property in Clark County controlled by the Bureau of Land Management (BLM) for the development of a regional shooting park.

In Nevada, as in many other parts of the western United States, firearms enthusiasts use public lands as a place to practice their hobby. Shooters go out into the desert with a few paper targets or a stack of tin cans to site in their rifles or hone their shooting skills. In recent years, the BLM or local governments have restricted shooting in many areas, forcing hobbyists to travel to more remote locations. Unfortunately, some ignore these restrictions and continue to shoot near settled areas.

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This situation poses a serious hazard to the public. Two years ago, a stray bullet killed a Las Vegas police officer. In November 1999, an errant round struck a vehicle in a local campground, and an accidental shooting recently killed a local man. Residents of outlying subdivisions are beginning to voice complaints about near misses and the dangers indiscriminate shooting poses to their lives and property.

The need for a shooting park is evident. The citizens of southern Nevada own an estimated 400,000 registered handguns and an untold number of hunting rifles and shot guns. About 13,000 citizens hold concealed weapons permits. These persons must periodically demonstrate their firearms proficiency. In addition, there are 3,000 police officers, several thousand private security guards, and a large number of other law enforcement personnel employed by the Nevada Highway Patrol, the FBI, the Secret Service and other state or Federal agencies that need a safe, accessible area in which to train.

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enthusiasts, horseback riders, and campers. In recent years, this competition among these various users of public lands has become more intense. In some cases, the BLM has closed parts of the public lands to shooters, leaving them with few areas in which they can pursue their sport. In addition, because the BLM does not have the staff to supervise these activities, the danger of indiscriminate shooting has increased even in areas where shooting has been banned.

Second, unsupervised shooting on public lands poses environmental problems. In many areas, shooters leave behind garbage and debris, harm wildlife, cut dusty trails and roads, or vandalize natural wilderness areas. Providing a suitable location for shooting can reduce these problems.

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In conclusion, speaking on behalf of the Nevada Legislature and my own constituents in southern Nevada, I urge this subcommittee to approve the measure that you have before you today.

Thank you.

Mr. GIBBONS. Mr. Culp, the Assistant Director for Resource Protection, Bureau of Land Management.

Mr. Culp.

**STATEMENT OF CARSON PETE CULP, ASSISTANT DIRECTOR,
MINERALS, REALTY AND RESOURCE PROTECTION, BUREAU
OF LAND MANAGEMENT**

Mr. CULP. Thank you, Mr. Chairman and members of the Committee. I appear before you today to give you the administration's views on H.R. 2937, which is—as you have indicated, is a bill to provide for the conveyance of certain public lands in Clark County for use as a shooting range. A hearing on H.R. 2937's companion bill in the Senate, S. 1451, took place on November 27th, of last year. Our position on H.R. 2937 remains unchanged; the Bureau of Land Management supports the bill with suggested changes.

The bill would provide special disposal authority, as has been noted, for 2,800 acres in Clark County to the county for a centralized shooting facility. It is worth noting that this kind of transfer could occur under the Recreation and Public Purposes Act which authorizes us to transfer lands for recreation purposes up to a total of 6,400 acres; but because this land will be used both for recreation and for other activities, as Mr. Lee and others have noted—for example, by local law enforcement for training purposes—it falls under the 640-acre limitation in the R&PP acts. So the reason for the legislation is essentially a technical one to deal with that acreage limitation which we believe would apply.

In terms of suggestions for technical changes to the bill, I will just mention two very briefly. One is, enactment of the bill will result in certain administrative costs for BLM, particularly the cost of a new survey to make certain that we have correctly delineated the property boundaries. So one of the suggested amendments that

we have would be to include language in the bill that would provide for compensation from Clark County for the administrative costs of the transfer.

And then, Mr. Gibbons, you mentioned the reverter. We would recommend a provision that, should it ever be necessary to exercise the reverter—and we hope that wouldn't be the case—the county would be responsible for cleaning up any lead or other hazardous materials that might exist as the result of the activity.

That concludes my statement, and I would be happy to answer any questions.

Mr. GIBBONS. Thank you very much, Mr. Culp.
[The prepared statement of Mr. Culp follows:]

Statement of Carson Pete Culp, Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, U.S. Department of the Interior, on H.R. 2937

Good afternoon Mr. Chairman and Members of the Committee. I appear before you today to give the Administration's views regarding H.R. 2937, a bill to provide for the conveyance of certain public lands in Clark County, Nevada for use as a shooting range. A hearing on H.R. 2937's companion bill, S. 1451, took place on November 27, 2001. Our position on H.R. 2937 remains unchanged. The Bureau of Land Management (BLM) supports the bill with suggested changes.

H.R. 2937 provides the Secretary of the Interior with special disposal authority to convey 2,880 acres of BLM administered lands in Clark County, Nevada, to the County for the establishment of a centralized shooting facility in the Las Vegas valley.

In the Recreation and Public Purposes Act (R&PP), Congress recognized the benefit of conveying BLM-managed public lands to local governments without compensation for recreation purposes. The R&PP Act limits conveyances for public purposes other than recreation to 640 acres. Because this land will be used as a target range both for recreational purposes and for training of local law enforcement officers, the 640 acre limitation appears to apply and this legislation is needed.

We would like to suggest a few changes to this legislation to improve the administration of this bill if enacted and would be pleased to work with the committee to address these concerns.

The conveyance of these lands by the BLM will result in certain administrative costs. For example, a resurvey will likely be required since the area would have common property boundaries with other land owners that could create use conflicts without a specific defined property boundary. For this reason we suggest that the bill be amended to include language providing compensation by Clark County to the BLM for survey costs and other administrative costs related to the preparation of patents and transfer of title.

Additionally, the United States must avoid the potential for hazardous waste liability from any property reverted to the United States under Section 1 (e) (2) of the bill. We suggest an amendment that Clark County be required to clean up any hazardous waste contamination prior to reversion to the United States.

This concludes my statement. I would be happy to answer any questions.

Mr. GIBBONS. We will turn now for the testimony from Mr. John Reynolds, Regional Director, Pacific West Region, National Park Service.

Mr. Reynolds, welcome.

**STATEMENT OF JOHN J. REYNOLDS, REGIONAL DIRECTOR,
PACIFIC WEST REGION, NATIONAL PARK SERVICE**

Mr. REYNOLDS. Thank you very much. It is a pleasure to be here with you all today. I thank you for the opportunity to present the Department of Interior's views on H.R. 1712 to authorize adjustments to the boundary of the National Park of American Samoa, Ofu and Olosega. I am only going to present a portion of the

testimony—the rest is provided for the record, with your permission—and will do so now.

Mr. GIBBONS. Without objection.

Mr. REYNOLDS. The Department does not oppose H.R. 1712. We do, however, suggest some amendments as outlined in my testimony. The legislation will provide authority for the Secretary of the Interior to adjust the boundary of the National Park of American Samoa to include up to approximately 1,000 acres of land on the island of Olosega, and up to approximately 450 acres on the island of Ofu, and approximately 1,500 acres of ocean waters, offshore to both islands.

The lands on the island of Olosega and the adjacent offshore waters will add important cultural, biological and marine resources to the national park. The lands of the islands of Ofu will ensure the long-term protection of important and fragile coral reef resources presently within the national park, but obviously downstream from the hillside.

The law that established the national park does not provide authority for the National Park Service to acquire parklands, but instead requires that lands must be leased from the Governor of American Samoa. Lands within the authorized boundary expansion would be added to the park incrementally, based on future discussions with village landowners and modification of the existing leases.

The park's enabling legislation places the responsibility for determining the value of the leases with the High Court of American Samoa. As a point of reference, the park currently leases approximately 8,000 acres for \$419,000 annually.

The offshore waters would be leased at no cost from the Government of American Samoa. No development is contemplated within the boundary adjustment areas, so no line item construction or significant development costs are anticipated in connection with the bill.

In March 1998, the Olosega village council noted in a letter to Congressman Faleomavaega that the national park has contributed much to the preservation of Samoan culture, the rain forest and the coral reef. In addition, the council noted that the park has also been a positive factor to the economic well-being of the territory through tourism and lease payments to the villages. The village council of Olosega expressed its wish for a part of this valuable conservation effort of the national park, and I quote, "We are pleased that this has been a grass-roots effort by the community." The letter was signed by the entire village council.

Also significant was the inclusion of the coral reefs around portions of Olosega within the park, which would further the Governor's directive to local agencies to protect 20 percent of the territory's coral reefs. At present, about 6 percent of the territory's reefs are protected.

We recommend an amendment to the bill to eliminate the word "minor" when referring to the boundary adjustments, "the Land and Water Conservation Fund Act provides the Secretary of the Interior with the authority to make minor boundary adjustments and defines the conditions that are considered to be minor." Because the boundary adjustments addressed by this bill would not meet

those criteria, we suggest that the term be deleted from the bill in order to avoid confusion.

We also recommend an amendment to include a map reference in the bill in order to clarify the lands to be included.

I would like to note that, having been over to both of these islands and spent some time both on the island and in the water, this is one of the most marvelous parks in the system. I say that after just having spent 10 days on vacation in the Virgin Islands park. It is pretty nice to be able to say that both of these, both of these resources, are part of America's most wonderful heritage.

The park in American Samoa, the upper land habitat in this park, is absolutely unique in the world. It is a most amazing place. The bird life is marvelous, it is unique, and it is unspoiled. And I can assure you, if you don't have a lot of interest in bats and you see one of these bats that the Congressman referred to, you will never think of bats in the same way again. They are absolutely out of the experience of any of us who have never seen them before.

The star mounds, the archaeological resources that are referred to, are some of the most exciting and inspirational archaeological resources that you can ever stand in front of in an entire lifetime. The culture and all of these resources are part of the native culture of the American Samoan, of the native Samoan. It is this tie between the culture and this particular nature of the national park that is not repeated anywhere else in the national park system that is so important for this addition.

Thank you for allowing me to testify today. I would be more than happy to answer any questions that haven't been addressed.

Mr. GIBBONS. Thank you very much, Mr. Reynolds.

[The prepared statement of Mr. Reynolds follows:]

**Statement of John J. Reynolds, Regional Director, Pacific West Region,
National Park Service, U.S. Department of the Interior, on H.R. 1712,**

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 1712, a bill to authorize the Secretary of the Interior to make minor adjustments to the boundary of the National Park of American Samoa, to include certain lands of the islands of Ofu and Olosega within the park, and for other purposes.

The Department does not oppose H.R. 1712. We do, however, suggest amendments as outlined in this testimony. This legislation will provide authority for the Secretary of the Interior to adjust the boundary of the National Park of American Samoa to include up to approximately 1,000 acres of land on the island of Olosega, up to approximately 450 acres on the island of Ofu, and approximately 1,500 acres of ocean waters offshore of Olosega and Ofu. The lands on the island of Olosega and the adjacent offshore waters will add important cultural, biological and marine resources to the national park. The lands on the island of Ofu will ensure the long-term protection of important and fragile coral reef resources presently within the national park.

Proposed additions on Ofu contain excellent wildlife and coral reef habitats. Currently, only a strip of sand beach and the associated coral reef are within the national park boundary on Ofu. This coastal area contains a world-class coral reef area of remarkably high diversity and beauty. The proposed addition would protect the upland watershed so that the coral reef would not be impaired by non-park developments. Coastal areas on the north side of Ofu are proposed because of the exceptionally healthy and diverse coral communities found there, and because the north shores of Ofu and Olosega are connected and constitute a single coral reef ecosystem.

The archeological resources found on Olosega between the 300 and 800-foot elevations are not only important, but are unique in American Samoa. Unique to Olosega are the number of star mounds and what appears to be a remnant agroforestry system. Archeological reconnaissance surveys carried out on Olosega in July

1999 by the National Park Service and the University of North Dakota's Department of Anthropology identified 31 star mounds, 46 modified terraces, 14 house platforms, an elevated grave site believed to be associated with the Tui Olosega (King of Olosega), and numerous stone tools. Star mounds are massive rock platforms with radiating arms built by the ancient Samomans for cultural and sporting events. Up until 1999, star mounds were known to exist only on Upolo (in Samoa) and Tutuila islands. Archeologists believe the agro-forestry system found on Olosega, with further study, could prove to be an agricultural system that existed in relative equilibrium with the native forest system. Most of the sites and artifacts found on Olosega were well preserved.

Also in 1999, a survey of Olosega's biotic resources by the park's wildlife biologist found that the unoccupied portions of the island provide excellent habitat for native wildlife. Large tracts of land on Olosega remain relatively wild and the island is free of many of the introduced species that compete with the native wildlife within the park on Tutuila. In addition, Olosega includes the presence of the rarer bird species that occur in American Samoa. Fiji shrikebill, uncommon on the other islands, were consistently seen on Olosega during the 1999 survey. The Friendly ground dove and the Blue-crowned lory are also present. The Friendly ground dove is a candidate for listing as an endangered species. Biologists believe the shrikebill found on Olosega may be a separate subspecies found only on the Manu'a Islands.

Although Olosega shares the same fauna found on the other islands of American Samoa, the species composition of the forest trees is somewhat unique. The 1999 survey found a high concentration of Samoan medicinal plants. Many of these medicinal plants are disappearing from the native forests of Samoa. The survey also found that the area between the 200 and 800-foot elevation represented a traditional mixed agro-forestry system developed over decades of manipulation and cultural use. The system appeared to be relatively stable and may have reached a sustainable equilibrium.

Small populations of two species of flying foxes are believed to exist on Olosega. Protection of these fruit-eating bats is included in the park's enabling legislation. In addition, there are indications that a few individuals of the nearly extirpated sheath-tailed bat are present on Olosega. This small insectivorous bat is a candidate for listing as an endangered species and is not currently found within the existing boundary of the park.

The coastal and marine areas of Olosega contain rich coral and fish communities and would complement the Ofu reef currently included within the park boundary. Surveys have found that Olosega's offshore waters are among the richest and most densely populated with fish species in the entire Samoan archipelago. Both the endangered Hawksbill and the threatened Green sea turtles are present in Olosega's offshore waters. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service believe that the Hawksbill turtle is a species rapidly approaching extinction, making its protection in Olosega's reefs and offshore waters of vital importance.

The law that established the National Park of American Samoa does not provide the authority for the National Park Service to acquire park lands, but instead requires that lands must be leased from the Governor of American Samoa. Lands within the authorized boundary expansion would be added to the park incrementally, based on future discussions with village landowners and modification of the existing lease. The park's enabling legislation places the responsibility for determining the rental value of lands to be leased for the national park with the High Court of American Samoa. As a point of reference, the park currently leases approximately 8,000 acres for \$419,000 annually. The offshore waters would be leased from the Government of American Samoa at no cost. No development is contemplated within the boundary adjustment areas, so no line-item construction or significant development costs are anticipated in connection with H.R. 1712.

In March 1998, the Olosega Village Council noted in a letter to American Samoa's Congressional representative, Congressman Eni F.H. Faleomavaega, that the national park has contributed much to the preservation of Samoan culture, the rainforest and the coral reef. In addition, the council noted that the park has also been a positive factor to the economic well-being of the territory through tourism and lease payments to the villages in the park. The village council of Olosega expressed its support for expansion of the park boundaries, and we are pleased that this has been a grassroots effort supported by the community.

Also significant would be inclusion of the coral reefs around portions of Olosega within the national park, which would further the Governor's directive to local agencies to protect 20 percent of the territory's coral reefs. At present, only about six percent of the territory's reefs are in protected areas.

We recommend an amendment to the bill to eliminate the word “minor” when referring to the boundary adjustment. The Land and Water Conservation Fund Act (LWCF), as amended, provides the Secretary of the Interior with the authority to make minor boundary adjustments, and defines the conditions that are considered to be minor. Because the boundary adjustment addressed by H.R. 1712 would not meet those criteria, we suggest that the term be deleted from the bill in order to avoid confusion between its use in H.R. 1712 and the definition provided in the LWCF.

We also recommend an amendment to include a map reference in the bill in order to clarify the lands to be included in the boundary adjustment. Both of the suggested amendments are attached to this testimony.

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

PROPOSED AMENDMENTS TO H.R. 1712

In the title of the bill and on page 2, line 5 strike “minor”.

On page 2, line 7, after Olosega insert “as depicted on the map entitled “National Park of American Samoa, Proposed Boundary Adjustment”, numbered 82,035 and dated Feb 2002”.

Mr. GIBBONS. Mrs. Christensen.

Mrs. CHRISTENSEN. Thank you. I welcome the panelists today.

I wanted to ask a question to Mr. Culp on H.R. 2937. In your written testimony and what you gave to us today, you noted that the legislation was required because the authority to transfer land for nonrecreational purposes under R&PP is limited at 640 acres. But seeing that it leaves out another important reason why legislation might be needed, that doesn’t—not only—R&PP does not cover this transaction not only because of size, as I understand it, but more importantly, because it only covers land identified for disposal, which does not cover wilderness study areas. Isn’t that correct?

Mr. CULP. That is correct, yes. And, actually there is another reason.

Our land use planning requirements would—without this legislation, would require a plan amendment to identify the lands for disposal. So the legislation takes care of both the wilderness study area release requirement and the land use planning requirement.

Mrs. CHRISTENSEN. OK. In my opening remarks, I asked—I questioned the size of it. And I completely understand the need for safety, but it still seems a bit large. Are there associations that set standards for the size of buffer areas, recommend standard sizes for buffer areas? And anyone that might be able to answer this, either you or the state assemblyman, I am trying to figure out whether this 1,400 acres is a standard buffer area. It still seems a bit large.

Mr. GIBBONS. Let me say that the National Association of Shooting Ranges establishes the boundaries in areas. It is based upon the projected trajectory of a bullet’s travel, and all of that is taken into consideration. They set the standards for areas like this.

Mrs. CHRISTENSEN. Would fees be set for the use of the range? Will there be any fees for the use of those?

Mr. GIBBONS. Yes. I believe there would be a fee set for the utilization of the range by any person or a group.

Mrs. CHRISTENSEN. One other question: Did the BLM ever approach Clark County about paying fair market value for the land?

Mr. CULP. I don't believe that we did. As I indicated, this is very close to a Recreation and Public Purposes Act transaction. And that law provides that we can do these transfers without compensation; or certain kinds of transfers, there is a very minimum compensation of, like, \$1.50 an acre.

Mrs. CHRISTENSEN. I don't have any further questions.

Mr. GIBBONS. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I would like to ask Mr. Culp a couple of questions.

Is this land situated somewhere with the mountain as a background, or is this flat desert out? Most target areas usually would have kind of like a high wall, like a mountain that you can shoot into. Is this the case? Can you give me an idea what the land situation looks like?

Mr. CULP. Actually, I have been close to there, but I haven't been there personally. It is immediately south of the Desert National Wildlife Refuge.

My guess is that Mr. Lee could maybe help.

Mr. FALEOMAVAEGA. I just got a copy of the map. I have been, what do you call it, given a tremendous orientation on where I am at.

Mr. LEE. Yes, sir. It is on the skirt on the northern part of the mountain. It aims to the north where the sun will never be in the shooters' eyes. In that area are the headwaters to Lake Mead. So we have—some of that acreage is just total wash area, too, yes, sir.

Mr. FALEOMAVAEGA. What are we looking at in anticipation of community use for purposes of a target range? How many people may be using this facility once it is open?

Mr. LEE. We believe there will be about 144,000 shooter days, shooter-person days a year.

We also, if you know anything about Las Vegas—

Mr. FALEOMAVAEGA. I know a little bit about it. I have heard of Henderson.

Mr. LEE. We are excited about the world-class things we do there. We are going to build a world-class shooting arena so that people who come visit can also participate. We are expecting about a \$4-a-day shooting day fee for someone to be able to use the facility, the residents of Clark County.

Mr. FALEOMAVAEGA. I would think that with all the tourists, it would also be they would like to do recreational shooting as well.

Mr. LEE. There are many organizations, the cowboy shooters and national organizations, that would love to come out. We have the hotel rooms, the facilities close by. We are within 30 minutes of the downtown metropolitan Las Vegas area. So we have a beautiful location for it.

Mr. FALEOMAVAEGA. You still have a lot of cowboys in Nevada?

Mr. LEE. I would tell you that Mr. Gibbons probably wears cowboy boots. There are quite a few people that have that heritage. Very safe, friendly people, though.

Mr. FALEOMAVAEGA. I see. So they are real good country folk.

Where is this—I am here again pleading ignorance. Where is the Yucca Mountain from Las Vegas?

Mr. LEE. We are probably in the northerly direction.

Mr. FALCOMVAEGA. So Yucca is only about 90 miles north of Las Vegas. I don't why I keep referring to Yucca Mountain; I must have some obsession with it. I don't know what it is.

The conveyance, Mr. Culp, the administration does not object to this proposal?

Mr. CULP. We do not. We support the proposal.

Mr. FALCOMVAEGA. Mr. Reynolds, I would like to have you come and testify on any park bill that I propose from now on. Thank you so much for your testimony.

We have approximately, about, almost 60 species of birds that are not found anywhere in the United States that are in our little island, if you will.

And it might also be noted of some historical import, this little group of islands, one of the islands, this is where Margaret Mead came and conducted her so-called scientific study about the sex habits of Samoans, which I deeply resent; nor do I actually accept her scientific findings about the social behavior of Samoans in that regard.

But I do really appreciate, Mr. Reynolds, your presence and your testimony. And I sincerely appreciate also the recommendations that you have offered in this legislation, so we can make improvements on it.

I invite everybody in this room to come to my little islands, pay your own way, but you are more than welcome to come and visit my little islands, and we will be happy to take you fishing. I don't know if we can do any squirrel hunting.

Do you do that in Nevada still, Mr. Chairman?

Mr. GIBBONS. If we had any squirrels, we would.

Mr. FALCOMVAEGA. I don't have any more questions. Thank you, Mr. Chairman. Thank you, members of the panel.

Mr. GIBBONS. Thank you. I would also invite to you Las Vegas. We will strap you on a couple of six-shooters and take you out to the shooting range.

Gentlemen, I want to thank you very much for your time, your patience and your contribution to the process here today. It is a pleasure to have your testimony before us.

With that, if there are no further questions, we will excuse the panel. And with that, this hearing is adjourned.

[Whereupon, at 3 p.m., the Subcommittee was adjourned.]

[A statement submitted for the record by Brian O'Donnell, Associate Director, Wilderness Support Center, The Wilderness Society, on H.R. 2937 follows:]

Statement of Brian O'Donnell, Associate Director, Wilderness Support Center, The Wilderness Society, on behalf of the Nevada Wilderness Coalition

On behalf of the Nevada Wilderness Coalition, thank you for the opportunity to present written testimony on H.R. 2937, legislation to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

First, the Nevada Wilderness Coalition would like to acknowledge the need for a new shooting range in Clark County. Our members spend a great deal of time hiking, camping and enjoying the public lands in Southern Nevada. All too often, when hiking or recreating on our public lands, we have encountered large amounts of trash left behind after being used as makeshift targets. These makeshift targets range from appliances, to furniture, to metal sheets that are shot up and left behind, scarring the beauty of the Mojave Desert region of Nevada. The Nevada

Wilderness Coalition believes that a new shooting range in Clark County will help deal with this problem.

However, the proposed location for the shooting range under H.R. 2937 causes concern. H.R. 2937 would convey public lands under the jurisdiction of the BLM and managed as a Wilderness Study Area (WSA) for the shooting range. Specifically, a portion of the Quail Springs Wilderness Study Area would be released from its Study Area status and no longer subject to interim protection.

Currently, there is only one area designated as Wilderness in all of Clark County, the Mt. Charleston Wilderness. The Mt. Charleston Wilderness is a high elevation, forested, area. The Mojave Desert Region of Nevada is home to an incredibly diverse array of wildlife, and spectacular landscapes. Unfortunately, this landscape is currently not included in the National Wilderness Preservation System. Some of the best wilderness quality lands in the Mojave Desert region of Nevada are currently being managed as Wilderness Study Areas. It is unfortunate that H.R. 2937 looks to one of these few areas in Clark County with interim protection for the location of a shooting range.

Clark County is the fastest growing county in the country. The cities of Las Vegas and North Las Vegas have grown at an incredible rate during the past dozen years. With this growth comes increased pressures on the public lands in Southern Nevada. Urban sprawl, habitat fragmentation, and unbridled off-highway vehicle use all undermine the integrity of the valuable public asset that is the wild character of our public lands. These wild lands urgently need Wilderness designation if they are to be passed down to future generations. H.R. 2937 only exacerbates the pressures on our remaining wild places in Southern Nevada.

The Nevada Wilderness Coalition has presented a Citizens' Wilderness Proposal for Nevada's Mojave Desert Region to members of the Nevada Congressional Delegation and federal land management agencies. This proposal outlines a balanced plan to protect the wilderness character of some of our public lands in southern Nevada. This Wilderness Proposal should be debated and enacted by Congress.

H.R. 2937 should be considered in the context of the broader pressures on the public lands in Clark County. Currently, H.R. 2937 offers no mitigation, or Wilderness designation, and only further threatens the wilderness character of the public lands in southern Nevada.

Fortunately, Senators Ensign and Reid are currently involved in a process to address public lands in Clark County in a more holistic way. The Nevada Wilderness Coalition has participated in Senator Ensign and Reid's public lands process for Clark County and is hopeful that it will lead to significant new Wilderness protections in Clark County. H.R.2937 should be considered in context of this more holistic review of the public lands management needs in Clark County.

We look forward to working with Rep. Gibbons on the more holistic approach to balancing development on our public lands with much needed Wilderness protections. We ask that the subcommittee not approve H.R. 2937 without assurances that it will address the larger Wilderness protection needs for the public lands in Clark County in the near term.