

**H.R. 3434, H.R. 3449 and  
H.R. 4953**

---

---

**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

July 16, 2002

**Serial No. 107-139**

Printed for the use of the Committee on Resources



Available via the World Wide Web: <http://www.access.gpo.gov/congress/house>  
or  
Committee address: <http://resourcescommittee.house.gov>

U.S. GOVERNMENT PRINTING OFFICE

80-723 PS

WASHINGTON : 2002

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

## COMMITTEE ON RESOURCES

JAMES V. HANSEN, Utah, *Chairman*  
NICK J. RAHALL II, West Virginia, *Ranking Democrat Member*

Don Young, Alaska, <i>Vice Chairman</i>	George Miller, California
W.J. "Billy" Tauzin, Louisiana	Edward J. Markey, Massachusetts
Jim Saxton, New Jersey	Dale E. Kildee, Michigan
Elton Gallegly, California	Peter A. DeFazio, Oregon
John J. Duncan, Jr., Tennessee	Eni F.H. Faleomavaega, American Samoa
Joel Hefley, Colorado	Neil Abercrombie, Hawaii
Wayne T. Gilchrest, Maryland	Solomon P. Ortiz, Texas
Ken Calvert, California	Frank Pallone, Jr., New Jersey
Scott McInnis, Colorado	Calvin M. Dooley, California
Richard W. Pombo, California	Robert A. Underwood, Guam
Barbara Cubin, Wyoming	Adam Smith, Washington
George Radanovich, California	Donna M. Christensen, Virgin Islands
Walter B. Jones, Jr., North Carolina	Ron Kind, Wisconsin
Mac Thornberry, Texas	Jay Inslee, Washington
Chris Cannon, Utah	Grace F. Napolitano, California
John E. Peterson, Pennsylvania	Tom Udall, New Mexico
Bob Schaffer, Colorado	Mark Udall, Colorado
Jim Gibbons, Nevada	Rush D. Holt, New Jersey
Mark E. Souder, Indiana	Anibal Acevedo-Vila, Puerto Rico
Greg Walden, Oregon	Hilda L. Solis, California
Michael K. Simpson, Idaho	Brad Carson, Oklahoma
Thomas G. Tancredo, Colorado	Betty McCollum, Minnesota
J.D. Hayworth, Arizona	Tim Holden, Pennsylvania
C.L. "Butch" Otter, Idaho	
Tom Osborne, Nebraska	
Jeff Flake, Arizona	
Dennis R. Rehberg, Montana	

Tim Stewart, *Chief of Staff*  
Lisa Pittman, *Chief Counsel/Deputy Chief of Staff*  
Steven T. Petersen, *Deputy Chief Counsel*  
Michael S. Twinchek, *Chief Clerk*  
James H. Zoia, *Democrat Staff Director*  
Jeffrey P. Petrich, *Democrat Chief Counsel*

SUBCOMMITTEE ON NATIONAL PARKS, RECREATION,  
AND PUBLIC LANDS

GEORGE P. RADANOVICH, California, *Chairman*

DONNA M. CHRISTENSEN, Virgin Islands *Ranking Democrat Member*

Elton Gallegly, California	Dale E. Kildee, Michigan
John J. Duncan, Jr., Tennessee	Eni F.H. Faleomavaega, American Samoa
Joel Hefley, Colorado	Frank Pallone, Jr., New Jersey
Wayne T. Gilchrest, Maryland	Tom Udall, New Mexico
Walter B. Jones, Jr., North Carolina,	Mark Udall, Colorado
<i>Vice Chairman</i>	Rush D. Holt, New Jersey
Mac Thornberry, Texas	Anibal Acevedo-Vila, Puerto Rico
Chris Cannon, Utah	Hilda L. Solis, California
Bob Schaffer, Colorado	Betty McCollum, Minnesota
Jim Gibbons, Nevada	
Mark E. Souder, Indiana	
Michael K. Simpson, Idaho	
Thomas G. Tancredo, Colorado	



## C O N T E N T S

---

	Page
Hearing held on July 16, 2002 .....	1
Statement of Members:	
Christensen, Hon. Donna M., a Delegate in Congress from the Virgin Islands, Prepared statement on H.R. 3434, H.R. 3449, and H.R. 4953 .	14
Davis, Hon. Jo Ann, a Representative in Congress from the State of Virginia .....	11
Prepared statement on H.R. 3449 .....	13
Hooley, Hon. Darlene, a Representative in Congress from the State of Oregon .....	5
Prepared statement on H.R. 3434 .....	7
Radanovich, Hon. George P., a Representative in Congress from the State of California .....	1
Prepared statement on H.R. 3434, H.R. 3449, and H.R. 4953 .....	2
Walden, Hon. Greg, a Representative in Congress from the State of Oregon .....	2
Prepared statement on H.R. 4953 .....	4
Statement of Witnesses:	
Anderson, Robert, Deputy Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, U.S. Department of the Interior .....	14
Prepared statement on H.R. 4953 .....	16
Cooper, Judge Scott R., Crook County Court, Crook County, Oregon .....	21
Prepared statement on H.R. 4953 .....	30
Letters submitted for the record .....	24
Masica, Sue, Associate Director, Park Planning, Facilities and Lands, National Park Service, U.S. Department of the Interior .....	18
Prepared statement on H.R. 3434 .....	19
Prepared statement on H.R. 3449 .....	20
Additional materials supplied:	
Front, Alan, Senior Vice President, Trust for Public Land, and Ralph Grossi, President, American Farmland Trust, Statement submitted for the record on H.R. 3449 .....	12
Salisbury, John, President, McLoughlin Memorial Association, Statement submitted for the record on H.R. 3434 .....	8
Williams, John, Mayor, City of Oregon City, Oregon, Statement submitted for the record on H.R. 3434 .....	10



**LEGISLATIVE HEARING ON H.R. 3434, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ACQUIRE THE McLOUGHLIN HOUSE NATIONAL HISTORIC SITE IN OREGON CITY, OREGON, AND TO ADMINISTER THE SITE AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES; H.R. 3449, TO REVISE THE BOUNDARIES OF THE GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT, AND FOR OTHER PURPOSES; AND H.R. 4953, TO DIRECT THE SECRETARY OF THE INTERIOR TO GRANT TO DESCHUTES AND CROOK COUNTIES IN THE STATE OF OREGON A RIGHT-OF-WAY TO WEST BUTTE ROAD.**

---

**Tuesday, July 16, 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 2:05 p.m., in room 1334 Longworth House Office Building, Hon. George Radanovich, [Chairman of the Subcommittee] presiding.

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

Mr. RADANOVICH. Good afternoon and welcome to the Subcommittee on National Parks, Recreation & Public Lands.

Today we will be receiving testimony on three bills, H.R. 3434, H.R. 3449 and H.R. 4953.

Our first bill, introduced by Congresswoman Darlene Hooley of Oregon, would authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City,

Oregon, and to administer the site as a unit of the National Park System.

Our second bill is H.R. 3449, introduced by Congresswoman Jo Ann Davis of Virginia. That would authorize the boundary expansion of the George Washington Birthplace National Monument in Westmoreland County, Virginia by up to 115 acres.

Our third bill will be H.R. 4953 introduced by our Committee colleague, Mr. Greg Walden. It is to direct the Department of Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road, a critical north-south route in central Oregon.

Before turning time over to Mrs. Christensen, I would ask unanimous consent that Ms. Hooley, Ms. Davis and Mr. Walden be permitted to sit on the dais following their statements.

Without any objection here, it is so ordered. I think we will begin the hearing without an opening statement from Mrs. Christensen, who I understand is on her way.

[The prepared statement of Mr. Radanovich follows:]

**Statement of The Honorable George P. Radanovich, Chairman,  
Subcommittee on National Parks, Recreation, and Public Lands**

Good afternoon. The hearing will come to order.

This afternoon, the Subcommittee on National Parks, Recreation, and Public Lands will receive testimony on three bills—H.R. 3434, H.R. 3449 and H.R. 4953.

Our first bill, H.R. 3434, introduced by Congresswoman Darlene Hooley of Oregon, would authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System.

Our second bill, H.R. 3449, introduced by Congresswoman Jo Ann Davis of Virginia, would authorize the boundary expansion of the George Washington Birthplace National Monument in Westmoreland County, Virginia, by up to 115 acres.

Our last bill, H.R. 4953, introduced by our Committee colleague, Congressman Greg Walden, would direct the Secretary of Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road, a critical north-south route in central Oregon.

Before turning the time over to Mrs. Christensen, I would ask unanimous consent that Ms. Hooley, Ms. Davis, and Mr. Walden be permitted to sit on the dais following their statements. Without objection, so ordered.

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

---

Mr. RADANOVICH. Mr. Walden, welcome to the Committee. If you would like to begin your testimony, we will do 5 minutes each and then open it up for questions. Then again, you are more than welcome to join us on the dais following that.

**STATEMENT OF THE HON. GREG WALDEN, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF  
OREGON**

Mr. WALDEN. Well, thank you very much, Mr. Chairman. I appreciate your scheduling this hearing on H.R. 4953.

H.R. 4953 would direct the Secretary of Interior to grant Deschutes and Crook Counties a right-of-way to West Butte Road across land that is currently managed by the Bureau of Land Management. The right-of-way would coincide with the current roadway and would thus allow the counties to make improvements, thereby creating an improved transportation route for Central Oregon.



This improvement would enhance the connection from Oregon's Highway 126 to U.S. Highway 20 and improve access to eastern Oregon and neighboring States to the east. I introduced this legislation to expedite the right-of-way exchange in an effort to address the current economic development and transportation needs of central Oregon in a timely fashion.

Mr. Chairman, Crook County, a partner in the exchange and a community that is tied to natural resource production, has been hard hit by six sawmill closures resulting in the loss of 22 percent of the family wage jobs in this community over the past 10 years.

Like so many of the natural resource based-communities across the nation, Crook County is actively looking for the means to revitalize its economy. This exchange would allow the Federal Government to assist the community by improving its transportation infrastructure.

With the establishment of a right-of-way, the county and State would be able to construct a paved connection from Highway 126 to Highway 20. This was allow traffic that is currently bottlenecked in another part of Central Oregon to pass through Prineville. I am hopeful that this improved route will attract desperately needed businesses and jobs to Crook County.

Mr. Chairman, for Deschutes County, passage of this legislation would provide a traffic relief valve for the congested Highway 97. In a recent study conducted by the Oregon Department of Transportation, it was determined that 12,700 trucks and cars travel through an ODOT automatic traffic recorder station located at the point traffic would turn off of Highway 97 and utilize the West Butte route.

Thirteen percent of the total traffic consisted of large trucks, of which 1,651 pass through this intersection per day. Though it has not yet been determined how much traffic would take advantage of the new route, evidence indicates that even a small percentage would be a tremendous benefit in relieving traffic congestion along U.S. Highway 97.

At the southern connection point at West Butte to Highway 20, ODOT conducted a separate study, assuming that 25 of all truck traffic on U.S. 20 would use the West Butte Route. The average daily truck traffic on U.S. 20 is estimated to be around 326. Roughly 81 trucks a day would use the West Butte route, bypassing the heavy traffic congestion of Bend and Redmond.

Over 10 years ago, Deschutes County and the BLM recognized the need to increase the transportation infrastructure in Central Oregon. However, in 1989, a resource management plan failed to anticipate it and address the rapid population growth that has occurred in Bend, Redmond and the surrounding areas.

Currently, a new Upper Deschutes Resource Management plan is being drafted by the BLM to address transportation issues as part of the updated plan. However, Mr. Chairman, I am concerned the BLM timeline will delay the right-of-way exchange causing undue economic hardship in Crook County while failing to address Central Oregon's transportation problems in a timely manner.

This legislation has the support of the cities of Prineville, Bend, Redmond, Crook and Deschutes Counties and the Oregon Depart-

ment of Transportation and the Central Oregon Transportation Commission.

These groups are working hard to identify and improve transportation routes through central Oregon. It is my privilege to assist them in their efforts. I appreciate the opportunity to make the case before this Committee.

Mr. Chairman, this legislation will really help on the jobs front. Few counties in Oregon have been hit harder of late than Crook County. This will reduce the amount of time trucks have to spend traveling. I am told that one of the mills there has even indicated in writing that if this change were to occur and the route were to be shortened by upwards of 35 miles, that they would be able then to reopen a saw mill that handles really small timber.

So, it really does have a major impact, not only in the timber industry, but on the tire industry where the headquarters for LaScheib Tire Centers. Their trucks have to make this detour route, if you will, around what could be a much better route and it would save time, would save energy and would probably save and really create jobs.

In closing, Mr. Chairman, I am honored, too, to have with me today the judge from Crook County, Scott Cooper, who has really spearheaded this effort. He is new to office, been there, I think, 2 years now. He has really taken this bit in his mouth. He flew all night to be here to join us today. So, after my colleagues are finished, I look forward to the opportunity to hear his comments today on this issue.

With that, Mr. Chairman, I yield back the balance of my time.  
[The prepared statement of Mr. Walden follows:]

**Statement of The Honorable Greg Walden, a Representative in Congress  
from the State of Oregon**

Thank you, Mr. Chairman, for holding this legislative hearing to discuss H.R. 4953. I commend you for scheduling this hearing, and I look forward to working with you to get this important measure to the House floor. I would also like to thank my Oregon colleagues, Senator Wyden and Senator Smith, for introducing companion legislation in the Senate and for their efforts to work in a bipartisan fashion to address the most pressing issues facing central Oregon.

H.R. 4953 would direct the Secretary of the Interior to grant Deschutes and Crook counties a right-of-way to West Butte Road across land currently managed by the Bureau of Land Management (BLM). The right-of-way would coincide with a current roadway and would, thus, allow the counties to make improvements, thereby creating an improved transportation route for central Oregon. This improvement would enhance the connection from Oregon's Highway 126 to U.S. highway 20, improving access to eastern Oregon and neighboring states to the east.

I introduced this legislation to expedite the right-of-way exchange in an effort to address the current economic development and transportation needs of central Oregon in a timely fashion.

Mr. Chairman, Crook County, a partner in the exchange and a community that is tied to natural resource production, has been hard hit by six sawmill closures, resulting in the loss of 22% of the family wage jobs in the community over the past decade. Like so many of the natural resource based communities across the nation, Crook County is actively looking for the means to re-vitalize its economy. This exchange would allow the Federal Government to assist the community by improving its transportation infrastructure.

With the establishment of a right-of-way, the county and state would be able to construct a paved connection from Highway 126 to Highway 20. This would allow traffic that is currently bottlenecked in another part of central Oregon to pass through Prineville. I am hopeful that this improved route will attract desperately needed businesses and jobs to Crook County.

Mr. Chairman, for Deschutes County, passage of this legislation would provide a traffic "relief valve" for the congested highway 97. In a recent study conducted by the Oregon Department of Transportation (ODOT), it was determined that 12,700 trucks and cars travel through an ODOT automatic traffic recorder station located at the point traffic would turn off of Highway 97 and utilize the West Butte route. 13% of the total traffic consisted of large trucks of which 1,651 pass through this intersection per day. Though it has not yet been determined how much traffic would take advantage of this new route, evidence indicates that even a small percentage would be tremendously beneficial in relieving traffic congestion along U.S. Highway 97.

At the southern connection point of West Butte to Highway 20, ODOT conducted a separate study assuming that 25% of all truck traffic on U.S. 20 would use the West Butte route. The average daily truck traffic on U.S. 20 is estimated to be around 326. Roughly 81 trucks a day would use the West Butte route, bypassing the heavy traffic congestion of Bend and Redmond.

Over 10 years ago, Deschutes County and the BLM recognized the need to increase the transportation infrastructure in central Oregon. However, a 1989 Resource Management Plan created failed to anticipate and address the rapid population growth that has occur in Bend, Redmond, and surrounding areas. Currently, a new Upper Deschutes Resource Management Plan is being drafted, by the BLM, to address transportation issues as part of the update plan. However, Mr. Chairman, I am concerned that the BLM timeline will delay the right-of-way exchange, causing undue economic hardship in Crook County, while failing to address central Oregon's transportation problems in a timely manner.

This legislation has the support of the Cities of Prineville, Bend, and Redmond, Crook and Deschutes County, the Oregon Department of Transportation and the Central Oregon Transportation Commission. These groups are working hard to identify and improve transportation routes through central Oregon. It is my privilege to assist them in their efforts.

Mr. Chairman, I thank you once again for holding this hearing and I look forward to working with all my colleagues in the House to pass this critical piece of legislation for the residents of central Oregon.

---

Mr. RADANOVICH. Thank you, Mr. Walden.

Now, we will move on to the Honorable Darlene Hooley from Oregon as well, on H.R. 3434, Darlene, you may begin.

Ms. HOOLEY. Thank you. This must be Oregon day today.

Mr. RADANOVICH. It is Oregon day, yes.

Ms. HOOLEY. Thank you, Mr. Radanovich, for agreeing to work with me on this bill. I ask that my entire written statement be included in the record. I also ask that I be allowed to submit testimony on behalf of John Salisbury, President of the McLoughlin Memorial Association and John Williams, Mayor of the city of Oregon City who were not able to travel to Washington, D.C. to testify today.

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

**STATEMENT OF THE HONORABLE DARLENE HOOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON**

Ms. HOOLEY. Thank you. I come before this Committee today to reiterate my support for a bill that not only preserves an important piece of Pacific Northwest history, but arguably has considerable national historic importance as well.

John McLoughlin cast a giant of a shadow on the early development of the Oregon frontier. For 21 years, his powerful voice was the only influence of law and order over an empire two and a half times the size of Texas.

He had absolute control and he maintained it peacefully and profitably with a balanced sense of justice, with an overwhelming

sense of compassion and generosity beyond reproach, it is of little wonder that he was regarded by Native Americans as a great white eagle. By the way, his statue is in the Statuary Hall.

John McLoughlin did indeed walk taller and cast a greater shadow that ever fell so humbly on the changing face of Oregon. His duties were to create a mercantile arm of the British Government to monopolize the fur trade business and maintain peace among the numerous tribes of Indians.

Finding the facility at Astoria to be grossly rundown, unfertile and too far from inland trade facilities, McLoughlin moved the Northwest Headquarters to a more favorable location on the northern side of Columbia called Fort Vancouver. The fort flourished under the leadership of Dr. McLoughlin.

Without any type of military force, he was able to maintain law and order by his own personality and by the cooperation of his officers and employees. Defying company policy, Dr. McLoughlin was sympathetic to the plight of settlers and often offered them aid.

Often arriving sick and hungry and without provisions, his kindly heart extended them credit, fed and clothed them, cared for the sick and supplied them with seed for farming.

His personal decision to provide supplies and support to the American settlers coming over the Oregon Trail, contrary to his orders from the Hudson Bay Company Governor, proved to be critical to the peaceful settlement of the territory in favor of U.S. claims.

After resigning his position with Hudson Bay Company, he purchased the company's land at Walamath Falls in Oregon City and his family moved into the newly built home. McLoughlin remained a public figure during his retirement and became U.S. citizen in 1849. He donated land for a jail, parks, a female seminary and in 1851 he was elected Mayor of Oregon City. He died in his home 6 years later.

In 1941, the McLoughlin house was designated a National Historic Site, the first such designation in the West. In 1957, Dr. John McLoughlin was named "Father of Oregon" by the Oregon State legislature. Fort Vancouver and the McLoughlin House National Historic Site have a long and storied history together.

The intent of my legislation is to see this history continued by expanding the boundaries of Fort Vancouver to include the McLoughlin House National Historic Site. Currently, the McLoughlin House National Historic Site is maintained and managed by a nonprofit McLoughlin Memorial Association.

When the McLoughlin House faced demolition in 1909, the Memorial Association was formed and money raised to move the house to a public park atop a bluff. McLoughlin's Home opened a museum in 1910. For almost 100 years the association has done admirable work to preserve and maintain this historic treasure so thousands of people can continue to tour the site.

However, over the last several years the association has been unable to raise the funds required to provide the needed maintenance and upkeep of the property that is now in jeopardy of falling into disrepair. The McLoughlin House National Historic Act would do what we believe should have occurred over 60 years ago and that is include these properties as part of the National Park System to be managed by the National Park System.

It is again my intent that this would be done not by creating a new unit of the National Park System, but rather by simply including the McLoughlin House into the boundaries of the Fort Vancouver National Historic Site.

I believe that including the McLoughlin House into the boundaries is the only way to preserve in perpetuity the cultural, education and historical benefits of this historic site for future generations.

This legislation has the support of city and county officials, the McLoughlin Memorial Association and the entire Oregon delegation. The citizens of Oregon City approved a ballot measure by over 80 percent that would grant the National Park Service an interest in the city property on which the McLoughlin House now sits.

I again thank you for consideration of the bill and thank the Committee for your time.

Mr. RADANOVICH. Thank you very much, Ms. Hooley.

[The prepared statement of Ms. Hooley follows:]

**Statement of The Honorable Darlene Hooley, a Representative in Congress from the State of Oregon**

I would first like to convey my sincere appreciation to Chairman Radanovich for so generously agreeing to work with me on H.R. 3434, The McLoughlin House National Historic Site Act and allowing it be heard before the Subcommittee today.

I come before this Committee today to reiterate my support for a bill that not only preserves an important piece of Pacific Northwest history, but arguably has considerable national historical importance as well. Before I delve into the specifics of the legislation, I'd like to take a few moments and reflect upon the life of the man for which this legislation bears his name, Dr. John McLoughlin.

Standing six feet four inches, John McLoughlin cast a giant of a shadow on the early development of the Oregon frontier. For twenty-one years his powerful voice was the only influence of law and order over an empire two and a half times the size of Texas. He had absolute control, and he maintained it peacefully and profitably with a balanced sense of justice. With an over-whelming sense of compassion and generosity beyond reproach, it's of little wonder that he was regarded by Native Americans as, "The Great White Eagle." John McLoughlin, did indeed, walk taller and cast the greatest shadow that ever fell so humbly on the changing face of Oregon.

McLoughlin was born in 1784 outside of Quebec, Canada. When McLoughlin was only 14 years old, he began an apprenticeship with a doctor and in 1803, at the youthful age of 19, was granted his license to practice surgery and pharmacy. Shortly thereafter Dr. McLoughlin obtained an appointment as medical officer for the North West Company, fierce competitor of the Hudson's Bay Company in the fur trade. McLoughlin continued his employment and partnership with the North West Company until 1821, at which point it was absorbed by the Hudson's Bay Company in a merger.

In 1824, McLoughlin arrived at Fort George, now called Astoria, Oregon near the mouth of the Columbia River, to further establish an administrative headquarters and supply depot for the ever expanding Hudson's Bay Company. In part, his duties were to create a mercantile arm of the British government, to monopolize the fur trade business, and maintain peace among the numerous tribes of Indians. Finding the facility at Astoria to be grossly rundown, unfertile and too far from inland trade facilities, in 1825 McLoughlin moved the northwest headquarters to a more favorable location on the northern side of the Columbia. He built the new site at Belle Vue Point in what is now Washington State and named it, Fort Vancouver.

The new fort was nearly 750 feet long and 450 feet wide with a stockade about 20 feet high. There were about 40 buildings inside the fort. The fort housed a school, a library, pharmacy, power house, chapel, officers, warehouses, workshops, a blacksmith shop, and the largest manufacturing facility west of the Rocky Mountains. Fully contained, behind the fort were fields of grains, an orchard and a vegetable garden. The Indians, with whom Dr. McLoughlin maintained a very good relationship, were not allowed inside the stockade and would conduct their trading through a porthole in the door. In 1829, a ship arrived from Boston bringing with it a horrible fever which broke out among them. Dr. McLoughlin spent much of his own

time tending to the ills of the stricken, but within four years over 30,000 Indians lay dead.

The fort flourished under the leadership of Dr. McLoughlin. Without any type of military force, he was able to maintain law and order by his own personality and by the cooperation of his officers and employees. There were no Indian wars in the Oregon Country until after his resignation. Dr. John McLoughlin was so revered for his work in the Oregon Country that in 1841 McLoughlin was knighted by Queen Victoria at Buckingham Palace.

By the 1840's, the British knew that they couldn't keep the American settlers out of Oregon, but they wanted to control as much of the land as possible. Discouragement came in the form of tall tales of fierce Indians, poor farming conditions, and terrible weather. Even though it was against the policy of the Hudson's Bay Company, Dr. McLoughlin was sympathetic to the plight of the settlers and offered them aid. Often arriving sick, hungry, and without provisions, his kindly heart extended them credit, fed and clothed them, cared for the sick, and supplied them with seed for farming. His personal decision to provide supplies and support to the American settlers coming over the Oregon Trail, contrary to his orders from the Hudson's Bay Company Governor, proved to be critical to the peaceful settlement of the territory in favor of U.S. claims.

In 1845, no longer able to stomach company policy toward American settlers, Dr. McLoughlin resigned his position with the Hudson's Bay Company. After his resignation, he purchased Hudson's Bay Company's land claim at Willamette Falls in Oregon City, and he and his family moved into his newly-built house (The McLoughlin House) in 1846. McLoughlin remained a public figure during his retirement and became a U.S. citizen in 1849. He donated land for a jail and female seminary, and in 1851 he was elected mayor of Oregon City. He died in his home only six short years later.

In 1941, the McLoughlin House was designated a National Historic Site, the first one in the west, and in 1957, Dr. John McLoughlin was named "Father of Oregon" by the Oregon State Legislature.

As you can see, Fort Vancouver and the McLoughlin House National Historic Site have a long and storied history together. The intent of my legislation is to see that history continued by expanding the boundaries of Fort Vancouver to include the McLoughlin House National Historic Site.

Currently the McLoughlin House National Historic Site is maintained and managed by the non-profit McLoughlin Memorial Association. When the McLoughlin House faced demolition in 1909, the Memorial Association was formed and money was raised to move the house to a public park atop the bluff. McLoughlin's home opened as a museum in 1910. For almost 100 years, the association has done admirable work to preserve and maintain this historic treasure so thousands of people can continue to tour the site annually. However, over the past several years, the association has been unable to raise the funds required to provide the needed maintenance and upkeep of the property that is now in jeopardy of falling into disrepair.

The McLoughlin House National Historic Act would do what we believe should have occurred over 60 years ago and that is include these properties as part of the National Park System to be managed by the National Park Service. Again, it is my intent that this would be done, not by creating a new unit of the National Park System, but rather by simply including the McLoughlin House into the boundaries of Fort Vancouver National Historic Site which is already administered as part of the National Park System. I believe that including the McLoughlin House into the boundaries of Fort Vancouver is the only way to preserve in perpetuity the cultural, educational, and historical benefits of this historic site for future generations.

This legislation has the support of city and county officials, the McLoughlin Memorial Association, and the entire Oregon delegation. The citizens of Oregon City also approved a ballot measure by over 80 percent that would grant the National Park Service an interest in the city property on which the McLoughlin House now sits to allow the NPS to administer the house.

I thank you once again for your consideration of this bill and thank the Committee members for your time.

---

[The statements submitted for the record by Ms. Hooley follow:]

**Statement of John Salisbury, President,  
McLoughlin Memorial Association**

Mr. Chairman, although the Association cannot afford to send a representative personally to Washington, D.C., I appreciate the opportunity to share with you the

Association's heartfelt feelings on this critically important bill to include the McLoughlin House National Historic Site in the National Park System.

To appreciate the importance of the McLoughlin House National Historic Site, you have to understand the man himself. In his time, John McLoughlin seemed larger than life, with a commanding presence that earned him the nickname "The White Headed Eagle." Today, due to his rich legacy of compassion, we know that he truly was larger than life. He stands out as an extraordinary man in difficult, tumultuous times who chose to lead with kindness and support of others in need. If there is a single person to whom we can attribute the peaceful settlement of what is now the Pacific Northwest, it is John McLoughlin. Contrary to Hudson's Bay Company orders and to the detriment of his career, he offered aid and refuge to Americans coming to settle in the lands of the Pacific Northwest. As one early Oregon pioneer, Daniel Holman, wrote of McLoughlin, "If he had not helped us we could not have lived in Oregon." Another settler offered that McLoughlin's "benevolent work was confined to no church, sect, or race of men, but was as broad as suffering humanity, never refusing to feed the hungry, clothe the naked, and provide for the sick and toilworn." His commitment to service continued after his move to Oregon City, where he continued to assist settlers and, indeed, anyone in need. He became one of the city's earliest mayors and one of the Northwest's first philanthropists, donating land and funds to support public uses such as schools and parks.

McLoughlin's importance and significance spans his entire lifetime, and his dedication and spirit are embodied both at Fort Vancouver National Historic Site and McLoughlin House National Historic Site. Over two years ago, the McLoughlin Memorial Association approached the National Park Service at a public meeting concerning the development of a general management plan for Fort Vancouver National Historic Site. We, along with city representatives, made a strong case that the McLoughlin House National Historic Site should be part of the National Park System. We feel strongly that this site which in 1941 was designated a national historic site and an affiliated unit of the National Park System should formally become part of the System, either as part of Fort Vancouver National Historic Site or as its own unit.

The McLoughlin House was the first site in the west to be designated a national historic site. The house is, unquestionably, one of the most significant historic sites in the Pacific Northwest and has a direct link with Fort Vancouver National Historic Site. It was from Fort Vancouver, that McLoughlin retired in 1846 to the home he had built in Oregon City. Historically, the house symbolizes the beginnings of settlement in the Oregon Territory. The house serves as a reminder of McLoughlin as a prominent citizen, successful businessman and entrepreneur, landowner, and devoted family man of not only Oregon City and Oregon, but of the entire Northwest.

I would not be overstating it to say that the Association has a great respect and love for the legacy of John McLoughlin and the McLoughlin House National Historic Site. The Association, in fact, came into being in 1909 in order to save the house from demolition. A coalition of community leaders and citizens from Oregon City, Portland, and Southwest Washington formed a tight-knit group to raise the funds to move the house to its present location, which is land donated by John McLoughlin to the people of Oregon Territory to be used for park purposes. The Association has worked tirelessly for close to 100 years. As much as we have accomplished, we have increasingly looked to the National Park Service to provide assistance. As an affiliated site, we have received assistance since 1941. However, we realize that we cannot provide the level of attention and assistance that this nationally significant site so richly deserves. Although it is difficult for me to say this, the responsibilities of managing, protecting, and providing for public programs at the McLoughlin site has weighed on us and in the last 10-15 years it has become a burden to our small Association.

We believe that the National Park Service is far and away the best-equipped and most appropriate to manage and protect this site. We believe this premier site deserves to be a part of the premier park management organization. The preservation of the McLoughlin House National Historic Site should be one of our highest priorities. The Association will continue to be a productive force in the preservation of the site and we will work alongside the National Park Service, but it is worthy of national recognition as part of the National Park System managed by the National Park Service.

Finally, Mr. Chairman, I recognize that you and other congressional representatives have many, many issues to address. I also recognize that this is a small site and in the grand scheme of things perhaps not a very important issue to some. But this bill, and what it means to the history of the Pacific Northwest, is very important to us. I know that Congresswoman Hooley would agree with me that this is

a bipartisan bill. Its development was truly a grassroots effort in which there was tremendous local and regional support. It is our assertion that the McLoughlin House is a site that should have been included in the National Park System over 60 years ago when it was first named a national historic site, and consider this legislation a change in the site's designation rather than the creation of a new park. Making the McLoughlin House its own unit or part of Fort Vancouver National Historic Site will enable the National Park Service to care for the site which the Association has done to the best of its abilities for close to 100 years. The significance of the site and the history that happened within the walls dictate that the McLoughlin site deserves national status. Furthermore, the administration of the site by the National Park Service would ensure that it receives attention and protection in perpetuity.

Please help us preserve this magnificent site by making it part of the National Park System. Thank you very much for providing me the opportunity to share the Association's thoughts on this vitally important matter.

---

**Statement of The Honorable John Williams, Mayor,  
City of Oregon City, Oregon**

Thank you, Mr. Chairman, for the opportunity to present the views of the City of Oregon City regarding this bill to make the McLoughlin House National Historic Site a unit of the National Park System. The bill is the result of overwhelming support within the City of Oregon City for the site's inclusion in the National Park System, either as its own unit or as a part of Fort Vancouver National Historic Site. As Mayor of Oregon City, I am pleased to share with you, and Committee members, that this bill is a rarity, in that it has received unanimous support from all interested parties. No one, to my knowledge, has voiced disagreement concerning the site becoming a part of the National Park System.

As you may know, the McLoughlin House National Historic Site is actually situated on an Oregon City charter park. This park land was in fact donated by John McLoughlin himself. Due to the significance of charter parks, it was required that this issue be brought before the voters. There has been a powerful grass roots initiative to ensure the site's survival in perpetuity. By an over 80% approval rate, the citizens of Oregon City approved Ballot Measure 3-38 on May 15, 2001. This measure asked voters to allow the City of Oregon City to grant the National Park Service a property interest in the city park that would allow the agency to administer the McLoughlin House.

For your background information, over two years ago the City of Oregon City and the McLoughlin Memorial Association approached the National Park Service with the goal that Fort Vancouver National Historic Site take responsibility for the McLoughlin House National Historic Site. For many years, we have been struggling with how best to protect and preserve this national historic site. Oregon City, the Association, and the National Park Service have worked closely together for the last two years. We are all in agreement that this site needs to be managed for educational benefit, the protection of its cultural resources, and public use. Growing beyond this partnership, the time has come for the National Park Service to assume full responsibility. I ask this not just because the National Park Service can ensure the perpetual care of this site, but also because this site is nationally significant. I would not recommend the site for inclusion in the National Park System if I did not wholeheartedly believe in its national significance.

I think it is also important to note that Oregon City and the Association also looked into identifying other individuals or organizations that could provide for the protection of the site. Let me make it clear that no individuals or other organizations have been forthcoming. Alternatives such as for-profit management restaurant, brewpub, or bed-and-breakfast are incompatible and inappropriate, and we did not consider them for this site, the first designated national historic site in the west.

The citizens of Oregon City fully support the continued operation of this national historic site as a park, which will hopefully be managed by the National Park Service. I appreciate your sincere consideration on this bill.

---

Mr. RADANOVICH. Next we will move to Virginia and H.R. 3449, to revise boundaries of the George Washington Birthplace National Monument.

Jo Ann, welcome. We will be pleased to hear your testimony.



**STATEMENT OF THE HON. JO ANN DAVIS, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF VIRGINIA**

Ms. DAVIS. Thank you, Mr. Chairman. Good afternoon, Mr. Chairman, Ranking Member Christensen and members of the Committee. I thank you for the opportunity to testify on behalf of H.R. 3449, which would authorize the National Park Service to revise and expand the boundaries of the George Washington Birthplace National Monument in Westmoreland County by an additional 115 acres.

Mr. Chairman, this bill was first offered by my predecessor, Herb Bateman, in 1991. Mr. Bateman's bill, H.R. 2444 passed both the House and the Senate in the 102nd Congress. It didn't make it to the President's desk because the patient owner, at that time, had a change of heart.

I am happy again to bring this measure before the Committee to realize a long-standing effort by the Park Service and the Committee to preserve this undisturbed land for future generations to enjoy and to learn of the Washington's way of life during our nation's formative years.

George Washington was born on this property on February 22, 1732. He lived on the farm for three and a half years and again for several years in his teens. The farm lies between Pope's and Bridges Creeks, tributaries of the Potomac River in Virginia's Northern Neck, about 60 miles southeast of Washington, D.C.

The location includes a memorial house designed to recreate the original birth site as revealed by excavations. The memorial house was finished in time for George Washington's 200th birthday in 1932 and is one of the centerpieces of the national monument.

The National Park Service also operates a colonial farm that recreates 18th Century plantation life. Living history demonstrations, including colonial cooking, blacksmithing and spinning wool continue to occur as special events.

John Washington, George Washington's great grandfather, emigrated to America and acquired this property in 1664. Over time, George Washington's father, Augustine Washington, continued to add various parcels to the property until the Washington land ran uninterrupted from Bridges Creek to Pope's Creek.

George Washington's father, grandfather and great grandfather are all buried in the family cemetery located on the national monument property. The park currently comprises 550 acres of land. However, because of the monument's current boundary configuration over 100 acres of private land outside the monument's boundary are sandwiched between two units of the monument and the Potomac River.

Willing sellers are again amenable to transferring the property to the National Park Service and Congress needs to consequently act so that this opportunity will not be lost.

Because of the rural character and natural beauty of Virginia's Northern Neck region, the shoreline of the Potomac River and Chesapeake Bay have become attractive locations for development.

Many retirees have come to the Northern Neck in recent years because of the tranquil lifestyle and low property taxes. Property's within close proximity of the George Washington Birthplace have become the sites for new residential homes in recent years.

Mr. Chairman, Congress needs to act as soon as possible so that the current owners will not be tempted to entertain any of these offers. Again, most of the 115 acres I am seeking to have authorized not only abuts the site, but in fact splits the property at one portion of the park.

I think we have given you a plat of that showing how that happened. Development of this land would seriously compromise the historic quality of the park. The Federal Government can play a critical in acquiring this important property to maintain the integrity of the Washington home site.

H.R. 3449 is a fitting tribute to a man who has long been revered as our greatest founding father, a man of high moral integrity and character, a man with distinct leadership capabilities and above all, a man who guided Americans to freedom and led them to union.

I urge your support of this measure, Mr. Chairman. I ask unanimous consent that a letter of support that we have for GW that is from the Trust for Public Land, that it be entered into the record.

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

[The statement submitted for the record by Ms. Davis follows:]

**Statement of Alan Front, Senior Vice President of the Trust for Public Land, and Ralph Grossi, President of the American Farmland Trust**

Mr. Chairman and Representative Christian-Christensen, thank you for the opportunity to provide the Subcommittee with our testimony in support of H.R. 3449.

On behalf of the Trust for Public Land (TPL) and American Farmland Trust (AFT), we want to express our strong support for H.R. 3449, a bill to revise the boundaries of the George Washington Birthplace National Monument. H.R. 3449, as introduced by Rep. Jo Ann Davis, is not only timely, but will add substantially to the protection of the monument and the interpretation of our first President's early life.

The George Washington Birthplace National Monument is located in Westmoreland County, Virginia, about 75 miles south of Washington, DC. A privately owned, 111-acre parcel currently sits directly between two National Park Service (NPS) owned portions of the monument, essentially splitting the monument into two pieces. This parcel is owned by the Muse family, who themselves have roots in the area likely dating back to George Washington's time. Acquisition of this 111-acre parcel will finally consolidate the monument into one contiguous unit.

The Muse family has expressed an interest in selling their property to the NPS to be incorporated into the monument and our two organizations are assisting with that transaction. However, this project cannot move forward until the monument's boundaries are amended to include the Muse property, and the window of opportunity with the Muse family is very limited. We are therefore extremely pleased that the Subcommittee is beginning this process with today's hearing on H.R. 3449, which authorizes the inclusion of the Muse property into the monument. We hope the Subcommittee and Full Committee will act expeditiously to move the bill to the House floor.

The Muse property straddles the Potomac River and Popes Creek, and hosts forested marsh, river shorelines, creek frontage, tidal marsh, and an old farmhouse. Further development on this private inholding could cause irreparable harm to the integrity of the historic character and natural resources of the existing monument, and would permanently mar its scenic vistas seen by Washington himself, whose attachment to this land stayed with him his entire life.

TPL and AFT urge swift approval of this bill, which will provide the opportunity to secure this nationally significant land and add it to the George Washington Birthplace National Monument.

---

Ms. DAVIS. I thank you again, Mr. Chairman and appreciate the opportunity to be here to testify on behalf of this legislation.

[The prepared statement of Ms. Davis follows:]

**Statement of The Honorable Jo Ann Davis, a Representative in Congress  
from the State of Virginia**

Good afternoon Mr. Chairman and members of the Committee. Thank you for the opportunity to testify on behalf of H.R. 3449, which would authorize the National Park Service to revise and expand the boundaries of the George Washington Birthplace National Monument in Westmoreland County, Virginia by an additional 115 acres.

Mr. Chairman this bill was first offered by my predecessor Herb Bateman in 1991. Mr. Bateman's bill, H.R. 2444, passed both the House and Senate in the 102nd Congress. (It did not make it to the President's desk because the property owner, at that time, had a change of heart.) I am happy to again bring this measure before the Committee to realize a long standing effort by the Park Service and the community to preserve this undisturbed land for future generations to enjoy and learn of the Washington's way of life during our nation's formative years.

George Washington was born on this property on February 22, 1732, and lived on the farm for three and a half years, and again for several years in his teens. The farm lies between Pope's and Bridge's Creeks, tributaries of the Potomac River, in Virginia's Northern Neck, about 60 miles southeast of Washington, D.C. The location includes a Memorial House designed to recreate the original birthsite as revealed by excavations. The Memorial House was finished in time for George Washington's 200th birthday in 1932, and is one of the center pieces of the National Monument. The National Park Service also operates a colonial farm that recreates 18th century plantation life. Living history demonstrations including colonial cooking, blacksmithing, and spinning wool continue to occur as special events.

John Washington, George Washington's great-grandfather, immigrated to America and acquired this property in 1664. Over time, George Washington's father, Augustine Washington, continued to add various parcels to the property until the Washington land ran uninterrupted from Bridges Creek to Pope's Creek. George Washington's father, grandfather, and great-grandfather are buried in the family cemetery located on the National Monument property.

The park currently comprises 550 acres of land. However, because of the Monument's current boundary configuration, over 100 acres of private land outside the Monument's boundary are sandwiched between two units of the monument and the Potomac River. Willing sellers are again amenable to transferring the property to the National Park Service, and Congress needs to consequently act so that this opportunity will not be lost.

Because of the rural character and natural beauty of Virginia's Northern Neck region, the shore line of the Potomac River and Chesapeake Bay have become attractive locations for development. Many retirees have come to the Northern Neck in recent years because of the tranquil lifestyle and low property taxes, and properties within close proximity of the George Washington Birthplace have become the sites for new residential homes in recent years. Mr. Chairman, Congress needs to act soon so that the current owners will not be tempted to entertain other offers.

Again, most of the 115 acres I am seeking to have authorized not only abuts the site but in fact splits the property at one portion of the park. Development of this land would seriously compromise the historic quality of the park. The Federal Government can play a critical role in acquiring this important property to maintain the integrity of the Washington homesite.

H.R. 3449 is a fitting tribute to a man who has long been revered as our greatest founding father, a man of high moral integrity and character, a man with distinct leadership capabilities, and above all a man who guided Americans to freedom and led them to union. I urge your support of this measure. Thank you.

Mr. RADANOVICH. Are there any questions of the panel?

Mrs. CHRISTENSEN. No, I don't have any questions, Mr. Chairman. I apologize to you and to my colleagues, the other panelists this afternoon, for being late.

I want to welcome my colleagues and I look forward to working with them on this legislation.

I will submit my opening statement for the record. Thank you.  
[The prepared statement of Mrs. Christensen follows:]

**Statement of The Honorable Donna Christensen, a Delegate in Congress  
from the U.S. Virgin Islands**

Good afternoon Mr. Chairman. We join with you in welcoming our witnesses here today and thank them for their time and effort in helping us gather information about the measures before the Subcommittee today.

Our first bill, H.R. 3434, introduced by our colleague, Representative Hooley, authorizes the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon and to administer it as a unit of the National Park System.

This site, which honors the achievements of John McLoughlin—commonly referred to as “The Father of Oregon,”—has been preserved and managed by the McLoughlin Memorial Association since its designation as a National Historic Site in 1941. Unfortunately, the Association is no longer in a position to be the primary management entity for this nationally-significant site. We look forward to hearing more about how the National Park Service might incorporate the Site into the National Park System.

Our second bill, H.R. 3449, would modify the boundaries of the George Washington Birthplace National Monument in Virginia to add approximately 115 acres to the park. The lands in question, known as the Muse property, are contiguous with the existing monument boundary and retain an historic rural character that is closely tied to the monument’s purposes.

Our final measure, H.R. 4953, would grant rights-of-way to two counties in Oregon over an existing BLM road. Apparently the goal of the legislation is to facilitate transportation in the area by allowing the counties to upgrade the road.

While we join the Administration in supporting appropriate means of transportation in the area, we also share the Administration’s concerns regarding the methodology employed by the bill. It is our understanding that an administrative process is underway, complete with public notice and comment, designed to address transportation issues in the area.

It appears that H.R. 4953 abandons this process. Such a legislative shortcut around the full administrative process is troubling and we will welcome input on this issue from our witnesses today.

Again, we thank the witnesses for being here today and look forward to their testimony.

---

Mr. RADANOVICH. Thank you very much Congressman and Congresswomen. Please join us on the dais.

We will call the next panel. We have three panels here, but we are just going to combine them into one. So, if I could ask Ms. Sue Masica, the Associate Director of Parks, Planning, Facilities and Lands, of the National Park Service to come up; Mr. Robert Anderson, Deputy Assistant for Minerals, Realty, and Resource Protection of the Bureau of Land Management; and also Judge Scott R. Cooper of the Crook County Court in Crook County, Oregon who is here to speak on H.R. 4953.

Again, thank you for coming to testify today. We will go ahead and start right to left. It will be 5 minutes for each person to give their testimony and then after we hear from everybody we will go ahead and open up for questions from various members.

Mr. RADANOVICH. Mr. Anderson, since you were on the left, I would be happy to ask you to go ahead and speak. I understand you are speaking on H.R. 4953, which is the Deschutes and Crook county State right-of-way in Oregon.

Welcome and thank you. Again, there is a time clock there. If you would stick to the 5-minute rule, that would be great.

**STATEMENT OF ROBERT ANDERSON, DEPUTY ASSISTANT FOR  
MINERALS, REALTY, AND RESOURCE PROTECTION, BUREAU  
OF LAND MANAGEMENT**

Mr. ANDERSON. Good afternoon, Mr. Chairman. Thank you and the members of the Subcommittee for the opportunity to discuss

H.R. 4953, a bill to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road.

We have provided you with a new map dated June 2002 of the West Butte Road area for your information. The one referenced in your bill is no longer used by BLM. The department supports the goals of H.R. 4953 to grant the right-of-way to Oregon counties, but we would like to work with the Chairman and the Subcommittee on amendments to the bill to provide a process that would include community involvement in addressing potential issues related to recreational users and wildlife concerns.

As you know, a hearing on the Senate version, S. 2482, of this legislation was held in June. Since that hearing, staff of the Department of Interior has been working with the staff of the Oregon delegation to address these concerns.

In 1968, the State of Oregon designated Highway 27 as a State highway with the understanding that a new route for the road would be created. It was recognized that the current alignment of Highway 27, the only State highway in Oregon that still has unpaved portions, could not be improved for economic reasons and physical limitation.

The BLM's 1989 Resource Management Plan for Prineville failed to anticipate issues related to the rapidly growing human population in Bend, Rudman, Prineville and surrounding areas.

This combination of changing circumstances and new information has created a need to revise the existing Upper Deschutes Resource Management Plan. From here on out, Mr. Chairman, I will refer to that plan as simply "The management plan."

The management plan is currently being prepared to address these issues, particularly the need to address transportation opportunities, including the West Butte Road. Recognizing the importance of these issues, the BLM has made the management plan a priority and put it on a fast track.

The transportation analysis component of the management plan could begin as early as January of 2003 and be completed after the record of decision on the management plan is signed in the winter of 2004.

The management plan utilizes a community-based, collaborative process that helps solve important problems facing long-term management of the public lands. Chartered by Deschutes provincial advisory committee, issue teams have been formed to represent the general public. Specific interest groups, permit holders, other stakeholders and relevant government agencies, including Crook and Deschutes Counties.

Associated with the proposed necessity alignment of State highway 27 are a few other important issues under consideration in the management planning process. These include off-highway vehicle use and important wildlife issues.

With regard to off-highway vehicle use, the current West Butte Road splits the Millican off-highway vehicle recreational use area down the middle. Further development of the West Butte Road could create safety conflicts and limit these recreation users in the area.

The Millican off-highway vehicle trail system is one of the most popular in the State and represents a significant financial investment by the State Off-Highway Vehicle Committee.

Another outstanding concern is the issue of wildlife in the West Butte Road corridor. Currently, the West Butte Road falls on the fringe of fragile sage grouse habitat and within deer winter range. The sage grouse populations have declined in this area due to a number of factors, including human disturbances.

We must consider these potential impacts during our deliberations over the proposed realignment of State Highway 27 and we have already begun to do so.

Mr. Chairman, the Department of Interior looks forward to working with the Subcommittee to help address these issues in a way that will meet Central Oregon's transportation needs.

Thank you for the opportunity to offer this testimony and to share our few concerns.

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

[The prepared statement of Mr. Anderson follows:]

**Statement of Bob Anderson, Deputy Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, U.S. Department of the Interior**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear here today to discuss H.R. 4953, a bill "to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road." The bill also provides for the relinquishment of right-of-way interests in the George Millican Road (or "Old Millican Road").

The Department supports the goal of H.R. 4953 to grant the right-of-way to the Oregon counties, but we would like to work with the Subcommittee on amendments to the bill to provide for a process that would include community involvement in addressing issues related to conflicts with recreational uses and wildlife concerns in the area. As you know, a hearing on the Senate version (S. 2482) of this legislation was held in June; since that hearing, staff of the Department of the Interior has been working with staff of the Oregon delegation to address these concerns.

*Background*

The population of central Oregon has been expanding rapidly, and for Crook County, Oregon, one of the integral components to this growth is the West Butte Road. The Bureau of Land Management (BLM) constructed the West Butte Road in 1968. It is a fairly straight road, approximately 14 miles in length that has become the preferred route from Four Corners to Highway 20. Crook County has maintained it for several years under a cooperative maintenance agreement with the BLM. Deschutes County sees this road as a means of relieving some of the traffic burden from Highway 97 in the ever-growing Bend and Redmond communities.

In 1968, the State of Oregon designated Highway 27, currently located further to the east near Prineville Reservoir, as a State Highway with the understanding that a new route for the road would be created. It was recognized that the current alignment of Highway 27 the only State Highway in Oregon that still has unpaved portions could not be improved for economic reasons and physical limitations. Later, both State and Federal agencies recognized the natural values of the Crook River Canyon, which further reduced the desirability of upgrading Highway 27 in its current location. Ultimately, West Butte Road became the most likely replacement route for Highway 27.

The George Millican Road, meanwhile, extends from Prineville to Lakeview and was recognized in 1915 by Crook County as a country road. The northern segment of the road was converted to a right-of-way in 1991 and is no longer a concern to the counties. However, the southern segment of road from Four Corners south to Highway 20, near the town of Millican continues to be an area of concern. The route is a single lane, unimproved road that occupies the original 1915 alignment. Currently, the BLM has several rights-of-way over this segment of the George Millican Road.

*Upper Deschutes Resource Management Plan*

Over the last three years, the BLM has been working with Crook and Deschutes Counties, the Oregon Department of Transportation, and Oregon Department of Fish and Wildlife identifying suitable alternatives to State Highway 27. One of the more suitable alternative routes that has been considered is the combined route known as the Millican and West Butte Road.

The BLM's 1989 Resource Management Plan for Prineville failed to anticipate issues related to the rapidly growing human population in Bend, Redmond, Prineville, and surrounding areas. This combination of changing circumstances and new information has created a need to revise the existing Resource Management Plan. The Upper Deschutes Resource Management Plan is currently being prepared to address these issues, particularly the need to resolve a number of transportation problems including the West Butte Road. Recognizing the importance of these issues, the BLM has made the Upper Deschutes Resource Management Plan a priority and put it on a fast track, with a final Record of Decision planned for the Winter of 2003/2004.

Through this process we have agreed to consider and analyze alternative corridors to determine the route that would be most suitable for future use as a State Highway. Following completion of the Upper Deschutes Resource Management Plan, the BLM would be able to issue a decision on the right-of-way, and assuming a favorable decision for the right-of-way, determine the final alignment of the road, and also determine any mitigation measures for road design.

It is important to note that the Upper Deschutes Resource Management Plan provides intensive public and governmental collaboration. It utilizes a community-based collaborative process that helps solve important problems facing long-term management of the public lands within the planning area. It is a process that is deliberative and open to all. Accordingly, the BLM is using "Issue Teams" to focus on specific planning issues. Chartered by the Deschutes Provincial Advisory Committee, the Teams are composed of representatives of the general public, specific interest groups, permit holders, other stakeholders and relevant government agencies, including Crook and Deschutes Counties. Team members have been meeting since the Fall of 2001 and the majority of their work will involve review of public comments on the Draft Environmental Impact Statement for the Resource Management Plan near the end of 2002 or the beginning of 2003.

Finally, the transportation analysis component of the Upper Deschutes Resource Management Plan could begin as early as January of 2003, and be completed after the Record of Decision on the Resource Management Plan is signed in the Winter of 2003/2004.

*H.R. 4953*

The Department of the Interior supports the goal of H.R. 4953; however, the Department believes the introduced legislation would cut short the process currently underway to provide for greater community involvement in addressing issues related to final location and design of the West Butte Road. The Upper Deschutes Resource Management Planning process provides an appropriate vehicle for addressing and resolving this issue. The bill as currently drafted does not address the important issues under consideration in the Upper Deschutes Resource Management Planning process.

With regard to Off-Highway Vehicle recreation use, the current West Butte Road splits the Millican Off-Highway Vehicle recreational use area down the middle and further development of the West Butte Road could create safety conflicts and limit these recreation uses in the area. The Millican Off-Highway Vehicle trail system is one of the most popular in the state, and represents a significant financial investment by the State Off-Highway Vehicle Committee, attracting riders state-wide. Off-Highway Vehicle use in the BLM's Resource Management Plan is an important issue, and the BLM is currently determining, on a broad-scale, how and where these Off-Highway Vehicle recreational uses will continue in the future. There is no provision in the legislation that provides for mitigation measures to provide for the safety of Off-Highway Vehicle users and ensure that the recreation impacts of future development of the West Butte Road are minimized.

Another outstanding concern is the issue of wildlife in the West Butte Road corridor. Currently, the West Butte Road falls on the fringe of fragile sage grouse habitat and within mule deer winter range. The sage grouse populations have declined in this area due to a number of factors, including human disturbances. There are nesting populations that currently migrate between the West Butte and the Millican breeding areas. H.R. 4953, as currently written, does not provide for a way to address the potential impacts of the development of the West Butte Road on the sage grouse and mule deer populations.

Finally, the establishment of a State Highway in the West Butte Road corridor may also increase the potential for development of private lands that would be more easily accessed by an improved road, and these potential future development issues also should be considered.

*Conclusion*

Mr. Chairman, the Department of the Interior looks forward to continuing to work with the Subcommittee to help address these issues in a meaningful way that will meet Central Oregon's transportation needs. Thank you for the opportunity to testify before you today. I would be pleased to answer any questions that you or the other members of the Subcommittee may have.

---

Mr. RADANOVICH. Our next witness is Sue Masica here to speak on H.R. 3434 and H.R. 3449. Welcome.

**STATEMENT OF SUE MASICA, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE**

Ms. MASICA. Thank you, Mr. Chairman. Thank you for the opportunity to present the department's views on H.R. 3434, a bill to acquire the McLoughlin House in Oregon City, Oregon and to administer the site as a unit of the National Park System.

We do not support this legislation unless the bill is amended to authorize that the McLoughlin House National Historic Site be added to Fort Vancouver National Historic Site in Vancouver, Washington, instead of authorizing it as a separate unit of the National Park System.

We have studied the McLoughlin House and found that it meets the suitability and feasibility criteria for addition to the National Park System. We feel it could be managed most effectively as part of an existing park unit.

Since 1948, the McLoughlin House Memorial Association has had an agreement with the Park Service so that both the house and Fort Vancouver work cooperatively together. We believe that the most effective management of the McLoughlin House would result by the National Park Service continuing this cooperative working relationship at both sites.

We estimate the acquisition costs for the McLoughlin House at approximately \$445,000 and the annual operating costs to be about \$285,000. We feel that the addition of the McLoughlin House to Fort Vancouver National Historic Site would result in greater cost efficiencies than its designation as a separate unit. This issue has been studied as part of the General Management Plan Revision for Fort Vancouver and the Park Service study potential boundary adjustment alternatives including one that adds the McLoughlin House and that that alternative meets the National Park Service's criteria for suitability and feasibility as a unit of the system.

There is a long working relationship going back to the 1940's between the Park Service and the site. We envision sustaining that strong relationship with the McLoughlin Memorial Association as well as enhancing the interpretive educational and maintenance responsibilities that visitors demand.

We would be pleased to work with the Committee on revising the bill's language to make it consistent with this testimony.

On H.R. 3449, a bill to revise the boundaries of George Washington Birthplace National Monument, the department supports the enactment of a bill. The bill would authorize the addition of ap-



propriately 115 acres to the national monument. It is a piece of property known as the Mews Property.

Land acquisition costs are estimated to be about \$700,000 and operational costs are estimated to be about \$20,000 a year. The property to be acquired, known as the Mews Track, consists of about 115 acres which is completely surrounded by the park, the Potomac River, and Pope's Creek.

Acquisition of the track is vital to the integrity of the park and would prevent development that could degrade the park's pastoral setting and significant natural and cultural resources.

The park presently contains about 550 acres. The Mews Family has indicated their willingness to be included within the park boundary for eventual acquisition by the Park Service or a Park Partner. That is a change from what had happened several years ago.

The proposal to add the property to the monument is supported also by the Westmoreland County Board of Supervisors and other affiliated groups.

Mr. Chairman, thank you for the opportunity to comment. I would be happy to answer any questions.

[The prepared statements of Ms. Masica follow:]

**Statement of Sue Masica, Associate Director for Park Planning, Facilities, and Lands, National Park Service, U.S. Department of the Interior, on H.R. 3434**

Mr. Chairman, thank you for the opportunity to present the Department's views on this bill to acquire the McLoughlin House in Oregon City, Oregon, and to administer the site as a unit of the National Park System.

We do not support this legislation unless the bill is amended to authorize that the McLoughlin House National Historic Site to be added to Fort Vancouver National Historic Site in Vancouver, Washington, instead of authorizing it as a separate unit of the National Park System. We have studied the McLoughlin House and found that it meets the suitability and feasibility criteria for addition to the National Park System. We feel it could be managed more efficiently as part of an existing park unit. Since 1948 the McLoughlin House Memorial Association has had an agreement with the National Park Service so that the both the McLoughlin House National Historic Site and Fort Vancouver National Historic Site would work cooperatively together. We believe that the most effective management of the McLoughlin House would result by the National Park Service continuing this cooperative working relationship at both sites. The one-time acquisition cost of the McLoughlin House is approximately \$445,000. The cost of maintaining and operating the McLoughlin House as a unit of the Fort Vancouver National Historic Site is approximately \$285,000 per year. The Department feels that the addition of the McLoughlin House to Fort Vancouver National Historic Site would result in greater cost-efficiencies than its designation as a separate unit.

In the General Management Plan revision for Fort Vancouver National Historic Site, the National Park Service studied potential boundary adjustment alternatives, including one that adds the McLoughlin House. This alternative meets the National Park Service's criteria for suitability and feasibility as a unit of the National Park System. The plan revision goes on to say that adding the McLoughlin House National Historic Site to Fort Vancouver National Historic Site is "a value to the American people and provides for NPS operations and interpretation."

The McLoughlin House is located in Oregon City, Oregon along the dramatic Willamette River Falls and southeast of downtown Portland. It is a short drive from Fort Vancouver National Historic Site, north of Portland, in the state of Washington and along the Columbia River.

Recognized for its national significance, the McLoughlin House National Historic Site, designated in 1941, was the first national historic site designated in the western United States. The site has been operated as an affiliated area of the National Park System by the McLoughlin Memorial Association, which has owned and operated the site since 1909. The site received assistance from the National Park Service when Fort Vancouver National Historic Site was established in 1948. In the last few

years, the National Park Service has provided staff and funds for critical needs of the house, the collection, and the grounds.

John McLoughlin is recognized as the "Father of Oregon." He came west and established the Hudson's Bay Company's regional headquarters and depot of Fort Vancouver on the north side of the Columbia River in what is now the State of Washington. Through his leadership, he maintained peace between Great Britain, which claimed the territory, settlers from the United States who were part of the country's westward expansion, and the native tribes in the region. Despite the policies of the Hudson's Bay Company, John McLoughlin foresaw the area's future, and offered aid and supplies to the American settlers many of who were sick, starving, and ill equipped to begin a new life.

McLoughlin built his home across the Columbia River, in Oregon City, where he continued to assist those in need. This house, because of McLoughlin's tremendous generosity, became known as the "House of Many Beds." After becoming an American citizen, John McLoughlin became Mayor of Oregon City and increased his selfless acts of philanthropy throughout the region. His is the history of the west, as Jamestown is the history of the east.

The McLoughlin House has retained its historic integrity as one of the earliest examples of its architectural style in the Pacific Northwest, and serves as a focal point for education and tourism. The site provides a location where school children to learn first-hand about the early history of the area. The McLoughlin House provides a bookend to the story of the settling of the west that is told at Fort Vancouver National Historic Site.

As a unit of Fort Vancouver National Historic Site, we envision sustaining the strong relationship with the McLoughlin Memorial Association as well as enhancing the interpretive, educational, and maintenance responsibilities that visitors demand and a century and a half old house needs. It is a testament to the association and the citizens of Oregon City that the house retains its integrity and special association with the former Oregon Territory. During a local election held in 2001, a ballot measure asked voters to allow Oregon City to grant a property interest to the National Park Service. This measure was approved by over 80% of the voters.

The Department remains committed to the President's Initiative to reduce the maintenance backlog of the National Park Service. While the Department recognizes that this legislation may divert funds from this effort, the acquisition of the McLoughlin House and its administration as a part of Fort Vancouver National Historic Site is important to the viability of this nationally significant resource.

We would be pleased to work with the Committee on revising the bill's language to make it consistent with this testimony. This concludes my testimony. I am glad to answer any questions that you or members of the Committee may have.

---

**Statement of Sue Masica, Associate Director for Park Planning, Facilities, and Lands, National Park Service, U.S. Department of the Interior, on H.R. 3449**

Thank you, Mr. Chairman, for inviting the National Park Service to present its views on H.R. 3449, a bill to revise the boundaries of George Washington Birthplace National Monument. The Department supports the enactment of this bill.

This bill would authorize the addition of approximately 115 acres to the National Monument (Muse property). It also authorizes the Secretary of the Interior to acquire lands or interests in lands within the boundary from willing sellers by donation, by purchase with donated money or appropriated funds or by exchange. Finally, it directs the Secretary to preserve and interpret the history and resources associated with George Washington, and the generations of the Washington family who lived in the vicinity, as well as their contemporaries, along with 17th and 18th century plantation life and society. Land acquisition costs are estimated to be \$700,000. Operational costs are estimated to be \$20,000 per year.

The Department remains committed to the President's Initiative to reduce the maintenance backlog of the National Park Service. While the Department recognizes that this legislation may divert funds from this effort, the acquisition of the Muse property is essential to the viability of this nationally significant resource.

George Washington Birthplace National Monument was established as a unit of the National Park System in 1930 to preserve the grounds and structures associated with the birthplace of George Washington. It was here, along the lower reaches of the Potomac River that the man who was to become our Nation's first president was born in 1732. At that time, this site was known as Popes Creek Plantation, owned and operated by George Washington's father, Augustine Washington. The park is part of a cultural landscape that has remained rural 270 years after George Wash-

ington's birth. Located in Westmoreland County, Virginia, the National Monument includes a memorial mansion with a kitchen, farm buildings, various outbuildings, an 18th Century working farm, and a visitor's center. The park also contains woodlands, wetlands, and agricultural fields. Even today, descendants of the Washington family continue to live in the area.

This proposed legislation would include within the park boundary a privately owned parcel of land comprised of approximately 115 acres, known as the Muse tract, which is completely surrounded by the park, the Potomac River, and Popes Creek. Park roads provide the only access to this neighbor's land. This tract has been farmed by the Muse family since 1668, was contemporary with the Washington Family farm (Popes Creek Plantation), and is historically significant since it is directly connected with the plantation. Acquisition of this tract is vital to the integrity of the park and would prevent development that could degrade the park's pastoral setting and significant natural and cultural resources. The park's 1968 Master Plan contained a land acquisition plan showing fee acquisition of this privately owned tract and indicated that the Muse property could be used for historic farming or could be planted to retain the appearance of a cultural landscape.

The boundaries of the National Monument have been modified numerous times since the first memorial was erected at the site in 1896. The park presently contains about 550 acres. For generations, the surrounding community has been a partner to the National Park Service in the protection of George Washington's birthplace. Many of the landowners, such as the Muse Family, come from families that have for generations farmed the fertile soils of Virginia's Northern Neck. It is only in the recent past that the area has started to change. Recreational use, vacations homes, and commuters to Washington D.C. and Richmond have increased the local population significantly creating development pressure that is beginning to encroach on the park. If the Muse tract is not acquired there is potential for commercial development that would directly threaten park values since the tract is surrounded by parklands. The Muse family has indicated their willingness to be included within the park boundary for eventual acquisition by the National Park Service or a park partner. The demand for land in the surrounding area is so significant that there is little doubt that the peaceful setting, the pastoral charm, and the quiet dignity of the tombs of several generations of Washingtons would be destroyed by the intrusion of modern development within the park without this legislation. Recently, a one-acre parcel of land that was proposed to be included within the park was sold.

The National Monument also contains significant natural resources. The Muse tract includes half of the Digwood Swamp (a known bald eagle habitat and nesting area), extensive grasslands, riparian and upland forests, marshes, beaches, and cliffs (most likely with significant archaeological artifacts from the Woodland and Colonial periods as well as paleontological resources) and shares the shores of Popes Creek with the park. All are relatively pristine in nature and intact ecologically. These habitats are important to wildlife found within the park that use surrounding areas as conveyances to and from feeding, resting, and breeding areas. The preservation of this national treasure can only be accomplished by including the Muse tract within the boundary of the park.

The proposal to add the Muse property to the National Monument is supported by the Westmoreland County Board of Supervisors, the Chantilly Chapter of the Daughters of the American Revolution, the National Parks Mid-Atlantic Council, the George Washington Birthplace National Memorial Association, and most importantly, the owners of the property.

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

---

Mr. RADANOVICH. Thank you very much.

Next is the Honorable Scott Cooper from Crook County in Oregon. Mr. Cooper, thank you for taking the red eye. Now you know why I don't, being from California.

Please begin your testimony. I understand that is on H.R. 4953.

**STATEMENT OF JUDGE SCOTT R. COOPER, CROOK COUNTY  
COURT, CROOK COUNTY, OREGON**

Judge COOPER. Thank you, Mr. Chairman. Thank you, Madam Ranking Member. I am the elected Chair and County Adminis-

trator for Crook County Oregon and Crook County comprises 2,982 square miles in which 19,182 citizens live.

I am here today to support H.R. 4953. I especially appreciate my Congressman, Greg Walden, who also understands the importance of this bill to his constituency for securing my presence today.

The No. 1 question I was asked when I told my constituency that I would be here was: "Can we watch it on C-Span?"

I assured them it does not rise to the level of national security or accounting fraud, but it will show you how important it is to my constituents even while these other matters go about.

I also call to your attention that this bill is somewhat different than other legislation appearing before you today in that there is no cost to the Federal Government, not monetary cost. In fact, you gain acreage out of this as opposed to losing it.

This is a simple bill to create a right-of-way to West Butte Road in Crook and Deschutes County, Oregon to the respective counties of Crook and Deschutes for the right-of-way to an unimproved county road passing through an 11-mile segment of BLM land.

A companion bill, S. 2482, is pending in the Senate under the sponsorship of Senators Wyden and Smith. This bill is supported by my entire delegation because my Representative and my Senators have heard from local leadership that this legislation is of vital importance to my constituents.

The importance of this road is that it provides a north-south link between U.S. Highways 26 and 20 to the center of Oregon. These highways are the two major arterials which carry east-west traffic through the middle of the State. There are at present four potential connections between these two highways and Crook and Deschutes Counties.

The first road is the designated State highway, Highway 27, which roughly follows the Crooked River. This road is the only unpaved designated highway in the State of Oregon. It crosses numerous riparian areas. It passes through sensitive habitat for threatened and endangered species. It follows a Wild and Scenic River corridor. Several archeological significant sites can be found along the roadside and the terrain through which it passes is geologically significant and challenging.

For all these reasons, this option is unsuitable for upgrade as a north-south corridor.

The second road is the Millican Road. This is the road the County proposes to give to the BLM in exchange for the West Butte Right-of-Way. This road was constructed in 1915 to link Lakeview and Prineville, Oregon. It is unimproved and seldom used. In sections, it is completely impassable.

It follows a somewhat circuitous route and was largely abandoned after the BLM constructed the West Butte Road as a replacement route in 1968.

The third option is an existing all-weather, all-vehicle connection between Highways 20 and 26 to the east of Prineville. U.S. Highway 97 runs from the border to Washington to the border or California through the center of Oregon. It passes through Bend and Redmond in Deschutes County where it has become the most congested segment of that highway in the State of Oregon.

For a decade, traffic on this portion of the highway has grown steadily whereas Deschutes County has experienced double-digit growth rates.

Numerous efforts to construct bypasses and reroutes have caused State and local taxpayers tens of millions of dollars, but growth has outstripped all solutions.

In addition, the location of the road is inconvenient for traffic traveling from the southeast portion to the northwest portion of the State because it requires a 35-backtrack in order to access the alternative route through Princeville, a backtrack which, due to congestion, adds approximately 60 minutes to a 5-hour trip.

Construction of the West Butte alternative would resolve problems associated with both congestion and travel time. The final alternative and the one envisioned by H.R. 4953 is the West Butte Road itself. This is a BLM road which has been maintained by Crook County and the BLM for many years.

The road is gravel and a candidate for upgrade and has only a few minor engineering problems which are easily addressed. I drove it 2 weeks ago and found that a sports utility vehicle can easily traverse it maintaining an average speed of 45 miles an hour.

It is the most likely candidate for construction of an additional north-south linkage.

Over 30 years ago the Oregon State Legislature reached the same conclusion. In 1965, the Legislature authorized construction of a north-south connection between Highways 20 and 26, passing through Crook County to replace the existing dirt highway.

This authorization remains an Oregon statute today. We have various problems associated with this bill. The first one would be the matter of the National Environmental Protection Act and getting through all of its requirements.

This bill would not release us of those requirements. It would simply transfer the cost of meeting NEPA requirements from the Federal Government to the State of Oregon if the State of Oregon were to take it up as a State highway.

The second one is dealing with rights of way. Currently R.S. 2477 rights of way are backlogged in the courts. The final one would be the RMP, which Mr. Anderson referred to which appears to be headed for process gridlock and gives no guarantees of a final decision as to the ability of the county to be able to construct this road.

As the Congressman pointed out, I have letter from the various employers in Crook County, noting that they would be able to maintain an economic base in Crook County as a result of getting this particular project approved.

It would cut the costs of transportation by as much as 25 percent for the reopening of at least one lumber mill and help an economically devastated community.

I would ask, Mr. Chairman, that I be able to put these letters in the record.

Mr. RADANOVICH. I don't think there is any objection. It is so ordered.

[The information referred to follows:]

*Ochoco Lumber Company*

*Manufacturers of Ponderosa Pine*

P.O. Box 668 • Prineville, Oregon 97754

(541) 447-6296

Honorable Gordon Smith  
U.S. Senate  
Washington D.C.

July 12, 2002

Dear Senator Smith:

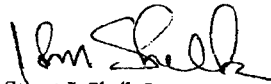
Thank you for your leadership and support of the West Butte Right-of-Way Bill in the Senate. This is a very timely piece of legislation.

Much of the timber that we anticipate bringing to Prineville to re-start our mill comes from the Snow Mountain District of the Ochoco National Forest, and the Bend/Fort Rock District of the Deschutes National Forest. Both of these districts are accessed by U.S. Highway 20, and would be then accessed by an extension of the West Butte Road.

As you are aware, most of the timber to be harvested from national forests of the West will be small diameter thinnings, which cost much to log. By reducing haul distances, as would be done by the West Butte Road, we can make these future timber sales more economical to harvest and process. The West Butte Road would reduce haul costs by up to 25% .

As you are also aware, this road would have additional benefits to the community of Prineville. We recognize your efforts to assist our community, and thank you for your on-going interest in your constituents.

As Ever,



Stuart J. Shelk Jr.  
Managing Director

TELEPHONE 541-447-4136  
FACSIMILE 541-416-5374

**LES SCHWAB TIRE CENTERS**  
646 N. W. Madras Highway  
P. O. Box 667  
Prineville, OR 97754

**July 2, 2002**

**The Honorable Gordon Smith**  
**404 Russell SEate Office Bldg.**  
**Washington, D.C., 20510**

**Dear Senator Smith:**

On behalf of Les Schwab Tire Centers, I am writing today to thank you for your support for the bill to authorize a right of way to West Butte Road. We know your recognize how important the passage of this bill is to our community.

There is a great need for a north-south right of way for freight and general traffic in Central Oregon. Crook County has been designated as an economically distressed county. We believe passage of this bill to improve the infrastructure in our area will be critical to the economic development of Crook County and will also allow Les Schwab Tire Centers to continue operations from our distribution facility in Prineville.

We know you will continue to support and help pass this bill. Your efforts to help Crook County are greatly appreciated.

**LES SCHWAB TIRE CENTERS**

**Tom Freedman**  
**Senior Executive Vice President**



# Community First Bank

Corporate Offices  
P.O. Box 447  
555 N.W. Third Street  
Prineville, OR 97754  
(541) 447-4106  
Fax 447-2818

Prineville Branch  
P.O. Box 447  
155 N.W. Third Street  
Prineville, OR 97754  
(541) 447-4105  
Fax 447-1684

LaPine Branch  
P.O. Box 900  
51366 S. Hwy. 97  
LaPine, OR 97739  
(541) 536-1746  
Fax 536-1040

Heald Branch  
P.O. Box 5818  
471 N.E. Greenwood  
Heald, OR 97702  
(541) 385-0700  
Fax 385-9239

Terrebonne Branch  
P.O. Box 539  
8222 N. Hwy 97, Suite 110  
Terrebonne, OR 97760  
(541) 549-7800  
Fax 923-7299

Madras Branch  
P.O. Box Y  
Madras, OR 97761  
(541) 475-0505  
Fax 475-7834

Mortgage Loan Center  
P.O. Box 447  
555 N.W. Third Street  
Prineville, OR 97754  
(541) 447-4107  
Fax 447-1684

Mortgage Loan Office  
1430 SW Highland Ave.,  
Suite E  
Medmond, OR 97756  
(541) 504-5400  
Fax 504-7890

Member FDIC

July 11, 2002

Senator Gordon Smith

Dear Senator Smith:

We would like to take this opportunity to thank you for your recognition of the bill that would authorize a right of way to West Butte Road here in Crook County.

The need for a road of this nature is crucial to the economic development in Crook County. It is also of great importance to north/south right of way for motor freight as well as general traffic in Central Oregon.

Crook County has been designated as an economically distressed county and we have sustained a double-digit unemployment. The passage of this bill is of great significance to our economic recovery.

We wish to acknowledge your valuable support on this matter and anticipate the support of your vote in favor of this bill.

Sincerely,

Todd M. Vallie  
President/CEO



CLEAR PINE MOULDINGS  
PO BOX 309  
PRINNVILLE, OREGON 97754

PHONE: 541-447-1135  
TOLL-FREE: 800-547-3070  
FAX: 541-447-8479

## ClearPine Mouldings

July 8, 2002

Senator Gordon Smith  
404 Russell Bldg.  
Washington, DC 20510-3704  
Fax: (202) 228-3997

Dear Senator Smith,

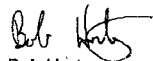
We at Clear Pine Mouldings would like to take this opportunity to thank you for your recognition of the bill that would authorize a right of way to West Butte Road here in Crook County. As part of the manufacturing industry in this region, we recognize the magnitude and importance of this bill.

The need for a road of this nature is crucial to the economic development in Crook County. It is also of great importance to north/south right of way for motor freight as well as general traffic in Central Oregon.

Crook County has been designated as an economically distressed county and we have sustained a double-digit unemployment. The passage of this bill is of great significance to our economic recovery.

We wish to acknowledge your valuable support on this matter and anticipate the support of your vote in favor of this bill.

Respectfully,



Bob Horton  
VP of Manufacturing Operations  
Clear Pine Mouldings

## *Solutions for Sustainability*

2400 NW Century Drive  
Prineville, Oregon 97754

E-mail [mcalunn@bendnet.com](mailto:mcalunn@bendnet.com)  
Telephone -- 541-447-7671  
Fax -- 541-416-1437

July 11, 2002

The Honorable Gordon Smith, R-OR  
United States Senate  
Washington D.C.

Dear Senator Smith:

I want to personally thank you for your support in the U.S. Senate in helping the community of Prineville to continue on its journey to sustainability given the many challenges it has faced in the past few years with such activities as Forest Service consolidation, declining timber production, increasing wildfire risk, and others. Most important at this time is your continuing diligent work in the Millican Road project.

This road is a critical link in the transportation infrastructure for Prineville, and particularly our largest business, the Les Schwab company. As the company and others extend their business to the south and east, quick and reliable access that bypasses Redmond and Bend is a key factor. It is likewise important for reducing future growth rates of traffic in those communities. Given the double digit unemployment that Prineville has suffered, this is one of many steps that is needed to get our community back on solid economic footing.

Thank you again for your leadership on our behalf, and please continue this into the future.

Sincerely,

*/s/Mike Lunn*

Mike Lunn

July 12, 2002

W. Riley Stock  
10200 NW Grizzly Road  
Prineville, OR 97754

Dear Senator Smith;

My family and I have been in Crook County for about eleven years. It has been a great community in which to raise our family. However, due to the restricted job market and the lack of professional level jobs in the local area I found it necessary to commute to Beaverton until my recent retirement. As part of the local community I am very interested in any actions that can be taken to enhance the quality of life and economic viability of our local area.

Prineville / Crook County has historically been dependent upon natural resource industries such as timber and agriculture (along with Les Schwab) for its primary job base. With natural resource industries in decline due to a variety of factors, Prineville has seen several mills close and has lost jobs and population. With double-digit unemployment, the state has now designated Crook County an economically distressed area.

No longer can we look to natural resource industries alone to provide the economic base for a vibrant community. It is critically important to establish a diversified industrial base to allow Crook County's residents the opportunity for longer-term economic growth. However, without the necessary infrastructure, new industries won't give us a second look.

Infrastructure is therefore the key to developing a vibrant and growing community. Without quality transportation, communication and educational infrastructure the diversified industry needed to reestablish a vibrant community will be unlikely to locate here.

Part of the critical transportation infrastructure portion of our development is the Millican Road extension. I want to personally thank you for supporting Senator Wyden's bill that will authorize the Millican Road right-of-way to West Butte Road. This will provide an important north-south access for both motor freight and general traffic.

Your active support of our community is needed and much appreciated.

Respectfully,  
Riley Stock

Judge COOPER. So, with that I would ask you for the sake of the ecosystem and because it costs you nothing and because it is a great project, to work with us and we would support the technology amendments mentioned by Mr. Anderson.

[The prepared statement of Judge Cooper follows:]

**Statement of The Honorable Scott R. Cooper, Judge,  
Crook County Court (Oregon)**

I am Judge Scott Cooper, and I am the elected chair and county administrator for Crook County, Oregon. Crook County comprises 2,982 square miles and is home to 19,182 citizens. I am appearing before you today in support of H.r. 4953.

I especially appreciate my congressman, Rep. Greg Walden, and his willingness to sponsor this legislation and his assistance in securing my presence here today.

H.R. 4953 is a simple bill to trade a right of way to West Butte Road in Crook and Deschutes Counties, Oregon, to the respective counties for right-of way to an unimproved county road passing through the same 11-mile segment of BLM land. A companion bill, S.2482, is pending in the Senate under the sponsorship of Oregon Senator Ron Wyden and co-sponsorship of Oregon Senator Gordon Smith.

This bill is supported by my entire delegation because my representative and my senators have heard from local leadership that this legislation is of vital importance to my constituents. The importance of this road is that it provides a north-south link between U.S. highways 26 and 20 through the center of Oregon. These highways are the two major arterials which carry east-west traffic through the middle of the state. There are at present four potential connections between these two highways in Crook and Deschutes Counties.

The first road is the designated state highway, Highway 27, which roughly follows the Crooked River. This road is the only unpaved, designated highway in the state of Oregon. It crosses numerous riparian areas. It passes through sensitive habitat for threatened and endangered species. It follows a Wild and Scenic River corridor. Several archeologically significant sites can be found along the roadside, and the terrain through which it passes is geologically significant and challenging. For all these reasons, this option is unsuitable for unsuitable for upgrade as a north-south connector.

The second road is Millican Road. This is the road the county proposes to trade BLM for the West Butte right of way. The present road was constructed in 1915 to link Lakeview and Prineville, Oregon. It is unimproved and seldom used. In sections, it is completely impassable. It follows a somewhat circuitous route and was largely abandoned after the BLM constructed the West Butte Road as a replacement road in 1968.

The third option is an existing all-weather, all-vehicle connection between highways 20 and 26 to the east of Prineville. U.S. Highway 97 highway runs from the border of Washington to the border of California, through the center of Oregon. It passes through Bend and Redmond in Deschutes County where it has become the most congested segment of that highway in the state of Oregon. For a decade, traffic on this portion of the highway has grown steadily worse as Deschutes County has experienced double-digit growth rates. Numerous efforts to construct bypasses and reroutes have cost state and local taxpayers tens of millions of dollars, but growth has outstripped all solutions. In addition, the location of the road is inconvenient for traffic traveling from the southeast portion to the northwest portion of the state, because it requires a 35 mile backtrack in order to access the alternative route through Prineville a back track which due to congestion adds approximately 60 minutes to a five hour trip. Construction of the West Butte alternative would resolve problems associated with both congestion and travel time.

The final alternative, and the one envisioned by H.r. 4953, is the West Butte Road itself. This is a BLM road which has been maintained by Crook County for the BLM for many years. The road is gravel and as a candidate for upgrade has only a few minor engineering problems which are easily addressed. I drove it two weeks ago, and found that a sports utility vehicle can easily traverse the road maintaining an average speed of about 45 miles per hour. The road is unsuitable at this time for commercial truck traffic. It is the most likely candidate for construction of an additional north-south linkage connecting the two U.S. highways.

In February 2000 over a period of 10 hours, the Oregon Dept. of Transportation conducted a study of westbound truck traffic on U.S. highway 20 in an attempt to determine whether construction of the West Butte Road would be helpful in rerouting truck traffic off highway 97 and onto an alternative route. As a result of this survey, the department concluded that approximately 25 percent of the trucks that

would otherwise backtrack through Bend and Prineville would utilize the West Butte Road, if constructed.

Keep in mind that this survey only looked at trucks, not passenger cars, traveling on one highway, headed in one direction during a month when travel volume on the highway is low, due to eastern Oregon's sometimes harsh winter climate. Even with these limitations, however, the survey results were sufficient to convince the state highway department that this alternative would be warranted.

Over 30 year ago, the Oregon State Legislature reached this same conclusion. In 1965, the legislature authorized construction of a north-south connection between highways 20 and 26 passing through Crook County to replace the existing dirt highway. That authorization remains in Oregon statute today.

Since passage of authorization to trade jurisdictions for the existing state highway, sporadic efforts to push through a road project have been made. Both my predecessors in office were interested in constructing an alternative route using the West Butte alignment. These efforts have not come to fruition because each time the issue has been raised, significant legislative and administrative barriers have been raised to frustrate the efforts of county, state and Federal partners to work cooperatively toward this goal.

The source of these problems has been three-fold.

The first problem state and county have faced is compliance with the requirements of the National Environmental Protection Act. In principle, the state and counties have no objection to complying with NEPA. As residents of a wonderful part of the world, we are strongly interested in preserving the public lands and heritage areas that surround us. The problem arises because BLM has advised the counties that it does not have manpower or financial resources to conduct the necessary analysis. Nor does it appear that the agency will have such resources any time soon. Thus, all prior discussions about potential for extending this road have come to an end. Passage of H.r. 4953 will transfer the obligation to complete necessary NEPA analysis prior to transferring jurisdiction to the Oregon Dept. of Transportation and relieve the BLM of that burden.

A second problem that has stymied cooperation between the county and BLM is the current controversy surrounding BLM's ability to grant rights of way for roads that pre-date passage of the Federal Lands Policy and Management Act. Crook County originally raised with BLM the possibility of requesting a right-of-way designation under provisions of that law. However, the agency response was that pursuant to the direction of Secretary of Interior Babbitt, no grants of right of way were currently being processed. In addition, a backlog of unresolved requests for right of way grants currently being challenged in the courts further preclude action by the agency under this venue. At this time BLM is unable to estimate when it might begin processing FLPMA claims, and the counties have no assurance that such claims would be recognized in any case.

Having seen this avenue foreclosed, the counties for the past 18 months have attempted to work with BLM through an on-going resource management planning process to obtain right-of-way for a West Butte Road extension. While this process has had some success, it now appears likely that may not be a viable long-term solution as it suffers from that affliction of land-management agencies commonly known in the West as "analysis paralysis" or "process gridlock." At this time, BLM officials can only say that the agency may be able to issue a record of decision in "winter 2004," adding that any challenge to the record of decision will likely result in further delays in even considering the counties' request for right of way.

In the meantime, Crook County has seen its unemployment rate soar to double-digit levels as a result of continued reductions in timber harvest on Federal lands. Mills and timber have been the mainstay of the Crook County local economy for 100 years. As a result of the loss of this industry, Crook County currently enjoys the dubious distinction of being one of three counties in Oregon with the least desirable statistics related to both unemployment and per capita income. Furthermore, additional non-timber employers have indicated that they, too, may be forced to leave if something is not done to improve the county's position as an economically viable community.

Local leaders believe that one such enhancement would be the construction of West Butte Road, which would suddenly place Crook County at the crossroads of traffic traveling from the Portland metro area to southeastern parts of the state and nation. Such a road is also supported by other jurisdictions and transportation planning groups, including the cities of Bend, Redmond and Madras, Deschutes County, the Oregon Dept. of Transportation and the Central Oregon Area Transportation Commission. All these bodies see this road as a potential relief valve for over-congestion on highway 97. So confident are the communities of Central Oregon that this project is both necessary and likely that the counties have been cooperatively

working to hard-surface the approximately 19 miles of road which passes through county jurisdiction, betting that eventually common sense must prevail and allow completion of the road through the remaining 11 miles which passes through BLM land.

The reason the counties have settled on the West Butte Road as the most obvious solution to their problem is that with the exception of a few short segments of roadway which need to be further engineered to avoid grade problems, the West Butte Road has few drawbacks as a potential transportation route. It is an existing road, so it will not require further disruption of the public lands through which it passes. It follows no waterways and therefore is not an historic travel corridor for ancient people posing associated archeological challenges. The roadbed is largely on flat terrain through sagebrush steppe and poses few engineering problems. Finally, although it passes near the habitat of the threatened sage grouse, local BLM officials have advised the county that the only identified habitat for these birds is several miles to the east and west of the West Butte road itself.

In fact, in recent testimony before a Senate subcommittee, BLM identified only concerns about construction of the West Butte Road. One dealt with off-highway vehicle crossings and the other with the afore-mentioned sage grouse. Both of these concerns would be mitigated by state and county in the normal course of constructing any road.

In the end, this bill is, of course, an economic-development project for Central Oregon. Crook County government and business leaders believe that the construction of an artery of the state highway system that passes through Prineville, the county seat of Crook County, will lead inevitably to additional business development and tourism. The county makes no apologies for desiring additional jobs for its residents, for we have been severely impacted by the devastation of our timber industry over the course of the past 10 years. In just over a decade, we have lost a total of five operating lumber mills, resulting job losses measured in the thousands.

In response to this economic catastrophe, government officials and environmental groups have called on community leaders to diversify the local economy. But diversification cannot occur without providing additional tools needed to attract new industry. One such tool is an expansion of existing transportation routes to more squarely place this economically devastated community in the path of progress.

The concept of transportation linkages as economic development is not new. As far back as 1815, Henry Clay, Speaker of this very House, introduced the idea as an integral concept of his visionary "American System" and the Eisenhower-era of freeway building assured economic health and vitality for hundreds of American communities.

H.R. 4953 is a modest recognition of the Federal Government's role as a partner in ensuring the health, strength and prosperity of local economies and thus the health, strength and prosperity of our nation. It does not compete with more glamorous legislation such as homeland security concerns or accounting oversight reform, but to my constituents it may be the most important bill pending before this Congress.

Too often, Washington is perceived outside the Beltway as simply the source of more rules, more restrictions and more problems. This legislation presents is an opportunity to show citizens in my part of the world that good things can and do come from government.

I appreciate the sensitivity of Congressman Walden to the seriousness of this issue to my community, and I request your favorable consideration of H.r. 4953.

\* \* \* \* \*

Topical outline of comments and summary of recommendations contained in full statement of Scott R. Cooper, appearing before the National Parks, Recreation and Public Lands Subcommittee, July 16, 2002 regarding H.R. 4953

- I. Background to Crook County and H.R. 4953
  - a. Size, population
  - b. Purpose of legislation
  - c. Status of legislation
- II. Alternatives to U.S. 26-20 connection

- a. Highway 27
  - i. State's only unpaved highway
  - ii. Ecological, environmental challenges
- b. Millican R d.
  - i. Existing county road
  - ii. Unimproved status
- c. Highway 97
  - i. Existing route
  - ii. Existing and increasing congestion
  - iii. Need to backtrack 35 miles to utilize
- d. West Butte Rd.
  - i. Maintained, passable
  - ii. Most acceptable alternative
- III. ODOT study, identifying road as viable
- IV. History of efforts to obtain right of way, barriers to success
  - a. Legislative authority for jurisdiction swap
  - b. County efforts at negotiation with BLM
    - i. NEPA as barrier, due to BLM's lack of resources
    - ii. FLPMA as barrier, due to Babbitt moratorium, court backlog
    - iii. RMP as barrier, due to uncertainty as to conclusion date
- V. Impact of inability to proceed
  - a. Statistics, unemployment, per-capita income
  - b. Threats due to declining timber industry
- VI. Potential of road project
  - a. Crossroads-status brings tourists, jobs to Crook County
  - b. Relieves congestion in Deschutes County
  - c. Springboard for further economic-development
    - i. Transportation as an historical economic development engine
  - d. Project as Federal/local partnership

Mr. RADANOVICH. Thank you, Mr. Cooper. A good job on the testimony and I appreciate all three of you being here.

I will turn my attention toward Mrs. Christensen for any questions.

Mrs. CHRISTENSEN. I have just a few questions. One is for Ms. Masica. Could you explain in H.R. 3434 your understanding of the effect of section 3(d) of the bill dealing with the inholdings account that says, "Historic site is deemed to be an inholding for the purposes of the inholding account of the land and water conservation fund."

Ms. MASICA. In the understanding is that there is a special part of our land acquisition account for inholdings that were set up for property that was inside the park prior to 1960. I believe that was when that account was set up. Because this site was established in 1941 or 1949, it would be eligible for that part of the land acquisition account.

Mrs. CHRISTENSEN. It is eligible?

Ms. MASICA. Yes.

Mrs. CHRISTENSEN. Mr. Anderson, a couple of questions. You may have partially answered some of this in your testimony. It is our understanding that the BLM is involved in an administrative process that may result in a grant of the rights of way that the counties are seeking.

That process is still ongoing?

Mr. ANDERSON. Yes, ma'am.

Mrs. CHRISTENSEN. And could you compare the steps in that process to the steps contained in this legislation or thereabouts?

Mr. ANDERSON. Well, the legislation would direct the Secretary to issue the right-of-way grant and subsequently there would have

to be some NEPA analysis done. We have in place a planning system set forth under the direction of the Federal Land Policy and Management Act that was passed in 1976 that instructed the Secretary of the Interior to set up a planning process which involved the public, our stakeholders.

We have been working with the folks from Deschutes and Crook Counties. They have set up these Issue Teams and they have special interest groups within the issue teams to talk about and discuss the specific issues that I mentioned in my testimony, that of recreational use and wildlife concerns.

I am not sure how far the county may go in ensuring the community has the same involvement that we do, although I don't have any reason to believe that they wouldn't.

Mrs. CHRISTENSEN. But the process that BLM has is a more complete process than in this legislation?

Mr. ANDERSON. The legislation would certainly shorten the process.

Mrs. CHRISTENSEN. In particular, on NEPA, would the administrative process include the full compliance with NEPA and does the legislation contain such a requirement?

Mr. ANDERSON. I'm not sure if the legislation requires the NEPA, but the county and State, if it is going to be a Federal aid highway, then they would have to do NEPA, the same as BLM.

Mrs. CHRISTENSEN. OK, so whatever the process, they would still have to go through that process.

Mr. ANDERSON. Yes.

Mrs. CHRISTENSEN. If through the administrative process the counties are granted the right-of-way they are seeking, would they be required to pay fair market value for those rights of way and does the legislation include that requirement?

Mr. ANDERSON. No, it does not. In terms of the administrative process to grant the right-of-way, there would be no cost to the county.

Mrs. CHRISTENSEN. Would you want me to yield?

Mr. WALDEN. Would the gentle lady yield? My understanding is that the Federal Government would actually gain more land as a result as a result of this transfer and so therefore would actually benefit from it. It would be a net recipient of land out across eastern Oregon because this is a shorter route.

Mrs. CHRISTENSEN. OK, thank you, that answers my questions. Thank you, Mr. Chairman.

Mr. RADANOVICH. Thank you, Mrs. Christensen.

Mr. Walden?

Mr. WALDEN. Thank you very much, Mr. Chairman. Mr. Anderson, how far backlogged is the Bureau of Land Management on NEPA analyses in Oregon?

Mr. ANDERSON. I don't know.

Mr. WALDEN. You are somewhat backlogged, though, right?

Mr. ANDERSON. I am not sure of the status of where we are with different NEPA documents. As you know, we have a number of offices and they all have their own projects and tasks and actions that they are working on.

For this particular field office, I am not sure what the status is, but they are actively working on the NEPA process right now.



Mr. WALDEN. Mr. Anderson, should H.R. 4953 address the Administration's concerns over recreational use and the wildlife concerns, and I believe we have been working with your staff on that, would then the BLM be able to support the amended legislation?

Mr. ANDERSON. I think we can do that, yes.

Mr. WALDEN. Knowing the current conditions of both the County-owned Millican Road and the BLM's West Butte Road, do you think this is, in your opinion, from what you know, a fair exchange?

Mr. ANDERSON. As far as I know. It is not an exchange per se, but a simple relinquishment of the RS2477. Is that what you are talking about?

Mr. WALDEN. Yes.

Mr. ANDERSON. Yes.

Mr. WALDEN. And then, are you aware of any opposition to H.R. 4953 from any of the other surrounding counties?

Mr. ANDERSON. No.

Mr. WALDEN. I understand we now have a letter from Jefferson County supporting this as well. So, the surrounding counties all support this.

Mr. Chairman, the concern I have is that if you want to do something to get efficiency in transportation in this part of my district, this is the way to do it. Right now, you route these trucks out 35 miles in a loop on the third most-traveled highway in the State of Oregon for truck traffic so that they can route back and go in the other direction. You kind of do one of these.

This county has suffered enough. These people have suffered enough in terms of loss of jobs and more are threatened if we don't move forward. You know, we have been kind of talking about this for a long time. That is why I just think it is important to move forward.

There are some technical issues from the original draft that we are working with BLM to correct. I think we can get there. It would just be efficient for fuel purposes, for jobs, transportation. The Federal Government is the net benefit of additional lands along much more sensitive areas than this route.

Judge Cooper, do you have anything else you want to comment on in what you have heard here?

Judge COOPER. I would just note, Congressman, that the issue of addressing the public concerns can easily be dealt with through the Committee report on the bill, so there is no need to exclude the public on that.

Mr. WALDEN. Right. And in terms of the NEPA analysis, my understanding is that the Oregon Department of Transportation would have to do that.

Judge COOPER. Before it could be designated a State highway and certainly for purposes of upgrading it and maintaining it, it would require State assistance. It would require a complete NEPA analysis.

Mr. WALDEN. And from what you know, the State Department of Transportation is willing to undertake both of those efforts, both NEPA and declaration as State highway?

Judge COOPER. The Oregon Transportation Commission, as well as the staff of the Oregon Department of Transportation fully support this bill.

Mr. WALDEN. And are there other employers in Crook County that you are aware of that this would make a big difference to?

Judge COOPER. This would make an enormous difference to the LaScheib Tire Company, which is looking at whether it is able to retain its presence in the Prineville area because of the lack of transportation routes. It accounts for 15 percent of the workforce of Crook County. Its departure would shoot us to 30 percent unemployment if LaScheib left?

This is a key issue about that. Why?

Judge COOPER. This is a critical issue because they are so important as part of the workforce and because they are so important as part of the workforce and because they are serving an eight-state area out of Prineville and the need to be able to service them within the 10-hour drive time that is required by Federal law for drivers and get trucks to the outlying plants is critically important to their ability to operate.

Mr. WALDEN. Mr. Chairman, I have a letter here from Phil Wick. Is this similar to the one that you put in the record, Mr. Chairman? OK.

Phil Wick is President of LaScheib Tire Centers and he says in part in his letter, "With the alternative route in place, LaScheib Tire Centers believes it could extend its reach to southeastern stores by one to 2 hours and relieve congestion on the Highway 97 corridor at the same time."

I think you can understand the importance of this. I greatly appreciate your willingness to schedule this hearing and work us and BLM and the county on the amendment that we hope to offer Thursday as a substitute.

Mr. RADANOVICH. My pleasure. Do you need that submitted for the record?

Mr. WALDEN. I believe Judge Cooper has already done that. That is one of the letters he submitted.

I yield back.

Mr. RADANOVICH. Thank you, Mr. Walden.

Mr. Holt, any questions?

Mr. HOLT. Just briefly. Thank you, Mr. Chairman. I thank the witnesses. To follow on this point that we were just discussing, will there be a need, will there be a request for Federal funds? Let me ask this of Mr. Cooper. Will there be a need for Federal funds for road improvement in connection with this transfer.

Judge COOPER. I do not believe, Mr. Holt, that that would be required, simply because we are the beneficiaries of the Payments to Counties legislation which was passed last year. We will receive those for the next 5 years. That should be sufficient for us to upgrade the road.

Mr. HOLT. For the National Park Service, for the Washington Birthplace which is H.R. 3449, do you know what plans there are for adding to the interpretive or physical presence there at the site and would any of that be precluded or actually, to put it positively, would any of that be permitted or enhanced by this acquisition?

Ms. MASICA. I don't know of any specific plans to enhance the interpretation. Certainly if the boundaries are expanded and then the property is acquired, it would be eligible for all the services that a part would normally be eligible for.

Mr. HOLT. OK. I thank the witnesses and I thank you, Mr. Chairman.

Mr. RADANOVICH. Thank you, Mr. Holt.

Are there any other questions from any of the panels?

Ladies and gentlemen, thank you very much for coming to the Committee. If there are no other questions or comments of anything else, the hearing is adjourned. Thank you very much.

[Whereupon, at 2:48 p.m., the Subcommittee was adjourned.]

