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House Resources Committee**

Subcommittee on National Parks and Public Lands

**H.R.1751, Carrizo Plain National Conservation Area Act
May 4, 2000**

Thank you for the opportunity to testify regarding H.R. 1751, the Carrizo Plain National Conservation Area Act. Congresswoman Capps has correctly assessed that the Carrizo Plain is an area much deserving of special protective status, and Secretary Babbitt supports special designation for this area. Regretfully, the bill as introduced falls short of many of the important protections that must be a part of any conservation area bill and therefore the Administration will have to oppose H.R. 1751 unless substantial revisions are made.

The 250,000-acre Carrizo Plain has a wide range of assets that make this area a precious jewel well worth protecting. Perhaps the most intriguing feature, from both a geologic and human interest perspective, is the harsh gash of the San Andreas Fault which bisects the proposed National Conservation Area (NCA). On January 9, 1857, a rumble that must have grown deafening shook California with a shocking intensity. An earthquake, estimated at 8.0 on the Richter scale, ruptured the surface of the Carrizo Plain, causing nearly 30 feet of lateral offset that can still be clearly seen today. The quake was felt as far away as Nevada and as far south as San Diego. The Kern River turned upstream, the waters of Tulare Lake were thrown upon its shores (stranding fish miles from the original lake bed), and the waters of the Mokelumne River were thrown upon its banks. Truly it must have been an amazing sight. The evidence of this alarming event is still visible today. Because of the aridity of the Carrizo Plain, it has not been significantly eroded or been obscured by vegetation.

It is not just this geologic curiosity which compels Congresswoman Capps, the Secretary of the Interior and so many others to declare that this is a place that must be protected- it is so much more.

At one time, in the not so distant past, central California was a vast grassland. Today, 99 percent of that grassland has been eliminated, leaving the Carrizo Plain as one of the last relatively intact remnants of this diverse and complex habitat. As a remnant ecosystem, the Carrizo Plain is critical to providing a contiguous ecosystem to a wide range of Federally threatened or endangered species including the San Joaquin kit fox, the giant kangaroo rat and, of course, the California Condor. In spite of herculean recovery efforts, the California Condor remains one of the rarest and most imperiled of species worldwide. With a nine-foot wingspan, the condor today soars over the Carrizo Plain, one of its principal foraging regions. In addition, the plain is home to other important native wildlife including the pronghorn antelope, tule elk, sandhill cranes and mountain plovers.

The plant population of the Carrizo Plain is as varied and biologically significant as the fauna. The wildflower displays during this time of year are absolutely exquisite, drawing vast crowds

to bask in their beauty. A wide range of threatened and endangered plant life also call the Carrizo Plain home. A visit to this area is a step back to a time that is only a memory for a handful of Californians still living today.

Soda Lake, in the northwestern corner of the proposed NCA, is also a significant feature. Formed by the run-off of the Tremblor and Caliente Mountains, and lacking an outlet, the 3,000-acre lake is the largest remaining natural alkali wetland in lower California attracting a unique mix of plants and great quantities of sandhill cranes, long-billed curlews and other birds making it a birdwatchers' destination.

We are not the first to appreciate the splendid sweep of this plain. The area contains significant cultural, religious and historical sites. Human occupation probably began around 12,000 years ago and archaeologically significant sites exist that date from 10,000 years ago up through the early 1700s and the arrival of Europeans. Especially significant are a number of rock art sites which continue to have religious significance to the native people of the area, particularly the Chumash and Yokuts. Historical sites documenting Euro-American settlement are also being preserved, including Saucito Ranch House and the Washburn Ranch.

A great deal of the credit for the foresight to save this priceless area goes to The Nature Conservancy which purchased significant portions of the plain from private landowners throughout the 1980s and 1990s. With the wise use of Land and Water Conservation Fund monies, the Bureau of Land Management (BLM) has since purchased these lands from The Nature Conservancy. The Nature Conservancy remains a full partner in management of the area along with the California Department of Fish & Game and the BLM, a partnership memorialized in the 1996 cooperative management plan for the Carrizo Plain Natural Area. The proposed NCA includes 202,000 acres of BLM-managed public lands, and 9,000 acres of lands managed by the California Department of Fish and Game.

One of the joint projects by the three managing partners is the Guy L. Goodwin Education Center. The Center serves not only as a contact station for visitors to the Carrizo Plain but also is an interpretive site for the endangered species and human history of the area. Day to day operations are coordinated by the "Friends of the Carrizo Plain" who provide tours and information for a wide range of interested visitors.

Multiple use, carefully considered and implemented, is a hallmark of current management. Grazing is carefully managed to simulate the natural effect of the vast herds of pronghorn antelope and tule elk that once inhabited the Plain. It is an experimental grazing program; the goal is to promote a stronger native plant community in conjunction with the use of prescribed and natural fires and other management prescriptions. Current recreational uses such as hunting, hiking, and environmental education are compatible with the proposed NCA designation.

As the Secretary has made clear in previous testimony, the litmus test for new National Conservation Areas is that they must provide meaningful protection and they cannot diminish any protections that currently apply to the lands. Importantly, H.R. 1751 succeeds in not diminishing current protections for the lands. Unfortunately it lacks some of the essential

meaningful protections that are critical. These issues must be resolved in order to gain Administration support.

Last year, Congresswoman Capps asked the Subgroup of the Central California Resource Advisory Council (RAC) to review H.R. 1751 with an eye toward possible improvements. In a December 13, 1999 report, the RAC subgroup expressed an overall desire to move forward on legislation but also raised some important concerns about provisions missing in the legislation. Many of the concerns which they raised are shared by the Department of the Interior. I'd like to briefly discuss our major concerns.

First, NCA legislation must include a withdrawal from mining, land laws and mineral leasing. While the bill before us today includes the first two, it lacks the third. We would advocate the inclusion of a withdrawal from the mineral and geothermal leasing and mineral materials sales, subject, of course, to valid existing rights. Currently, oil and gas operations within the proposed NCA are economically marginal. Closing the area to new leasing will not hamper oil and gas production in California or in the region. In 1998 over 22.5 million barrels of oil were produced from BLM leases within the jurisdiction of the Bakersfield field office, the contribution of the Carrizo Plain to this total was, and is expected to continue to be, negligible. There are 17 active oil and gas leases within the Carrizo Plain, only four of which are currently producing. In the past ten years only five wells have been drilled within the boundaries of the Plain.

Second, "only such uses" language is an important addition we would insist on in any legislation seeking Administration support. Such language states that "the Secretary shall allow only such uses of the conservation area as the Secretary finds will further the purposes for which the conservation area is established." We want to ensure that conservation areas are not just hollow shells but are truly worthy of the name conservation.

Third, and in a point noted also by the RAC subgroup, it is critical to restrict the use of off-highway vehicles (OHVs). One of the greatest and growing threats to the protection of our natural resources is unregulated OHV use. We believe that the vast majority of the OHV using community - the responsible users - would agree to limit use to roads and trails designated for their use and to eliminate cross-country vehicle use in this sensitive area. The RAC subgroup included a recommendation that all roads and trails within Carrizo Plain be closed to motor vehicles unless specifically designated open as part of the management plan and we support that approach.

The RAC subgroup also recommended reserving a water right for the NCA as part of this legislation (an area on which the bill is currently silent) and we would support such an effort. Additionally they recommended language protecting hunting, grazing ("in a manner that is compatible with the overall mission and purpose of the NCA . . . [and in order] to manage the vegetation for the benefit of native species . . .") and establishing an Advisory Council. We would welcome the opportunity to work cooperatively on all these areas to find appropriate language.

Finally, the Administration has concerns about establishing a separate account in Treasury for this conservation area for several reasons. First, doing so would set a bad precedent for National

Conservation Areas, no other conservation areas have special accounts. Second, it could limit Interior's ability to properly manage the area if the account balance does not have sufficient funds to meet the needs of the conservation area. And third, it is unnecessary.

In his visit last year to the Carrizo Plain, the Secretary was extremely impressed with both the landscape and with the clear desire of the local community to provide new and lasting protection for this very special area. The Department of the Interior looks forward to working with Congresswoman Capps and the Committee to resolve the issues I have raised so that we can ensure meaningful protections for the captivating Carrizo Plain.