

**STATEMENT OF**  
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**BUDGET,**  
**U.S. DEPARTMENT OF THE INTERIOR**  
**BEFORE THE**  
**SENATE ENERGY AND NATURAL RESOURCES COMMITTEE**  
**SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS**

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Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to present the Department of Interior's views on H.R. 585, the "Gateway Communities Cooperation Act."

The Administration could support H.R. 585, but only if amended to address concerns cited below. We strongly support the bill's goals to promote communication, cooperation, and coordination between federal land management bureaus and the local communities that may be affected by the decisions of those bureaus, but would like to work with the Subcommittee to ensure that these goals are achievable and accomplished in an effective and efficient manner. We will submit a letter with recommended amendments shortly.

H.R. 585 would require federal agencies to involve officials from impacted communities early in the development of federal plans, programs, regulations and decisions and to provide local officials with plain-English summaries of the assumptions, purposes, goals, and objectives of decisions, and any anticipated impacts on the community. H.R. 585 would require the Secretary to provide training sessions on agency planning processes and participation opportunities and to make available federal personnel to assist gateway communities in the development of land use plans. H.R. 585 would further authorize cooperative agreements and require greater coordination among federal agencies in engaging gateway communities in their planning processes. Finally, H.R. 585 would direct the Secretary to allow gateway communities "the opportunity to be recognized" as cooperating agencies under the National Environmental Policy Act (NEPA).

The Department's bureaus manage more than one out of every five acres of land in the United States, with most of these lands in the West. For example, the Department manages 72 percent of Nevada, almost 50 percent of Utah, and 62 percent of Alaska. Lands under our jurisdiction include vast multiple-use areas, and our bureaus host almost half a billion visitors a year, creating economic engines for communities across the country.

Population growth and economic expansion have increased pressures on our undeveloped land, water resources, and wildlife. While countless species depend on the land to sustain life, families depend on the land for community and economic well-being. We realize that the resource management decisions we make can greatly impact local communities and the people who live in them. Often these impacts are especially felt by "gateway" communities -- including those on Tribal Trust Lands -- that are adjacent to our federal lands. As a result, we realize that we must work in partnership with the people who live on the private and tribal lands that border our National Parks, National Wildlife Refuges, and other federal lands, and work on those lands or have access to resources on those lands.

Mutual benefits flow from cooperating with these communities. Gateway communities often take on the additional infrastructure and environmental duties that come with visitors headed to nearby federal lands. This has the effect of reducing the pressure on federal resources while stimulating gateway economic growth and creating jobs in those communities. For example, according to a study entitled, *Banking on Nature 2004: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation*, nearly 37 million people visited national wildlife refuges in 2004, creating almost 24,000 private sector jobs and producing about \$454 million in employment income. Recreational spending on refuges generated nearly \$151 million in tax revenue at the local, county, state and federal level. Some of these communities experience unusual pressures and problems brought about by their popularity as entry points for visitors onto federal lands. Additionally, some of these communities may also incur costs for additional services such as law enforcement, search and rescue, and public works. These additional costs, however, may be offset by the increased employment income and tax revenue.

Given this close relationship with gateway communities, the Department and the bureaus have made it a priority to ensure that we are actively working to engage gateway communities in our planning processes. We would like to share with you the collaborative practice of the Bureau of Land Management (BLM), the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS) as well as some specific examples of successful projects undertaken in collaboration with gateway communities.

Under current practice, the BLM, the NPS, and the FWS and all of the Department bureaus already invite state, tribal, and local entities, in addition to federal agencies, to participate as cooperating agencies during development of an environmental impact statement under NEPA. Existing Department-wide guidance at 516 DM 2.5 (Departmental Manual) sets forth the requirement to invite the participation of these entities, along with more specific guidance on the establishment of the relationship, including the development of a memorandum of understanding concerning respective roles, assignment of issues, schedules, and staff commitments. The Department incorporated this requirement and guidance for application to all bureaus in June 2005, shortly after the BLM became the first federal agency to promulgate land use planning regulations requiring invitations to eligible gateway communities to participate as cooperating agencies on environmental impact statements for land use plans. The Council on Environmental Quality (CEQ) regulations and guidance are utilized by all federal agencies to engage the participation by state, tribal, and local entities as cooperating entities during the NEPA process. Through collaboration and partnerships, the BLM determines how best to manage public lands to meet the needs of both local communities and the Nation as a whole through the planning process. This entails the BLM working with individuals, communities, and governments from the earliest stages and continuing through the land use planning process to address common needs and goals within the planning areas.

Some examples of how the BLM has successfully worked with gateway communities include the following:

- **The Sand Flats Agreement** – Under a 1994 agreement among the BLM, Grand County, and the state of Utah concerning a 7,000 acre recreational area outside Moab, Utah, fee collection was turned over to the county, and the receipts were made available to the county for use in managing, providing educational services, and policing the highly popular recreational area. The BLM and its visitors have a signature recreation area, and the county has been able to control tourism in a way compatible with the wishes of its local citizens. The agreement has also resulted in a more vigorous tourist trade to benefit the local economy.
- **Las Cienegas National Conservation Area** – In the gateway community of Sonoita, Arizona, local citizens formed the Sonoita Valley Planning Partnership (SVPP), which developed visions, goals and desired future conditions for the area. BLM then incorporated the SVPP objectives as the foundation for the Las Cienegas Resource Management Plan (2003), thus providing the community with the means to articulate and achieve its goals through the NCA's management.

The NPS also emphasizes participation of communities in the wide variety of planning efforts it undertakes. During development and updates of each park unit's General Management Plan, NPS typically initiates the process by engaging in extensive outreach with affected communities by such means as giving presentations at civic group meetings and holding open houses. The NPS has produced

a video that is often used at the meetings to explain the planning process. When NPS undertakes studies that have been authorized by Congress, such as studies of potential new park units, national trails, wild and scenic rivers, and national heritage areas, NPS engages all interested entities, including local communities, in a highly collaborative public process in effort to identify the best alternatives for preserving, managing, and interpreting resources. These efforts are consistent with Director's Order 75A, Civic Engagement and Public Involvement (strengthened and reissued in 2003), which recognizes the strong interest of gateway communities in NPS actions and articulates our commitment to collaborating with interested parties.

Some examples of how the NPS has successfully worked with gateway communities include the following:

- **Zion National Park** - Zion National Park and the gateway community of Springdale, Utah have established a mutually beneficial partnership through the creation of the Zion/Springdale transportation system. The system has enabled the town to draw customers to local businesses by providing parking and shuttle stops outside the park and has provided the park the benefits of decreased traffic congestion and pollution.
- **Grand Teton National Park** – Grand Teton National Park and the gateway community of Jackson Hole and Teton County, Wyoming partner for search and rescue, major disaster and fire response. The park also collaborated with the chamber of commerce on a branding and marketing program called “Respecting the Power of Place,” which reinforces a commitment to foster both conservation and commerce in the Jackson Hole area.

Through a highly collaborative process, the FWS is currently working to complete Comprehensive Conservation Plans (CCP) for 517 National Wildlife Refuges and 37 Wetland Management Districts by 2012, as mandated under the *The National Wildlife Refuge Improvement Act of 1997*.

A CCP provides a vision for the next 15 years and ensures that each unit is managed to fulfill its individual purpose and the National Wildlife Refuge System mission. CCPs examine opportunities for facilitating compatible wildlife-dependent recreation, such as hunting, fishing, wildlife observation and environmental education. CCPs use sound science to establish achievable goals, objectives, and outcomes. FWS had completed CCPs for 107 of 554 refuge and wetland management units as of September 30, 2005 and expected to complete CCPs for 92 units in FY 2006 and 49 units in FY 2007.

The FWS has integrated community and public participation into the CCP process. Prior to and during preparation of a CCP, FWS seeks and subsequently analyzes comments and concerns from federal, tribal, state, and local governments and private landowners concerning land management issues that may impact or relate to the refuge. A draft CCP is released to the public for comment, with copies provided to the interested entities. The FWS reviews and analyzes the comments, and a final CCP is released to the public. Following the adoption of a final CCP, FWS continues to improve and update the plans through annual reviews.

Some examples of how FWS has successfully worked with gateway communities and some of their over 200 Friends groups include:

- **J.N. “Ding” Darling National Wildlife Refuge** -- The Refuge, the Ding Darling Wildlife Society (Society), the City of Sanibel, Lee County, and other interested entities work together on a variety of efforts that result in better services for the more than 850,000 visitors to the refuge. Such collaborative efforts range from addressing water quality issues on the island, Ding Darling Days, and developing and constructing the state-of-the-art education center on the refuge.
- **Bosque del Apache Refuge** – The Refuge and the Friends of Bosque Del Apache Refuge have worked closely with the City of Socorro, New Mexico for 18 years to produce the highly

attended "The Festival of the Cranes." This refuge based event celebrates the annual return of the sandhill cranes and numerous other species of birds that come to the refuge for the winter.

Through these and many other efforts, the Department is working to ensure that all of its management and policy decisions are made using a collaborative approach.

While the Department believes that HR 585 can positively promote this goal to more effectively communicate, coordinate, and cooperate with gateway communities, we do have a few concerns as well as technical issues with the bill. To address these issues, we plan to work with the U.S. Forest Service on a followup letter to the Subcommittee with specific suggested amendments that we believe will strengthen and clarify the bill. We would like to briefly highlight some of our concerns with H.R. 585.

First, we are concerned about the definition provided for gateway communities in section 2(c)(1) and believe it could be strengthened. As drafted, it is not clear what constitutes a gateway community, and it could vary greatly depending on the state in which the gateway community is located. The head of the tourism office for the state also may not be the appropriate individual to make the determination of whether a community is significantly affected -- particularly if the management decisions involve land uses that do not involve recreation. For these reasons, we strongly recommend an amendment to provide that the Secretary, in consultation with the state, determines whether a local government constitutes a gateway community for the purposes of this bill. The amendment would clarify that the relevant Secretary has the responsibility to ensure that similarly affected communities in different states are provided with similar opportunities. It also would ensure that the bill does not limit consultation to a state tourism office, but allows for consultation with the appropriate state contact, depending on the circumstances.

Second, we recommend revisions to section 2(d)(3), which mandates the Secretary to provide training sessions at the request of the gateway community. We believe it is important to improve communication and provide clear information about agency processes and opportunities to participate in planning. However, this section is too restrictive. We believe that the level of knowledge about an agency's planning process can vary greatly from community to community. We suggest language that would allow for the flexibility of providing a variety of training materials and tailoring the federal response to the gateway community's request depending on the level of familiarity particular officials have in federal planning processes. For example, in some situations, an official may prefer to be provided written summaries of the planning process and the opportunities to participate rather than receive formal training sessions.

Third, we are concerned about the provision in section 2(d)(4), which mandates that federal personnel take temporary work details to gateway communities to assist with planning efforts. We would like to work with the Subcommittee to find effective ways to provide assistance. The provision could entail not only federal planning efforts but state and local planning efforts. We believe this provision is not feasible, could result in competition among gateway communities for limited federal personnel, and could result in significant delays of federal projects as federal personnel are diverted from their planning duties. BLM estimates that approximately 4,000 communities are within, abut, or are adjacent to significant BLM-managed areas. The number of gateway communities that would be eligible to make the request for technical assistance is likely to far exceed the number of federal planning experts who would be available in the field offices to provide the assistance. In a time of austere budgets, federal agencies must focus limited resources on effectively managing our current responsibilities.

Fourth, we believe that the process for communicating an interest in participating as a cooperating agency and the guidelines for such participation in section 2(d)(7) is unclear, as drafted. We suggest an amendment that delineates the process by which the Secretary would notify potentially interested communities of a land use planning issue and by which a gateway community would communicate with the Secretary its interest in participating as a cooperating agency. During development of land management plans, Department bureaus already regularly offer affected states, tribes, and localities participation as cooperating agencies, and the CEQ regulations and guidance, the Department Manual and some agency regulations and guidance include procedures for such engagement. Thus, we suggest

an amendment to ensure that these same authorities, in addition to NEPA, guide participation by gateway communities. We also would like to further discuss whether this section may be more appropriately incorporated into other sections that more generally address the engagement of gateway communities.

Looking back, one of the ideas behind the National Environmental Policy Act was that informed decision-making would result in the making of better decisions. The Department believes that H.R. 585, if amended as described in this testimony, can promote improved land management decisions accruing to the benefit of private and public lands and the people who live and work on them. Peaceful problem-solving and partnerships are keys to good land management. HR 585 promotes this through better communication, coordination, and cooperation between federal land and gateway communities and their citizens. We appreciate the opportunity to present these suggested amendments and look forward to working with the Subcommittee further on this important bill.

Mr. Chairman, this concludes my statement. I am happy to answer any questions you or other members of the Subcommittee may have.