

BEST AVAILABLE IMAGE

H.R. 318 - Castle Nugent Farms - St. Croix  
(study to include in NPS), VI



L58 (0120)

Memorandum

To: Regional Director, Southeast Region  
Associate Director, Park Planning, Facilities, and Lands

From: Director

Subject: Activation: P.L. 109-317, Castle Nugent Farms Study

On October 11, 2006, President Bush approved H.R. 318, a bill to direct the Secretary of the Interior to determine the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, as Public Law 109-317. A copy of the public law, a copy of the Senate committee report, and pertinent sections from the *Congressional Record* are attached.

H.R. 318 was introduced on January 25, 2005, by Delegate Donna Christiansen. No hearing was held on the bill nor was any committee action taken in the House. The bill, was passed by the House on November 15, 2005. The Senate Subcommittee on National Parks held a hearing on this bill on February 16, 2006 and on April 20, 2006, the bill was ordered reported by the Senate Committee on Energy and Natural Resources. On September 29, 2006, the Senate passed H.R. 318 by unanimous consent.

Public Law 109-317 directs the Secretary to complete a study on the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System. The Castle Nugent Farms contain sensitive archeological and ecological resources important to the history and preservation of the Virgin Islands. The study is to be completed not later than three years after funds are made available to carry out the act.

A section-by-section analysis follows:

Section 1(a) contains congressional findings.

Section 1(b) directs the Secretary of the Interior to study the feasibility of designating Castle Nugent Farms as a unit of the National Park System.

Section 1(c) directs the Secretary of the Interior to conduct a study in accordance with P.L. 91-383. This law defines criteria for additions to the National Park System and directs the Secretary of the Interior to complete the study no later than 3 years after the funds are made available.



Responsibility: Regional Director, Southeast Region; Associate Director, Park Planning, Facilities and Lands

Attachments:

Public Law 109-317

Senate Report 109-241

Pages from the *Congressional Record* from: September 29, 2006, when the Senate and House passed H.R. 318; and November 15, 2005 when the House passed H.R. 318.

Southeast Region: Associate Director

September 15, 2005 when the House

H10176

CONGRESSIONAL RECORD—HOUSE

November 15, 2005

receive environmentally sensitive, pristine forest lands that truly belong under the stewardship of the U.S. Forest Service to be preserved for future generations.

This exchange was originally initiated by the Forest Service to consolidate the largest remaining checkerboard parcel of land in Arizona and to protect the Juniper Mountains forested area from future development. Watershed management, wildlife habitat, and outdoor recreation in the consolidated land parcel will be preserved through this action.

Many of the land parcels the Forest Service will trade to accomplish these goals are eagerly sought by local communities for a variety of worthwhile civic purposes, including expansion of airports, parks, and other municipal facilities. Also, six summer camps that currently lease lands from the Forest Service will acquire those leased areas.

There has been considerable participation of local elected officials, Forest Service personnel, private citizens, and various citizen groups from northern Arizona and Arizona's Verde Valley in drafting this legislation. Their input and perspectives have proven invaluable, and I am confident that the bill now put forth by my colleague from Arizona addresses every major concern that has been brought forward.

This bill makes good common sense for our forests and for our people of Arizona. The cost savings for the Federal Government and, therefore, for American taxpayers associated with this land exchange are significant. The savings are accomplished through consolidation of Federal lands that allows for much greater ease in forest management.

But much more important, this exchange will ensure that one of the last largest pristine forested parcels in Arizona will pass out of private hands and be protected from potentially harmful development indefinitely.

It will prove good for this generation of Arizonans, future generations of Arizonans and for all Americans, and I join my colleagues from both Colorado and the Virgin Islands in urging passage of this legislation.

Mr. RENZI. Mr. Speaker, I rise in support of S. 161, the Northern Arizona Land Exchange and Verde River Basin Partnership Act. This legislation facilitates a land exchange in northern Arizona of private land within the Yavapai Ranch for Forest Service land in the northern portion of the state and establishes a water resource planning and management partnership in the Verde River Basin.

This legislation accomplishes several goals in northern Arizona. First, it will preserve the pristine areas within Yavapai Ranch for wildlife and recreation, by consolidating a 110 square mile area in the Prescott National Forest. This area is adjacent to the Juniper Mesa Wilderness Area and will help preserve precious habitat for ponderosa pine, alligator juniper and pronghorn antelope.

Second, the bill provides the City of Flagstaff with the opportunity to acquire land to expand and improve Pulliam Airport. This legisla-

tion will allow the City of Flagstaff to develop a new city park and recreational areas and obtain ownership of land near their water treatment plant. This is critical to the City of Flagstaff's future by providing economic development and affordable housing.

The Northern Arizona Land Exchange Act will also allow the City of Williams to acquire land for its well sites, water storage tanks and wastewater facility and drinking water treatment plants. Until recently, the City of Williams relied completely on surface water supplies to service the community, however, surface water reservoirs in Williams are well below their needed capacity. This legislation will assist Williams in meeting their water challenges in the future by providing new land for well drilling sites.

Finally, this legislation ensures that six summer youth camps, serving between 10 and 12 thousand children a year, have the opportunity to acquire the land and benefit from full ownership and management of this land.

S. 161 ensures that stringent water conservation and water use restrictions must be met for any future development. In addition, any development must also comply with the State of Arizona's surface and ground water laws, as well as local community planning standards.

This legislation also creates the Verde River Basin Partnership to help resolve water issues. The goal of this collaborative group is to develop a water resource management plan and submit this plan to the Secretary of the Interior and the Governor of Arizona.

Nothing in this section will undermine state and local water laws. In fact, this legislation's partnership is simply a forum for planning and working together on the Verde Basin's pressing water issues. As such, there is a very serious expectation that the Partnership will reach out to everyone in the Basin's communities as it creates its Plan. Holding town meetings, meeting with all levels of local government and releasing draft documents for the general public's comment are just three items that the Partnership is expected to perform.

I am confident that the Partnership will truly be accountable to the local communities who live in the backyard of the Verde River. These local citizens have asked for and deserve the very best in having their voices heard and the legislation will meet that need.

This legislation will benefit the public, the many communities and camps in northern Arizona that will receive opportunities for future economic development, and the natural beauty of the Yavapai Ranch. In addition, the science-based water resource planning and management partnership created by this legislation will provide much-needed research in this sensitive area. Bringing the Yavapai Ranch into federal ownership is in the best interest of the public, and the Forest Service has indicated that it would otherwise be unable to acquire these parcels.

I urge my colleagues to support S. 161, the Northern Arizona Land Exchange Act and Verde River Basin Partnership Act.

Mrs. MUSGRAVE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the Senate bill, S. 161.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### NATIONAL PARK SERVICE STUDY REGARDING CASTLE NUGENT FARMS

Mrs. MUSGRAVE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 318) to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

The Clerk read as follows:

H.R. 318

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. NATIONAL PARK SERVICE STUDY REGARDING CASTLE NUGENT FARMS.

(a) FINDINGS.—Congress finds the following:

(1) Castle Nugent Farms, located on the southeastern shore of St. Croix, U.S. Virgin Islands, is the largest parcel of privately-held land in the Virgin Islands and has been an operating cattle ranch for 50 years.

(2) This land has the largest and healthiest fringing coral reef anywhere in the Virgin Islands.

(3) It consists of Caribbean dry forest and pasturelands with considerable cultural resources including both pre-Columbian and post-European settlement.

(4) Castle Nugent Farms contains a large historic 17th century Danish estate house that sits on over 4 miles of pristine Caribbean oceanfront property.

(5) In addition to being an area for turtle nesting and night heron nesting, it is the home for the Senepol cattle breed, a unique breed of cattle that was developed on St. Croix in the early 1900's to adapt to the island's climate.

(b) STUDY.—The Secretary of the Interior shall carry out a study regarding the suitability and feasibility of designating Castle Nugent Farms as a unit of the National Park System.

(c) STUDY PROCESS AND COMPLETION.—Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall apply to the conduct and completion of the study required by this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

GENERAL LEAVE

Mrs. MUSGRAVE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

Mrs. MUSGRAVE. Mr. Speaker, I yield myself as much time as I may consume.



November 15, 2005

CONGRESSIONAL RECORD—HOUSE

H10177

H.R. 318, introduced by my Resources Committee colleague DONNA CHRISTENSEN of the U.S. Virgin Islands, would authorize the Secretary of the Interior to study the suitability and feasibility of designating the Castle Nugent Farms located on St. Croix, U.S. Virgin Islands, as a unit of the National Park System. I understand that the owners of the farm, the largest parcel of privately held land in the United States Virgin Islands, are aware of this legislation and support the national park study.

Mr. Speaker, H.R. 318 is supported by the majority and minority of the Resources Committee and the administration. Additionally, identical legislation was passed by the House in the 108th Congress.

I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased that the House today is considering H.R. 318, legislation that I introduced to provide for a study to determine the feasibility and suitability of designating Castle Nugent Farms in the United States Virgin Islands as a unit of the National Park System.

Castle Nugent Farms is a unique 1,350-acre property located on the southeastern shore of my home island of St. Croix. It contains natural and cultural resources which could provide an unparalleled insight into the plantation period of the Virgin Islands.

Castle Nugent Farms is presently operated as a cattle ranch by owners who are very interested in preserving and interpreting the natural and cultural resources of the area. Caroline Gasperi, whose family members have been stewards of this land for more than 50 years, has been an enthusiastic supporter for the preservation of this site. The passage of this bill today would bring her one step closer to her long-held and also hard-fought-for dream.

The owners are justifiably proud of their ranch, which contains more than 4 miles of pristine oceanfront with a large and healthy fringing coral reef. The interior of the property consists of Caribbean dry forest and pasture lands with cultural resources from both pre-Colombian and post-European settlement.

A large Danish estate house, dating to the 1730s, sits on the property. That house is listed on the National Register of Historic Places.

At various points in its history, Castle Nugent Farm has been operated as a cotton plantation and a sugar cane plantation. Its current use as a cattle ranch involves raising unique Senepol cattle, a breed which is well suited to the climate and vegetation of the area.

H.R. 318 is a noncontroversial bill. Identical language, as we have heard, passed the House in the last Congress. The National Park Service has no objections to the legislation, and the

property's owners not only support a park study of the site but are enthusiastic about the opportunity to preserve the natural and cultural resources of the farm.

Mr. Speaker, it is my hope that the park study will provide the blueprint by which we can preserve and interpret this unique piece of island history and resources for the benefit of present and future generations.

I thank my colleagues on the other side of the aisle for their support, and I strongly support the adoption of this bill by the House today.

Mr. Speaker, I yield back the balance of my time.

Mrs. MUSGRAVE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the bill, H.R. 318.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### BOB HOPE MEMORIAL LIBRARY

Mrs. MUSGRAVE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 323) to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library".

The Clerk read as follows:

H.R. 323

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. REDESIGNATION.

The Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, shall be known and redesignated as the "Bob Hope Memorial Library".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Ellis Island Library on the third floor of the Ellis Island Immigration Museum referred to in section 1 shall be deemed to be a reference to the "Bob Hope Memorial Library".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

#### GENERAL LEAVE

Mrs. MUSGRAVE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

Mrs. MUSGRAVE. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 323, introduced by the gentleman from New York (Mr. ENGEL), designates the library on the third floor of the Ellis Island museum as the Bob Hope Memorial Library.

Bob Hope arrived as an immigrant to Ellis Island in 1908 at the age of 4. Later, he became one of the country's greatest entertainers and was sometimes referred to as "America's most famous immigrant."

H.R. 323 simply renames the library on the third floor of the immigration station museum. The Hope family is supportive of the effort to redesignate the library.

I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the majority has already explained pretty much the purpose of H.R. 323, which was introduced by our colleague from New York (Mr. ENGEL).

Bob Hope and his family immigrated to the United States in 1908, and like millions of other immigrants entered the United States through Ellis Island. As all of us know and many of us have had the opportunity to enjoy, Bob Hope went on to have an illustrious career as a comedic entertainer and is remembered by many for his work over nearly six decades traveling the globe to entertain American servicemen and -women.

Mr. Speaker, we wholeheartedly support H.R. 323 as a means to honor the contributions of a great entertainer and great American and urge the adoption of the legislation by the House today.

Mr. Speaker, I yield such time as he may consume to our colleague from New York (Mr. ENGEL), the sponsor of the bill.

Mr. ENGEL. Mr. Speaker, I thank the gentlewoman from the Virgin Islands for yielding time to me, and I thank the gentlewoman from Colorado as well and I want to thank the Speaker for the opportunity to talk about H.R. 323, which is what was mentioned before, a bill which will name the third-floor library at Ellis Island in New York Harbor as the Bob Hope Memorial Library.

I would also like to thank the gentleman from California (Mr. GALLEGLY) for his assistance and support of the bill.

Mr. Speaker, most Americans remember Bob Hope for his work in the entertainment business, as a comedian, actor, dancer, singer, as well as his work with American troops abroad; but what few know or remember about Bob Hope is that he was an immigrant from England.

The gentlewoman mentioned he came to the United States when he was only

PUBLIC LAW 109-317—OCT. 11, 2006

120 STAT. 1743

Public Law 109-317  
109th Congress

An Act

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

Oct. 11, 2006  
[H.R. 318]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. NATIONAL PARK SERVICE STUDY REGARDING CASTLE NUGENT FARMS.

(a) FINDINGS.—Congress finds the following:

(1) Castle Nugent Farms, located on the southeastern shore of St. Croix, U.S. Virgin Islands, is the largest parcel of privately-held land in the Virgin Islands and has been an operating cattle ranch for 50 years.

(2) This land has the largest and healthiest fringing coral reef anywhere in the Virgin Islands.

(3) It consists of Caribbean dry forest and pasturelands with considerable cultural resources including both pre-Columbian and post-European settlement.

(4) Castle Nugent Farms contains a large historic 17th century Danish estate house that sits on over 4 miles of pristine Caribbean oceanfront property.

(5) In addition to being an area for turtle nesting and night heron nesting, it is the home for the Senepol cattle breed, a unique breed of cattle that was developed on St. Croix in the early 1900's to adapt to the island's climate.

(b) STUDY.—The Secretary of the Interior shall carry out a study regarding the suitability and feasibility of designating Castle Nugent Farms as a unit of the National Park System.



120 STAT. 1744

PUBLIC LAW 109-317—OCT. 11, 2006

(c) STUDY PROCESS AND COMPLETION.—Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall apply to the conduct and completion of the study required by this section.

Approved October 11, 2006.

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LEGISLATIVE HISTORY—H.R. 318:

SENATE REPORTS: No. 109-241 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 151 (2005): Nov. 15, considered and passed House.

Vol. 152 (2006): Sept. 29, considered and passed Senate.

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United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240

MAY 19 2006

L58(0120)

Honorable Craig Thomas  
Chairman  
Subcommittee on National Parks  
Committee on Energy and Natural Resources  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

Enclosed are answers to the follow-up questions from the hearing held by the Subcommittee on National Parks on February 16, 2006, on S.J. Res. 28, S. 1870, S. 1913, S. 1970, H.R. 318, and H.R. 562. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on this matter.

Sincerely,

Jane M. Lyder  
Legislative Counsel  
Office of Legislative and Congressional  
Affairs

Enclosure

cc: Senator Daniel A. Akaka  
Ranking Member, Subcommittee on National Parks  
Senator Jeff Bingaman



**Questions from Senator Thomas**

1. (S. 1870): *This bill would authorize both Golden Gate and San Francisco Maritime to retain fees and revenues for several years, ostensibly to enter into long-term maintenance contracts. What new types of contracts would this bill allow? What would be the benefits of these contracts to the parks and the government?*

**Answer:** S. 1870 is not intended to allow new types of contracts. The bill would allow the parks to retain revenues beyond the fiscal year in which they are received. This would enable the parks to wait until they have collected the amount of money they need to do an entire rehabilitation project before they enter into a contract, rather than being forced to enter into a contract for whatever portion of the project can be paid for with one year's receipts. By giving the parks the ability to tailor contracts according to the needs of a project rather than amount of funds received during one fiscal year, the parks will have the ability to use these project funds more efficiently and effectively.

2. (S. 1913): *Why does the Park Service need authority to enter into an agreement with Porter County to run this visitor center?*

**Answer:** The National Park Service (NPS) needs authority to use federally appropriated funds to lease space in the Dorothy Buell Memorial Visitor Center, a new visitor facility being built by the Porter County Convention, Recreation and Visitor Commission outside the boundary of Indiana Dunes National Lakeshore. It would also authorize the Secretary of the Interior to enter into a Memorandum of Understanding outlining the roles and responsibilities of NPS and the County in operating the Center, prior to entering into a lease agreement.

3. (S. 1913): *What role would the Park Service have in operating and maintaining this visitor center?*

**Answer:** NPS would cooperatively manage the visitor center, provide personnel to staff the facility, and develop exhibits for the site. The Porter County Convention, Recreation and Visitor Commission would provide for maintenance of the facility.

4. (S. 1913): *The Indiana Dunes bill, S. 1913, authorizes additional appropriations. How much do you estimate it will cost to accomplish the purposes set forth in this bill?*

**Answer:** Park staff would be relocated to the new visitor facility to provide education and information, so no additional FTEs are required or expected. The lease cost has been estimated at \$55,000 annually. This amount is 35 percent lower per square foot than the prevailing GSA rate for the area. A one-time cost for the design, planning and construction of exhibits for the visitor center is estimated at \$1.2 million.

5a. (S. 1970): *Why were these additional routes not included in the original feasibility study?*

**Answer:** The Bengie and Bell routes were included in the original feasibility study; however, there was insufficient information available to firmly establish the location of those routes and the historic sites on them. The other routes from the 23 relocation forts to departure points on the trail in Alabama, Tennessee, Georgia, and North Carolina were lacking sufficient information to establish the locations. Additional historical research and investigation has been done to identify the locations of these routes in the 16 years since Congress authorized the Trail of Tears National Historic Trail (NHT).

*b. How important are these additional routes to the commemoration of the Trail of Tears?*

**Answer:** Throughout the feasibility study period, the Cherokee emphasized the importance of interpreting the entire trail (all routes) to the public. At the time the study recommended designation of only the northern land route and the water route, it noted that these two routes were no more nationally significant than the other routes, which were not included. The Cherokee, the Trail of Tears Association, the Trail of Tears NHT Advisory Council, and communities along the routes all have strongly urged the NPS to add these additional routes. The routes in North Carolina and Georgia are a major part of the story and, therefore, important parts of the trail as most Cherokee lived in these two states.

*6. (S. 1970): The bill authorizes a study and designation of additional routes associated with the Trail of Tears. Isn't it unusual to authorize both study and designation at the same time? Shouldn't this be done in separate bills?*

**Answer:** While there have been a few cases where authority was provided in the same bill for both the study and designation of additional routes for trails, we support a two-step process, as stated in our testimony. That would be consistent with the typical process Congress has been following not only for new national trail segments, but also for new units (or major expansions) of the National Park System, new wild and scenic river designations, and new national heritage areas.

*7. (S. J. Res. 28): The proposed location for this memorial is in Area I. Why is this location best?*

**Answer:** Area I is set aside under the Commemorative Works Act for only those subjects that are of "preeminent historical and lasting significance to the United States." It contains the premier locations that Congress has made available for commemorative works. Given the important contributions of Dwight D. Eisenhower to our nation both as a military leader and as the 34<sup>th</sup> President, the Secretary of the Interior determined, after seeking the advice of the National Capital Memorial Advisory Commission, that a memorial to Dwight D. Eisenhower qualified for placement in Area I.

*8. (S. J. Res. 28): As you can tell from my opening statement, I have concerns about the future of the National Mall. About a year ago, the National Park Service mentioned that a general*



*management plan was being considered to take a long range look at the Mall. What is the status of that plan and when do you expect to have it completed?*

**Answer:** NPS has initiated a three-year planning effort that will result in The National Mall Comprehensive Management Plan/ Environmental Impact Statement, a 50-year vision plan for the use and management of The National Mall and Pennsylvania Avenue National Historic Site. In year one (underway), NPS will plan, prepare, and scope; in year two, NPS will develop alternatives and a public draft plan; and in year three, NPS will complete that plan. The comprehensive management plan differs from a general management plan in that it covers a longer timeframe and addresses a greater level of detail.

To date in year one, a number of products have been produced to allow planning with widespread participation by an informed and caring public. On April 11, 2006, Federal and local agencies took part in a Cooperating Agency Meeting. A memorandum of agreement was reviewed and project orientation and background was provided. The project website at [www.nps.gov/nationalmallplan](http://www.nps.gov/nationalmallplan) will be launched in April. A Civic Engagement Plan, prepared to encourage participation by diverse national and local audiences, includes a *Symposium for The National Mall* to be held at Ford's Theatre on October 24-26. In cooperation with local interests, attention also will be given to resources outside the boundaries that affect the integrity of the park. Planning issues to be defined through the public scoping process include:

- Conserving the Character of the Evolving Historic Landscape
- Defining Landscape Standards
- The Function of a National Symbolic Landscape Within a Complex Urban Framework
- Venue for Demonstrations and Special Events
- Recreational Use
- Public Access and Transportation
- Security and Public Safety
- Facilities
- Partnerships.

9. (S. J. Res. 28): *Senator McMillan established a commission in 1902 to examine the future of the National Mall. Do you think it's time for another commission to examine the next century of the Mall and possible areas for expansion?*

**Answer:** As the 20th Century drew to a close, it became apparent that implementation of all the remaining feasible elements of the McMillan Plan was being completed. In 1990, the National Capital Planning Commission (NCPC) initiated a new public planning process for the city's urban core. This framework plan was completed by the NCPC in 1997 to guide long-term growth and is called "Extending the Legacy." This vision built upon and replaced the McMillan Plan with a vision for the 21st Century. The Legacy Plan protects the integrity of the National Mall, as we know it today, and establishes North, South, and East Capitol Streets as the axis of new growth for commemorative works and museums. The concept of the Reserve, which had

been developed as part of the Commemorative Zone Policy in 2000 by the existing Federal commissions and the NPS, was then fleshed out in the Memorials and Museums Master Plan released in 2001 as an outgrowth of the Legacy Plan.

On November 17, 2003, Congress concurred with principles of the Legacy Plan and declared the National Mall a completed work of civic art by establishing the Reserve, which protects the National Mall from any future construction of memorials.

The Reserve, together with the Legacy Plan, has lessened urgent development pressures on the National Mall, thus creating ideal circumstances for the NPS to begin planning for long-term preservation and enhancement of this historic landscape as outlined in "The National Mall Comprehensive Management Plan/ Environmental Impact Statement" discussed in the answer to Question #7.

10. (H.R. 318): *What story does this site tell that is not told by the existing parks in the Virgin Islands?*

**Answer:** The story of plantation life would be the primary focus of Castle Nugent Farms. There are presently three NPS units on the Island of St. Croix – Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve. The existing sites do not focus on the plantation history of the Virgin Islands. Remains of a plantation exist on the Castle Nugent Farms property. Those resources plus the fact that the site contains a large expanse of open land, which is rare on St. Croix, make it a good candidate for study.

11. (H.R. 318): *Has the current owner of Castle Nugent Farms expressed an interest in disposing of the property?*

**Answer:** In a November 16, 2005, article entitled *U.S. House approves study of proposal to make Castle Nugent Farms part of the National Park System*, in *The Virgin Islands Daily News*, the current land owner Mauro Gasperi, speaking on behalf of his family, stated, "I prefer it to be used for many Crucian generations to come and not be spoiled." He further stated, "We've had this idea for a number of years, and we've been working on it for the last three years." The article concludes, "Rather than sell the property, the family wants to revive it as a historic park for everyone – visitor and residents – to enjoy."

12. (H.R. 318): *Is Castle Nugent Farms adjacent to any existing unit of the national park system that would allow a boundary adjustment?*

**Answer:** No, it is disjunct from the other three NPS sites on the island. The distance to the nearest site, Christiansted National Historic Site, is over two miles on the opposite side of the island.

13. (H.R. 562): *Is the Victims of Communism Memorial adequate to commemorate all of the*



*people who suffered under communism?*

**Answer:** Yes. The Victims of Communism Memorial is planned to commemorate millions of people around the world who have been killed during decades of communist rule. It is worth noting that the memorial is being paid for with funds provided by a number of groups and individuals who either represent or were actually victims of communism themselves. The Victims of Communism Memorial Foundation selected a design that features a 10-foot bronze rendition of the "Goddess of Democracy." The memorial's concept and design were considered before the public in forums which included open sessions of the National Memorial Advisory Commission, the Commission of Fine Arts, and the National Capital Planning Commission. While there may be other personages and events that could depict aspects of any of the millions of peoples including the Poles, Slovaks, Czechs, Hungarians, Romanians, Chechens, Latvians, Estonians, Lithuanians, Chinese, Vietnamese, Cambodia, and Laos victims' struggles against communism, the 1989 image of the "Goddess of Democracy" broadcast by mainstream media during the Chinese students' protests was one of the rare views offered to the world of any of these struggles. For this reason we support the selection of the Goddess of Democracy as a symbol of freedom to represent all victims struggling against communism.

The Foundation recognizes that the enormity of the history of communism demands that the memorial be in two forms: a physical symbol of worldwide struggle, and a means whereby the long and faceted histories of nations and peoples can be recognized. The Foundation is developing an on-line museum in concert with the physical memorial to accomplish this purpose. The memorial program has been guided by the Foundation's board of directors, a national advisory council, an international advisory council, and dignitaries from several other former Soviet bloc states in Eastern Europe including Ukraine.

#### **Questions from Senator Bingaman**

*1. (S. 1870): Are the Haslett Warehouse, Cliff House, and Louis' Restaurant properties operated under concession contracts or under other statutory authority? If under another authority, please identify the applicable law.*

**Answer:** The Cliff House and Louis' Restaurant are operated under concession contracts that were entered into pursuant to the National Park Service Concessions Policy Act of 1965 (16 U.S.C. 20 et seq.). The Haslett Warehouse, now operated as the Argonaut Hotel, is operated under a historic lease that was entered into pursuant to historic leasing authority contained in 16 U.S.C. 470h-3.

*2. (S. 1870): If issued under another authority, are the terms of those contracts consistent with the requirements of the National Park Service Concessions Management Improvement Act of 1998? If not, how do they differ? Also, please provide the franchise fee or other return paid to the United States for each contract.*

**Answer:** The Cliff House and Louis' Restaurant contracts were issued under the 1965

concessions law. These contracts have certain features that concession contracts issued pursuant to the 1998 law do not have. For example, they require the concessioner to fund and maintain a Government Improvement Account. They also provide for reconsideration of the franchise fee at the end of each five-year period of the contract.

The concession contract for Louis' Restaurant was issued in 1988 for a term of five years. It has been operating on extensions or continuations since that time. The contract currently requires payment of a 1 percent building use fee and a 4.5 percent franchise fee. In 2005, the concessioner paid \$49,356 on gross revenue of \$897,369.

The concession contract for Cliff House was issued in 1998 (prior to passage of the 1998 concessions law) for a term of 20 years. The contract requires that the concessioner complete a building and improvement program costing not less than \$7.975 million. Prior to the start of that improvement program the concessioner was required to place 10 percent of gross revenue into a Government Improvement Account. For 2002, the year prior to the January 2003 start of the rehabilitation project, the Cliff House deposited \$885,333 (10 percent of \$8,853,359) into a Government Improvement Account. In 2005, the first full year of operation following the rehabilitation, the Cliff House grossed \$11,205,593. The contract provides for reconsideration of the franchise fee at the end of each five-year period of the contract (next in 2008, then in 2013).

The 57-year lease for the Haslett Warehouse is consistent with the requirements of the NPS historic leasing authority (16 U.S.C. 470h-3). The lease required improvements in excess of \$40 million. As partial consideration for the lease, the lessee paid \$2 million for design and construction of NPS-retained space. The lessee pays base annual rental in the amount of \$1 million. The lease provides for adjustments to the base rental every five years.

3. (S. 1870): *How do you differentiate these properties from other commercial operations within the National Park System which are required to operate under the terms of the 1998 concessions law, other than the fact they are specifically referenced in 16 U.S.C. 460bb-3(f)? Why is the 1998 concessions law not adequate to address the operation of these properties?*

**Answer:** The difference in these properties from other commercial operations within the National Park System is that, in 1978, Congress singled out these three specific properties to generate revenues for facilities at Golden Gate National Recreation Area. At the time, the 1965 concessions law required that franchise fees be returned to the U.S. Treasury. While the 1998 concessions law specifies that 80 percent of the franchise fees collected remain at the site of collection, Golden Gate National Recreation Area has used the authority under 16 U.S.C. 460bb-3(f) to retain 100 percent of the franchise fees from these properties at the park. However, under 16 U.S.C. 460bb-3(f), funds obligated by the park within the fiscal year can be used by the park, but those remaining unobligated in that time frame are deposited into the U.S. Treasury. One purpose of S. 1870 would be to allow the park to retain revenues over a longer period of time, giving the park the authority to enter into longer-term rehabilitation and maintenance contracts.

Haslett Warehouse is under a historic lease rather than a concession contract. The 1998 concessions law does not apply to historic leases.



*(S. 1870): How many other commercial operations within units of the National Park System are issued under authorities other than the National Park Service Concessions Management Improvement Act of 1998? (Please exclude any contracts or permits that were issued under the National Park Service Concessions Policy Act of 1965 where the new contract will be issued under the 1998 law).*

**Answer:** We estimate that there are at least 40 commercial operations within units of the National Park System authorized under laws other than the 1965 or the 1998 concessions law. Of those, 38 are managed through leases entered into pursuant to historic leasing authority or the 1998 general leasing authority. Two other commercial operations at Golden Gate National Recreation Area rely on special legislative authority: one is a visitor service facility at Crissy Field operated by the Golden Gate National Parks Association. This operation is authorized through Sec. 120, Division F, of P.L. 108-7 (Continuing Appropriations for Fiscal Year 2003). The other is the conference/retreat facility being developed at Fort Baker. Section 114 of the same law authorizes NPS to enter into a management agreement for the facility without regard to certain government leasing procedures.

*5. (S. 1870): Section 2 of S. 1870 amends Public Law 100-348 to state "[n]otwithstanding any other provision of law, in the administration of any real or personal property (including vessels and heavy marine equipment such as floating drydocks) that is administered as part of the [San Francisco Maritime National Historical Park], the Secretary may enter into a contract for the management (including rental or lease) of such property with such terms and conditions as will protect the Government's interest."*

*a. This language appears to authorize the Secretary of the Interior to contract for the management of all or part of the park. Is that the intent of the Administration's identical legislative proposal?*

**Answer:** It was not the intention of the Administration to broaden the authority of the Secretary to contract for the management of the park. Upon further review, we believe this section of the bill would benefit from further clarification. We would like to work with the subcommittee toward that end.

*b. Does the National Park Service currently manage all of the real or personal property within the park or is any of it contracted out?*

**Answer:** San Francisco Maritime NHP has leased Haslett Warehouse, operated as the Argonaut Hotel, to the Kimpton Hotel and Restaurant Group. It has leased the AFDL-38 Drydock to the Bay Ship & Yacht Co.

*c. The amendment proposed by S. 1870 appears to significantly broaden the authority contained in 16 U.S.C. 460bb-3(f) by extending those terms to all real or personal*

*property within the park. Why is this authority necessary and how is this consistent with the National Park Service's general management responsibilities under the 1916 Organic Act and other applicable law?*

**Answer:** It was not the intention of the Administration to broaden the authority of either park (other than to allow them to retain revenues beyond one fiscal year), but the bill could be interpreted to do that. We would like to work with the subcommittee to resolve any concerns about the bill's language.



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P. 2

06-00298

Legislation

PETE V. DI VINCENZO, New Mexico, Chairman  
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SAM E. FOWLE, DEMOCRATIC CHIEF COUNSEL

# United States Senate

COMMITTEE ON  
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

February 21, 2006

Honorable Fran Mainella  
Director  
National Park Service  
1849 C Street, NW (MS 3316)  
Washington, DC 20240

Dear Ms. Mainella,

I would like to take this opportunity to thank you for sending Mr. John Parsons to appear before the Senate Subcommittee on National Parks of the Committee on Energy and Natural Resources on Thursday, February 16, 2006, to give testimony regarding S.J. Res. 28, S. 1870, S. 1913, S. 1970, H.R. 318 and H.R. 562.

Enclosed herewith please find a list of questions which have been submitted for the record. If possible, I would like to have your response to these questions by Tuesday, March 7, 2006.

I thank you in advance for your prompt consideration.

Sincerely,

*Craig Thomas*

Craig Thomas  
Subcommittee Chairman

Questions for the Honorable Fran Mainella from Senator Thomas

- (1) (S. 1870): This bill would authorize both Golden Gate and San Francisco Maritime to retain fees and revenues for several years, ostensibly to enter into long-term maintenance contracts. What new types of contracts would this bill allow? What would be the benefits of these contracts to the parks and the government?
- (2) (S. 1913): Why does the Park Service need authority to enter into an agreement with Porter County to run this visitor center?
- (3) (S. 1913): What role would the Park Service have in operating and maintaining this visitor center?
- (4) (S. 1913): The Indiana Dunes bill, S. 1913, authorizes additional appropriations. How much do you estimate it will cost to accomplish the purposes set forth in this bill?
- (5) (S. 1970): Why were these additional routes not included in the original feasibility study? How important are these additional routes to the commemoration of the Trail of Tears?
- (6) (S. 1970): The bill authorizes a study and designation of additional routes associated with the Trail of Tears. Isn't it unusual to authorize both study and designation at the same time? Shouldn't this be done in separate bills?
- (7) (S. J. Res. 28): The proposed location for this memorial is in Area I. Why is this location best?
- (8) (S. J. Res. 28): As you can tell from my opening statement, I have concerns about the future of the National Mall. About a year ago, the National Park Service mentioned that a general management plan was being considered to take a long range look at the Mall. What is the status of that plan and when do you expect to have it completed?
- (9) (S. J. Res. 28): Senator McMillan established a commission in 1902 to examine the future of the National Mall. Do you think it's time for another commission to examine the next century of the Mall and possible areas for expansion?
- (10) (H.R. 318): What story does this site tell that is not told by the existing parks in the Virgin Islands?
- (11) (H.R. 318): Has the current owner of Castle Nugent Farms expressed an interest in disposing of the property?
- (12) (H.R. 318): Is Castle Nugent Farms adjacent to any existing unit of the national park system that would allow a boundary adjustment?
- (13) (H.R. 562): Is the Victims of Communism Memorial adequate to commemorate all of the people who suffered under communism?



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p. 4

Questions for the Honorable Fran Mainella from Senator Bingaman

- (1) (S. 1870): Are the Haslett Warehouse, Cliff House, and Louis' Restaurant properties operated under concession contracts or under other statutory authority? If under another authority, please identify the applicable law.
- (2) (S. 1870): If issued under another authority, are the terms of those contracts consistent with the requirements of the National Park Service Concessions Management Improvement Act of 1998? If not, how do they differ? Also, please provide the franchise fee or other return paid to the United States for each contract.
- (3) (S. 1870): How do you differentiate these properties from other commercial operations within the National Park System which are required to operate under the terms of the 1998 concessions law, other than the fact they are specifically referenced in 16 U.S.C. 460bb-3(f)? Why is the 1998 concessions law not adequate to address the operation of these properties?
- (4) (S. 1870): How many other commercial operations within units of the National Park System are issued under authorities other than the National Park Service Concessions Management Improvement Act of 1998? (Please exclude any contracts or permits that were issued under the National Park Service Concessions Policy Act of 1965 where the new contract will be issued under the 1998 law).
- (5) (S. 1870): Section 2 of S. 1870 amends Public Law 100-348 to state "[n]otwithstanding any other provision of law, in the administration of any real or personal property (including vessels and heavy marine equipment such as floating drydocks) that is administered as part of the [San Francisco Maritime National Historical Park], the Secretary may enter into a contract for the management (including rental or lease) of such property with such terms and conditions as will protect the Government's interest."
  - a. This language appears to authorize the Secretary of the Interior to contract for the management of all or part of the park. Is that the intent of the Administration's identical legislative proposal?
  - b. Does the National Park Service currently manage all of the real or personal property within the park or is any of it contracted out?
  - c. The amendment proposed by S. 1870 appears to significantly broaden the authority contained in 16 U.S.C. 460bb-3(f) by extending those terms to all real or personal property within the park. Why is this authority necessary and how is this consistent with the National Park Service's general management responsibilities under the 1916 Organic Act and other applicable law?

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p. 1

WASO Administrative Program Center 202/501-1111

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| WAPC#: 1006-00298                    | Org Name:                          |
| ESTP:                                | Constituent Name:                  |
| Doc Name: Craig Thomas               | Logged By: L. Stowe                |
| Sig Level: Director                  | Analyst: Michelle McBryde          |
| Legislative Referral: Congressionals | Type Corr: Directors Congressional |
| Writer Desc: U.S. Senate/Single      | Issue Ref: Legislation             |
|                                      | Opinion: Informational             |

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| Park/Office: National Park Service | Conv Date: 2/21/2006     |
| Office Assignee: Legislation       | WAPC Date: 3/2/2006      |
| Contact Name: Donnise Hancock      | Draft Due Date:          |
| Contact Phone: 202/203-5656        | Final Due Date: 3/7/2006 |
| Contact Fax: 202/203-5683          | Response Date:           |

Hot Topics:

Description: RE: QUESTIONS FOR DIRECTOR MAINELLA.



eral land in the District of Columbia to honor the victims of the man-made famine that occurred in Ukraine in 1932-1933.

The Department opposes enactment of this legislation because it duplicates efforts currently underway to establish a memorial that would honor all victims of communism worldwide. This memorial, the Victims of Communism Memorial, was authorized by P.L. 103-199 on December 17, 1993.

H.R. 562 would authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the men, women, and children who perished by famine under communist rule in Ukraine from 1932-1933. The bill would require that the establishment of the memorial comply with the major provisions of the Commemorative Works Act, but contains minor exceptions to four provisions. Two provisions require a commemorative work to have significance to the American Experience, and two relate to the requirement that the Secretary maintain and preserve the memorial. As a memorial gift from a foreign nation, the Government of Ukraine would be responsible for establishing, constructing, maintaining and preserving the memorial.

The people of Ukraine were brought to the verge of physical extinction in 1932-1933 when a man-made disaster resulted in the deaths of millions of innocent men, women, and children. The Soviet Government, under the political control of Joseph Stalin, used food as a weapon to annihilate or suppress the political and cultural identity of the Ukrainian people. To fill impossibly high grain quotas, assigned brigades seized the 1932 crop from one of the world's most fertile farmlands. Those who resisted giving up their crops were killed. Millions of people starved while stockpiles of seized grain rotted by the tons. Attempts were made by the United States Government to intercede at the height of the famine to provide food and other necessary supplies to help the starving people of Ukraine. In 1988, the United States Commission on the Ukraine Famine reported that the people of Ukraine were victims of genocide, or "starved to death in a man-made famine."

The National Capital Memorial Advisory Commission (Commission), established in 1986 to review proposals to establish memorials and provide its recommendation to the Secretary of the Interior and committees of Congress, reviewed this proposal on March 15, 2005. While it supported a similar proposal in the 108th Congress, the Commission has since considered revisions made by the Victims of Communism Memorial Foundation (Foundation) to expand its effort as a two-fold commemoration. The Foundation is proposing a memorial to victims of communism worldwide that would be supplemented by a virtual museum to tell the history of the impact of communism. The Commission also concluded that because the Victims of Communism Memorial would encompass the history of the Ukraine Famine as well as that of 120 different nationalities, ethnic groups, and countries that were also victims of communism, it would not endorse legislation proposed to provide a separate, specific recognition of this or other national or ethnic groups that already would be recognized in the Victims of Communism Memorial.

We agree with the approach of commemorating the millions of victims of communism worldwide, including those who suffered immeasurably during the horrific Ukraine Famine, through the Victims of Communism Memorial. While the victims of the Ukraine Famine obviously deserve recognition, we believe that creating separate memorials for individual groups would detract from the overall message of the Victims of Communism Memorial and could, potentially, create an unfortunate competition amongst various groups for limited memorial sites in our Nation's Capital. The Foundation envisions the Victims of Communism Memorial as a visible symbol for all those who have suffered atrocities to human rights and perished. The Foundation secured site approvals for placement of the Victims of Communism Memorial within sight of the United States Capitol and design approvals in 2005. The Foundation plans to begin construction on the memorial this spring.

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.

#### ON H.R. 318

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 318, a bill to authorize the Secretary of the Interior (Secretary) to study the suitability and feasibility of designating Castle Nugent Farms on St. Croix, Virgin Islands, as a unit of the National Park System.

The Department does not oppose H.R. 318, if amended as described in this testimony. This study would provide an opportunity to determine the appropriate way to preserve and interpret resources associated with the plantation period in the Virgin Islands. The National Park Service (NPS) currently manages three units on the

island of St. Croix—Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve. In a time of tight budgets and a refocusing on the core mission of the National Park Service (NPS), we believe that funding should be directed first toward completing the 25 previously authorized studies.

In light of the President's commitment to devote more resources to maintaining existing units of the National Park System, we have made an effort to curtail taking on new responsibilities. For this reason, we believe any study should evaluate all alternatives for preservation and interpretation, including what role, if any, might best be played by the NPS or other partners. We recommend that H.R. 318 be amended to specify that the study explore all options. Our proposed amendment is attached to this testimony.

The NPS is in various stages of progress on 25 studies previously authorized by Congress, 7 of which are being funded through the special resource study budget. We transmitted three studies in FY 2005, and there are seven studies in the transmittal process. Our highest priority is to complete these pending studies, though we expect to start newly authorized studies as soon as funds are made available. We estimate that the costs of completing this study will be approximately \$250,000 to \$350,000.

H.R. 318 would direct the Secretary to carry out a study of the Castle Nugent Farms, which consists of approximately 1,400-acres located on the arid southeastern shore of St. Croix. The property is believed to be the largest parcel of privately held land in the U.S. Virgin Islands.

The farm's rolling terrain consists of a mixture of dry forest, native vegetation, and rangeland that slopes down from an elevation of 750 feet to the sea, fronting on a coastline that includes cobble beaches. One of the largest and healthiest fringing coral reef systems in the Virgin Islands extends only a few hundred feet offshore. The property also provides nesting areas for sea turtles, blackcrowned night herons, and a host of other migrating and resident birds.

Castle Nugent Farms has a long and diverse history of farming dating back to the 1730's when the property was first established as a cotton and sugar plantation after the Danish West Indies Company purchased St. Croix from France. For many years, sugar cane, indigo, and cotton were the main crops.

After Emancipation in 1848, the plantation began breeding N'Dama cattle, which had earlier been brought to St. Croix from Africa. This breed was a prominent part of the farm's operations until the 1960s when attention shifted towards raising an N'Dama cross breed of cattle known as Senepol. Introduced to Castle Nugent Farms in 1957 the Senepol breed has been able to flourish due to its tolerance to tropical, dry climates and its ability to survive in near-desert conditions, thus making the cattle an ideal match for St. Croix' climate. Today, the farm is well-known for its production of high quality Senepol beef, which is both consumed locally and exported to world markets.

Castle Nugent Farms contains a cluster of buildings from the colonial plantation era including a great house that dates from the plantation's establishment, a converted chapel, the remains of a sugar mill, slave quarters, and a converted cotton storage shed. The buildings are situated in close proximity to each other on a hill with views towards the Caribbean Sea. The current owner lives on-site and also operates the buildings and grounds as a bed and breakfast. According to the owner, other cultural resources on the grounds include recent discoveries of pottery shards and other artifacts left over from either slave shanties or Arawak Indian campsites.

If authorized by Congress, and if funds are made available, a study would be able to determine if the resources present at Castle Nugent Farms are nationally significant, if the site would be a suitable and feasible addition to the National Park System, whether direct NPS management or alternative protection by other public agencies or the private sector is appropriate for the site, and what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment of the site.

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

*Proposed Amendment—H.R. 318, Castle Nugent Farms Study*

Insert a new subsection (c) as follows and redesignate the existing subsection (c) as subsection (d).

"(c) **MANAGEMENT ALTERNATIVES.**—In completing the study authorized in subsection (b), the Secretary shall examine whether the National Park Service, the territorial government, or other public or private groups will be the most appropriate entity to provide for the management and preservation of Castle Nugent Farms."



Calendar No. 403

109TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
109-241 }

STUDYING CASTLE NUGENT FARMS FOR POTENTIAL  
ADDITION TO THE NATIONAL PARK SYSTEM

APRIL 20, 2006.—Ordered to be printed

Filed, under authority of the order of the Senate of April 7, 2006

Mr. DOMENICI, from the Committee on Energy and Natural  
Resources, submitted the following

R E P O R T

[To accompany H.R. 318]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 318) to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 318 is to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms, located on St. Croix, Virgin Islands, as a unit of the National Park System.

BACKGROUND AND NEED

Castle Nugent Farms is located on the arid southeast coast of St. Croix. At 1,400-acres, the Farm is believed to be the largest remaining parcel of privately-held land on the island.

Historians believe that the buildings and historic objects at Castle Nugent tell much of the history of the island and of the Caribbean as a whole. The "great house" on the property is believed to have been built during the 1730s, when the farm was a thriving cotton plantation. Remains of slave quarters are thought to tell the story of forced labor. Remains of a sugar mill might tell the story

of 18th and 19th century sugar, molasses, and rum production and export. Potsherds at the site might be pre-Columbian in origin. The study proposed by this bill would determine the significance of these cultural resources.

Castle Nugent Farms continues today as a working farm and guest house. Since the 1950s, the farm has been known for the Senepol breed of cattle. The Senepol breed was developed on St. Croix and is adapted to the dry climate and poor forage that characterize the island. The "great house" is rented out to visitors interested in staying at the ranch.

Caroline Gaspari owns Castle Nugent Farms and is supportive of this study.

#### LEGISLATIVE HISTORY

H.R. 318 was introduced by Delegate Christensen on January 25, 2005. The bill passed the House of Representatives on November 15, 2005 on a voice vote. The Subcommittee on National Parks held a hearing on H.R. 318 on February 16, 2006. At its business meeting on March 8, 2006, the Committee on Energy and Natural Resources ordered H.R. 318 favorably reported.

A similar bill, H.R. 2663, was introduced by Ms. Christensen in the 108th Congress.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on March 8, 2006, by unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 318, as described herein.

#### SECTION-BY-SECTION ANALYSIS

Section 1(a) contains congressional findings.

Subsection (b) directs the Secretary of the Interior to study the feasibility of designating Castle Nugent Farms as a unit of the National Park System.

Subsection (c) directs the Secretary to conduct the study in accordance with Public Law 91-383. This law defines criteria for additions to the National Park System and directs the Secretary to complete the study no later than 3 years after funds are made available.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office.

*H.R. 318—An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes*

H.R. 318 would direct the Department of the Interior to study the feasibility and suitability of designating the approximately 1,400-acre site of Castle Nugent Farms on St. Croix as a unit of the National Park System. The department would be required to report its findings and recommendations within three years of receiving funds for the study.



Assuming the availability of appropriated funds, CBO estimates that implementing H.R. 318 would cost the federal government about \$300,000 over the next three years to complete the required study and report. Enacting the legislation would not affect direct spending or revenues.

H.R. 318 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 318. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 318, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

The views of the Administration on H.R. 318 were included in testimony received by the Committee at a hearing on the bill on February 16, 2006. This testimony follows:

STATEMENT OF JOHN PARSONS, ASSOCIATE REGIONAL DIRECTOR, NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 318, a bill to authorize the Secretary of the Interior (Secretary) to study the suitability and feasibility of designating Castle Nugent Farms on St. Croix, Virgin Islands, as a unit of the National Park System.

The Department does not oppose H.R. 318, if amended as described in this testimony. This study would provide an opportunity to determine the appropriate way to preserve and interpret resources associated with the plantation period in the Virgin Islands. The National Park Service (NPS) currently manages three units on the island of St. Croix—Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve. In a time of tight budgets and a refocusing on the core mission of the National Park Service (NPS), we believe that funding should be directed first toward completing the 25 previously authorized studies.

In light of the President's commitment to devote more resources to maintaining existing units of the National Park System, we have made an effort to curtail taking on

new responsibilities. For this reason, we believe any study should evaluate all alternatives for preservation and interpretation, including what role, if any, might best be played by the NPS or other partners. We recommend that H.R. 318 be amended to specify that the study explore all options. Our proposed amendment is attached to this testimony.

The NPS is in various stages of progress on 25 studies previously authorized by Congress, 17 of which are being funded through the special resource study budget. We transmitted three studies in FY 2005, and there are seven studies in the transmittal process. Our highest priority is to complete these pending studies, though we expect to start newly authorized studies as soon as funds are made available. We estimate that the costs of completing this study will be approximately \$250,000 to \$350,000.

H.R. 318 would direct the Secretary to carry out a study of the Castle Nugent Farms, which consists of approximately 1,400-acres located on the arid southeastern shore of St. Croix. The property is believed to be the largest parcel of privately held land in the U.S. Virgin Islands.

The farm's rolling terrain consists of a mixture of dry forest, native vegetation, and rangeland that slopes down from an elevation of 750 feet to the sea, fronting on a coastline that includes cobble beaches. One of the largest and healthiest fringing coral reef systems in the Virgin Islands extends only a few hundred feet offshore. The property also provides nesting areas for sea turtles, blackcrowned night herons, and a host of other migrating and resident birds.

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After Emancipation in 1848, the plantation began breeding N'Dama cattle, which had earlier been brought to St. Croix from Africa. This breed was a prominent part of the farm's operations until the 1960s when attention shifted towards raising an N'Dama cross breed of cattle known as Senepol. Introduced to Castle Nugent Farms in 1957 the Senepol breed has been able to flourish due to its tolerance to tropical, dry climates and its ability to survive in near-desert conditions, thus making the cattle an ideal match for St. Croix' climate. Today, the farm is well-known for its production of high quality Senepol beef, which is both consumed locally and exported to world markets.

Castle Nugent Farms contains a cluster of buildings from the colonial plantation era including a great house that dates from the plantation's establishment, a converted chapel, the remains of a sugar mill, slave quarters, and a converted cotton storage shed. The buildings are situated in close proximity to each other on a hill with views towards the Caribbean Sea. The current owner lives on-site



and also operates the buildings and grounds as a bed and breakfast. According to the owner, other cultural resources on the grounds include recent discoveries of pottery shards and other artifacts left over from either slave shanties or Arawak Indian campsites.

If authorized by Congress, and if funds are made available, a study would be able to determine if the resources present at Castle Nugent Farms are nationally significant, if the site would be a suitable and feasible addition to the National Park System, whether direct NPS management or alternative protection by other public agencies or the private sector is appropriate for the site, and what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment of the site.

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

PROPOSED AMENDMENTS—H.R. 318, CASTLE NUGENT FARMS STUDY

Insert a new subsection (c) as follows and redesignate the existing subsection (c) as subsection (d).

"(c) MANAGEMENT ALTERNATIVES.—In completing the study authorized in subsection (b), the Secretary shall examine whether the National Park Service, the territorial government, or other public or private groups will be the most appropriate entity to provide for the management and preservation of Castle Nugent Farms."

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 318, as ordered reported.

**STATEMENT OF JOHN PARSONS, ASSOCIATE REGIONAL DIRECTOR FOR  
LANDS, RESOURCES AND PLANNING, NATIONAL CAPITAL REGION,  
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR,  
BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, OF THE SENATE  
COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING H.R.  
318, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO STUDY THE  
SUITABILITY AND FEASIBILITY OF DESIGNATING THE CASTLE NUGENT  
FARMS LOCATED ON ST. CROIX, VIRGIN ISLANDS, AS A UNIT OF THE  
NATIONAL PARK SYSTEM.**

**February 16, 2006**

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 318, a bill to authorize the Secretary of the Interior (Secretary) to study the suitability and feasibility of designating Castle Nugent Farms on St. Croix, Virgin Islands, as a unit of the National Park System.

The Department does not oppose H.R. 318, if amended as described in this testimony.

This study would provide an opportunity to determine the appropriate way to preserve and interpret resources associated with the plantation period in the Virgin Islands. The National Park Service (NPS) currently manages three units on the island of St. Croix - Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve. In a time of tight budgets and a refocusing on the core mission of the National Park Service (NPS), we believe that funding should be directed first toward completing the 25 previously authorized studies.

In light of the President's commitment to devote more resources to maintaining existing units of the National Park System, we have made an effort to curtail taking on new responsibilities. For this reason, we believe any study should evaluate all alternatives for



preservation and interpretation, including what role, if any, might best be played by the NPS or other partners. We recommend that H.R. 318 be amended to specify that the study explore all options. Our proposed amendment is attached to this testimony.

The NPS is in various stages of progress on 25 studies previously authorized by Congress, 17 of which are being funded through the special resource study budget. We transmitted three studies in FY 2005, and there are seven studies in the transmittal process. Our highest priority is to complete these pending studies, though we expect to start newly authorized studies as soon as funds are made available. We estimate that the costs of completing this study will be approximately \$250,000 to \$350,000.

H.R. 318 would direct the Secretary to carry out a study of the Castle Nugent Farms, which consists of approximately 1,400-acres located on the arid southeastern shore of St. Croix. The property is believed to be the largest parcel of privately held land in the U.S. Virgin Islands.

The farm's rolling terrain consists of a mixture of dry forest, native vegetation, and rangeland that slopes down from an elevation of 750 feet to the sea, fronting on a coastline that includes cobble beaches. One of the largest and healthiest fringing coral reef systems in the Virgin Islands extends only a few hundred feet offshore. The property also provides nesting areas for sea turtles, blackcrowned night herons, and a host of other migrating and resident birds.

Castle Nugent Farms has a long and diverse history of farming dating back to the 1730's when the property was first established as a cotton and sugar plantation after the Danish West Indies Company purchased St. Croix from France. For many years, sugar cane, indigo, and cotton were the main crops.

After Emancipation in 1848, the plantation began breeding N'Dama cattle, which had earlier been brought to St. Croix from Africa. This breed was a prominent part of the farm's operations until the 1960s when attention shifted towards raising an N'Dama cross breed of cattle known as Senepol. Introduced to Castle Nugent Farms in 1957 the Senepol breed has been able to flourish due to its tolerance to tropical, dry climates and its ability to survive in near-desert conditions, thus making the cattle an ideal match for St. Croix' climate. Today, the farm is well-known for its production of high quality Senepol beef, which is both consumed locally and exported to world markets.

Castle Nugent Farms contains a cluster of buildings from the colonial plantation era including a great house that dates from the plantation's establishment, a converted chapel, the remains of a sugar mill, slave quarters, and a converted cotton storage shed. The buildings are situated in close proximity to each other on a hill with views towards the Caribbean Sea. The current owner lives on-site and also operates the buildings and grounds as a bed and breakfast. According to the owner, other cultural resources on the grounds include recent discoveries of pottery shards and other artifacts left over from either slave shanties or Arawak Indian campsites.



If authorized by Congress, and if funds are made available, a study would be able to determine if the resources present at Castle Nugent Farms are nationally significant, if the site would be a suitable and feasible addition to the National Park System, whether direct NPS management or alternative protection by other public agencies or the private sector is appropriate for the site, and what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment of the site.

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

**Proposed Amendments**  
**H.R. 318, Castle Nugent Farms Study**

Insert a new subsection (c) as follows and redesignate the existing subsection (c) as subsection (d).

“(c) MANAGEMENT ALTERNATIVES. — In completing the study authorized in subsection (b), the Secretary shall examine whether the National Park Service, the territorial government, or other public or private groups will be the most appropriate entity to provide for the management and preservation of Castle Nugent Farms.”



**H.R. 318**  
**Castle Nugent Farms Study Act**

Delegate Donna Christensen (D-VI) introduced H.R. 318 on January 25, 2005. There are no co-sponsors.

H.R. 318 authorizes the Secretary of the Interior to complete a suitability and feasibility study to determine if Castle Nugent Farms, located on St. Croix, U.S. Virgin Islands, should be designated as a unit of the National Park System. The bill includes standard study language and directs the Secretary to complete the study in accordance with Section 8(c) of Public Law 91-383 which states that as part of the study the Secretary would be required to determine suitability and feasibility of designating the site as a unit as well as identifying a management alternative that will be the most effective and efficient way to protect resources and allow for public enjoyment. The study would be completed within three complete fiscal years after funds are appropriated.

Currently the approximately 1400-acre farm is thought to be one of the oldest ongoing cattle ranches in the West Indies with ranching taking place on at least a portion of the site for more than 100 years. Since 1957 the farm has breed Senepol cattle, an African breed, and now exports these cattle throughout the world.

Originally the land was one of many plantations established in the 1730's by the Danish West Indies Company. The main house for the farm is thought to date from the early plantation period.

St. Croix, the largest of the three islands that make up the U.S. Virgin Islands, is about 40 miles south of St. Thomas. There are currently three NPS units on St. Croix, Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve.

**Potential Questions  
H.R. 318  
Castle Nugent Farms Study Act**

**Q: Why is a study required to designate Castle Nugent Farms as a unit of the National Park System?**

A: Title III of Public Law, 105-391, the National Park Service Omnibus Management Act of 1998, requires congressional authorizations for areas to be studied as potential new units of the National Park System. The law also designates the criteria to be used by the National Park Service to determine whether an area should be recommended as a new unit of the National Park System.

**Q: Do all studies result in the recommendation of a new unit of the National Park System?**

A: No. Since the law was enacted about one out of every four or five studies recommends establishment as some type of unit administered by the NPS, and not all recommendations for establishment are as units of the National Park System. Some recommendations are for the establishment of National Heritage Areas, National Trails, or National Rivers. The main things that a study looks at are the suitability of the area to become a unit of the System and the feasibility of management of the area by the National Park Service. Often the study will determine that one, but not both of the criteria can be met.

**Q: How long will the study take?**

A: We anticipate that the study will take three years to complete, once funding is made available. This is in keeping with the requirements specified in P.L. 105-391, which amended P.L. 91-383, the study legislation cited in the bill.

**Q: How much will the study cost?**

A: An average special resource study costs approximately \$250,000. We anticipate that this study will cost between \$275,000 and \$300,000, the higher than average costs reflect the higher cost of doing business in the Virgin Islands.

**Q: How large an area will be studied?**

A: We understand that the area envisioned by the bill is approximately 1,400-acres. However, a study typically looks at lands within or adjacent to the study area and recommendations are based on what would be a manageable unit. Usually several different management alternatives which may have different boundaries are included in the study.

**Q: How much will it cost to acquire the land and manage it?**

A: The study will indicate potential costs of acquiring any land that might be included within the boundaries of any potential new unit that would be managed by the NPS. Costs are determined by recent comparable land sales and are limited to fair market value. Operational costs would also be determined as a part of the study and would vary depending upon the degree of NPS involvement.



**Q: There are already three NPS units on St. Croix, why is another needed?**

A: There are presently three NPS units on the Island of St. Croix – Christiansted National Historical Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve. The existing sites do not focus on the plantation history of the Virgin Islands. Remains of a plantation exist on the Castle Nugent Farms property. Those resources plus the fact that the site contains a large expanse of open land, which is rare on St. Croix, make it a good candidate for study.

**Q: Isn't Castle Nugent Farms a cattle Ranch? Doesn't the National Park System already contain units relating to cattle ranching?**

A: The current use of Castle Nugent Farms is for the ranching of sheep and cattle. We understand that ranching has been the primary use of this land for more than a century. The property was also at one time a plantation, a theme that is very important to the development of the Virgin Islands, and one that is not told within the existing National Park System on St. Croix. While many, primarily western, parks include ranching as one of their themes, Grant-Kohrs Ranch National Historic Site in Montana represents more than 125 years of cattle ranching in the western U.S. That site is still a working cattle ranch.



## Castle Nugent Eco-Farm



Castle Nugent is one of the 264 cotton and sugar plantations that were formed on the island of St. Croix after 1733 when the Danish West Indies Company purchased the island from France.

The guest house on the farm is an historical "overseers" house built early in the 18th century. It is now listed on the National Register of Historic Places. It's white stuccoed walls, tin roof and sturdy green wooden shutters with wrought iron hinges are all signatures of 18th and 19th century Colonial architecture, when fortunes were made on this island from sugar. Castle Nugent today is a cattle farm, but the old buildings have remained virtually the same.

Other buildings on the site include the remains of a cotton storage house, a small chapel and slave quarters for the 15 - 20 slaves who lived there in the 18th and early 19th century.

The estate was first farmed as early as 1738. Over the centuries the farm had many owners, one of them being Christopher Nugent, who bought the farm in 1774 and gave the estate its name. Caroline Gasperi, who is the present owner of the Eco-Farm, likes to say proudly that many historians believe her farm is one of the oldest cattle farms in the entire West Indies.

Mario Gasperi, Caroline's husband, managed the farm for many years until his death. Today, besides raising animals, the farm is also used as a bed and breakfast.

Caroline is an historian in her own right. The ranch - farm has been in the family for four generations. She has uncovered historical letters and papers from the original owners of the property. They indicate the slaves he had and the problems he was having with his cotton crop due to a long drought in the early 1800's.

Castle Nugent Eco-Farm affords one the opportunity to experience some of St. Croix's Colonial legacy firsthand. For more information, visit their website at [www.cnsenepol.com](http://www.cnsenepol.com).

*Paraphrased from Olasee Davis of the St. Croix Hiking Association. Email Olasee Davis for information about the Hiking Association's future adventures. Visitors and non-members welcome!*

*Photos © gotostcroix.com. All rights reserved.*





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## A History of Castle Nugent Estate

as told by Caroline Gasperi

(If you are a RANCHER looking for Caroline Gasperi's website on Castle Nugent Senepol, click [here!](#))

(If you are looking for Caroline's definitive history of the Senepol breed, click [here!](#))

**W**ith the current Senepol ranch operating here since 1957 and other cattle ranches preceding us, Castle Nugent is thought by historians to be one of the oldest ongoing cattle ranches in the West Indies. However, Castle Nugent was not always strictly a cattle ranch.

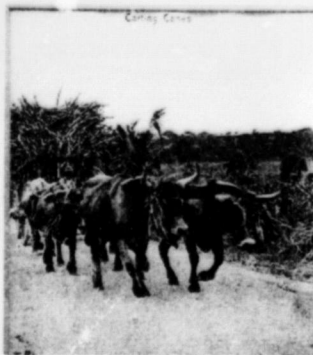


Gentle Senepol cattle graze in the pastures surrounding Castle Nugent Guesthouse.



A watercolor painting by Caroline's nephew shows the sweeping views of the ranch lands and the sea beyond, with four of the five remaining estate buildings visible. /painting by Luca Gasperi

The main house was built on a land grant registered in the Danish archives in 1730 and is thought to date from that period. Cattle, cotton, and indigo were cultivated here. The Estate's five remaining buildings include a cotton shed (now converted into a small house), and a tiny chapel, now my home. My old documents regarding the estate include letters from the plantation owner in the 1780s. He was running a cotton plantation with a few cattle. The farm was later converted to a sugar cane plantation, complete with a cane mill visible along the shoreline from the gallery at the front of the house.



African longhorned cattle pulling a sugar cane cart in the 1880s on St. Croix.

Probably ten to twenty slaves lived here on the plantation in its heyday. We still find pottery shards

and other artifacts when we're working cattle in the pastures, left over from either slave shanties or from Arawak camp sites.

We don't know how Castle Nugent got its name – Castle Nugent is both a castle and a county, in Ireland.

Denmark sold the island of St. Croix to the United States in 1917. Estate Castle Nugent changed hands between old Danish island families several times before its purchase by the Wall family (my parents) in the early 1950s, who also had purchased the historical Padian house at Cane Garden Estate. My husband Mario and I, newly married, saw great potential in the Senepol cattle which thrived in the hot, arid landscape of St. Croix's south shore.



N'Dama cattle being worked at Estate Longford (part of the Castle Nugent ranching operation) in the 1950s.

N'Dama cattle were brought from Africa to St. Croix with the first slave ships. The last to arrive from Africa were purchased in the 1800s by the owner of Longford Estate (now a part of Castle Nugent Farms operations) and were part of the operation until the late 1960s. The first Senepol cattle were added to the Castle Nugent herd in 1957. The herd still shows its African influence today. It was from this ranch that the Senepol Association was managed for its first fifteen years, by my late husband, Dr. Mario Gasperi.



The original Virgin Islands Senepol Association, 1976. From left: Enrico Gasperi (Mario's younger brother), Mrs. Caroline and Dr. Mario Gasperi, Henry Nelthropp Sr., Oscar Henry, Hans Lawaetz, Dr. D. Padda and Dr. Ike Eller. Today, Mario's brother Enrico Gasperi, Caroline, and Mario's son Mauro Gasperi, are still working cattle at Castle Nugent Farms.



Today, exportation of Senepol from Castle Nugent Farms for breeding purposes has been steady during the past 10 years. (Embryos and semen are also exported.) Castle Nugent Farms is considered a Genetic Bank for the Senepol breed. Live animal shipments have been consistently intense in recent years to all the Sun Belt States (Florida through Texas) and Australia, with the result that CN brand is quite common on many ranches with Senepol cattle.



An aerial photo of Castle Nugent taken in 1988 shows the unpaved South Shore Road in the foreground, the estate buildings in the center of the photo and to the north, the sea on the north shore of the island.

Much of the beef produced here at Castle Nugent from non-breeding stock is sold locally. Popularity of Senepol beef continues to rise as health consciousness does; more people are demanding grass-fed, hormone-free low-fat beef that is naturally rich in flavor and nutrients.

Castle Nugent Farms began exporting cattle from St. Croix in 1977. Today there are four generations of the Gasperi family at Castle Nugent Farms!



Traffic stops as a herd of Castle Nugent cows with young calves crosses South Shore Road.



Castle Nugent Farms has been breeding Senepol since 1957 on our ranch on St. Croix, the largest of the US Virgin Islands, a territory of the U.S. At Castle Nugent,

genetics and free range have kept the breed's qualities at their highest level through the years. Selection and improvement are a constant active goal on our ranch: on the East end of St. Croix, (where climatic conditions are harsher than on the West end of the island) to always reach for the top in fertility, performance and conformation. CN cattle are sold world wide and can be found in South Africa, Mexico, Venezuela, Australia and the U.S. southeast and as far west as Oregon.

For more information about renting our Guesthouse or to request a brochure, call or send address to:

Caroline Gasperi  
Castle Nugent Farms  
Phone/Fax (340) 773-1508  
POB 969 Christiansted St.Croix VI 00821

...or visit [Castle Nugent Farm's cattle website!](#)

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Full Story

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## U.S. House approves study of proposal to make Castle Nugent Farms part of National Park System

By CHRISTINE LETT

Wednesday, November 16th 2005

ST. CROIX - A bill to study the feasibility of designating Castle Nugent Farms as a unit of the National Park System unanimously passed the U.S. House of Representatives on Tuesday, according to Delegate to Congress Donna Christensen.

The bill first was introduced last year in the 108th Congress, but it died in the U.S. Senate. Christensen reintroduced the bill this session, and it now moves to the U.S. Senate for approval.

Christensen told the House the property contains natural and cultural resources that should be preserved, according to a statement from her office. Castle Nugent encompasses more than 4 miles of pristine oceanfront with a large, healthy coral reef. The interior comprises Caribbean dry forest and pasture lands with cultural resources from both pre-Columbian and post-European settlements, she said.

A large Danish estate house, dating back to the 1730s, is on the property. The house is listed on the National Register of Historic Places.

Mauro Gasperi, whose family owns the Castle Nugent property, said Tuesday he was grateful for Christensen's work in developing the legislation. The Gasperi family took the idea to Christensen and National Park officials.

"I prefer it be used for many Crucian generations to come and not be spoiled," he said. "We've had this idea for a number of years, and we've been working on it for the last three years."

He said the family had been doubtful it would pass with the U.S. Congress' focus on the U.S.-led war on terrorism but was re-energized with the news that the bill passed the House. "It seems that now we're on the right, and we're going to continue on this road," Gasperi said.

The bill ensures the property "stays pristine, clean and beautiful," he said.

Rather than sell the property, the family wants to revive it as a historic park for everyone - visitors and residents - to enjoy. Many of the buildings and structures date back as far as 200 years.

The area is used to raise senepol cattle.

- Contact Christine Lett at 774-8772 ext. 456 or e-mail clett@dailynews.vi.

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BEST AVAILABLE IMAGE



BEST AVAILABLE IMAGE





HB

109TH CONGRESS  
1ST SESSION

## H. R. 318

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2005

Received, read twice and referred to the Committee on Energy and Natural  
Resources

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### AN ACT

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*

1 SECTION 1. NATIONAL PARK SERVICE STUDY REGARDING  
2 CASTLE NUGENT FARMS.

3 (a) FINDINGS.—Congress finds the following:

4 (1) Castle Nugent Farms, located on the south-  
5 eastern shore of St. Croix, U.S. Virgin Islands, is  
6 the largest parcel of privately-held land in the Virgin  
7 Islands and has been an operating cattle ranch for  
8 50 years.

9 (2) This land has the largest and healthiest  
10 fringing coral reef anywhere in the Virgin Islands.

11 (3) It consists of Caribbean dry forest and  
12 pasturelands with considerable cultural resources in-  
13 cluding both pre-Columbian and post-European set-  
14 tlement.

15 (4) Castle Nugent Farms contains a large his-  
16 toric 17th century Danish estate house that sits on  
17 over 4 miles of pristine Caribbean oceanfront prop-  
18 erty.

19 (5) In addition to being an area for turtle nest-  
20 ing and night heron nesting, it is the home for the  
21 Senepol cattle breed, a unique breed of cattle that  
22 was developed on St. Croix in the early 1900's to  
23 adapt to the island's climate.

24 (b) STUDY.—The Secretary of the Interior shall carry  
25 out a study regarding the suitability and feasibility of des-



1 ignating Castle Nugent Farms as a unit of the National  
2 Park System.

3 (c) STUDY PROCESS AND COMPLETION.—Section  
4 8(e) of Public Law 91-383 (16 U.S.C. 1a-5(e)) shall  
5 apply to the conduct and completion of the study required  
6 by this section.

Passed the House of Representatives November 15,  
2005.

Attest:

JEFF TRANDAHIL,

*Clerk.*



## H194

## CONGRESSIONAL RECORD—HOUSE

January 25, 2005

By Mrs. CHRISTENSEN:  
H.R. 317. A bill to establish the District Court of the Virgin Islands as a court under article III of the United States Constitution; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:  
H.R. 318. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. CUNNINGHAM:  
H.R. 319. A bill to require a temporary moratorium on leasing, exploration, and development on lands of the Outer Continental Shelf off the State of California, and for other purposes; to the Committee on Resources.

By Mr. CUNNINGHAM (for himself, Mr. CANTOR, and Mr. ISSA):

H.R. 320. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage manufacturers of computer, cell phone, and television equipment to operate an environmentally sound recycling program for use by consumers who want to discard the equipment; to the Committee on Ways and Means.

By Mrs. EMERSON:  
H.R. 321. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to certain senior citizens for premiums paid for coverage under Medicare Part B; to the Committee on Ways and Means.

By Mrs. EMERSON:  
H.R. 322. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to military retirees for premiums paid for coverage under Medicare part B; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. GALLEGLY, Mr. WOLF, Mrs. CHRISTENSEN, Mr. McNULTY, Mr. WAXMAN, Ms. WATSON, Mr. GENE GREEN of Texas, Mr. SERRANO, Mr. MEERS of New York, Mrs. LOWEY, Mr. BERMAN, Mr. LEWIS of California, and Mr. WEINER):

H.R. 323. A bill to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library"; to the Committee on Resources.

By Mr. FEENEY (for himself, Mr. PUTNAM, Mr. MICA, Ms. HARRIS, Mr. MARIO DIAZ-BALART of Florida, Mr. FOLEY, Mr. KELLER, Ms. GINNY BROWN-WAITE of Florida, Mr. MILLER of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. STEARNS, Mr. SHAW, Mr. MACK, Mr. WELDON of Florida, Mr. BOYD, Mr. MEEK of Florida, Mr. DAVIS of Florida, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, Mr. BILLIRAKIS, Mr. CRENSHAW, Mr. YOUNG of Florida, Ms. WASSERMAN SCHULTZ, Ms. CORRINE BROWN of Florida, and Mr. WEXLER):

H.R. 324. A bill to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building"; to the Committee on Government Reform.

By Mr. GRAVES:  
H.R. 325. A bill to amend title 23, United States Code, to establish requirements for the operation of high occupancy vehicle facilities on highways; to the Committee on Transportation and Infrastructure.

By Mr. GRIJALVA:  
H.R. 326. A bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the au-

thority of the Secretary of the Interior to provide assistance under that Act; to the Committee on Resources.

By Mr. GRIJALVA (for himself and Mr. HAYWORTH):

H.R. 327. A bill to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation; to the Committee on Resources.

By Mr. GUTKNECHT (for himself, Mr. EMANUEL, Mrs. EMERSON, Mr. SANDERS, Ms. DeLAURO, Mrs. NORTHUP, Mr. BURTON of Indiana, Ms. GINNY BROWN-WAITE of Florida, Mr. JONES of North Carolina, Mr. BROWN of Ohio, Mr. ISTOOK, Mr. KINGSTON, Mr. RAMSTAD, Mr. KING of Iowa, and Mr. LANGRISH):

H.R. 328. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAYWORTH:  
H.R. 329. A bill to require the Secretary of the Treasury to redesign the face of \$10 Federal reserve notes so as to include a likeness of President Ronald Wilson Reagan, and for other purposes; to the Committee on Financial Services.

By Mr. HAYWORTH:  
H.R. 330. A bill to amend the Internal Revenue Code of 1986 to exempt certain sightseeing flights from taxes on air transportation; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself and Mr. KILDEE):

H.R. 331. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to clarify that federally recognized Indian tribal governments are to be regulated under the same government employer rules and procedures that apply to Federal, State, and other local government employers with regard to the establishment and maintenance of employee benefit plans; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York:  
H.R. 332. A bill to amend the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 to require that, in order to determine that a democratically elected government in Cuba exists, the government extradite to the United States convicted felon William Morales and all other individuals who are living in Cuba in order to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on International Relations.

By Mr. LYNCH:  
H.R. 333. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to preserve the educational status and financial resources of military personnel called to active duty; to the Committee on Education and the Workforce.

By Mr. LYNCH:  
H.R. 334. A bill to designate Angola under section 244 of the Immigration and Nationality Act in order to make nationals of Angola eligible for temporary protected status under such section; to the Committee on the Judiciary.

By Mr. LYNCH:  
H.R. 335. A bill to amend the Child Care and Development Block Grant Act of 1990 to

increase the availability and affordability of quality child care services by creating incentives for older individuals to join the child care workforce, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH:  
H.R. 336. A bill to amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:  
H.R. 337. A bill to amend title 13, United States Code, to provide that the term of office of the Director of the Census shall be 5 years, to provide that the Director of the Census report directly to the Secretary of Commerce, and for other purposes; to the Committee on Government Reform.

By Mrs. MALONEY (for herself and Mr. PETRI):

H.R. 338. A bill to amend the Federal Election Campaign Act of 1971 to require the disclosure of certain information by persons conducting phone banks during campaigns for election for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. MCCREERY:  
H.R. 339. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. MORAN of Virginia:  
H.R. 340. A bill to amend the Clean Air Act to prohibit stationary sources located in ozone nonattainment areas from purchasing nitrogen oxide emission credits under the Environmental Protection Agency's nitrogen oxide trading program without the consent of the State in which such source is located, and for other purposes; to the Committee on Energy and Commerce.

By Mr. OSBORNE (for himself, Mr. BOEHNER, Mr. CASTLE, and Mr. WILSON of South Carolina):

H.R. 341. A bill to amend the Community Services Block Grant Act to provide for quality improvements; to the Committee on Education and the Workforce.

By Mr. OWENS:  
H.R. 342. A bill to provide for adjustment of immigration status for certain aliens granted temporary protected status in the United States because of conditions in Montserrat; to the Committee on the Judiciary.

By Mr. PITTS:  
H.R. 343. A bill to establish a pilot program of Central Asian scholarships for undergraduate and graduate level public policy internships in the United States; to the Committee on International Relations.

By Mr. PITTS:  
H.R. 344. A bill to establish a pilot program of Afghanistan scholarships for undergraduate and graduate level public policy internships in the United States; to the Committee on International Relations.

By Mr. PLATTS:  
H.R. 345. A bill to amend the Internal Revenue Code of 1986 to suspend the running of periods of limitation for credit or refund of overpayment of Federal income tax by veterans while their service-connected compensation determinations are pending with



109TH CONGRESS  
1ST SESSION

## H. R. 318

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2005

Mr. CHRISTENSEN introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NATIONAL PARK SERVICE STUDY REGARDING**

4 **CASTLE NUGENT FARMS.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Castle Nugent Farms, located on the south-  
7 eastern shore of St. Croix, U.S. Virgin Islands, is  
8 the largest parcel of privately-held land in the Virgin

1 Islands and has been an operating cattle ranch for  
2 50 years.

3 (2) This land has the largest and healthiest  
4 fringing coral reef anywhere in the Virgin Islands.

5 (3) It consists of Caribbean dry forest and  
6 pasturelands with considerable cultural resources in-  
7 cluding both pre-Columbian and post-European set-  
8 tlement.

9 (4) Castle Nugent Farms contains a large his-  
10 toric 17th century Danish estate house that sits on  
11 over 4 miles of pristine Caribbean oceanfront prop-  
12 erty.

13 (5) In addition to being an area for turtle nest-  
14 ing and night heron nesting, it is the home for the  
15 Senepol cattle breed, a unique breed of cattle that  
16 was developed on St. Croix in the early 1900's to  
17 adapt to the island's climate.

18 (b) STUDY.—The Secretary of the Interior shall carry  
19 out a study regarding the suitability and feasibility of des-  
20 ignating Castle Nugent Farms as a unit of the National  
21 Park System.

22 (c) STUDY PROCESS AND COMPLETION.—Section  
23 8(e) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall



3

- 1 apply to the conduct and completion of the study required
- 2 by this section.

○

IIB

109TH CONGRESS  
1ST SESSION

## H. R. 318

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2005

Received; read twice and referred to the Committee on Energy and Natural  
Resources

---

## AN ACT

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
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3 (c) STUDY PROCESS AND COMPLETION.—Section  
4 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall  
5 apply to the conduct and completion of the study required  
6 by this section.

Passed the House of Representatives November 15,  
2005.

Attest:

JEFF TRANDAHL,

*Clerk.*



4

58

Stenographic Transcript  
of Hearings

Subcommittee on National Parks

COMMITTEE ON ENERGY & NATURAL  
RESOURCES

**UNITED STATES SENATE**

HEARING TO RECEIVE TESTIMONY ON THE FOLLOWING BILLS: S.J. RES. 28, A JOINT RESOLUTION APPROVING THE LOCATION OF THE COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA HONORING FORMER PRESIDENT DWIGHT D. EISENHOWER; S. 1870, A BILL TO CLARIFY THE AUTHORITIES FOR THE USE OF CERTAIN NATIONAL PARK SERVICE PROPERTIES WITHIN GOLDEN GATE NATIONAL RECREATION AREA AND SAN FRANCISCO MARITIME NATIONAL HISTORICAL PARK, AND FOR OTHER PURPOSES; S. 1913, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO LEASE A PORTION OF THE DOROTHY BUELL MEMORIAL VISITOR CENTER FOR USE AS A VISITOR CENTER FOR THE INDIANA DUNES NATIONAL LAKESHORE, AND FOR OTHER PURPOSES; S. 1970, A BILL TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO UPDATE THE FEASIBILITY AND SUITABILITY STUDY ORIGINALLY PREPARED FOR THE TRAIL OF TEARS NATIONAL HISTORIC TRAIL AND PROVIDE FOR THE INCLUSION OF NEW TRAIL SEGMENTS, LAND COMPONENTS, AND CAMPGROUNDS ASSOCIATED WITH THAT TRAIL, AND FOR OTHER PURPOSES; H.R. 562, A BILL TO AUTHORIZE THE GOVERNMENT OF UKRAINE TO ESTABLISH A MEMORIAL ON FEDERAL LAND IN THE DISTRICT OF COLUMBIA TO HONOR THE VICTIMS OF THE MANMADE FAMINE THAT OCCURRED IN UKRAINE IN 1932-1933; AND H.R. 318, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO STUDY THE SUITABILITY AND FEASIBILITY OF DESIGNATING CASTLE NUGENT FARMS LOCATED ON ST. CROIX, VIRGIN ISLANDS, AS A UNIT OF THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES

Thursday, February 16, 2006

Washington, DC

ALDERSON REPORTING COMPANY  
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WASHINGTON, D.C. 20005-5650  
(202) 289-2260

ORIGINAL LOCATED in S.J. Res. 28



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

MAY 19 2006

L58(0120)

Honorable Craig Thomas  
Chairman  
Subcommittee on National Parks  
Committee on Energy and Natural Resources  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

Enclosed are answers to the follow-up questions from the hearing held by the Subcommittee on National Parks on February 16, 2006, on S.J. Res. 28, S. 1870, S. 1913, S. 1970, H.R. 318, and H.R. 562. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on this matter.

Sincerely,

Jane M. Lyder  
Legislative Counsel  
Office of Legislative and Congressional  
Affairs

Enclosure

cc: Senator Daniel A. Akaka  
Ranking Member, Subcommittee on National Parks  
Senator Jeff Bingaman

Original Document  
in S. 1870



September 29, 2006

## CONGRESSIONAL RECORD—SENATE

S10535

(ii) in paragraph (5), by inserting "(Federal Emergency Management Agency)" after "Homeland Security";

(F) in the second sentence of section 232, by striking "sections 103(m)" and all that follows through "(January 14, 1986)" and inserting "section 103(k) of Public Law 108-188, 117 Stat. 2734, December 17, 2003";

(G) in the first sentence of section 341, by striking "Section 141" and inserting "section 141";

(H) in section 342—

(i) in subsection (a), by striking "14 U.S.C. 195" and inserting "section 195 of title 14, United States Code"; and

(ii) in subsection (b)—

(I) by striking "46 U.S.C. 1295(b)(6)" and inserting "section 1303(b)(6) of the Merchant Marine Act, 1936 (46 U.S.C. 1295b(b)(6))"; and

(II) by striking "46 U.S.C. 1295b(b)(6)(C)" and inserting "section 1303(b)(6)(C) of that Act";

(I) in the third sentence of section 354(a), by striking "section 442 and 452" and inserting "sections 442 and 452";

(J) in the first sentence of section 443, by inserting ", as amended," after "the Compact";

(K) in the matter preceding paragraph (1) of section 461(h)—

(i) by striking "1978" and inserting "1998"; and

(ii) by striking "Telecommunications" and inserting "Telecommunication Union"; and

(L) in section 463(b), by striking "Article" and inserting "Articles".

#### SEC. 7. TRANSMISSION OF VIDEOTAPE PROGRAMMING.

Section 11(e)(2) of title 17, United States Code, is amended by striking "or the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of Palau, or the Republic of the Marshall Islands".

#### SEC. 8. PALAU ROAD MAINTENANCE.

The Government of the Republic of Palau may deposit the payment otherwise payable to the Government of the United States under section 111 of Public Law 101-219 (48 U.S.C. 1960) into a trust fund if—

(1) the earnings of the trust fund are expended solely for maintenance of the road system constructed pursuant to section 212 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note); and

(2) the trust fund is established and operated pursuant to an agreement entered into between the Government of the United States and the Government of the Republic of Palau.

#### SEC. 9. CLARIFICATION OF TAX-FREE STATUS OF TRUST FUNDS.

In the U.S.-RMI Compact, the U.S.-FSM Compact, and their respective trust fund subsidiary agreements, for the purposes of taxation by the United States or its subsidiary jurisdictions, the term "State" means "State, territory, or the District of Columbia".

#### ✶ DOROTHY BUELL MEMORIAL VISITOR CENTER LEASE ACT

The Senate proceeded to consider the bill (S. 1913) to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting

clause and insert in lieu thereof the following:

#### SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

##### Sec. 1. Table of contents.

#### TITLE I—DOROTHY BUELL MEMORIAL VISITOR CENTER

##### Sec. 101. Short title.

##### Sec. 102. Definitions.

##### Sec. 103. Memorandum of understanding.

##### Sec. 104. Lease agreement.

##### Sec. 105. Authorization of appropriations.

#### TITLE II—PUBLIC LAND TECHNICAL AMENDMENTS

##### Sec. 201. Short title.

##### Sec. 202. Gaylord Nelson Wilderness.

##### Sec. 203. Arlington House land transfer.

##### Sec. 204. Cumberland Island Wilderness.

##### Sec. 205. Petrified Forest boundary.

##### Sec. 206. Commemorative works.

##### Sec. 207. Ojito Wilderness.

#### TITLE I—DOROTHY BUELL MEMORIAL VISITOR CENTER

##### SEC. 101. SHORT TITLE.

This title may be cited as the "Dorothy Buell Memorial Visitor Center Lease Act".

##### SEC. 102. DEFINITIONS.

In this title:

(1) COMMISSION.—The term "Commission" means the Porter County Convention, Recreation and Visitor Commission.

(2) LAKESHORE.—The term "Lakeshore" means the Indiana Dunes National Lakeshore.

(3) LAKESHORE CENTER.—The term "Lakeshore Center" means the visitor center for the Lakeshore authorized under section 104(a).

(4) MEMORIAL CENTER.—The term "Memorial Center" means the Dorothy Buell Memorial Visitor Center located south of the Lakeshore boundary on Indiana Route 49.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

##### SEC. 103. MEMORANDUM OF UNDERSTANDING.

(a) IN GENERAL.—The Secretary may enter into a memorandum of understanding with the Commission to establish a joint partnership with respect to the management of the Memorial Center.

(b) REQUIREMENTS.—The memorandum of understanding shall—

(1) identify the overall goals and purposes of the Memorial Center;

(2) describe the allocation of management and operational duties between the Secretary and the Commission with respect to the Memorial Center;

(3) identify how activities of the Memorial Center will be funded;

(4) identify the parties responsible for providing amenities at the Memorial Center;

(5) establish procedures for changing or dissolving the joint partnership; and

(6) address any other issues determined to be appropriate by the Secretary or the Commission.

##### SEC. 104. LEASE AGREEMENT.

(a) IN GENERAL.—After entering into a memorandum of understanding under section 103(a), the Secretary may enter into an agreement with the Commission to lease space in the Memorial Center for use as a visitor center for the Lakeshore.

(b) STAFF.—The Secretary may use employees of the Lakeshore to provide visitor information and education at the Lakeshore Center.

##### SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this title.

#### TITLE II—PUBLIC LAND TECHNICAL AMENDMENTS

##### SEC. 201. SHORT TITLE.

This title may be cited as the "Public Land Technical Amendments Act of 2006".

##### SEC. 202. GAYLORD NELSON WILDERNESS.

(a) REDESIGNATION.—Section 140 of division E of the Consolidated Appropriations Act, 2005 (16

U.S.C. 1132 note; Public Law 108-447), is amended—

(1) in subsection (a), by striking "Gaylord A. Nelson" and inserting "Gaylord Nelson"; and

(2) in subsection (c)(4), by striking "Gaylord A. Nelson Wilderness" and inserting "Gaylord Nelson Wilderness".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the "Gaylord A. Nelson Wilderness" shall be deemed to be a reference to the "Gaylord Nelson Wilderness".

##### SEC. 203. ARLINGTON HOUSE LAND TRANSFER.

Section 2863(h)(1) of Public Law 107-101 (115 Stat. 1333) is amended by striking "the George Washington Memorial Parkway" and inserting "Arlington House, the Robert E. Lee Memorial,".

##### SEC. 204. CUMBERLAND ISLAND WILDERNESS.

Section 2(a)(1) of Public Law 97-250 (16 U.S.C. 1132 note; 96 Stat. 709) is amended by striking "numbered 640/20,032I, and dated September 2004" and inserting "numbered 640/20,038K, and dated September 2005".

##### SEC. 205. PETRIFIED FOREST BOUNDARY.

Section 2(1) of the Petrified Forest National Park Expansion Act of 2004 (16 U.S.C. 119 note) is amended by striking "numbered 110/80,044, and dated July 2004" and inserting "numbered 110/80,045, and dated January 2005".

##### SEC. 206. COMMEMORATIVE WORKS.

Section 8908(b)(1) of title 40, United States Code, is amended in the second sentence by striking "House Administration" and inserting "Resources".

##### SEC. 207. OJITO WILDERNESS.

Section 2(1) of the Ojito Wilderness Act (16 U.S.C. 1132 note; Public Law 109-94) is amended by striking "October 1, 2004" and inserting "January 24, 2006".

The amendment (No. 5110) was agreed to, as follows:

(Purpose: To strike the section relating to the Ojito Wilderness)

Strike the item in the table of contents relating to section 207.

Strike section 207.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill S. 1913 was ordered to be engrossed for a third reading, was read the third time, and passed.

#### NATIONAL PARK SYSTEM STUDY—CASTLE NUGENT FARMS, ST. CROIX, VIRGIN ISLANDS

The bill (H.R. 318) to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

#### YUMA CROSSING NATIONAL HERITAGE AREA ACT OF 2000 AMENDMENTS ACT

The bill (H.R. 326) to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Calendar No. 403

109TH CONGRESS  
2D SESSION

**H. R. 318**

[Report No. 109-241]

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2005

Received; read twice and referred to the Committee on Energy and Natural  
Resources

APRIL 20, 2006

Reported under authority of the order of the Senate of April 7, 2006, by Mr.  
DOMENICI, without amendment

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[Report No. 109-241]

**AN ACT**

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

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20          adapt to the island's climate.

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1 (c) STUDY PROCESS AND COMPLETION.—Section  
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Calendar No. 403

109TH CONGRESS  
2D SESSION

**H. R. 318**

[Report No. 109-241]

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**AN ACT**

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

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APRIL 20, 2006

Reported without amendment