

3979. A letter from the Acting Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to Certain End-User Controls under the Export Administration Regulations; Clarification Regarding License Requirements for Transfers (in-country) to Persons Listed on the Entity List [Docket No.: 090126062-91139-01] (RIN: 0694-AE54) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3980. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fishery; Emergency Rule; Extension [Docket No.: 090206152-9249-01] (RIN: 0648-AX61) received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3981. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Geological and Geophysical (G&G) Explorations of the Outer Continental Shelf—Changing Proprietary Term of Certain Geophysical Information [Docket ID: MMS-2008-OMM-0006] (RIN: 1010-AD41) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3982. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Technical Changes to Production Measurement and Training Requirements [Docket ID: MMS-2008-OMM-0023] (RIN: 1010-AD55) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3983. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Teledyne Continental Motors (TCM) IO-520, TSO-520, and IO-550 Series Reciprocating Engines with Superior Air Parts, Inc. (SAP) Cylinder Assemblies Installed [Docket No.: FAA-2007-0051; Directorate Identifier 2007-NE-37-AD; Amendment 39-15986; AD 2009-16-03] (RIN: 2120-AA64) received September 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3984. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. TPE331-10 and TPE331-11 Series Turboprop Engines [Docket No.: FAA-2009-0555; Directorate Identifier 2009-NE-18-AD; Amendment 39-15996; AD 2009-17-05] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3985. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ Airplanes [Docket No.: FAA-2009-0532; Directorate Identifier 2008-NM-024-AD; Amendment 39-15994; AD 2009-17-03] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3986. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Plentywood, MT [Docket No.: FAA-2009-0225; Airspace Docket No. 09-ANM-4] received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3987. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Pilatus Aircraft Limited Model PC-7 Airplanes [Docket No.: FAA-2009-0509; Directorate Identifier 2009-CE-029-AD; Amendment 39-15985; AD 2009-16-02] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3988. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Revenue Procedure 2007-44 (Rev. Proc. 2009-36) received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3989. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revocation of Elections By Multiemployer Defined Benefit Pension Plans to Freeze Funded Status under section 204 of WRERA (Revenue Procedure 2009-43) received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3990. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Program allowing Department of Treasury to partner with private investors to form public-private investment partnerships to acquire legacy securities (Rev. Proc. 2009-42) received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3991. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Information Reporting of Discharges of Indebtedness (RIN: 1545-BH99) received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 719. Resolution commending Russ Meyer on his induction into the National Aviation Hall of Fame; with an amendment (Rept. 111-282). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 138. Resolution recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas (Rept. 111-283). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3371. A bill to amend title 49, United States Code, to improve airline safety and pilot training, and for other purposes (Rept. 111-284). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 465. Resolution recognizing the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary, and for other purposes; with amendments (Rept. 111-285). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 3305. A bill to designate the Federal building and United States courthouse located at 224 South Boulder Avenue in Tulsa, Oklahoma, as the "H. Dale Cook Federal Building and United States Courthouse" (Rept. 111-286). Referred to the House Calendar.

Mr. MCGOVERN: Committee on Rules. House Resolution 799. Resolution providing

for consideration of the conference report to accompany the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-287). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BUYER (for himself and Mr. MICHAUD):

H.R. 3719. A bill to amend title 38, United States Code, to establish in the Department of Veterans Affairs a Veterans Economic Opportunity Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARE (for himself, Mr. SCHOCK, Mr. BRALEY of Iowa, and Mr. BOSWELL):

H.R. 3720. A bill to direct the Secretary of Transportation to promulgate a rule to improve the daytime and nighttime visibility of agricultural equipment that may be operated on a public road; to the Committee on Transportation and Infrastructure.

By Mr. GEORGE MILLER of California (for himself, Mr. CONYERS, Mr. ANDREWS, Mr. NADLER of New York, Mr. COURTNEY, Ms. CHU, Ms. CLARKE, Mr. HOLT, Mr. HARE, Mr. KILDEE, Mr. LOEBACK, Mr. SABLON, Mr. SCOTT of Virginia, Ms. HIRONO, Ms. WOOLSEY, Mr. BISHOP of New York, and Mr. SESTAK):

H.R. 3721. A bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof; to the Committee on Education and Labor, 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 Mrs. KIRKPATRICK of Arizona:

H.R. 3722. A bill to amend the Small Business Investment Act of 1958 to improve the New Markets Venture Capital and Renewable Fuel Capital Investment Programs, and for other purposes; to the Committee on Small Business.

By Mrs. HALVORSON:

H.R. 3723. A bill to amend the Small Business Act to improve the activities carried out under section 7(a) of such Act, and for other purposes; to the Committee on Small Business.

By Ms. BERKLEY (for herself, Mr. ABERCROMBIE, Mr. BRADY of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Ms. SCHWARTZ, Mr. SENSENBRENNER, and Mr. THOMPSON of California):

H.R. 3724. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Mr. CASTLE (for himself and Mr. CAPUANO):

H.R. 3725. A bill to relieve traffic congestion; to the Committee on Transportation and Infrastructure.

By Mrs. CHRISTENSEN:

H.R. 3726. A bill to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes; to the Committee on Natural Resources.

prison facilities; to the Committee on Energy and Commerce; 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.

S. Con. Res. 43. Concurrent resolution authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to former Senator Edward Brooke, to the Committee on House Administration.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3663. An act to amend title XVIII of the Social Security Act to delay the date on which the accreditation requirement under the Medicare Program applies to suppliers of durable medical equipment that are pharmacies.

On Friday, October 2, 2009:

H.R. 1687. An act to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the "Ralph Regula Federal Building and United States Courthouse".

H.R. 2053. An act to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse".

H.R. 2121. An act to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.

H.R. 2498. An act to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building".

H.R. 2913. An act to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the "Sidney M. Aronovitz United States Courthouse".

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature on October 2, 2009, to enrolled bills of the Senate of the following titles:

S. 1289. An act to improve title 18 of the United States Code.

S. 1707. An act to authorize appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 7, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3960. A letter from the Administrator, Department of Agriculture, transmitting the

Department's final rule — Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2008-09 Crop Natural (Sun-Dried) Seedless Raisins [Doc. No.: AMS-FV-08-0114; FV09-989-1 FIR] received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3961. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Kiwifruit Grown in California; Change in Reporting Requirements [Doc. No.: AMS-FV-08-0017; FV08-920-2 FR] received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3962. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Vegetables, Import Regulations; Partial Exemption to the Minimum Grade Requirements for Fresh Tomatoes [Doc. No.: AMS-FV-08-0097; FV09-980-1 FR] received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3963. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Dried Prunes Produced in California; Decreased Assessment Rate [Doc. No.: AMS-FV-09-0048; FV09-993-1 FIR] received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3964. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Order Amending Marketing Order No. 905 [Doc. No.: AO-85-A10; AMS-FV-07-0132; FV08-905-1] received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3965. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon and Imported Irish Potatoes; Relaxation of Size Requirements [Doc. No.: AMS-FV-08-0062; FV08-945-1 FR] received September 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3966. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Avermectin B1 and its delta-8,9-isomer; Pesticide Tolerances [EPA-HQ-OPP-2008-0806; FRL-8427-7] received August 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3967. A letter from the OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule — Private Security Contractors (PSCs) Operating in Contingency Operations [DOD-2008-OS-0125] (RIN: 0790-A138) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3968. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8087] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3969. A letter from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of Nondiscretionary WIC Certification and General Administrative Provisions [FNS-2007-0009] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3970. A letter from the Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of Nondiscretionary WIC Certification and General Administrative Provisions [FNS-2007-0009] (RIN: 0584-AD73) received September 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3971. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Vocational Rehabilitation Service Projects for American Indians with Disabilities [Docket ID ED-2009-OSERS-0008] (RIN: 1820-AB63) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3972. A letter from the Acting Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Vaulting and Paying Benefits received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3973. A letter from the Department Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Charging for Investigational Drugs Under an Investigational New Drug Application [Docket No.: FDA-2006-N-0237] (formerly Docket No.: 2006N-0061) (RIN: 0910-AF13) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3974. A letter from the Dep. Dir., Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Microbiology Devices; Reclassification of Herpes Simplex Virus Types 1 and 2 Serological Assays [Docket No.: FDA-2009-N-0344] received September 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3975. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District [EPA-R09-OAR-2009-0079; FRL-8945-1] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3976. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District and Santa Barbara County Air Pollution Control District [EPA-R09-OAR-2009-0385; FRL-8948-6] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3977. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Boise, Idaho) [MB Docket No.: 09-96] received September 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3978. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Prohibitions on Market Manipulation [Project No. P082900] (RIN: 3084-AB12) received September 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

111TH CONGRESS
1ST SESSION

H. R. 3726

To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2009

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

A BILL

To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, 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. SHORT TITLE.**

4 This Act may be cited as the “Castle Nugent Na-
5 tional Historic Site Establishment Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **HISTORIC SITE.**—The term “historic site”
9 means the Castle Nugent National Historic Site es-
10 tablished in section 3.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 **SEC. 3. CASTLE NUGENT NATIONAL HISTORIC SITE.**

4 (a) ESTABLISHMENT.—There is established as a unit
5 of the National Park System the Castle Nugent National
6 Historic Site on the Island of St. Croix, U.S. Virgin Is-
7 lands, in order to preserve, protect, and interpret, for the
8 benefit of present and future generations, a Caribbean cul-
9 tural landscape that spans more than 300 years of agricul-
10 tural use, significant archeological resources, mangrove
11 forests, endangered sea turtle nesting beaches, an exten-
12 sive barrier coral reef system, and other outstanding nat-
13 ural features.

14 (b) BOUNDARIES.—The historic site consists of the
15 approximately 2,900 acres of land extending from Lowrys
16 Hill and Laprey Valley to the Caribbean Sea and from
17 Manchenil Bay to Great Pond, along with associated sub-
18 merged lands to the three-mile territorial limit, as gen-
19 erally depicted on the map titled “_____”,
20 numbered _____, and dated _____.

21 (c) MAP AVAILABILITY.—The map referred to in sub-
22 section (b) shall be on file and available for public inspec-
23 tion in the appropriate offices of the National Park Serv-
24 ice, Department of the Interior.

25 (d) ACQUISITION OF LAND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to acquire lands and interests in lands within the boundaries of the historic site by donation, purchase with donated or appropriated funds, or exchange.

(2) U.S. VIRGIN ISLAND LANDS.—The Secretary is authorized to acquire lands and interests in lands owned by the U.S. Virgin Islands or any political subdivision thereof only by donation or exchange.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including—

(1) the National Park Service Organic Act (39 Stat. 535; 16 U.S.C. 1 et seq.); and

(2) the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) SHARED RESOURCES.—To the greatest extent practicable, the Secretary shall use the resources of other sites administered by the National Park Service on the Island of St. Croix to administer the historic site.

(c) CONTINUED USE.—In order to maintain an important feature of the cultural landscape of the historic

1 site, the Secretary may lease to the University of the Vir-
2 gin Islands certain lands within the boundary of the his-
3 toric site for the purpose of continuing the university's op-
4 eration breeding Senepol cattle, a breed developed on St.
5 Croix. A lease under this subsection shall contain such
6 terms and conditions as the Secretary considers appro-
7 priate, including those necessary to protect the values of
8 the historic site.

9 (d) MANAGEMENT PLAN.—Not later than three years
10 after funds are made available for this subsection, the Sec-
11 retary shall prepare a general management plan for the
12 historic site.

○

November 10, 2009

π π π Hearing Notice π π π

MEMORANDUM

To: Members, Committee on Natural Resources
Subcommittee on National Parks, Forests & Public Lands

From: Honorable Raúl M. Grijalva, Chairman

Subject: Legislative Hearing on H.R. 2889, H.R. 3339, H.R. 3444, H.R. 3538 & H.R. 3726

On **Tuesday, November 17, 2009, at 2:00 p.m. in room 1324 of the Longworth House Office Building**, the Subcommittee on National Parks, Forests & Public Lands will hold a legislative hearing on the following bills:

- • **H.R. 2889** (DeFazio), To modify the boundary of the Oregon Caves National Monument, and for other purposes.
(*Oregon Caves National Monument Boundary Adjustment Act of 2009*)
- **H.R. 3339** (Heinrich), To reauthorize the Federal Land Transaction Facilitation Act, and for other purposes. (*FLTFA Reauthorization Act of 2009*)
- • **H.R. 3444** (Farr), To establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes. (*Pinnacles National Park Act*)
- **H.R. 3538** (Simpson), To authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.
(*Idaho Wilderness Water Resources Protection Act*)
- • **H.R. 3726** (Christensen), To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes.
(*Castle Nugent National Historic Site Establishment Act of 2009*)

Witnesses will be by invitation only.

If you need further information, please call David Watkins (Staff Director) or Domenick Carroll (Clerk) at (202) 226-7736.

The use of cellular telephones is prohibited on the Committee dais or in the Committee hearing rooms during a meeting of the Committee pursuant to Rule 3(k) of the Committee Rules.

Accommodations for individuals with disabilities, including assistive listening systems, interpreters, and materials in alternate formats, may be arranged by contacting the Committee in advance of the scheduled event (4 business days notice is requested) at voice (202) 225-6065; fax (202) 225-1931; e-mail: resources.committee@mail.house.gov; or 1324 Longworth House Office Building (HOB), Washington, D.C. 20515-6201.

NOVEMBER 16, 2009

MEMORANDUM

**TO: DEMOCRATIC MEMBERS AND STAFF
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS**

FROM: SUBCOMMITTEE STAFF (6-7736)

**RE: LEGISLATIVE HEARING ON H.R. 2889, H.R. 3339, H.R. 3444, H.R. 3538,
AND H.R. 3726**

The Subcommittee on National Parks, Forests and Public Lands will hold a legislative hearing at **2:00 p.m., Tuesday, November 17, 2009, in room 1324 of the Longworth House Office Building.** The Subcommittee will consider the following measures:

H.R. 2889: OREGON CAVES (DeFAZIO, D-OR)

H.R. 2889, introduced by Representative Peter DeFazio (D-OR) on June 16, 2009, would modify the boundary of the Oregon Caves National Monument and amend the Wild and Scenic Rivers Act to designate segments of Cave Creek and other rivers as components of the National Wild and Scenic Rivers System.

Oregon Caves National Monument, which originally consisted of approximately 480 acres of National Forest System land in the Rogue River-Siskiyou National Forest in southern Oregon, was established by Presidential Proclamation 876 on July 12, 1909. Administration of the Monument was transferred from the Forest Service to the National Parks Service on June 10, 1933, by Executive Order 6166. The Monument receives about 80,000 visitors annually. Oregon Caves is the longest tour cave west of the Continental Divide.

The 1999 General Management Plan for Oregon Caves National Monument recommended adding surrounding lands to the Monument in order to provide better protection for cave ecology, surface and subsurface hydrology, public water supply, trails

and views, and to establish a logical topographical boundary and enhance recreational opportunities.

H.R. 2889 would expand the boundaries of the Oregon Caves National Monument to include 4,070 acres of lands in the Rogue River-Siskiyou National Forest currently managed by the National Forest Service, and re-designate the site as the Oregon Caves National Monument and Preserve.

The bill also outlines requirements for voluntary donation of grazing permits or leases within the expanded boundary of Oregon Caves National Monument. Specifically, the provision requires the Secretary of the Interior or the Secretary of Agriculture to accept any grazing permit or lease, or a portion thereof that is donated by a permittee or lessee. Then, the Secretary would terminate those grazing permits or leases. No new grazing permits or leases would be issued within the grazing allotment covered by the donated grazing permit or lease.

In order to protect the water-ways in and around the monument, H.R. 2889 designates approximately 7.6 miles of Cave Creek and its tributaries—including Lake, Panther, and No Name Creeks and the River Styx—as components of the National Wild and Scenic Rivers System. Cave Creek and its tributaries originate from the expansive system of caves in the area and reach mature and old growth riparian forests of Douglas fir and Port Orford cedar. The River Styx flows through the Caves and would be the first subterranean waterway designated as a component of the Wild and Scenic River system in the country.

Witnesses from the Department of the Interior, Department of Agriculture, and the state of Oregon are expected to testify.

Staff Contact: Christy Goldfuss (x67736)

**H.R. 3339: FEDERAL LAND TRANSACTION FACILITATION ACT REAUTHORIZATION
(HEINRICH, D-NM)**

H.R. 3339, introduced by Representative Martin Heinrich on July 24, 2009 would reauthorize the Federal Land Transaction Facilitation Act.

Federal Land Transaction Facilitation Act of 2000

The Federal Land Transaction Facilitation Act of 2000 (FLTFA), provides for the use of revenue from the sale or exchange of Bureau of Land Management (BLM) land identified for disposal under land use plans in effect as of the date of FLTFA's enactment, July 25, 2000. Revenue generated under FLTFA is then available to the BLM, the National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS) and the U.S. Forest Service (FS) primarily to acquire nonfederal land within the boundaries of land they already own; these are known as inholdings, and they can create significant

land management complications. The funds can also be used to acquire some private land adjacent to federal lands, under limited circumstances.

FLTFA places several restrictions on the use of funds, including: (1) no more than 20 percent of the funds can be used to administer the program; (2) of the amount not spent on administrative expenses, at least 80 percent of the revenue must be expended in the state in which the funds were generated; and (3) at least 80 percent of FLTFA revenue required to be spent on land acquisitions within a state must be used to acquire inholdings within that state.

Finally, FLTFA only applies to lands in eleven western states and Alaska but it specifically does not apply to BLM lands in southern Nevada (which are administered instead under the authority of the *Southern Nevada Public Lands Management Act*).

Government Accountability Office Report on FLTFA

Proponents of FLTFA claim it has been successful in achieving the goals set by Congress. They assert that FLTFA eases the burden on federal land managers to monitor and manage a checkerboard of scattered federal acreage by providing a flexible, stable funding source that allows them to purchase inholdings more efficiently.

However, the Government Accountability Office (GAO) finalized a report on FLTFA in February, 2008: *Federal Land Management: Federal Land Transaction Facilitation Act Restrictions and Management Weaknesses Limit Future Sales and Acquisitions* (GAO-08-196) which documented several concerns. According to the GAO, between 2000 and 2007 BLM raised \$95.7 million in revenue, about 92 percent of which came from land transactions in Nevada.

According to the report, BLM does not have adequate realty staff to conduct these sales. GAO further noted that while the BLM has identified land for sales in its land use plans, it has not made the sale of these lands a priority during the first seven years of FLTFA.

GAO also found that the federal land management agencies face several challenges to completing land acquisitions under FLTFA. Most notably, since FLTFA requires that the agencies use most of the funds to purchase land in the state in which the funds were raised, most of that land acquisition is in Nevada, with few acquisitions in the other states. Further, the GAO found that all four land management agencies have been slow in identifying inholdings and setting priorities for acquiring them. GAO also found that the agencies have not established procedures to track the act's requirement that at least 80 percent of FLTFA revenue raised in each state be used to acquire inholdings in that state.

According to the GAO, the federal land management agencies have spent \$13.3 million of the \$95.7 million in revenue raised under FLTFA: \$10.1 million to acquire

nine parcels of land and \$3.2 million for administrative expenses to prepare land for FLTFA sales.

H.R. 3339

Under the 2000 Act, the authorization for FLTFA is set to expire next July. H.R. 3339 would permanently authorize FLTFA, and amend the Act to remove the current restriction that only allows for FLTFA to apply to lands identified for disposal before the law was enacted in 2000.

Representative Heinrich, a representative from the Department of the Interior, a representative from the Government Accountability Office and an outside witness are expected to testify.

Staff Contact: Laurel Angell (x67736)

H.R. 3444: PINNACLES NATIONAL PARK (FARR, D-CA)

H.R. 3444 was introduced July 31, 2009, by Representative Sam Farr (D-CA). The bill would establish Pinnacles National Park, replacing the existing Pinnacles National Monument, and would designate additional wilderness within the park.

President Theodore Roosevelt established Pinnacles National Monument by proclamation in 1908, setting aside 2,060 acres to preserve the complex and fascinating rock formations known as Pinnacles Rocks, and the talus caves beneath them.

Since that time, the monument has been enlarged six times – by presidential proclamations in 1923, 1924, 1931, 1933, 1941 and 2000, and by Congress in 1976 (P.L. 94-567). The monument currently totals 24,514 acres, including 16,048 acres of wilderness.

The monument includes half of an ancient volcano, which was split apart millions of years ago by an early strand of the San Andreas Fault. Over time, the fault carried half the volcano north to its current location in the monument near Monterey; the other half lies 195 miles to the southeast in northern Los Angeles County.

The pinnacles that gave the monument its name are composed mainly of volcanic breccia, a matrix of lava, pumice and ash; some of those volcanic rocks also contain marine fossils.

The monument also preserves what the bill calls “the best remaining refuge” for plants and animals from multiple ecological niches along the central California coast and the Pacific coast range, including 32 species holding special status from state or federal agencies. The monument lies within the ancestral home range of the California condor, and is a crucial site for the program to recover the huge birds in the wild.

H.R. 3444 would establish Pinnacles National Park for the purposes of preserving and interpreting “the chaparral, grasslands, blue oak woodlands, and majestic valley oak savanna ecosystems of the area, the area's geomorphology, riparian watersheds, unique flora and fauna, and the ancestral and cultural history of native Americans, settlers and explorers.” Interpreting the recovery program for the California condor would also be a statutory purpose of the park.

H.R. 3444 also would rename the Pinnacles Wilderness as the Hain Wilderness, and add 2,905 acres, all within the park boundaries, along the eastern and southern borders of the current wilderness. The bill would not add any additional acreage to the current monument.

Representative Farr, a representative of the National Park Service and a representative of San Benito County are expected to testify.

Staff Contact: Leslie Duncan (x67736)

H.R. 3538: IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT (SIMPSON, R-ID)

H.R. 3538, introduced by Representative Michael Simpson on September 8, 2009, would authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho.

The Selway-Bitterroot Wilderness was designated by Congress in 1964. Most of the 1,340,502 acres lie in Idaho, abutting the Frank Church-River of No Return Wilderness, which was designated by Congress in 1980. The area contains some of the largest and most rugged remote tracts of land in the lower 48 states.

Predating the existence of these two wilderness areas, private land owners had received permits to maintain and repair water diversions that existed on National Forest Service lands. The water is used for a combination of purposes, including drinking water for private cabins and ranches. Many of the permits have since expired, leaving those who own the water diversions without any options for mechanically maintaining their water systems.

H.R. 3538 would give the Secretary of Agriculture the authority to issue special use authorizations to owners of water storage, transport, or diversion facilities within the Frank Church- River of No Return Wilderness and the Selway-Bitterroot Wilderness for the continued maintenance of their water facilities. The permits would only be issued if the owner could prove that the facility existed prior to the designated wilderness, the facility had been used to deliver water to the owner's land since the designation, the owner had a valid water right, and it would not be practicable to move the facility outside

of the wilderness area. It is estimated that several dozen different individuals or businesses have water diversions in the aforementioned wilderness areas.

A witness from the Department of Agriculture is expected to testify.

Staff Contact: Christy Goldfuss (x67736)

H.R. 3726: CASTLE NUGENT NATIONAL HISTORIC SITE (CHRISTENSEN, D-VI)

H.R. 3726, introduced by Representative Donna Christensen on October 6, 2009, would establish Castle Nugent National Historic Site at St. Croix, United States Virgin Islands (USVI).

The Castle Nugent Farms area is located on the arid southeastern shore of the island of St. Croix. Historic resources include the remnants of small Danish cotton, sugar, indigo, and cattle plantations, including slave quarters and a sugar mill. Pre-Columbian archaeological sites also exist on the property. The Castle Nugent Farms cattle ranch is one of the oldest cattle ranches in the West Indies, and is home to Senepol cattle, a unique breed developed on St. Croix for adaptation to dry climate and poor forage found there.

The diverse and undisturbed natural resources of the site include the most substantial black mangrove stand left in the Virgin Islands, sea turtle nesting areas, large and healthy fringe coral reefs, and Great Pond Bay, a lagoon that is a mecca for several species of birds.

A Special Resource Study of the site was authorized by Public Law 109-317 in 2006. The National Park Service has completed the work associated with the study, though the report has yet to be finalized. The NPS has found that the site meets all applicable criteria for significance, suitability, and feasibility for designation as a NPS unit. There are three other small NPS sites on the island (Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve) which could share resources with the new proposed site.

H.R. 3726 would establish Castle Nugent National Historic Site (NHS) as a new unit of the National Park System, containing approximately 2,900 acres of land on the island of St. Croix, USVI. Land acquisition through donation, exchange, or purchase of private lands with appropriated funds would be authorized. The bill requires the NPS to share resources with other NPS units on the island in its management of the new park, and allow the University of the Virgin Islands to continue breeding historic Senepol cattle at the site.

Representative Christensen and a representative from the Department of the Interior are expected to testify.

Staff Contact: Jim Ireland (x67736)

Subcommittee on National Parks, Forests & Public Lands

1324 Longworth House Office Building

November 17, 2009

2:00 p.m.

Agenda

Legislative hearing on:

- **H.R. 2889** (DeFazio), To modify the boundary of the Oregon Caves National Monument, and for other purposes. (*Oregon Caves National Monument Boundary Adjustment Act of 2009*)
- **H.R. 3339** (Heinrich), To reauthorize the Federal Land Transaction Facilitation Act, and for other purposes. (*FLTFA Reauthorization Act of 2009*)
- **H.R. 3444** (Farr), To establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes. (*Pinnacles National Park Act*)
- **H.R. 3538** (Simpson), To authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes. (*Idaho Wilderness Water Resources Protection Act*)
- **H.R. 3726** (Christensen), To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes. (*Castle Nugent National Historic Site Establishment Act of 2009*)

Witnesses

Panel 1

Representative Sam Farr (CA-17) (*H.R. 3444*)

Representative Michael K. Simpson (ID-02) (*H.R. 3538*)

Panel 2

Bob Abbey (*H.R. 3339*)

Director

Bureau of Land Management

Steven P. Whitesell (*H.R. 2889, H.R. 3444, H.R. 3726*)

Associate Director

Park Planning, Facilities, and Lands

National Park Service

Lenise Lago (*H.R. 2889 & H.R. 3538*)

Deputy Regional Forester

Pacific Northwest Region

Forest Service

Robin M Nazzaro (*H.R. 3339*)

Director

Natural Resources and Environment

United States Government Accountability Office

Panel 3

Kent Salazar (*H.R. 3339*)
Regional Director
National Wildlife Federation

Olasee Davis (*H.R. 3726*)
Extension Assistant Professor/Extension Specialist Natural Resources
University of the Virgin Islands

Robert Schumacher (*H.R. 2889*)
Executive Director
Illinois Valley Community Development Organization

STATEMENT OF STEVE WHITESELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS OF THE HOUSE NATURAL RESOURCES COMMITTEE CONCERNING H.R. 3726, A BILL TO ESTABLISH THE CASTLE NUGENT NATIONAL HISTORIC SITE, AND FOR OTHER PURPOSES

NOVEMBER 17, 2009

Mr. Chairman, members of the subcommittee, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on H.R. 3726, a bill to establish the Castle Nugent National Historic Site, and for other purposes.

H.R. 3726 would establish as a unit of the National Park System the Castle Nugent National Historic Site, a historic agricultural site on the island of St. Croix in the U.S. Virgin Islands. The Department could support H.R. 3726, with technical amendments. However, we would ask that the committee defer action on this legislation until the special resource study is completed, which is consistent with the Department's general policy on legislation establishing a new unit of the National Park System when a study is pending.

The proposed Castle Nugent National Historic Site is located along the arid southeastern shore of St. Croix, about three miles south of the island's principal town of Christiansted. The site would consist of approximately 11,500 acres, of which three quarters are submerged lands. The non-submerged lands would consist of approximately 2,900 acres. The terrain is mostly rolling and hilly with a mixture of dry forest, native vegetation, and rangeland that offers picturesque views to the Caribbean Sea and to distant parts of the island. A shoreline of cobble beaches and small crescent bays extends for approximately 4.5 miles. The marine areas included in the site would extend directly from the shore out to the three-mile territorial limit.

The National Park Service was directed to conduct a special resource study of the Castle Nugent site by Public Law 109-317. The study began in 2007 and is nearing completion. The NPS draft study has found that the site meets the NPS's criteria for addition to the National Park System, and that the proposal to designate it as part of the National Park System enjoys strong local support.

The Castle Nugent site represents a nationally significant cultural landscape that provides a glimpse into the historic development of St. Croix in the 18th and 19th centuries when cotton plantations dotted the south shore of the island. The site conveys a strong stepping-back-in-time quality to a period when cotton was an important export crop for the economic and social development of the new Danish colony. Although relatively brief, the era of cotton plantation agriculture on St. Croix, which depended on slave labor, was critical to the establishment of the Danish colonial system in the Caribbean. Many of the south shore plantations that produced cotton as their primary crop did not transition to

the production of sugar cane as most other Virgin Islands estates did. In subsequent years, the lands continued to be used for agricultural purposes, including the raising of cattle that continues today. Largely because of this continuum, the agrarian landscape at Castle Nugent remains well intact from early colonial days. The fields, structures, ruins, and archeological resources provide an outstanding laboratory to study and interpret firsthand the cotton era on St. Croix, including the lifestyle of cotton plantation owners and their workers, both enslaved and free.

The centerpiece of the site is the historic Castle Nugent estate, which is an excellent example of an eighteenth century Danish cotton estate and the most intact plantation within the proposed boundary. This complex includes a large estate house dating to the 1730's, a rare cotton house that is believed to be the last of its kind standing on St. Croix, and the remains of two slave row houses, among other historic buildings. Cultural resources discovered on the grounds include pottery shards and other artifacts left over from either slave shanties or Arawak Indian campsites.

Enactment of H.R. 3726 would provide the opportunity to preserve and protect this outstanding Caribbean cultural landscape and interpret the cotton era and related agricultural themes that have been instrumental in the development of St. Croix and the Virgin Islands. It would also help protect five pre-Columbian archeological sites, two of which are among the oldest sites on St. Croix.

The Castle Nugent site also contains abundant natural resources which would be protected by establishing the proposed national historic site. The eastern end is dominated by Great Pond, which is the second largest salt pond in the U.S. Virgin Islands and the most important wetland on the island of St. Croix. Great Pond and its adjacent bay provide critical habitat for both resident and migratory birds, reef fish and sea turtles. The pond is also rimmed by extensive black mangrove stands, which are under increasing threat in the U.S. Virgin Islands.

One of the largest and healthiest fringing coral reef systems in the region lies just a few hundred feet offshore. The St. Croix coral reef system is one of the best developed systems in the Caribbean and the most extensive one on the Puerto Rican-Virgin Islands shelf. The offshore fringing reef at Castle Nugent is part of the southeastern St. Croix reef system that extends from Great Pond Bay eastward to the fringing reefs enveloping Point Udall on the easternmost side of the island. This system is part of a 4,000-5,000-year-old, 23-mile-long bank-barrier reef that rings virtually the entire east end of St. Croix. Inclusion of a large section of this reef within the boundary of the national historic site would provide additional protections to this fragile resource, which is under the jurisdiction of the government of the U.S. Virgin Islands. The NPS would look forward to sharing expertise and working cooperatively with the U.S. Virgin Islands in order to continue to provide a high level of protection to the reef system.

The Castle Nugent site has a longstanding association with cattle ranching. Under an agreement between the property owners and the University of the Virgin Islands, large sections of the site are still used to raise and breed Senepol cattle, a special hybrid breed

that was developed on St. Croix in the early 20th century to withstand its tropical climate. H.R. 3726 would allow for the continuation of Senepol cattle breeding through a provision allowing the lease of lands for the university's cattle operation. The NPS believes that this continued use would contribute to the cultural landscape of the proposed national historic site.

Public sentiment has been overwhelmingly in support of creating a national park unit at Castle Nugent. As part of the special resource study, the NPS conducted public meetings to present management alternatives in June, 2009. The NPS received over 300 comments in favor of establishing a national park unit and only one comment in opposition. A recurring point made in comments was the outstanding opportunity the Castle Nugent site offers to preserve an important remnant of the island's agricultural heritage. Other comments emphasized the site's unobstructed vistas from the hills to the sea as increasingly rare on St. Croix, the many potential low-impact recreational opportunities, the need to continue the breeding of the Senepol cattle, and the importance of protecting the wide variety of habitats and species at Great Pond and at the undeveloped south shore and the offshore reef.

We estimate that the cost to acquire the 2,900 acres of land at Castle Nugent, which are in private ownership, would be \$40 to \$50 million. Over half of this acreage is owned by a single family whose members have been enthusiastic supporters for preservation of the site. The estimated cost for annual operations and maintenance would be approximately \$750,000; the NPS would benefit from administrative efficiencies due to the presence of a NPS operation at nearby Christiansted National Historic Site. Development needs and their costs have not yet been determined. The site's needs for resource protection, visitor services, and other operational needs would be determined through a general management plan, which would cost an estimated \$600,000 to \$700,000. All funds would be subject to NPS priorities and the availability of appropriations.

We recommend two technical amendments to H.R. 3726:

- On page 2, line 14, strike "consists" and insert "shall consist".
- On page 2, lines 19-20, strike "titled ' _____ ', numbered _____ , and dated _____" and insert "titled 'Castle Nugent National Historic Site, Proposed Boundary Map', numbered T22/100,447, and dated October 2009".

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or any members of the Subcommittee may have.

Additional Potential Questions

H.R. 3726, Castle Nugent NHS

Question: The testimony talks about the owners of over half the acreage being enthusiastic supporters of the proposed park. What about the other landowners?

There are two other relatively large landowners – one with about 400 acres, one with about 300 acres. There are also a number of small landowners. I do not know at this time about their willingness to sell.

Question: What makes the Castle Nugent site nationally significant?

Our planners have determined that this site meets the test of national significance because of:

- 1) The quality of the resources;**
- 2) Its value in interpreting different aspects of our history;**
- 3) Its potential for recreational use and scientific study;**
- 4) Its high degree of integrity – the fact that it is relatively unspoiled.**

This is a very rare example of a particular type of cultural landscape that provides a superb opportunity to interpret 300 years of agricultural history on St. Croix.

H.R. 3726, Castle Nugent NHS Establishment

Potential Questions

This is the first time I know of that the Department/NPS has supported legislation establishing a new unit of the National Park System before the study for it has been completed. Is this going to be the start of a new policy, that you support new units whether you have a study done or not?

It has been the longstanding policy of the National Park Service to determine if a new area meets our criteria before we make a recommendation about including an area in the National Park System. In general, we support waiting for the study to be completed, but in this case, the study is substantially done. We have found that it is such an exceptional resource that so clearly meets the criteria for new-unit status, that we believe it merits an exemption from the general rule.

When will the study be done?

The study is being finalized in the Southeast Region's planning office. It still needs to go through NPS, Departmental, and OMB review.

H.R. 3726 does not include "willing seller" language. Would NPS support an amendment limiting acquisition to properties with willing sellers?

Yes. It is generally the policy of NPS to acquire from willing sellers and we would support including that requirement in this bill.

Are all of the landowners in the proposed boundary willing sellers?

I understand that the primary owners – the Gasperi family – are willing sellers. They own about 1,750 acres of the land within the proposed boundary. I do not know about the other owners.

Why are the submerged lands under the jurisdiction of the Territorial Government included in the boundary if there is no intention of the NPS acquiring the submerged lands?

Extending the boundary offshore would focus attention on importance of protecting the reef and associated marine resources by giving these resources the status of being part of the National Park System. It would help reinforce and facilitate the collaboration and partnering of NPS and the Territorial Government on methods of protection this sensitive area.

Background on H.R. 3726, Castle Nugent National Historic Site Establishment Act of 2009

Del. Donna Christensen (D-VI) introduced H.R. 3726 on October 6. This is the first time this legislation has been introduced. Preserving the Castle Nugent area has been a longstanding interest of Del. Christensen's; she sponsored the legislation authorizing the special resource study of the area that was enacted in 2006 and has wanted regular updates on the study's progress.

The special resource study for the site is drafted except for the NEPA statement, which will explain why it is a categorical exclusion. the next few months. H.R. 3726 is consistent with what will be the study's recommended alternative (alternative B). H.R. 3726 was drafted by NPS at Ms. Christensen's request, so it contains all the provisions that we believe are appropriate and consistent with the study, including authority to lease land for Senepol cattle breeding.

In the past, testimony on legislation authorizing new designations for areas that are still in the study process has typically had a "request the committee to defer action until the study is completed" position. In this case, because the study is so far along, and because it has found that the site so clearly meets the criteria for a new unit of the National Park System, there are compelling reasons to have a "support" position.

Land ownership at Castle Nugent

[All numbers are approximate.]

All of the 2,900 acres of land included in the proposed boundary are privately owned. NPS would seek to acquire all of the land that is available from willing sellers.

All of the 11,500 acres of submerged lands are owned by the Territorial Government of the Virgin Islands. NPS would not seek to acquire the submerged lands, but would accept them if offered by the Territorial Government. NPS would seek to work with the Territorial Government to continue to provide a high level of protection to the reef system.

Of the 2,900 acres of land proposed for inclusion, ownership is as follows:

- Primary and longtime land owner, Gasperi family, owns 1,7~~50~~0 acres. Of that amount, 1,400 acres are under option to Warren Mosler, a financier/land speculator.
- Warren Mosler owns 400 acres which he bought from the Gasperis a few years ago. He has put up for sale his 400 and the 1,400 he has an option on for \$128 million, which no one is taking seriously.
- Paul Goldman of Goldman Gaming Co. bought ~~300~~ 400 acres in the Great Pond area from the Gasperis about 10 years ago (or a predecessor bought it at that time). He is trying to build a casino/golf resort using \$32 million in economic development funds from the V.I. government. There are lots of obstacles, including opposition from environmental groups.
- Bob White owns under 100 acres in the Lowry's Hill area.
- All other parcels are small privately owned properties.

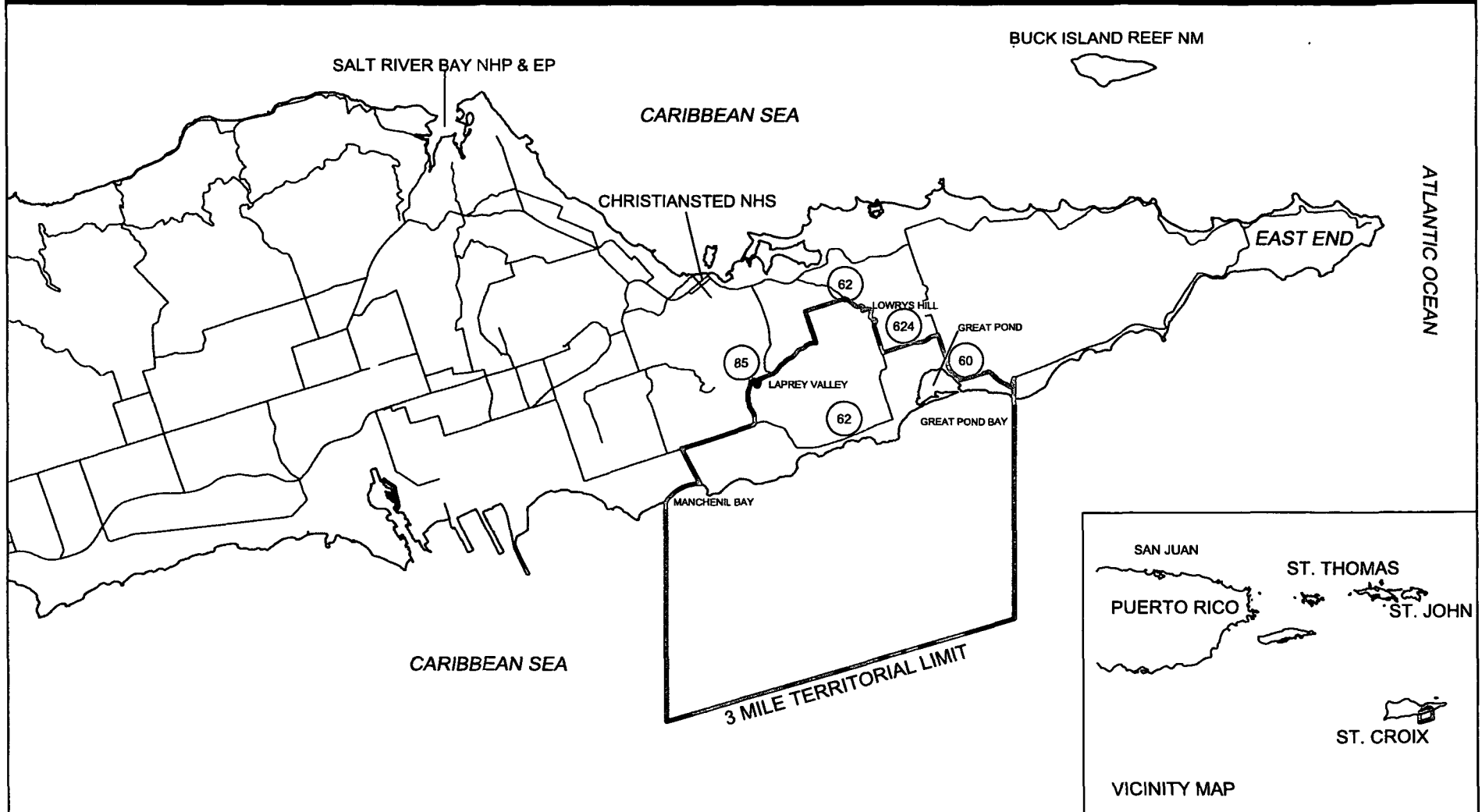
The economy has resulted in a "real estate meltdown" according to Joel Tutein, Superintendent of St. Croix parks.

NPS Planning has estimated land costs at an average of \$15,000/acre, but land values could change dramatically one way or another.

Mosler paid the Gasperis \$11,000 an acre a few years ago.

Castle Nugent National Historic Site

National Park Service
U. S. Department of the Interior



- CASTLE NUGENT NATIONAL HISTORIC SITE
- SHORELINE
- ROADS



LAND RESOURCES PROGRAM CENTER

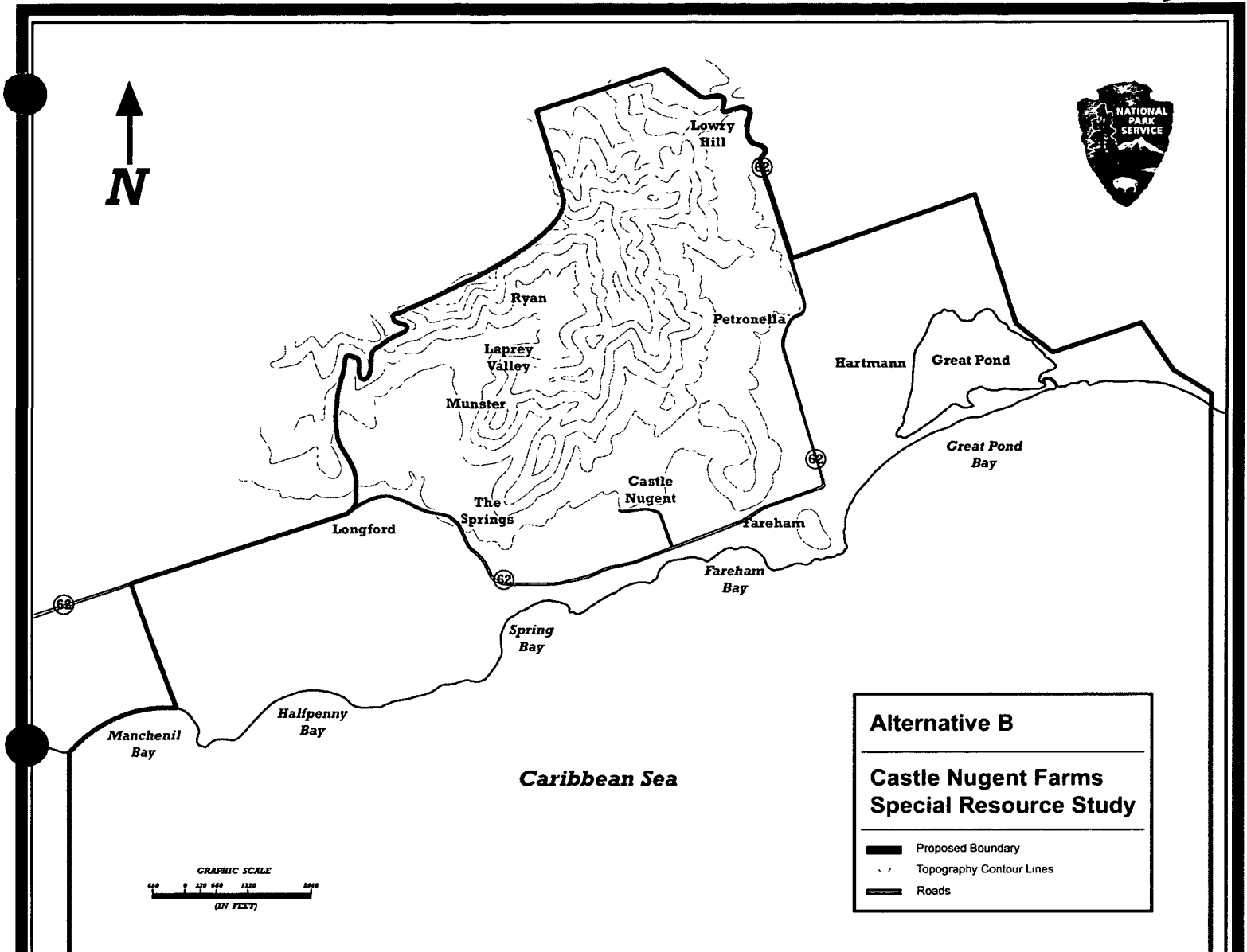
SOUTHEAST REGION

PROPOSED BOUNDARY MAP

DRAWING NO. T22/100,447

DATE DRAWN: OCTOBER 2009

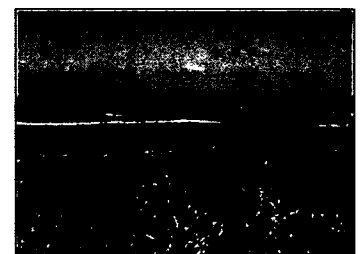
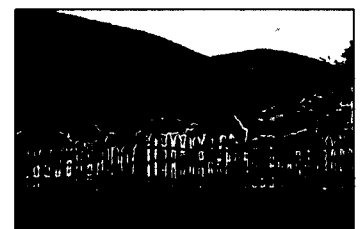
Alternative on which H.R. 3726 is based (except name of site)



Alternative B - Castle Nugent National Historical Park

(Support provided from Christiansted NHS)

- Expansive 2,900-acre area
- Extending from--
Lowry Hill and Laprey Valley to Caribbean Sea (ridge to reef)
Manchenil Bay to Salt Pond Bay
- Administrative and operational support provided from Christiansted National Historic Site
- Wide range of resource protection, interpretive and recreational opportunities
- High potential for further archeological study
- Preservation and protection of large watershed and extensive barrier reef systems
- Diversity of open space
- Wide variety of potential partnerships
- High potential for park volunteer program
- Visitor contact station
- Public parking



1 Introduction

Purpose for Conducting a Study

In the National Park System General Authorities Act of 1970, Congress declared that areas comprising the National Park System are cumulative expressions of a single national heritage. Potential additions to the National Park System should therefore contribute in their own special way to a system that fully represents the broad spectrum of natural and cultural resources that characterize the nation.

New areas are typically added to the National Park System by an Act of Congress. However, before Congress decides to create a new park or add land to an existing park, it needs to know whether the area's resources meet established criteria for designation. The National Park Service (NPS) is often tasked by Congress to evaluate potential new areas for compliance with these criteria and document its findings in a Special Resource Study (SRS).

Need for Conducting a Study

On October 11, 2006, Public Law 109-317 was enacted directing the Secretary of the Interior to conduct an SRS for an area known as Castle Nugent Farms, located on the island of St. Croix in the U.S. Virgin Islands. The legislation directs the Secretary to determine 1) if the resources present at Castle Nugent Farms are nationally significant, 2) if the site would be a suitable and feasible addition to the National Park System, 3) whether direct NPS management or alternative protection by other public agencies or the private sector is appropriate for the site, and 4) what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment of the site.

This study report summarizes a long process of research, outreach, and evaluation by a professional study team assembled for this purpose. It is written to provide the Secretary of the Interior and Congress with information on the sites and resources at Castle Nugent Farms, and contains alternatives for the management, administration, and protection of those sites and resources, as well as evaluation of their appropriateness for becoming a unit of the national park system. Cost estimates for land protection, development, maintenance, and operations are also included.

The process for determining national significance of proposed lands and their inclusion into the National Park System is open and transparent. The NPS determines if proposed lands meet significance criteria through a systematic process of elimination developed specifically for each potential new unit. Staff

1 Introduction

Purpose for Conducting a Study

In the National Park System General Authorities Act of 1970, Congress declared that areas comprising the National Park System are cumulative expressions of a single national heritage. Potential additions to the National Park System should therefore contribute in their own special way to a system that fully represents the broad spectrum of natural and cultural resources that characterize the nation.

New areas are typically added to the National Park System by an Act of Congress. However, before Congress decides to create a new park or add land to an existing park, it needs to know whether the area's resources meet established criteria for designation. The National Park Service (NPS) is often tasked by Congress to evaluate potential new areas for compliance with these criteria and document its findings in a Special Resource Study (SRS).

Need for Conducting a Study

On October 11, 2006, Public Law 109-317 was enacted directing the Secretary of the Interior to conduct an SRS for an area known as Castle Nugent Farms, located on the island of St. Croix in the U.S. Virgin Islands. The legislation directs the Secretary to determine 1) if the resources present at Castle Nugent Farms are nationally significant, 2) if the site would be a suitable and feasible addition to the National Park System, 3) whether direct NPS management or alternative protection by other public agencies or the private sector is appropriate for the site, and 4) what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment of the site.

This study report summarizes a long process of research, outreach, and evaluation by a professional study team assembled for this purpose. It is written to provide the Secretary of the Interior and Congress with information on the sites and resources at Castle Nugent Farms, and contains alternatives for the management, administration, and protection of those sites and resources, as well as evaluation of their appropriateness for becoming a unit of the national park system. Cost estimates for land protection, development, maintenance, and operations are also included.

The process for determining national significance of proposed lands and their inclusion into the National Park System is open and transparent. The NPS determines if proposed lands meet significance criteria through a systematic process of elimination developed specifically for each potential new unit. Staff

from the NPS Southeast Regional Office's Planning and Compliance Division, Christiansted National Historic Site, and the Southeast Archeological Center comprised the team that took the lead in the development of this SRS. The planning team included a cross-section of local and regional experts in natural and cultural resources management, administration, interpretation, and planning who are well-qualified to evaluate the study area in accordance with established NPS criteria.

In June 2007, the NPS began the study process by holding community and stakeholder meetings to gather advice and feedback on desired outcomes of the study. A second round of public meetings was held in June 2009 to present the latest findings of the study and to present preliminary alternatives for NPS management of the area's resources. These meetings and other outreach efforts assisted the NPS in understanding more about the public's perspective on the potential of preserving and protecting the resources of the Castle Nugent Farms area and further refining the management alternatives.

Background

The Castle Nugent Farms study area is located along the arid southeastern shore of St. Croix, about three miles south of the island's principal town of Christiansted. The study area consists of approximately 11,500 acres, of which three quarters are submerged lands. The non-submerged lands consist of approximately 2,900 acres. The terrain is mostly rolling and hilly with a mixture of dry forest, native vegetation, and rangeland that offers picturesque views to the Caribbean Sea and to distant parts of the island. A shoreline of cobble beaches and small crescent bays extends for approximately 4.5 miles. The marine areas extend directly from the shore out to the three-mile territorial limit. Convenient access is provided by a paved two-lane road that traverses the area.

The NPS has determined that the Castle Nugent Farms study area represents a nationally significant cultural landscape that provides a glimpse into the historic development of the island in the eighteenth and nineteenth centuries when cotton plantations dotted the land on the south shore of St. Croix. The NPS has also determined that the establishment of a national park unit at Castle Nugent Farms area would be both a suitable and feasible addition to the National Park System, and that NPS management of the resources there is needed.

An NPS park unit would provide the opportunity to preserve and protect an outstanding Caribbean cultural landscape and interpret the cotton era and related agricultural themes that have been instrumental in the development of St. Croix and the Virgin Islands. Such landscapes continue to vanish throughout the Virgin Islands due to a host of factors, including a changing economy, increasing development pressures and other modern encroachment.

The setting at Castle Nugent Farms conveys a strong stepping-back-in-time quality to a period when cotton was an important export crop for the economic and social development of the new Danish colony. Although relatively brief, the era of cotton plantation agriculture on St. Croix was critical to the establishment of the Danish colonial system in the Caribbean. Many of the south shore plantations produced cotton as their primary crop and did not transition to the production of sugar cane as most other Virgin Islands estates did. Subsequent years saw the lands continue to be used for agricultural purposes, including the rearing of cattle that continues today. Largely because of this continuum the agrarian landscape at Castle Nugent remains well intact from the earliest days of colonial exploitation.

The NPS study team believes the resources of the Castle Nugent Farms study area reflect the cotton era better than any other collection of estates under public ownership within the U.S. Virgin Islands. The fields, structures, ruins, and archeological resources provide an outstanding laboratory to study and interpret firsthand the cotton era on St. Croix. The centerpiece of the area is the historic Castle Nugent estate, which is an excellent example of an eighteenth century Danish cotton estate and the most intact plantation within the proposed boundary. This complex includes a large estate house dating to the 1730's, a rare cotton house that is believed to be the last of its kind standing on St. Croix, and the remains of two slave row houses, among other historic buildings. The study area also includes five pre-Columbian archeological sites, two of which are among the oldest sites on St. Croix.

The Castle Nugent Farms study area also contains abundant natural resources. The eastern end is dominated by Great Pond, which is the second largest salt pond in the U.S. Virgin Islands and the most important wetland on the island of St. Croix. Great Pond and its adjacent bay provide critical habitat for both resident and migratory birds, reef fish and sea turtles. The pond is also rimmed by extensive black mangrove stands, which are under increasing threat in the U.S. Virgin Islands. One of the largest and healthiest fringing coral reef systems in the region lies just a few hundred feet offshore. The St. Croix coral reef system is one of the best developed systems in the Caribbean and the most extensive coral reef system on the Puerto Rican-Virgin Islands shelf.

The offshore fringing reef within the study area is part of the southeastern St. Croix reef system that extends from Great Pond Bay eastward to the fringing reefs enveloping Point Udall on the easternmost side of the island. This system is part of a 4000-5000 year old, 23-mile long bank-barrier reef that rings virtually the entire east end of St. Croix. Inclusion of a large section of this reef within the boundary of a park unit would provide additional protections to this fragile resource, which is currently under the jurisdiction of the Government of the U.S. Virgin Islands.

The Castle Nugent Farms study area has a long-standing association with cattle grazing and breeding. Under an agreement between the property owners and the University of the Virgin Islands large sections are still used to raise and breed Senepol cattle, which is a special hybrid breed that was developed on St. Croix in the early twentieth century to withstand its tropical climate. For over 50 years the Castle Nugent Farms cattle ranch has been a fixture of St. Croix's economy and is one of the oldest ranches in the West Indies.

Management Alternatives

Public sentiment is overwhelmingly in support of establishing a national park unit at Castle Nugent Farms. During the public comment period on the draft alternatives, the NPS received over 300 comments from the public in favor of congressional authorization and only one dissenting comment. A recurring point made by the public was the outstanding opportunity the Castle Nugent site offers to preserve an important remnant of the island's agricultural heritage. Other notable comments emphasized the site's unobstructed vistas from the hills to the sea as increasingly rare on St. Croix, the many potential low impact recreational opportunities, the need to continue the breeding of the Senepol cattle, and the importance of protecting the wide variety of habitats and species at Great Pond, the undeveloped south shore and the offshore reef.

This report explores two concepts for the future protection, interpretation, and management of resources associated with the Castle Nugent Farms study area, as well as a no action alternative. The action alternatives, which are summarized below and described in detail in Chapter 4, present viable options for the long-term preservation, protection and interpretation of the nationally significant resources that are identified in this study.

Alternative A: No Action. No action would be taken by the NPS or any other public entity to acquire the Castle Nugent Farms property and/or adjacent property.

Alternative B: Castle Nugent National Historic Site, 11,500 acres total, with a land area approximating 2,900 acres and marine area approximating 8,600 acres.

Alternative C: Castle Nugent National Historic Site, with a land area only approximating 1,750 acres.

Most Effective and Efficient Alternative

Pursuant to Public Law 105-391, known as the National Parks Omnibus Management Act of 1998, the study also identifies the most effective and efficient alternative for protecting significant resources and providing for public

enjoyment. Selection of the most effective and efficient alternative, as well as other recommendations contained in this study, do not guarantee future funding, support, or any subsequent action by Congress, the Department of the Interior, or the NPS.

The NPS has determined that Alternative B would be the most effective and efficient alternative. Alternative B proposes the most comprehensive approach to managing the natural and cultural resources of the study area. Alternative B has the most acreage of all the alternatives, and would thus provide the potential for the widest range of resource protection measures, visitor access, interpretive programs and recreational opportunities.

Under Alternative B, the land area of the park would be expansive, encompassing the approximately 2,900 acres and associated resources that correspond to the study area. Although vast marine areas are also included within the proposed boundary of this alternative, the NPS proposes that such areas remain under U.S. Virgin Islands jurisdiction. The inclusion of these areas within the boundary would facilitate collaboration and partnering between the Government of the Virgin Islands and the NPS towards the protection of resources within this important and resource sensitive area on the south shore of St. Croix. Efficient administration of Alternative B could be enhanced by sharing operational resources with Christiansted National Historic Site, an existing NPS unit on St. Croix. See Chapter 4 for further information.

Environmentally Preferred Alternative(delete if CE?)

NPS Policy (§4.4 NPS DO-12) requires that each SRS identify an environmentally preferred alternative (§2.7D NPS DO-12). The environmentally preferred alternative is determined by applying criteria set forth in the National Environmental Policy Act (NEPA), as guided by direction from the Council on Environmental Quality (CEQ). The CEQ has stated that the environmentally preferred alternative is the alternative that will promote the national environmental policy as expressed in NEPA, Section 101. This includes alternatives that:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding Generations
- Assure for all generations safe, healthful, productive, and esthetically and culturally pleasing surroundings
- Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences

- Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice
- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources

2 Description of the Study Area

Overview of the Castle Nugent Farms Study Area

Encompassing an impressive expanse of land and water, the Castle Nugent Farms study area is located along the arid southeastern shore of St. Croix (figure X), about three miles southeast of the island's principal town of Christiansted. The study area consists of approximately 2,900 terrestrial acres that front the Caribbean Sea and 8,600 marine acres that extend directly offshore for a total distance of three miles. The terrain is generally hilly and rolling, characterized by a mixture of dry forest, native vegetation, and rangeland that enjoys impressive views to the sea and to distant parts of the island. The land slopes down to the sea from a ridgeline that rises as high as 750 feet. A coastline of cobble beaches and several small crescent bays extends east-west for approximately 4.5 miles. Route 62 (also known as the Southside Road), a paved two-lane road, traverses the study area and also serves as the boundary line on the northeast and western sections.

The 8,600-acre marine portion of the study area overlaps the western end of the St. Croix East End Marine Park, which is a 38,400-acre area that was established in 2003 as the first marine park in the Virgin Islands. The park, which is under the jurisdiction of the Government of the U.S. Virgin Islands, provides protection of submerged lands and coral reefs that extend from just east of Green Cay National Wildlife Refuge on the north shore of St. Croix, around the easternmost tip of the island (known as Point Udall), to the eastern edge of Great Pond. The marine areas of the Castle Nugent Farms study continue from the overlap area to the west to Estate Granard at Halfpenny Bay (see map X).

The study area contains a wide diversity of natural communities and habitats that have experienced relatively low levels of disturbance. Two features of particular note greatly enhance the stature of the study area's natural environment: an area known as Great Pond and a substantial offshore reef system. Great Pond is a fringe, reef-protected lagoon that contains extensive mangrove stands and serves as a haven for several species of birds, including federally listed threatened and endangered species. The reef, which extends from the shoreline to only a few hundred feet offshore within U.S. Virgin Islands territorial waters, is one of the largest and healthiest fringing coral reef systems in the Virgin Islands.

The 2,900 land acres within the study area have strong historical associations to St. Croix' past and contain various remnants of plantations that were smaller cotton, sugar, indigo and cattle plantations at points in the past. The lands are referred to mostly by the names of the original Danish plantations--also known as estates--that were established there. These estates include Castle Nugent (the

smaller plantation that carries the same name as this study), Laprey Valley, Longford, The Springs, Petronella, Hartmann (also known as Great Pond), Lowrys Hill, Fareham, and Munster. Due to their historical significance, these properties are referenced on numerous occasions throughout this document.

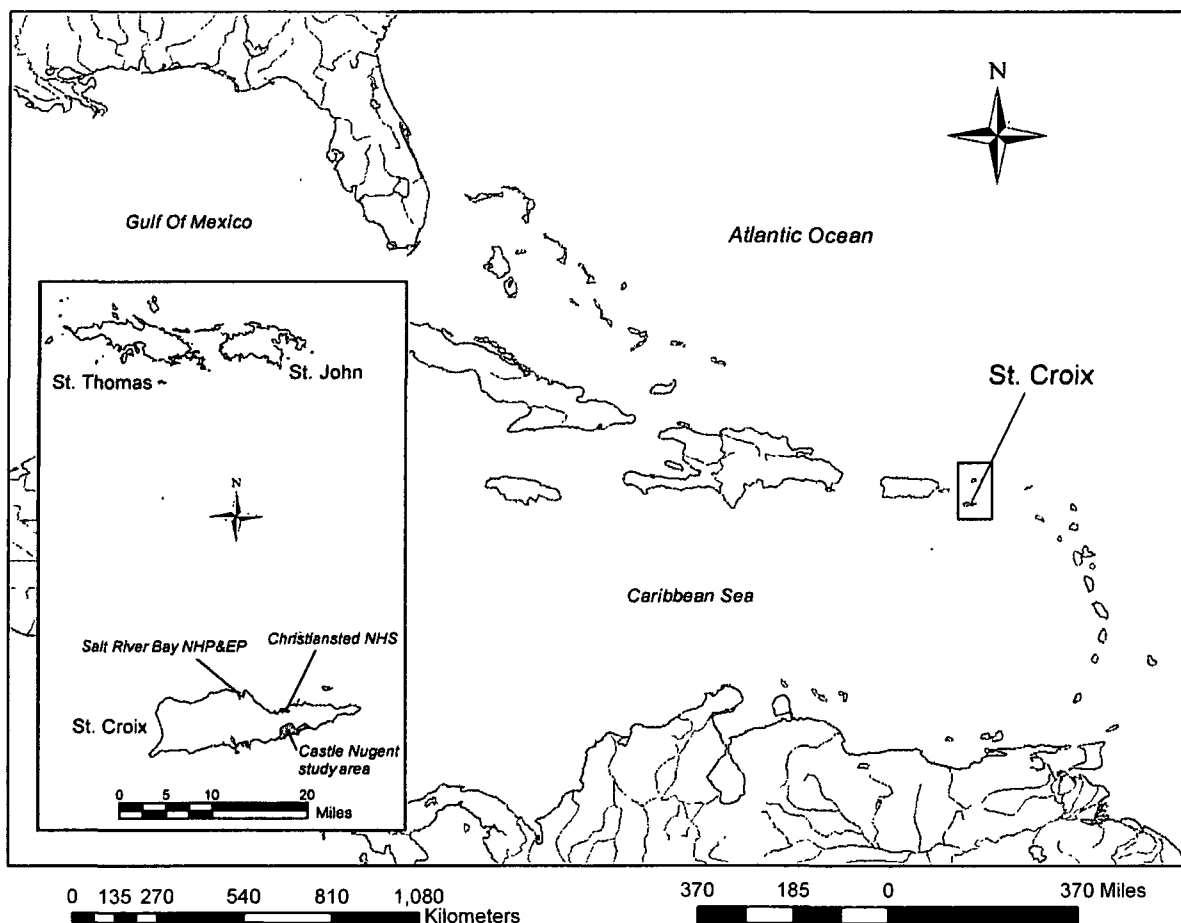
The property known today as Castle Nugent Farms is the core of the study area. This property encompasses approximately 1,750-acres of the entire 2,900-acre land area. The estates formerly known as Laprey Valley, The Springs, and Munster were included within the original Castle Nugent holdings in the late eighteenth and nineteenth centuries. The estates Fareham, Petronella, and Longford were added when Castle Nugent was purchased by Howard and Mary Wall in 1951. As director of the Cruzan Rum Factory, Wall played an important role in reorganizing the St. Croix sugar and rum business in the 1930s and 1940s. In purchasing the Castle Nugent property, Wall sought to use this area of the south shore as a secondary cattle ranch. At this time, the breeding of cattle was a burgeoning staple on St. Croix and the open agricultural lands were ideally-suited to developing and breeding large herds.

At the time of the Wall purchase the physical character of the historic Castle Nugent plantation complex was in a state of decline, having been largely neglected during the previous few decades. Consequently, the Wall family started rehabilitating various buildings beginning in the early 1950s. In 1974, the Castle Nugent property was passed on to the Wall's daughter, Caroline Gasperi. By this time the Walls had acquired much of the south shore area, including the estates at Cane Garden and Longford. Their total holdings amounted to roughly 2,400 acres, which was nearly the same acreage and configuration of the lands that are the focus of this special resource study.

In sum, the Castle Nugent Farms study area contains relatively unspoiled and increasingly rare remnants from a cultural and natural landscape that was once widespread but is now quickly vanishing from the Virgin Islands and the Caribbean. The pastoral, undeveloped, and vast spatial appearance of the area conveys an impressive "stepping-back-in-time" quality that greatly lends itself to better understanding the character and function of the layers of history located here. Although in different states of repair, the historic estates contain a rich variety of historic and prehistoric resources that include artifacts from pre-Columbian settlements and extant structural remains from several of the Danish-era plantations. The study area also has an important long-standing association with cattle grazing and breeding. Today, large sections are still used to raise and breed Senepol cattle. For over 50 years the Castle Nugent Farms cattle ranch has been a fixture of St. Croix's economy and is one of the oldest ranches in the West Indies.

Overview of St. Croix

St. Croix is located roughly 40 miles south of St. Thomas and St. John and about 60 miles east-southeast of Puerto Rico. It is separated from Puerto Rico and the northern U.S. Virgin Islands by the 4,500-meter deep Virgin Islands Basin (figure X). The island is the largest of the Virgin Islands, measuring nearly 22 miles long and about six miles wide, covering approximately 84 square miles. It is the topographic high of a single landmass, and sits on the southern edge of the Greater Antillean Ridge. For this reason, it is geologically more similar to the islands of the Greater Antilles (Puerto Rico, Hispaniola, and Cuba) than the Lesser Antilles.



Map illustrating location of St. Croix and Castle Nugent Farms study area.

St. Croix differs in many ways from St. Thomas and St. John. The northern Virgin Islands are dominated by volcanic mountains with very steep slopes and rubble-filled guts; coastal plains are virtually absent. St. Croix, on the other hand, is comprised of two main physiographic regions consisting of two mountain ranges on the northern side of the island (one on the east and one on the northwest ends

of the island) separated by a large central valley, and a broad gently rolling coastal plain on the south. During the Cretaceous to the Tertiary periods, the central valley separating the two mountain ranges was actually a basin structure that separated two distinct islands. As lands were uplifted and sediments deposited on the floor, eroded alluvium gradually filled the basin, becoming first a lagoon surrounded by a coral reef then an alluvial fan-covered valley. Over time these wide fans have continued to bury the marine sediments from Christiansted (located on the north-central coast) toward the southwest, while recent marine terraces have been exposed in coastal areas and in the south-central and southwestern regions of the island. The mountains have been cut by streams or water flowing down guts, resulting in steep slopes and valleys.

St. Croix has a dry, subtropical climate. There are two primary seasons — wet and dry — that are further divided into short and long wet and dry periods. The long dry season is typically between January and March or April, and a second, shorter dry season is typically in June and July. Throughout the Greater Antilles, the northern halves of the islands (windward side) are usually much wetter than the southern, leeward sides. The mountainous and steep slope areas are exposed to consistently warm temperatures and seasonal cycles of wet winters and dry summers, resulting in the development of soils that can vary greatly in type within a short distance.

Historical Background of St. Croix

Before Europeans came to the Americas, the Antilles were inhabited by Amerindian societies, early explorers and settlers who were the ancestors of today's South American Arawakan-speaking societies. The first inhabitants of St. Croix were part of a larger migration of many groups of people out from the Middle and Lower Orinoco River Valley (in present day Venezuela) beginning ca. 1000 B.C. These peoples continued to travel up the island chain of the Lesser Antilles, reaching the Virgin Islands and Puerto Rico ca. 500 B.C. As horticulturalists they grew cassava, a variety of fruits, and likely brought cotton with them to make nets and hammocks. They also made finely decorated ceramics, fished and gathered shellfish. On some of the islands they encountered peoples whose ancestors had arrived some 2,000 years prior. Once on the islands, these peoples underwent numerous societal changes, interacted with their neighbors, and maintained contacts with their South American homelands. Over time, they developed into the Taíno chiefdoms that Christopher Columbus would encounter during his voyages to the Americas.

Columbus visited St. Croix on November 14, 1493 during his second voyage, and named the island Santa Cruz ("Holy Cross"). The explorers anchored off a natural bay west of Christiansted, known today as Salt River. A team of 25 men went ashore to obtain fresh water, and encountered a group of women and small

boys. They were told that the island had been taken over by Island-Caribs; a debate remains among scholars concerning who these people actually were. Columbus' crew took these people captive, and while they were returning to their fleet of 17 vessels they encountered a canoe containing four men, two women, and a boy. After a brief skirmish, the Spanish quickly overtook the small group of Amerindians, killing one and taking the rest captive. Thus, the first recorded armed conflict between native Amerindian peoples and Europeans occurred on St. Croix.

Spain made no effort to colonize Santa Cruz, though it did raid the island for slaves. By 1550, the Spanish Crown ordered the extermination of the island's residents; however, in 1587 John White, who stopped at the island during his long voyage from England to the Roanoke colony in Virginia, reported seeing a few people and small villages. No European groups attempted to colonize the island until the 1630s, when several attempts were made by Dutch, French, and English settlers, all of which were quickly stopped by the Governor of Puerto Rico. The island continued to change hands among these European powers until 1650, when France took control. In 1653, King Louis XIV deeded the island to the Knights of Malta, but by 1665 control had been given to the French West India Company. This effort failed, and in 1674 the company's control was dissolved and St. Croix was ruled directly by the French Crown.

Under the control of the French Crown, the island experienced a brief period of economic and agricultural prosperity. By the end of the 1680s, however, illegal trade, war, privateering, and piracy had made the small colony no longer economically feasible. In 1696, the French Crown removed the settlers to its other Caribbean island colonies, leaving behind the settlers' horses, cattle, and sheep, and burning their houses.

On June 13, 1733, King Christian IV purchased the island and gave control to the Danish West India and Guinea Company. Under the leadership of Frederik Moth, the town of Christiansted was established on the ruins of the small French settlement St. Jean. The settlement of St. Croix proceeded quickly. The island's forests, previously burned by French colonists, were once again destroyed in order to create cultivable lands. These lands were then subdivided into oblong squares according to Danish farming traditions; each square measured roughly 2,000 feet (east-northeast to west-southwest) by 3,000 feet (north-northwest to south-southeast), for a total of 150 Danish acres (40,000 square feet to the acre).

By 1743, 264 plantations had been established on the island with roughly half growing cotton and half growing sugarcane. The average size of these plantations was approximately 120 Danish acres. Many of St. Croix's first planters in the Danish regime were from other Caribbean islands — St. Eustatius, Virgin Gorda, and Tortola. Because so much of the cultivable land was devoted to sugarcane or

cotton, most other provisions, like breadstuffs, salt-meat, and even salt-fish had to be imported.

In 1747, the Danish West India and Guinea Company allowed the planters to have self rule and administration. By 1753, these planters had appealed to the Danish Crown to purchase the Company's Caribbean holdings, which occurred in 1754. With the crown directly involved, a long period of growth followed. Between 1760 and 1800, as a result of free-trade policies, St. Croix's population increased dramatically and great profits were realized from the production of sugar, molasses, rum, and cotton.

By 1803, the population of the island was roughly 30,000, with some 26,000 being slaves engaged in planting and processing sugar cane. The island's prosperity began to slow, however, with the cessation of Denmark's participation in the Atlantic slave trade in 1792. St. Croix had played an important role in the triangular trade route that connected Europe, Africa and the Caribbean in an exchange of human cargo, sugar and rum. Around this same time, competing beet sugar prices caused a sharp decline in the profitability of cultivating sugarcane. An increasing number of slave revolts in the first half of the 19th century led to the emancipation of slaves in 1848. Along with a series of hurricanes and droughts hitting the island during this period, St. Croix fell into economic decline.

In 1917, the United States, fearing that Germany might seize the harbor at St. Thomas for use as a submarine base in World War I, bought the Virgin Islands from Denmark for \$25 million. By the late 1930s, in the midst of the Depression, St. Croix's agriculturally based economy was not improving. Economic insecurity continued until the 1950s, when tourism began to emerge as one of the island's leading industries. Tourism continued to fuel the local economy in subsequent years along with petroleum refining, textiles, electronics, rum distilling, pharmaceuticals, agricultural and business and financial services. Hovensa, one of the world's largest petroleum refineries, is located on the south side of the island, a few miles west of the Castle Nugent Farms study area. In 1998, the company became the owner and operator of the former Hess Oil Virgin Islands Corporation, which was established in the 1960's to diversify the economy of the islands.

Today, St. Croix remains one of three main islands, along with St. Thomas and St. John that comprise the U.S. Virgin Islands. St. Croix is the largest of the three islands with an area of approximately 84 square miles. The population of St. Croix was estimated at 50,139 during the 2000 Census. As an unincorporated United States territory, the U.S. Virgin Islands have one non-voting delegate to the U.S. House of Representatives. Residents are U.S. citizens, but have no vote in national elections and generally do not pay taxes to the U.S. Internal Revenue Service.

Cultural Resources of the Study Area

The study team conducted on-site investigations and historical research of resources within and associated with the Castle Nugent Farms study area. Research was done primarily at local repositories, including the St. Croix Landmarks Society and the Virgin Islands State Historic Preservation Office. This work revealed that the study area contains a wide variety of resources dating from multiple periods in the history and prehistory of St. Croix. Although this initial research revealed the study area's high level of significance, there clearly remains the need to conduct additional historical research and archeology beyond the scope and time constraints of this study to further understand the complexity of the resources and stories found at Castle Nugent Farms. Likewise, the assessment below is only intended as a broad overview of the study area's historic and archeological resources, with many gaps and questions remaining to be addressed through future research and investigation.

Historical Estates

There are nine historical estates that comprise the Castle Nugent Farms study area, including the remains of several cotton and sugar cane plantations (figure X). The estates are Castle Nugent, Fareham, Longford, Petronella, Lowrys Hill, Laprey Valley, The Springs, Munster, and Hartmann.

Castle Nugent

The Castle Nugent complex is the most intact example of a plantation complex within the study area, having a historical association with the production of cotton, then sugar, and finally cattle (figure X). The property conveys a strong sense of a plantation that spans from the mid-eighteenth through twentieth centuries. The numerous remaining buildings are relatively modest in scale and design. The core consists of a great house (figure X) and ancillary buildings associated with a mid- to late-eighteenth century cotton estate, including a cotton or gin house (figure X) and two masonry slave row houses, one which was rehabilitated into a residence and the other which lays in ruin (figures X and X). The great house was built ca. 1770 on the foundations of an earlier ca. 1730's house. The gallery of the great house is



Great House, Castle Nugent Estate. NPS

located on the west side, a configuration typical of houses of this era in order to avoid heavy rains that often approach from the east. The house has an unobstructed and commanding 270 degree view of the estate, the cattle pastures, a stone mill ruin at neighboring Fareham Estate, and the Caribbean Sea.

Specific historic buildings and cultural resources associated with Castle Nugent include:

- Masonry great house ca. 1770s, with later rehabilitation.
- Cotton house, ca. 1760-1780, rehabilitated for residential use in the 1950s; this cotton house is one of the only standing cotton houses left on St. Croix, and in the Virgin Islands.
- Masonry chapel that was possibly an earlier utilitarian building, ca. 1780.
- Masonry slave rowhouses, ca. 1780-1810.
- Vaulted cistern, ca. 1750s.
- Archeological remains of other buildings described on estate inventories in 1785, 1794, and 1805 that are no longer standing, including field slave wattle-and-daub houses. In 1785, there were reportedly several wattle-and-daub slave houses, enough for 40 slaves.
- Guesthouse, ca. 1920, is located on the presumed site of an animal-powered crushing mill.
- Fields and pastures that have been in continuous use for either cotton or sugar agriculture or cattle grazing for over 225 years.

Fareham Estate (includes Prospect and Prospect Hill Estates)

Fareham Estate is first described in 1738 in association with Madam Isabella Poul. While sugar cane and other goods were grown in the eighteenth and early nineteenth centuries, by 1857 Fareham is listed as a stock estate. In 1816, there were 61 slaves reported to be on the estate, and by 1847 there were only eight. The estate remained separate from Castle Nugent until 1956, when the Wall family assumed ownership.

Cultural resources associated with Fareham Estate include:

- Standing mill and an unidentified agricultural building constructed of stone and coral block, dating to the mid- to late-18th century.
- Prehistoric archeological village site, dating to ca. 400 – 1200 A.D.

Longford Estate

Longford Estate was established by 1740. The estate was assembled to its present size by 1797, *with lands added in 1918?* Sugar cultivation ended in 1868, but began again in 1903. In 1904, cotton began to be grown on the estate; a cotton factory was built over the next few years. However, cotton cultivation ceased to

be profitable after 1909, and in 1915 the factory closed. A sisal factory was built in 1908, but closed in 1921.

Two of the most respected and distinguished landowners on St. Croix were partners in the ownership of Longford Estate from 1755 through 1797--Robert Tuite and Christopher McEvoy. The Tuite family were Irish Catholics who moved from Montserrat to St. Croix in 1749. Nicolas Tuite is credited with bringing to St. Croix knowledge of large-scale, slave-based sugar agriculture. Christopher McEvoy, who resided at Whim Estate on St. Croix, was regarded as one of the most distinguished planters on the island.

Cultural resources associated with Longford Estate include:

- Nine standing plantation structures, of which seven are intact.
- Standing mill ruins, including a steam tower.
- Prehistoric archeological village site dating to ca. 300 B.C.- A.D. 900.

Petronella Estate

Petronella was first owned by Thom Daniels in 1737. Christopher McEvoy became a partial owner in 1774, and continued to be involved until sometime between 1784 and 1797. In 1854, Petronella was listed under joint ownership with Sally's Fancy, Sight, Lowrys Hill, and Prospect Hill. Through the twentieth century the estate was known for its dairy production (figure X).

Cultural resources associated with Petronella Estate include:

- Standing and intact plantation structures.
- Remains of a slave village consisting of 19-20 houses.

Lowrys Hill Estate

Lowrys Hill Estate is first listed in the historical documentation for St. Croix in 1737. By 1854, it had been incorporated into Petronella Estate.

Cultural resources associated with Lowrys Hill include:

- Ruins of the great house, rehabilitated slave quarters, smokehouse/cook house (partially reconstructed), steam mill ruins, and horse mill ruins.
- Remains of prehistoric archeological sites that are possibly the remains of a village with defensive lookouts.

Laprey Valley Estate (also spelled La Prevalais or Prevallois; includes Ryan Estate)

The Estate at Laprey Valley was first established sometime in the 1730s. In 1774, the estate was purchased by Christopher Nugent, and was incorporated into Castle Nugent sometime thereafter. In 1816, the estate is listed as a 75-acre plot with 36 slaves. An archeological survey would be necessary to identify any buried cultural and archeological resources.

Cultural resources associated with Laprey Valley include:

- Ruins of a plantation complex, including a slave village, wells, and processing structures.

The Springs Estate (also known as Howell Plantage)

The Springs, originally known as Howell Plantage, was first established in 1737. It was not consolidated into any of the neighboring estates until 1851, at which time it became part of Munster Estate. An archeological survey would be necessary to identify any buried cultural and archeological resources.

Cultural resources associated with The Springs include:

- A mill (animal) and other structural archeological ruins.
- Possible archeological remains of a Free Black settlement.

Munster Estate

An estate was established at the location of Munster by William Farrington in 1737. However, the name Munster does not appear until publication of the 1804 Oxholm map (figure X). An inventory conducted in the 1780s listed 12 structures at this estate. In 1851, Munster was combined with The Springs, and was known as Vallade's Stock Farm. There are no known structural or cultural resources existing at Munster Estate. An archeological survey would be necessary to identify any buried cultural and archeological resources.

Hartmann Estate

The first reference to Hartmann Estate is in 1749. According to the 1754 Beck map (updated in 1766), the land was owned by Baron de Breton. On a 1767 map of St. Croix, the tracts that comprise Hartmann Estate are referred to for the first time as Hartmann's Pl. (Plantage), though two of the tracts were not purchased by Isaac Hartman until 1774. One item of interest is the occupation of Tract # 57, listed in 1774 as rented or owned by Thomas Howell, "a free negro." This person was possibly a freed slave from The Springs (also known as Howell's Plantage). An archeological survey would be necessary to identify any buried cultural and archeological resources.

Cultural resources associated with Hartmann include:

- Prehistoric archeological site (small village), dating to ca. A.D. 600 – 1400.
- Possible buried remains of historic structures that are illustrated on late eighteenth and early nineteenth century maps.

Prehistoric Archeological Sites

The estates that comprise the Castle Nugent Farms study area include five archeological sites, two of which are some of the oldest archeological sites on St. Croix, and some of the oldest ceramic-era archeological sites in the Virgin Islands (figure X).

Great Pond

Just east of Great Pond, on St. Croix's south coast, is the Great Pond site, the largest indigenous site on the east end of St. Croix. It is long and narrow, covering roughly 17.5 acres (70,818 square feet), and located near fringing mangroves, low sand ridges, and a barrier coral reef. The site has been visited by several archeologists in the first half of the twentieth century, and has been described as consisting of series of shallow deposit sheet middens, linear shell middens and mounds. It is considered to have been occupied from the Late Saladoid through early Ostionoid-periods (ca. A.D. 300 – 700 and 700 – 900, respectively), based on ceramic attributes. It is not known if Great Pond was one large village, a series of small hamlets, or represents several successive occupations, possibly as a result of seasonal use during the summer dry season (June through July) when sea turtles are nesting. There are no known radiometric dates from the site. The site was listed on the National Register of Historic Places in 1976.

The terrace where the site sits is actively eroding, but has not been subjected to much development. The area is similar in many respects to the location of the Halfpenny and Manchenil sites, and is rich in clays exposed in the nearby gut.

Halfpenny and Manchenil Bay

The Halfpenny and Manchenil sites are a pair of sites located on the south-central shore of the island, on either side of Granard Gut. Together, they encompass nearly 25 acres, and though originally believed to be two separate sites, it is now believed that they indeed represent one large, multicomponent occupation. A salt pond used to be located nearby prior to development efforts in the 1950s.

Halfpenny is generally regarded as the earlier of the two, dating from the Late Saladoid and Early Ostionoid periods (ca. A.D. 500 – 900) to the Late Ostionoid (ca. A.D. 1100 – 1500), and consists of shallow shell middens. The site was visited by archeologists in 1982, and limited excavations were undertaken in 1987.

The neighboring Manchenil site (ca. A.D. 1100 – 1500) most likely forms a site pair with Halfpenny, growing as a result of either increasing populations or a return to the area after a possible brief absence. The Manchenil site has received more archaeological attention than the Halfpenny site, and was excavated by noted archeologist Gary Vescelius in 1951.

Today, the Halfpenny site has been disturbed by residential development while Manchenil remains largely undisturbed except for beach erosion. There are no known radiometric dates from either site.

Longford

The Longford site is one of the most discussed and little studied archaeological sites on the island. Despite it being a type site for the Late Saladoid period on St. Croix, there has been little systematic investigation conducted. Located on the inland coastal plain on the south side of the island, the site encompasses just over six acres and is believed to correspond to the Late Saladoid through Early Ostionoid transitional period (ca. A.D. 600 – 800).

In 1924, the site was visited by archeologist Gudmond Hatt of the Danish National Museum, who collected numerous artifacts. It is not known how many artifacts Hatt collected since an analysis has never been conducted on those materials. Hatt drew a rough sketch of the site and illustrated two horseshoe-shaped middens that faced the ocean. Unfortunately, the middens that once stood at the site were bulldozed in the 1950s, but there is the possibility that the bases of the middens are still largely undisturbed.

Milord Point

The Milord Point site is located on the south side of St. Croix, just west of Great Pond and on the west side of Great Pond Bay. The site was investigated by Gary Vescelius in 1951 during a Yale University/Museum of St. Croix archeological survey, and was described as a large shell midden. Based on ceramic typology the site has been dated to ca. A.D. 500 – 1200, or from the Late Saladoid through Ostionoid periods. There has been some confusion over the years as to the exact location of this site; some archeologists in the early twentieth century identified a large prehistoric village at Petronella. An archeological survey conducted in the vicinity of Estate Petronella produced no prehistoric artifacts. It is currently believed, therefore, that these earlier archeologists were actually referring to the Milord Point site.

This site was visited again in the early 1980s, when several burials were encountered in test excavation pits just uphill from the shoreline site. Pottery and marine shells have been recovered in addition to human remains. It was

estimated to measure roughly 300 m by 250 m in size, but shallow in depth. There are no known radiometric dates for the site, and it is not listed in the National Register of Historic Places.

Hartman

The Hartman site consists of a small shell midden and deposits of prehistoric ceramic sherds covering about 150 square meters. A fragment of a polished, groundstone celt has also been found at the site. The site was first reported in the 1970s, but was not visited by an archeologist until 1982. All of the finds were isolated, and it is likely that the Hartman site was actually a part of the much larger Milord Point site, or part of the Great Pond site. An archeological survey would identify any buried cultural resources.

Cotton Agriculture on St. Croix

Cotton was a vital and integral part of the establishment of plantation agriculture in the Virgin Islands and throughout the Caribbean. According to Historian George F. Tyson in his article *On the Periphery of the Peripheries: The Cotton Plantations of St. Croix, Danish West Indies, 1735-1815*, “between 1750 and 1800, West Indian cotton plantations dominated the Atlantic market place. They produced two-thirds of the raw material consumed by the expanding English textile industry and supplied the bulk of the European imports.” (1996:83)

Cotton was an important export crop and contributed significantly to the economic and social development of the new Danish colony on St. Croix. However, cotton quickly exhausted soil fertility, and the industry as a whole was short-lived in the agricultural history of the West Indies. On St. Croix, cotton plantations existed from 1735 until the first quarter of the nineteenth century, when drought, insect infestation, and soil exhaustion took their toll.

The majority of all cotton growing estates on St. Croix were located in the driest areas of the island – primarily the southeast quadrant. The majority of these estates were established on the rolling coastal plains and small knolls of the leeward side of the island, where they were shielded from north blustery winds by the northside range. Three types of cotton were grown, two of which were likely varieties of *Gossypium barbadense* (also known as Creole or Sea Island cotton), a perennial found throughout the Caribbean (types Great Lock and Year Round). It is believed that *Gossypium barbadense* was first domesticated along the coast or waterways of northwestern South America, along coastal Peru and Ecuador sometime around 5,000 years ago. *Gossypium barbadense* was eventually developed into the familiar Sea Island variety that became the staple of the southeastern United States plantation economy of the 18th and 19th centuries. The third type, Tortola, was a variety of *Gossypium hirsutum var. marie-galante* (also known as upland cotton). *Gossypium hirsutum* likely originated in the

Yucatan peninsula, and the oldest archeobotanical remains have been recovered from the Tehaucan Valley, Mexico, dating to around 4,000 to 5,000 years ago. The range for *Gossypium hirsutum* var. *marie-galante* spans from northern and northeastern South America, including Costa Rica and Panama. Today, cultivars of *Gossypium hirsutum* comprise over 90 percent of the world's annual cotton crop.

Several of the best-documented and best-known Virgin Islands cotton growing estates of the 18th century are located within the Castle Nugent Farms study area. These estates represent only a handful of the original 264 cotton and sugar estates established on the island of St. Croix after 1733, when the Danish West Indies Company first purchased the island from the French crown. The original estates comprised roughly 370 parcels (or tracts) that were divided and subdivided between 1733 and ca. 1770, by which time the majority of estates had been established.

In 1737, there were only 43 cotton estates, but by 1740 this number had risen to 113. By 1750, the 370 tracts had been divided into 231 plantations, 105 of which grew cotton, 95 that grew sugar, and 31 that were primarily provisioning and stock estates. Tyson has documented the significance of cotton agriculture to the early history of the island. As both a relatively inexpensive start-up crop and one well-suited to the drier climate found on the southeast side of St. Croix, Tyson explains the importance of cotton on St. Croix during its heyday:

During the eighteenth century, cotton played a vital role in the slave-based plantation economies of nearly every Caribbean colony. In most places it ranked, at one time or another, second only to sugar as an export crop. In some colonies it was the leading commodity.

Despite their important contributions to local Atlantic market systems, Caribbean cotton estates have received scant attention from Caribbean scholarship, which has been preoccupied with the predominant sugar plantations and the social relations they engendered (1996:83).

Between 1750 and 1767, 33 cotton estates on St. Croix converted to sugar agriculture, leaving 95 cotton estates. By 1792, there were only 41 cotton estates, and by 1815, cotton estates had virtually disappeared from St. Croix. By this time, cotton had lost much of its economic and social significance within the Crucian plantation system, and had been replaced largely by sugar. Today, the physical remains of the plantations within the Castle Nugent Farms study area provide great potential in understanding the operation of the estates in greater detail, including the lifestyle of cotton plantation owners, their employees, and their slave and free labor.

Table X. Year 1792 Listing of estates in Castle Nugent Farms study area with number of slaves, acres and use.

Estate	Number of Slaves	Acres in Cotton	Acres in Provision	Acres in Pasture	Unused Acres	Total
Munster	29	80	22	30	18	150
Fareham	31	82	0	118	0	200
Castle Nugent	36	70	48	92	15	225
Springs	25	45	10	15	5	75
The Springs	24	30	13	17	15	75

According to Tyson, at this time only ten of the largest cotton growers controlled 56 percent of all landholdings, and 70 percent of all cotton lands. Two of the largest estates were Castle Nugent and Fareham. Most planters during this period devoted only 20 to 25 percent of their lands to cotton production; at The Springs estate, nearly 60 percent of the cropland was devoted to cotton.

Cultural Landscape

The Castle Nugent Farms study area comprises an excellent example of an historic vernacular landscape by illustrating peoples' values and attitudes toward the land and reflecting patterns of settlement, use, and development over time. The Castle Nugent estates represent a continuum of land use spanning over 300 years in the history of St. Croix and the Virgin Islands. Based on maps dating to the French colonial period (1650-1696), there were likely four French habitations located on the Castle Nugent Farms study area: Courtebotte, possibly located at Lowrys Hill; Parisien, likely located in the Castle Nugent, Laprey Valley, or The Springs estates; and Corteri and Gobé, located somewhere in the vicinity of the Longford estate.

While being reshaped over time, the historic mix of farm, subtropical dry forest, scrubland, and Caribbean shoreline remains intact. Unlike St. John and St. Thomas, where there is hardly any coastal plain but, instead very steep slopes, terracing was required in order to create lands amenable to plantation agriculture. St. Croix, on the other hand, has a large, gently rolling to flat coastal plain that did not require terracing. The landscape of the study area consists of both gently inclined open coastal plain broken by occasional bullies and knolls. There are several natural stormwater channels and dry channels, thus providing a well-suited environment for cotton and sugar production, and later cattle breeding.

The standing structures at the working estates of both Castle Nugent and Petronella represent the simple, rural architectural style of early to mid-18th century cotton plantation of the island. When compared to the ostentatious and grandiose style of the sugar plantation, the great houses of cotton estates were relatively modest. Castle Nugent possesses most of the key elements of an 18th and 19th century cotton, then sugar plantation, and is unique among St. Croix estates by possessing a building traditionally associated with 18th century cotton production, the cotton or gin house. The Castle Nugent estate is well-maintained, and conveys a strong sense of historic character. All of the existing buildings, except one constructed in the 1920s, date to the late 18th and early 19th centuries.

Cattle Breeding

Cattle breeding is an integral part of the agricultural history of the Castle Nugent Farms study area. The Castle Nugent Farms cattle ranch has been in continuous operation for more than 50 years, and is one of the oldest ranches in the West Indies. Today, large areas are still used to raise and breed Senepol cattle under an agreement between the Gasperi family and the University of the Virgin Islands Agriculture Experiment Station.

The story of the Senepol cattle (also known as Nelthropp Cattle, Cruzan Breed and St. Croix Cattle) – from the first arrival of 60 N'Dama heifers and two to four bulls to St. Croix around 1880 by George Elliot of Longford Estate, and their subsequent breeding and development by the Nelthropp family of Granard Estate in the first quarter of the twentieth century – is centered around the Granard, Castle Nugent and Longford estates.

The Senepol breed is a direct descendant of *Bos taurus*, with characteristics that have been cross-bred from both longhorn (N'Dama) and shorthorn (Red Poll) humpless cattle. Senepol are a medium-sized beef breed, and were developed to specifically handle the tropical Caribbean climate, primarily because most cattle brought to the region originated in temperate climates. Because of the environmental (nutrition) and climatic (heat) stresses of the Caribbean, their reproduction potential would break down.

The crossing of N'Dama cattle, with their tolerance of heat and resistance to insects, with the gentleness, quality meat, and high milk production of the Red Poll led to a highly successful breed that has been exported throughout the Caribbean, Brazil, Panama, and elsewhere in South America, the “sun belt states” (from Florida to Texas), Australia, and Zimbabwe. Both cattle and embryos continue to be sold and shipped around the world.

The Senepol breed was created on the lands comprising the Castle Nugent Farms study area, primarily at the Longford and Castle Nugent Estates. When the Gasperi family purchased Castle Nugent Estate, in 1949, there were 2,000 head of cattle. Prior to Hurricane Hugo in 1989, six to seven families were required to operate the ranch and dairy at Petronella. The demand from islanders for both beef and dairy products from the Longford, Castle Nugent, and Petronella estates could not be met. After the hurricane devastated the island, the dairy was closed and demands for local beef decreased.

In 2006, the Gasperi family signed an agreement with the University of the Virgin Islands that allowed the university to assume ownership of the remaining Senepol herds. Although the family removed itself from the cattle operation, the University has continued breeding programs while also providing breeding research and cattle stock to producers and researchers in the region, including the University of Puerto Rico. Today, the cattle at Castle Nugent Farms are the only remaining herds of Senepol on St. Croix, making the operation the largest continuously running cattle raising and breeding effort in the Virgin Islands. See Appendix X.



Senepol Cattle, Castle Nugent Estate. NPS

Natural Resources of the Study Area

The terrestrial and submerged lands within the Castle Nugent Farms study area include an outstanding ecological diversity of natural communities and habitats, ranging from moist and dry forests to woodlands, shrublands, sandy and rocky beaches, and wetlands.

Coastal Zone Management

In 1978, the Virgin Islands Legislature enacted the Virgin Islands Coastal Zone Management Act as a means of regulating development and managing coastal resources in the Territory. The Virgin Islands Coastal Zone Management Program (VICZMP) was established to carry out the mandates and objectives of this Act. The VICZMP was approved by NOAA in 1979. The lead agency is the USVI DPNR. The coastal zone includes the entire Territory of St. Croix and is managed according to the Virgin Islands Coastal Zone Management Act. One of VICZMP's goals is to protect, preserve and, where feasible, enhance and restore the overall quality of the environment in the coastal zone. Coastal zone means the coastal waters and the adjacent shorelands, strongly influenced by each other and

in proximity to the shorelines. The coastal zone also includes islands, transitional and intertidal areas, salt marshes, wetlands and beaches. The coastal zone extends seaward to the outer limits of the United States Territorial Sea. In the Virgin Islands, the coastal zone is composed of two parts, a first tier and a second tier. The VICZMP regulates all development within the first tier of the Virgin Islands coastal zone. The first tier comprises of a relatively narrow strip along the coast, excluding all Federal land, and all offshore islands and cays. The second tier includes the other portions of the island not included in the first tier. Although all three sites are located in Tier 1 of the Coastal Zone, the East Site is excluded from regulations within the coastal zone because this land is federally owned by the NPS.

Watershed

The last contiguous, intact, and undisturbed watershed system in the entire Virgin Islands empties into the south shore of St. Croix here. The watershed starts at higher elevations within the study area, where several narrow, steep-sided valleys have been cut by water flowing down the guts, or intermittent streams. Two outstanding natural features--an area known as Great Pond and an offshore reef system--substantially increase the importance of the study area and are discussed in more detail below.

Great Pond

The eastern end of the study area is dominated by Great Pond, which is the second largest salt pond in the Virgin Islands and the most important wetland on the island of St. Croix. Great Pond and its adjacent bay provide critical habitat for both resident and migratory birds, reef fish and sea turtles. The pond is also rimmed by one of the largest and most substantial black mangrove stands left in the Virgin Islands.

The Great Pond area has been in agricultural use since colonial times. Vast upland areas ringing the pond have been heavily grazed and thus there is limited vegetation. The pond supports an abundance of wildlife and receives runoff from more than 1000 acres. Mangroves are primarily concentrated on the southern and eastern shores closest to an inlet with more open salt flats to the west.

The pond is enclosed on the south by a vegetated baymouth bar that is approximately 1,100 m (3,600 ft.) long with a maximum width of 105 m (350 ft.). The bar is the most heavily wooded area of the site and separates Great Pond from Great Pond Bay. A narrow inlet connects the pond to Great Pond Bay at the pond's southeast corner. Dense mangrove colonies are present at the eastern portion of the bar while the western end has a more varied littoral flora. There are large tamarinds, manchineels, genips, black olives, and mangroves on the pond side of the baymouth bar. The seaside has more seagrasses, Haiti-haitis, and

buttonwood mangroves. There are several white mangrove stands that grow along the shoreline. At low water levels, mudflats are exposed around much of the pond, particularly along the western border. Mudflats are surrounded on the west and north sides by gently sloping, fallow pastures of dry grassland with mixed thorny scrub. Several patch reefs and seagrass beds exist in the lagoon.

Great Pond is one of the most important bird habitats for both migrant and resident bird species in the Virgin Islands. There are several federally and locally listed threatened and endangered species that use the area, especially the pond, as a primary habitat and feeding ground. White crowned pigeons (*Columba leucocephala*) nest and roost in the stands of trees on the northern side of the pond. The least tern (*Sterna antillarum*), a ground nesting bird, nests on the western fringes of the pond and in some of the eroded gullies.

The black-crowned night heron (*Nycticorax nycticorax*), great blue heron (*Ardea Herodias*), great egrets (*Casmerodius albus*), and snowy egrets (*Egretta albus*) have been known to nest on the baymouth bar and are all on the Endangered Plants and Animals of the U.S. Virgin Islands list.

Brown pelicans (*Pelecanus occidentalis*), which are on the Federal Threatened and Endangered species list, use the offshore area for foraging and have been seen roosting on the trees in the baymouth bar. Peregrine falcons (*Falco peregrinus*) have been seen hunting around the pond and have been seen roosting in the trees of the baymouth bar and in the western pastures.

The beach at Great Pond is active with turtle-nesting. The pond opens to the sea through a tidal inlet at the eastern end of the pond. Approximately 100 houses have been built in the upland watershed (outside the study area), primarily to the northeast. Like all lagoons in the U.S. Virgin Islands, Great Pond is owned by the Government of the U.S. Virgin Islands. The land surrounding the pond is currently owned by Golden Resorts, LLLP.

There are no federally listed threatened or endangered plant species found at Great Pond. The area is mostly clear and has been used for grazing. The pond is colonized by a variety of wetland species that are protected by virtue of being in a jurisdictional wetland. V.I. law also protects mangroves and permits are required for their trimming or removal.

Great Pond is part of Unit # VI-07 of the Caribbean Barrier Resource System (CBRS) as set forth in the Federal Coastal Barrier Improvement Act of 1990. CBRS VI-07 includes all of Great Pond and extends south into the ocean past the barrier reef. As a result of the establishment of the St. Croix East End Marine Park, Great Pond is classified as a no-take area, thus prohibiting commercial and recreational fishing.

In 1991, Great Pond was designated an Area of Particular Concern (APC), a Significant Natural Area and an Area of Preservation and Restoration by the Coastal Zone Management Commission, V.I. Department of Planning and Natural Resources. The boundaries of the APC include all of Great Pond and extend further to the east and west. The APC boundaries extend south from the eastern and western boundaries, out to sea to the outer shelf ledge or the three mile limit (whichever is closer).

Mangroves

As noted, the black mangrove stands at Great Pond are extensive and consequently provide many benefits to the ecosystem within the Castle Nugent Farms study area. The mangroves help stabilize coastal sediment, buffer harmful effects of terrestrial runoff, regulate water temperature on tidal flats, and provide habitat for a diverse assemblage of terrestrial and aquatic organisms. They also trap various organic materials, and distribute important nutrients to nearby marine habitats. Mangroves serve as nursery grounds for commercially and recreationally important fishes in the USVI. The mangrove wetlands of the USVI have been impacted by natural and anthropogenic forces. Natural stressors include sea level rise and coastal erosion, hypersalinity, and hurricanes. Anthropogenic stressors include filling wetlands, drainage, or alteration for development.

Barrier Reef

Coral reefs are the most complex, species-rich marine ecosystems. Reefs are formed by corals, which are animals that secrete a calcium carbonate skeleton. Coral reefs provide essential fish habitat, support threatened and endangered species, and protect marine mammals and turtles. In addition, coral reefs reduce wave action and protect the coastline from erosion and flooding. Coral reefs are being threatened mainly from human activity, including coastal development, over-fishing, over exploitation of marine resources, marine pollution, and increased terrestrial runoff.

The St. Croix coral reef system is one of the best developed reef systems in the Caribbean and the most extensive coral reef system on the Puerto Rican-Virgin Islands shelf. The reef system includes algal ridges, shallow and deep reefs, bank-barrier reefs, narrow fringing reefs, and patch reefs. The fringing reef within the Castle Nugent Farms study area is part of the southeastern St. Croix reef system that extends from Great Pond Bay eastward to the fringing reefs enveloping Point Udall, on the easternmost side of the island. This system is part of a 4000-5000 year old, 23 mile long bank-barrier reef that rings virtually the entire east end of St. Croix. (APC p. 17) From the shoreline in some areas, you can walk almost a half-mile out to the reef. The reef presents an impressive view, especially from the upland dry forest and along the shoreline.

Patches of mixed coral reef occur landward of the reef crest. Within the shallow fore reef zone are live and dead coral stands, elkhorn coral, fire coral, starlet coral, brain coral and mustard coral. Seaward of the barrier reef the area is characterized by a deep reef zone interspersed with pavement. Along the southeastern shelf edge is located a deep reef in water depths of 30-50 meters (100-160 feet). (APC p. 17)

All the territory's corals suffered bleaching in an epic 2005 event when the ocean water got hotter than normal. Additionally, the territory's corals remain under stress from myriad factors.

Threatened and Endangered Species

The Endangered Species Act (ESA) of 1973 was enacted to protect plant and animal species considered to be in danger of extinction. The Act affords legal protection to species listed as endangered and threatened, including protection of their habitats. The Act requires Federal agencies to undertake affirmative actions to protect and restore populations of listed threatened and endangered species, and to prevent proposed and candidate species from being listed. Two additional Federal regulations protect endangered and threatened wildlife species, these include the Fish and Wildlife Coordination Act of 1934 (as amended), which includes provisions for the protection of bald and golden eagles and endangered species of fish and wildlife, and the Bald and Golden Eagle Protection Act, which prohibits pursuing, wounding, killing, or capturing of bald and golden eagles.

An endangered species is defined as any species that is in danger of extinction throughout all or a significant portion of its range. A threatened species is defined as any species that is likely to become endangered within the foreseeable future throughout all or a significant portion of its range. Due to habitat loss and species fluctuations, the lists of protected species are constantly changing. In addition to Federal protection from the ESA of 1973, the Legislature of the U.S. Virgin Islands enacted the Indigenous and Endangered Species Act (Title 12 Chapter 2) in 1990 "to protect, conserve, and manage indigenous fish, wildlife, and plants, and endangered or threatened species for the ultimate benefit of all Virgin Islanders, now and in the future" (Government of the U.S. Virgin Islands et al 1991).

The institution responsible for the management of marine resources in the U.S. Virgin Islands is the Department of Planning and Natural Resources (DPNR). Within DPNR, there are other divisions that have responsibilities relating to the marine environment, including the Division of Fish and Wildlife (DFW). The DFW cooperates with both the USFWS and National Marine Fisheries Service to monitor and protect endangered and protected species. The U.S. Virgin Islands

currently contains ten species with Federal endangered or threatened status (five reptiles, three birds, two plants). Territorially endangered species include 28 animals (one reptile, 22 birds, three mammals, one fish, and one coral) and 49 plant species. Tables B-2 and B-3 of Appendix B provide a list of all Federally and Territorially threatened and endangered (T&E) species potentially found within the USVI.

Detailed T&E species surveys have not been conducted for this study to date. However, a general survey of the study area indicates that the lands within appear to contain a number of threatened and endangered species, including three sea turtle species, marine mammals such as the bottle nose dolphin, the Brown Pelican, the Peregrine Falcon, and the Roseate Tern, in addition to locally protected plants and animals, such as Ironwood (*Lignum vitae*) and Satinwood (*Zanthoxylum flavum*). The area also includes the last known points of observance for the White-tailed tropicbird (*Phaethon lepturus*) at Estate Fareham. The mangroves surrounding Great Pond are one of the largest mangrove communities still intact and undisturbed in the Virgin Islands.

Federally Listed Endangered or Threatened Species that Utilize Habitats within Castle Nugent Farms Study

Scientific Name	Common Name	Federal Status
<i>Chelonia mydas</i>	Green Turtle	Threatened
<i>Dermochelys coriacea</i>	Leatherback Turtle	Endangered
<i>Eretmochelys imbricata</i>	Hawksbill Turtle	Endangered
<i>Falco peregrinus</i>	Peregrine Falcon	Endangered
<i>Pelecanus occidentalis</i>	Brown Pelican	Endangered
<i>Sterna dougallii</i>	Roseate Tern	Threatened

3 Resource Evaluation

Proposals for new parks are carefully analyzed in special resource studies to ensure that only outstanding examples of the nation's cultural, natural, and recreational resources are considered for addition to the National Park System. Potential new park areas must meet criteria for national significance, suitability, and feasibility. They must also require direct NPS management, instead of alternative protection by other public agencies or the private sector.

National Significance

For the resources of the Castle Nugent Farms study area to be considered nationally significant, they must meet the following standards:

- Resource Quality – Represent an outstanding example of a particular resource type.
- Interpretive Value - Possess exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage.
- Potential for Use - Offer superlative opportunities for recreation, public use and enjoyment, or scientific study.
- Integrity - Retain a high degree of integrity as a true, accurate, and relatively unspoiled example of the resource.

After extensive examination, research, and evaluation of the resources at Castle Nugent Farms, the NPS has determined that the study area meets the four criteria for national significance.

Resource Quality

Above all, the Castle Nugent Farms study area represents an outstanding cultural landscape that is becoming increasingly hard to find in the U.S. Virgin Islands. Coupled with the impressive natural environment, the Castle Nugent Farms study area, with its pastoral agricultural vastness, provides an intriguing glimpse into St. Croix' colorful past. Consisting of a number of smaller estates centered on Estate Castle Nugent, the landscape has strong associations to what its appearance would have been going back more than 300 years.

The historic estates here were foremost cotton producers. Although the era of cotton plantation agriculture was brief on St. Croix, especially when compared to

the southeastern United States, it was critical in the establishment of the Danish colonial system in the Caribbean and provided the foothold on which sugar agriculture could later thrive and succeed. While each estate made attempts to switch to sugar cane when cotton fell out of favor, they were only minimally successful. As such, the open fields, standing structures, ruins, and many archeological sites at Castle Nugent Farms reflect the cotton culture better than any other contiguous collection of estates under public ownership within the U.S. Virgin Islands.

A variety of historic structures and ruins enhance the distinctiveness of the cultural landscape, including the standing mill and ruins of Estate Fareham, the standing and intact structures of Castle Nugent and Petronella, the ruins of the great house at Lowrys Hill (that may date to the French colonial period), and the ruins of a free black settlement at The Springs. Furthermore, the development of the Senepol breed of cattle that was able to withstand the tropical climate of not only the Virgin Islands, but also mainland locations such as Florida and Texas, only adds to the significance of the cultural landscape at Castle Nugent Farms.

Interpretive Value

The NPS “thematic framework” for history and prehistory is a conceptual tool used to evaluate the significance of cultural resources within or outside the National Park System. The framework provides an outline of major historical themes and concepts and helps identify those cultural resources that best embody America’s past.

Servicewide interpretive themes, theme topics, and theme sub-topics provide a framework that connects interpretation at all National Park System units directly to the overarching mission of the NPS. The thematic framework is composed of eight broad thematic categories that incorporate the broader concepts of people, time, and place to help define and understand their interconnections.

- Theme I: Peopling Places
- Theme II: Creating Social Institutions and Movements
- Theme III: Expressing Cultural Values
- Theme IV: Shaping the Political Landscape
- Theme V: Developing the American Economy
- Theme VI: Expanding Science and Technology
- Theme VII: Transforming the Environment
- Theme VIII: Changing the Role of the United States in the World Community

The Castle Nugent Farms study area relates to the following two interpretive themes as defined by the NPS thematic framework.

Peopling Places

This theme examines human population movement and change through prehistoric and historic times, phenomena that is readily apparent within the Castle Nugent Farms study area.

The Castle Nugent Farms study area contains ample evidence of prehistoric migration and colonization, with particularly strong ties to broad patterns of St. Croix, Caribbean, and United States history, first as a French colonial, then a Danish colonial possession, and finally as an American territory. The colonization of the island, first by South American Amerindian migrants thousands of years ago, followed by European exploration and settlement, the establishment of plantation agriculture and the subsequent involvement with the Atlantic slave trade are all demonstrative of these associations.

The resources of the Castle Nugent Farms study area represent numerous periods in the history of St. Croix, the Virgin Islands, and the Caribbean, spanning nearly 2,000 years of human occupation of the island. The ancient, prehistoric villages of St. Croix are illustrative of patterns of migration and colonization. This is unique in United States history in that the migration came from the south, from the Orinoco River Valley of Venezuela up the island chain of the Lesser Antilles to the Virgin Islands and Puerto Rico. The networks of interaction, exchange and communication that were maintained amongst these early settlers are evidenced through archeological artifacts, of materials made of non-local materials that were brought to the islands. Through geochemical techniques researchers have discovered that not only were exotic materials brought to St. Croix, but that materials from St. Croix, like ceramics, were moved off-island, to far away places.

The estates at Castle Nugent Farms include four of the oldest archeological sites on St. Croix and some of the oldest ceramic-era archeological sites in the Virgin Islands and the Greater Antilles. The Great Pond and Halfpenny archeological sites both date to at least A.D. 500, while the Manchenil site is a later prehistoric occupation, A.D. 1100-1500, that may have been occupied during Columbus' visit to Salt River Bay in 1493. The Longford site is one of the most discussed and little studied archeological sites in the entire Virgin Islands. Longford is a ceramic type site and dates to at least A.D. 400. The Milord Point site dates to ca. A.D. 500-1200.

The arrival of Europeans to the island, first in 1493 and later in the mid-seventeenth century, is indicative of local participation in the colonial expansion efforts of the Baroque period. The establishment of a plantation economy, first under French, then Danish colonial rule, reflects the growing desires of European nobility to expand and control wealth through international trade. The

Castle Nugent Farms study area demonstrates participation in these activities centered on settlement, agriculture, and trade.

Developing the American Economy

This theme reflects the ways Americans have worked, including slavery, servitude, and non-wage as well as paid labor. It also reflects the ways they have materially sustained themselves by the processes of extraction, agriculture, production, distribution, and consumption of goods and services.

The study area contributes to the theme “Developing the American Economy” through the participation of all the estates within the study area in both cotton and sugar agriculture. The Castle Nugent, Longford, and Petronella estates also participated through the breeding and global distribution of a unique and successful breed of cattle. Additionally, the presence of slave communities at each of these plantations illustrates participation in the Atlantic slave trade of the eighteenth century.

The plantation economies of the seventeenth, eighteenth, and nineteenth centuries were international in scale. The cotton that was grown on the estates within the current study area was integral to early Danish efforts to establish a firm hold within the world market, and these efforts were furthered with the expansion of sugar agriculture

Other Interpretive Themes

Tiering off from these broad framework themes are several more narrowly defined interpretive themes that could be developed as part of a park program. Examples include:

Exploitation of Resources. The estates reflect colonial attempts to exploit the resources of the Caribbean. Because this area was better suited to cotton production, when the market fell and other estates on the islands turned to sugar, the estates on the arid southeastern side of St. Croix lagged. Later, following the Caribbean-wide decline in market value of sugar production in the second half of the nineteenth century, many of the one-time cotton producing estates successfully transitioned to cattle.

Life on a Plantation. There is great potential to educate visitors about the workings of a Caribbean cotton plantation. They could see the physical layout of a plantation itself, observe architectural and landscape features of plantation life, and learn about social relationships among plantation owners, residents, and slaves.

Slavery. Early on the Danish colonial plantation system was infamous for its cruelty toward slaves; however, by the end of the eighteenth century several laws had been enacted that served to protect the rights of enslaved persons. The slaves of the Danish West Indies were emancipated in 1848, some 20 years before the Emancipation Proclamation of the United States. The history of slavery and the associated historic plantation resources that remain could provide the opportunity to develop an interpretive program around the important theme of slavery at Castle Nugent Farms.

Cattle Breeding for the World Market. The pivotal role that Castle Nugent Estate and Longford Estate served in the conception, development, and breeding of Senepol cattle was key to allowing other plantations in the Virgin Islands and across the Caribbean to begin grazing cattle. As the Senepol breed was further developed and refined, the influence of this breed was felt as far away as Florida, Texas, and even Brazil and several West African nations.

Potential for Use

Recreation

The lands within the Castle Nugent Farms study area offer outstanding opportunities for recreation, public use and enjoyment, and scientific study. Due to the extensive open area, hills, offshore marine areas, and accessibility, there are a wide range of potential recreational opportunities, including:

- Hiking/self-guided nature tours
- Picnicking
- Bike riding
- Fishing
- Kayaking
- Birding
- Star gazing/astronomy
- Horseback-riding on dedicated trails
- Controlled backcountry or other forms of camping
- Boating
- Snorkeling
- Swimming

This list only represents some possible amenities that could be available to the public. If a national park unit is established, then appropriate and suitable visitor recreational opportunities would be determined through the development of a general management plan for the new park.

Scientific Study: Historical and Archeological Research

The resources of the Castle Nugent Farms study area also offer outstanding opportunities for further historical and archeological study. Two of the known prehistoric archeological sites (which two?) located within the study area are amongst the oldest sites on the island, and have the potential to reveal new information on these long-distance lines of exchange and communication.

Archeological inquiry can reveal much about the lives of those who lived on habitations, or plantations dating to the French colonial period (1650-1733). Numerous tobacco, cotton, sugar and indigo plantations were established during French rule. However, the story of French settlement across St. Croix, and within the Castle Nugent Farms study area, is largely unknown. Consequently, the properties provide substantial opportunities to learn more about the French colonial era through archeological investigation and research.

During the French era of occupation, there was at least one habitation, and possibly five habitations, that stood in the Castle Nugent Farms study area: Courtebotte (Lowrys Hill), Parisien (Castle Nugent, Laprey Valley, or The Springs), and Corteri and Gobé (Longford area). Additionally, the estates within the study area can also potentially yield information regarding the lives of the early Danish colonial period, both slave and European, and the activities associated with plantation agriculture of the eighteenth century.

Further historical and archeological research could help to illuminate the daily activities of other little-studied groups, including African slaves and Freed Blacks. For example, it is known that there was a slave village at Petronella Estate that consisted of 19 to 20 houses. Even though they are not standing, and the current landowner has never observed any standing ruins of these structures, evidence of their presence and the lives of their occupants are likely buried beneath the ground surface. In Laprey Valley the remains of the deep wells used by the slaves of the Ryan and Nugent estates are intact, and archeological survey would likely produce evidence of the locations of the villages themselves. Archeology could also provide information on ethnicity and the retention of traditional lifeways, and the development of creolized traditions, such as foodways and religious beliefs, and social status within the slave community itself.

Finally, archeological inquiry could reveal much in regards to prehistoric life and activities of the residents of St. Croix's south shore. Questions that may be addressed include inter-island exchange networks, with both neighboring islands of the northern Virgin Islands, Vieques, and Puerto Rico, and exchange relations with the South American-Orinoco homeland, settlement patterns, food acquisition and preparation, and religious beliefs.

Scientific Study: Senepol Cattle

Cattle breeding is an important part of the history of Castle Nugent Farms. The Castle Nugent Farms cattle ranch has been in continuous operation for more than 50 years, and is one of the oldest ranches in the West Indies. On January 1, 2006, the University of the Virgin Islands assumed ownership of the Senepol herd at Castle Nugent Farms. The University is currently responsible for the scientific research in charting the progress and development of the Senepol breed.

The University's research program, which is funded through U.S. Department of Agriculture grants, provides the opportunity to continue the presence of the Senepol breed at the property and incorporate the cattle into a potential park operation. In such a scenario, a wide range of opportunities would conceivably arise for further scientific study on the Castle Nugent Senepol herd to improve the animal's quality and productivity.

Scientific Study: Natural Resources

The Great Pond and its associated alluvial plain has been extensively researched and studied since the 1960s, but today is considered an area of particular concern (APC) and an area for preservation and restoration (APR) by the Government of the Virgin Islands. The Great Pond alluvial plain, coral reefs, and inland valleys containing both dry and limited moist forests, have great scientific potential because they have not been impacted by development, save for some land clearing efforts during the colonial period, until the lands were converted to cattle grazing.

Integrity

The Castle Nugent Farms study area is unusual among St. Croix and the Virgin Islands' cultural and natural landscapes for its well-preserved and unencumbered natural viewshed, agricultural setting, and its strong associative value both with the cotton production era and as a representative example of a cattle breeding ranch.

The Castle Nugent Estate is significant as a representative example of one of the few cotton plantations to have survived on the island, dating to the earliest part of the Danish colonial period (ca. 1733), and for the preservation of buildings representative of mid- to late-eighteenth century plantation agriculture. The estate buildings include a rare and unique cotton house, the last one of its kind standing on St. Croix. The modest nature of these structures, including the great house, stand in contrast to the ostentatious displays of the sugar estates and serve as an excellent example of a typical eighteenth century Danish colonial cotton estate.

The great house of the Castle Nugent Estate consists of a main, rectangular central structure covered with a pyramid roof, and two wings, one to the north and one to the east. The northern ell is hipped-roofed, while the eastern ell has a gabled roof. The interior of the great house contains original wooden finishes, including pine plank ceilings and floors, and trim moldings. The vaulted cistern dates to ca. 1770.

Just south of the main house is the cotton house, built ca. 1750, which served as both a cotton storage building and a gin house. To the northwest of the great house is a masonry rubble structure commonly referred to as “the chapel,” though its original function was likely an office; the “chapel” was built ca. 1780, and is a rectangular structure with a gabled roof and a bell tower at the north end. Continuing to the north are the remains of two of three slave row houses, one in ruin and one rehabilitated into a modern residence. These row houses were built ca. 1780-1800, and, based on the distribution of bays and openings each row house likely contained four to six residential units. All of these structures, including the slave row houses, are constructed of masonry and masonry rubble, covered in lime plaster, and several have standing gable ends.

A guest house, also referred to as a “cattle mill house,” was built ca. 1920 possibly on the remains of an animal-driven sugar mill that dates to ca. 1790s. In total, the Castle Nugent Estate included several preserved buildings that are associated with mid-eighteenth century cotton agriculture on St. Croix. These structures are also associated with some sugar production in the late eighteenth and early nineteenth centuries, and with cattle grazing and breeding activities of the twentieth century.

Suitability

The National Park System includes sites that represent major themes and facets of the nation's natural and cultural history. The determination of suitability for inclusion in the System requires an evaluation of how a particular type of resource is currently represented in existing units of the National Park System or in other areas managed by federal, state, or local governments and the private sector. If a resource type is adequately represented in existing units, or in other areas that are comparably managed for protection and public use by other entities, it is not considered suitable for addition to the National Park System.

Criteria for Suitability

Adequacy of representation is determined on a case-by-case basis by comparing the potential addition to other comparably managed areas representing the same resource type, while considering differences or similarities in:

- Quality of historic resources
- Quantity and/or combination of resource values
- Rarity of the historic resources
- Historic character
- Interpretive and educational potential
- Similarity to resources already protected in the national park system or in other public or private
- Ownership

Pursuant to NPS policy, the comparison must result in a determination of whether the proposed new area would expand, enhance, or duplicate resource protection or visitor use opportunities found in other comparably managed areas.

For the evaluation of suitability, the resources and potential interpretive themes of the Castle Nugent Farms study area are compared to sites inside and outside the National Park System to judge whether they are adequately represented in the system or if similar resources are already protected by others.

Comparison of Castle Nugent Farms Study Area to Other Local and Regional Sites Listed in the National Register of Historic Places

St. Croix

Whim Plantation (X acres). One of the most prosperous sugar plantations of the 17th, 18th and 19th centuries, Whim Plantation, located on the west end of St. Croix, also processed sugar cane from nearby plantations. Records dating back to 1751 give the original owner as Patrick Donough. Christopher Mac Evoy, Jr., a Danish sugar planter, inherited the plantation from his Scottish father in 1794 and enlarged the estate. After changing hands several times, Whim became the property of the Virgin Islands Government. Today it is operated as a museum and headquarters of the St. Croix Landmarks Society. The Whim Great House and dependencies stand as an excellent example of a Danish neo-classical sugar plantation that was designed and adapted for the West Indian climate. Additional standing structures include an old slave quarters and a windmill.

Estate St. George Historic District (16 acres). The Estate St. George Historic District is located on the west end of St. Croix and is representative of a successful late 18th-century sugar plantation. Owned by the Heyliger family during the era known as the "Golden Age of Sugar" (1770 to 1782), the estate continued to process sugar until 1916. After the closing of the Bethlehem Sugar Central in 1930, the estate became a cattle ranch. Today, the district is operated as the St. George Village Botanical Garden and includes restored and stabilized

remains of a factory, blacksmith shop, overseers house, early 19th century slave/worker village, lime kiln, cemetery and water system with wells and an aqueduct. The estate is also the location of a well-known, but little researched, prehistoric village that may date to ca. 400 B.C.

Slob Historic District (X acres). The Slob Historic District, currently operated as a Virgin Islands territorial park, began as a large sugar plantation in the mid-18th century. Owned by the Bodkin family until 1784, the estate boasted a factory building, water mill tower, great house, and slave village. Following emancipation in 1848, the fortunes of the estate declined and much of the rich land was converted for sheep and cattle grazing. The plantation was burned as part of the Labor Revolt of 1878, when workers across the island rioted against low wages permitted under labor laws that followed emancipation. Today, visitors can see the great house which has survived with some alterations to its 18th century appearance. The district also includes five late 18th-century and two early 19th-century slave cottages in the slave village, which is the birthplace of Cyril King, the island's first native-born governor. Also surviving are the stables and a factory building dating to the 1840s.

St. John – Virgin Islands National Park

Hermitage Plantation (50-100 acres). The Hermitage Plantation was devoted to the cultivation of cotton and the raising of cattle. Hermitage Plantation is located on the North side of Borck Creek, one of the several secondary inlets of Coral Bay on the east end of St. John. The plantation post-dates 1780 but by 1800 was already a well developed site with several buildings. It was then exclusively dedicated to the cultivation of cotton. Sometime during the mid-19th century it became a cattle farm and continued as such into the early decades of the 20th century. Ruins of most of the existing 15 structures appear to date from the 19th century. The plantation house, warehouse and shop contain architectural elements pre-dating 1800, during the plantation's cotton production era.

Annaberg Plantation (400-500 acres). Annaberg Plantation is the most prominent and widely visited plantation site in Virgin Islands National Park. Annaberg is one of several plantations on St. John that were owned in the 1720s and 1730s by Frederick Moth, the first Danish Governor of St. Croix, who later became the Governor General of the Danish West Indies. By the early 19th century, Annaberg had become the scene of one of St. John's largest efforts of sugar production that resulted in molasses and rum as important export products. The historic district's extensive ruins include a windmill tower, factory, slave quarters, oxpounds, stable, cookhouse, bake oven, and other structures associated with sugar production. The ruins are stabilized and interpreted. Annaberg Plantation is located east of Mary Point and is accessible by the North Shore and Leinster Bay roads on St. John's north shore.

Cinnamon Bay Plantation (100-150 acres). Cinnamon Bay Plantation is located on the north shore of St. John. Established in 1717, the plantation is one of the earliest sugar plantation settlements on St. John. In 1733, the owner, Daniel Jensen, played a pivotal role in the slave rebellion which swept the island and sent nervous waves of unrest throughout the Caribbean. The ruins of the former plantation buildings are clustered around the North Shore Road, and include a factory building, plantation house, cook house, slave quarters, two cemeteries, a warehouse, horse mill, and a "Bagasse Shed," where crushed cane stalks were dried before use as a fuel in the boiling process of the cane juice. Most of the structures have been stabilized.

Catherineberg Plantation (100-150 acres). Catherineberg Plantation (also known as Hammer Farm, Jockumsdahl, or Herman Farm) is located on the relatively level plateau of the eastern center of St. John, roughly 700 feet above sea level. The ruins of the former plantation buildings are grouped approximately 500 feet north of the Centerline Road. Catherineberg is linked with many of the families associated with the early settlement of St. Thomas and St. Croix, including the de Nully, Beverhout and Heyliger families. A thriving sugar plantation from the 18th through much of the 19th centuries, the farm eventually converted to grazing cattle for local consumption. Ruins and buildings that remain from the plantation-era include 18th-century factory buildings, the windmill tower and horse mill. Some restoration of the historic buildings has been undertaken.

Dennis Bay (100 acres). Dennis Bay Plantation is located on the flat and arable lands of a small peninsula that separates Trunk Bay and Hawks Nest Bay. The plantation was established by 1728, and was devoted to sugar cane cultivation. The plantation buildings included a windmill tower and a horsemill, both post-dating 1800, situated on the high bluff on the west side of the peninsula; additional and possibly older buildings are clustered along the shoreline of Dennis Bay. These include the plantation house, factory building, still, horsemill, oxpound and stable, slave village with five masonry cabins, small masonry bridge, walls, gate posts, drinking troughs, two wells, and ruins of a masonry aqueduct used to transport cane juice from the windmill to lower elevations of the factory. The aqueduct and masonry cabins are unique for St. John plantations. The plantation house is the best preserved example of the traditional type within the Virgin Islands National Park; however, all structures are in ruins.

Jossie Gut Historic District (200-300 acres). The Jossie Gut Historic District is located in the Reef Bay Valley about one mile down from Centerline Road. The district contains a factory, large horsemill, oxpound, stable, storage building, and the fragmentary remains of a dam across the tributary gut with sluices and a cistern for collection and distributing surface runoff. Jossie Gut Sugar Factory is significant for its remains of a surface water collecting and distributing system and for its association with Hans Henrik Berg, who was Governor of the Danish West Indies in the mid 19th century. The sugar factory is a 19th century structure.

The plantation appears to have produced a good amount of sugar during the first half of the 19th century. It was owned and operated by Governor Berg from the 1820s until his death in 1862. The horsemill is in a fair state of preservation and some of the factory walls still stand. All other buildings and structures have been partially destroyed by erosion and deterioration.

Lameshur Plantation (200-300 acres). Lameshur Plantation is located on the south shore of St. John behind Little Lameshur Bay. The remains of the buildings and structures of the plantation are clustered in two groups. One is located along the shoreline of the central and western section of the bay and the hillside north of it. The condition of the remains is poor and in some cases so deteriorated that their original functions are no longer apparent. The ruins of the plantation represent a wide range of land uses from the agricultural pursuits of cultivation of cotton and sugar cane to bay oil production.

L'Esperance plantation (100 acres). L'Esperance Historic District is significant for both its unusual layout as a sugar plantation and for its ownership by Governor Eric Bredal. In 1719, Governor Bredal led the Danish colonization of St. John in the face of British opposition. L'Esperance Plantation is located on a high ridge, one-quarter mile south of Centerline Road. It was a premier location for agriculture, with fertile soil, a permanent spring, and relatively high precipitation. It is a small, compact site with large buildings, including two horsemills, factory, free-standing cistern, storage building, great house, cook house, service building, cemetery, stone bridge, retaining walls, staircases and stone fencing. L'Esperance produced sugar in the early 1830s but discontinued cultivation of cane by the 1840s.

L'Esperance was developed early in the 18th century, and is notable for the high quality of masonry workmanship in both the great house and service buildings. It is also noted for the use of non-local volcanic sandstone as a building material, likely imported from the Leeward Islands. The masonry remains of the Great House, the south horsemill and the service building are in fair condition. All other structures are badly deteriorated.

Brown Bay Plantation (200-300 acres). Brown Bay Plantation is located on the dryer eastern portion of the north shore of St. John. In addition to the masonry remains of a horsemill, sugar factory, and great house, the site has the masonry footing of two wood-framed buildings and four unidentified masonry structures, two small cabins, three wells and two large cemeteries. The plantation was not brought under cultivation until the late 18th century; it is presumed that the majority of the buildings date to the 19th century. The sugar factory and associated structures were built between 1780 and 1800. However, sugar production proved to be unsuccessful and the plantation was converted to cotton sometime in the early 19th century. By the mid-19th century the plantation turned grazing cattle for local consumption.

Comparison Conclusion

Overall differences between the estates comprising the Castle Nugent Farms study area and those local and regional sites described above:

- The focus of most of the St. John plantations was sugar production. Only four – Hermitage Plantation, Lameshur Plantation, More Hill, and Brown Bay Plantation – grew cotton at some point in their history.
- The lands that comprise the Castle Nugent Farms study area are mostly gently undulating to flat coastal plains which rise sharply to an elevation of over 700 feet above sea level. Therefore, little transformation of the environment through terracing was necessary for agricultural endeavors, whether for planting cotton, sugar cane, or cattle grazing. This is a unique circumstance that separates the Castle Nugent Farms study area from the other Virgin Islands plantations within the National Park System. In this way, the natural landscape was preserved and retained, becoming a part of the cultural landscape.
- The majority of the Crucian estates listed in the National Register of Historic Places were also focused on sugar.
- While several of the above estates grazed stock cattle (Cinnamon Bay, Hermitage, Hammer Farm, Brown Bay), they did not breed cattle and were not active in the distribution of these breeds throughout the Caribbean.
- When compared to the other St. Croix estates listed in the National Register, those comprising the Castle Nugent Farms study area are still within a rural, agricultural setting. All of the others have been partially or wholly subsumed into urban development, and thus their rural integrity and character has been compromised to some extent.
- The structures located at Castle Nugent, Petronella, and Longford are not in ruin. Rather, they are mostly rehabilitated buildings dating to the mid- to late-18th century that are part of viable, working farms and ranches. Consequently, there is great potential to restore the structures back to their late 18th and early 19th century appearance.

Comparison of Castle Nugent Farms Study to Other NPS Units

Beyond the Caribbean region, there are other park units in the National Park System that contain similar resources and themes as those found at Castle Nugent. However, when the unique history and cultural and natural environment of the Castle Nugent Farms study area are taken into account, none of the NPS units that the study team assessed closely parallel the resources and themes represented at Castle Nugent Farms. A summary and comparison of these units indicates that the establishment of a park unit at Castle Nugent Farms would not

be replicating a cultural or natural resource type that is already adequately represented in the National Park System.

Other NPS Units with Historical Plantations in the Southeast Region

Kingsley Plantation, Timucuan Ecological and Historic Preserve. A late 18th century Sea Island cotton plantation, located on Fort George Island, Florida. English. Encompasses roughly 60 acres.

Magnolia and Oakland Plantations, Cane River National Historical Park. 18th - 19th century cotton plantations in Natchitoches, Louisiana. French. The two sites encompass roughly 207 total acres.

Melrose Plantation, Natchez National Historical Park. 19th century cotton plantation, Natchez, Mississippi. English. Encompasses approximately 132 acres.

Stafford and Rayfield Plantations, Cumberland Island National Seashore. Early to middle 19th century Sea Island cotton plantation ruins on southeast coast of Georgia. English.

Similarities

- Cotton production
- Main structures are still standing and in good condition at nearly all of these parks
- French colonial association: CARI
- Prehistoric archeological sites: TIMU, VIIS, CUIS

Differences

- English colonial association: TIMU, MATC, CUIS
- Castle Nugent Farms study area has a tropical marine coastal environment, sea turtle nesting and foraging habitat in coral reef, includes an intact watershed, a wetlands critical area, last intact wetlands on south shore of St. Croix
- Castle Nugent Farms study area is an example of historic Danish plantation
- Management of an historic herd of cattle, with global distribution
- Size of potential park unit (upwards of 2,900 acres)

Other NPS Units Outside the Southeast Region with Cattle and Farming

Oxon Cove & Oxon Hill Farm, Maryland (572 acres). Located in the Maryland Chesapeake area; serves as a scenic natural-to-urban transition gateway to Washington, D.C. Actual working farm representing the early 20th century.

Purchased by the United States as a therapeutic farm for patients of St. Elizabeth's Hospital. Established as Mt. Welby plantation in the early 19th century. Contains prehistoric and historic resources.

Similarities

- collection of farm structures, including farmhouse, barn, dairy

Differences

- Castle Nugent Farms study area has French and Danish colonial origins
- Study area has cattle breeding operations
- Study area has a tropical marine coastal environment, sea turtle nesting and foraging habitat in coral reef, includes an intact watershed, a wetlands critical area, last intact wetlands on south shore of St. Croix
- Study area has Caribbean prehistoric archeological sites

Eisenhower National Historic Site, Pennsylvania (700 acres). Home and farm of former President Dwight D. Eisenhower. The house was used as a weekend family retreat. Had a show herd of black Angus, 40-50 head.

Similarities

- Farm buildings
- Small herd of cattle

Differences

- Castle Nugent Farms study area has several prehistoric archeological sites
- Study area has French and Danish colonial origins
- Castle Nugent has a tropical marine coastal environment, sea turtle nesting and foraging habitat in coral reef, includes an intact watershed, a wetlands critical area, last intact wetlands on south shore of St. Croix
- The Eisenhower cattle herd was not used for breeding and global distribution, and was much smaller than the Castle Nugent herds

Grant-Kohrs Ranch National Historic Site, Montana (1,600 acres). Designated a National Historic Landmark in 1960; purchased by NPS in 1972. Preserved example of working cattle ranch commemorating the role of the cattleman in America. Significant under areas of agriculture and American Economy, illustrative of the Western cattle industry of the mid-19th century. Manages a distinct high quality herd of historic breeds intended to inspire respect intelligently graze grasslands and authentically augment the look smell and feel of a historic home ranch. Cares for 75 cow calf pairs. Encompasses 2,500 acres.

Similarities

- Management of an historic herd of cattle

- Size of property
- Size of herd

Differences

- Castle Nugent Farms study area has several prehistoric archeological sites
- Study area was the locale for breeding, developing, and distributing Senepol cattle, a breed specialized for tropical dry environment, shipped globally
- Study area has French and Danish colonial origins
- Castle Nugent Farms study area is an example of historic Danish plantation
- Study area is the only remaining example of working cattle farm in Virgin Islands
- Study area has a tropical marine coastal environment, sea turtle nesting & foraging habitat in coral reef, includes an intact watershed, a wetlands critical area, last intact wetlands on south shore of St. Croix
- The Grant-Kohrs NHS commemorates the Western rancher and cattleman, and Western expansion of the American frontier.

Summary of Suitability

The resources of the Castle Nugent area reflect the cotton era better than any other collection of estates under public ownership within the U.S. Virgin Islands. Consequently, establishment of an NPS unit at Castle Nugent Farms would provide the opportunity to preserve and protect an outstanding Caribbean cultural landscape and interpret the cotton era and related agricultural themes that have been instrumental in the development of St. Croix and the Virgin Islands. The estates span every period of the United States Caribbean colonial expansion, including the French, English, Danish eras, and continue into the American territorial period of today. Of particular importance, the estates within the area include the remains of both French and Danish plantation systems in the Virgin Islands, neither of which are well represented in the National Park System.

Feasibility

An area that is nationally significant and meets suitability criteria must also meet feasibility criteria to qualify as a potential addition to the National Park System. To be considered feasible, an area's natural systems or historic settings must be of sufficient size and shape to ensure long-term protection of resources and accommodate public use. The area must also have potential for efficient administration at a reasonable cost.

In evaluating feasibility, the Park Service considers a variety of factors, including the following:

- Access
- Size and boundary configuration
- Land ownership
- Current and potential threats to the resources
- Acquisition, development, and operational requirements
- Level of local and general public

The feasibility evaluation also considers the ability of the NPS to undertake new management responsibilities in light of current and projected availability of funding and personnel.

Access

The study area is very accessible by vehicle due primarily to the crossing of Route 62, a paved two-lane road, through the southern portion of the property. Route 62 connects with other primary roads on the island. Castle Nugent Farms is located only three miles southeast of the principal town of Christiansted, which has an abundance of commercial establishments and tourist opportunities, including Christiansted National Historic Site. The Henry E. Rohlsen Airport is approximately six miles west of the western boundary of the study area. Fredericksted, the island's other principal town, is approximately twelve miles west of the study area on St. Croix' western shore.

Size and Boundary Configuration

At 2900 acres, the lands of the study area are somewhat expansive by NPS standards, but certainly comparable to several existing units in the National Park System. Given the long history of the NPS in managing large areas, the size and configuration of the Castle Nugent Farms area does not present any unusual problems from a management and operational standpoint.

Potential boundaries of a new park would seemingly provide for a largely straightforward and contiguous configuration. The overall 2900 land acres, which could conceivably represent a future park boundary, runs in an elongated shape along lower pasture lands, parallels the shoreline, and rises northward in the center portion as it climbs up the hills to a 750 foot ridge.

Marine areas extending out as far as the three mile territorial limit could be included within the park boundary. However, the study team believes there would be no intention or need to transfer jurisdiction of such areas to federal ownership since the submerged lands are already under territorial ownership and

are afforded protections due to this status. Including the submerged lands within an authorized park boundary would, however, further affirm the importance of the offshore resources and facilitate cooperative efforts between the GVI and NPS for their future protection.

Land Ownership

There are four principal owners of terrestrial lands within the study area. The largest landowners—the Gasperi family—have stated a desire to sell their land, totaling approximately 1750 acres, for the purposes of establishing a national park unit. Warren Mosler is the owner of approximately 400 acres at Longford, located at the western portion of the area. It is not known whether he would be a willing seller of his property. Mr. Mosler purchased his property from the Gasperis in 2006 and some of the property’s vegetation, including mangrove stands, has been cleared in preparation for future housing development.

The Golden Gaming LLC owns approximately 300 acres at Estate Hartmann, adjacent to Salt Pond (which is owned by the VI Government). Golden Gaming is in the process of getting approval to construct a 400-room Wyndham St. Croix Golf Resort & Casino, which is part of a proposed a \$250 million complex that would include a conference center, 25,000-square-foot casino, 18-hole golf course, spa and fitness center, four restaurants, lounges, and retail stores. Lawsuits and controversy have slowed the progress of the development since Golden Gaming first announced the plans in 1999. The project has been controversial because of concerns about potential harm to the Great Pond Bay ecosystem. Many of the delays also centered on financing and permitting for the project.

Robert White is the owner of approximately 50 acres at Fareham, located at the ridgeline just west of Route 62. Mr. White has been a supporter of the study and has indicated a willingness to include his property in a future park unit.

The approximately 8,600 submerged acres are under the jurisdiction of the Government of the Virgin Islands. Additionally, the Government has jurisdiction over the approximately 200 submerged acres at Great Pond.

Current and Potential Threats to the Resources

If the lands within the Castle Nugent Farms study area are not included as part of the establishment of a future national park unit, then it appears that the most likely primary use of the land would be for the purpose of commercial and residential development. Such land use would pose the following existing and potential threats to the area’s resources.

- Loss of historic and cultural resources

- Runoff/chemicals
- Introduction and increase in non-native and exotic vegetation
- Proliferation of artificial lights
- Loss of cultural landscapes
- Potential loss of extant structures
- Potential loss of archeological resources (known and unknown)
- Inability to advance potential for further study (cultural and natural)
- Loss of potential educational and interpretive opportunities (stories other than sugar) (both cultural/ethnographic and natural)
- Loss of Senepol cattle operation and University of the Virgin Islands research and development program
- Loss of opportunity for ecological, habitat, and species restoration (includes resident and migratory birds, juvenile fish, and sea turtles)
- Loss of intact watershed (including function)
- Adverse impacts to coastal coral reef system
- Loss/adverse impacts on wetlands, salt ponds, seagrass meadow, mangroves (entire Great Pond Bay APC)
- Adverse impacts to rare, threatened and endangered species
- Loss of scenic qualities (historic pasture, viewshed, vistas, dark skies, etc.)
- Potential development of wind farms, other forms of alternative energies, cell towers, etc. (such threats are primarily to the viewshed and the integrity of the historic pastures)

Broader Conservation Issues

The following excerpt is taken from the St. Croix Environmental Information Repository. The St. Croix Environmental Information Repository project was developed for the U.S. Environmental Protection Agency (EPA) Region 2 office to support the U.S. Virgin Islands Environmental Information Management and Outreach Initiative for St. Croix. The Initiative's goals were to increase community awareness and knowledge about environmental issues on St. Croix, and to encourage stakeholder participation during applied decision-making processes.

“The natural resources of St. Croix are unique. The beauty and health of the St. Croix environment is vital to the health and well being of all Virgin Islanders. Many residents enjoy the islands’ beaches and coastal waters for swimming, bathing, snorkeling, diving, sailing, and fishing. The St. Croix fishing industry depends upon healthy coastal waters and reefs for its livelihood. Many residents also use native plants for cultural or medicinal purposes.

However, these uses and environmental health, in general, are often considered to be secondary to the development process. Ugly raw excavation scars remain long after land development has been

completed. Coastal water quality has been steadily deteriorating due to the influx of sediment, sewage and other pollutants. The health of the coral reefs is correspondingly declining. Many native plants and animals have become rare, threatened or endangered. This degradation is a long-term threat to the St. Croix economy, especially since that economy is dependent upon its environmental health and beauty to attract tourism and business.

Increasing amounts of forest and grass lands in St. Croix are being converted to housing, roads, and commercial and industrial land uses each year. These construction activities take place on many different kinds of topography and soils, each having different properties and limitations. Such activities and land uses alter natural water flow paths and seepage of water into the soil (change hydrology) and increase erosion and sedimentation, damaging the environment. Ecosystem degradation also results from poor land clearing and landscaping practices that negatively impact plants, wildlife, soil, and water resources. Large-scale removal of vegetation reduces wildlife habitat, promotes soil erosion and sedimentation, and threatens biological diversity. Construction along ridge lines and in guts (intermittent streams) is rapidly depleting moist forest habitat and changing microclimates in the territory.

Increased runoff causes severe erosion and more frequent flooding and has created serious problems in many areas of St. Croix. Eroding road beds and cut slopes (e.g. behind houses or next to roads) cause costly property damage. Sediment and other pollutants run off uphill construction sites, roads, parking lots and other land areas and are deposited along roadways, in guts, on lower-lying property, and in ponds and coastal waters, polluting surface and ground water.

Decreased water seepage into the ground (infiltration) also reduces the island's critical fresh water supply. As paved areas increase, the amount of rainfall that seeps into the soil and into ground water is decreased. This reduces the water available for plant growth and as ground water for public consumption. In order to provide fresh water to the growing population of St. Croix, and to ensure healthy terrestrial ecosystems, it is critical to retain as much rainwater as possible within the ground, in guts and in other surface water bodies.

The majority of homes on St. Croix have septic tank/seepage pit sewage disposal systems. Due to the island's shallow and/ or clayey soils, steep slopes, and very limited enforceable regulations on the construction and maintenance of these septic systems, effluent from these systems has great potential to impair ground water, cistern

water, and coastal water quality, and to have an adverse impact on human health. Millions of gallons of inadequately treated sewage are pumped into the ocean and coastal waters daily by way of sewer pipe malfunctions and failing septic systems, posing human and environmental health threats. There has been a marked decline in the local fishery, due both to pollution and over-fishing. The destruction of coral reefs and associated marine life near sewage outfall sites has also been documented.

Solid waste is disposed of in an unlined landfill that lacks leachate collection systems. Improper disposal of toxic, hazardous, and infectious material into this unsanitary landfill allows leachates to contaminate ground water supplies and coastal waters and fisheries. In addition, periodic fires erupt at St. Croix's Anguilla landfill, and there is widespread concern regarding how ash from these fires may impact the cistern collection systems of residents in the area.

Other pollution in St. Croix may be caused by toxic chemicals emitted by businesses and industries into St. Croix's air, soil and water. the U.S. EPA's Toxics Release Inventory (TRI) tracks the chemicals released by industrial facilities and provides information on toxic chemicals treated on-site, recycled, and burned for energy recovery. TRI provides vital information about chemicals released into U.S. communities, and is an important instrument for industries to gauge their progress in reducing pollution.

The 2006 Toxics Release Inventory Report indicates that industry releases of toxic chemicals into the U.S. Virgin Islands' air and water have fallen by over 25% between 1998 and 2004. Lead releases into the Virgin Islands' environment have declined by over 25% from 2003 to 2004, and the amount of total releases, including land disposal, dropped by 5.4% in the same period.”

Need for NPS Management

The need for NPS management is the final criterion for the potential establishment of a unit of the National Park System. The criterion requires a finding that NPS management would be superior to other potential alternative management arrangements by other entities.

The NPS appears to be the only viable option for the protection of the terrestrial lands at Castle Nugent. The principal property owners—the Gasperi family—have expressed a desire only to establish a federal park at Castle Nugent Farms. The Gasperis initially approached Delegate to Congress Donna Christiansen about their interest in future use of their property as a national park unit. The

Gasperis have not expressed any interest in selling their property to the Government of the Virgin Islands or another governmental entity.

The NPS is well-suited to administer a new park unit on St. Croix due to an established and long-standing park operational presence on the island. Currently, there are three units on St. Croix--Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecologic Preserve--under NPS operation. Existing operational infrastructure could be expanded through additional staffing and other resources to support a new NPS unit. The headquarters at Christiansted is nearby and has sufficient infrastructure to provide administrative support to a new park unit consisting of the size and configuration of the study area acreage or something smaller. Existing communications systems at the headquarters are also sufficient to support operations of a new park unit.

Acquisition, Development, and Operational Requirements

The focus of acquisition would be the terrestrial land areas within any authorized boundary. All of the terrestrial lands within the study area are currently in private ownership. Therefore, acquisition of such lands would need to be authorized if a park unit is established. The submerged lands encompassing Great Pond and offshore areas are owned by the Government of the Virgin Islands. Acquisition would not be necessary or advised given that these areas are already under public ownership and are afforded protections due to this status. However, including the submerged lands within an authorized park boundary would further affirm the importance of the resources of those areas.

Level of local and general public support

Public sentiment has been overwhelmingly in support of creating a national park unit at Castle Nugent Farms. Primarily, this high level of support is due to wide-ranging public concern that the study area will be developed for residential and commercial purposes if a national park unit is not established. Many supporters are either island residents or frequent visitors to St. Croix. Consequently, there is a great deal of familiarity with the geography of the island and concern over the rate of modern development that is rapidly replacing rural landscapes.

Many comments from the public stressed that the establishment of a national park unit was an opportunity to preserve a remnant of the island's historic agrarian past. Respondents referred repeatedly to the Castle Nugent area's impressive viewshed with sweeping unobstructed vistas from the hills to sea as rare on St. Croix. Other expressions of support for a new national park unit included protection of wildlife, public access to the historic rangelands, continuation of heritage agriculture with the historic Senepol cattle, and

maintaining the undeveloped quality of the south shore beaches. Specifically, many comments were in favor of national park status due to the variety of bird and other animal life around the Great Pond area as well as along the undeveloped beach and reef. Several comments advocated the creation of a park unit to avoid another underused or empty resort facility.

Many respondents also noted that St. Croix should not be developed to the extent of the neighboring island of St. Thomas. Comments focused on the great potential of Castle Nugent Farms as a historic site and its use as an interpretive and educational facility for St. Croix. Respondents were concerned that leaving Castle Nugent Farms at risk to development pressures would further disconnect current and future St. Croix residents and visitors from the rich history of the island. See Appendix X for further information.

4 Management Alternatives

Management alternatives are developed after the resources of a study area are determined to be eligible for potential inclusion in the National Park System. This chapter describes two management alternatives for the preservation, protection, and visitor enjoyment of resources within the Castle Nugent Farms study area. It also describes a “no action” alternative.

Each alternative includes a general description of how resources would be interpreted for visitors, what future preservation and development needs would be undertaken, how management and operations would be accomplished, and estimated implementation costs. The alternatives are not mutually exclusive. While each alternative could stand on its own, certain elements could be combined to better serve resource protection and interpretation objectives.

Under the action alternatives, many projects that are technically possible to accomplish may not be feasible in light of current budgetary constraints and other NPS priorities. This is especially likely where acquisition and development costs are high, the resource may lose its significant values before acquisition by the National Park Service, or other protection action is possible.

Preliminary cost estimates are provided for each alternative for comparison purposes only. It is recommended that a more comprehensive cost estimate be prepared prior to initiating any of the more detailed recommendations described in this study.

Alternative A - No Action

Alternative A, the no action alternative, represents a scenario where no action would be taken by the NPS or any other public entity to acquire property within the Castle Nugent Farms study area for the purposes of establishing a unit of the National Park System. Under the National Environmental Policy Act, the NPS is required to include the no action alternative for comparison purposes. Consequently, Alternative A is included primarily as a baseline for comparing the consequences of implementing each of the other alternatives.

New programs, activities, or site development beyond the existing conditions are not considered in the no action alternative. For the purposes of this study, the following conditions and trends are presumed to continue.

Visitor Experience

Under Alternative A, the properties within the study area would remain in private ownership. Consequently, public access would presumably be prohibited or very

limited at best. Interpretative, educational, and recreational opportunities that are characteristic of a national park unit would not be available due to the lack of access for the general public.

Site Development

Infrastructure and facilities to provide visitor services would not be provided in the No Action alternative. The existing buildings within the study area would continue to serve as residences and support buildings for the property owners. Limited pedestrian access would continue to discourage casual visitors from entering the site.

Resource Preservation and Protection

Under the no action alternative, the following threats to significant cultural and natural resources could occur.

Cultural Resources

- Loss of historical and cultural resources
- Land development (commercial and residential) within and adjacent to the study area
- Runoff/chemicals
- Introduction and increase in exotic vegetation
- Proliferation of artificial lights
- Loss of cultural landscape
- Potential loss of extant structures
- Potential loss of archeological resources (known and unknown)
- Inability to advance potential for further study (cultural and natural)
- Loss of potential educational and interpretive opportunities (stories other than sugar) (both cultural/ethnographic and natural)
- Loss of Senepol operation

Natural Resources

- Loss of opportunity for ecological, habitat, and species restoration (includes resident and migratory birds, juvenile fish, and sea turtles)
- Loss of intact watershed (including function)
- Adverse impacts to coastal coral reef system
- Loss/adverse impacts on wetlands, salt ponds, seagrass meadow, mangroves (entire Great Pond Bay APC)
- Adverse impacts to rare, threatened and endangered species

Other Threats to Resources

- Loss of scenic qualities (historic pasture, viewshed, vistas, dark skies, etc.)

- Potential development of wind farms, other forms of alternative energies, cell towers, etc. (such threats are primarily to the viewshed and the integrity of the historic pastures)

Cost Estimate

A cost estimate is not provided for the No Action alternative because future acquisition and development is not proposed. Thus, no federal funds would be expended under this alternative.

Alternative B - Castle Nugent National Historic Site, 11,500 acres (Most Effective and Efficient)

Alternative B would establish Castle Nugent National Historic Site. The new park would focus on the nationally significant resources at Castle Nugent Farms. This alternative would be the most comprehensive approach to managing the natural and cultural resources of the study area. Under Alternative B, the land area of the park would be expansive, encompassing the approximately 2,900 acres that corresponds to the study area. The land area would generally stretch from Lowrys Hill and Laprey Valley to the Caribbean Sea and Manchenil Bay to Salt Pond Bay. Vast marine areas are also included in this alternative. The boundary would continue to extend offshore directly to the south, out to the three mile line of territorial-owned waters. Alternative B has the most acreage of all the alternatives, and would thus provide the potential for the widest range of resource protection measures, visitor access, interpretive programs and recreational opportunities.

The study team does not propose nor foresee the need for federal ownership of marine areas; however, extending the boundary of the national historic site offshore would reinforce the importance of protecting the reef, associated marine resources, and the entire south shore watershed system. Including marine areas would further facilitate the collaboration and partnering between the Government of the Virgin Islands and the NPS towards the protection of resources within this important and resource sensitive area on the south shore of St. Croix.

See map X.

Operations and Site Development

Alternative B calls for funding and staffing by the NPS. Other sources of funding would be used if available. However, viable alternative sources have not yet been identified. The national historic site proposed under Alternative B could either operate as a stand-alone unit or with administrative support from Christiansted

National Historic Site. In the latter scenario, there is precedence for sharing resources with existing NPS operations on St. Croix. Currently, three NPS units on St. Croix--Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecologic Preserve--are under the operational and administrative oversight of one superintendent.

If Congress did not desire to establish a stand-alone unit, then such an existing operational infrastructure could be expanded through additional staffing and other resources to support a new NPS unit at Castle Nugent Farms. The headquarters at Christiansted is 15 minutes away by vehicle and has sufficient infrastructure to provide administrative support to a new park unit of this size and configuration. Existing communications systems at the headquarters are also sufficient to support the operations of a national historic site at Castle Nugent.

A general management plan for Castle Nugent National Historic Site would guide future management of the area. I would ensure protection and preservation of natural, cultural, recreational, and scenic resources, describe visitor experience and use, and plan for facility development for the next 15 to 20 years.

Visitor Experience

As the alternative with the largest acreage and greatest diversity of cultural and natural resources, Alternative B has the most potential to provide the widest variety of visitor experience opportunities. The type and degree of appropriate visitor use would be described in the general management plan. Federal laws, rules, regulations, and guidelines and NPS management policies would be followed.

The study team identified a host of potential activities and programs that could be made available to visitors, including guided ranger- and volunteer-led interpretive programs, park-in-classroom educational activities, and historical and archeological research and demonstration programs. For example, such programs could show visitors how plantations worked, allow them to experience their physical layout and observe architectural and landscape features of plantation life. Castle Nugent Farms also presents outstanding opportunities for visitors to learn about social relationships among estate owners, residents, and slaves during the various plantation eras.

Alternative B would also offer the widest variety of potential recreational opportunities, including but not limited to:

- Hiking
- Birding
- Star Gazing/Astronomy

- Horse back-riding on dedicated trails
- Controlled back country or other forms of camping
- Boating
- Snorkeling
- Swimming
- Picnicking
- Limited mountain bike riding
- Fishing
- Kayaking

Resource Preservation and Protection

Due to the inclusion of the highest number and diversity of cultural and natural resources, including all of the resources described in Chapter 2, Alternative B would provide the greatest potential for resource protection. Among the many resource protection opportunities that could be envisioned under this alternative are the following:

- High potential for further historical and archeological study.
- Potential for preservation, restoration, or adaptive use of existing historic buildings at Castle Nugent Estate, Longford Estate, and Petronella Estate for park operations, including interpretation, visitor contact, law enforcement, and maintenance purposes.
- Preservation of a large watershed and extensive barrier coral reef system, including the largest and last intact mangrove and estuarine/coral reef area on St. Croix and the Virgin Islands.
- Preservation of an extensive spread of Caribbean dry forest.

Cost Estimate

Land Acquisition – \$43.5 Million

Staffing and Operational Costs - \$700,000 to \$800,000 per year

Facilities and related construction needs for operating the national historic site would be addressed through the general management planning process. For initial operations and visitor use (prior to completion of the general management plan) there would be the need to upgrade certain existing infrastructure to NPS standards. For instance, the Castle Nugent Farms area contains a network of existing dirt and gravel roads and trails that would need improvement. Parking amenities would also be necessary for initial start-up operations, but could be

kept to a minimum footprint until appropriate visitor and vehicle capacity is determined through the planning process.

Partners

Establishment of a park unit would provide the opportunity to develop partnership programs. Due to the high level of public support for the establishment of a park at Castle Nugent Farms, there presumably would be a high potential for developing a park volunteer program to supplement operations. For example, community volunteers could be trained to provide assistance for interpretive and outreach program activities.

The study team identified a host of other potential partners that includes:

- Government of the Virgin Islands – potential joint management of Great Pond, mangroves surrounding Great Pond, offshore submerged lands, Great Pond great house and surrounding lands (headquarters for EEMP).
- University of the Virgin Islands – through a cooperative agreement, could manage grazing lands for Senepol operations. Currently, the university is on a year-to-year agreement with the Gasperi family.
- St. Croix Environmental Association, The Nature Conservancy, Trust for Public Lands, St. Croix Landmarks Association, St. Croix Archeological Society, Friends of Denmark

Alternative C - Castle Nugent National Historic Site, 1,750 acres

Alternative C would also establish the Castle Nugent National Historic Site, but the boundary would be much smaller than Alternative B. Alternative C envisions a new NPS unit that would total approximately 1,750 terrestrial acres only. The boundary would generally extend from Lowrys Hill and Laprey Valley to the shoreline, and from Spring Bay to Fareham. The southern boundary would extend along the shoreline, but would not contain any offshore areas. The boundary of this alternative corresponds with the land that is currently under the ownership of the Gasperi family, who initially approached the congressional delegate about their interest in securing their property as part of a future national park unit. Although the acreage is considerably less than the amount in Alternative B, the study team believes this alternative would still provide sufficient resource protection, interpretation and recreational opportunities.

Operations and Site Development

Alternative C calls for funding and staffing by the NPS. Other sources of funding would be used if available. However, viable alternative sources have not yet been

identified. Administrative and operational support would be provided from Christiansted National Historic Site.

The headquarters at Christiansted is 15 minutes away by vehicle and has sufficient infrastructure to provide administrative support under this alternative. Existing communications systems at the headquarters are also sufficient to support the operations of a 1,750-acre national historic site at Castle Nugent.

Visitor Experience

Although not offering the potential of Alternative B, Alternative C still would provide significant potential for a wide variety of visitor experience opportunities. The type and degree of appropriate visitor use would be described in the general management plan. Federal laws, rules, regulations, and guidelines and NPS management policies would be followed.

Alternative C would offer a variety of potential recreational opportunities, including

- Visitor access and interpretation of core area cultural resources
- Open Space
- Birding
- Star Gazing/Astronomy
- Horse back-riding on dedicated trails
- Controlled back country or other forms of camping
- Hiking/self-guided nature tours
- Picnicking
- Limited mountain bike riding

Resource Preservation and Protection

Due to reduced acreage, Alternative C does not afford nearly as much resource preservation and protection potential as Alternative B. Alternative C does not include any submerged lands, excluding most notably the resources of the barrier reef and Great Pond. The resources of the Great Pond area would be under considerable threat to development due to the potential for the Golden Gaming LLC's resort complex to proceed.

Significant historic and archeological resources at Longford, Machenil Bay, and Great Pond (as described in Chapter 2) would also be excluded from the boundary of Alternative C, so the preservation and protection of those resources would not be ensured.

Among the resource protection opportunities that could be envisioned under this alternative are the following:

- Modest potential for further historical and archeological study.
- Potential preservation, restoration, or adaptive use of existing historic buildings at Castle Nugent Estate and Petronella Estate for park operations, including interpretation, visitor contact, law enforcement, and maintenance purposes.
- Preservation of a portion of the watershed system that connects into areas under the jurisdiction of the Government of the Virgin Islands at Great Pond and offshore submerged areas.
- Preservation of several hundred acres of Caribbean dry forest.

Cost Estimate

Land Acquisition – \$26.25 Million

Staffing and Operational Costs - \$500,000 to \$600,000 per year

As in Alternative B, facilities and related construction needs for operating a 1,750-acre national historic site as proposed in Alternative C would be addressed through the general management planning process. For initial operations and visitor use (prior to completion of the general management plan) there would be the need to upgrade certain existing infrastructure to NPS standards. For instance, the Gasperi-owned lands contain existing dirt and gravel roads and trails that would need improvement. Parking amenities would also be necessary for initial start-up operations, but could be kept to a minimum until appropriate visitor and vehicle capacity is determined through the planning process.

Potential Partners

Under Alternative C, potential partners would be similar to Alternative B, however there would likely not be as much impetus to work jointly with the Government of the Virgin Islands due to the exclusion of the submerged areas in this alternative. Great Pond, the offshore reef, the mangrove stands and substantial areas of the southside watershed are not included within the proposed boundary in Alternative C. Excluding these resources would make it more problematic from a partnering standpoint and funding for joint projects would be more difficult to secure.

U.S. House of Representative
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

11/9/09

Dear Subcommittee on National Parks, Forest and Public lands:

It is with great enthusiasm to testify on Bill# 3726- Castle Nugent National Historic Site Establishment Act of 2009. The bill in front of you will designate Castle Nugent Farm as a National Historic Site and incorporate it within the National Park System and I support without reservation. The estate was one of 264 cotton and sugar plantations formed on the island of St. Croix after 1733, when the Danish West Indies Company first purchased the island from the French. It was first farmed as early as 1738. Over the centuries, the farm has had many owners, one of them being Christopher Nugent, who bought the farm in 1774 and gave the estate its name.

Castle Nugent Farms is one of the largest parcels of privately held land in the Virgin Islands and has been an operating cattle ranch for more than fifty years. Caroline Gasperi who is the present owner of the property says, "Our old estate has a unique, rich history as one of the longest ongoing cattle ranches in the West Indies." The Gasperi families have raised Senepol cattle, a unique breed developed in the island in the early 1900's, now owned and managed by the University of the Virgin Islands Agricultural Experiment Station Scientists and technicians.

I have known Caroline Gasperi and family for many years. The late Dr. Martin B. Adjei and I have conducted experimental research plots on the property to control undesired range plant species. The natural resources on the property you about to considering for National Park status include natural resources such a Caribbean dry forest ecosystem, the largest barrier reef system in the Virgin Islands and perhaps the largest in the Caribbean. The coral reefs in this area are critical to regional fisheries.

The cultural resources are also another component of Castle Nugent Estate. This includes pre-Columbian sites and a large historic 17th Century Danish estate great house with other historic plantation buildings and ruins. In fact, the overseer house or great house is now listed on the National Register of Historical Places. The historical landscape of the property is another attraction and remains intact with its rolling hills, and open grassy shrub plains dropping to the Caribbean Sea. During the spring and fall seasons, the Castle Nugent Estate blanketed with Ginger Thomas (*Tecoma stans*) blossoms, the Virgin Islands official flowers and the landscape is alive with butterflies

I have taken thousands of school children on the property hiking, especially along the pristine coastal environment. They have learned about the natural, cultural, historical,



archaeological, and marine resources of the areas such as the endangered species Leatherback (*Dermochelys coriacea*), Green (*Chelonia mydas*), and Hawksbill (*Eretmochelys imbricate*) sea turtles. They have learned to appreciate's the property natural and cultural history, aiding their education in Virgin Islands colonial and American history.

I have also introduced hundreds of locals and visitors to Castle Nugent Farm. Caroline Gasperi is a generous member of our community. She wanted young people, fellow Americans and visitors from around the world to enjoy the land that she loved and grew up on. She strongly believes that the land should be protected under the Auspices of the National Park in order to preserve the natural beauty of the area. She believed that Castle Nugent will benefit the island's economy as a tourist attraction.

The people of the Virgin Islands, especially the residents on the island of St. Croix are in support of the Castle Nugent Farm becoming part of the National Park system with the understanding that the park benefits the people and the economy of the Virgin Islands.

This is not the first time land in the Virgin Islands was incorporated into the National Park system. On February 24, 1992, the United States Congress signed Bill P.L. 102-247, establishing the 912 acre Salt River Bay National Historical Park and Ecological Preserve. As an regularly columnist for the Virgin Islands Daily News, I wrote an article titled **America's Treasure: Our Parkland**" where I mentioned in 1954 establishment of the Virgin Islands National Park on St. John.

Today, millions of people worldwide, especially Americans visit the Virgin Islands National Park. Since then, the park has been a major contributor to the Virgin Islands economy. The island of St. John has some of the best beaches in the United States and in the world. The colonial history of the island is rich and diverse with its historical buildings still standing since the 1700's. Congress in it wisdom made the right decision on the preservation and protection of establishing the first National Park in the Virgin Islands by protecting the natural and cultural resources for us all.

I know Congress will make the right decision again in establishing a park on the island of St. Croix as America' greatest treasures are truly its National Parks. Therefore, I include the article as part of my testimony to urgent Congress to designate Castle Nugent Historic Site as part of the National park system.

Over the years, I have written many articles educating the Virgin Islands public as to why we should support the designation of Castle Nugent Farms being part of the National Park system. The Virgin Islands people have spoken. Now, we are waiting for Congress to honor the people of the Virgin Islands' wishes by making Castle Nugent Farms the next park of the United States and the Virgin Islands.

I would like to thank Virgin Islands Delegate to Congress Donna Christensen, the U.S. House of Representative and the Committee on Natural Resources for the opportunity to

testify in support of Castle Nugent Historic Site becoming part of the National Park system. I look forward for any questions that you might have regarding my testimony.

Sincerely,

Olasee Davis
Extension Assistant Professor/Extension Specialist Natural Resources
University of the Virgin Islands

The Virgin Islands Daily News

Founded Aug. 1, 1930 by J. Antonio Jerea and Arnel Melchor
Published by Daily News Publishing Co.

EDITORIAL BOARD

Jason Robbins, Publisher
J. Lowe Davis, Executive Editor
Kevin Downey, Advertising Director
Alfred Loten, Circulation Director
Ken E. Ryan, Production Director

EDITORIAL COMMITTEE

Sermona Athanese-Oagou, Features Editor
Althea Coggins, Circulation
Arnee LaPlace, Billing & Collections
Paukette Wade, Advertising Sales
Curtis Walcott, News
Johnson Webster, Press Manager

St. Croix's Castle Nugent Farms on way to becoming national park

A few years ago Caroline Gaspren contacted Delegate to Congress Donna Christensen with a concept of her land, Castle Nugent Farms, becoming a park for the people of the Virgin Islands. Caroline has a big heart and is one who believes in the protection of the natural and cultural resources of the Virgin Islands.

The delegates ran with the concept of Castle Nugent Farms becoming part of the National Park System by introducing a bill to Congress to conduct a feasibility study on the property.

Some seven plus years later, Congress voted in favor of having the National Park Service consider whether the 1,400-acre property on the southeast shore of St. Croix should be adopted into the park system. Before President George W. Bush left office, he signed the bill that authorized the National Park Service to conduct the study.

Since then, park officials have held several town meetings on St. Croix to inform the general public about how the feasibility study will be carried out and the process by which Castle Nugent Farms can become part of the park system. Park scientists and other technical people in various fields of expertise as well as community individuals began to gather information on the property.

The Castle Nugent Farms property is unique in that it includes a Caribbean dry forest, a pristine coastal barrier coral reef system and a pre-Columbian and post-European settlement.

The great house on the property dates back to the 1730s and is listed on the National Register of Historic Places.

"Our old estate has a unique, rich history as one of the longest ongoing cattle ranches in the West Indies,"



Olasee Davis

Caroline said.

The Gaspren family has been raising a special breed of animals known as the Seneapol cattle, one of the top bred animals in the world. Today, the University of the Virgin Islands owns the animals and is continuing with scientific research to improve the animal's quality and productivity.

Recently, the National Park Service sent out a news release that it is accepting comments from the general public on the Castle Nugent park proposals, including:

- Management Alternative B, which calls for the 2,900 acres extending to Lowry Hill, Laprey Valley, Petronella, Ryan, Munster, Castle Nugent, Fareham, The Springs, to the Caribbean Sea (ridge to reef), and Manchuel Bay to the Great Pond Bay.

- Management Alternative C, which includes 2,900 acres similar to management B. Castle Nugent Estate is the core 1,400 acres of the entire 2,900 acre study area.

- Management Alternative D, which includes 1,750 acres.

I selected Management Alternative B proposal. It is a more comprehensive approach to managing the natural and cultural resources of the area. The area contains a variety of habitats and natural communities and represents an exceptional diversity of ecological niche with no major impact.

For example, the Great Pond lagoon is a mecca for several species of birds,

especially threatened and endangered animals. The barrier reef system extending to Manchuel Bay is exceptional with its diverse marine environment. From the shoreline in some areas, you can walk almost a half-mile out to the reef. The reef is an impressive view, especially from the upland dry forest and along the shoreline.

Management Alternative B has a high potential for further archaeological study of this area. It also preserves and protects a larger watershed which extends to the barrier reef systems. And it provides wide recreational opportunities and the interpretation of different historic sites and habitats on the property.

This plan also protects the diversity of the opening historical landscape of the southeastern side of St. Croix.

However, the proposed boundaries of the properties included in the study don't imply that there will be federal ownership of all lands contained within. There might well be private holdings or leased lands within this new park if Congress approves the purchase of the lands from the Gaspren family once the study has been completed. On the mainland, there are many parks with such an arrangement.

The territorial waters surrounding the Castle Nugent Farms would not be transferred to the federal government.

In this new park, the federal and local government will manage the natural and cultural resources for locals and visitors alike to enjoy forever.

I am thankful to the Gaspren family, the Trust for Public Land and all individuals fighting for Castle Nugent Farms and surrounding estates to become a park for all people, especially for locals.

Olasee Davis is an ecologist, he lives on St. Croix.

Notes from the November 17, 2009 Subcommittee on National Parks, Forests and Public Lands of the House Committee on Natural Resources legislative hearing on H.R. 2889 Oregon Caves National Monument Expansion, H.R. 3444 Pinnacles National Monument Redesignation and H.R. 3726 Establishment of Castle Nugent National Historic Site

Congressmen in attendance: Rep. Raul Grijalva (D-AZ), Chairman, Rep. Peter DeFazio (D-OR), Rep. Donna Christensen (VI), Rep. Martin Heinrich (D-NM), Rep. Rob Bishop (R-UT), Rep. Cynthia Lummis (R-WY). Rep. Sam Farr (D-CA) and Rep. Mike Simpson (R-ID) testified in the first panel.

Opening Statements of the chairman and ranking minority member were waived. Mrs. Christensen read a prepared statement in support of H.R. 3726 which would establish Castle Nugent.

The first panel included testimony from Rep. Farr in support of H.R. 3444. That testimony included a letter of support from Burns/Duncan. Rep. Farr also mentioned possible willing seller of the RS Bar Ranch, 18,000 acres near the monument. The testimony stressed the importance of geology as well as natural resources and cultural history, including a link with the writer John Steinbeck.

A copy of the NPS' Statement is on file with OLCA; Mr. Whitesell's oral statement is also on file.

The following is a summary of the USFS statement, which differed from the written testimony reviewed by the NPS prior to the hearing.

The USFS supports the intent of H.R. 2889 but believes that the best approach is interagency cooperation rather than transfer of administration. Grazing has been reduced on the lands surrounding the monument—from 70 to 56—and no grazing occurred on the allotment in the 2009 season. Fuels reduction work is ongoing; an EA has recently been completed for 1550 acres; 300 acres have been treated since July. A contract is pending for another 500 acres with ARRA funds and another 100 acres have been let for a commercial timber contract. The USFS is working to increase the visibility of recreational enhancements. They are working with the group "Travel Oregon" to improve signage for Highway 199. A scenic byway study was completed and although the route does not qualify for designation, the agency hopes to increase the number and quality of scenic turn outs and view points along the road. Agreement has been made at the Assistant Secretary's level for a March, 2010 meeting between the USFS, BLM and NPS regarding use of the "Service First" approach to land management.

The following is a summary of the question and answer session after the panel's testimony:

Q. from Rep. Grijalva: Since there have been no 'national park' designations since mid-1990's, do we really have a lot of other units that are likely to be recommended for this designation?

A. We, as an agency, need to be as thorough as possible with our recommendation for the naming of national park units and look at all possibilities.

At this point the Committee recessed for 45 minutes (to vote) after the first question from Rep. Grijalva. The Committee then reconvened with Rep. Heinrich presiding and Representatives Bishop and DeFazio in

attendance. Mr. DeFazio presented a statement in support of H.R.2889 in which he noted that this is the second time that this committee will hear testimony on the Oregon Caves issue, and he is resolved that it will be the last time.

Q. from Rep. Bishop: When will the documents that I asked for back in February be delivered?

A. Mr. Whitesell responded that the Departmental position is that we have been responsive on the NPCA and southern Arizona requests, and that we are still working on the northern Arizona response. Mr. Bishop is not satisfied that a full response has been provided. He said the response does not square with what the Secretary promised.

Q. from Rep. DeFazio: Was the recommendation that hunting would be banned part of a public process?

A. Mr. Whitesell responded yes, that recommendation was reached during development of the General Management Plan for Oregon Caves; the public and the USFS were involved in that planning effort.

Q. from Rep. Bishop: Do we have written documentation from the Castle Nugent land owner of their willingness to sell?

A. Mr. Whitesell responded that yes, we have that for 1 of the 3 parcels. Mr. Bishop then noted that the bill would need to include willing seller language and "we will put it in." He would also like to know the view of all the landowners.

Q. from Rep. DeFazio, directed to USFS: Was the USFS involved in the process as NPS mentioned regarding the recommendation the ban of hunting from lands proposed for transfer?

A. Ms. Lago responded that the USFS was asked to comment after development of the GMP. She stated that the GMP calls for hunting to continue and that the USFS supports Sec. 9 to allow hunting and fishing within the lands proposed for transfer. Mr. DeFazio acknowledged the importance of these activities to his constituents.

Q. from Rep. Christensen: Regarding Castle Nugent, are there problems with the special resource study or is the study proceeding normally?

A. Mr. Whitesell responded that there are no problems and that we expect completion of the study early in 2010.

Q. from Rep. Christensen: Have we designated other NPS lands before studies were complete?

A. Mr. Whitesell responded 'yes'.

Q. from Rep. DeFazio: Why deferral rather than support for H.R. 2889? What progress has been made since the Senate hearing?

A. Mr. Whitesell responded that the NPS is getting a new team in place and that we expect leadership to sit down over the next couple of months to address this issue. Rep. DeFazio

responded that he is not willing to go beyond the two months [remaining in the six-month period] without some answers.

Q. from Rep. DeFazio: Does NPS have the authority to sell marketable timber from the thinning work needed on these (ORCA) lands?

A. Mr. Whitesell responded that he wasn't sure and would need to look into that.

Closing statement by Rep. DeFazio: I would like you to know that in 1949 the USFS recommended this transfer. I have an interest in increasing thinning operations to decrease the risk of catastrophic fire. I would like to promote cooperation between the USFS and the NPS on this issue and on the visitor center and other matters. I hope there is agreement and we won't have to legislate.

---- end of this panel ----

111TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } 111-393

CASTLE NUGENT NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 2010

JANUARY 12, 2010.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 3726]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3726) to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Castle Nugent National Historic Site Establishment Act of 2010”.

SEC. 2. DEFINITIONS.

In this Act:

- (1) HISTORIC SITE.—The term “historic site” means the Castle Nugent National Historic Site established in section 3.
- (2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. CASTLE NUGENT NATIONAL HISTORIC SITE.

(a) ESTABLISHMENT.—There is established as a unit of the National Park System the Castle Nugent National Historic Site on the Island of St. Croix, U.S. Virgin Islands, in order to preserve, protect, and interpret, for the benefit of present and future generations, a Caribbean cultural landscape that spans more than 300 years of agricultural use, significant archeological resources, mangrove forests, endangered sea turtle nesting beaches, an extensive barrier coral reef system, and other outstanding natural features.

(b) BOUNDARIES.—The historic site consists of the approximately 2,900 acres of land extending from Lowrys Hill and Laprey Valley to the Caribbean Sea and from Manchenil Bay to Great Pond, along with associated submerged lands to the three-mile territorial limit, as generally depicted on the map titled “Castle Nugent Na-

tional Historic Site Proposed Boundary Map", numbered T22/100,447, and dated October 2009.

(c) MAP AVAILABILITY.—The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to acquire lands and interests in lands within the boundaries of the historic site by donation, purchase with donated or appropriated funds, or exchange.

(2) U.S. VIRGIN ISLAND LANDS.—The Secretary is authorized to acquire lands and interests in lands owned by the U.S. Virgin Islands or any political subdivision thereof only by donation or exchange.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including—

(1) the National Park Service Organic Act (39 Stat. 535; 16 U.S.C. 1 et seq.); and

(2) the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) SHARED RESOURCES.—To the greatest extent practicable, the Secretary shall use the resources of other sites administered by the National Park Service on the Island of St. Croix to administer the historic site.

(c) CONTINUED USE.—In order to maintain an important feature of the cultural landscape of the historic site, the Secretary may lease to the University of the Virgin Islands certain lands within the boundary of the historic site for the purpose of continuing the university's operation breeding Senepol cattle, a breed developed on St. Croix. A lease under this subsection shall contain such terms and conditions as the Secretary considers appropriate, including those necessary to protect the values of the historic site.

(d) MANAGEMENT PLAN.—Not later than three years after funds are made available for this subsection, the Secretary shall prepare a general management plan for the historic site.

PURPOSE OF THE BILL

The purpose of H.R. 3726 is to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Castle Nugent Farms area is located on the arid southeastern shore of the island of St. Croix. Historic resources include the remnants of small Danish cotton, sugar, indigo, and cattle plantations, including slave quarters and a sugar mill. Pre-Columbian archaeological sites also exist on the property. The Castle Nugent Farms cattle ranch is one of the oldest in the West Indies, and is home to Senepol cattle, a unique breed developed on St. Croix for adaptation to the dry climate and poor forage found there.

The diverse and undisturbed natural resources of the site include the most substantial black mangrove stand left in the Virgin Islands, sea turtle nesting areas, large and healthy fringe coral reefs, and Great Pond Bay, a lagoon that is home to numerous species of birds and other wildlife.

A Special Resource Study of the site was authorized by Public Law 109-317 in 2006. The National Park Service (NPS) has completed the work associated with the study, though the report has yet to be finalized. The NPS has found that the site meets all applicable criteria for significance, suitability, and feasibility for designation as an NPS unit. There are three other small NPS sites on the island (Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park

and Ecological Preserve) which would share resources with the new proposed site.

COMMITTEE ACTION

H.R. 3726 was introduced by Representative Donna Christensen (D-VI) on October 6, 2009. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a November 17, 2009, subcommittee hearing a representative of the National Park Service testified in support of the bill with technical amendments, but requested the Committee defer action on the measure until the study has been formally transmitted to Congress.

On December 16, 2009, the Subcommittee on National Parks, Forests, and Public Lands was discharged from further consideration of H.R. 3726 and the full Natural Resources Committee met to consider the bill. Representative Christensen offered an amendment to insert a map reference, which was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by a roll call vote of 25 to 14, as follows:

Adjourned:

Recorded Vote # 3

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Rahall, WV	✓			Mr. Wittman, VA		✓	
Mr Hastings, WA		✓		Mr. Boren, OK	✓		
Mr. Miller, CA	✓			Mr. Brown, GA		✓	
Mr. Young, AK				Mr. Sablan, MP	✓		
Mr. Markey, MA				Mr Fleming, LA		✓	
Mr. Gallegly, CA		✓		Mr. Heinrich, NM	✓		
Mr. Kildee, MI	✓			Mr. Coffman, CO		✓	
Mr. Duncan, TN		✓		Mr. Hinchey, NY	✓		
Mr. DeFazio, OR				Mr. Chaffetz, UT		✓	
Mr. Flake, AZ				Mrs. Christensen, VI	✓		
Mr. Faleomavaega, AS	✓			Mrs. Lummis, WY			
Mr. Brown, SC		✓		Ms. DeGette, CO	✓		
Mr. Abercrombie, HI	✓			Mr. McClintock, CA		✓	
Mrs. McMorris Rodgers, WA				Mr. Kind, WI	✓		
Mr. Pallone, NJ				Mr. Cassidy, LA		✓	
Mr. Gohmert, TX		✓		Mrs. Capps, CA	✓		
Mrs. Napolitano, CA	✓			Mr. Inslee, WA	✓		
Mr. Bishop, UT				Mr. Baca, CA	✓		
Mr. Holt, NJ	✓			Ms. Herseth Sandlin, SD	✓		
Mr. Shuster, PA				Mr. Sarbanes, MD	✓		
Mr. Grijalva, AZ	✓			Ms. Shea-Porter, NH	✓		
Mr. Lamborn, CO		✓		Ms. Tsongas, MA	✓		
Mrs. Bordallo, GU				Mr. Kratovil, Jr., MD	✓		
Mr. Smith, NE		✓		Mr. Pierluisi, PR	✓		
Mr. Costa, CA	✓						
				Total	25	14	

Markups - 1/3 to meet (16), 25 to report
December 17, 2009 (11:24am)

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides that this Act may be cited as the “Castle Nugent National Historic Site Establishment Act of 2010.”

Section 2. Definitions

Section 2 provides definitions for several key terms used in the Act.

Section 3. Castle Nugent National Historic Site

Section 3 defines the purpose of the Castle Nugent National Historic Site as the preservation, protection, and interpretation of a Caribbean cultural landscape including historic agricultural use, archaeological resources, mangrove forests, sea turtle nesting beaches, and a barrier coral reef system along with other outstanding natural resources.

This section establishes the boundaries of the site as those depicted on the map entitled “Castle Nugent National Historic Site Proposed Boundary Map,” numbered T22/100,447 and dated October 2009 and provides for the availability of the map in appropriate offices of the National Park Service.

Section 3 also authorizes the acquisition of land and interests in land within the boundaries of the site through donation, purchase with appropriated or donated funds, or exchange. It specifies exchange or donation as the only authorized means of acquisition of land owned by the U.S. Virgin Islands or any political subdivision.

Section 4. Administration

Section 4 mandates that the site be administered as a unit of the National Park System in accordance with the laws generally governing the System. It also requires that the National Park Service share resources between the Castle Nugent National Historic Site and other existing units of the National Park System on the island of St. Croix.

Section 4 authorizes the lease of lands within the park to the University of the Virgin Islands for the purpose of continuing the breeding of Senepol cattle and requires the preparation of a general management plan for the site within three years of appropriation of funds.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a compari-

son by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 3726—Castle Nugent National Historic Site Establishment Act of 2009

H.R. 3726 would establish Castle Nugent on the island of St. Croix in the U.S. Virgin Islands as a unit of the National Park System. The historic agricultural site encompasses about 8,600 acres of submerged lands owned by the Virgin Islands and 2,900 acres of nonsubmerged lands that are privately owned. The bill would allow the National Park Service (NPS) to acquire that property by purchase, donation, or exchange.

Based on information from the NPS, CBO estimates that implementing H.R. 3726 would cost \$26 million over the next five years, assuming appropriation of the necessary amounts, mostly to acquire about half of the total acreage. Currently the NPS estimates that the entire parcel (2,900 acres of nonsubmerged land) has a value of about \$45 million and would take 10 years to acquire. Based on that information, CBO expects that most of the private land acquisition would be accomplished by purchase and the public lands through donations and exchanges. In addition, CBO estimates that NPS would need about \$1 million to develop a general management plan, including the site's future needs for resource protection, visitor services, and other operational needs. Finally, we estimate that NPS would need about \$1 million annually to manage the new area. Enacting H.R. 3726 would have no effect on direct spending or revenues.

The bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

CBO expects that H.R. 3726 would impose no private-sector mandates as defined in UMRA because NPS indicates that it expects to acquire properties for the Castle Nugent National Historic Site without using condemnation. If, however, the Secretary determines that condemnation is necessary to acquire a property, such use of condemnation would be a private-sector mandate as defined in UMRA. The cost of the mandate would be equal to the fair-market

value of the property. Since, according to the NPS, the value of property that may be obtained is no more than \$50 million, CBO estimates that the cost of the mandate, if imposed, would fall well below the annual threshold established in UMRA for private-sector mandates (\$141 million in 2010, adjusted annually for inflation).

The CBO staff contacts for this estimate are Matthew Pickford (for federal costs) and Amy Petz (for the impact on the private sector). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 3726 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.



Union Calendar No. 230

111TH CONGRESS
2^D SESSION

H. R. 3726

[Report No. 111-393]

To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2009

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

JANUARY 12, 2010

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on October 6, 2009]

A BILL

To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, 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. SHORT TITLE.**

4 *This Act may be cited as the “Castle Nugent National*
5 *Historic Site Establishment Act of 2010”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *HISTORIC SITE.*—*The term “historic site”*
9 *means the Castle Nugent National Historic Site estab-*
10 *lished in section 3.*

11 (2) *SECRETARY.*—*The term “Secretary” means*
12 *the Secretary of the Interior.*

13 **SEC. 3. CASTLE NUGENT NATIONAL HISTORIC SITE.**

14 (a) *ESTABLISHMENT.*—*There is established as a unit*
15 *of the National Park System the Castle Nugent National*
16 *Historic Site on the Island of St. Croix, U.S. Virgin Is-*
17 *lands, in order to preserve, protect, and interpret, for the*
18 *benefit of present and future generations, a Caribbean cul-*
19 *tural landscape that spans more than 300 years of agricul-*
20 *tural use, significant archeological resources, mangrove for-*
21 *ests, endangered sea turtle nesting beaches, an extensive bar-*
22 *rier coral reef system, and other outstanding natural fea-*
23 *tures.*

24 (b) *BOUNDARIES.*—*The historic site consists of the ap-*
25 *proximately 2,900 acres of land extending from Lowrys*

1 *Hill and Laprey Valley to the Caribbean Sea and from*
2 *Manchenil Bay to Great Pond, along with associated sub-*
3 *merged lands to the three-mile territorial limit, as generally*
4 *depicted on the map titled “Castle Nugent National His-*
5 *toric Site Proposed Boundary Map”, numbered T22/*
6 *100,447, and dated October 2009.*

7 (c) *MAP AVAILABILITY.*—*The map referred to in sub-*
8 *section (b) shall be on file and available for public inspec-*
9 *tion in the appropriate offices of the National Park Service,*
10 *Department of the Interior.*

11 (d) *ACQUISITION OF LAND.*—

12 (1) *IN GENERAL.*—*Except as provided in para-*
13 *graph (2), the Secretary is authorized to acquire*
14 *lands and interests in lands within the boundaries of*
15 *the historic site by donation, purchase with donated*
16 *or appropriated funds, or exchange.*

17 (2) *U.S. VIRGIN ISLAND LANDS.*—*The Secretary*
18 *is authorized to acquire lands and interests in lands*
19 *owned by the U.S. Virgin Islands or any political*
20 *subdivision thereof only by donation or exchange.*

21 **SEC. 4. ADMINISTRATION.**

22 (a) *IN GENERAL.*—*The Secretary shall administer the*
23 *historic site in accordance with this Act and with laws gen-*
24 *erally applicable to units of the National Park System, in-*
25 *cluding—*

1 (1) *the National Park Service Organic Act (39*
2 *Stat. 535; 16 U.S.C. 1 et seq.); and*

3 (2) *the Act of August 21, 1935 (49 Stat. 666; 16*
4 *U.S.C. 461 et seq.).*

5 (b) *SHARED RESOURCES.—To the greatest extent*
6 *practicable, the Secretary shall use the resources of other*
7 *sites administered by the National Park Service on the Is-*
8 *land of St. Croix to administer the historic site.*

9 (c) *CONTINUED USE.—In order to maintain an im-*
10 *portant feature of the cultural landscape of the historic site,*
11 *the Secretary may lease to the University of the Virgin Is-*
12 *lands certain lands within the boundary of the historic site*
13 *for the purpose of continuing the university's operation*
14 *breeding Senepol cattle, a breed developed on St. Croix. A*
15 *lease under this subsection shall contain such terms and*
16 *conditions as the Secretary considers appropriate, includ-*
17 *ing those necessary to protect the values of the historic site.*

18 (d) *MANAGEMENT PLAN.—Not later than three years*
19 *after funds are made available for this subsection, the Sec-*
20 *retary shall prepare a general management plan for the his-*
21 *toric site.*

Union Calendar No. 230

111TH CONGRESS
2D SESSION

H. R. 3726

[Report No. 111-393]

A BILL

To establish the Castle Nugent National Historic
Site at St. Croix, United States Virgin Islands,
and for other purposes.

JANUARY 12, 2010

Reported with an amendment, committed to the Com-
mittee of the Whole House on the State of the Union,
and ordered to be printed

say anywhere in the Constitution the Federal Government can force anybody to buy anything, including health insurance. It is not there.

Some have said, what about car insurance? The States, not the Feds, regulate car insurance so drivers can pay for third-party injuries. And driving is a privilege, not a right.

A better example would be if the Feds forced the people to buy a car from GM. "Government Motors" would pick the car they want the citizens to buy, then tax them to pay for it. That is unconstitutional. So is forcing people to buy health insurance.

Thomas Jefferson said, "The Federal Government is our servant, not our master." It is about time we put government in its place.

And that's just the way it is.

ARMY SPECIALIST KYLE WRIGHT

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, I rise today to pay tribute to Army Specialist Kyle Wright, a 22-year-old from Romeoville, Illinois, who was killed in combat on January 13 while serving our country during his first tour of duty in Afghanistan.

Specialist Wright followed in his father's and grandfather's military footsteps by enlisting in the Army, and did so out of a strong desire to advance the freedoms and liberties of women in Afghanistan, a cause very close to my heart.

He joined the Army after graduating in 2006 from Romeoville High School, where, even as a young man, he demonstrated his love for this country by serving in the Marine Corps Junior Reserve Officers Training Corps.

He was passionate, honorable, and loved by all who knew him, his family, his girlfriend, and his fellow soldiers. His dedication to women's rights in Afghanistan was inspired by his sisters, his mother, stepmother, and grandmother. And his dedication to upholding the American ideals and freedoms he believed in knew no bounds.

I would like to extend my deepest condolence to the Wright family and to all who knew this brave soldier. Our Nation lost a true hero with Specialist Wright's passing. He will be missed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

CASTLE NUGENT NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 2010

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3726) to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H R 3726

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Castle Nugent National Historic Site Establishment Act of 2010"

SEC. 2. DEFINITIONS.

In this Act

(1) *HISTORIC SITE*—The term "historic site" means the Castle Nugent National Historic Site established in section 3

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

SEC. 3. CASTLE NUGENT NATIONAL HISTORIC SITE.

(a) *ESTABLISHMENT*—There is established as a unit of the National Park System the Castle Nugent National Historic Site on the Island of St. Croix, U S Virgin Islands, in order to preserve, protect, and interpret, for the benefit of present and future generations, a Caribbean cultural landscape that spans more than 300 years of agricultural use, significant archeological resources, mangrove forests, endangered sea turtle nesting beaches, an extensive barrier coral reef system, and other outstanding natural features

(b) *BOUNDARIES*—The historic site consists of the approximately 2,900 acres of land extending from Lowrys Hill and Laprey Valley to the Caribbean Sea and from Manchenil Bay to Great Pond, along with associated submerged lands to the three-mile territorial limit, as generally depicted on the map titled "Castle Nugent National Historic Site Proposed Boundary Map", numbered T22/100,447, and dated October 2009

(c) *MAP AVAILABILITY*—The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior

(d) *ACQUISITION OF LAND*—

(1) *IN GENERAL*—Except as provided in paragraph (2), the Secretary is authorized to acquire lands and interests in lands within the boundaries of the historic site by donation, purchase with donated or appropriated funds, or exchange

(2) *U.S. VIRGIN ISLAND LANDS*—The Secretary is authorized to acquire lands and interests in lands owned by the U.S. Virgin Islands or any political subdivision thereof only by donation or exchange

SEC. 4. ADMINISTRATION.

(a) *IN GENERAL*—The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including—

(1) the National Park Service Organic Act (39 Stat. 535, 16 U.S.C. 1 et seq.), and

(2) the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 461 et seq.)

(b) *SHARED RESOURCES*—To the greatest extent practicable, the Secretary shall use the resources of other sites administered by the National Park Service on the Island of St. Croix to administer the historic site

(c) *CONTINUED USE*—In order to maintain an important feature of the cultural landscape of the historic site, the Secretary may lease to the University of the Virgin Islands certain lands within the boundary of the historic site for the

purpose of continuing the university's operation breeding Senepol cattle, a breed developed on St. Croix. A lease under this subsection shall contain such terms and conditions as the Secretary considers appropriate, including those necessary to protect the values of the historic site.

(d) *MANAGEMENT PLAN*—Not later than three years after funds are made available for this subsection, the Secretary shall prepare a general management plan for the historic site.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair now recognizes the gentlewoman from Guam (Ms. BORDALLO).

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which 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 Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 3726, sponsored by my good friend and colleague from the Virgin Islands, DONNA CHRISTENSEN, establishes the Castle Nugent National Historic Site as a new unit of the National Park System on the island of St. Croix in the United States Virgin Islands.

The lands to be included in this new historic site represent the largest undeveloped natural area remaining on the island, and there is very strong local support for protecting it as parkland for future generations.

The new park, Mr. Speaker, encompasses about 11,500 acres, three-quarters of which are submerged lands containing one of the largest and healthiest coral reef systems in the region. The National Park Service has studied the site and testified that it meets their criteria for addition to the system.

Congresswoman CHRISTENSEN is to be commended for her commitment to preserving the unique history and the culture of the beautiful island of St. Croix. So we urge our colleagues to support passage of H.R. 3726.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

We have concerns with H.R. 3726. As of today, the National Park Service has yet to complete the congressionally authorized study of this proposal. In fact, the agency has asked that we defer consideration until the study is completed.

These studies are not without cost in both personnel and funds, and they take several years to complete and can drain as much as \$500,000 from the Park Service budget. What use are these feasibility studies if we simply choose to ignore them, or, in this case, rush to pass legislation before the study can be finalized? Typically, these studies contain information that could be useful in crafting better legislation.

For example, it would be nice to know what process the National Park Service went through to consult with all private property owners who may be harmed or impacted by this designation. The National Park Service testified that the cost to acquire the private property to establish this park could be as much as \$50 million, in addition to nearly \$1 million a year to operate the park.

□ 1415

Most of us are aware of the estimated \$9 billion in maintenance backlog created currently with the National Park Service. Consequently, it becomes very difficult to justify why additional land acquisition is advisable at this particular time. How do we explain to taxpayers that, while unemployment soars, their government is conspiring to buy beach-front property in the Caribbean? Is adding these luxurious 2,900 acres to the Federal land inventory the priority of this particular Congress?

Nearly every acre of the dry land that is to be acquired is privately owned. It's our understanding the majority of this land is owned by one family. According to testimony heard by the Committee on Natural Resources, this family is supportive of the proposal and even initiated this process. We heard that it is their desire that this land not be developed, but be preserved in its current condition. It seems to me that they are in a perfect position to accomplish that goal as landowners. May I suggest that they also possess the power to determine the future of the property without any interference of Congress.

In addition, to complicate the issue further, sources within the Park Service have told us that there is discord within the family itself over whether this designation is indeed in the family's best interest. Apart from this family, we have heard nothing from the other property owners affected by this bill, both on land and in the water. Is it fair for us in Washington, D.C., to place them in a restrictive designation without their consent and also not knowing whether the consent exists or not?

It is not only these 2,900 acres of dry land that's affected by this legislation. In addition, this bill includes the park-associated submerged lands out to the 3-mile territorial limit of the Virgin Islands. This could mean that fishing in the area would be prohibited, just as it is at the Virgin Islands National Park that surrounds two-thirds of the island of St. John.

I hope that this will not impact struggling fishermen, but it is a possibility that deserves attention and has yet to be addressed, but would have, had the feasibility study been completed.

Again, these are questions that need to be answered, and I would hope that some of them will be answered in the final study when it is finally signed by Secretary Salazar. If this legislation

does move forward today, I hope the current landowners and their descendants are aware that the National Park Service will now be their zoning board.

I would also like to note that there is no "willing seller" provision in this legislation. While "willing seller" provisions are minimum at best protections, at least with this language Congress is on record that landowners should not be hounded or harassed into selling their land to the National Park Service.

I cannot in good conscience support this legislation, yet that does not guarantee the right of private property owners. Our constituents deserve better than that. If the intent of this proposal is to preserve historic landscapes, certainly that can be done locally without Federal funds, interference, or bureaucratic red tape.

So I urge my colleagues to demonstrate some fiscal responsibility and demand respect for property rights that are not yet in this bill.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Thank you, Madam Chair, for yielding.

Today, I rise to speak on behalf of H.R. 3726, a bill that I introduced to establish the Castle Nugent National Historic Site on St. Croix, in my district in the U.S. Virgin Islands. The introduction of this bill continues an effort started in 2006 to build upon that great precedent set by our Forefathers when Yellowstone in Wyoming became the first national park. The establishment of Castle Nugent National Historic Site would provide an excellent opportunity to preserve a very special and unique landscape for the people of St. Croix and visitors to the islands for generations to come.

H.R. 3726 calls for the preservation of 2,900 acres, which include a Caribbean dry forest, pristine coastal barrier coral reef system, and a pre-Columbian, as well as a post-European, settlement. The property has a long agricultural history dating back to the 1730s, when the Danish estate house, now listed on the National Register of Historic Places, was constructed. The farm is one of the last working cattle ranches on St. Croix and one of the ranches instrumental in the development and exportation of Senepol cattle throughout the Caribbean and the rest of the world.

H.R. 3726 would ensure the continued rearing of Senepol cattle with a provision that guarantees a continued relationship with the University of the Virgin Islands to support ongoing scientific research. In addition to guaranteeing the protection of one of the most ecologically sensitive areas on the island, H.R. 3726 would also preserve a rich part of our historic and cultural past by preserving the archaeological remains of the indigenous inhabitants of St. Croix.

The family which owns the majority of this property has been incredibly patient—the pressure to sell their land to developers has been overwhelming—and yet they have continued to try to do what they feel, and I agree, is best for all concerned. There is no intent here to interfere with privately held property. The sole purpose of this bill is to protect and preserve the historic, cultural, and environmental assets and the opportunity for the people of the Virgin Islands as well as their fellow Americans to continue to enjoy the area and to preserve it for future generations.

Even the person who purchased about 400 acres of this property a few years back is on record in support of preserving this area. Longtime neighbors of Castle Nugent support the bill. Both the Bush and Obama administrations have supported this designation every step of the way. The current administration has testified that the study is completed and that it fully supports the designation that we're seeking. The designation is supported by my constituents, including some of those who originally questioned the expansion of the park. As far as I'm aware, no one is challenging the conclusion of the study or the wisdom of preserving the area.

There's no substantive reason to oppose the legislation. The bill contains no intergovernmental mandates, as defined in the Unfunded Mandates Reform Act; would impose no cost on State, local, or tribal governments; and would impose no private sector mandates either, as defined in the UMRA. This is a beautiful and important cultural and natural resource that is in danger of being lost to the Nation's public forever. If we don't move forward, there's a real risk that when the study is formally transmitted to Congress, supporting the designation, the land will already have been sold and condominium owners will be the only people who ever get to visit the area.

At this time, I'd like to take the opportunity to thank Chairman RAHALL and Subcommittee Chairman GRIJALVA for their support in ushering this bill through the Resources Committee. I'd also like to thank the numerous community members who wrote in support of this bill, including our national park superintendent, Mr. Joel Tutein; Mr. Olasee Davis, who traveled from the Virgin Islands to testify in favor of the bill; the Gasperi family, and to thank them again for their patience in holding out for this day; and the Trust for Public Lands, who's given them their support.

I just wanted to add a few other things. While it would be ideal to wait until spring when the study would be formally transmitted to Congress, there are certain examples where this committee and the Congress have moved forward with designations before studies were completed or, in some cases, without studies at all. I'd just like to mention two examples. The legislation designating President Reagan's boyhood home in Illinois and the

Oklahoma City Memorial were enacted without studies at all. Both were sponsored by Members from the other side of the aisle. So precedent has been set for bills to be acted on prior to the study being completed or even without studies.

In addition, on November 17, I want to just remind my colleagues that the National Park Service testified in the committee to the fact that Castle Nugent has met their criteria for suitability and national significance. We're confident in the National Park Service's testimony and that the final opinion will reflect what was testified to, but it is necessary for us to act expeditiously, as there is risk of losing the property if we don't move quickly.

Mr. BISHOP of Utah. In closing, whether this cattle ranch becomes part of our national inventory or not may indeed be a good idea. But one of the things I think we are saying right now is the scope these processes have to go through—and the process does become important. Poor process produces poor policy. What we are arguing in this particular case is if we should allow the process to go through to its completion. There are questions that still have to be asked that yet have a quantified answer to them. Neighbors may be in support, but we want those things quantified, which should be part of the process that is there.

There should be private property rights in this particular document for the protection of private property owners, and that should be boilerplate language we add in all legislation—not just this, but the rest that comes through. The question that we should be asking, which is what the study should be asking as well, is not necessarily do we go forth in this particular one but should we look at this as the only way of preserving or moving forward on this cattle ranch in the future? Is this indeed the best way? Are there other concepts that could be used? And should this be the \$50 million budget priority of this particular Congress? Those are the types of questions that should have been answered in the committee before this bill moved forward, and that's what we asked in committee and we're asking again on the floor.

This may indeed be the proper use of turning this former cattle ranch into a national asset, but there are still questions that should have been asked in a proper process to make sure that this is the right policy at this particular time. And that's why we have objections to this particular bill, not necessarily the substance of it, but the manner and mechanism of what we are doing, because there are still too many unanswered questions.

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

Ms. BORDALLO. Mr. Speaker, I again urge the Members to support the bill, H. R. 3726, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H. R. 3726, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

BLM CONTRACT EXTENSION ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 3759) to authorize the Secretary of the Interior to grant economy-related contract extensions of a certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 3759

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

SECTION 1. QUALIFYING TIMBER CONTRACT OPTIONS

(a) DEFINITIONS.—In this section:

(1) QUALIFYING CONTRACT.—The term "qualifying contract" means a contract that has not been terminated by the Bureau of Land Management for the sale of timber on lands administered by the Bureau of Land Management that meets all of the following criteria:

(A) The contract was awarded during the period beginning on January 1, 2005, and ending on December 31, 2008.

(B) There is unharvested volume remaining for the contract.

(C) The contract is not a salvage sale.

(D) The Secretary determined there is not an urgent need to harvest under the contract due to deteriorating timber conditions that developed after the award of the contract.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of Bureau of Land Management.

(3) TIMBER PURCHASER.—The term "timber purchaser" means the party to the qualifying contract for the sale of timber from lands administered by the Bureau of Land Management.

(b) MARKET-RELATED CONTRACT EXTENSION OPTION.—Upon a timber purchaser's written request, the Secretary may make a one-time modification to the qualifying contract to add 3 years to the contract expiration date if the written request—

(1) is received by the Secretary not later than 90 days after the date of enactment of this Act, and

(2) contains a provision releasing the United States from all liability, including further consideration or compensation, resulting from the modification under this subsection of the term of a qualifying contract.

(c) REPORTING.—Not later than 6 months after the date of the enactment of this Act the Secretary shall submit to Congress a report detailing a plan and timeline to promulgate new regulations authorizing the Bureau of Land Management to extend and renegotiate

timber contracts due to changes in market conditions.

(d) REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall promulgate new regulations authorizing the Bureau of Land Management to extend and renegotiate timber contracts due to changes in market conditions.

(e) NO SURRENDER OF CLAIMS.—This section shall not have the effect of surrendering any claim by the United States against any timber purchaser that arose under a timber sale contract, including a qualifying contract, before the date on which the Secretary adjusts the contract term under subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which 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 Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Nation's recent economic downturn has dramatically affected the forest products industry, especially those companies reliant on wood from Federal lands. Currently, the Forest Service has several options for helping timber companies amend the terms of timber contracts that are no longer economically viable. However, the Bureau of Land Management does not have the same authorities.

H. R. 3759, introduced by our distinguished colleague from Oregon, Representative DEFAZIO, would help rural economies and struggling timber companies by allowing the Secretary of the Interior to add 3 years to the expiration date of certain BLM timber contracts. This authority is similar to the Forest Service authority and would enable companies to wait for a better economic climate.

□ 1430

Mr. Speaker, we commend Representative DEFAZIO for his efforts to support rural communities by proposing this legislation. We support the passage of H. R. 3759 and urge its adoption by the House today.

I reserve the balance of my time.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

This particular bill has been well explained by the distinguished gentlelady from Guam. Up front, I would like to say that I have basically favored this bill introduced by the distinguished gentleman from Oregon. In concept, it is a good bill, and I actually will be voting for it on the floor. However, I do want to state that there are two particular problems, once again, with the process, which are very perplexing and

concerning to me, and I think it's something we ought to discuss

This bill has been changed—I think significantly—since it left the committee on November 18. An amendment was added at 12:58—that is the date on it, today. Admittedly, we knew about it maybe an hour before that, but an amendment that changes this bill significantly was added today. That is not the process you go through. Once again, poor process will equate to poor public policy.

The amendment that was added in here took out salvaged sales on BLM land. That is not what was in the bill when it went through committee, and I would suggest that I am not in favor of that change to a very good bill. We will be told, I'm assuming, that this change was made to conform what practices we do on BLM with national forest land. However, what we are doing is changing the law to conform to an agency regulation, which is, indeed, backwards.

Congress should be establishing what our requirements are and what our practices are, not forcing Congress to try to regulate ourselves and relate ourselves to what an agency of government, through its own internal regulations, does. So I am opposed to this amendment, which was added within the very last 2 hours. That should not be there and was not discussed in committee.

I am also opposed in one particular way to the concept that this was made from a "shall" to a "may." I would like it very much more had it been with the original language that Representative DEFazio proposed in making this a "shall" issue as opposed to simply making this or any other bill that comes before us today into a "may," to make it at the whim of the Secretary.

Now, with those two conclusions, I will say that this is still a good bill. This is still a bill that I think should go forward. This is a bill that should have gone forward in the way it came out of committee, in which it was a stronger and better bill, and I will still vote on it on the floor. But I am perplexed with these changes that have been made that weaken this bill and do not improve it and, more importantly, with the process we are going through to make these last-minute changes when they should have been done with full committee hearing, with full committee discussion, and full committee markup.

In closing, let me just apologize for making a misstatement in the first place. I am told now that there is a statute that since has been done by the National Forest Service, so the statutes are consistent. They are consistently wrong, but they are still consistent here. It is still the wrong thing to do, and those salvaged sales should have been approved on both BLM as well as national forest land, and I still resent the process that went through, even though what I said was technically wrong earlier.

With that, I intend to vote "yes" because I think the DeFazio bill is a good bill. It needs to go forward. It is the right thing to do, but we could have done a whole lot better if we had really put our minds to it.

I yield back the balance of my time.
Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H. R. 3759, as amended.

The question was taken, and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "To authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes."

A motion to reconsider was laid on the table.

INDIAN ARTS AND CRAFTS AMENDMENTS ACT OF 2010

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 725) to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H. R. 725

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

SECTION 1. SHORT TITLE

This Act may be cited as the "Indian Arts and Crafts Amendments Act of 2010".

SEC. 2. INDIAN ARTS AND CRAFTS.

(a) CRIMINAL PROCEEDINGS, CIVIL ACTIONS, MISREPRESENTATIONS.—Section 5 of the Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes" (25 U.S.C. 305d) is amended to read as follows:

"SEC. 5. CRIMINAL PROCEEDINGS, CIVIL ACTIONS

(a) DEFINITION OF FEDERAL LAW ENFORCEMENT OFFICER.—In this section the term "Federal law enforcement officer" includes a Federal law enforcement officer (as defined in section 115(c) of title 18, United States Code).

(b) AUTHORITY TO CONDUCT INVESTIGATIONS.—Any Federal law enforcement officer shall have the authority to conduct an investigation relating to an alleged violation of this Act occurring within the jurisdiction of the United States.

(c) CRIMINAL PROCEEDINGS —

(1) INVESTIGATION —

(A) IN GENERAL.—The Board may refer an alleged violation of section 1159 of title 18, United States Code, to any Federal law enforcement officer for appropriate investigation.

(B) REFERRAL NOT REQUIRED.—A Federal law enforcement officer may investigate an alleged violation of section 1159 of that title

regardless of whether the Federal law enforcement officer receives a referral under subparagraph (A).

(2) FINDINGS.—The findings of an investigation of an alleged violation of section 1159 of title 18, United States Code, by any Federal department or agency under paragraph (1)(A) shall be submitted, as appropriate, to—

(A) a Federal or State prosecuting authority, or

(B) the Board.

(3) RECOMMENDATIONS.—On receiving the findings of an investigation under paragraph (2), the Board may—

(A) recommend to the Attorney General that criminal proceedings be initiated under section 1159 of title 18, United States Code, and

(B) provide such support to the Attorney General relating to the criminal proceedings as the Attorney General determines to be appropriate.

(d) CIVIL ACTIONS.—In lieu of, or in addition to, any criminal proceeding under subsection (c), the Board may recommend that the Attorney General initiate a civil action under section 6."

(b) CAUSE OF ACTION FOR MISREPRESENTATION.—Section 6 of the Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes" (25 U.S.C. 305e) is amended—

(1) by striking subsection (d),

(2) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively,

(3) by inserting before subsection (b) (as redesignated by paragraph (2)) the following:

(a) DEFINITIONS.—In this section:

(1) INDIAN.—The term "Indian" means an individual that—

(A) is a member of an Indian tribe, or

(B) is certified as an Indian artisan by an Indian tribe.

(2) INDIAN PRODUCT.—The term "Indian product" has the meaning given the term in any regulation promulgated by the Secretary.

(3) INDIAN TRIBE —

(A) IN GENERAL.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(B) INCLUSION.—The term "Indian tribe" includes, for purposes of this section only, an Indian group that has been formally recognized as an Indian tribe by—

(i) a State legislature,

(ii) a State commission, or

(iii) another similar organization vested with State legislative tribal recognition authority.

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

(4) in subsection (b) (as redesignated by paragraph (2)), by striking "subsection (c)" and inserting "subsection (d)";

(5) in subsection (c) (as redesignated by paragraph (2))—

(A) by striking "subsection (a)" and inserting "subsection (b)"; and

(B) by striking "suit" and inserting "the civil action";

(6) by striking subsection (d) (as redesignated by paragraph (2)) and inserting the following:

(d) PERSONS THAT MAY INITIATE CIVIL ACTIONS —

(1) IN GENERAL.—A civil action under subsection (b) may be initiated by—

(A) the Attorney General, at the request of the Secretary acting on behalf of—

(i) an Indian tribe,

(ii) an Indian, or

(iii) an Indian arts and crafts organization,

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

North Korea, Pakistan, Iran or elsewhere who could sell nuclear material, as well as the smugglers and corrupt officials around the world who could steal it. Those parts of the nuclear network can be deterred by the knowledge that, if their material is later intercepted, the United States will find out and will hold them responsible.

This bill expands our ability to determine the source of nuclear material by authorizing the National Technical Nuclear Forensics Center in the Department of Homeland Security. This center will coordinate the various agencies, and it will ensure an efficient combined response when nuclear material is intercepted or used, God forbid, in a weapon. It will also advance the science of nuclear forensics, bringing in new radiochemists and physicists to rejuvenate a rapidly aging workforce and funding research on new methods to identify materials. It also takes an important step toward building the nuclear forensic database we will need to effectively track nuclear material.

The bill asks the President to negotiate agreements with other nations to share forensic data on their nuclear materials, both civilian and military.

This effort is vital, and the National Technical Nuclear Forensics Center must play a key role in negotiations to ensure that the data we obtain is the data we need for quick attribution and response.

□ 1400

Nuclear terrorism is an indistinct threat of devastating consequence and therefore difficult to guard against. But as communications and transportation revolutions bring us ever closer to our allies, they bring our enemies close as well. I believe this bill will help make sure that our ability to prevent a nuclear terror attack keeps up with our enemies' ability to attempt one.

Again, I want to thank the chairman and ranking member for their leadership and urge all Members to support the bill.

Mr. KING of New York. Madam Speaker, I would like to close by stating that all of us realize that a terrorist attack is a nightmare scenario.

The fact that we came so close to the loss of life on Christmas Day reminded us dramatically of the dangerous world in which we live. Those of us from New York will never forget September 11, 2001. But just think of the ultimate nightmare scenario, and that would be a nuclear attack. That is almost beyond our imagination. That is why everything must be done to stop those attacks, and to also have the deterrent, as Congressman SCHIFF said, the deterrent of retaliation against any country, against any entity, against any individual, any organization, which was in any way involved in providing nuclear weaponry to be used against the United States.

I strongly urge the adoption of this legislation.

I have no further requests for time, and I yield back the balance of my time.

Ms. CLARKE. Madam Speaker, I yield myself such time as I may consume.

In closing, I would encourage my colleagues to vote "aye" on the pending question. Doing so will allow this important homeland security legislation to be sent to the President's desk for his signature without delay.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 730.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CLARKE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

ordering the previous question on H.R. 1017, by the yeas and nays; adoption of H.R. 1017, if ordered; motion to suspend the rules on H.R. 3726, by the yeas and nays; motion to suspend the rules on H.R. 3538, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 3254, TAOS PUEBLO INDIAN WATER RIGHTS SETTLEMENT ACT; FOR CONSIDERATION OF H.R. 3342, AAMODT LITIGATION SETTLEMENT ACT; AND FOR CONSIDERATION OF H.R. 1065, WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1017, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken, by electronic device, and there were—yeas 239, nays 175, not voting 19, as follows:

[Roll No. 9]

YEAS—239

Ackerman	Green, Gene	Oberstar
Adler (NJ)	Grijalva	Obey
Andrews	Guierrez	Olver
Arcuri	Hall (NY)	Ortiz
Baca	Halvorson	Owens
Baird	Hare	Pallone
Baldwin	Harman	Pascarell
Barrow	Hastings (FL)	Pastor (AZ)
Bean	Heinrich	Payne
Becerra	Herseth Sandlin	Perlmutter
Berkley	Higgins	Perriello
Berman	Himes	Peters
Berry	Hinche	Peterson
Bishop (GA)	Hirono	Pingree (ME)
Bishop (NY)	Hodes	Polis (CO)
Blumenauer	Holden	Pomeroy
Bocieri	Holt	Price (NC)
Boren	Honda	Quigley
Boswell	Hoyer	Rahall
Boucher	Inlee	Rangel
Boyd	Israel	Reyes
Brady (PA)	Jackson (IL)	Richardson
Briley (IA)	Jackson Lee	Rodriguez
Bright	(TX)	Ross
Brown, Corynne	Johnson (GA)	Rothman (NJ)
Butterfield	Kagen	Roybal-Allard
Capps	Kanjorski	Ruppersberger
Capuano	Kaptur	Rush
Cardoza	Kennedy	Ryan (OH)
Carnahan	Kildee	Salazar
Carney	Kilpatrick (MI)	Sanchez, Linda
Carson (IN)	Kilroy	T
Castor (FL)	Kind	Sanchez, Loretta
Chandler	Kirkpatrick (AZ)	Sarbanes
Childers	Kissell	Schakowsky
Chu	Klein (FL)	Schauer
Clarke	Kosmas	Schiff
Clay	Kucinich	Schrader
Clyburn	Langevin	Schwartz
Cohen	Larsen (WA)	Scott (GA)
Connolly (VA)	Larson (CT)	Scott (VA)
Conyers	Lee (CA)	Serrano
Cooper	Levin	Sestak
Costa	Lewis (GA)	Shea-Porter
Costello	Lipinski	Sherman
Courtney	Loebuck	Sires
Crowley	Lowey	Skelton
Cuellar	Lujan	Slaughter
Cummings	Lynch	Smith (WA)
Dahlkemper	Maffei	Snyder
Davis (CA)	Maloney	Space
Davis (IL)	Markey (CO)	Speier
Davis (TN)	Markey (MA)	Spratt
DeFazio	Marshall	Stupak
DeGette	Massa	Sutton
Delahunt	Matheson	Tanner
DeLauro	Matsui	Teague
Dicks	McCarthy (NY)	Thompson (CA)
Dingell	McCollum	Thompson (MS)
Doggett	McDermott	Tierney
Doyle	McGovern	Titus
Driehaus	McIntyre	Tonko
Edwards (MD)	McMahon	Towns
Edwards (TX)	McNerney	Tsongas
Ellison	Meek (FL)	Van Hollen
Ellsworth	Meeks (NY)	Velázquez
Engel	Melancon	Visclosky
Eshoo	Michaud	Walz
Etheridge	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Mollohan	Waters
Filner	Moore (KS)	Watson
Foster	Moore (WI)	Watt
Frank (MA)	Moran (VA)	Waxman
Fudge	Murphy (CT)	Weiner
Garamendi	Murphy (NY)	Welch
Giffords	Murtha	Wilson (OH)
Gonzalez	Nadler (NY)	Woolsey
Gordon (TN)	Napolitano	Wu
Grayson	Neal (MA)	Yarmuth
Green, Al	Nye	

NAYS—175

Aderholt	Blackburn	Buyer
Akin	Blunt	Calvert
Alexander	Bono Mack	Camp
Altmire	Boozman	Campbell
Austria	Boustany	Cantrill
Bachmann	Brady (TX)	Cao
Bachus	Brown (GA)	Capito
Bartlett	Brown (SC)	Carter
Barton (TX)	Brown-Waite	Cassidy
Biggart	Ginny	Castle
Blibray	Buchanan	Chaffetz
Bilirakis	Burgess	Coble
Bishop (UT)	Burton (IN)	Coffman (CO)

Madam Speaker, I wanted to respond to my distinguished chairman. It is true that we do have a lot of bipartisanship on our committee, and I appreciate the gentleman for making that point, and I am certainly doing everything on my part to ensure that that continues on. However, I will make the point we did have a hearing on H R 3538, the measure sponsored by Mr SIMPSON.

We have not had a hearing, however, on H R 4474 which is before us today sponsored by Mr MINNICK. I just wanted to point that out because we try to be in regular order as much as we possibly can, and I think that is worth pointing out.

So I would hope that this legislation does pass the House with strong bipartisan support. Maybe it will be able to send the signal that we can indeed work in a bipartisan way if only we change sponsorships of certain bills, but that remains to be seen, Madam Speaker, but I look forward to that time.

Mr SIMPSON: Madam Speaker, I rise today in support of H R 4474, the Idaho Wilderness Water Resources Protection Act.

This bipartisan, non-controversial legislation is a technical fix intended to enable the Forest Service to authorize and permit existing historical water diversions within Idaho wilderness.

Last year, one of my constituents came to me for help with a problem. The Middle Fork Lodge has a water diversion within the Frank Church-River of No Return Wilderness Area that has existed since before the wilderness area was established and is protected under statute.

The diversion was beginning to leak and is in desperate need of repairs to ensure that it does not threaten the environment and watershed, but when the Forest Service began the process of issuing the Lodge a permit to allow them to make the necessary repairs, we discovered that the Forest Service did not have the authority to issue the required permit.

As we looked into this issue, we discovered that the Forest Service lacks this authority throughout both the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness, where there are a number of these diversions. These diversions are primarily used to support irrigation and minor hydropower generation for use on non-Federal lands.

The damage to the water diversion at the Middle Fork Lodge is severe enough that the Forest Service had to do temporary emergency repairs last fall, but without authority to issue them the necessary special use permit, they will be unable to do the work needed to permanently fix the problem.

While the urgent situation at the Middle Fork Lodge brought this issue to my attention, it is obvious to me that this problem is larger than just one diversion. At some point in the future, all 20 of these existing diversions will need maintenance or repair work done to ensure their integrity.

H R 4474 authorizes the Forest Service to issue special use permits for 20 qualifying historic water systems in these wilderness areas. I believe it is important to get ahead of this problem and ensure that the Forest Service has the tools necessary to manage these lands.

For these reasons I have worked with my colleague, WALT MINNICK, to introduce H R 4474. This legislation allows the Forest Service to issue the required special use permits to owners of these historic water systems and sets out specific criteria for doing so.

Providing this authority will ensure that existing water diversions can be properly maintained and repaired when necessary and preserves beneficial use for private property owners who hold water rights under State law.

I have deeply appreciated the cooperation of the Forest Service in addressing this problem. Not only have they communicated with me the need to find a system-wide solution to this issue, but at my request they have worked with me on this legislation to ensure that it only impacts specific targeted historical diversions—those with valid water rights that cannot feasibly be relocated outside of the wilderness area.

H R 4474 is bipartisan and non-controversial. It is intended as a simple, reasonable solution to a problem that I think we can all agree should be solved as quickly as possible. I was encouraged that the bill passed out of Committee without objection, and I am hopeful that today we can pass it without delay so that the necessary maintenance to these diversions may be completed before the damage is beyond repair.

Mr HASTINGS of Washington: I yield back my time.

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

The SPEAKER pro tempore: All time for debate has expired.

Pursuant to House Resolution 1038, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore: The question is on the passage of the bill.

The question was taken, and the Speaker pro tempore announced that the yeas appeared to have it.

Mr HASTINGS of Washington: Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore: Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CASTLE NUGENT NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 2010

Mr RAHALL: Madam Speaker, pursuant to House Resolution 1038, I call up the bill (H R 3726) to establish the Castle Nugent National Historic Site at St Croix, United States Virgin Islands, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore: Pursuant to House Resolution 1038, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered as read.

The text of the bill, as amended, is as follows:

H R 3726

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

SECTION 1 SHORT TITLE

This Act may be cited as the 'Castle Nugent National Historic Site Establishment Act of 2010'.

SEC 2 DEFINITIONS

In this Act:

(1) **HISTORIC SITE**—The term "historic site" means the Castle Nugent National Historic Site established in section 3.

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

SEC 3 CASTLE NUGENT NATIONAL HISTORIC SITE

(a) **ESTABLISHMENT**—There is established as a unit of the National Park System the Castle Nugent National Historic Site on the Island of St Croix, U S Virgin Islands, in order to preserve, protect, and interpret for the benefit of present and future generations, a Caribbean cultural landscape that spans more than 300 years of agricultural use, significant archeological resources, mangrove forests, endangered sea turtle nesting beaches, an extensive barrier coral reef system, and other outstanding natural features.

(b) **BOUNDARIES**—The historic site consists of the approximately 2,900 acres of land extending from Lowrys Hill and Laprey Valley to the Caribbean Sea and from Manchenil Bay to Great Pond, along with associated submerged lands to the three-mile territorial limit as generally depicted on the map titled "Castle Nugent National Historic Site Proposed Boundary Map", numbered T22/100,447, and dated October 2009.

(c) **MAP AVAILABILITY**—The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(d) **ACQUISITION OF LAND**—

(1) **IN GENERAL**—Except as provided in paragraph (2), the Secretary is authorized to acquire lands and interests in lands within the boundaries of the historic site by donation, purchase with donated or appropriated funds, or exchange.

(2) **U S VIRGIN ISLAND LANDS**—The Secretary is authorized to acquire lands and interests in lands owned by the U S Virgin Islands or any political subdivision thereof only by donation or exchange.

SEC 4 ADMINISTRATION

(a) **IN GENERAL**—The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including—

(1) the National Park Service Organic Act (39 Stat 535, 16 U S C 1 et seq.) and

(2) the Act of August 21 1935 (49 Stat 666, 16 U S C 461 et seq.).

(b) **SHARED RESOURCES**—To the greatest extent practicable the Secretary shall use the resources of other sites administered by the National Park Service on the Island of St Croix to administer the historic site.

(c) **CONTINUED USE**—In order to maintain an important feature of the cultural landscape of the historic site, the Secretary may lease to the University of the Virgin Islands certain lands within the boundary of the historic site for the purpose of continuing the university's operation breeding Senepol cattle, a breed developed on St Croix. A lease under this subsection shall contain such terms and conditions as the Secretary considers appropriate, including those necessary to protect the values of the historic site.

(d) **MANAGEMENT PLAN**—Not later than three years after funds are made available for this subsection, the Secretary shall prepare a general management plan for the historic site.

The SPEAKER pro tempore. The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 3726.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Madam Speaker, I yield myself such time as I may consume.

I rise today in strong support of the pending measure introduced by my very good friend and a valued member of our Committee on Natural Resources, the gentlelady from the Virgin Islands, Dr. DONNA CHRISTENSEN.

The pending legislation establishes the Castle Nugent National Historic Site on the island of St. Croix in the U.S. Virgin Islands. The Castle Nugent area possesses a wide range of historic resources, including the remnants of small Danish cotton, sugar, indigo, and cattle plantations. Pre-Columbian archaeological sites also exist on the property. The cattle ranch there is one of the oldest in the West Indies.

The diverse and undisturbed natural resources of the site include the most substantial black mangrove stand left in the Virgin Islands, sea turtle nesting areas, large and healthy coral reefs, and a lagoon that is home to many different species of birds and wildlife.

Congress authorized a special resource study for this area in 2006. The National Park Service has completed all of the work for that study and found that the area meets all of the applicable criteria for significance, suitability, and feasibility for designation as a National Park Service unit.

The proposed park would include 2,900 acres of privately owned ranch lands as well as 8,600 acres of submerged lands owned by the Government of the Virgin Islands. The family which owns the majority of the site has fought off aggressive developers for years, seeking instead to have their land preserved for future generations to enjoy.

This legislation includes no direct spending, and any land acquisition would be subject to appropriations. This is an excellent piece of legislation, and I commend once again Dr. CHRISTENSEN for her tireless efforts to preserve the unique and stunning resources that are located in her beautiful district.

Thanks to the recent Public Broadcasting System series by Ken Burns chronicling the amazing history of our National Park System, many Americans are asking themselves and asking this Congress what can we do to build upon the incredible legacy left to us by

those who invented the idea of national parks. The answer to that question is simple: work to identify and study significant, unique areas of natural and historic significance and then make certain they are protected.

The answer is to support the pending legislation, H.R. 3726.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I cannot support this legislation, and I urge my colleagues to oppose it for two reasons.

First, this Congress in prior times enacted a law that authorized and directed the National Park Service to conduct a feasibility study on whether this site should be preserved and, if so, in what manner. Madam Speaker, we don't have that report. Hundreds of thousands of dollars have been spent on this study, and yet this House is charging ahead, making a decision without having that study in our hands. I think that is wasteful, and I think it's irresponsible.

It has been said that the report is done, but Congress hasn't gotten a copy of that report. We are told its recommendations will support the approach taken in this bill, yet we don't know that because we have not received the report.

Even if the final report were to recommend establishing a historic site, we would benefit from the information they have gathered to better craft such legislation. This bill is clearly putting the cart before the horse.

The Park Service itself has testified on this Castle Nugent bill before us today, and they stated: "We would ask that the committee defer action on this legislation until the special resource study is completed, which is consistent with the Department's general policy on legislation establishing a new unit of the National Park System when a study is pending."

Madam Speaker, if the \$500,000 study that Congress passed to initiate is nearly completed, then we should wait to consider this bill until we have that information. That seems to be a rather logical conclusion of the events. There hasn't been a single compelling reason given as to the need to act right now before this study is in hand.

Now, Madam Speaker, the second reason for opposition to this bill is its cost. With 10 percent unemployment nationwide and with millions of Americans without jobs and the fact that we are running record budget deficits and the public debt is skyrocketing, now is not the time to potentially spend up to \$50 million of the taxpayers' money to buy nearly 3,000 acres of beachfront property on a Caribbean island. And on top of that, it will probably cost an estimate of \$1 million a year to maintain.

Madam Speaker, we can't afford the price tag for a new park in St. Croix, just as many Americans will never be able to afford a visit there. I had my

staff, Madam Speaker, actually look up the cost of getting to St. Croix over the Presidents' Day weekend next month. From my home town in Pasco, Washington, it would take two plane changes, over 12 hours of time and around a thousand dollars to visit the island which would be the home of this new park.

For a resident in the wild and wonderful State of West Virginia, just to pick a State, flying out of the Charleston airport, the time to get there is a little less, but the price is still around a thousand dollars.

On top of the cost of buying this beachfront Caribbean property and the yearly cost of maintaining it, we need to be honest about the backlog that we have in caring for land already owned by the Federal Government.

Madam Speaker, there is \$9 billion, that is billion with a "b," worth of needed repairs and maintenance on existing park lands. If we aren't caring for what we already have, then Congress shouldn't be making the problem worse by authorizing new park lands.

Our existing treasures should be our focus to ensure families that load up the minivan or SUV to take a summer vacation to a national park have a safe, enjoyable, and accessible visit, like my colleague from Georgia (Mr. KINGSTON) expressed a moment ago about the Rocky Mountain National Park. I guarantee you that no family from any State will ever load up their minivan and drive to this park in the Caribbean ocean.

This Congress must get serious about controlling spending. The American people are concerned. They're worried and they're angered by the spending that has gone on in Washington, D.C. In the first year of the Obama administration, the largest spending deficit in our Nation's history has been set.

Whether it's the \$787 billion stimulus bill that has failed to create the jobs that were promised or the government takeover—potential government takeover of the health care costs that will cost, if it is put in place—the health care bill that is being debated, over a trillion dollars—I think is very, very clear: spending in America's mind is out of control.

For Congress to buckle down, it needs to not only put the brakes on mega-spending bills but it also must start taking a hard look at smaller bills like this one.

Just take a look, Madam Speaker, at some of the bills that have been advanced out of the Natural Resources Committee this year. We passed a bill to create a \$700 million welfare program for wild horses; they've approved another bill to increase spending for neotropical birds by millions of dollars; and, today, there is a committee hearing on a bill to spend millions of more dollars overseas to assist apes.

There is a lot of talk that the President may propose a spending freeze in his State of the Union speech tonight. The news media and blogs have been

talking about it for several days; yet this House is positioned to vote on creating a new \$50 million park in the middle of the Caribbean ocean just hours before the State of the Union speech tonight. Madam Speaker, those that control this House will send quite a message on spending and their real priorities if it approves this bill before the President even makes it here to give his speech tonight.

So, Madam Speaker, for those two reasons, I urge my colleagues to oppose this bill.

And with that, I reserve my time.

Mr. RAHALL. Madam Speaker, I am very happy at this point to yield to the gentlelady from the Virgin Islands who has worked so long, so hard, so diligently, and so patiently to bring this bill before us today, Dr. DONNA CHRISTENSEN, such time as she may consume.

Mrs. CHRISTENSEN. Thank you, Chairman RAHALL, for yielding.

Today I rise once again to speak on behalf of H.R. 3726, a bill that I introduced to establish the Castle Nugent Historic Site on St. Croix, Virgin Islands, for the first time in the 110th Congress.

The introduction of this bill, or the reintroduction, stands as testimony to our country's legacy of preserving our Nation's special places. H.R. 3726 deepens the commitment of our conservation trail blazers such as Henry Thoreau, George Perkins Marsh, and John Muir who worked tirelessly to protect our collective natural history in such a way that it would live on for generations.

□ 1300

As noted by Ken Burns when discussing the need to document the National Park System, the chronicle of America's parks isn't a mere celebration of our Nation's national treasures, but also a story of our people, of the forces that help shape our lands and the influences that will guide our children.

The site to be designated as the Castle Nugent National Historic Site continues to be heralded as one of the last pristine areas in the region. Without hesitation, I can attest to the fact that the Castle Nugent Farm is worthy of preservation, worthy of inclusion in the National Park System and truly worthy of being shared as more than just a "beachfront property in the Caribbean" but, instead, as an invaluable chapter in our Nation's official record of the American story. The National Park Service testified as such in November at the subcommittee hearing.

H.R. 3726 calls for the preservation of 2,900 acres, which include a Caribbean dry forest, sea turtle nesting areas, large and healthy fringe coral reefs, and Great Pond Bay, home to numerous species of bird and other wildlife. Today the landscape remains pretty much as it did historically with its rolling hills and open grassy shrub plains sloping into the Caribbean Sea.

In addition to guaranteeing the protection of one of the most ecologically sensitive areas on the island, H.R. 3726 also preserves a rich part of our historical and cultural past by preserving the archeological remains of our indigenous Taino inhabitants as well as a Danish estate house now listed on the National Register of Historic Places.

Estate Castle Nugent is one of the last working cattle ranches on St. Croix and one of the ranches instrumental in the development and exportation of the unique and sturdy Senepol cattle throughout the Caribbean and, really, throughout the world. H.R. 3726 would ensure the rearing of the Senepol cattle with a provision that guarantees a continued relationship with the University of the Virgin Islands Agricultural Experiment Station to support ongoing scientific research.

The family which owns the majority of this property has been incredibly patient. The pressure to sell their land to developers has been overwhelming and has created some conflict among family members, but they have held out because their first choice has always been that the ranch and its assets be preserved, which I agree is the best for all concerned.

There is no intent to interfere with privately held property. The sole purpose of this bill is to protect and preserve the historic, cultural, and environmental assets and the opportunity for the people of the Virgin Islands and our fellow Americans to continue to enjoy the area and to preserve it for future generations.

And while it might cost almost \$1,000 to get there on President's weekend, President's weekend is the most heavily traveled time of the year to any part of the Caribbean, and most times of the year the cost to get to St. Croix is far less.

There is also no final assessment of how much the site would cost. This simply authorizes the Secretary to acquire it. We do not know that the entire 2,900 acres will remain in the park, and we expect to acquire some of what would be the National Historic Site through donations, easements, and possibly also exchanges.

There is no substantive reason to oppose this legislation. This is a beautiful and important natural and cultural resource that is in danger of being lost to the Nation's public forever. If we do not move forward now without waiting for the final process to get the study here, after having heard from the National Park Service that it is indeed determined to have been appropriate for inclusion into the park, if we don't move forward today, there is a real risk that when the study is formally transmitted to Congress supporting the designation, the land will already have been sold and condominium owners will be the only people who ever get to visit the area.

In places such as the U.S. Virgin Islands, there is always a danger of de-

velopment getting out of control and the balance between development and conservation being lost in favor of development. With development brings the risk of restricting local residents' use of the area far more than park regulations would. There are examples, as well, of developers disregarding the relationship between the people of our community and the areas that they have purchased. Bringing this ranch into the Park Service is the best way to allow those who have purchased part of the property or adjacent property to develop, but to do so in a way that is sensitive to the importance of the land and least restrictive to all of my constituents.

Both the Bush and Obama administrations have supported this designation every step of the way. The current administration has determined that the site meets the criteria set by the National Park Service to determine national significance, suitability, and feasibility. The designation is supported by my constituents, including those who originally questioned the expansion of the park, and, as far as I'm aware, no one is challenging the conclusions of the study.

The people of St. Croix have long enjoyed the picturesque scenery and use of the area for various activities. For years, thousands of Virgin Islanders and visitors have frequented the property to learn about the natural, cultural, historical, archeological, and marine resources found in Estate Castle Nugent. Anyone who visits the property leaves with a deepened appreciation of our community's treasure and our place in American history. Failure to act now will guarantee the area to be developed privately, risking our historic and natural jewels and having them untold and lost to future generations.

I want to take this opportunity to thank Chairman RAHALL and Subcommittee Chair GRIJALVA for their support in ushering this bill through the Resources Committee and back to the floor. I would like to thank the numerous community members and organizations who wrote in support of it.

Madam Speaker and colleagues, on behalf of the people of the Virgin Islands, I ask for a "yes" vote on H.R. 3726. This is timely and responsible legislation, and I urge my colleagues to support it.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield as much time as he may consume to the ranking member of the National Parks, Forest and Public Lands Subcommittee, Mr. BISHOP of Utah.

Mr. BISHOP of Utah. Madam Speaker, I thank the gentleman from Washington for yielding me some time.

It is with mixed emotions that I speak on this particular bill. This is not the worst bill our committee has ever produced. We have produced some real stinkers that we have hidden in other pieces of legislation. However, it

is symbolic of the problem that this administration and leaders of this Congress have.

We have a Secretary of the Interior who, every time we wish to use Federal land to actually help improve the lives of Americans or creating jobs, will always yell that we have a process we have to do; we cannot commit a rush to judgment. And now when we have a piece of territory, land that will be taken off the tax rolls in a territory that is in deep financial problems today, this historic cattle ranch is now considered something that we must hustle through the system.

We just voted on a bill to solve problems in the wilderness areas of Idaho, which, if we had taken the time to see what was in there instead of rushing to create the most restrictive environment we can on this land in Idaho, we would not have needed the legislation. That is why this administration and this Department of the Interior have said they want to wait until the study is completed and the process is done.

If one of the arguments in favor of passing this bill is we don't really know how much land we will ultimately have and how much it will ultimately cost, that is a great argument to wait until the study is done and we figure out how much land we really want to have and how much it will ultimately cost.

But it is also symbolic of a deeper problem. This Federal Government already owns 650 million acres of land. One-third of this Nation is owned by the Federal Government. Now think of that. One out of every three acres in this country is owned by the Federal Government. I have had three land transfer bills in the past few years here, and in each case, the land that was controlled by the Federal Government was land they did not need, they did not use, and in every case, they did not even know they had the land until a land title search pointed out that, indeed, it belonged to the Federal Government.

At some time you have to say enough is enough. The States with the biggest problem in funding their education system are found in States that have a predominance of public lands. It is a one-to-one relationship between States that have that problem. In my State of Utah, only 18 percent of the State is in private property. The Governor of Utah controls 18 percent. The rest of the State is under the heavy hand of the Secretary of the Interior, and both my adjective and noun are appropriate.

One of the issues that we simply have here is we will be hearing that we should have a spending freeze on non-defense and nonentitlement programs, and we will hear that tonight. Does it seem logical that we should spend up and then decide to freeze? Does that indeed solve our problem?

As I said before, this particular bill, which will probably cost \$50 million, give or take \$50 million, this particular bill is not necessarily bad in and of

itself, but it is symbolic of the problem that we have, that we do not have a large-scale picture of what this Nation should control, should own, should do, and we are moving in a pell-mell process to try and add more and more acreage to the heavy hand of the Federal Government. And at some time, we should stand up and say enough is enough.

One-third of this country owned by the Federal Government is enough. For that reason, we should at least wait until the Department of the Interior has finished their study and the process and they sign off and we actually know how much land and how much cost we are talking.

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

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield as much time as he may consume to a new member of the House Resources Committee, Mr. CHAFFETZ from Utah.

Mr. CHAFFETZ. With all due respect to the great people of the Virgin Islands and to my colleague, I stand in opposition to this bill. No doubt, the Virgin Islands is one of the most spectacular, beautiful places on the face of the planet. But this bill is about priorities of the United States of America.

We are \$12 trillion in debt. We are spending \$600 million a day just in interest on that debt. This Congress momentarily is going to have to raise the debt ceiling another \$1.8 trillion. We don't have the money to do this.

Currently, the National Park Service has an estimated \$9 billion in backlog, \$9 billion that they need to help with the national parks to preserve and to upgrade what we already have in our current holdings.

We don't have the money. We don't have the resources. If you look at what the President is probably going to say here in less than 8 hours, he might come in and try to create this air of, oh, we have to be a little fiscally responsible. We should probably freeze a few things.

For the second time in just over a week here, we are going to actually come and look at this bill to acquire at the cost of \$40 million to \$50 million property with funds that we don't have.

No longer can this government continue to use the government credit card to rack up debt. Those that decide to vote in favor of this bill, although it's just an authorization—I know it's not an appropriation—are saying, sure, yeah, let's go buy some beachfront property.

We don't have the money. Think of all the other things that we could do and should do in prioritizing this country. We have 1,500 people a day that die from cancer, and we're not adequately funding those types of things. We deal with homelessness, and we have Homeland Security issues. But this government continues to acquire private property and put it into the Federal Treasury. I think it's fundamentally wrong.

As was pointed out earlier, there is no report. The National Park Service does not recommend we make this transaction because they haven't even finished the study. Why does this government spend hundreds of thousands of dollars on a study if it doesn't matter? Maybe what we should have also done is add an amendment to stop the study and recover as much money in funds as we can. There is absolutely no reason, if the Democrats are going to move forward and push this thing through, to actually do the study. I don't care if it's \$2,000. Let's save it. And until this body has that type of attitude, we will continue to have the systemic problems that we have in this government.

Just yesterday, the Governor of the territory stood up before the people and said this: "However, the global economic crisis has had a great impact on our economy. It has devastated our government funds, where we are running a monthly deficit of \$25 million and our tax revenues fell by over 30 percent. This means that we had 234 million fewer dollars to spend than we had just the year before. To put this in perspective, \$234 million is almost half of the cost of salaries and benefits of our government workers for a full year."

Now some will say, well, we should move forward with this. Well, guess what? It's going to take property off of the tax rolls and put the burden on the Federal taxpayer. Why should the people of Iowa or Rhode Island or Utah or California have to continue to pay and supplement the people there on St. Croix for this property? I don't think it's fair. I don't think it's right. The Federal taxpayers will be the ones responsible for reimbursing on the lost property tax, plus the million dollars a year that it's going to take in order to just maintain the facility.

Again, as we said, there are existing parks that need our help, \$9 billion in backlog. If this was really such a great thing for the island and they really wanted to do it, my suggestion is to do it locally. Locally they can go and acquire this. It does not require the Federal taxpayers to take on this burden.

I think one of the arguments back to that would say, well, we can't afford it. Well, neither can the Federal taxpayers. Neither can the United States of America. It's time we stand up and say "no" to a bill like this.

□ 1315

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

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Texas (Mr. GOHMERT), another member of the Natural Resources Committee.

Mr. GOHMERT. Madam Speaker, I had the privilege of hearing the esteemed economist, Art Laffer, who is credited with bringing the United States out of a worse recession than we are in right now by overcoming double

digit inflation, double digit unemployment, and double digit interest rates, and he did it by cutting taxes. Of course, we know taxes are going to jump up like crazy a year from now. But what he said is if you want to get this government out of the tremendous trouble we are in, quit buying things, quit buying land and things, and start selling off some of the assets.

That is what a regular family would do when they find themselves in debt. That is what I am doing right now to pay off student loans. We are selling our house and going to downsize. Why can't the government do that? Let's quit spending like crazy. Let's sell off some of our assets, pay down our debt, and let America find jobs again.

Mr. RAHALL. Madam Speaker, I reserve the balance of my time pending any further speakers on the minority side.

Mr. HASTINGS of Washington. I understand the gentleman from West Virginia is the final speaker on that side. With that, I yield myself the balance of the time.

Madam Speaker, I again urge my colleagues to vote "no" on this. And if you were listening to the debate here of the several speakers that we had on our side of the aisle, if you noticed, we were not criticizing the merits of this purchase. We are simply saying that there is a procedure that this Congress set up. That procedure was a study. Taxpayer dollars funded that study in order to see if this project actually merits congressional support.

Well, that study, Madam Speaker, is not made public. We have not seen the study. We don't know if it is good or bad. It may be good, as the gentleman from Utah (Mr. BISHOP) said. In fact, he alluded that he has seen worse pieces of legislation rather than this one. But for goodness sakes, if we are spending taxpayer dollars on a study, then shouldn't we at least find out what the study says? That might lead us in the right direction of spending, as this bill would authorize, up to \$50 million without really knowing the ramifications.

So our argument on this side, and I think an argument on this side probably resonates better with the American people due to the fiscal health of our country, I think this resonates very, very well today, especially, as I alluded to in my earlier remarks, since the President is going to come and speak to a joint session of Congress tonight on fiscal responsibility, this is our opportunity on that very day to show some fiscal responsibility by saying "no" to this bill and waiting for the study to come back.

Madam Speaker, I urge my colleagues to vote "no" on this piece of legislation.

I yield back the balance of my time.

Mr. RAHALL. Madam Speaker, may I inquire of the remaining time?

The SPEAKER pro tempore. The gentleman has 10½ minutes.

Mr. RAHALL. Thank you. I yield myself the balance of my time.

I would close this debate by making the following observations on the allegations that we have heard on the other side. With respect to the technicality that a new area study has not been sent to the Congress, let me state that at a hearing before the Parks Subcommittee held last November, the National Park Service testified on the record that the draft study is completed and finds that the site meets the NPS criteria for addition to the National Park System.

The official agency testimony goes on for four pages describing the amazing natural, cultural, and historical resources found on the site. For example, that testimony states that, and I quote, "Enactment of H.R. 3726 would provide the opportunity to preserve and protect this outstanding Caribbean cultural landscape and interpret the cotton era and related agricultural themes that have been instrumental in the development of St. Croix in the Virgin Islands. It would also help protect five pre-Columbian archeological sites, two of which are among the oldest sites on St. Croix."

I was not able to attend this hearing, but my staff does inform me that at no time did any member of the committee, even for a moment, question the conclusions or opinions that were expressed by the National Park Service. The formal findings contained in the study will be enormously valuable as the NPS moves forward creating a management plan for this area, and in future years as the Congress contemplates appropriating funds for the site.

For now, I am satisfied that the NPS has provided us more than ample information to move forward with the initial designation. The fact that the formal study has not been transmitted to the Congress is a technicality, one that is either significant or not to the other side, the minority, depending upon what day it is. House Republicans have supported designations with incomplete studies. House Republicans have supported designations with no study at all. House Republicans have opposed designations when the study was complete and fully supported designation. So this concern for NPS studies by those on the other side of the aisle is newly discovered. Their record on this is inconsistent and simply not credible.

Like the Republican concern for following the recommendations of NPS studies, this concern for the NPS maintenance backlog is newfound as well. The NPS maintenance backlog is real, no doubt about it, and needs to be addressed. Democrats are serious about addressing it. We continue to work closely with the agency to document the work that needs to be done to prioritize it and provide the funding and the people needed to get the most pressing work done.

But I completely disagree with the Republican claim that the National Park Service, quote, "can't take care of what it already owns." That kind of

park bashing may score some points, but it is nothing more than a low blow. Millions of American families visit our national parks every year and come away feeling inspired, energized, and downright patriotic. The National Park Service could use more money, but they are the very best in the world at what they do, and claims to the contrary are false. Our National Park Service takes care of what they already own, to the enormous satisfaction of most Americans, and they can take care of this beautiful area of St. Croix as well.

I would ask the American people to keep an eye on the issue. You watch. When the President submits his budget request for the next fiscal year, it will contain critical funding for the NPS. And Democrats will support that request and pass it. And many of the same Republicans on this floor today expressing deep concern over the NPS maintenance backlog will come to this floor and vote against the funding needed to address it.

In fact, it was Republicans who insisted on drastically underfunding and understaffing this agency that caused the maintenance backlog to increase on their watch. The future health and growth of our NPS system should not be stunted because Republicans mismanaged it when they were in charge of government. Democrats will correct the mistakes of the past, not be held hostage by them. And just like other arguments offered today, the Republican record on this issue is so inconsistent it simply cannot be taken seriously.

Finally, Madam Speaker, H.R. 3726 does not spend one dime, and every Member on this floor knows it. The legislation designates this area as a new unit, but the bill contains no direct spending. Any land acquisition will be subject, of course, to appropriations. Enactment of this legislation is the beginning of the process, not the end. This is a once-in-a-lifetime opportunity to preserve a unique and stunning area, and I fully support having this land at least be eligible for land acquisition funding over the next few cycles.

Yes, the former Republican majority went on an irresponsible spending spree that damaged this country and resulted in the largest increase in the deficit since World War II. And yes, fixing the damage caused by those Republican mistakes will be an enormous challenge for all of us going forward. But I believe Democrats can do it. I believe we can get our fiscal house in order, and when we do it, Castle Nugent should be a unit of the National Park System so we can allocate funding to protect it and preserve it for generations to come.

As for unemployment, the unemployment rate on St. Croix was 8.9 percent last November. If this private land is successfully transformed into a popular tourist destination, it will create jobs

and help ease unemployment on the island. It will increase tourism, benefiting airlines, car rentals, travel agents, restaurants, hotels, and might even lead to hiring a few new park rangers. Democrats support creating jobs by building things up—investing in the long-term growth and health of this nation. H.R. 3726 does just that.

I would conclude by pointing out the obvious: We as a Nation have a responsibility to our territorial possessions. And if we shirk from that duty, we would be nothing more than the European empires which once ruled over vast swaths of Africa and the Americas. The U.S. Virgin Islands are a unique and fascinating place. Native people lived on these islands as far back as the Stone Age. And some of the evidence of that can be found on the site protected in this bill.

Christopher Columbus gave the islands early versions of the names we use today, Santa Cruz, San Tomas, and San Juan. And last, as we move forward in this legislation, recognize that these islands were then occupied by foreign nations, England, Holland, France and Denmark, a period that saw the native people enslaved and then driven almost to extinction. Remains of these times can be found on the land protected in this bill as well.

It is not only the history and the culture found in the continental United States that matters, but St. Croix is a part of these United States. And we owe it to those who live there now and those who were there long before this Nation came into being to value this history and to respect its culture. This legislation does that. This legislation deserves our support.

I yield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1038, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Passage of H.R. 4474 and H.R. 3726, and motions to suspend the rules with regard to H.R. 4508 and House Resolution 1020, in each case by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

IDAHO WILDERNESS WATER FACILITIES ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of H.R. 4474, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 22]

YEAS—415

Ackerman	Carter	Frelinghuysen
Aderholt	Cassidy	Fudge
Adler (NJ)	Castle	Galleghy
Akin	Castor (FL)	Garamendi
Alexander	Chaffetz	Garrett (NJ)
Altmire	Chandler	Gerlach
Andrews	Childers	Giffords
Arcuri	Chu	Gingrey (GA)
Austria	Clarke	Gohmert
Baca	Clay	Gonzalez
Bachmann	Cleaver	Goodlatte
Bachus	Clyburn	Gordon (TN)
Baird	Coffman (CO)	Granger
Baldwin	Cohen	Graves
Barrow	Cole	Grayson
Bartlett	Conaway	Green, Al
Barton (TX)	Connolly (VA)	Green, Gene
Bean	Conyers	Grijalva
Becerra	Cooper	Guthrie
Berkley	Costa	Gutierrez
Berman	Costello	Hall (NY)
Berry	Courtney	Hall (TX)
Biggert	Crowley	Halvorson
Bilbray	Cuellar	Hare
Bilirakis	Culberson	Harman
Bishop (NY)	Cummings	Harper
Bishop (UT)	Dahlkemper	Hastings (FL)
Blackburn	Davis (CA)	Hastings (WA)
Blumenauer	Davis (IL)	Heinrich
Blunt	Davis (KY)	Heller
Bocchieri	Davis (TN)	Hensarling
Boehner	DeFazio	Herger
Bonner	DeGette	Herseeth Sandlin
Bono	Delahunt	Higgins
Boozman	DeLauro	Hill
Boren	Dent	Himes
Boswell	Diaz-Balart, L	Hincheey
Boucher	Diaz-Balart, M	Hinojosa
Boustany	Dicks	Hirono
Boyd	Dingell	Hodes
Brady (PA)	Doggett	Hoekstra
Brady (TX)	Donnelly (IN)	Holden
Braley (IA)	Doyle	Holt
Bright	Dreier	Honda
Brown (GA)	Driscoll	Hoyer
Brown (SC)	Duncan	Hunter
Brown, Corrine	Edwards (MD)	Inglis
Brown-Waite,	Edwards (TX)	Inslee
Gunny	Ehlers	Israel
Buchanan	Ellison	Issa
Burgess	Ellsworth	Jackson (IL)
Burton (IN)	Emerson	Jackson Lee
Butterfield	Engel	(TX)
Buyer	Eshoo	Jenkins
Calvert	Etheridge	Johnson (IL)
Camp	Fallin	Johnson, Sam
Campbell	Farr	Jones
Cantor	Fattah	Jordan (OH)
Cao	Filner	Kagen
Capito	Flake	Kanjorski
Capps	Fleming	Kaptur
Capuano	Forbes	Kennedy
Cardoza	Fortenberry	Kildee
Carnahan	Foster	Kilpatrick (MI)
Carney	Fox	Kilroy
Carson (IN)	Franks (AZ)	Kind
King (IA)		
King (NY)		
Kingston		
Kirk		
Kirkpatrick (AZ)		
Kissell		
Klein (FL)		
Kline (MN)		
Kosmas		
Kratovil		
Kucinich		
Lamborn		
Lance		
Langevin		
Larsen (WA)		
Larson (CT)		
Latham		
LaTourette		
Latta		
Lee (CA)		
Lee (NY)		
Levin		
Lewis (CA)		
Lewis (GA)		
Linder		
Lipinski		
LoBiondo		
Loebuck		
Lofgren, Zoe		
Lowey		
Lucas		
Luetkemeyer		
Lujan		
Lummis		
Lungren, Daniel		
E		
Lynch		
Mack		
Maffei		
Maloney		
Manzullo		
Marchant		
Markey (CO)		
Markey (MA)		
Marshall		
Massa		
Matheson		
Matsui		
McCarthy (CA)		
McCarthy (NY)		
McCaul		
McClintock		
McCollum		
McCotter		
McDermott		
McGovern		
McHenry		
McIntyre		
McKeon		
McMahon		
McMorris		
Rodgers		
McNerney		
Meek (FL)		
Meeks (NY)		
Melancon		
Mica		
Michaud		
Miller (FL)		
Miller (MI)		
Miller (NC)		
Miller, Gary		
Miller, George		
Minnick		
Mitchell		
Abercrombie		
Barrett (SC)		
Bishop (GA)		
Coble		
Crenshaw		
Davis (AL)		
Mollohan		
Moore (KS)		
Moore (WI)		
Moran (VA)		
Murphy (CT)		
Murphy (NY)		
Murphy, Patrick		
Murphy, Tim		
Murtha		
Myrick		
Nadler (NY)		
Napolitano		
Neal (MA)		
Neugebauer		
Nunes		
Nye		
Oberstar		
Obey		
Olson		
Oliver		
Owens		
Pallone		
Pascarella		
Pastor (AZ)		
Paul		
Paulsen		
Payne		
Pence		
Perlmutter		
Perriello		
Peters		
Peterson		
Petri		
Pingree (ME)		
Pitts		
Platts		
Poe (TX)		
Polis (CO)		
Pomeroy		
Posey		
Price (GA)		
Price (NC)		
Putnam		
Quigley		
Radanovich		
Rahall		
Rangel		
Rehberg		
Reichert		
Reyes		
Richardson		
Rodriguez		
Roe (TN)		
Rogers (AL)		
Rogers (KY)		
Rogers (MI)		
Rohrabacher		
Rooney		
Ros-Lehtinen		
Roskam		
Ross		
Rothman (NJ)		
Roybal-Allard		
Royce		
Ruppersberger		
Rush		
Ryan (OH)		
Ryan (WI)		
Salazar		
Sanchez, Linda		
T		
Sanchez, Loretta		
Sarbanes		
Scalise		
Schakowsky		
Schauer		
Schiff		
Schmidt		
Schrader		
Schwartz		
Scott (GA)		
Scott (VA)		
Sensenbrenner		
Serrano		
Sessions		
Sestak		
Shadegg		
Shea-Porter		
Sherman		
Shimkus		
Shuler		
Shuster		
Simpson		
Sires		
Skelton		
Slaughter		
Smith (NE)		
Smith (NJ)		
Smith (TX)		
Smith (WA)		
Snyder		
Souder		
Space		
Spratt		
Stark		
Stearns		
Stupak		
Sullivan		
Tanner		
Taylor		
Teague		
Terry		
Thompson (CA)		
Thompson (MS)		
Thompson (PA)		
Thornberry		
Tiahrt		
Tiberi		
Tierney		
Titus		
Tonko		
Towns		
Tsongas		
Turner		
Upton		
Van Hollen		
Velazquez		
Visclosky		
Walden		
Walz		
Wasserman		
Schultz		
Watson		
Watt		
Waxman		
Weiner		
Welch		
Westmoreland		
Whitfield		
Wilson (OH)		
Wilson (SC)		
Wittman		
Wolf		
Woolsey		
Wu		
Yarmuth		
Young (AK)		
Young (FL)		

NOT VOTING—18

□ 1353

Mr. GEORGE MILLER of California and Ms. WASSERMAN SCHULTZ changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr GRIFFITH. Madam Speaker, on rollcall No 22 I was unavoidably detained. Had I been present, I would have voted "yea."

CASTLE NUGENT NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on passage of H.R. 3726, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 175, not voting 18, as follows:

[Roll No 23]

YEAS—240

Ackerman	Fattah	McCarthy (NY)
Adler (NJ)	Filner	McCollum
Altumire	Foster	McDermott
Andrews	Fudge	McGovern
Arcuri	Garamendi	McIntyre
Baca	Giffords	McMahon
Baird	Gonzalez	McNerney
Baldwin	Gordon (TN)	Meek (FL)
Barrow	Grayson	Meeks (NY)
Bean	Green, Al	Melancon
Becerra	Green, Gene	Michaud
Berkley	Grijalva	Miller (NC)
Berman	Gutierrez	Miller, George
Berry	Hall (NY)	Minnick
Bishop (NY)	Halvorson	Mollohan
Blumenauer	Hare	Moore (KS)
Boccieri	Harman	Moran (VA)
Boren	Hastings (FL)	Murphy (CT)
Boswell	Heinrich	Murphy, Patrick
Boucher	Herseht Sandlin	Murtha
Boyd	Higgins	Nadler (NY)
Brady (PA)	Hill	Napolitano
Braley (IA)	Himes	Neal (MA)
Brown, Corrine	Hinchey	Nye
Butterfield	Hinojosa	Oberstar
Capps	Hirono	Obey
Capuano	Hodes	Olver
Cardoza	Holden	Pallone
Carnahan	Holt	Pascarell
Carney	Honda	Pastor (AZ)
Carson (IN)	Hoyer	Payne
Castor (FL)	Inslee	Perlmutter
Chandler	Israel	Perriello
Childers	Jackson (IL)	Peters
Chu	Jackson Lee	Peterson
Clarke	(TX)	Pingree (ME)
Clay	Johnson (GA)	Polis (CO)
Cleaver	Kagen	Pomeroy
Clyburn	Kanjorski	Price (NC)
Cohen	Kaptur	Quigley
Connolly (VA)	Kennedy	Rahall
Conyers	Kildee	Rangel
Cooper	Kilpatrick (MI)	Reyes
Costa	Kilroy	Richardson
Costello	Kind	Rodriguez
Courtney	Kirkpatrick (AZ)	Ross
Crowley	Kissell	Rothman (NJ)
Cuellar	Klein (FL)	Roybal-Allard
Cummings	Kosmas	Ruppersberger
Dahlkemper	Kratovil	Rush
Davis (CA)	Kucinich	Ryan (OH)
Davis (IL)	Langevin	Salazar
Davis (TN)	Larsen (WA)	Sanchez, Linda
DeFazio	Larson (CT)	T
DeGette	Lee (CA)	Sanchez, Loretta
Delahunt	Levin	Sarbanes
DeLauro	Lewis (GA)	Schakowsky
Dicks	Lipinski	Schauer
Dingell	Loebach	Schiff
Doggett	Lofgren, Zoe	Schrader
Donnelly (IN)	Lowey	Schwartz
Doyle	Lujan	Scott (GA)
Driehaus	Lynch	Scott (VA)
Edwards (MD)	Maffei	Serrano
Edwards (TX)	Maloney	Sestak
Ellison	Markey (CO)	Shea-Porter
Ellsworth	Markey (MA)	Sherman
Engel	Marshall	Shuler
Eshoo	Massa	Sires
Etheridge	Matheson	Skeilton
Farr	Matsui	Slaughter

Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague

Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky

Wasserman
Schultz
Watson
Watt
Waxman
Weiner
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—175

Aderholt	Garrett (NJ)	Murphy, Tim
Akin	Gerlach	Myrick
Alexander	Gingrey (GA)	Neugebauer
Austria	Gohmert	Nunes
Bachmann	Goodlatte	Olson
Bachus	Granger	Owens
Bartlett	Graves	Paul
Barton (TX)	Grieffth	Paulsen
Biggert	Guthrie	Pence
Bilbray	Hall (TX)	Petri
Bilirakis	Harper	Pitts
Bishop (UT)	Hastings (WA)	Platts
Blackburn	Heller	Poe (TX)
Blunt	Hensarling	Posey
Boehner	Herger	Price (GA)
Bonner	Hoekstra	Putnam
Bono Mack	Hunter	Radanovich
Boozman	Inglis	Rehberg
Boustany	Issa	Reichert
Brady (TX)	Jenkins	Roe (TN)
Bright	Johnson (IL)	Rogers (AL)
Broun (GA)	Johnson, Sam	Rogers (KY)
Brown (SC)	Jones	Rogers (MI)
Brown-Waite,	Jordan (OH)	Rohrabacher
Ginny	King (IA)	Rooney
Buchanan	King (NY)	Ros-Lehtinen
Burgess	Kingston	Roskam
Burton (IN)	Kirk	Royce
Buyer	Kline (MN)	Ryan (WI)
Calvert	Lamborn	Scalise
Camp	Lance	Schmidt
Campbell	Latham	Sensenbrenner
Cantor	LaTourette	Sessions
Cao	Latta	Shadegg
Capito	Lee (NY)	Shimkus
Carter	Lewis (CA)	Shuster
Cassidy	Linder	Simpson
Castle	LoBiondo	Smith (NE)
Chaffetz	Lucas	Smith (NJ)
Coffman (CO)	Luetkemeyer	Smith (TX)
Cole	Lummis	Souder
Conaway	Lungren, Daniel	Stearns
Culberson	E	Sullivan
Davis (KY)	Mack	Terry
Dent	Manzullo	Thompson (PA)
Diaz-Balart, L	Marchant	Thornberry
Diaz-Balart, M	McCarthy (CA)	Tiahrt
Dreier	McCaul	Tiberi
Duncan	McClintock	Turner
Ehlers	McCotter	Upton
Emerson	McHenry	Walden
Fallin	McKeon	Westmoreland
Flake	McMorris	Whitfield
Fleming	Rodgers	Wilson (SC)
Forbes	Mica	Wittman
Fortenberry	Miller (FL)	Wolf
Fox	Miller (MI)	Young (AK)
Franks (AZ)	Miller Gary	Young (FL)
Frelinghuysen	Mitchell	
Gallegly	Murphy (NY)	

NOT VOTING—18

Abercrombie	Deal (GA)	Schock
Barrett (SC)	Frank (MA)	Speier
Bishop (GA)	Johnson, E B	Walz
Coble	Moore (WI)	Wamp
Crenshaw	Moran (KS)	Waters
Davis (AL)	Ortiz	Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1402

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADDITIONAL TEMPORARY EXTENSION OF SMALL BUSINESS PROGRAMS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4508, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELAZQUEZ) that the House suspend the rules and pass the bill, H.R. 4508.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 4, not voting 19, as follows:

[Roll No 24]

YEAS—410

Ackerman	Clarke	Green, Gene
Aderholt	Clay	Griffith
Adler (NJ)	Cleaver	Grijalva
Akin	Clyburn	Guthrie
Alexander	Coffman (CO)	Gutierrez
Altumire	Cohen	Hall (NY)
Andrews	Cole	Hall (TX)
Arcuri	Conaway	Halvorson
Austria	Connolly (VA)	Hare
Baca	Conyers	Harman
Bachmann	Cooper	Harper
Bachus	Costa	Hastings (FL)
Baird	Costello	Hastings (WA)
Baldwin	Courtney	Heinrich
Barrow	Crowley	Heller
Bartlett	Cuellar	Hensarling
Barton (TX)	Culberson	Herger
Bean	Cummings	Herseht Sandlin
Becerra	Dahlkemper	Higgins
Berkley	Davis (CA)	Hill
Berman	Davis (IL)	Himes
Berry	Davis (KY)	Hinchey
Biggert	Davis (TN)	Hinojosa
Bilbray	DeFazio	Hirono
Bilirakis	DeGette	Hodes
Bishop (NY)	Delahunt	Hoekstra
Bishop (UT)	DeLauro	Holden
Blackburn	Dent	Holt
Blumenauer	Diaz-Balart, L	Honda
Blunt	Diaz-Balart, M	Hoyer
Boccieri	Dicks	Hunter
Boehner	Dingell	Inglis
Bonner	Doggett	Inslee
Bono Mack	Donnelly (IN)	Israel
Boozman	Doyle	Issa
Boren	Dreier	Jackson (IL)
Boswell	Driehaus	Jackson Lee
Boucher	Duncan	(TX)
Boustany	Edwards (MD)	Jenkins
Boyd	Edwards (TX)	Johnson (GA)
Brady (PA)	Ehlers	Johnson (IL)
Brady (TX)	Ellison	Johnson, Sam
Braley (IA)	Ellsworth	Jones
Bright	Emerson	Jordan (OH)
Brown (SC)	Engel	Kagen
Brown, Corrine	Eshoo	Kanjorski
Brown-Waite,	Etheridge	Kaptur
Ginny	Fallin	Kennedy
Buchanan	Farr	Kildee
Burgess	Fattah	Kilpatrick (MI)
Burton (IN)	Filner	Kilroy
Butterfield	Fleming	Kind
Buyer	Forbes	King (IA)
Calvert	Fortenberry	King (NY)
Camp	Fox	Kingston
Campbell	Franks (AZ)	Kirk
Cantor	Frelinghuysen	Kirkpatrick (AZ)
Cao	Fudge	Kissell
Capito	Gallegly	Klein (FL)
Capps	Garamendi	Kline (MN)
Capuano	Garrett (NJ)	Kosmas
Cardoza	Gerlach	Kratovil
Carnahan	Giffords	Kucinich
Carney	Gingrey (GA)	Lamborn
Carson (IN)	Gohmert	Lance
Carter	Gonzalez	Langevin
Castle	Goodlatte	Larsen (WA)
Castor (FL)	Gordon (TN)	Larson (CT)
Chaffetz	Granger	Latham
Chandler	Graves	LaTourette
Childers	Grayson	Latta
Chu	Green, Al	Lee (CA)

Lee (NY) Neugebauer Scott (VA)
 Levin Nunes Sensenbrenner
 Lewis (CA) Nye Serrano
 Lewis (GA) Oberstar Sessions
 Linder Obey Sestak
 Lipinski Olson Shadegg
 LoBiondo Oliver Shea-Porter
 Loeb sack Owens Sherman
 Lofgren, Zoe Pallone Shimkus
 Lowey Pascarell Shuler
 Lucas Pastor (AZ) Shuster
 Luetkemeyer Paulsen Sires
 Lujan Payne Skelton
 Lummis Pence Slaughter
 Lungren, Daniel Perlmutter Smith (NE)
 E Perriello Smith (NJ)
 Lynch Peters Smith (TX)
 Mack Peterson Smith (WA)
 Maffei Petri Snyder
 Maloney Pingree (ME) Souder
 Manzullo Pitts Space
 Marchant Platts Spratt
 Markey (CO) Poe (TX) Stark
 Markey (MA) Polis (CO) Stearns
 Marshall Pomeroy Stupak
 Massa Posey Sullivan
 Matheson Price (GA) Sutton
 Matsui Price (NC) Tanner
 McCarthy (CA) Putnam Taylor
 McCarthy (NY) Quigley Teague
 McCaul Radanovich Terry
 McCollum Rahall Thompson (CA)
 McCotter Rangel Thompson (MS)
 McDermott Rehberg Thompson (PA)
 McGovern Reichert Thornberry
 McHenry Reyes Tiahrt
 McIntyre Richardson Tiberi
 McKeon Rodriguez Tierney
 McMahon Roe (TN) Titus
 McMorris Rogers (AL) Tonko
 Rodgers Rogers (KY) Towns
 McNeerney Rogers (MI) Tsongas
 Meek (FL) Rohrabacher Turner
 Meeks (NY) Rooney Van Hollen
 Melancon Ros-Lehtinen Velazquez
 Mica Roskam Visclosky
 Michaud Ross Walden
 Miller (FL) Rothman (NJ) Walz
 Miller (MI) Roybal-Allard Wasserman
 Miller (NC) Royce Schultz
 Miller, Gary Ruppertsberger Watson
 Miller, George Rush Watt
 Minnick Ryan (OH) Waxman
 Mitchell Ryan (WI) Weiner
 Mollohan Salazar Westmoreland
 Moore (KS) Sanchez, Linda Whitfield
 Moore (WI) T Wilson (OH)
 Moran (VA) Sanchez, Loretta Wilson (SC)
 Murphy (CT) Sarbanes Wittman
 Murphy (NY) Scalise Wolf
 Murphy, Patrick Schakowsky Woolsey
 Murphy, Tim Schauer Wu
 Murtha Schiff Yarmuth
 Myrick Schmidt Young (AK)
 Nadler (NY) Schrader Young (FL)
 Napolitano Schwartz
 Neal (MA) Scott (GA)

NAYS—4

Broun (GA) McClintock
 Flake Paul

NOT VOTING—19

Abercrombie Deal (GA) Simpson
 Barrett (SC) Foster Speier
 Bishop (GA) Frank (MA) Wamp
 Cassidy Johnson, E B Waters
 Coble Moran (KS) Welch
 Crenshaw Ortiz
 Davis (AL) Schock

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes left on this vote.

□ 1409

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING 95TH ANNIVERSARY OF SIGNING OF ROCKY MOUNTAIN NATIONAL PARK ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1020, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and agree to the resolution, H. Res. 1020.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 25, as follows:

[Roll No. 25]

YEAS—408

Ackerman Chandler Goodlatte
 Aderholt Childers Granger
 Adler (NJ) Chu Graves
 Akin Clarke Grayson
 Alexander Clay Green, Al
 Altmire Cleaver Green, Gene
 Andrews Clyburn Griffith
 Arcuri Coffman (CO) Grijalva
 Austria Cohen Guthrie
 Baca Cole Gutierrez
 Bachmann Conaway Hall (NY)
 Bachus Connolly (VA) Hall (TX)
 Baird Conyers Halvorson
 Baldwin Cooper Hare
 Barrow Costa Harman
 Bartlett Costello Harper
 Barton (TX) Courtney Hastings (FL)
 Bean Crowley Hastings (WA)
 Becerra Cuellar Heinrich
 Berkley Culberson Heller
 Berman Cummings Hensarling
 Berry Dahlkemper Herger
 Biggert Davis (CA) Herseth Sandlin
 Bilbray Davis (IL) Hill
 Biharakis Davis (KY) Himes
 Bishop (NY) Davis (TN) Hinchey
 Bishop (UT) DeFazio Hinojosa
 Blackburn DeGette Hirono
 Blumenauer Delahunt Hodes
 Boccieri DeLauro Hoekstra
 Boehner Dent Holden
 Bonner Diaz-Balart, L Holt
 Bono Mack Diaz-Balart, M Honda
 Boozman Dicks Hoyer
 Boren Dingell Hunter
 Boswell Doggett Inglis
 Boucher Donnelly (IN) Inslee
 Boustany Doyle Israel
 Boyd Dreier Issa
 Brady (PA) Driehaus Jackson (IL)
 Brady (TX) Duncan Jackson Lee
 Braley (IA) Edwards (MD) (TX)
 Bright Edwards (TX) Jenkins
 Broun (GA) Ehlers Johnson (GA)
 Brown (SC) Ellison Johnson (IL)
 Brown, Corrine Ellsworth Johnson, Sam
 Brown-Waite, Emerson Jones
 Burgess Engel Jordan (OH)
 Buchanan Eshoo Kagen
 Burton (IN) Etheridge Kanjorski
 Butterfield Fallin Kaptur
 Buyer Farr Kennedy
 Calvert Fattah Kildee
 Camp Filner Kilpatrick (MI)
 Campbell Flake Kilroy
 Cantor Fleming Kind
 Cao Forbes King (NY)
 Capito Foster Kingston
 Capps Foxx Kirk
 Capuano Franks (AZ) Kirkpatrick (AZ)
 Cardoza Frelinghuysen Kissell
 Carnahan Fudge Klein (FL)
 Carney Gallegly Kline (MN)
 Carson (IN) Garamendi Kosmas
 Carter Garrett (NJ) Kratovich
 Cassidy Gerlach Kucinich
 Castle Giffords Lamborn
 Castor (FL) Gingrey (GA) Lance
 Chaffetz Gohmert Langevin
 Gonzalez Gonzalez Larsen (WA)

Larson (CT) Napolitano Schwartz
 Latham Neal (MA) Scott (GA)
 LaTourette Neugebauer Scott (VA)
 Latta Nunes Sensenbrenner
 Lee (CA) Nye Serrano
 Lee (NY) Oberstar Sessions
 Levin Obey Sestak
 Lewis (CA) Olson Shadegg
 Lewis (GA) Oliver Shea-Porter
 Lipinski Owens Sherman
 LoBiondo Pallone Shimkus
 Loeb sack Pascarell Shuler
 Lofgren, Zoe Pastor (AZ) Shuster
 Lowey Paul Simpson
 Lucas Paulsen Sires
 Luetkemeyer Payne Skelton
 Lujan Pence Smith (NE)
 Lummis Perlmutter Smith (NJ)
 Lungren, Daniel Perriello Smith (TX)
 E Peters Smith (WA)
 Lynch Peterson Snyder
 Mack Petri Souder
 Maffei Pingree (ME) Space
 Maloney Pitts Spratt
 Manzullo Platts Stark
 Marchant Poe (TX) Stearns
 Markey (CO) Polis (CO) Stupak
 Markey (MA) Pomeroy Sullivan
 Marshall Posey Sutton
 Massa Price (GA) Tanner
 Matheson Price (NC) Taylor
 Matsui Putnam Teague
 McCarthy (CA) Quigley Terry
 McCarthy (NY) Radanovich Thompson (CA)
 McCaul Rahall Thompson (MS)
 McCollum Rangel Thompson (PA)
 McCotter Rehberg Thornberry
 McDermott Reichert Tiahrt
 McGovern Reyes Tiberi
 McHenry Richardson Tierney
 McIntyre Rodriguez Titus
 McKeon Roe (TN) Tonko
 McMahon Rogers (AL) Towns
 McMorris Rogers (KY) Tsongas
 Rodgers Rogers (MI) Turner
 McNeerney Rohrabacher Upton
 Meeks (NY) Rooney Van Hollen
 Melancon Ros-Lehtinen Velazquez
 Mica Roskam Visclosky
 Michaud Ross Walden
 Miller (FL) Rothman (NJ) Walz
 Miller (MI) Roybal-Allard Wasserman
 Miller (NC) Royce Schultz
 Miller, Gary Ruppertsberger Watson
 Miller, George Rush Watt
 Minnick Ryan (OH) Waxman
 Mitchell Ryan (WI) Weiner
 Mollohan Salazar Westmoreland
 Moore (KS) Sanchez, Linda Whitfield
 Moore (WI) T Wilson (OH)
 Moran (VA) Sanchez, Loretta Wilson (SC)
 Murphy (CT) Sarbanes Wittman
 Murphy (NY) Scalise Wolf
 Murphy, Patrick Schakowsky Woolsey
 Murphy, Tim Schauer Wu
 Murtha Schiff Yarmuth
 Myrick Schmidt Young (AK)
 Nadler (NY) Schrader Young (FL)

NOT VOTING—25

Abercrombie Frank (MA) Ortiz
 Barrett (SC) Gordon (TN) Schock
 Bishop (GA) Higgins Slaughter
 Blunt Johnson, E B Speier
 Coble King (IA) Wamp
 Crenshaw Linder Waters
 Davis (AL) Meek (FL) Welch
 Deal (GA) Moore (KS)
 Fortenberry Moran (KS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes left on this vote.

□ 1417

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

111TH CONGRESS
2^D SESSION

H. R. 3726

AN ACT

To establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, 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. SHORT TITLE.

2 This Act may be cited as the “Castle Nugent Na-
3 tional Historic Site Establishment Act of 2010”.

4 SEC. 2. DEFINITIONS.

5 In this Act:

6 (1) HISTORIC SITE.—The term “historic site”
7 means the Castle Nugent National Historic Site es-
8 tablished in section 3.

9 (2) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 SEC. 3. CASTLE NUGENT NATIONAL HISTORIC SITE.

12 (a) ESTABLISHMENT.—There is established as a unit
13 of the National Park System the Castle Nugent National
14 Historic Site on the Island of St. Croix, U.S. Virgin Is-
15 lands, in order to preserve, protect, and interpret, for the
16 benefit of present and future generations, a Caribbean cul-
17 tural landscape that spans more than 300 years of agricul-
18 tural use, significant archeological resources, mangrove
19 forests, endangered sea turtle nesting beaches, an exten-
20 sive barrier coral reef system, and other outstanding nat-
21 ural features.

22 (b) BOUNDARIES.—The historic site consists of the
23 approximately 2,900 acres of land extending from Lowrys
24 Hill and Laprey Valley to the Caribbean Sea and from
25 Manchenil Bay to Great Pònd, along with associated sub-
26 merged lands to the three-mile territorial limit, as gen-

1 erally depicted on the map titled “Castle Nugent National
2 Historic Site Proposed Boundary Map”, numbered T22/
3 100,447, and dated October 2009.

4 (c) MAP AVAILABILITY.—The map referred to in sub-
5 section (b) shall be on file and available for public inspec-
6 tion in the appropriate offices of the National Park Serv-
7 ice, Department of the Interior.

8 (d) ACQUISITION OF LAND.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the Secretary is authorized to acquire
11 lands and interests in lands within the boundaries of
12 the historic site by donation, purchase with donated
13 or appropriated funds, or exchange.

14 (2) U.S. VIRGIN ISLAND LANDS.—The Sec-
15 retary is authorized to acquire lands and interests in
16 lands owned by the U.S. Virgin Islands or any polit-
17 ical subdivision thereof only by donation or ex-
18 change.

19 **SEC. 4. ADMINISTRATION.**

20 (a) IN GENERAL.—The Secretary shall administer
21 the historic site in accordance with this Act and with laws
22 generally applicable to units of the National Park System,
23 including—

24 (1) the National Park Service Organic Act (39
25 Stat. 535; 16 U.S.C. 1 et seq.); and

1 (2) the Act of August 21, 1935 (49 Stat. 666;
2 16 U.S.C. 461 et seq.).

3 (b) SHARED RESOURCES.—To the greatest extent
4 practicable, the Secretary shall use the resources of other
5 sites administered by the National Park Service on the
6 Island of St. Croix to administer the historic site.

7 (c) CONTINUED USE.—In order to maintain an im-
8 portant feature of the cultural landscape of the historic
9 site, the Secretary may lease to the University of the Vir-
10 gin Islands certain lands within the boundary of the his-
11 toric site for the purpose of continuing the university's op-
12 eration breeding Senepol cattle, a breed developed on St.
13 Croix. A lease under this subsection shall contain such
14 terms and conditions as the Secretary considers appro-
15 priate, including those necessary to protect the values of
16 the historic site.

17 (d) MANAGEMENT PLAN.—Not later than three years
18 after funds are made available for this subsection, the Sec-
19 retary shall prepare a general management plan for the
20 historic site.

Passed the House of Representatives January 27,
2010.

Attest:

Clerk.

111TH CONGRESS
2^D SESSION

H. R. 3726

AN ACT

To establish the Castle Nugent National Historic
Site at St. Croix, United States Virgin Islands,
and for other purposes.

111TH CONGRESS
2D SESSION

H. R. 3726

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2010

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

AN ACT

To establish the Castle Nugent National Historic Site at
St. Croix, United States Virgin Islands, 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. SHORT TITLE.**

2 This Act may be cited as the “Castle Nugent Na-
3 tional Historic Site Establishment Act of 2010”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **HISTORIC SITE.**—The term “historic site”
7 means the Castle Nugent National Historic Site es-
8 tablished in section 3.

9 (2) **SECRETARY.**—The term “Secretary” means
10 the Secretary of the Interior.

11 **SEC. 3. CASTLE NUGENT NATIONAL HISTORIC SITE.**

12 (a) **ESTABLISHMENT.**—There is established as a unit
13 of the National Park System the Castle Nugent National
14 Historic Site on the Island of St. Croix, U.S. Virgin Is-
15 lands, in order to preserve, protect, and interpret, for the
16 benefit of present and future generations, a Caribbean cul-
17 tural landscape that spans more than 300 years of agricul-
18 tural use, significant archeological resources, mangrove
19 forests, endangered sea turtle nesting beaches, an exten-
20 sive barrier coral reef system, and other outstanding nat-
21 ural features.

22 (b) **BOUNDARIES.**—The historic site consists of the
23 approximately 2,900 acres of land extending from Lowrys
24 Hill and Laprey Valley to the Caribbean Sea and from
25 Manchenil Bay to Great Pond, along with associated sub-
26 merged lands to the three-mile territorial limit, as gen-

erally depicted on the map titled “Castle Nugent National Historic Site Proposed Boundary Map”, numbered T22/100,447, and dated October 2009.

(c) MAP AVAILABILITY.—The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to acquire lands and interests in lands within the boundaries of the historic site by donation, purchase with donated or appropriated funds, or exchange.

(2) U.S. VIRGIN ISLAND LANDS.—The Secretary is authorized to acquire lands and interests in lands owned by the U.S. Virgin Islands or any political subdivision thereof only by donation or exchange.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including—

(1) the National Park Service Organic Act (39 Stat. 535; 16 U.S.C. 1 et seq.); and

1 (2) the Act of August 21, 1935 (49 Stat. 666;
2 16 U.S.C. 461 et seq.).

3 (b) SHARED RESOURCES.—To the greatest extent
4 practicable, the Secretary shall use the resources of other
5 sites administered by the National Park Service on the
6 Island of St. Croix to administer the historic site.

7 (c) CONTINUED USE.—In order to maintain an im-
8 portant feature of the cultural landscape of the historic
9 site, the Secretary may lease to the University of the Vir-
10 gin Islands certain lands within the boundary of the his-
11 toric site for the purpose of continuing the university's op-
12 eration breeding Senepol cattle, a breed developed on St.
13 Croix. A lease under this subsection shall contain such
14 terms and conditions as the Secretary considers appro-
15 priate, including those necessary to protect the values of
16 the historic site.

17 (d) MANAGEMENT PLAN.—Not later than three years
18 after funds are made available for this subsection, the Sec-
19 retary shall prepare a general management plan for the
20 historic site.

Passed the House of Representatives January 27,
2010.

Attest:

LORRAINE C. MILLER,

Clerk.