

**STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS ON H.R. 6305, A BILL TO CLARIFY THE AUTHORITIES FOR THE USE OF CERTAIN NATIONAL PARK SERVICE PROPERTIES WITHIN GOLDEN GATE NATIONAL PARKS AND SAN FRANCISCO MARITIME NATIONAL HISTORICAL PARK, AND FOR OTHER PURPOSES.**

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Mr. Chairman, thank you for the opportunity to appear before you to present the views of the Department of the Interior on H.R. 6305, a bill to clarify the authorities for the use of certain National Park Service properties within Golden Gate National Parks and San Francisco Maritime National Historical Park, and for other purposes.

The Department has no objection to H.R. 6305 if amended in accordance with the four recommendations in this testimony, which address the naming of the park, the location of the William Penn Mott Visitor Center, interpretative and education functions performed in the park, and the provision of law enforcement at the Presidio.

Golden Gate National Recreation Area was established in 1972 as a unit of the National Park System. The boundary for the park included two previously authorized units of the system – Muir Woods National Monument and Fort Point National Historic Site and two areas that are now separately administered – San Francisco Maritime National Historical Park and Area B of the Presidio, administered by the Presidio Trust.

Section 1 of H.R. 6305, an Administration proposal in the 108<sup>th</sup> and 109<sup>th</sup> Congresses, addresses longstanding authority at Golden Gate NRA to spend revenue generated from certain properties for the maintenance of park property. This section would enable the

National Park Service to more effectively manage these properties by ensuring that the revenue from those properties could be used for multi-year rehabilitation and maintenance projects. This legislation also would separate intermingled authorities of Golden Gate National Recreation Area and San Francisco Maritime National Historical Park and, therefore, ensure that each park has its own property-use and admission-fee authorities. It also would provide a modest boundary adjustment between the two areas.

Since 1978, Golden Gate NRA has had authority to retain revenue from the use of the Haslett Warehouse, the Cliff House properties and Louis' Restaurant, which the National Park Service owns. Under this authority, the park may use the revenues for certain infrastructure expenses, "provided that surplus funds, if any, will be deposited into the Treasury of the United States." This provision has been interpreted to mean that funds that are not spent within the fiscal year in which they are collected cannot be spent by the park. Without the ability to retain revenues over a longer period of time, the park cannot use the funds for projects that cost more than the park receives in one year. This legislation would allow revenue to remain available until expended, giving the park the authority to enter into long-term rehabilitation and maintenance contracts.

The authority granted to Golden Gate NRA to provide for leasing and the use of other properties within the park was extended to San Francisco Maritime NHP when that park was established in 1988 as a separate unit from lands within Golden Gate NRA.

However, the authority for using the revenues generated by these leases and other uses was provided by a reference to the Golden Gate NRA law. Instead of relying on this

reference, H.R. 6305 would explicitly include in the law that established the San Francisco Maritime NHP, the authority to use the revenues generated by these leases and other uses within the park.

H.R. 6305 also would make it clear that any revenue generated from the use of properties at both parks would be available as in current law – for administration, maintenance, repair, and related expenses of the properties under a management contract or lease as well as the vessels, piers, and other historic assets within the park. Thus, the revenues generated by these properties would be used to reduce the deferred maintenance backlog at the parks, rather than for broader park purposes.

In addition, H.R. 6305 would transfer the authority for retaining revenue from admission fees to the ships owned by San Francisco Maritime NHP from the law governing Golden Gate NRA to the law governing San Francisco Maritime NHP. And, it would adjust the boundary between the two parks by moving San Francisco's Municipal Pier from Golden Gate NRA to San Francisco Maritime NHP. This boundary adjustment, along with the division of legislative authority for administering leased properties and admission fees, would complete the separation of the two park units that began with the formal establishment of San Francisco Maritime National Historical Park in 1988.

We recommend a technical correction to this section and the title of the bill to reference the correct name of San Francisco Maritime National Historical Park, and would like to work with the committee to ensure that fee authorities at San Francisco Maritime

National Historical Park are consistent with the Federal Lands Recreation Enhancement Act.

Section 2 of H.R. 6305 addresses a name change for Golden Gate NRA. Golden Gate NRA, like Gateway NRA adjacent to New York City and Santa Monica Mountains NRA near Los Angeles and the other unique NRAs, was established to provide open space and recreational and educational opportunities such as hang-gliding and windsurfing for nearby urban populations. While the natural and cultural resources of all units in the National Park System are protected in a similar manner, the public has the highest expectation of resource stewardship at units designated as National Parks. Activities that are acceptable at National Recreation Areas, such as large music concerts, large sporting events, and the private development of public lands by major corporations might raise concern if they were to occur at Yosemite or Yellowstone National Parks. Future activities at Golden Gate National Park likely will receive greater scrutiny because of their possible precedent-setting nature for other National Parks.

We believe the designation “National Recreation Area” is as appropriate today as it was when Golden Gate National Recreation Area was first authorized. Should the committee decide to move forward with H.R. 6305, we recommend that section 2 be revised to eliminate the confusion of designating both one park and a group of parks with the same name. Section 2 of H.R. 6305 changes the name of a single national recreation area to “Golden Gate National Parks” – a collective name that includes several distinct and separately administered units of the National Park System as well as the Presidio, administered by the Presidio Trust. We recommend simplifying the legislation to achieve

the same purpose by revising the name of Golden Gate National Recreation Area to Golden Gate National Park.

We would then recommend including in the same section of the park's law, a separate provision stating that Golden Gate National Park, Muir Woods National Monument, Ft. Point National Historic Site, and the Presidio, each of which have their own governing laws, shall collectively be known as the Golden Gate National Parks. Finally, we would recommend the Secretary be given the authority to use this collective name for public relations and other administrative purposes, similar to how we use the name and reference similar groupings of park resources such as the National Parks of New York Harbor, or Redwood National and State Parks.

Section 3 of H.R. 6305 addresses the location of the William Penn Mott Visitor Center and the creation of an educational mission for the Presidio Trust. The section also addresses the funding of the U.S. Park Police unit at the Presidio, the Presidio reversionary clause, Government Accountability Office reports, and the Fort Scott Task Force.

Section 3 (a) expands the role of the Presidio Trust in the area of interpretive services, visitor orientation, and educational programs. Many park partners provide this fundamental activity in parks throughout the National Park System and we welcome the Trust's assistance in providing these services and programs. However, we believe the National Park Service should retain overall responsibility for the oversight of these

programs and services and that all programs should be conducted in accordance with National Park Service Standards for interpretation and education.

The William Penn Mott Visitor Center operated by the National Park Service in Building 102 was established by the Presidio Trust authorizing law. Building 102 is one of the handsome, stately, brick buildings along Montgomery Avenue on the main parade grounds and originally served as the public face to the National Recreation Area for a growing number of visitors to the new unit at the Presidio. It was closed for seismic retrofitting in August, 2001, but the need for a National Park Visitor Center at the Presidio remains acute.

Visitors can now stop by a temporary center maintained in the old Officers' Club. However, the National Park Service strongly believes that a permanent visitor presence should be maintained on the main parade ground or a similar high-visibility space. Until a final determination of that space can be made, we strongly recommend an amendment to Section 3 (b)(1) to require that the National Park Service retain jurisdiction over those portions of the building 102 unless or until such time as the National Park Service and the Trust mutually agree to a different building.

Section 3 (c) and (d) address the funding of the U.S. Park Police, which is required by law to serve as the law enforcement entity at this exclusive jurisdiction facility. Under the current law, U.S. Park Police activities at the Presidio are paid for by an appropriation to the Trust. This amount was originally capped at \$3 million, but that cap was removed

in amendments to the law in 2000. Current costs for these law enforcement activities have surpassed the \$3 million level. Costs for law enforcement by the Park Police above the amount provided in the Trust's annual appropriation from Congress must be covered by the Trust.

The intent of the amendments proposed in section 3 of H.R. 6305 regarding appropriations for the U.S. Park Police is unclear. The Department of the Interior would object to any provision that would result in the law enforcement costs at the Presidio being borne by the National Park Service and Golden Gate National Recreation Area. Such an outcome would be a breach of the legislative goal of self-sufficiency for the Presidio. We further note that the additional activities and facilities proposed under the Presidio Trust Management Plan Main Post Update Draft Supplemental EIS will increase the law enforcement needs at the Presidio to handle various large events and other activities assumed in the plan. We would like to work with the committee on clarifying this section to address the many issues it raises and to make clear where the funds will come from to support the U.S. Park Police unit providing law enforcement services for the Presidio.

Section 3(c) also would strike the reversionary provision of the Presidio law that requires the transfer to the General Services Administration of all property under the control of the Trust if the goals of the Trust's plan are not reached within 15 years. The reversionary provision also requires the deletion of the lands from the boundary of the national park. The National Park Service continues to believe these lands are nationally significant

resources that should remain part of the National Park System as envisioned in the 1970s when the Presidio was first contemplated as national park land.

Finally, Sections 3 (e) and (f) address Government Accountability Office oversight and the establishment of a Fort Scott Advisory Task Force. We believe the continued oversight of the Government Accountability Office for the Presidio Trust is warranted as it is for all national park units and all federally funded programs. However, we would like to clarify with the committee the timeframes for the study.

While we support the creation of the Fort Scott Advisory Task Force, we recommend that this section be amended to ensure that the National Park Service's interests are represented on the task force since this area of the Presidio remains part of the national park.

We would be glad to work with the committee on language for each of the amendments discussed above as well as a couple of minor technical amendments.

Mr. Chairman, this concludes my statement. I would be happy to answer any questions that you may have.