

United States Senate

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ENERGY AND NATURAL
RESOURCES COMMITTEE
ARMED SERVICES COMMITTEE
SPECIAL COMMITTEE ON AGING

February 2, 2012

The Honorable Jon Jarvis
Director
National Park Service
1849 C Street, NW, Room 7256
Washington, D.C. 20240

Director Jarvis,

On July 26, 2011, I sent you a letter requesting that the National Park Service conduct a Reconnaissance Survey that would determine if certain areas in and around Tucker County, West Virginia were suitable to become a new unit in the National Park System. I made this request with the expectation that our cherished fishing and hunting rights would be respected and protected, and allow for the proper management of timber and wildlife habitats. The history and heritage of these rights in my state is well known to the National Park Service as there is much public land already in our state. Further, as an avid outdoorsman and a proponent of a national energy policy, my expectations are both public and well documented.

Since announcing the approval of the Reconnaissance Survey, I have become very troubled by comments from your agency's representatives questioning whether these rights would be respected. My concerns have been echoed by my constituents, who are also concerned that the creation of a new National Park Unit in our great state will result in the closure of cherished hunting and fishing lands that have been enjoyed by generations of West Virginians. I have also heard from members of the Farm Bureau, a joint committee from the state legislature, mineral rights owners, and timber owners. Uniformly, the comments have expressed concern that their interests were not being taken into account, and that there has been a history of disregard by the National Park Service on these topics.

As an avid hunter and fisherman, I completely understand their opposition to the loss of any hunting land or fishing opportunities as part of this proposal. As I have made clear publicly, and to stress again, I will not support any effort by the Park Service that infringes on these cherished rights. Further, the responsible extraction of lawfully owned resources is part of our state's economy and our country's energy independence and security.

So there is no confusion, I respectfully request that you state in writing the following:

- that hunting, fishing, and trapping rights will be completely protected as part of any consideration for a National Park Unit in the Allegheny Highlands of West Virginia. Additionally, the National Park Service may not reserve discretion that would enable a future employee or policy to take these rights away;
- that hunting, fishing, and trapping regulations within the National Park Unit borders

be administered by the West Virginia Division of Natural Resources;

- that the stocking of non-native fish like rainbow, brown, and brook trout, which have become an important part of the enjoyment of the Monongahela National Forest, will continue at the direction of the West Virginia Division of Natural Resources;
- that proper habitat management continues at the direction of the West Virginia Division of Natural Resources.

I have heard concerns in addition to the loss of hunting and fishing rights as part of the Park Proposal. I respectfully ask that you ensure in writing:

- that not a single property owner will be forced to sell their land or other property interest against their will to anyone as the result of the creation of a new National Park Unit in West Virginia. West Virginians who own property or mineral or timber rights in the Study area are concerned that the National Park Service may take their land or rights through eminent domain or preclude access to those rights through regulation, lack of access or outright denial;
- that proper timber management continues within the potential park boundaries. In order to ensure the continued health of the forests in the potential Park Unit, our foresters will need all available techniques and tools for proper, modern forest management;
- that these lands will not be restricted from the potential development of oil and natural gas by lawful owners of the mineral rights, either by the state, or citizens who own mineral rights in the area. The United States must become energy independent, and the responsible development of all of our domestically available resources is an essential part of achieving this goal. I want to ensure that the creation of a National Park Unit will not preclude the safe production of natural resources in West Virginia.

Without unequivocal statements from the National Park Service that allay my concerns and those of my constituents, I will not support this effort moving forward whatsoever and see no point in continuing this process.

Please respond in writing.

Sincerely,



Joe Manchin III
United States Senator

JM/ck