

## **Testimony – H.R. 1121**

Dear Chairman Grijalva and Committee Members:

Good Morning. My name is Scott Hildebran and I serve as Town Manager of Blowing Rock, North Carolina. Thank you for allowing me the opportunity to appear today before the Subcommittee on National Parks, Forests and Public Lands. I am here this morning on behalf of the Mayor, Town Council and citizens of Blowing Rock to respectfully request your support of H.R. 1121 - Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009 that is under consideration before this committee.

Since 1938, the Town has continuously used an impoundment that is located on the Moses H. Cone Estate for a public water supply. Over the years, the Town has occupied, maintained and constructed various improvements on over 14 acres of the Cone Estate in providing water for its citizens and visitors.

In 1949, after the death of Mrs. Cone, the Cone Estate, via the Moses H. Cone Memorial Hospital Trustees, was conveyed to the United States of America.

Due to various historical circumstances, Blowing Rock's water supply reservoir is located on property now owned by the Blue Ridge Parkway. Blowing Rock has for years used the reservoir site with an informal agreement. In the late 1990's, the Parkway proposed issuing a Special Use Permit for the site granting a right-of-way for the reservoir to be reviewed annually. In addition, the Parkway advised that federal policy would require a water rights fee for the value of the water taken off the National Park Service land. This situation was deemed unacceptable since the Town would, in effect, be "renting" its water source one year at a time and paying for water the Town had previously been granted access. Being located on the Blue Ridge escarpment and at the crest of three watersheds, Blowing Rock has few other water source options if its current major source becomes unavailable. Therefore, the Town has worked diligently to acquire full ownership of the property because of the ambiguity concerning access, use, and future status.

Since 1999, the Town and the Parkway have worked jointly to resolve the reservoir issue. Due to the fact the Parkway has no authority to sell government land and to avoid annual permitting and a water rights fee, the most viable option has been the possibility of a land exchange between the Town and the Parkway. In accordance with federal regulation, the Parkway would grant the Town ownership of the public reservoir in return for a parcel of property of equal or greater value.

To this end, the Parkway identified an adjacent tract of property, the 192-acre Thunderhole/China Creek Property, to make such a transaction possible. The tract borders two large federal holdings – the Blue Ridge Parkway and the Pisgah National Forest.

The Blue Ridge Parkway has over the years, formally and informally, recognized the need to acquire the Thunderhole/China Creek tract in order to properly manage existing

Parkway lands. The need became apparent when a previous owner of the tract claimed a right of access to the subject property through an existing park holding. A small farm was located on the less rugged portion of the property approximately 60 years ago. Also, the narrow peninsula shape of Parkway land in the China Creek gorge makes management difficult. Acquisition of the Thunderhole/China Creek tract would broaden the Parkway's existing Moses Cone Estate tract. More importantly, ownership of the property would eliminate the threat of development and/or timbering adjacent to the Parkway and the Forest.

In November 2001, with the assistance of the High Country Council of Governments and in consultation with the Parkway, the Town applied for and was awarded a grant from the State of NC Clean Water Management Trust Fund to assist in the purchase of the Thunderhole/China Creek property to execute the proposed land exchange. The \$201,000 grant funds were received in 2003.

In October of 2003, the Town of Blowing Rock completed the purchase of the 192-acre tract from the Conservation Trust of NC. The purchase price for the property was \$440,000, with \$201,000 coming from the grant and the balance from the Town.

Since that time, the Town and the Blue Ridge Parkway (with the assistance of our western NC Congressional delegation) have continued to work toward completion of the land exchange.

This proposed transaction, which provides the Town with the opportunity to gain full control and ownership of its water supply, would also include adequate land for the Town to enlarge the reservoir to double its current 45,000,000 gallon capacity. The total Parkway land needed (including expansion) is 20.474 acres based on a survey of the property.

In summary, the Town desires acquisition of the water reservoir to have better control and management of its water supply. The proposed legislation authorizes the Town to convey a 192-acre tract of undeveloped land that adjoins the Cone Estate and borders the Pisgah National Forest to the Blue Ridge Parkway in exchange for ownership of the 20-acre water supply tract. The Thunderhole/China Creek tract was identified by the Parkway as a parcel that would be beneficial for both the preservation of the natural resources present and for potential enhancement of the Moses H. Cone Estate. Thus, the proposed land exchange provides obvious benefits to both the Town of Blowing Rock and the Blue Ridge Parkway.

I would like to note that the entire NC Congressional delegation has co-sponsored H.R. 1121 and the legislation has received the following letters of support – Blowing Rock Mayor JB Lawrence, Watauga County Board of Commissioners Chair James Deal, NC State Representative Cullie Tarleton and NC State Senator Steve Goss. Also, the Blue Ridge Parkway Foundation has encouraged and lent its support of the land exchange finding the exchange beneficial to the Blue Ridge Parkway while assuring the drinking water supply for Blowing Rock and guests to the area.

Thank you for your time and consideration.