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Nick - This is going today to the
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CONTACT: JERRY BURKOT
(202) 225-3452

RAHALL SUPPORTS BASIC TENETS OF GLENWOOD BEND PROJECT

WASHINGTON, D.C. -- U.S. Rep. Nick J. Rahall (D-WV) today said that he supports the basic elements of the U.S. Army Corps of Engineers and West Virginia Department of Natural Resources (DNR) management plan for the Lesage/Greenbottom Swamp project at the Glenwood Bend area of Cabell County.

The Army Corps of Engineers is currently in the process of completing the acquisition of this area for fish and wildlife mitigation purposes in connection with the Gallipolis Locks and Dam replacement project on the Ohio River. The plan calls for the DNR to be given management responsibility for the area. Approximately 838 acres are involved.

Rahall said his support for the overall thrust of the management plan is based on the Corps and DNR's responses to inquiries the congressman recently made to the agencies. However, he noted that there are still some outstanding concerns being expressed to him on specific aspects of the plan.

The Corps and DNR have relayed to Rahall the following features of the project:

1. Wildlife enhancement features include construction of levees to create additional wetland and permit better control of existing wetlands, wildlife landscaping and the erection of wood duck nesting boxes.

2. Hunting permitted from September through February with safety zones established along the highway and the Jenkins House.

3. Development of access trails, observation areas, boating access and a shoreline fishing area.

4. Memorandum of Agreement between the Corps and the West Virginia State Historic Preservation Officer and the National Advisory Council on Historic Preservation providing for archeological data recovery at five National Register sites in the canal and disposal area, archeological and historic survey in the area, preparation of a Historic Preservation Plan for the historic and archeological resources of the area and the rehabilitation of the General Albert Gallatin Jenkins House after which the structure will be inhabited by the area manager and preserved by the DNR.

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The DNR also advised Rahall that it would monitor the wildlife population and manage the area for both game and nongame species. "Hunters and nonhunters will be encouraged to use the area," DNR Director Ron Potesta wrote to the congressman.

"Based on this information, it appears that the interests of West Virginia's sportsmen will be protected while suitable safeguards will be in place to preserve non-game wildlife species and the historic and cultural values of the area," Rahall stated.

The congressman did note, however, that various discussions are taking place regarding the finer aspects of the general plan. Marshall University President Dale Nitzschke, for instance, has expressed interest in continuing existing university-sponsored research and educational projects involving the historic, biological and wildlife aspects of the area.

Rahall also said that some confusion has existed over whether the Corps would sign a long-term lease with the DNR to manage the area or attempt to transfer fee title to the State. Numerous federally owned lands associated with Corps projects in West Virginia are currently managed by the DNR as public hunting and fishing areas or by the West Virginia Department of Commerce as state parks under long term lease arrangements (usually 20 to 50 years) with the Corps.

According to Rahall, the Corps is seeking federal legislation to transfer fee title of the area to the DNR. "This arrangement seems a bit unusual. Various Corps project lands are often leased, not deeded, to the State to manage as, for example, public hunting and fishing areas. However, I have now learned that the proposed transfer of title to this area has no substantive basis other than Reagan Administration policy to divest federal land holdings." Rahall said.

The congressman said he has moved to block any title transfer through an amendment to a water projects bill which was recently passed by the House of Representatives.

"There is simply no reason why the federal government should not lease this area, rather than transfer fee title, to the State. I cannot in good conscience stand idly by and allow 838 acres of land be purchased from private owners by the federal government and then immediately transferred out of federal ownership," Rahall said.

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"For this reason, the House passed water projects bill not only does not provide legislative authority to the Corps of Engineers to transfer title to the Lesage/Greenbottom Swamp area, but contains language specifically prohibiting such an action. The intent here is to proceed with a lease arrangement with the State," Rahall said in explaining that this action would not affect the State's management plans.

The congressman noted that if the land is technically owned by the federal government he would be in a better position to seek federal funding, if necessary, to assist the State in its management of the area. Also, under federal ownership, Rahall said the area should qualify under the Payment in Lieu of Taxes (PILT) program. The federal government makes PILT payments on an annual basis to local governments to compensate them for federal lands within their boundaries.