

extremely important to the Eastern Band. We strive for excellence in our schools, take pride in our traditions, language, and history, and we want our children to have the schools they need and deserve. We only want the best for our children. Our children need a safe, ample school facility that is more conducive to learning--something we do not have now.

We currently have over 700 students enrolled at Cherokee Elementary School, all of which are housed in a facility built for 480. Over 35 percent of our elementary school students are classified as "un-housed" students because they attend classes in modular units that have been set up on campus. This number comes from the Southern Association of Colleges and Schools which accredits the Cherokee Central School System. Also, according to the Southern Association of Colleges and Schools, our elementary school campus should sit on 17 or more acres of land. The elementary school currently sits on nine. This small campus is located at the busy intersection of U.S. Highways 19 and 441, where millions of visitors to the Great Smoky Mountains National Park pass each year.

Not only are the elementary school buildings overcrowded, they have seen the effects of time. The foundation has shifted, causing walls, floors, and ceilings to crack, allowing for the formation of rust and mold. In some places, ceiling tiles have disintegrated to nothing, exposing electrical conduits and other utilities. Our gymnasium has been condemned for structural reasons, but we have to continue using it.

Cherokee High School has similar problems. The school is currently at capacity. Parts of the building have been declared unfit for educational purposes, and parts of the structure have been condemned. These school facilities are simply inadequate for the education of our children.

But we have the resources and Congress has the power to solve this problem. With Congress' approval of this exchange, the Eastern Band will have a suitable location in which to build three new schools, all part of one multi-generational educational village.

We envision a cultural village where our children can gain an understanding of our culture, heritage, language, and our history. They will learn traditional ways, customs, language, and natural history alongside the modern curriculum of schools throughout the Nation. Our children will attend school in modern, environmentally friendly facilities in an area that is part of our ancestral homeland, close to our homes, and more conducive to learning.

We are a close-knit community and our clan and extended family relationships are important. Our language is also important to preserve that culture. In this educational village, Cherokee language teachers and elder speakers will be able to move from students in one school to the next. And older students will be able to assist in the education of younger ones.

Our ideal teaching method is language immersion, and it has been introduced into the school system, but cannot reach its full potential in isolated schools. The basis of immersion is that students hear and speak nothing but Cherokee for hours each day. They speak with and teach each other and, therefore, truly absorb our native language. This new three-school campus will allow us to expand the immersion program and increase the fluency and numbers of native language speakers. This new facility will also allow many Cherokee students who have entered the public school system because of poor conditions and overcrowding in our schools to return. These public school students currently receive virtually no exposure to our language and culture while at school.

This large parcel of land will also rejoin the isolated Cherokee community of Big Cove with the rest of the Qualla Boundary. Restoring jurisdictional integrity of our land will serve not only as a physical connection but also as a spiritual

one that will allow the coming together of communities of people and of traditional ways.

In the last decade, over 2.5 million acres nationwide have been placed under the protection of the National Park Service, and we ask only for 143. If this exchange takes place, there will still be more acres under Park Service protection, with the 218 we are offering at Waterrock Knob. We believe this exchange is fair and that our goals are important, and we hope you do, too.

We ask everyone here today to support the Cherokee people, help us protect our unique identity, help us to ensure the future of our children and our nation as a whole. Please support the Ravensford land exchange and do not allow our Cherokee children to be left behind.

Thank you again for allowing me the honor to appear before you.

(The prepared statement of Mr. Blankenship follows.)

Statement of Cory Blankenship, Eastern Band of Cherokee Indians

Chairman Tombo, Ranking Member Rahall, Members of the Resources Committee and other members of Congress, I too would like to express my thanks for being allowed to address this Committee today.

I am an enrolled member of the Eastern Band of Cherokee Indians, and a student at Cherokee High School. I started my academic career at Cherokee Elementary School, and I graduated from Cherokee High School last month. Next year I will attend North Carolina State University, and when I finish my education, I plan to return to my home, my family, and my people. God willing, I will raise my own children in the community one day. As a student at Cherokee Schools for nearly 13 years, I have seen first hand the dangerous and dilapidated conditions in our school system.

As Chief Jones has already mentioned, education is extremely important to the Eastern Band. We strive for excellence in our schools, take pride in our traditions, language, and history--and we want our children to have schools they need and deserve. We only want the best for our children. Our children need a safe, ample school facility that is more conducive to learning, something we do not have now.

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Our ideal teaching method of "language immersion" has been introduced in the school system, but cannot reach its full potential in isolated schools. The basis of immersion is that students hear and speak nothing but Cherokee for hours each day, speak with and teach each other, and therefore truly absorb their native language. This new three-school campus will allow us to expand the immersion program and increase the fluency and numbers of native language speakers. This new facility will also allow many Cherokee students--who have entered the public school system because of poor conditions and overcrowding in our schools--to return. These public school students currently receive virtually no exposure to our language and culture at school.

Our "educational village" will be on a large parcel of land, in a safe location buffered from major highways. It will be a beautiful facility designed with nature. We will be able to look out on the mountains and forests that we are a part of, and that are a part of us. Natural study areas in the forest will surround this campus, where our children will learn the scientific and biological make-up of our ancestral homeland.

This large parcel of land will also rejoin the isolated Cherokee community of Big Cove with the rest of the Qualla Boundary. Restoring jurisdictional integrity of our land will serve not only as a physical connection, but also as a spiritual one that will allow the coming together of communities, of people and of traditional ways.

In the last decade, over 3,500,000 acres nationwide have been placed under the protection of the National Park Service. We are asking only for 143 acres to help us build our schools and preserve our culture. And when this land exchange is completed there will still be more acres under Park Service protection, with the 218 we are offering at Waterrock Knob. We believe this is a fair exchange and that our goals are important, and we hope you do too.

We ask everyone here today to support the Cherokee people, help us protect our unique identity, help us insure the future of our children and our Nation as a whole. Please support the Ravensford Land Exchange, and do not allow our children to be left behind. Thank you again for allowing me the honor to appear before you.

Cherokee Cultural Education Center at Ravensford

The Eastern Band seeks to develop a three-school elementary, middle and high school campus on the Ravensford land exchange site, presently located in the Great Smoky Mountains National Park. At scoping meetings held to prepare for the draft environmental impact statement regarding the land exchange, members of the Eastern Band of Cherokee explained their cultural and educational reasons for planning a three-school campus, and this briefing paper is intended to consolidate and summarize those reasons in a single document.

It is important to note that the Eastern Band has requested the Ravensford site both for school construction and to reunite the Big Cove Community with the rest of the Qualla Boundary (Cherokee Indian Reservation). Big Cove is completely separated from the Boundary by National Park Service land, and the access road to Big Cove travels for about two miles through the National Park. Even if other land were available for the school campus, the Eastern Band would seek the Ravensford site to re-establish territorial integrity with Big Cove.

Cultural Background
The Eastern Band of Cherokee are the descendants of the Cherokee Nation who refused to relocate to Oklahoma, or who returned from Oklahoma after the Trail of Tears in the 1830s. The Tribe struggled for decades to reacquire and preserve a tiny portion of its original land base. The community is a close-knit one, formed by common ancestry and

the struggle for cultural preservation on its original land base. Cherokee culture is clan-based. Extended family plays a much more significant role in Cherokee culture than it does in most non-Indian cultures.

Traditional Cherokee cultural norms are also based on a reverence for nature and natural life cycles. Along with ceremonial practices conducted in the rivers and mountains, the practice of gathering wild foods and natural medicinal herbs is still widely practiced. The natural environment of the Western North Carolina mountains has sustained the Band for many years, and preservation of that environment is important to Tribal members.

At the same time, the Eastern Band of Cherokee has embraced many elements of non-Indian culture, and has developed a thriving economy based on tourism. Although not without challenges, the Qualla Boundary probably has the most developed economy on a per capita basis of any Indian Nation. The modern economy has had an impact on Cherokee culture, particularly by affecting the number Cherokee language speakers.

Anthropologists recognize the importance of a distinct language as perhaps the key element for preservation of traditional cultures. In this regard, the Eastern Band is at a critical juncture. While there are still many fluent Cherokee speakers, and a smaller number who can read and write in Cherokee, many adults and children do not speak Cherokee fluently, and some know only a few words.

The Eastern Band and other Indian Nations face many challenges in the modern world. Among other things, diabetes is epidemic among many Tribes including the Eastern Band. Recent research has indicated that cultural knowledge and self-esteem are key prevention factors in helping today's youth combat this spreading disease. Maintaining the Tribe's language and culture may indeed be a matter of life or death in the future.

To combat this trend and reverse it, the Eastern Band has established a program to teach Cherokee language and culture in the elementary school, in addition to the regular academic curriculum. The program has been successful, but is difficult to implement in the outdated, dilapidated, and overcrowded elementary school, located at a busy downtown intersection. Some of the serious challenges faced in the current setting are summarized in the attached memorandum by Lee Clouse of the Tribal Historic Preservation Program. The Tribe wants to expand the language program to the high school level, but, with limited numbers of fluent Cherokee speakers who also have teaching credentials and geographically separated schools, that is not possible at this time.

The Eastern Band proposes a unique educational center, designed with a strong emphasis on nature, and in keeping with the traditions of the Cherokee culture. This three-school campus will include elementary, middle, and high schools in state-of-the-art facilities built to teach both the regular curriculum and Cherokee language and culture. The high school will include classrooms and meeting rooms for post-secondary education and for adult continuing education, making the facility a multigenerational cultural education center.

The Center's buildings will include elements of the traditional Cherokee seven-sided council houses and other references to the seven Cherokee clans. The written and spoken Cherokee language will be prevalent throughout the Center. Cherokee language teachers and traditional tribal elders will be able to circulate through the school's, helping classroom teachers incorporate language and culture into the classroom. The Center will facilitate mentoring programs, pairing older and younger students in collaborative teaching and learning experiences.

Opponents of the land exchange have argued that the schools should be separated to comply with current non-Indian education theory. Even if that is current theory, the Tribe's need to preserve its language and culture is paramount. Without intending any disrespect, we have struggled for years in schools that were designed by the Federal government based on the mainstream education theories of the time. We are ready to design and build our own education center.

Consistent with Cherokee respect for nature and the mountains, the

Eastern Band plans outdoor learning settings as well, so that students can remain connected with and learn more about the environment as they are being educated. The Ravensford site offers several opportunities that are not available elsewhere, with the adjacent wetland, riverine, and montane alluvial habitats. Ravensford also contains significant historic and prehistoric Cherokee archeological features, which could offer educational opportunities whether they are preserved in place or excavated by professional archeologists working with the school and community.

The challenge of designing our own Education Center in a way that fits with the natural setting and does not interfere with the experience of Park visitors is one that the Tribe is happy to accept. Like the developers of the Folk Art Center on the Blue Ridge Parkway in Asheville, the Eastern Band will work closely with Park Service planners and officials to ensure that the schools fit the site, minimize any impact on views and other resources, and blend into the environment. This is not just something we want to do for the environment. We believe that replacing the current aging and substandard facilities that we inherited from the Bureau of Indian Affairs with beautiful schools in a natural setting will greatly enhance the self-esteem and educational experience of Cherokee children.

The consolidated Education Center will also promote other efficiencies, including the ability to maintain the buildings and grounds, full use of school libraries on a multigenerational basis, use of athletic facilities, more efficient bus service, providing on-site specialists, including counselors, health educators, special education teachers, agricultural, environmental, and archeological educators, as well as the cultural and language specialists.

We want to teach our children from the standpoint of history, nature, culture and community. The Cherokee Cultural Education Center, located in the heart of the Qualla Boundary at Ravensford, will be the central core that draws the community together and maintains the cohesive nature of our clan- and family-based society. The Education Center is needed, both literally and spiritually, to "bring us together." It is not just our preference--it is a cultural necessity.

[GRAPHIC] [TIFF OMITTED] 77772.006

The Chairman. [Presiding.] Thank you.
Mr. Barger?

STATEMENT OF DON BARGER, SENIOR REGIONAL DISTRICT
REPRESENTATIVE, NATIONAL PARKS CONSERVATION ASSOCIATION

Mr. Barger. Mr. Chairman and members of the Committee, good morning. I appreciate the opportunity to present the views of the National Parks Conservation Association on H.R. 1409. We have submitted a written statement that I will summarize.

I want to be very clear from the outset. The problems are real and NPCA completely supports and applauds the Eastern Band's commitment to provide their students with the best possible schools. At the same time, NPCA must oppose H.R. 1409 at this time. Our position has not been rightly considered nor easily reached.

NPCA has been joined in opposing the development of this site by the Governor-appointed National Park Advisory Councils of both North Carolina and Tennessee. Appointed by former Governors Don Sundquist and Jim Hunt, both commissions passed resolutions in opposition to the proposed exchange, and we have attached that to our written testimony.

For over 2 years, the Park Service has studied the potential effects of the proposed exchange. The draft Environmental Impact Statement, or EIS, has just become available, and there has been no opportunity to review or

comment on it. Consequently, NECA believes that H.R. 1409 is premature as it would short-circuit the ongoing public process and require the land exchange and development to proceed before the impacts of the proposal have been fully discussed or understood.

I would like to raise just a few of the kind of issues that the EIS will unravel over the next few months.

The site is listed on the National Register of Historic Places due to its over 8,000-year archaeological record of Paleo-American, Cherokee, and pre-Cherokee history. Scientists from the All Taxa Biodiversity Inventory have identified to date 89 species new to science within the area. The Park Service's visual analysis of the site from the two overlooks along the Blue Ridge Parkway that look down upon the valley states, and I quote, "Parkway visitors consider the Raven Fork River Valley view among the most coveted, a rare icon view."

Two descending ridges currently separate the noise, lights, and congestion of Cherokee from the Oconaluftee Valley in the park. If the Ravensford tract is developed as this bill proposes, the valley and the grandstand of mountains around it will be impacted by three buildings, six athletic fields, including some lit for night games, and several parking lots. We would oppose the development of this site even if the Park Service had proposed it.

In relation to the Big Cove Road, the Park Service has worked with the Eastern Band over the years, and to our knowledge, no problems have been identified with either services or access along the road. We have been told that the two tracts of land proposed for exchange have relatively equal values of around half a million dollars. In 1972, the Park Service's regional real estate appraiser determined the fair market value of the Ravensford tract to be \$6,000 per acre. If you apply an extremely conservative 2-percent annual increase to that value, the Ravensford tract should be worth around \$2 million. At the same time, we visited the Jackson County property assessor's office in May and found that the appraisal for the Yellow Face tract was \$58,400. While these appraisals are usually on the low side, it would be quite unusual for there to be such a factor of 10.

These and many other issues and questions will be votted in the public participation process for the EIS. We believe that forum is the proper one for understanding and fully evaluating these issues.

It is important to emphasize that we believe that there are alternative locations for the new schools that could be developed and used. According to the Cherokee Business District Master Plan of February 2001, and I will quote, "With a large amount of flat to rolling land, opportunities exist for development of large facilities such as a shopping area or hotel as well as a public parking facility."

The master plan also states, "The elementary school occupies one of the most prime parcels of real estate in Cherokee, as does the BIA office next door...Over the long term, the elementary school and BIA sites should become a new cohesive anchor attraction. These anchors could be an outlet mall, festive retail, or entertainment uses that draw visitors to their locations as destination attractions."

Mr. Chairman, even a poorly done Education Campus Site Evaluation with hand-picked criteria that assured the Ravensford tract would be identified, found potential alternative sites for the construction of schools. The study does not conclude that the Ravensford tract is the only potential site for school construction.

In closing, this is not a case of schools versus scenery. The simplest reason for not removing the land from the park is that we don't need to. NECA stands ready to work with the Eastern Band, the Resources Committee, the National Park Service and the BIA to devise a solution that both protects

Great Smoky Mountains National Park and the Blue Ridge Parkway, and provides Cherokee children with the best possible educational opportunities. We believe both of these goals can be satisfied. Unfortunately, the legislation before you does not produce that solution.

Thank you for the opportunity to testify. I would be pleased to respond to any questions.

[The prepared statement of Mr. Barger follows:]

Statement of Don Barger, Senior Director, Southeast Regional Office,
National Parks Conservation Association, on H.R. 1409

Mr. Chairman and members of the Committee, I am Don Barger, Senior Director of the southeast regional office of the National Parks Conservation Association (NPCA). NPCA is America's only private, nonprofit advocacy organization dedicated solely to protecting, preserving, and enhancing the National Park System. NPCA was founded in 1919 and today has approximately 300,000 members who care deeply about the well being of our national parks.

NPCA appreciates the opportunity to express our views about H.R. 1409, the Eastern Band of Cherokee Indian Land Exchange Act of 2005. This proposed exchange has enormous implications for two of our most visited national park units--Great Smoky Mountains National Park and the Blue Ridge Parkway--and should not be entered into lightly. NPCA, along with others in the environmental community, applauds the Eastern Band of Cherokee Indians' (EBCI) commitment to provide their students with the best possible schools. The proposed Ravensford land exchange is so controversial because it combines two extremely important and emotional public policy issues: protecting our national parks, and providing young people with the best possible schools. Fortunately in this case, both of these important goals can be satisfied because of the presence of alternative locations for schools outside the boundary of our Great Smoky Mountains National Park.

As you know, the National Park Service (NPS) is analyzing a proposal for Great Smoky Mountains National Park to relinquish 144 acres, commonly referred to as the Ravensford tract, to the Eastern Band of Cherokee Indians (EBCI), in exchange for adding a parcel of land to the Blue Ridge Parkway many miles away. The exchange is extremely controversial with many national, regional and state organizations, including the North Carolina National Park, Parkway and Forest Development Council and Tennessee Park Commission, expressing their opposition.¹ NPS is developing an Environmental Impact Statement (EIS) as required by the National Environmental Policy Act (NEPA); a draft EIS is slated for publication this month. Consequently, NPCA believes that H.R. 1409 is premature, as it would short-circuit the ongoing public process and require the land exchange to proceed before the impacts of the proposed land exchange have yet to be fully debated or understood.

VA Park Commissions' Resolutions.

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The proposed exchange will have far reaching impacts on the integrity of the National Park System and will significantly impair the resources of both Great Smoky Mountains National Park and the Blue Ridge Parkway. The beauty, natural history, and human history of the Ravensford tract make it of great educational value as a natural classroom. Scientists from the All Taxa Biodiversity Inventory have recently identified approximately 59 species that are new to science located within the Ravensford tract. Ravensford is also home to an unbroken archaeological record of Euro-American, Cherokee and pre-Cherokee history, including historic and prehistoric artifacts dating back more than 8,000 years. The discovery of these cultural resources supports the site's 1982 placement on the National Register of Historic Places.

Part of the Ravensford tract includes alluvial floodplain, a globally rare ecological community described as imperiled by the Nature Conservancy. Because they're flat and near water, most such areas have

been developed over the course of history, making the preservation of Ravensford in an undeveloped state even more important. In fact, the Ravensford tract was flooded during the recent severe rains during the week of May 5, 2003.² The Ravensford tract affords beautiful vistas from the Oconaluftee Valley, with a foreground of open fields from which hills and mountains of Great Smoky Mountains National Park rise abruptly. The topography of the park is such that vistas like these are extremely limited. The recently updated Blue Ridge Parkway (BLRP) visual analysis survey of the Ravensford tract published by the Department of Interior states, "Parkway visitors consider the Raven Fork River Valley view among the most coveted, a rare 'cor view.'" Parkway management has concluded that the views to the tract should be preserved.

12) Personal communication with GSEM staff.

The ridges of the Great Smoky Mountains form a natural gateway that separates the noise and congestion of the town of Cherokee from the Oconaluftee valley in the national park. The proposed school complex would sit at the primary North Carolina entrance to the park as well as the southern terminus of the Blue Ridge Parkway. If the Ravensford tract is developed into a school campus, that grandstand of mountains will include night lighting, six athletic fields, three parking areas and traffic congestion, as school buses would have to navigate the principal North Carolina entrance to our nation's most visited national park.

Alternative Locations for School Construction

It is important to emphasize that there are alternative locations for new schools both inside and outside the Cherokee Reservation. Two documents produced by EBCI, the Cherokee Business District Master Plan and Education Campus Site Evaluation, state explicitly that alternative sites are available.

EBCI received the Cherokee Business District Master Plan in February 2001. The stated purpose of the document is to "serve as a guide for the orderly growth and development of Cherokee's CBD [Central Business District]."³ The development of the master plan began with an inventory and analysis of the natural and man-made features and conditions within the reservation. Based on that inventory the master plan states:

13) Cherokee Business District Master Plan, February 2001, pg. 1.1.

Opportunities for commercial developments, parking facilities, and cultural attractions also exist throughout the area. The north end of the CBD is currently experiencing retail growth. With a large amount of flat to rolling land, opportunities exist for development of large facilities such as a shopping area or hotel as well as a public parking facility. (emphasis added).

Another large area of potential development lies across the river where several large buildings stand unused on Anquani Road. These large flat and paved areas could be used for a number of public or private ventures that do not require direct tourist visibility.⁴ (emphasis added).

14) Cherokee Business District Master Plan, February 2001, pg. 4.1.

The master plan states that the long-term plan includes possible acquisition of alternative sites for schools. The master plan states: The elementary school occupies one of the most prime parcels of real estate in Cherokee, as does the BIA office next door. The school and the BIA are not the "highest and best use" of these prime parcels. Over the long term, the elementary school and BIA sites should become a new, cohesive anchor attraction. . . . These anchors could be an outlet mall, festive retail, or entertainment uses that draw visitors to their locations as