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MOUNT RAINIER NATIONAL PARK BOUNDARY ADJUSTMENT ACT OF 2004

AUGUST 25, 2004.—Ordered to be printed

Filed, under authority of the order of the Senate of July 22, 2004

Mr. DOMENICI, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 265]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 265) to provide for an adjustment of the boundaries of Mount Rainier National Park, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 265 is to authorize the Secretary of the Interior to expand the boundary of Mount Rainier National Park to include approximately 800 acres.

BACKGROUND AND NEED

Mount Rainier is an active volcano encased in over 35 square miles of ice and snow. Mount Rainier was established as a National Park in 1899 and hosts over 1.3 million visitors per year. There are five entrances to the park. The Carbon River entrance in the northwest corner of the Park is the closest to the major population centers of Seattle and Tacoma. The Ipsut Creek Campground, located near the Carbon River entrance, is typically full on summer weekends. Visitors are frequently denied access to the park through the Carbon River entrance because portions of the Carbon River Road lie within the floodplain of the Carbon River and seasonal fluctuations of the glacier fed Carbon River cause severe flooding. The river, which now flows at a higher elevation than the road, has

blocked visitors from reaching the Ipsut Creek campground and nearby hiking trails. Repairing the road is ineffective and intensive maintenance is required to maintain roadway safety standards.

The Record of Decision (ROD) for the Mount Rainier National Park General Management Plan, signed in 2001, includes a decision to adjust the boundary of the park to include approximately 1,000 acres for the development of a new campground, picnic area, and administrative facilities. The ROD also closes the Carbon River Road to private vehicles once vehicle travel is no longer feasible and converts the existing Ipsut Creek Campground to a walk-in or bike-in camping area.

Consistent with the recommendations of the general management plan, H.R. 265 would authorize the Secretary of the Interior to acquire the additional land for inclusion in the park's boundary.

LEGISLATIVE HISTORY

H.R. 265 was introduced by Representative Dunn on January 8, 2003. The House Resources Committee ordered H.R. 265 favorably reported (H. Rpt. 108-370), as amended, on October 29, 2003. The House of Representatives passed H.R. 265 on May 17, 2004. H.R. 265 was referred to the Senate Committee on Energy and Natural Resources on June 2, 2004.

A companion measure, S. 2140, was introduced by Senators Cantwell and Murray on April 29, 2003. The Subcommittee on National Parks held a hearing on S. 2140 on June 8, 2004.

The Committee on Energy and Natural Resources ordered H.R. 265 favorably reported on July 14, 2004.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on July 14, 2004, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 265 as described herein.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill the "Mount Rainier National Park Boundary Adjustment Act of 2004."

Section 2 contains congressional findings.

Section 3(a) modifies the boundary of Mount Rainier National Park. This section references a map depicting the boundary adjustment and requires the Secretary of the Interior (Secretary) to keep the map on file in the appropriate National Park Service offices.

Subsection (b) authorizes the Secretary to acquire approximately 800 acres from a willing seller, by donation, purchase with donated or appropriated funds or by exchange.

Paragraph (1) requires that the land references in subsection (a) be limited to not more than 800 acres, for the development of camping and other recreational facilities.

Paragraph (2) authorizes the Secretary to acquire not more than one acre of land near the town of Wilkeson, Washington, to provide information services to visitors of nearby public lands.

Subsection (c) directs the Secretary to administer the lands described in subsection (a) as part of Mount Rainier National Park.

Section 4 directs the Secretary of Agriculture to maintain the national forest lands adjacent to Mount Rainier National Park in a way that is consistent with the area's management as of June 1, 2003.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 16, 2004.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 265, the Mount Rainier National Park Boundary Adjustment Act of 2004.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 265—Mount Rainier National Park Boundary Adjustment Act of 2004

H.R. 265 would modify the boundary of the Mount Rainier National Park in the state of Washington to include a noncontiguous area west of the existing park. The act would authorize the National Park Service (NPS) to acquire up to 800 acres within the new area (as well as an additional 1-acre parcel in a nearby town) by donation, purchase, or exchange. The new parkland would be developed for camping and other recreational purposes; the small off-site parcel would be used for a visitor facility.

Based on information provided by the NPS and assuming appropriation of the necessary amounts, CBO estimates that the federal government would spend about \$12 million over the next two years to implement H.R. 265. We estimate that about one-half of that amount would be used to purchase nearly 750 acres of land; the remaining amount would finance the development of a new campground and other visitor facilities. We expect that annual spending at the park would not increase significantly because the costs to operate the new recreational facilities are likely to be roughly equal to the cost of operating similar facilities that would be made obsolete.

H.R. 265 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On January 30, 2004, CBO transmitted a cost estimate for H.R. 265 as ordered reported by the House Committee on Resources on October 29, 2003. The two versions of the legislation are identical, as are the estimated costs.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 265. The bill is not a regulatory measure in the sense of imposing Government established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 265, as ordered reported.

EXECUTIVE COMMUNICATIONS

On July 13, 2004, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on H.R. 265. These reports had not been received when this report was filed. The testimony provided by the Department of the Interior at the Subcommittee hearing on S. 2140 follows:

STATEMENT OF JANET SNYDER MATTHEWS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 2140, a bill to expand the boundary of Mount Rainier National Park.

The Department of the Interior supports enactment of S. 2140, but would like to work with the committee on an amendment, as described later in this statement. This legislation would enable the National Park Service to acquire a site for a new campground and other facilities to replace an existing campground along the Carbon River that is frequently inaccessible due to flooding, and it would also enhance recreational opportunities and services for visitors in other ways. This proposal is consistent with the Administration's priority to reduce the National Park System's deferred maintenance backlog and to make parks more accessible.

S. 2140 would authorize the acquisition from willing sellers of up to 800 acres of land near the Carbon River entrance to Mount Rainier National Park in the northwestern corner of the park. It would implement the only recommendation for a boundary expansion contained in the park's new General Management Plan, adopted in 2002. The plan identifies the addition of these lands as a means to allow the National Park Service to replace the Ipsut Creek campground, picnic area, and day-use parking for access to the popular Carbon Glacier and Wonderland Trail. These facilities, and the two-lane gravel Carbon

River Road that serves them, are located within or close to the Carbon River floodplain. They are flooded on average every seven years, resulting in significant road damage. Repairs to the Carbon River Road from a 1996 flood cost \$750,000. The repairs lasted a month before another flood damaged the road again. The road now has a facility condition index of .56, a "serious" rating, worse than "poor." The campground, which has a facility condition index of .31, or "poor," has to be closed whenever the washouts occur. It is likely that a future flood will permanently preclude vehicular access to the campground.

With the addition of the new lands in the Carbon River Valley above the floodplain, the National Park Service could develop a 190-acre recreational-administrative hub that would include a replacement 50-campsite vehicular-accessible campground, picnic sites, and administrative and visitor contact facilities. The new facilities would include a ranger office and housing, allowing a ranger presence in the area that has been missing since the current ranger facilities were abandoned due to flooding. Once a major flood event permanently closes the Carbon River Road, the road would be converted to a hiking and biking trail, and the Ipsut Creek campground would become a backcountry campground accessible by foot or bike.

Acquisition of the nearly 800 acres of land is estimated to cost about \$3 to \$6 million, although no appraisals have been completed. Development costs for a new 50-site campground, a picnic area, associated roads and parking, a water and septic system, along with modifying an existing home and a small maintenance building, are estimated to be \$4.8 million. Additional operating costs associated with the new site would be negligible. Funding for the acquisition and line-item construction projects would be addressed through the prioritization process used by the National Park Service. A projection cannot be made at this time as to when such projects would be of sufficient priority to merit their inclusion in the National Park Service budget.

Adding the new area along the Carbon River corridor to the park would have other benefits besides facilitating development of new camping and administrative facilities in a safer location. It would provide additional hiking trails and accessible riverbank fishing, protect scenic resources of the road corridor entering the park from the west, and contribute to a comprehensive plan for a large corridor of diverse outdoor recreation opportunities on public lands along State Route 165. It would also provide protection for natural resources, including habitat for the marbled murrelet, northern spotted owl, bull trout, and salmon, which are all listed or proposed for listing as threatened or endangered species. The new boundary would better reflect the natural ecosystems and processes needed to maintain the health of the park, which has been impacted by logging along its borders, urbanization, and population

growth since 1899, when the original boundary for Mount Rainier National Park was established.

Lying in between the existing boundary of the park and the area proposed for addition to the park is a mile-long corridor of land that is part of the Mt. Baker-Snoqualmie National Forest. Section 4 of S. 2140 would require the Secretary of Agriculture to manage that land to maintain the area's natural setting in a manner consistent with the area's designation as part of a late successional reserve. We are in discussion with the Department of Agriculture about this provision, and the Departments would like to work with the committee on developing an amendment that would address management of this area.

S. 2140 would also allow the Secretary of the Interior to acquire a one-acre site in the community of Wilkeson for a permanent visitor contact facility, or welcome center. Having welcome centers in the Mount Rainier gateway communities, including Wilkeson, is supported by the park's General Management Plan as a critical component of the park's provision of services to visitors. The National Park Service already operates a welcome center in a leased facility in Wilkeson to serve visitors headed toward the Carbon River and Mowich areas of the park, as well as Mount Baker-Snoqualmie National Forest and state and local recreational areas. The Wilkeson center will serve an even more critical function if the boundary change proposed by this bill is fulfilled and recreational opportunities in the Carbon River corridor are expanded. The authority in this bill simply provides the option, if the opportunity arises, for the park to own rather than lease a welcome center in Wilkeson. The cost of the facility, for which we do not have an estimate, would be offset by savings of \$26,000 annually that is currently spent on the leased site.

Mr. Chairman, that concludes my prepared statement. I would be happy to answer any questions you or the other members of the subcommittee have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 265 as ordered reported.