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SENATE

{ REPORT
108-362

UPPER WHITE SALMON WILD AND SCENIC RIVERS ACT

SEPTEMBER 28, 2004.—Ordered to be printed

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

R E P O R T

[To accompany S. 1614]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1614) to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Upper White Salmon Wild and Scenic Rivers Act”.

SEC. 2. UPPER WHITE SALMON WILD AND SCENIC RIVER.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“() WHITE SALMON RIVER, WASHINGTON.—The 20 miles of river segments of the main stem of the White Salmon River and Cascade Creek, Washington, to be administered by the Secretary of Agriculture in the following classifications:

“(A) The approximately 1.6-mile segment of the main stem of the White Salmon River from the headwaters on Mount Adams in section 17, township 8 north, range 10 east, downstream to the Mount Adams wilderness boundary as a wild river.

“(B) The approximately 5.1-mile segment of Cascade Creek from its headwaters on Mount Adams in section 10, township 8 north, range 10 east, downstream to the Mount Adams Wilderness boundary as a wild river.

“(C) The approximately 1.5-mile segment of Cascade Creek from the Mount Adams Wilderness boundary downstream to its confluence with the White Salmon River as a scenic river.

“(D) The approximately 11.8-mile segment of the main stem of the White Salmon River from the Mount Adams Wilderness boundary downstream to the Gifford Pinchot National Forest boundary as a scenic river.”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

PURPOSE OF THE MEASURE

The purpose of S. 1614 is to designate a portion of White Salmon River in the State of Washington as a component of the National Wild and Scenic Rivers System.

BACKGROUND AND NEED

The White Salmon River is internationally known for its white-water rapids, stunning scenery, and abundant fish and wildlife. In 1986, nine miles of the lower White Salmon River were added to the National Wild and Scenic Rivers System as part of the Columbia River Gorge National Scenic Area Act of 1986 (Pub. Law 99-663). At that time, Congress also directed the Forest Service to study the upper White Salmon River for possible inclusion in the Wild and Scenic Rivers System.

The Forest Service released its report in 1997. The Forest Service determined that the Upper White Salmon River and its tributary Cascade Creek were eligible for inclusion in the National Wild and Scenic Rivers System based on their “free-flowing condition” and “outstandingly scenic, hydrologic, geologic, wildlife, and white-water boating values.” The Forest Service report recommended designating 38.4 river miles, 6.7 of which would be classified as “wild” (the segments within the Mt. Adams Wilderness) and 31.7 miles of which would be “scenic.”

LEGISLATIVE HISTORY

S. 1614 was introduced by Senator Cantwell on September 15, 2003; Senator Murray is a cosponsor. The Subcommittee on Public Lands and Forests held a hearing on S. 1614 on July 21, 2004. An identical bill (H.R. 2397) was introduced by Representative Baird on June 10, 2003.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on September 15, 2004, by a voice vote of a quorum present, recommends that the Senate pass S. 1614, if amended as described herein.

COMMITTEE AMENDMENTS

The amendment adopted by the Committee eliminated as unnecessary section 2 (findings), section 4 (stating that the legislation does not limit the suitability of the remaining recommended segment from future designation, and section 5 (directing management of the designated sections). Some section titles and numbers were redesignated as a result of these amendments, and conforming amendments were made to section 3 (redesignated as section 2).

SECTION-BY-SECTION ANALYSIS

Sections 1 provides the short title.

Section 2 amends the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) to include four segments of the White Salmon River in Washington State (20 miles total).

Section 3 authorizes appropriation of such sums as are necessary to carry out the bill.

COST AND BUDGETARY CONSIDERATIONS

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

SEPTEMBER 17, 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 S. 1614, the Upper White Salmon Wild and Scenic Rivers Act.

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

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 1614—Upper White Salmon Wild and Scenic Rivers Act

CBO estimates that enacting S. 1614 would have no significant impact on the federal budget. The bill would not affect direct spending or revenues. S. 1614 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.

S. 1614 would designate 20 miles of segments of the White Salmon River and Cascade Creek in Washington as wild and scenic rivers under the Wild and Scenic Rivers Act. Based on information from the Forest Service, we estimate that changing the designation of those rivers would not significantly affect the agency's costs to manage them.

The CBO staff contact for this estimate is Megan Carroll. 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 S. 1614.

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 S. 1614.

EXECUTIVE COMMUNICATIONS

On September 11, 2003, the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth executive views on S. 1614. These reports had not been received when this report was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department of Agriculture at the Subcommittee hearing on S. 1614 follows:

STATEMENT OF MARK REY, NATIONAL FOREST SYSTEM
FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman, thank you for the opportunity to appear before you today to provide the Department's views on S. 1614 to designate portions of the Upper White Salmon River in the Columbia River Gorge National Scenic Area as either a wild or a scenic river.

S. 1614—Upper White Salmon Wild and Scenic Rivers Act. This bill would amend section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) to designate portions of the Upper White Salmon River in the State of Washington as a component of the National Wild and Scenic Rivers System. The four segments that the bill would designate are located on the Gifford Pinchot National Forest and include 6.7 miles in the Mt. Adams Wilderness, classified as wild and 13.3 miles classified as scenic for a total of 20 miles. The Department supports S. 1614.

The Forest Service conducted a study of the Upper White Salmon River and its tributary, Cascade Creek, as directed by the Columbia River Gorge National Scenic Act (16 U.S.C. 544 et seq.) and determined their eligibility for designation as a component of the National Wild and Scenic Rivers System. The "Upper White Salmon River Wild and Scenic River Study Report and Final Legislative Environmental Impact Statement" (July 1997) recommended the entire 38.4 miles of the Upper White Salmon (including Cascade Creek) be added to the System. The recommended segments of the Upper White Salmon River possess outstanding wildlife, scenery, geology and hydrology, and are highly qualified for designation under the Wild and Scenic Rivers Act.

Although the bill does not designate the 18.4 mile segment of river from the Gifford Pinchot National Forest boundary to the confluence with Gilmer Creek, which is bounded by non-federal lands, section 4 does not limit the suitability of this segment for future designation.

This concludes my statement, I would be happy to answer any questions that you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by S. 1614, as ordered reported, are shown as follows (existing law proposed to be

omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

A. WILD AND SCENIC RIVERS ACT

(Public Law 90-542; Approved October 2, 1968)

AN ACT To provide a National Wild and Scenic Rivers System; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Wild and Scenic Rivers Act".

(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic recreational, geologic fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

* * * * *

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) CLEARWATER, MIDDLE FORK, IDAHO.—The Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin; to be administered by the Secretary of Agriculture.

* * * * *

() WHITE SALMON RIVER, WASHINGTON.—*The 20 miles of river segments of the main stem of the White Salmon River and Cascade Creek, Washington, to be administered by the Secretary of Agriculture in the following classifications:*

(A) *The approximately 1.6-mile segment of the main stem of the White Salmon River from the headwaters on Mount Adams in section 17, township 8 north, range 10 east, downstream to the Mount Adams wilderness boundary as a wild river.*

(B) *The approximately 5.1-mile segment of the Cascade Creek from its headwaters on Mount Adams in section 10, township 8 north, range 10 east, downstream to the Mount Adams Wilderness boundary as a wild river.*

(C) *The approximately 1.5-mile segment of Cascade Creek from the Mount Adams Wilderness boundary downstream to its confluence with the White Salmon River as a scenic river.*

(D) The approximately 11.8-mile segment of the main stem of the White Salmon River from the Mount Adams Wilderness boundary downstream to the Gifford Pinchot National Forest boundary as a scenic river.

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