

## Calendar No. 41

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SENATE

{ REPORT  
110–16

### GRAND TETON NATIONAL PARK EXTENSION ACT OF 2007

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FEBRUARY 15, 2007.—Ordered to be printed

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

### R E P O R T

[To accompany S. 277]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 277) to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE

The purpose of S. 277 is to authorize the Secretary of the Interior to add approximately 49 acres of land in the Grand Teton Park subdivision within the boundaries of Grand Teton National Park in Wyoming.

#### BACKGROUND AND NEED

The Grand Teton Park subdivision is located in the Lost Creek drainage between Grand Teton National Park and the Bridger-Teton National Forest. One lot in the 50-acre subdivision is owned by the Gerald Halpin family. The other seven lots were donated by the Halpin family to private organizations, including the National Fish and Wildlife Foundation, the National Park Foundation, and the Grand Teton National Park Foundation. All of these owners would like to donate their land to Grand Teton National Park, but their parcels are currently outside the existing park boundary. The law that established Grand Teton National Park in September, 1950 (64 Stat. 849), prohibited the extension of any park in Wyoming without the express authorization of Congress. S. 277 would authorize the Secretary to adjust the boundary of Grand Teton Na-

tional Park and accept the donation of lands within the subdivision.

#### LEGISLATIVE HISTORY

S. 277 was introduced by Senators Thomas and Enzi on January 12, 2007. During the 109th Congress, the Committee considered similar legislation, S. 2403, also sponsored by Senators Thomas and Enzi. The Subcommittee on National Parks held a hearing on S. 2403 on April 6, 2006 (S. Hrg. 109–447). The Committee ordered S. 2403 favorably reported with an amendment and an amendment to the title on May 24, 2006 (S. Rept. 109–308) and the bill passed the Senate, by unanimous consent, on December 7, 2006. No further action occurred prior the sine die adjournment of the 109th Congress.

At its business meeting on January 31, 2007, the Committee on Energy and Natural Resources ordered S. 277 favorably reported.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on January 31, 2007, by a voice vote of a quorum present, recommends that the Senate pass S. 277.

#### SECTION-BY-SECTION ANALYSIS

*Section 1* provides the short title, the “Grand Teton National Park Extension Act of 2007.”

*Section 2* defines key terms used in the bill.

*Section 3(a)* authorizes the Secretary of the Interior to accept land or interest in land from any willing donor in the Grand Teton Park Subdivision.

Subsection (b) requires the Secretary to include the donated land within the boundaries of Grand Teton National Park and to manage it as part of the park.

Subsection (c) expresses the intent of Congress that land in the subdivision be acquired no later than one year after the enactment of this Act.

Subsection (d) prohibits the Secretary of the Interior from transferring any of the land acquired through the authority in subsection 3(a) without express authorization from Congress.

*Section 4* authorizes the appropriation of such sums as are necessary to carry out the Act.

#### COST AND BUDGETARY CONSIDERATIONS

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

#### *S. 277—Grand Teton National Park Extension Act of 2007*

S. 277 would authorize the Secretary of the Interior to accept the donation of about 50 acres of land in Wyoming. Once acquired, the property would become part of the Grand Teton National Park under the administration of the National Park Service. Subject to the availability of appropriated funds, CBO estimates that implementing S. 277 would cost less than \$500,000, mostly for surveys and appraisals. Enacting S. 277 would not affect revenues or direct spending.

The bill 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.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Robert A. Sunshine, 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. 277. 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. 277, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

Because S. 277 is similar to legislation considered during the 109th Congress, the Committee did not request Executive Agency views on S. 277. The testimony provided by the National Park Service at the Subcommittee hearing on S. 2403 in the 109th Congress follows:

#### STATEMENT OF SUE MASICA, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 2403, a bill to authorize the Secretary of the Interior to include in the boundaries of the Grand Teton National Park land and interests in land of the GT Park Subdivision, and for other purposes. The Department supports S. 2403 with one amendment.

S. 2403 would direct the Secretary of the Interior (Secretary) to accept, by donation, approximately 49 acres adjacent to Grand Teton National Park, and upon donation, adjust the park boundary to include these lands within the park and to administer the acquired lands in accordance with all applicable laws. In addition, the Secretary would be prohibited from selling, donating, exchanging, or otherwise transferring the acquired land without authorization from Congress. The lands added to the boundary would be donated at no cost to the federal government, and no additional costs would be associated with management or administration of the donated lands. Costs that would be associated with the conveyance of the land include closing and other associated costs. We estimate those costs to be approximately \$300,000, and we currently do not have a funding source identified for these costs.

The privately owned land that is the subject of S. 2403 is located approximately one mile from the major road through the park and is visible from that road. The land consists of eight lots that total 49.67 acres and are located near the Lost Creek Ranch, adjacent to the park's eastern boundary. Similar in character and quality to adjacent park lands, the lots are primarily grassland and sagebrush meadow and provide habitat for a wide variety of wildlife including elk, deer, antelope, bison, coyotes, and wolves. The lots offer spectacular and unobstructed views of the Teton Range across the broad valley of Jackson Hole.

The National Park System includes countless examples of philanthropic efforts that have added immeasurably to the preservation of our Nation's natural and cultural treasures. Nowhere is this more evident than at Grand Teton National Park, where the gift of John D. Rockefeller, Jr. in 1949, of more than 38,000 acres, helped to ensure the creation of the park. Today, the spirit of philanthropy is very much alive at Grand Teton, and a prime example is the extraordinary generosity of Gerald T. Halpin and his family. Of the eight lots which are the subject of this bill, one is owned by the Halpin family, and the other seven were previously donated by the Halpins to several foundations with the understanding that they would ultimately be donated to the federal government for inclusion in Grand Teton National Park. These foundations include the National Park Foundation, the National Fish and Wildlife Foundation, and the Grand Teton National Park Foundation.

Inclusion of these lands within Grand Teton National Park cannot be accomplished without this legislation. When Congress established the park in 1950, it included a provision in the park's enabling legislation that prohibited any expansion of national parks or monuments in the State of Wyoming without the express authorization of Congress.

We recommend one amendment to the bill. Section 3(a) as written may imply that the Secretary shall accept the donation of the land regardless of any potential environmental hazards on the land or the condition of the title. We recommend donation language that has been used in other similar donation transactions and is attached to this testimony.

Mr. Chairman, we wish to thank you for your efforts in sponsoring and introducing this legislation. It is the product of many generous and forward-looking people working together to continue protecting Grand Teton National Park for the American people.

That concludes my statement. I would be glad to answer any questions that you or other members of the subcommittee might have.

PROPOSED AMENDMENT—S. 2403, GRAND TETON NATIONAL PARK  
EXTENSION ACT OF 2006

Page 2, strike lines 18–20 and insert the following: “(a) The Secretary is authorized to acquire, by donation, lands and interests in land in the Subdivision.”

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 bill S. 277, as ordered reported.



