

Calendar No. 39

108TH CONGRESS }
1st Session }

SENATE

{ REPORT
{ 108-24

CATOCTIN MOUNTAIN NATIONAL RECREATION AREA DESIGNATION ACT

MARCH 19, 2003.—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. 328]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 328) to designate Catoctin Mountain Park in the State of Maryland as the “Catoctin Mountain National Recreation Area”, and for other purposes, 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 “Catoctin Mountain National Recreation Area Designation Act”.

SEC. 2. CATOCTIN MOUNTAIN NATIONAL RECREATION AREA.

(a) DESIGNATION.—Catoctin Mountain Park in the State of Maryland is designated as the Catoctin Mountain National Recreation Area.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to Catoctin Mountain Park shall be deemed to be a reference to the Catoctin Mountain National Recreation Area (hereinafter referred to as the “recreation area”).

(c) BOUNDARY.—

(1) IN GENERAL.—The recreation area shall consist of land within the boundary depicted on map entitled “Catoctin Mountain National Recreation Area” numbered 841/80444A, and dated March 7, 2003.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) MINOR BOUNDARY ADJUSTMENTS.—The Secretary of the Interior may make minor adjustments in the boundary of the recreation area consistent with section 7(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9(c)).

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary of the Interior shall administer the recreation area in a manner that protects and enhances the scenic, natural, cultural, historical, and recreational resources of the recreation area, in accordance with this Act and the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).”

(2) COOPERATIVE AGREEMENT.—The Secretary of the Interior shall enter into a cooperative agreement with the Secretary of the Navy for the operation of the presidential retreat, known as Camp David, while preserving the site as part of the national recreation area. Nothing done under this Act shall conflict with the administration of the presidential retreat as a residence for the President and his family and for his official purposes, nor shall it alter any privileges, powers, or duties vested in the White House Police and the United States Secret Service, Treasury Department, by section 202 of title 3, United States Code, and section 3056 of title 18, United States Code.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

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

PURPOSE OF THE MEASURE

The purpose of S. 328 is to designate Catoctin Mountain Park in the State of Maryland as the “Catoctin Mountain National Recreation Area.”

BACKGROUND AND NEED

Catoctin Mountain Park, located in northern Maryland, was established in 1935 by the National Industrial Recovery Act as the Catoctin Recreation Demonstration Area (RDA) and transferred to the National Park Service by Executive Order 7496 on November 14, 1936. On July 7, 1942 the Presidential Retreat, Camp David, was established in the park. On June 11, 1954, approximately 4,400 acres south of Route 77 was transferred to the State of Maryland and became Cunningham Falls State Park. The current designation of the remaining part of Catoctin RDA was changed to Catoctin Mountain Park on July 12, 1954. The park includes 5,770 acres with an average annual visitation of 700,000.

Catoctin Mountain Park is continually misidentified as either containing lake and beach areas associated with Cunningham Falls State Park or as being operated by the State of Maryland. Designation of the area as a National Recreation Area will eliminate the confusion and be more consistent with similar recreation areas.

LEGISLATIVE HISTORY

S. 328 was introduced by Senator Sarbanes on February 6, 2003. The Subcommittee on National Parks held a hearing on S. 328 on March 4, 2003. At the business meeting on March 12, 2003, the Committee on Energy and Natural Resources ordered S. 328, as amended, favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on March 12, 2003, by a unanimous vote of a quorum present, recommends that the Senate pass S. 328, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 328, the Committee adopted an amendment in the nature of a substitute which deletes the congressional findings and purpose section. The amendment includes a new map reference to clarify the boundary of the recreation area, including the recent acquisition of an 18-acre parcel. Finally, the amendment removes the subsection authorizing land acquisition. This authority is not necessary since all land inside the boundary is owned by the Federal Government.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the Act the "Catoctin Mountain National Recreation Area Designation Act."

Section 2 contains the designation, references, boundary and administration requirements.

Section 3 authorizes the appropriations necessary to carry out this Act.

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, March 13, 2003.

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. 328, the Catoctin Mountain National Recreation Area Designation Act.

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.

S. 328—Catoctin Mountain National Recreation Area Designation Act

S. 328 would redesignate the Catoctin Mountain Park in Maryland as the Catoctin Mountain National Recreation Area. The bill would authorize the appropriation of whatever amounts are necessary to implement the redesignation.

CBO estimates that implementing S. 328 would have no significant effect on the federal budget. The 5,770-acre park, which is already a unit of the National Park System, would continue to be operated by the National Park Service under its existing authority. The bill would have no effect on the park's boundaries, facilities, or operations. We expect that one-time costs to revise park brochures, maps, and signs would be minimal because most such revisions would take place in conjunction with scheduled reprinting and other routine park operations. CBO estimates that enacting S. 328 would not affect revenues or direct spending.

S. 328 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 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 S. 328. 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. 328, as ordered reported.

EXECUTIVE COMMUNICATIONS

On February 26, 2003, 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 S. 328. These reports had not been received at the time the report on S. 328 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 National Park Service at the Subcommittee hearing follows:

STATEMENT OF DETEEL PATTERSON TILLER, ACTING ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 328, a bill to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area."

The Department supports S. 328. This legislation would provide a name for Catoctin Mountain Park that is appropriate for the purpose and use of this unit of the National Park System, and it also would update the authorities for administering this park.

Catoctin Mountain Park had its origins as one of 46 Great Depression-era Recreational Demonstration Areas established by the Resettlement Administration, which was authorized under the National Industrial Recovery Act (1933) and Executive Orders of President Franklin D. Roosevelt. The Resettlement Administration acquired and developed Recreational Demonstration Areas across the nation to provide accessible, low-cost, quality outdoor recreation opportunities. They were used for day trips, pic-

nicking, and overnight camping by families, social groups, and public organizations.

Catoctin Recreational Demonstration Area, which comprised approximately 20,000 acres, was acquired after the area had sustained years of charcoal production, mountain farming, and harvesting of trees for timber. The Works Progress Administration and the Civilian Conservation Corps administered projects at Catoctin both to put people back to work and to establish an outdoor recreation area for the urban dwellers of nearby Washington, DC and Baltimore, Maryland. Jurisdiction over the Catoctin Recreational Demonstration Area was transferred to the National Park Service in 1935 by Executive Order.

In 1942, one of the cabin camps built at Catoctin, Camp Hi-Catoctin, was selected by President Roosevelt as the Presidential Retreat we know today as Camp David. Catoctin's distinctive history also includes serving as an O.S.S. training camp during World War II, and having the first Job Corps camp in the United States and the nation's oldest camp for the disabled.

In 1954, approximately 4,400 acres of the area was transferred to the State of Maryland and became Cunningham Falls State Park. That same year, the Director of the National Park Service approved the renaming of Catoctin Recreational Demonstration Area as "Catoctin Mountain Park" and Congress provided authority to exchange lands to consolidate holdings in the park. Catoctin Mountain Park is currently 5,810 acres in size and has an average annual visitation of 700,000. The park, consisting largely of eastern hardwood forest, has many attractions for visitors: camping, picnicking, fishing, 25 miles of hiking trails and scenic mountain vistas.

The proximity of Catoctin Mountain Park, Camp David, and Cunningham Falls State Park has caused longstanding confusion for visitors to the area. Catoctin Mountain Park is continually misunderstood as being closed to the public because of the presence of Camp David. Renaming the park as a "national recreation area" would offer an opportunity to reintroduce the park as an area that is open to public recreation. The public also has difficulty understanding why there is a difference between the activities permitted at Catoctin Mountain Park and those permitted at Cunningham Falls State Park. Including the word "national" in the name of Catoctin Mountain Park would facilitate efforts to educate the public about these differences and to emphasize the value the National Park Service places on protecting cultural and natural resources for future generations.

In addition, the name "national recreation area" would also help distinguish Catoctin Mountain Park from other local attractions, such as the privately-owned Catoctin Wildlife Preserve and Zoo, which are often confused with the park. And, the name change would enhance the efforts of the Maryland Office of Tourism Development and local tourism officials to promote the presence of the five Na-

tional Park System units located in Frederick County, one of which is Catoctin Mountain Park.

In addition to changing the name of the Catoctin Mountain Park, S. 328 would provide the usual authorities that are included when a new unit of the National Park System is established. These provisions will make it easier for the National Park Service to administer the unit than continuing to rely on the piecemeal authorities that were granted since the 1930's. The authorities provided by S. 328 include formally establishing a boundary, permitting land acquisition within the boundary, providing for administration of the unit in accordance with laws governing the National Park System, and authorizing appropriations for the park. These provisions will ensure that the park is able to continue to appropriately administer the park's significant historic resources and important natural areas. The costs associated with this legislation would be negligible.

We are currently reviewing previous authorities for Catoctin Mountain Park to determine whether any of them should be repealed in conjunction with providing the new authority for the park under S. 328. We will advise the subcommittee of our findings as soon as possible.

Mr. Chairman, this concludes my remarks. I will be happy to answer any questions you or the other Committee members 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 bill S. 328, as ordered reported.