

AUTHORIZING THE SECRETARY OF THE INTERIOR TO ADJUST THE BOUNDARY OF THE STEPHEN MATHER WILDERNESS AND THE NORTH CASCADES NATIONAL PARK IN ORDER TO ALLOW THE REBUILDING OF A ROAD OUTSIDE OF THE FLOODPLAIN WHILE ENSURING THAT THERE IS NO NET LOSS OF ACREAGE TO THE PARK OR THE WILDERNESS, AND FOR OTHER PURPOSES

MAY 17, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 1156]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1156) to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1156 is to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness.

BACKGROUND AND NEED FOR LEGISLATION

The Stephen Mather Wilderness was designated in 1988 as part of the Washington Park Wilderness Act (Public Law 100–668). Excluded from the wilderness area was a 100-foot corridor for a pre-existing dirt road that followed the Stehekin River for 23 miles from Lake Chelan into the wilderness, providing limited vehicle access to trails and campgrounds in that portion of the wilderness. The road dead-ended at a campground and trailhead to a scenic

basin and pass. The action to ensure continuance of the road was careful and deliberate, and was taken to ensure public access in an area that would have more limited access options due to the wilderness designation.

Until 2003, the Park provided shuttle service along the road for hikers and campers, who could only reach the road by passenger ferry or floatplane. Local residents, who retained property and small businesses inside the park and the adjoining Lake Chelan National Recreation Area, also used the road for recreation.

Damage to the road from a 1995 flood was repaired, except for a 2.5 mile section at the very end of the road, but in 2003 and again in 2006 major flooding along the river washed out significant portions of the road in the upper valley. Since these floods, the road has been impassible for vehicles above what used to be the halfway point. The public access specifically provided for and protected by the 1988 law has been voided by the destruction of the road.

Due to the wilderness designation, the Secretary of the Interior says that the National Park Service is unable to rebuild the road. H.R. 1156 is necessary to simply allow the Secretary of the Interior the ability to rebuild an adequate road that can be successfully maintained, thereby upholding the promise made in 1988.

COMMITTEE ACTION

H.R. 1156 was introduced on March 14, 2013, by Congressman Doc Hastings (R-WA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On April 24, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered, and the bill was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1156—A bill to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes

H.R. 1156 would allow the Secretary of the Interior to redraw the boundary of the Stephen Mather Wilderness (which makes up more than 90 percent of the North Cascades National Park in Washington) to exclude a 100-foot wide corridor. The National Park Service (NPS) would use the corridor (which would remain part of the park) to reroute a flood-damaged portion of the Stehekin Valley Road.

Based on information provided by the NPS and assuming appropriation of the necessary amounts, CBO estimates that completing the rerouting project would cost about \$3 million over the next five years. Of this amount, about \$500,000 would be spent to conduct an environmental impact study of the boundary change and the construction project. About \$2.5 million would be spent to build the new road segment and restore the remaining portion of the existing road. Enacting H.R. 1156 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Martin von Gnechten. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the National Park Service and assuming appropriation of the necessary amounts, CBO estimates that completing the rerouting project would cost about \$3 million over the next five years.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

WASHINGTON PARK WILDERNESS ACT OF 1988

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TITLE II—NORTH CASCADES NATIONAL
PARK SERVICE COMPLEX WILDERNESS

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SEC. 207. BOUNDARY ADJUSTMENTS FOR ROAD.

(a) *IN GENERAL.*—The Secretary may adjust the boundaries of the North Cascades National Park and the Stephen Mather Wilderness in order to provide a 100-foot-wide corridor along which the Stehekin Valley Road may be rebuilt—

(1) *outside of the floodplain between milepost 12.9 and milepost 22.8;*

(2) *within the boundaries of the North Cascades National Park; and*

(3) *outside of the boundaries of the Stephen Mather Wilderness.*

(b) *NO NET LOSS OF LANDS.*—The boundary adjustments made under this section shall be such that equal acreage amounts are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.

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