

Union Calendar No. 285

114TH CONGRESS
1ST SESSION

H. R. 974

[Report No. 114-373]

To direct the Secretary of the Interior to promulgate regulations to allow the use of hand-propelled vessels on certain rivers and streams that flow in and through certain Federal lands in Yellowstone National Park, Grand Teton National Park, the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2015

Mrs. LUMMIS introduced the following bill; which was referred to the
Committee on Natural Resources

DECEMBER 8, 2015

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on February 13, 2015]

A BILL

To direct the Secretary of the Interior to promulgate regulations to allow the use of hand-propelled vessels on certain rivers and streams that flow in and through certain Federal lands in Yellowstone National Park, Grand Teton National Park, the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Yellowstone and Grand*
5 *Teton Paddling Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *For the purposes of this Act:*

8 (1) *HAND-PROPELLED VESSEL.—The term*
9 *“hand-propelled vessel” means a vessel designed for*
10 *river travel that is propelled by one or more people*
11 *using paddles or oars, such as canoes, inflatable*
12 *kayaks, kayaks, packrafts, and rafts.*

13 (2) *PADDLING.—The term “paddling” means the*
14 *use of hand-propelled vessels for descending, crossing,*
15 *or otherwise floating upon rivers and streams.*

16 **SEC. 3. PROMULGATION OF REGULATIONS.**

17 (a) *IN GENERAL.—Not later than 3 years after the*
18 *date on which funds are first made available for this sec-*
19 *tion, the Secretary of the Interior shall promulgate regula-*
20 *tions to allow the use of hand-propelled vessels on waters*
21 *within Yellowstone National Park in the States of Idaho,*
22 *Montana, and Wyoming, and Grand Teton National Park*
23 *and the John D. Rockefeller, Jr. Memorial Parkway in the*
24 *State of Wyoming. Waters where such use shall be allowed*

1 *under the regulations shall include, at a minimum, the seg-*
2 *ments listed in subsection (b).*

3 (b) *APPLICABLE WATERS.*—*The waters referred to in*
4 *subsection (a) are the following:*

5 (1) *BEAVERDAM CREEK.*—*The approximately*
6 *5.6-mile segment of Beaverdam Creek from 8085' to*
7 *Yellowstone Lake.*

8 (2) *BECHLER RIVER.*—*The approximately 17.4-*
9 *mile segment of Bechler River from Three River Junc-*
10 *tion to the confluence with Falls River.*

11 (3) *BOUNDARY CREEK.*—*The approximately*
12 *15.3-mile segment of Boundary Creek from 7455' to*
13 *the confluence with Bechler River.*

14 (4) *CACHE CREEK.*—*The approximately 12.2-*
15 *mile segment from 7737' to the confluence with*
16 *Lamar River.*

17 (5) *COULTER CREEK.*—*The approximately .9-*
18 *mile segment from the Yellowstone National Park*
19 *south boundary to the confluence with the Snake*
20 *River.*

21 (6) *FALLS RIVER.*—*The approximately 20.4-mile*
22 *segment from 7316' to the Yellowstone National Park*
23 *south boundary.*

1 (7) *FAN CREEK*.—*The approximately 7.7-mile*
2 *segment from Fan Creek upper forks (7526') to the*
3 *confluence with the Gallatin River.*

4 (8) *FERRIS FORK*.—*The approximately 1-mile*
5 *segment from 7455' to Three River Junction.*

6 (9) *FIREHOLE RIVER*.—*The approximately 4.5-*
7 *mile segment of campsite OA3 to Kepler Cascades.*

8 (10) *GALLATIN RIVER*.—*The approximately 22.3-*
9 *mile segment from 7650' to the Yellowstone National*
10 *Park northwest boundary.*

11 (11) *GARDNER RIVER*.—*The approximately 23.6-*
12 *mile segment from Fawn Creek to the confluence with*
13 *Yellowstone River.*

14 (12) *GRAYLING CREEK*.—*The approximately 7.4-*
15 *mile segment from Grayling Creek canyon mouth*
16 *(7088') to the Yellowstone National Park west bound-*
17 *ary.*

18 (13) *GREGG FORK*.—*The approximately 1.7-mile*
19 *segment from 7795' to Three River Junction.*

20 (14) *HEART RIVER*.—*The approximately 4.8-*
21 *mile segment from Heart Lake to the confluence with*
22 *Snake River.*

23 (15) *HELLROARING CREEK*.—*The approximately*
24 *6.4-mile segment from the Yellowstone National Park*

1 *north boundary to the confluence with the Yellowstone*
2 *River.*

3 (16) *HOWELL CREEK.*—*The approximately 5.4-*
4 *mile segment from Howell Creek upper forks to the*
5 *confluence with Mountain Creek.*

6 (17) *INDIAN CREEK.*—*The approximately 7.7-*
7 *mile segment from 8030' meadow to the confluence*
8 *with Gardner River.*

9 (18) *LAMAR RIVER.*—*The approximately 27.3-*
10 *mile segment from 8167' to Specimen Ridge trail.*

11 (19) *LAMAR RIVER.*—*The approximately 7.5-*
12 *mile segment from the top of Lamar Canyon (6478')*
13 *to the confluence with Yellowstone River.*

14 (20) *LEWIS RIVER.*—*The approximately 8.5-mile*
15 *segment from the top of Lewis Canyon (7730') to the*
16 *confluence with Snake River.*

17 (21) *LITTLE LAMAR RIVER.*—*The approximately*
18 *3.7-mile segment from 8200' to the confluence with the*
19 *Lamar River.*

20 (22) *MIDDLE CREEK.*—*The approximately 4-*
21 *mile segment from 7265' to the Yellowstone National*
22 *Park east boundary.*

23 (23) *MILLER CREEK.*—*The approximately 10-*
24 *mile segment from 7655' to the confluence with*
25 *Lamar River.*

1 (24) *MOUNTAIN ASH CREEK.*—*The approxi-*
2 *mately 5.7-mile segment from 6555' to the confluence*
3 *with Falls River.*

4 (25) *MOUNTAIN CREEK.*—*The approximately*
5 *7.9-mile segment from the Yellowstone National Park*
6 *east boundary to the confluence with Yellowstone*
7 *River.*

8 (26) *NEZ PERCE CREEK.*—*The approximately*
9 *8.2-mile segment from 7310' to Grand Loop Road.*

10 (27) *PEBBLE CREEK.*—*The approximately 10.3-*
11 *mile segment from 7954' trail crossing to the con-*
12 *fluence with Soda Butte Creek.*

13 (28) *POLECAT CREEK.*—*The approximately 2-*
14 *mile segment from 7050' to the Yellowstone National*
15 *Park south boundary.*

16 (29) *ROBINSON CREEK.*—*The approximately 4.4-*
17 *mile segment from 6555' to the Yellowstone National*
18 *Park southwest boundary.*

19 (30) *SLOUGH CREEK.*—*The approximately 13.4-*
20 *mile segment from the Yellowstone National Park*
21 *north boundary to Slough Creek trail head/camp-*
22 *ground.*

23 (31) *SNAKE RIVER.*—*The approximately 31.8-*
24 *mile segment from the Yellowstone National Park*

1 *southeast boundary (8059') to the Yellowstone Na-*
2 *tional Park south boundary (6867').*

3 (32) *SODA BUTTE CREEK.—The approximately*
4 *10.3-mile segment from the Yellowstone National Park*
5 *northeast boundary to the confluence with Amphi-*
6 *theater Creek.*

7 (33) *SPECIMEN CREEK.—The approximately 2.6-*
8 *mile segment from 7170' to the confluence with the*
9 *Gallatin River.*

10 (34) *THOROFARE CREEK.—The approximately*
11 *4.4-mile segment from the Yellowstone National Park*
12 *southeast boundary to the confluence with Yellowstone*
13 *River.*

14 (35) *TRAIL CREEK.—The approximately 3-mile*
15 *segment from Trail Lake to Yellowstone Lake.*

16 (36) *YELLOWSTONE RIVER.—The approximately*
17 *36-mile segment, including Grand and Black can-*
18 *yons, from Sevenmile Hole to the Yellowstone Na-*
19 *tional Park north boundary.*

20 (37) *YELLOWSTONE RIVER.—The approximately*
21 *26.7-mile segment from Yellowstone National Park*
22 *southeast boundary to Yellowstone Lake.*

23 (38) *ARIZONA CREEK.—The approximately 4.8-*
24 *mile segment from the Grand Teton National Park*
25 *east boundary to Jackson Lake.*

1 (39) *BERRY CREEK.*—*The approximately 9.9-*
2 *mile segment from 7560' to Jackson Lake.*

3 (40) *BUFFALO FORK RIVER.*—*The approximately*
4 *8.7-mile segment from the Grand Teton National*
5 *Park east boundary to the confluence with Snake*
6 *River.*

7 (41) *COTTONWOOD CREEK.*—*The approximately*
8 *7.3-mile segment from Jenny Lake to the confluence*
9 *with Snake River.*

10 (42) *DITCH CREEK.*—*The approximately 7.3-*
11 *mile segment from the Grand Teton National Park*
12 *east boundary to the confluence with Snake River.*

13 (43) *GROS VENTRE RIVER.*—*The approximately*
14 *12.7-mile segment from the Grand Teton National*
15 *Park southeast boundary to the Grand Teton Na-*
16 *tional Park south boundary.*

17 (44) *LAKE CREEK.*—*The approximately 3.9-mile*
18 *segment from Phelps Lake to the Grand Teton Na-*
19 *tional Park south boundary.*

20 (45) *OWL CREEK.*—*The approximately 2.2-mile*
21 *segment from 7312' to the confluence with Berry*
22 *Creek.*

23 (46) *PACIFIC CREEK.*—*The approximately 4.6-*
24 *mile segment from the Grand Teton National Park*

1 *northeast boundary to the confluence with Snake*
2 *River.*

3 (47) *PILGRIM CREEK.*—*The approximately 6.8-*
4 *mile segment from Grand Teton National Park north-*
5 *east boundary to Jackson Lake.*

6 (48) *PILGRIM CREEK EAST FORK.*—*The approxi-*
7 *mately .8-mile segment from the Grand Teton Na-*
8 *tional Park northeast boundary to the confluence with*
9 *Pilgrim Creek.*

10 (49) *POLECAT CREEK.*—*The approximately 3.9-*
11 *mile segment from the Yellowstone National Park*
12 *south boundary to the confluence with Snake River.*

13 (50) *SPREAD CREEK.*—*The approximately 4.3-*
14 *mile segment, including both channels of Spread*
15 *Creek, from the Grand Teton National Park east*
16 *boundary to the Snake River.*

17 (c) *APPLICABLE WATERS BY BOUNDARIES.*—*The*
18 *boundaries of any river proposed in subsection (b) shall*
19 *generally comprise that area measured within one-quarter*
20 *mile from the ordinary high water mark on each side of*
21 *the listed rivers and streams. This subsection shall not be*
22 *construed to limit the scope of the regulation to address*
23 *areas which may lie more than one-quarter mile from the*
24 *ordinary high water mark on each side of the river.*

1 (d) *APPLICABLE LAWS.*—*The regulations required by*
2 *subsection (a) shall be promulgated in accordance with—*

3 (1) *laws, regulations, and policies generally ap-*
4 *plicable to units of the National Park System; and*

5 (2) *sections 551 through 559 of title 5, United*
6 *States Code (commonly known as the “Administrative*
7 *Procedure Act”).*

8 (e) *COMMERCIAL USE.*—

9 (1) *NO EXPANSION OF USE.*—*The regulations*
10 *issued under this section shall not consider any ex-*
11 *pansion of commercial use of hand-propelled vessels*
12 *in the parks.*

13 (2) *SAVINGS PROVISIONS.*—*Nothing in this Act*
14 *shall be construed as authorizing the commercial use*
15 *of hand-propelled vessels.*

16 (f) *COORDINATION OF RECREATIONAL USE.*—*When*
17 *promulgating regulations under this section, the Secretary*
18 *of the Interior shall consult with the Director of the United*
19 *States Fish and Wildlife Service and the Director of the*
20 *National Park Service to help ensure that the regulations*
21 *provide that recreational use of hand-propelled vessels on*
22 *the Gros Ventre River within the National Elk Refuge adja-*
23 *cent to Grand Teton National Park is consistent with the*
24 *requirements of the National Wildlife Refuge System Ad-*
25 *ministration Act of 1966 (16 U.S.C. 668dd et seq.).*

1 (g) *PREVIOUS REGULATIONS.*—Upon issuance of the
2 *final regulations required by subsection (a), the following*
3 *regulations shall have no force or effect:*

4 (1) *Section 7.13(d)(4)(ii) of title 36, Code of*
5 *Federal Regulations (regarding vessels on streams*
6 *and rivers in Yellowstone National Park).*

7 (2) *Section 7.22(e)(3) of title 36, Code of Federal*
8 *Regulations (regarding vessels on lakes and rivers in*
9 *Grand Teton National Park).*

10 (h) *COST RECOVERY.*—The Secretary is authorized to
11 *recover all costs, in accordance with section 103104 of title*
12 *54, United States Code, associated with monitoring the use*
13 *of hand-propelled vessels, including the cost of inspecting*
14 *and decontaminating vessels to prevent the introduction or*
15 *spread of invasive or injurious species in Yellowstone Na-*
16 *tional Park, Grand Teton National Park, and the John D.*
17 *Rockefeller, Jr. Memorial Parkway.*

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