

DESIGNATING WILDERNESS WITHIN OLYMPIC NATIONAL PARK, MOUNT
RAINIER NATIONAL PARK, AND NORTH CASCADES NATIONAL PARK
COMPLEX IN THE STATE OF WASHINGTON, AND FOR OTHER PURPOSES

SEPTEMBER 23, 1988.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. UDALL, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 4146]

[Including the cost estimate of the Congressional Budget Office]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 4146) to designate wilderness within Olympic National Park, Mount Rainier National Park, and North Cascades National Park Complex in the State of Washington, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 3, strike all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Washington Park Wilderness Act of 1988".

TITLE I—OLYMPIC NATIONAL PARK WILDERNESS

SEC. 101. DESIGNATION AND ADMINISTRATION.

(a) WILDERNESS.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.; 78 Stat. 890), certain lands in the Olympic National Park, Washington, which—

(1) comprise approximately 876,669 acres of wilderness, and approximately 378 acres of potential wilderness additions, and

(2) are depicted on a map entitled "Wilderness Boundary, Olympic National Park, Washington", numbered 149/60,051A and dated August 1988, are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System. Such lands shall be known as the Olympic Wilderness.

(b) ADMINISTRATION.—(1) Subject to valid existing rights, the wilderness area designated under this section shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated as wilderness, except that reference to the Secretary of Agriculture shall be deemed, where appropriate, to be a reference to the Secretary of the Interior, and any refer-

description used by any person or persons or organization, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, machinery, logging equipment, motor vehicles, aircraft, boats, or other means of transportation shall be in the discretion of the court."

(b) TECHNICAL CORRECTIONS TO BOUNDARIES.—The Act of November 7, 1986 (P.L. 99-635; 100 Stat. 3527) revising the boundaries of Olympic National Park is hereby amended as follows:

(1) In section 1(a)(2) after "48 degrees 23 minutes north and 47 degrees" strike "38" and insert in lieu thereof "34".

(2) In section 1(a)(2) after "all surveyed and unsurveyed islands", insert ", above the point of lowest low tide,"; and at the end of the subsection after "minutes north" insert ": *Provided*, That such lands as are identified in this paragraph shall continue to be open to fishing and to the taking of shellfish in conformity with the laws and regulations of the State of Washington".

(3) In section 1(b) after "numbered 149/60,030A, sheets 1 through" strike "10" and insert in lieu thereof "9".

(4) In section 2(a) after "within section 15, township", strike "15" and insert in lieu thereof "24".

(5) In section 2(a) after "*Provided, however*, That the Secretary of Agriculture shall" strike "not".

(6) Renumber section 4 as section 5 and insert a new section 4 as follows:

"Sec. 4. Effective upon acceptance thereof by the State of Washington, the jurisdiction which the United States acquired over those lands excluded from the boundaries of Olympic National Park by this Act is hereby retroceded to the State."

SEC. 105. KALALOCH VISITOR CENTER.

The Secretary of the Interior is directed to complete a study for the location of a year round visitor center in the Kalaloch area of Olympic National Park. Such plan shall include the location, size, and cost estimates for the design, planning, and construction of the visitor center and support facilities. The study shall be submitted to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate by March 1, 1989. The Secretary is authorized to construct such visitor center subject to the appropriation of funds.

TITLE II—NORTH CASCADES NATIONAL PARK SERVICE COMPLEX WILDERNESS

SEC. 201. DESIGNATION AND ADMINISTRATION.

(a) WILDERNESS.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.; 78 Stat. 890), certain lands in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, Washington, which—

(1) comprise approximately 634,614 acres of wilderness, and approximately 5,226 acres of potential wilderness additions, and

(2) are depicted on a map entitled "Wilderness Boundary, North Cascades National Park Service Complex, Washington", numbered 168-60,186 and dated August 1988, are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System. Such lands shall be known as the Stephen Mather Wilderness.

(b) ADMINISTRATION.—(1) Subject to valid existing rights, the wilderness area designated under this section shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated as wilderness, except that reference to the Secretary of Agriculture shall be deemed, where appropriate, to be a reference to the Secretary of the Interior, and any reference to the effective date of the Wilderness Act shall be deemed, where appropriate, to be a reference to the effective date of this Act.

(2) Lands designated as potential wilderness additions shall be administered by the Secretary of the Interior insofar as practicable as wilderness until such time as said lands are designated as wilderness. Any lands designated as potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon that are inconsistent with the Wilderness Act have ceased or that non-Federal interests in land have been acquired, shall thereby be designated as wilderness and managed accordingly.

(3) Congress does not intend that designation of the Stephen Mather Wilderness lead to the creation of protective perimeters or buffer zones around such wilderness

area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(c) MAP AND DESCRIPTION.—(1) As soon as practicable after the effective date of this Act, the Secretary of the Interior shall file a map of the wilderness area and a legal description of its boundaries with the Energy and Natural Resources Committee of the United States Senate, and the Interior and Insular Affairs Committee of the United States House of Representatives. Such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in the map and legal description may be made. Such map and legal description of the boundaries shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the superintendent of the North Cascades National Park.

(2) Boundaries adjacent to paved and unpaved roads shall be drawn as narrowly as is practicable to allow for necessary maintenance and repairs to existing roads. Such boundaries should not, in general, exceed 200 feet from the centerline of paved roads and 100 feet from the center of unpaved roads: *Provided, however,* That larger boundaries may be drawn only as the Secretary deems necessary to exclude from wilderness existing developments, improvements, and structures adjacent to existing roads, as well as areas needed to maintain and repair existing roads: *Provided further,* That to the extent practicable, undeveloped areas adjacent to all roads shall be managed as if designated as wilderness.

SEC. 202. HYDROELECTRIC PROJECTS.

Section 505 of the Act of October 2, 1968 (82 Stat. 930; 16 U.S.C. 90d-4) is amended by striking "in the recreation areas", and insert in lieu thereof "in the lands and waters within the Skagit River Hydroelectric Project, Federal Energy and Regulatory Commission Project 553, including the proposed Copper Creek, High Ross, and Thunder Creek elements of the project, and the Newhalem Project, Federal Energy and Regulatory Commission Project 2705, within the Ross Lake National Recreation Area, and in the lands and waters within the Lake Chelan Project, Federal Energy and Regulatory Commission Project 637, and the Company Creek small hydroelectric project at Stehekin within the Lake Chelan National Recreation Area and existing hydrologic monitoring stations necessary for the proper operation of the hydroelectric projects listed herein."

SEC. 203. LAND ACQUISITION FOR ADMINISTRATIVE FACILITIES.

Section 301 of the Act of October 2, 1968 (82 Stat. 927; 16 U.S.C. 90b) is amended by inserting "(a)" after "301" and by adding at the end thereof a new subsection as follows:

"(b) The Secretary is hereby authorized to acquire, with the consent of the owner, lands outside of the authorized boundaries of North Cascades National Park Service Complex for the purpose of construction and operation of a back country information center not to exceed five acres. The Secretary of the Interior is further authorized to acquire with the consent of the owner, lands for the construction of a headquarters and administrative site or sites, for the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area not to exceed 10 acres. The lands so acquired shall be managed as part of the park."

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated to the Secretary of the Interior such sums as may be necessary to complete the land acquisitions authorized pursuant to section 203 of this Act.

SEC. 205. RENEWABLE NATURAL RESOURCE USE IN RECREATION AREAS.

Section 402(a) of the Act of October 2, 1968 (82 Stat. 928; 16 U.S.C. 90c-1) is amended to read as follows:

"(a) The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits and (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment. Within that portion of the Lake Chelan National Recreation Area which is not designated as wilderness, such management, utilization, and disposal of renewable natural resources and the continuation of existing uses and developments as will promote, or are compatible with, or do not significantly impair public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment, is authorized. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the

national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith. Within the Ross Lake National Recreation Area the removal and disposal of trees within powerline rights-of-way is authorized as necessary to protect transmission lines, towers, and equipment: *Provided*, That to the extent practicable, such removal and disposal of trees shall be conducted in such a manner as to protect scenic view sheds."

SEC. 206. MINERAL RESOURCE USE IN RECREATION AREAS.

Section 402(b) of the Act of October 2, 1968 (82 Stat. 923; 16 U.S.C. 90c-1) is amended to read as follows:

"(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from all forms of appropriation or disposal under the public land laws, including location, entry, and patent under the United States mining laws, and disposition under the United States mineral leasing laws; except that within that portion of the Lake Chelan National Recreation Area which is not designated as wilderness, sand, rock, and gravel may be made available for sale to the residents of Stehekin for local use so long as such sale and disposal does not have significant adverse effects on the administration of the National Recreation Area."

TITLE III—MOUNT RAINIER NATIONAL PARK WILDERNESS

SEC. 301. DESIGNATION AND ADMINISTRATION.

(a) WILDERNESS.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.; 78 Stat. 890), certain lands in the Mount Rainier National Park, Washington, which—

(1) comprise approximately 228,480 acres of wilderness, and

(2) are depicted on a map entitled "Wilderness Boundary, Mount Rainier National Park, Washington", numbered 105-20,014A and dated July 1988, are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System. Such lands shall be known as the Mount Rainier Wilderness.

(b) ADMINISTRATION.—(1) Subject to valid existing rights, the wilderness area designated under this section shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated as wilderness, except that reference to the Secretary of Agriculture shall be deemed, where appropriate, to be a reference to the Secretary of the Interior, and any reference to the effective date of the Wilderness Act shall be deemed, where appropriate, to be a reference to the effective date of this Act.

(2) Congress does not intend that designation of the Mount Rainier Wilderness lead to the creation of protective perimeters or buffer zones around such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(c) MAP AND DESCRIPTION.—(1) As soon as practicable after the effective date of this Act, the Secretary of the Interior shall file a map of the wilderness area and a legal description of its boundaries with the Energy and Natural Resources Committee of the United States Senate, and the Interior and Insular Affairs Committee of the United States House of Representatives. Such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in the map and legal description may be made. Such map and legal description of the boundaries shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of the Mount Rainier National Park.

(2) Boundaries adjacent to paved and unpaved roads shall be drawn as narrowly as is practicable to allow for necessary maintenance and repairs to existing roads. Such boundaries should not, in general, exceed 200 feet from the centerline of paved roads and 100 feet from the center of unpaved roads: *Provided, however*, That larger boundaries may be drawn only as the Secretary deems necessary to exclude from wilderness existing developments, improvements, and structures adjacent to existing roads, as well as areas needed to maintain and repair existing roads: *Provided, fur-*

ther, That to the extent practicable, undeveloped areas adjacent to all roads shall be managed as if designated as wilderness.

SEC. 302. BOUNDARY ADJUSTMENTS.

(a) **PARK BOUNDARY ADJUSTMENTS.**—The boundaries of the Mount Rainier National Parks as established in the Act of March 2, 1899 (30 Stat. 993), as amended (16 U.S.C. 91-110b), are further revised to add to the park approximately 240 acres, and to exclude from the park approximately 31½ acres, as generally depicted on the map entitled "Mount Rainier National Park Proposed 1987 Boundary Adjustments", numbered 105-80,010B and dated January 1987, which shall be on file and available for public inspection in the Washington office of the National Park Service, United States Department of the Interior and at Mount Rainier National Park.

(b) **FOREST BOUNDARY ADJUSTMENT.**—The boundaries of the Snoqualmie National Forest and of the Gifford Pinchot National Forest, are hereby revised to include in the Snoqualmie National Forest approximately 31½ acres, to exclude from the Snoqualmie National Forest approximately 30 acres, and to exclude from the Gifford Pinchot National Forest approximately 210 acres, as generally depicted on a map entitled "Mount Rainier National Park Proposed 1987 Boundary Adjustments", numbered 105-80,010B, and dated January 1987, which shall be on file and available for public inspection in the Washington, D.C., office of the Forest Service, United States Department of Agriculture and at the Snoqualmie and Gifford Pinchot National Forests.

(c) **ADMINISTRATION OF PARK LAND.**—(1) Federal lands, waters, and interests therein formerly within the boundary of the Snoqualmie National Forest and the Gifford Pinchot National Forest, which are included within the boundary of the Mount Rainier National Park pursuant to this Act are, subject to valid existing rights, hereby transferred to the administrative jurisdiction of the Secretary of the Interior for administration as part of the park, and shall be subject to all the laws and regulations of the park.

(2) The Secretary of the Interior is authorized to accept either concurrent or exclusive jurisdiction over lands and waters included within Mount Rainier National Park. The Secretary shall notify in writing the Governor of the State of Washington of the acceptance of any such jurisdiction ceded to the United States by the State. The existing exclusive Federal jurisdiction, where it exists in the park, shall remain in effect until such time as the Secretary and the Governor shall agree upon the terms and conditions of concurrent legislative jurisdiction for said park pursuant to section 320(i) of the Act of October 21, 1976 (90 Stat. 2741).

(3) The Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise all non-Federal lands, waters, and interests therein included within the boundary of the Mount Rainier National Park pursuant to this Act.

(d) **ADMINISTRATION OF FOREST LAND.**—(1) Federal lands, waters, and interests therein formerly within the boundary of the Mount Rainier National Park, which are excluded therefrom and are included within the boundaries of the Snoqualmie National Forest pursuant to this Act are, subject to valid existing rights, hereby transferred to the administrative jurisdiction of the Secretary of Agriculture for administration as part of the forest, and shall be subject to all the laws and regulations applicable to the National Forest System.

(2) For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 903, as amended; 16 U.S.C. 4601-9), the boundaries of the Snoqualmie National Forest and the Gifford Pinchot National Forest, as modified pursuant to this Act, shall be treated as if they were the boundaries of those national forests on January 1, 1965.

(3) Effective upon acceptance thereof by the State of Washington, the jurisdiction which the United States acquired over those lands excluded from the boundaries of the Mount Rainier National Park by this Act is hereby retroceded to the State.

SEC. 303. PARADISE POWERLINE.

The Secretary is authorized to maintain and replace as necessary, the Paradise powerline from Longmire to Paradise. To the extent practicable, such maintenance and operation shall be conducted in such a manner as to protect scenic view sheds.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. WILD AND SCENIC RIVERS.

Paragraph (60) of section 3(a) of the Wild and Scenic Rivers Act, which designates the Klickitat River in the State of Washington as a component of the national wild and scenic rivers system, is amended to add the following sentence at the end of the paragraph: "The boundaries of the designated portions of the Klickitat River shall

be as generally depicted on a map dated November 1987, and entitled 'Klickitat National Recreation River; River Management Area: Final Boundary', which is on file in the office of the Chief, Forest Service, Washington, D.C."

PURPOSE

H.R. 4146¹ would designate wilderness and potential wilderness in Olympic National Park, Mount Rainier National Park and the North Cascades National Park Complex in the State of Washington. It also would make boundary changes and amend certain existing laws to improve the efficiency of National Park Service management.

BACKGROUND

Olympic National Park, Mount Rainier National Park and the North Cascades National Park Service Complex (which includes the Ross Lake and Lake Chelan National Recreational Areas) contain outstanding wilderness resources. These resources include majestic mountain scenery, wilderness beaches, temperate rain forests, alpine lakes and meadows, glaciers and abundant wildlife. Furthermore, these national parks provide a scenic backdrop to the major metropolitan areas bordering Puget Sound and receive millions of visitors. Despite the national park and national recreation area designation for these lands, development does remain a threat to their wilderness character. The potential exists for roads, lodges, dams, power lines and recreational development to encroach on these pristine areas.

H.R. 4146 would protect this vast wilderness resource by designating much of the land within these parks as wilderness. In Olympic National Park (922,000 acres), 876,669 acres would become wilderness. In Mount Rainier National Park (236,000 acres), 216,855 acres would be designated and in the North Cascades National Park Service Complex (684,000 acres), wilderness designation would encompass 634,614 acres. The bill also designates potential wilderness—378 acres in Olympic National Park and 5,226 acres in the North Cascades Complex. If and when the National Park Service acquires rights to these lands, they would become wilderness as well.

The management needs of large national parks are complex and change over time. For this reason, H.R. 4146 also contains language that would update certain laws that apply to these three parks.

Within Mount Rainier National Park is a lift tower and part of a ski run belonging to the Crystal Mountain Resort. The bulk of the ski area is on adjacent national forest lands. Because of a 1978 amendment to the Redwoods National Park Act of 1970, the National Park Service may not have the authority to renew the resort's special use permit. The bill, therefore, includes a land exchange between the Forest Service and National Park Service which would result in all of the resort's operations being on national forest lands.

¹ H.R. 4146 was introduced on March 15, 1988 by Mr. Chandler for himself and by Mr. Swift and Mr. Miller.

SECTION-BY-SECTION ANALYSIS

TITLE I

Title I contains provisions that pertain to Olympic National Park.

Section 101 designates approximately 876,669 acres of wilderness and approximately 378 acres of potential wilderness. It contains the standard language requiring the Wilderness to be administered in accordance with the provisions of the Wilderness Act of 1964. It directs the Secretary of the Interior to manage the potential wilderness as close to the management of designated wilderness as is practical. Potential wilderness will become actual wilderness after inconsistent uses have ceased, nonfederal interests have been acquired and the Secretary has published a notice in the Federal Register.

The section also contains the standard language regarding buffer zones, maps and legal descriptions. It clarifies how wilderness boundaries adjacent to roads will be drawn by specifying that such boundaries will be as close to such roads as is practical, generally 200 feet from the centerline of paved roads and 100 feet from the centerline of unpaved roads. The Secretary, however, can draw boundaries further from the road if necessary for road maintenance or to exclude development from the wilderness. Undeveloped areas adjacent to such boundary roads will be managed, as much as is practical, as wilderness.

Section 102 authorizes the Secretary to maintain and replace, if necessary, the Wolf Creek underground power line to Hurricane Ridge in a manner consistent with wilderness management.

Section 103 authorizes an appropriation not to exceed \$155,000 to be used by the Secretary to buy out the interests of the Clallam County Historical Society and Museum of Port Angeles in a visitor center and museum facility that they share with the National Park Service.

Section 104 contains three general provisions. Subsection (a) amends the 1942 Act that established the national park to expand the National Park Service's authority to seize property when used in violating national park regulations. Subsection (b) amends the same Act to clarify that fugitives from justice found inside the national park will be subject to state laws. Subsection (c) makes technical corrections to a 1986 Act that revised the boundaries of the national park.

Section 105 directs the Secretary to study the potential location for a year-round visitor center in the Kalaloch area.

TITLE II

Title II contains provisions that pertain to the North Cascades National Park Service Complex which includes the North Cascades National Park and the Ross Lake and Lake Chelan National Recreation Areas.

Section 201 designates approximately 634,614 acres of wilderness and approximately 5,226 acres of potential wilderness. It contains the standard language requiring the wilderness to be administered in accordance with the provisions of the Wilderness Act of 1964,

and the standard language pertaining to buffer zones, maps and legal descriptions. It contains the same language found in Title I regarding the management of potential wilderness and the drawing of wilderness boundaries adjacent to roads.

Section 202 amends the Act of 1968 which established the Complex to limit the number of hydroelectric projects allowed in the recreation areas to those specifically listed.

Section 203 amends the same Act to authorize the Secretary to acquire two separate parcels of land outside the boundary of the Complex for a backcountry information and an administrative headquarters. The information center site cannot exceed 5 acres and the headquarters site cannot be more than 10 acres.

Section 204 authorizes an appropriation of such sums as may be necessary to acquire the above lands.

Section 205 amends the 1968 Act to clarify the management and utilization of renewable natural resources (usually timber) inside the national recreation areas. Within the nonwilderness portions of the Lake Chelan National Recreation Area such management can occur as long as it is compatible with or does not significantly impair the purpose for which the national recreation area was established. Within the Ross Lake National Recreation Area, trees can be removed to protect transmission lines, towers and equipment; however, this must be accomplished in a way that protects the scenery.

Section 206 amends the 1968 Act to withdraw the land within the recreation areas from mineral entry with two exceptions. Those with valid existing rights can continue to operate. Sand, rock and gravel can be provided to the residents of Stehekin for local use from the nonwilderness portions of the Lake Chelan National Recreation Area, but only in a way that does not have significant adverse effects.

An operating airport and airstrip has existed approximately three miles north of the Town of Stehekin, Washington within the Lake Chelan National Recreation Area since the early 1960's. As the Stehekin area has no roads into or out of the valley, continued access to this airfield is important. Numerous lives have been saved through the years because of the presence of this airstrip. The Stehekin airport was established by agreement between the State of Washington and the U.S. Forest Service dated December 27, 1960. The agreement provided for the State to construct, operate, and maintain an airport and airstrip at Stehekin under a no-cost perpetual lease arrangement. Jurisdiction over this area has since been transferred from the U.S. Forest Service to the National Park Service.

The Committee notes that this agreement was an existing condition at the time of establishment of the Recreation Area and has served administrative and emergency purposes as well as providing access to the community of Stehekin. While the Committee has consistently expressed its opposition to low flying aircraft whose noise detracts from any reasonable enjoyment of the Park values, in this case the airport was a preexisting condition and subject to (what is in effect) a contractual agreement with the State. As such the Committee urges the Secretary to maintain the existing airport

at the existing size and to work with the state to rectify conflicts between aircraft and the visitors to the recreation area.

TITLE III

Title III contains provisions that pertain to the Mount Rainier National Park.

Section 301 designates approximately 228,480 acres of wilderness. It contains the standard language requiring the wilderness to be administered in accordance with the provisions of the Wilderness Act of 1964 and the standard language pertaining to buffer zones, maps and legal descriptions. It contains the same language as found in Titles I and II and explained in the Title I section of this report on the drawing of wilderness boundaries adjacent to roads.

Section 302 adjusts the boundaries between the national park and two adjacent national forests.

Subsection (a) changes the national park boundaries by adding approximately 240 acres and excluding approximately 31½ acres.

Subsection (b) changes the national forest boundaries by adding approximately 31½ acres to and excluding approximately 30 acres from the Snoqualmie National Forest (administratively known as the Mt. Baker—Snoqualmie National Forest) and by excluding approximately 210 acres from the Gifford Pinchot National Forest.

Subsection (c) ensures that the new national park lands are under the administrative jurisdiction of the Secretary of the Interior and subject to the laws and regulations of the Park. It authorizes the Secretary of the Interior to accept from the State either concurrent or exclusive jurisdiction (pertaining to law enforcement purposes) over lands and waters within the national park. It also authorizes the Secretary to acquire non-federal lands within the park boundaries.

Subsection (d) ensures that the new national forest lands are under the administrative jurisdiction of the Secretary of Agriculture and are subject to the laws and regulations applicable to the National Forest System including section 7 of the Land and Water Conservation Fund Act. Jurisdiction (pertaining to law enforcement purposes) is retroceded to the State.

Section 303 authorizes the Secretary to maintain and replace, if necessary, the Paradise power line from Longmire to Paradise in a manner that protects the scenery.

TITLE IV

Section 401 amends the Wild and Scenic Rivers Act which designated the Klickitat River to clarify its boundaries.

LEGISLATIVE HISTORY AND COMMITTEE RECOMMENDATION

H.R. 4146 was introduced on March 15, 1988. On July 12, the Subcommittee on National Parks and Public lands held a hearing on the bill and on August 9 favorably referred the bill to the Full Committee. On September 14, the Committee on Interior and Insular Affairs favorably reported the bill to the House by a voice vote.

INFLATIONARY IMPACT STATEMENT AND BUDGET ACT COMPLIANCE

Taken in context of the overall budget, the funding involved is insignificant and the Committee believes no inflationary impact will result from the enactment of this legislation. The analysis of the Congressional Budget Office, which the Committee adopts as its own, follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 19, 1988.

Hon. MORRIS K. UDALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 4146, the Washington Park Wilderness Bill of 1988, as ordered reported by the House Committee on Interior and Insular Affairs, September 14, 1988. Enactment of this bill would result in costs to the federal government of approximately \$240,000 in fiscal year 1989, assuming appropriation of the relevant sums. There may be additional costs in future years, depending on the results of the studies called for in this legislation. The bill would result in no costs to state and local governments.

H.R. 4146 would designate certain lands within Olympic National Park, Mount Rainier National Park and North Cascades National Park Service Complex as wilderness, bringing them under the National Wilderness Preservation System. The bill would authorize the appropriation of \$155,000 for payment to the Clallam County Historical Society and Museum of Port Angeles, to compensate the society for its contribution to the visitor center. It would also authorize a study to recommend a location for a visitor center in the Kalaloch area.

The bill would authorize the Secretary of the Interior to acquire up to 15 acres of land for a visitor center and an administrative complex in the North Cascades complex, as well as any nonfederal land within the Mount Rainier park boundaries.

The immediate costs of the bill, in fiscal year 1989, would be the payment to the Clallam County Historical Society of \$155,000, the cost of the study for the Kalaloch visitor center and the cost of the 15 acres of land. Based on information from the Department of the Interior, we estimate the cost of the study to be no more than \$10,000 and the cost of the land to be about \$5,000 per acre, for a total of \$75,000. Total costs in fiscal year 1989 would therefore be about \$240,000.

There are two other potential costs in future years. First, the bill would give the Secretary of the Interior authority to acquire nonfederal lands that fall within the Mount Rainier National Park boundary. The magnitude of these costs is uncertain, as no title search has been done to determine the amount of land currently held by nonfederal owners. Second, at some point, appropriations would be necessary to build the visitor center and administration buildings in the North Cascades park complex. These are not provided for in this bill, and would cost about \$100,000 and \$1 million, respectively.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Marta Morgan, who can be reached at 226-2680.

Sincerely,

JAMES L. BLUM,
Acting Director.

OVERSIGHT STATEMENT

The Committee intends to carefully monitor the implementation of this legislation to assure compliance with the intent of the Act. No recommendations were submitted to the Committee pursuant to Rule X, clause 2(b)(2).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 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 (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):

ACT OF MARCH 6, 1942

AN ACT To accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes

* * * * *

[SEC. 4. All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of the park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.**]**

Sec. 4. All guns, bows, traps, nets, seines, fishing tackle, clothing, teams, horses, machinery, logging equipment, motor vehicles, aircraft, boats, or means of transportation of every nature or description used by any person or persons or organizations within the limits of the park when engaged in or attempting to engage in killing, trapping, ensnaring, taking or capturing such wild birds, fish or animals, or taking, destroying or damaging such trees, plants, or mineral deposits contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons or

organization arrested under or charged with violating the provisions of this Act, and upon conviction under this Act of such persons or organizations using said guns, bows, traps, nets, seines, fishing tackle, clothing, teams, horses, machinery, logging equipment, motor vehicles, aircraft, boats, or other means of transportation of every nature and description used by any person or persons or organization, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided, That the forfeiture of teams, horses, machinery, logging equipment, motor vehicles, aircraft, boats, or other means of transportation shall be in the discretion of the court.*

* * * * *

ACT OF NOVEMBER 7, 1986

AN ACT To revise the boundaries of Olympic National Park and Olympic National Forest in the State of Washington, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) The boundary of Olympic National Park, Washington, is hereby revised to include within the park—

(1) all submerged lands and waters of Lake Ozette, Washington, and the Ozette River, Washington;

(2) all surveyed and unsurveyed islands, *above the point of lowest low tide*, lying off the coast of the State of Washington in the Pacific Ocean between latitudes 48 degrees 23' minutes north and 47 degrees [38] 34 minutes north: *Provided, That such lands as are identified in this paragraph shall continue to be open to fishing and to the taking of shellfish in conformity with the laws and regulations of the State of Washington;*

(3) those lands between mean high tide and the lowest low tide beginning in section 22, township 24 north, range 13 west Willamette meridian, at the common boundary between the Olympic National Park and the Quinault Indian Reservation, to section 18, township 32 north, range 15 west Willamette meridian, at the common boundary between the Olympic National Park and the Makah Indian Reservation, except those lands directly adjacent to and west of the Hoh, Ozette, and Quilayute Indian Reservations: *Provided, That such lands as are identified in this paragraph shall continue to be open to fishing and to the taking of shellfish in conformity with the laws and regulations of the State of Washington; and*

(4) approximately nine thousand six hundred and thirty-eight acres, and to exclude from the park approximately three thousand three hundred and fifty-two acres, as generally depicted on the maps entitled "Boundary Modifications, Olympic National Forest and Olympic National Park", numbered 149/60,030A, sheets 1 through 9, and dated September 1986, which shall be on file and available for public inspection in the office

of the National Park Service, United States Department of the Interior.

(b) The boundary of Olympic National Forest, Washington, is hereby revised to include in the national forest approximately three thousand three hundred and fifty-two acres and to exclude from the national forest approximately nine thousand three hundred and twenty-four acres, as generally depicted on the maps entitled "Boundary Modifications, Olympic National Forest and Olympic National Park", numbered 149/60.030A, sheets 1 through [10,] 9, and dated September 1986, which shall be on file and available for public inspection in the office of the Forest Service, United States Department of Agriculture.

* * * * *

SEC. 2. (a) Federal lands, waters, and interests therein formerly within the boundary of Olympic National Forest which are included within the boundary of Olympic National Park pursuant to section 1 of this Act are, subject to valid existing rights, hereby transferred to the administrative jurisdiction of the Secretary of the Interior for administration as part of the park, and shall be subject to all the laws and regulations applicable to the park: *Provided further*, That within section 15, township [15] 24 north, range 9 west Willamette meridian, and within an area extending not more than one mile north of such section, nothing herein shall be construed to limit or otherwise modify the authority of the Secretary of Agriculture to design and construct a forest logging road east of the park boundary: *Provided, however*, That the Secretary of Agriculture shall [not] construct the road as close as practically possible to the park boundary but not more than five hundred feet east of the divide. Following construction, the Secretary of the Interior is hereby authorized and directed to redescribe and relocate the boundary of the park along the eastern clearing limits of the road.

* * * * *

SEC. 4. *Effective upon acceptance thereof by the State of Washington, the jurisdiction which the United States acquired over those lands excluded from the boundaries of Olympic National Park by this Act is hereby retroceded to the State.*

SEC. [4.] 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, except that the total amounts authorized to be appropriated for the purpose of acquisition of lands, waters, and interests therein pursuant to this Act shall not exceed \$1,000,000.

ACT OF OCTOBER 2, 1968

AN ACT To establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes

* * * * *

TITLE III—LAND ACQUISITION

SEC. 301. (a) Within the boundaries of the park and recreation areas, the Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that he may not acquire any such interests within the recreation areas without the consent of the owner, so long as the lands are devoted to uses compatible with the purposes of this Act. Lands owned by the State of Washington or any political subdivision thereof may be acquired only by donation. Federal property within the boundaries of the park and recreation areas is hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas. The national forest land within such boundaries is hereby eliminated from the national forests within which it was heretofore located.

(b) *The Secretary is hereby authorized to acquire, with the consent of the owner, lands outside of the authorized boundaries of North Cascades National Park Service Complex for the purpose of construction and operation of a back country information center not to exceed five acres. The Secretary of the Interior is further authorized to acquire with the consent of the owner, lands for the construction of a headquarters and administrative site or sites, for the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area not to exceed 10 acres. The lands so acquired shall be managed as part of the park.*

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TITLE IV—ADMINISTRATIVE PROVISIONS

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SEC. 402. [(a) The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of renewable natural resources and the continuation of such existing uses and developments as will promote or are compatible with, or do not significantly impair, public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith.] (a) *The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits and (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment. Within that portion of the Lake Chelan National Recreation Area which is not designated as wilderness, such management, utilization, and disposal of renewable natural resources and the continuation of existing uses and*

developments as will promote, or are compatible with, or do not significantly impair public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment, is authorized. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith. With the Ross Lake National Recreation Area the removal and disposal of trees within powerline rights-of-way is authorized as necessary to protect transmission lines, towers, and equipment: Provided, That to the extent practicable, such removal and disposal of trees shall be conducted in such a manner as to protect scenic view sheds.

[(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary, under such reasonable regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interest in lands within the recreation areas in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation areas in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the administration of the recreation areas. **]**

(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from all forms of appropriation or disposal under the public land laws, including location, entry, and patent under the United States mining laws, and disposition under the United States mineral leasing laws; except that within that portion of the Lake Chelan National Recreation Area which is not designated as wilderness, sand, rock, and gravel may be made available for sale to the residents of Stehekin for local use so long as such sale and disposal does not have significant adverse effects on the administration of the National Recreation Area.

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TITLE V—SPECIAL PROVISIONS

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SEC. 505. Nothing in this Act shall be construed to supersede, repeal, modify, or impair the jurisdiction of the Federal Power Commission under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), **[in the recreation areas.]** *in the lands and waters within the Skagit River Hydroelectric Project, Federal Energy and Regulatory Commission Project 553, including the proposed Copper Creek, High Ross, and Thunder Creek elements of the project, and the Newhalem Project, Federal Energy and Regulatory Commission Project 2705, within the Ross Lake National Recreation Area, and in the lands and waters within the Lake Chelan*

Project, Federal Energy and Regulatory Commission Project 637, and the Company Creek small hydroelectric project at Stehekin within the Lake Chelan National Recreation Area and existing hydrologic monitoring stations necessary for the proper operation of the hydroelectric projects listed herein.

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WILD AND SCENIC RIVERS ACT

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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) * * *

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(60) Klickitat, Washington: The segment from its confluence with Wheeler Creek, Washington, near the town of Pitt, Washington, to its confluence with the Columbia River; to be classified as a recreation river and to be administered by the Secretary of Agriculture. *The boundaries of the designated portions of the Klickitat River shall be as generally depicted on a map dated November 1987, and entitled "Klickitat National Recreation River, River Management Area: Final Boundary", which is on file in the office of the Chief, Forest Service, Washington, D.C.*

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