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Calendar No. 272

109TH CONGRESS, 1st Session | SENATE | REPORT 109–171

CATOCTIN MOUNTAIN NATIONAL RECREATION AREA DESIGNATION ACT

OCTOBER 27, 2005.—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. 777]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 777) 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 amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, line 6, strike "in 1952, approximately 5,000" and insert "in 1954, approximately 4,400".
2. On page 3, line 11, strike "841/80444, and dated August 14, 2002" and insert "841/80444B and dated April 2005" .

PURPOSE OF THE MEASURE

The purpose of S. 777 is to designate Catoctin Mountain Park 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 was established in the park. President Roosevelt called the Camp "Shangri-La" after the mountain kingdom in James Hilton's book Lost Horizon. It was renamed Camp David in 1953 by President Eisenhower in honor of his grandson. 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 the 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. 777 was introduced by Senator Sarbanes on April 13, 2005. Similar legislation, S. 328, was introduced by Senators Sarbanes and Mikulski in the 108th Congress. The Committee ordered S. 328 favorably reported on March 19, 2003 (S. Rept. 10824). S. 328 passed the Senate by unanimous consent on April 7, 2003. No further action occurred in the House of Representatives prior to the sine die adjournment of the 108th Congress.

The Subcommittee on National Parks held a hearing on S. 777 on April 28, 2005, (S. Hrg. 10974). At its business meeting on September 28, 2005, the Committee on Energy and Natural Resources ordered S. 777 favorably reported with amendments.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 28, 2005, by a voice vote of a quorum present, recommends that the Senate pass S. 777 if amended as described herein.

COMMITTEE AMENDMENTS

During its consideration of S. 777 the Committee adopted two technical amendments. One corrected an acreage reference in one of the findings and the other provided an updated map reference.

SECTION-BY-SECTION ANALYSIS

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

Section 2 contains congressional findings and a statement of purpose.

Section 3 defines key terms used in the bill.

Section 4 redesignates Catoctin Mountain Park as the Catoctin Mountain Park National Recreation Area as depicted on the referenced map. The section contains standard language directing the Secretary of the Interior to administer the park in accordance with the laws generally applicable to units of the National Park System.

Section 5 authorizes the appropriation of such sums as are necessary.

COST AND BUDGETARY CONSIDERATIONS

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

S. 777—Catoctin Mountain National Recreation Area Designation Act

S. 777 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. 777 would have no significant effect on the federal budget. The 5,800-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 onetime 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. 777 would not affect revenues or direct spending.

S. 777 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. 777. 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. 777, as ordered reported.

EXECUTIVE COMMUNICATIONS

The views of the Administration on S. 777 were included in testimony received by the Committee at a hearing on the bill on April 28, 2005 as follows:

STATEMENT OF MICHAEL SOUKUP, ASSOCIATE DIRECTOR, NATURAL RESOURCE STEWARDSHIP AND SCIENCE, 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. 777, a bill to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area."

The Department supports S. 777 with two technical corrections added at the end of the testimony. This legislation would provide a name for Catoctin Mountain Park that is appropriate for the purpose and use of this unit of the Na-

tional 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, picnicking, 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, D.C. 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 fa-

cilitate 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 National 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. 777 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. 777 include providing for administration of the unit in accordance with laws governing the National Park System, and authorizing appropriations for the park. It would also formally establish a boundary, which is essentially the exiting ownership of the National Park Service, and permit land acquisition that would allow for minor boundary adjustments although none is contemplated at this time. 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. 777. 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. 777, as ordered reported.

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