

HELLS CANYON WILDERNESS

SEPTEMBER 9, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 2693]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2693) to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness, 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. 2693 is to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness.

BACKGROUND AND NEED FOR LEGISLATION

The Hells Canyon Rim Road Bill corrects an oversight that led to the closure of an access route into the Hells Canyon National Recreation Area (HCNRA) in Oregon. H.R. 2693 would reopen this access route, enhancing the public's enjoyment of Hells Canyon while preserving the ecologic value of the adjacent wilderness area.

In 1975, Congress established the HCNRA. The recreation area abuts the eastern border of the Hells Canyon Wilderness Area and overlooks the Snake River on the Oregon-Idaho border. Forest Service Road 3965 lies along the western rim of Hells Canyon, most of which lies within the recreation area. It provides access to several hiking trails and to the most scenic overlooks of the canyon.

The legislative history of the 1975 legislation makes clear the Congressional intent to maintain Forest Service Road 3965, the area's most prominent scenic route. However, in 1978, Representative Ullman (R-OR) successfully sponsored legislation that changed the eastern boundary of the recreation area by tying it to the Canyon's "hydrologic divide". For 11 years Road 3965 remained open to motorized vehicles. In October 1989 it was discovered that portions of a 6.5 mile stretch of the road were located on the Snake River side of the hydrologic divide, putting it within the wilderness area. Despite longstanding practice and the well-established intent of Congress, the Forest Service was compelled to close the road.

H.R. 2693 directs the Secretary of Agriculture to revise the map and boundary description of the Hells Canyon Wilderness to exclude Road 3965 from the wilderness area. The road will remain an unimproved route navigable only by four-wheel drive vehicles. While providing limited access, the bill will not affect the total acreage of the wilderness area.

COMMITTEE ACTION

H.R. 2693 was introduced on November 30, 1995, by Congressman Wes Cooley (R-OR) and cosponsored by Congresswoman Helen Chenoweth (R-ID). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. On June 6, 1996, the Subcommittee held a hearing on H.R. 2693, where the Administration testified in support of resolution of the long-standing issue but indicated a preference to complete the comprehensive management plan for Hells Canyon before enacting legislation. On June 27, 1996, the Subcommittee met to mark up H.R. 2693. No amendments were offered. The bill was then ordered favorably reported to the Full Committee. On August 1, 1996, the Full Resources Committee met to consider H.R. 2693. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by a recorded vote of 14-10 as follows:

COMMITTEE ON RESOURCES—ROLL NO. 1

Bill No. H.R. 2693.

Short title: Hells Canyon Wilderness.

Amendment or matter voted on: Final Passage.

Members	Yeas	Nays	Present	Members	Yeas	Nays	Present
Mr. Young (Chairman)	X	.....	.....	Mr. Miller .....	.....	X	.....
Mr. Tauzin	X	.....	.....	Mr. Markey .....	.....	.....	.....
Mr. Hansen .....	.....	.....	.....	Mr. Rahall .....	.....	.....	.....
Mr. Saxton .....	.....	.....	.....	Mr. Vento .....	.....	.....	.....
Mr. Gallegly .....	.....	.....	.....	Mr. Kildee .....	.....	X	.....
Mr. Duncan .....	.....	.....	.....	Mr. Williams .....	.....	.....	.....
Mr. Hefley .....	.....	.....	.....	Mr. Gejdenson .....	.....	X	.....
Mr. Doolittle	X	.....	.....	Mr. Richardson .....	.....	X	.....

Members	Yeas	Nays	Present	Members	Yeas	Nays	Present
Mr. Allard	X	.....	.....	Mr. DeFazio .....	.....	X	.....
Mr. Gilchrest .....	.....	.....	.....	Mr. Faleomavaega .....	.....	.....	.....
Mr. Calvert	X	.....	.....	Mr. Johnson .....	.....	.....	.....
Mr. Pombo	X	.....	.....	Mr. Abercrombie .....	.....	.....	.....
Mr. Torkildsen	X	.....	.....	Mr. Studds .....	.....	.....	.....
Mr. Hayworth .....	.....	.....	.....	Mr. Ortiz .....	.....	X	.....
Mr. Cremeans	X	.....	.....	Mr. Pickett .....	.....	.....	.....
Mrs. Cubin .....	.....	.....	.....	Mr. Pallone .....	.....	.....	.....
Mr. Cooley	X	.....	.....	Mr. Dooley .....	.....	X	.....
Mrs. Chenoweth	X	.....	.....	Mr. Romero-Barceló .....	.....	.....	.....
Mrs. Smith .....	.....	.....	.....	Mr. Hinchey .....	.....	X	.....
Mr. Radanovich .....	.....	.....	.....	Mr. Underwood .....	.....	.....	.....
Mr. Jones	X	.....	.....	Mr. Farr .....	.....	X	.....
Mr. Thornberry	X	.....	.....	Mr. Kennedy .....	.....	X	.....
Mr. Hastings	X	.....	.....		
Mr. Metcalf .....	.....	.....	.....	
Mr. Longley	X	.....	.....		
Mr. Shadegg .....	.....	.....	.....	
Mr. Ensign .....	.....	.....	.....	

SECTION-BY-SECTION ANALYSIS

Section 1. Boundary Adjustment, Hells Canyon Wilderness, Hells Canyon National Recreation Area

This section directs the Secretary of Agriculture to revise the map and detailed boundary description of the Hells Canyon Wilderness to exclude Forest Service Road 3965 from the wilderness area so that the road may continue to be used by motorized vehicles.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 2693 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 2693. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 2693 does not contain

any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 2693.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 H.R. 2693 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 7, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2693, a bill to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness. The bill was ordered reported by the Committee on Resources on August 1, 1996. Enacting H.R. 2693 would have no significant effect on the federal budget. Because the bill would not affect direct spending or receipts; pay-as-you-go procedures would not apply.

H.R. 2693 would direct the Secretary of Agriculture to adjust the boundary of the Hells Canyon Wilderness to exclude about 6.5 miles of Forest Service Road 3965 currently within the wilderness area. Enacting the bill would allow motorized vehicles to use the road. Based on information from the Forest Service, CBO estimates that enacting H.R. 2693 would have no effect on the agency's offsetting receipts. The Forest Service would incur small administrative expenses to implement the boundary adjustment, such as changing maps and signs, but we estimate that any increase in discretionary spending would be insignificant.

H.R. 2693 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would have no impact on the budgets of state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The staff contact is Victoria V. Heid.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 2693 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 2693 would make no changes in existing law.

DISSENTING VIEWS

When H.R. 2693 was first considered by the Resources Committee it was presented as a noncontroversial, minor boundary adjustment to correct an "inadvertant" error. However, this bill is anything but minor. In fact the bill is quite controversial and is opposed by a broad array of public and private interests concerned about the bill's impact on wildlife and the wilderness character of the area.

We have received letters in opposition to H.R. 2693 from the Governor of Oregon, the Oregon Department of Fish and Wildlife, the Nez Perce Tribe, as well as the Oregon Hunters Association, the largest hunting organization in the State. In addition, environmental groups oppose the change. We have even heard from local ranchers that they do not favor this legislation.

H.R. 2693 will not correct an "inadvertant mapping error" because there was no error. We are convinced that the authors of the Hells Canyon Wilderness were quite specific in setting the wilderness boundary along the hydrological divide. The road in question was unimproved and in fact was only open seasonally. Since the wilderness was established, every Forest Service survey or study has found overwhelming opposition to increased motorized use of the area. There are already a number of paved roads to and on the canyon rim. In fact, 76 percent of the canyon rim is roaded.

The Forest Service in testimony before the Resources Committee asked us to defer consideration of H.R. 2693 pending the completion of the comprehensive management plan for the area. We think it would be wise to heed their recommendation. H.R. 2693 is controversial legislation that deserves to be set aside.

BILL RICHARDSON.
PETER DEFazio.

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