

## GRAZING AT GRAND TETON NATIONAL PARK

OCTOBER 6, 1997.—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

[To accompany H.R. 708]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 708) to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. FINDINGS.

Congress finds that—

- (1) open space near Grand Teton National Park continues to decline;
- (2) as the population continues to grow in Teton County, Wyoming, undeveloped land near the Park becomes more scarce;
- (3) the loss of open space around Teton Park has negative impacts on wildlife migration routes in the area and on visitors to the Park, and its repercussions can be felt throughout the entire region;
- (4) a few ranches make up Teton Valley's remaining open space, and the ranches depend on grazing in Grand Teton National Park for summer range to maintain operations;
- (5) the Act that created Grand Teton National Park allowed several permittees to continue livestock grazing in the Park for the life of a designated heir in the family;
- (6) some of the last remaining heirs have died, and as a result the open space around the Park will most likely be subdivided and developed;
- (7) in order to develop the best solution to protect open space immediately adjacent to Grand Teton National Park, the Park Service should conduct a study of open space in the region; and

(8) the study should develop workable solutions that are fiscally responsible and acceptable to the National Park Service, the public, local government, and landowners in the area.

**SEC. 2. STUDY OF GRAZING USE AND OPEN SPACE.**

(a) **IN GENERAL.**—The Secretary of the Interior shall conduct a study concerning grazing use and open space in Grand Teton National Park, Wyoming, and associated use of certain agricultural and ranch lands within and adjacent to the Park, including—

(1) base land having appurtenant grazing privileges within Grand Teton National Park, Wyoming, remaining after January 1, 1990, under the Act entitled “An Act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes”, approved September 14, 1950 (16 U.S.C. 406d–1 et seq.); and

(2) any ranch and agricultural land adjacent to the Park, the use and disposition of which may affect accomplishment of the purposes of the Act.

(b) **PURPOSE.**—The study shall—

(1) assess the significance of the ranching use and pastoral character of the land (including open vistas, wildlife habitat, and other public benefits);

(2) assess the significance of that use and character to the purposes for which the park was established and identify any need for preservation of, and practicable means of, preserving the land that is necessary to protect that use and character;

(3) recommend a variety of economically feasible and viable tools and techniques to retain the pastoral qualities of the land; and

(4) estimate the costs of implementing any recommendations made for the preservation of the land.

(c) **PARTICIPATION.**—In conducting the study, the Secretary of the Interior shall seek participation from the Governor of the State of Wyoming, the Teton County Commissioners, the Secretary of Agriculture, affected land owners, and other interested members of the public.

(d) **REPORT.**—Not later than 3 years from the date funding is available for the purposes of this Act, the Secretary of the Interior shall submit a report to Congress that contains the findings of the study under subsection (a) and makes recommendations to Congress regarding action that may be taken with respect to the land described in subsection (a).

**SEC. 3. EXTENSION OF GRAZING PRIVILEGES.**

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary of the Interior shall reinstate and extend for the duration of the study described in section 2(a) and until such time as the recommendations of the study are implemented, the grazing privileges described in section 2(a)(1), under the same terms and conditions as were in effect prior to the expiration of the privileges.

(b) **EFFECT OF CHANGE IN LAND USE.**—If, during the period of the study or until such time as the recommendations of the study are implemented, any portion of the land described in section 2(a)(1) is disposed of in a manner that would result in the land no longer being used for ranching or other agricultural purposes, the Secretary of the Interior shall cancel the extension described in subsection (a).

Amend the title so as to read:

A bill to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

**PURPOSE OF THE BILL**

The purpose of H.R. 708 is to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

**BACKGROUND AND NEED FOR LEGISLATION**

The 1950 enabling legislation for Grand Teton National Park continued existing grazing privileges in the park and required the Secretary of the Interior to renew grazing permits for the lifetime of the permittees and their heirs. There are several large ranches

operating adjacent to Grand Teton National Park which have direct and indirect impacts to the park resources. Because many of the heirs to these grazing privileges have died, the continued viability and operation of the large ranches have come into question. This has led to concerns about escalating land values and subsequent impacts on the park and its neighbors. It also has focused concern on the economic feasibility of maintaining current land uses inside and outside of park boundaries. It has become critical that a study be conducted to address these concerns.

Since the completion of the National Park Service's 1976 "Jackson Hole Land Use Study," much of the land south of Grand Teton National Park has been developed or is subject to pressures for future development. In the almost twenty years since 1977, land prices have increased on an average of 600 percent. The land value increase has combined with the diminishing availability of prime or choice land which has resulted in a change in the character and use of land. This has led to the loss and fragmentation of wildlife habitat along with compromising the viewshed of the Rocky Mountains and of Grand Teton National Park. The expiration of park grazing privileges held by ranches on the southern border of the park has presented the possibility that these lands will be developed, furthering the loss of wildlife habitat, the impairment of migration routes, and the degradation of scenic values. A study needs to be conducted that addresses these issues.

#### COMMITTEE ACTION

H.R. 708 was introduced on February 12, 1997, by Congresswoman Barbara Cubin (R-WY). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On July 22, 1997, the Subcommittee held a hearing on H.R. 708, where Congresswoman Cubin explained the need for the legislation. Mr. Denis Galvin, Acting Deputy Director for the National Park Service, testified in support of the bill with the addition of some minor amendments. On July 31, 1997, the Subcommittee met to mark up H.R. 708. An amendment in the nature of a substitute was offered by Subcommittee Chairman James Hansen (R-UT), which addressed the concerns of the Park Service. H.R. 708 as amended was ordered favorably reported to the Full Committee by voice vote. On September 10, 1997, the Full Resources Committee met to consider H.R. 708. An amendment which allowed the Park Service to implement the recommendations of the study in a more logical time frame was offered by Congresswoman Cubin, and adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

#### 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.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact H.R. 708.

## 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. 708. 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. 708 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. Enactment of H.R. 708 would increase receipts from grazing permits to the Federal Government by less than \$10,000 a year, which the Secretary of the Interior may spend without appropriation. The Congressional Budget Office estimates the net effect on direct spending would be zero.

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. 708.

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. 708 from the Director of the Congressional Budget Office.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 12, 1997.*

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 708, a bill to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grant Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

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

Sincerely,

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

Enclosure.

*H.R. 708—A bill to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges*

CBO estimates that enacting this bill would not have a significant impact on the federal budget. Because H.R. 708 would affect direct spending and offsetting receipts, pay-as-you-go procedures would apply; however, CBO estimates that such effects would net to zero. H.R. 708 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would have no significant impact on the budgets of state, local, or tribal governments.

H.R. 708 would require the Secretary of the Interior to conduct a study of grazing use and open space of certain land within and adjacent to Grand Teton National Park. The bill would require that the report be completed within three years from the date that funding is made available. Based on information from the National Park Service (NPS), CBO estimates the cost to conduct the study would total about \$200,000, assuming appropriation of the estimated amounts.

The bill also would require the Secretary to reinstate and extend for at least three and one-half years certain grazing permits managed by NPS within Grand Teton National Park. Under current law, NPS can spend those receipts without appropriation action. We estimate that federal receipts from such grazing permits would total less than \$10,000 per year, and that the net effect on direct spending would be zero.

The CBO staff contact for this estimate is Victoria V. Heid. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 708 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 708 would make no changes in existing law.

