

CASCADIA MARINE TRAIL STUDY ACT

OCTOBER 8, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1641]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1641) to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. DESIGNATION OF TRAIL FOR STUDY.

(a) SHORT TITLE.—This section may be cited as the “Cascadia Marine Trail Study Act”.

(b) DESIGNATION OF TRAIL FOR STUDY.—Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

“() Cascadia Marine Trail, a series of water trail routes encompassing approximately 2,300 miles of shoreline in the State of Washington, extending from Point Roberts near the Canadian border to the southern reach of Puget Sound near Olympia. In conducting the study, the Secretary shall coordinate with appropriate Federal, State, local, tribal, and private entities, and may evaluate sites of recreational, scenic, or historic significance near the Cascadia Marine Trail for potential inclusion in the Trail. The Secretary shall also consider what activities may be limited by the designation, including existing activities, hunting, boating, or proposed infrastructure improvements.”.

PURPOSE OF THE BILL

The purpose of H.R. 1641 is to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1641 amends the National Trail System Act to authorize a study of the Cascadia Marine Trail, a system of water routes in the Puget Sound region of Washington State, for possible inclusion in the National Trails System.

The 150-mile long trail was established in 1993 by the Washington Water Trails Association. Designed for human and sail powered boaters, the trail has 54 designated campsites between Olympia, Washington and the Canadian border. It was designated a National Recreational Trail in 1994.

The Puget Sound is an area of great natural beauty and cultural history. This saltwater trail introduces paddlers and sailors to historic and commercial coastal routes, in voyages of discovery along the shores of the native peoples' Salish Sea. Orca, salmon, bald eagle, heron, and puffins are just a few of the wildlife species found among the forested islands of the sound.

Proponents of the legislation believe that changing the designation of the trail from a National Recreation Trail to a National Scenic or National Historic Trail would improve public awareness of the route, which proponents see as a key component of larger Puget Sound restoration and protection efforts.

COMMITTEE ACTION

H.R. 1641 was introduced on March 19, 2009 by Representative Jay Inslee (D-WA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On May 14, 2009, the Subcommittee held a hearing on the bill. The National Park Service testified in favor of the bill with a request for a minor technical amendment ensuring that area tribes and other federal agencies are consulted during the study.

On July 29, 2009, the full Natural Resources Committee met to consider the bill. The subcommittee was discharged from further consideration of H.R. 1641. Representative Inslee (D-WA) offered an amendment in the nature of a substitute to simplify the bill and add federal agencies and tribes to the list of entities to be consulted during the study. Representative Paul Broun (R-GA) offered an amendment to the amendment in the nature of a substitute that would require the written consent of private property owners for inclusion in the study. The amendment was not adopted by a roll call vote of 18 yeas to 22 nays, as follows:

COMMITTEE ON NATURAL RESOURCES

U.S. House of Representatives

111th Congress

Date: 7/29/09

Convened:10:13

Adjourned: 2:35

Meeting on: **HR 1641 - An amendment offered by Mr. Broun #2 to the ANS was NOT AGREED TO by a roll call vote of 18 yeas and 22 nays.**

Recorded Vote # 8

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Rahall, WV		✓		<i>Mr. Wittman, VA</i>	✓		
<i>Mr. Hastings, WA</i>	✓			Mr. Boren, OK		✓	
Mr. Miller, CA				<i>Mr. Broun, GA</i>	✓		
<i>Mr. Young, AK</i>				Mr. Sablan, MP		✓	
Mr. Markey, MA				<i>Mr. Fleming, LA</i>	✓		
<i>Mr. Gallegly, CA</i>	✓			Mr. Heinrich, NM		✓	
Mr. Kildee, MI		✓		<i>Mr. Coffman, CO</i>	✓		
<i>Mr. Duncan, TN</i>				Mr. Hinchey, NY		✓	
Mr. DeFazio, OR		✓		<i>Mr. Chaffetz, UT</i>	✓		
<i>Mr. Flake, AZ</i>	✓			Mrs. Christensen, VI		✓	
Mr. Faleomavaega, AS				<i>Mrs. Lummis, WY</i>	✓		
<i>Mr. Brown, SC</i>	✓			Ms. DeGette, CO			
Mr. Abercrombie, HI		✓		<i>Mr. McClintock, CA</i>	✓		
<i>Mrs. McMorris Rodgers, WA</i>	✓			Mr. Kind, WI		✓	
Mr. Pallone, NJ				<i>Mr. Cassidy, LA</i>	✓		
<i>Mr. Gohmert, TX</i>				Mrs. Capps, CA		✓	
Mrs. Napolitano, CA		✓		Mr. Inslee, WA		✓	
<i>Mr. Bishop, UT</i>	✓			Mr. Baca, CA		✓	
Mr. Holt, NJ		✓		Ms. Herseth Sandlin, SD		✓	
<i>Mr. Shuster, PA</i>	✓			Mr. Sarbanes, MD		✓	
Mr. Grijalva, AZ		✓		Ms. Shea-Porter, NH		✓	
<i>Mr. Lamborn, CO</i>	✓			Ms. Tsongas, MA		✓	
Mrs. Bordallo, GU		✓		Mr. Kratovil, Jr., MD	✓		
<i>Mr. Smith, NE</i>	✓			Mr. Pierluisi, PR		✓	
Mr. Costa, CA							
				Total	18	22	

Markups - 1/3 to meet (16), 25 to report
August 5, 2009 (10:30am)

Representative Rob Bishop (R-UT) offered an amendment to the amendment in the nature of a substitute that would require the agency to include in the study the impacts of a potential inclusion of the trail in the National Trail System upon existing recreational activities, hunting, boating, or proposed infrastructure improvements. The amendment was adopted by voice vote.

The amendment in the nature of a substitute, as amended, was then 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

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. **Cost of Legislation.** Clause 3(d)(2) 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 this bill. However, clause 3(d)(3)(B) 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 402 of the Congressional Budget Act of 1974.

2. **Congressional Budget Act.** As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. **General Performance Goals and Objectives.** As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail.

4. **Congressional Budget Office Cost Estimate.** Under clause 3(c)(3) of rule XIII 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 this bill from the Director of the Congressional Budget Office:

H.R. 1641—Cascadia Marine Trail Study Act

H.R. 1641 would direct the National Park Service (NPS) to study the possibility of including the Cascadia Marine Trail in the state of Washington in the National Trails System. The proposed trail would encompass over 2,000 miles of shoreline extending from Point Roberts (near the Canadian border) to the southern reach of Puget Sound near Olympia.

Based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that completing the required study would cost \$400,000 over the next three years.

Enacting this legislation would not affect direct spending or revenues.

H.R. 1641 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 1641 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) 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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

NATIONAL TRAILS SYSTEM ACT

* * * * *

NATIONAL SCENIC AND NATIONAL HISTORICAL TRAILS

SEC. 5. (a) * * *

* * * * *

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

(1) * * *

* * * * *

() *Cascadia Marine Trail, a series of water trail routes encompassing approximately 2,300 miles of shoreline in the State of Washington, extending from Point Roberts near the Canadian border to the southern reach of Puget Sound near Olympia. In conducting the study, the Secretary shall coordinate with appropriate Federal, State, local, tribal, and private entities, and may evaluate sites of recreational, scenic, or historic significance near the Cascadia Marine Trail for potential inclusion in the Trail. The Secretary shall also consider what activities may be*

*limited by the designation, including existing activities,
hunting, boating, or proposed infrastructure improvements.*

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