

REVISING THE BOUNDARIES OF THE GOLDEN GATE NATIONAL RECREATION AREA IN THE STATE OF CALIFORNIA, TO EXTEND THE TERM OF THE ADVISORY COMMISSION FOR THE RECREATION AREA, AND FOR OTHER PURPOSES

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SEPTEMBER 23, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. HANSEN, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany S. 941]

The Committee on Resources, to whom was referred the bill (S. 941) to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, 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:

Strike all after the enacting clause and insert the following:

**TITLE I—GOLDEN GATE NATIONAL  
RECREATION AREA**

**SEC. 101. BOUNDARY ADJUSTMENT.**

Section 2(a) of Public Law 92-589 (16 U.S.C. 460bb-1(a)) is amended—

(1) by striking “(a)” and inserting “(a) RECREATION AREA LANDS.—”;

(2) by striking “The recreation area shall comprise” and inserting the following:

“(1) IN GENERAL.—The recreation area shall comprise”; and

(3) by striking “The following additional lands are also” and all that follows through the period at the end of the paragraph and inserting the following:

“(2) ADDITIONAL LAND.—In addition to the land described in paragraph (1), the recreation area shall include—

“(A) the parcels numbered by the Assessor of Marin County, California, 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10;

“(B) land and water in San Mateo County generally depicted on the map entitled ‘Sweeney Ridge Addition, Golden Gate National Recreation Area’, numbered NRA GG–80,000–A, and dated May 1980;

“(C) land acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb–1 note; Public Law 10–299);

“(D) land generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS–80–076, and dated July 2000/PWR–PLRPC; and

“(E) land generally depicted on the map entitled ‘Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area’, numbered NPS–80,079A and dated July 2001.

“(3) ACQUISITION AUTHORITY.—The Secretary may acquire land described in paragraph (2)(E) only from a willing seller.”.

## TITLE II—ADVISORY COMMISSIONS

### SEC. 201. GOLDEN GATE NATIONAL RECREATION AREA ADVISORY COMMISSION.

Section 5 of Public Law 92–589 (16 U.S.C. 460bb–4) is amended—

(1) in subsection (b)—

(A) by striking “(b) The Commission” and inserting the following:

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Commission”;

(B) by striking “*Provided*, That the” and all that follows through the period; and

(C) by inserting after paragraph (1) (as designated by subparagraph (A)) the following:

“(2) CONSIDERATIONS.—In appointing members to the Commission, the Secretary shall ensure that the interests of local, historic recreational users of the recreation area shall be represented.”; and

(2) in subsection (g), by striking “thirty years after the enactment of this Act” and inserting “on December 31, 2012”.

### SEC. 202. MANZANAR NATIONAL HISTORIC SITE ADVISORY COMMISSION.

Section 105(h) of Public Law 102–248 (16 U.S.C. 461 note) is amended by striking “10 years after the date of enactment of this title” and inserting “on December 31, 2012”.

## TITLE III—YOSEMITE NATIONAL PARK

### SEC. 301. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The three elementary schools serving the children of employees of Yosemite National Park are served by the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District.

(2) The schools are in remote mountainous areas and long distances from other educational and administrative facilities of the two local educational agencies.

(3) Because of their remote locations and relatively small number of students, schools serving the children of employees of the Park provide fewer services in more basic facilities than the educational services and facilities provided to students that attend other schools served by the two local educational agencies.

(4) Because of the long distances involved and adverse weather and road conditions that occur during much of the school year, it is impractical for the children of employees of the Park who live within or near the Park to attend other schools served by the two local educational agencies.

(b) PURPOSE.—The purpose of this title is to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park.

### SEC. 302. PAYMENTS FOR EDUCATIONAL SERVICES.

(a) AUTHORITY TO PROVIDE FUNDS.—For fiscal years 2003 through 2007, the Secretary may provide funds to the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District for educational services to students who are dependents of persons engaged in the administration, operation, and maintenance of the Park or students who live at or near the Park upon real property of the United States.

(b) **LIMITATION ON USE OF FUNDS.**—Payments made by the Secretary under this section may not be used for new construction, construction contracts, or major capital improvements, and may be used only to pay public employees for services otherwise authorized by this title.

(c) **LIMITATION ON AMOUNT OF FUNDS.**—Payments made under this section shall not exceed the lesser of \$750,000 in any fiscal year or the amount necessary to provide students described in subsection (a) with educational services that are normally provided and generally available to students who attend public schools elsewhere in the State of California.

(d) **ADJUSTMENT OF PAYMENTS.**—Subject to subsection (c), the Secretary is authorized to adjust payments made under this section if the State of California or the appropriate local educational agencies do not continue to provide funding for educational services at Park schools at per student levels that are equivalent to or greater than those provided in the fiscal year prior to the date of enactment of this title.

(e) **SOURCE OF PAYMENTS.**—

(1) **AUTHORIZED SOURCES.**—Except as provided in paragraph (2), in order to make payments under this section, the Secretary may use funds available to the National Park Service from appropriations, donations, or fees.

(2) **EXCEPTIONS.**—Funds from the following sources may not be used to make payments under this section:

(A) Fees authorized and collected under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.).

(B) The recreational fee demonstration program under section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 16 U.S.C. 460l–6a note).

(C) The national park passport program established under section 602 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5992).

(D) Emergency appropriations for Yosemite flood recovery.

(f) **DEFINITIONS.**—For the purposes of this title, the following definitions apply:

(1) **LOCAL EDUCATIONAL AGENCIES.**—The term “local educational agencies” has the meaning given that term in section 9101(26) of the Elementary and Secondary Education Act of 1965.

(2) **EDUCATIONAL SERVICES.**—The term “educational services” means services that may include maintenance and minor upgrades of facilities and transportation to and from school.

(3) **PARK.**—The term “Park” means Yosemite National Park.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 303. AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK.**

Section 814(c) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 346e) is amended—

(1) in the first sentence—

(A) by inserting “and Yosemite National Park” after “Zion National Park”; and

(B) by inserting “transportation systems and” before “the establishment of”; and

(2) by striking “park” each place it appears and inserting “parks”.

## **TITLE IV—ESTABLISHMENT OF GOLDEN CHAIN HIGHWAY AS A NATIONAL HERITAGE CORRIDOR STUDY**

**SEC. 401. STUDY; REPORT.**

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than 1 year after the date that funds are first made available for this section, the Secretary of the Interior, in consultation with the affected local governments, the State government, State and local historic preservation offices, community organizations, and the Golden Chain Council, shall complete a special resource study of the national significance, suitability, and feasibility of establishing Highway 49 in California, known as the “Golden Chain Highway”, as a National Heritage Corridor.

(2) **CONTENTS.**—The study shall include an analysis of—

(A) the significance of Highway 49 in American history;

(B) options for preservation and use of the highway;

(C) options for interpretation of significant features associated with the highway; and

(D) private sector preservation alternatives.

(3) BOUNDARIES OF STUDY AREA.—The area studied under this section shall be comprised of Highway 49 in California extending from the city of Oakhurst in Madera County to the city of Tuttletown in Tuolumne County, and lands, structures, and cultural resources within the immediate vicinity of the highway.

(b) REPORT.—Not later than 30 days after completion of the study required by subsection (a), the Secretary shall submit a report describing the results of the study to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

## **TITLE V—JOHN MUIR NATIONAL HISTORIC SITE BOUNDARY ADJUSTMENT**

### **SEC. 501. BOUNDARY ADJUSTMENT.**

(a) BOUNDARY.—The boundary of the John Muir National Historic Site is adjusted to include the lands generally depicted on the map entitled “Boundary Map, John Muir National Historic Site” numbered PWR-OL 426-80,044a and dated August 2001.

(b) LAND ACQUISITION.—The Secretary of the Interior is authorized to acquire the lands and interests in lands identified as the “Boundary Adjustment Area” on the map referred to in subsection (a) by donation, purchase with donated or appropriated funds, exchange, or otherwise.

(c) ADMINISTRATION.—The lands and interests in lands described in subsection (b) shall be administered as part of the John Muir National Historic Site established by the Act of August 31, 1964 (78 Stat. 753; 16 U.S.C. 461 note).

## **TITLE VI—SAN GABRIEL RIVER WATERSHEDS STUDY**

### **SEC. 601. AUTHORIZATION OF STUDY.**

(a) IN GENERAL.—The Secretary of the Interior (hereinafter in this title referred to as the “Secretary”) shall conduct a special resource study of the following areas:

(1) The San Gabriel River and its tributaries north of and including the city of Santa Fe Springs.

(2) The San Gabriel Mountains within the territory of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (as defined in section 32603(c)(1)(C) of the State of California Public Resource Code).

(b) STUDY CONDUCT AND COMPLETION.—Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall apply to the conduct and completion of the study required by this section.

(c) CONSULTATION WITH FEDERAL, STATE, AND LOCAL GOVERNMENTS.—In conducting the study authorized by this section, the Secretary shall consult with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and other appropriate Federal, State, and local governmental entities.

(d) CONSIDERATIONS.—In conducting the study authorized by this section, the Secretary shall consider regional flood control and drainage needs and publicly owned infrastructure, including, but not limited to, wastewater treatment facilities.

### **SEC. 602. REPORT.**

Not later than 3 years after funds are made available for this title, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of the study.

### **PURPOSE OF THE BILL**

The purpose of S. 941 is to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes.

## BACKGROUND AND NEED FOR LEGISLATION

Golden Gate National Recreation Area (GGNRA) encompasses approximately 74,000 acres in several units in Marin, San Mateo and San Francisco counties in northern California. The boundaries of the GGNRA have been expanded several times since its establishment in 1972 to provide for the inclusion of additional lands. The most recent acquisition occurred in 2000, when 1,500 acres were added to the park.

S. 941 would expand the boundaries of the GGNRA to include approximately 5,000 acres in San Mateo County, known generally as the “Rancho Corral de Tierra” and “Devils Slide” properties. Although negotiations to acquire these lands were ongoing at the time of the 2000 acquisition, they were not completed in time for inclusion in that legislation.

The lands to be added to the GGNRA by S. 941 include Montana Mountain and other coastal ridges. Rising 2,000 feet from the coast, the mountain ridges contain the headwaters and most of the watershed for four coastal stream systems. The area also would also provide open space and scenic values, with views of the entire San Francisco Bay area. Finally, S. 941 would extend the GGNRA Advisory Commission by ten years through 2012.

During Committee consideration of this bill, an amendment was adopted which added several new titles to the bill. Title I is the Golden Gate National Recreation Area. Title II extends the advisory commissions for the GGNRA and the Manzanar National Historic Site. Title III contains the text of H.R. 3421, to provide adequate school facilities within Yosemite National Park, and for other purposes, which passed the House of Representatives on April 30, 2002 (House Report 107-410). Title IV contains the amended text of H.R. 3425, to direct the Secretary of the Interior to study the suitability and feasibility of establishing Highway 49 in California, known as the “Golden Chain Highway”, as a National Heritage Corridor. This bill was reported from the Committee on Resources on April 9, 2002 (House Report 107-391). Title V is the text of H.R. 3942, to adjust the boundary of the John Muir National Historic Site, and for other purposes. H.R. 3942 was reported from the Committee on Resources on June 18, 2002 (House Report 107-513). Title VI is the text of H.R. 2534, to authorize the Secretary of the Interior to conduct a special resource study of the Lower Los Angeles River and San Gabriel River watersheds in the State of California, and for other purposes, as reported from the Committee on Resources (House Report 107-628) on September 4, 2002.

## COMMITTEE ACTION

S. 941 was introduced on May 23, 2001, by Senator Diane Feinstein (D-CA). The Senate passed the bill with amendments on October 17, 2001. In the House of Representatives, the bill was referred to the Committee on Resources. Within the Committee, S. 941 was referred to the Subcommittee on National Parks, Recreation, and Public Lands. On September 12, 2002, the Full Resources Committee met to consider the bill. Congressman George Radanovich (R-CA) offered an amendment in the nature of a substitute that made the following changes to the reported text: (1) assured that the GGNRA Advisory Committee would include mem-

bers who would represent the interests of local historic recreational users; (2) authorized financial assistance for Yosemite National Park schools; (3) authorized a feasibility study on a portion of Highway 49 in California; (4) authorized a boundary adjustment for the John Muir National Historic Site; and (5) authorized a Special Resource Study for the San Gabriel River Watershed in California. The amendment was agreed to by unanimous consent. The bill as amended was then ordered favorably reported to the House of Representatives by unanimous consent.

#### 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 Resources' oversight findings and recommendations are reflected in the body of this report.

#### FEDERAL ADVISORY COMMITTEE STATEMENT

The functions of the proposed advisory committees authorized in the bill are not currently being nor could they be performed by one or more agencies, an advisory committee already in existence or by enlarging the mandate of an existing advisory committee.

#### 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 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. The Committee does not believe enactment of this bill will have a significant effect on the federal budget.

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, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the rules of the House of Representatives does not apply.

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 requested but not received a cost estimate for this bill from the Director of the Congressional Budget Office.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### 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 (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 OCTOBER 27, 1972**

(Public Law 92-589)

AN ACT To establish the Golden Gate National Recreation Area in the State of California, and for other purposes

\* \* \* \* \*

## COMPOSITION AND BOUNDARIES

SEC. 2. [(a) The recreation area shall comprise] (a) *RECREATION AREA LANDS*.—

(1) *IN GENERAL*.—*The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled: “Revised Boundary Map, Golden Gate National Recreation Area”, numbered NRA-GG-80,003-K and dated October 1978, plus those areas depicted on the map entitled “Point Reyes and GGNRA Amendments and dated October 25, 1979. The authority of the Secretary to acquire lands in the tract known as San Francisco Assessor’s Block number 1592 shall be limited to an area of not more than one and nine-tenths acres. Notwithstanding any other provision of this Act, the Secretary shall not acquire the Marin County Assessor’s parcels numbered 199-181-01, 199-181-06, 199-181-08, 199-181-13, and 199-181-14, located in the Muir Beach portion of the recreation area. For the purposes of this Act, the southern end of the town of Marshall shall be considered to be the Marshall Boat Works. [The following additional lands are also hereby included within the boundaries of the recreation area: Marin County Assessor’s parcel numbered 119-040-04, 119-040-05, 190-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10. The recreation area shall also include the lands and waters in San Mateo County generally depicted on the map entitled “Sweeney Ridge Addition, Golden Gate National Recreation Area”, numbered NRA GG-80,000-A, and dated May 1980. The recreation area shall also include those lands acquired pursuant to the Golden Gate National Recreation Area Addition Act of 1992. The recreation area shall also include the lands generally depicted on the map entitled “Additions to Golden Gate National Recreation Area”, numbered NPS-80,076, and dated July 2000/PWR-PLRPC.]*

(2) *ADDITIONAL LAND*.—*In addition to the land described in paragraph (1), the recreation area shall include—*

*(A) the parcels numbered by the Assessor of Marin County, California, 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-*

240–51, 119–240–52, 119–240–54, 166–010–12, 166–010–13, and 119–235–10;

(B) land and water in San Mateo County generally depicted on the map entitled “Sweeney Ridge Addition, Golden Gate National Recreation Area”, numbered NRA GG–80,000–A, and dated May 1980;

(C) land acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb–1 note; Public Law 10–299);

(D) land generally depicted on the map entitled “Additions to Golden Gate National Recreation Area”, numbered NPS–80–076, and dated July 2000/PWR–PLRPC; and

(E) land generally depicted on the map entitled “Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area”, numbered NPS–80,079A and dated July 2001.

(3) **ACQUISITION AUTHORITY.**—*The Secretary may acquire land described in paragraph (2)(E) only from a willing seller.*

\* \* \* \* \*

#### ADVISORY COMMISSION

SEC. 5. (a) \* \* \*

[(b) The Commission]

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—*The Commission shall be composed of eighteen members appointed by the Secretary for terms of five years each. [Provided; That the terms of those members who have been either appointed or reappointed subsequent to January 1, 1979, shall be extended so as to expire not before June 1, 1985.]*

(2) **CONSIDERATIONS.**—*In appointing members to the Commission, the Secretary shall ensure that the interests of local, historic recreational users of the recreation area shall be represented.*

\* \* \* \* \*

(g) The Commission shall cease to exist [thirty years after the enactment of this Act] *on December 31, 2012.*

\* \* \* \* \*

### SECTION 105 OF THE ACT OF MARCH 3, 1992

(Public Law 102–248)

AN ACT To establish the Manzanar National Historic Site in the State of California, and for other purposes

#### SEC. 105. ADVISORY COMMISSION.

(a) \* \* \*

\* \* \* \* \*

(h) **TERMINATION.**—The Advisory Commission shall terminate [10 years after the date of enactment of this title] *on December 31, 2012.*



**SECTION 814 OF THE OMNIBUS PARKS AND PUBLIC  
LANDS MANAGEMENT ACT OF 1996**

**SEC. 814. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.**

(a) \* \* \*

\* \* \* \* \*

(c) **AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF ZION NATIONAL PARK.**—In order to facilitate the administration of Zion National Park *and Yosemite National Park*, the Secretary of the Interior is authorized, under such terms and conditions as he may deem advisable, to expend donated or appropriated funds for *transportation systems* and the establishment of essential facilities for **[park]** *parks* administration and visitor use outside the boundaries, but within the vicinity, of the **[park]** *parks*. Such facilities and the use thereof shall be in conformity with approved plans for the **[park]** *parks*. The Secretary shall use existing facilities wherever feasible. Such facilities may only be constructed by the Secretary upon a finding that the location of such facilities would—

(1) avoid undue degradation of natural or cultural resources within the **[park]** *parks*;

\* \* \* \* \*