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104TH CONGRESS }
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SENATE

{ REPORT
{ 104-382

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK

SEPTEMBER 30, 1996.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural
Resources, submitted the following

REPORT

[To accompany S. 1706]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1706) to increase the amount authorized to be appropriated for assistance for highway relocation with respect to the Chickamauga and Chattanooga National Military Park in Georgia, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 1706 is to amend the section of Public Law 100-211 which authorizes and directs the National Park Service to assist the State of Georgia in relocating a highway affecting the Chickamauga and Chattanooga Military Park in Georgia.

BACKGROUND AND NEED

The Chickamauga and Chattanooga National Military Park, located in Tennessee and Georgia, is America's oldest National Military Park. The Park was established in 1890 to commemorate the Civil War military engagements which took place there during the fall of 1863 and to allow opportunities for future studies of these historic battles.

This bill supports an ongoing project to reroute a 3.7 mile section of U.S. Highway 27, which passes through the Chickamauga Battlefield section of the Park, by way of a 7-mile-long bypass around the Battlefield's western boundary. The National Park Service has

determined that this rerouting is necessary in order to protect the natural and historical resources within the Park from damages caused by heavy traffic.

Highway 27 is a major north-south highway connecting Chattanooga, Tennessee to Florida. It is a well traveled commuter route between northwest Georgia and Chattanooga. Primarily a four lane highway, the road narrows to two lanes through the Park. On average, 17,200 vehicles, including 800 18-wheelers, are estimated to use the 3.7-mile segment of the highway that passes through the Park each day. The National Park Service estimates that ninety percent of this traffic involves commuters and commercial vehicles, and ten percent involves park visitors.

Highway 27 is considered a vital north-south link between the three states, and its refurbishment is considered to be a top priority of the Georgia Department of Transportation (DOT). The highway is currently undergoing construction from end to end in order to upgrade the highway for commercial use. When the Georgia segment of the highway construction is completed, Highway 27 will be a four-lane highway through rural areas of Georgia and will include five-lane bypass sections around urban areas with limited access.

In 1987, Public Law 100-211 authorized an appropriation to the Secretary of the Interior for up to \$30 million in Federal funds, on a 75 percent Federal/25 percent state matching basis, to provide a grant to the State of Georgia to assist in relocating the highway around the Chickamauga Battlefield. The appropriation was based on an estimate which was provided by the Georgia DOT. To date, approximately \$23.5 million in Federal funds have been appropriated.

In 1993, the Federal Highway Administration (FHA) provided an estimate to the National Park Service which indicated that the Federal share needed to complete the project would be \$43.5 million. The increased cost estimate was based on detailed surveys, computer designs and geotechnical data from an on-site investigation conducted by the FHA. Through the geotechnical investigations, it was discovered that it would be necessary to remove an unexpected amount of rock in order to complete the project. In addition, problems associated with two railroad bridge crossings had not been calculated in the initial estimate. The FHA recently revised the cost estimate for the Federal contribution needed to complete the project. The estimate is now calculated at \$51.9 million

LEGISLATIVE HISTORY

Senators Nunn and Coverdell introduced S. 1706 on April 25, 1996. The Subcommittee on Parks, Historic Preservation and Recreation held a hearing on the bill on May 16, 1996.

A similar bill, S. 2434, was introduced by Senator Nunn during the 103d Congress. The Subcommittee on Public Lands, National Parks and Forests held a hearing on S. 2434 on October 5, 1994. H.R. 3516 was introduced in the House of Representatives during the 103d Congress, H.R. 3516 was reported and amended by the House Committee on Natural Resources on March 18, 1994, and passed the House on March 21, 1994. The Senate Subcommittee on

Public Lands, National Parks and Forests held a hearing on H.R. 3516 on October 5, 1994. No further action was taken on either bill.

At the business meeting on September 12, 1996, the Committee on Energy and Natural Resources ordered S. 1706 favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 12, 1996, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 1706.

SECTION-BY-SECTION ANALYSIS

Section 1 amends section 1(c) of the Act entitled "An Act to authorize and direct the National Park Service to assist the State of Georgia in relocating a highway affecting the Chickamauga and Chattanooga National Military Park in Georgia" (Public Law 100-211; 101 Stat. 1442) by changing the amount authorized through the Act from \$30,000,000 to \$51,900,000.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 24, 1996.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1706, a bill to increase the amount authorized to be appropriated for assistance for highway relocation with respect to the Chickamauga and Chattanooga National Military Park in Georgia.

Enacting S. 1706 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 1706.
2. Bill title: A bill to increase the amount authorized to be appropriated for assistance for highway relocation with respect to the Chickamauga and Chattanooga National Military Park in Georgia.
3. Bill Status: As reported by the Senate Committee on Energy and Natural Resources on September 16, 1996.
4. Bill Purpose: S. 1706 would increase from \$30 million to \$51.9 million the amount authorized to be appropriated to assist the

state of Georgia in relocating Highway 27, which affects the Chickamauga and Chattanooga National Military Park in Georgia.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1997	1998	1999	2000	2001	2002
ADDITIONAL SPENDING SUBJECT TO APPROPRIATION						
Authorization level	22					
Estimated outlays	3	6	7	4	2	

The costs of this bill fall within budget function 400.

6. Basis of estimate: According to the National Park Service, of the \$30 million that has already been appropriated, \$28 million has been spent and the remaining \$2 million is likely to be spent over the next two years. In addition to the \$30 million that has been provided through the Park Service, this project received \$4.5 million in 1996 from National Highway System funds. Additional funding is needed to finish the project.

For purposes of this estimate, CBO assumes the additional \$21.9 million authorized by S. 1706 would be appropriated for fiscal year 1997. Outlay estimates are based on historical spending rates, adjusted slightly to reflect the fact that the project is well underway. According to the National Park Service, this project would be completed within the next five years. Also, according to the Federal Highway Administration, the amount authorized by S. 1706 is sufficient to complete the project under the Park Service's current schedule.

7. Pay-as-you-go considerations: None.

8. Estimated impact on State, local, and tribal governments: S. 1709 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would impose no costs on state, local, or tribal governments.

9. Estimated impact on the private sector: This bill contains no private-sector mandates as defined in Public Law 104-4.

10. Previous CBO estimate: On May 31, 1996, CBO submitted a cost estimate for H.R. 848, a bill to increase the amount authorized to be appropriated for assistance for highway relocation regarding the Chickamauga and Chattanooga National Military Park in Georgia, as ordered reported by the House Committee on Resources on May 16, 1996. The two estimates are identical, as are the bills.

11. Estimate prepared by: Federal Cost Estimate: Deborah Reis and Clare Doherty. State and Local Government Impact: Marjorie Miller. Private Sector Impact: Patrice Gordon.

12. Estimate approved by: Paul N. Van de Water, 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. 1706. 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. 1706, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 13, 1996, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 1706. These reports had not been received at the time the report on S. 1706 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department of the Interior at the Subcommittee hearing follows:

STATEMENT OF KATHERINE H. STEVENSON, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to offer the Department of the Interior's views on S. 1706, a bill to increase the amount authorized to be appropriated for assistance for highway relocation regarding Chickamauga and Chattanooga National Military Park in Georgia.

We support enactment of this legislation. S. 1706 would authorize an increase in funding to \$51.9 million for relocating U.S. Highway 27 around Chickamauga Battlefield.

In the 103rd Congress we testified that the cost estimate for the federal share of the project was \$43.2 million. However, since that time, the Federal Highway Administration has revised the cost estimate to \$51.9 million for the federal share. The reason for the increase is the difference between the historic data used to determine the previous estimate and incorporating the actual bid prices received on the first two projects in calculating the most recent estimate.

In 1987, Public Law 100-211 authorized an appropriation to the Secretary of the Interior of up to \$30 million in federal funds, on a 75 percent federal/25 percent state matching basis, to provide a grant to the State of Georgia to assist in relocating the highway around America's first national military park. Public Law 100-211 ended years of debate over what to do with the rapidly increasing commercial, commuter, and visitor traffic brought by this highway through the middle of Chickamauga Battlefield. When finally completed, U.S. Highway 27 will take non-park traffic outside the Battlefield, leaving visitors to tour the park with a greater sense of safety, pleasure, and enjoyment.

U.S. Highway 27 is a major north-south artery located in northwest Georgia adjacent to Chattanooga, Tennessee. Primarily a four-lane highway, the road narrows to two lanes through the park. On the average, 17,200 vehicles, including 800 18-wheelers, use the 3.7-mile segment daily.

Ninety percent of this traffic consists of commuters and commercial vehicles—10 percent consists of park visitors.

The heavy use of this road causes a significant adverse impact on the park's cultural and natural resources. U.S. Highway 27 cuts through the historic battle line which is currently followed by the park's tour route, and thus intrudes on the historic scene. By competing with commuter and commercial traffic, park visitors have a difficult time appreciating the 59 monuments and 66 cannons located along the road. Air pollution not only adversely affects the park's natural and cultural resources but, along with noise pollution and safety hazards, intrudes greatly on the historic scene and the visitor's experience. Critical safety problems have arisen for both the visitor and non-visitor with 75 traffic accidents on U.S. Highway 27 in 1994, including 39 reported deer road kills, and \$123,700 in property damage. These accidents resulted in one fatality and 22 personal injuries.

In 1987, when asked to estimate the costs of relocating the road, the State of Georgia Department of Transportation supplied the National Park Service with a broad estimate of nearly \$32 million. This calculation was arrived at without an in-depth study of the route or resources. It was based on a per-mile planning design, construction, and land acquisition cost.

The increased cost projection is a result of design changes and the difference between a rough preliminary estimate and an estimate based on actual design quantities and actual bid prices from the first two projects already awarded. In 1987, the Federal share was authorized at \$30 million. To date, \$28.046 million has been appropriated. Based on a recent estimate by the Federal Highway Administration, the federal share of this project is now projected to be \$51.9 million. Any portion of the federal share not funded by FY 1997 will be subject to inflation and increased costs for repackaging of projects.

The increased cost estimate is based upon field investigations conducted over the past several years. Geotechnical investigations discovered the necessity to remove an inordinate amount of rock. Four million cubic yards of earth will need to be moved in this project. Of this amount, over 600,000 cubic yards of fill disposal will be hauled to sites outside the construction area. Problems associated with two railroad crossings were not calculated into the initial estimate, and thus to comply with construction requirements, additional engineering considerations were factored into the two bridge structures crossing Central of Georgia Railroad tracks.

The need for the road is as great—or greater—than it was in 1987. We believe the work should go forward as authorized, but to do so, the authorization ceiling must reflect current cost estimates. Of course, funding will be consistent with future Administration priorities and budget requests.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 1706, as ordered 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):

(“An Act to authorize and direct the National Park Service to assist the State of Georgia in relocating a highway affecting the Chickamauga and Chattanooga National Military Park in Georgia” Public Law 100–211; 101 Stat. 1442)

* * * * *

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated not more than ~~【\$30,000,000】~~ *\$51,900,000* for assistance under subsection (a). Such funds shall remain available until expended.