

## Calendar No. 608

104TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 104-385

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### NATIONAL RECREATION LAKES STUDY ACT OF 1996

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SEPTEMBER 30, 1996.—Ordered to be printed

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

### REPORT

[To accompany S. 1844 ]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1844) to amend the Land and Water Conservation Fund Act to direct a study of the opportunities for enhanced water based recreation and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike the text in section 3(b)(6) and insert in lieu thereof the following:

“(6) four persons familiar with the interests of the recreation and tourism industry, conservation and recreation use, Indian tribes, and local governments, at least one of whom shall be familiar with the economics and financing of recreation related infrastructure.”.

#### PURPOSE OF THE MEASURE

S. 1844, as ordered reported, would require a study of opportunities to enhance the use of federal man-made lakes and reservoirs for recreation consistent with the authorized purposes for which such facilities were constructed and with an emphasis on private sector initiatives in concert with State and local units of Government.

#### BACKGROUND AND NEED

A combination of events after World War II resulted in increased demand for recreation opportunities. Among those events was the interstate highway system, which increased the range for vacation

and day-trip activities, and changes in disposable income and average hours in the workplace. Federal lands and facilities received renewed attention for recreational opportunities. Although the Corps of Engineers had begun to consider recreation as part of their planning under the 1944 Rivers and Harbors Act, most Federal agencies did not consider recreation as part of its basic mission. Partially in response to the increased mobility of the American public and new demands on federal facilities and lands, Congress established the Outdoor Recreation Resources Review Commission in 1958. The Commission, chaired by Laurance Rockefeller, was composed of four members of the Senate and four of the House, as well as six other members appointed by the President. The Commission published several background documents and submitted its final report in 1962.

Even with limitations on authority and funding, the Corps of Engineers, the Bureau of Reclamation, and the Tennessee Valley Authority provide more recreation use than any other Federal agency. The Corps is second only to the Department of Agriculture in overall recreation use and far exceeds any other agency in water based recreation. These four agencies control the majority of Federally managed and constructed reservoirs and lakes.

The purpose of S. 1844 is to bring the four agencies with the greatest potential for water based recreation together with representatives from the private sector to explore opportunities and alternatives to enhance those recreational opportunities. The legislation specifies that any "such alternatives shall be consistent with and subject to the authorized purposes for any man-made lakes and reservoirs and shall emphasize private sector initiatives in concert with State and local units of government." The presence of significant non-Federal lands at, or in close proximity to, many of these reservoirs and lakes could provide increased ability to the private sector to obtain capital for the provision of facilities. The legislation does not contemplate the gathering of any new information.

#### LEGISLATIVE HISTORY

Senator Frank Murkowski introduced S. 1844 on June 5, 1996. The Committee on Energy and Natural Resources held a hearing on June 13, 1996.

#### COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTE

The Senate Committee on Energy and Natural Resources, in open business session on Thursday, September 12, 1996, by a unanimous voice vote of a quorum present, recommended that the Senate pass S. 1844 as described herein.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1—Short title*

The title of the Act is the "National Recreation Lakes Study Act of 1996".

*Section 2—Findings and purposes*

In this section, Congress finds that the Federal Government has developed man-made lakes and reservoirs that have become a powerful magnet for diverse recreational opportunities and that such activities contribute to the well-being of families, individuals, and the economic viability of local communities. Congress also finds that the President should appoint an advisory committee to review current and anticipated demand for recreational opportunities at Federally-managed man-made lakes and reservoirs through creative partnerships involving Federal, State and local governments, and the private sector and to develop alternatives for enhanced recreational use of such facilities.

*Section 3—Commission*

This section requires the President to appoint a nine-member advisory commission to review the potential for enhanced opportunities for water based recreation and to report to the President and Congress within one year. The Commission shall include the Secretaries of the Interior, Army, Agriculture, and the Chairman of the Tennessee Valley Authority (or their designees). The Commission shall also include a person nominated by the National Governors' Association, and four persons familiar with the interests of the recreation and tourism industry, conservation and recreation use, Indian tribes, and local governments, at least one of whom shall be familiar with the economics and financing of recreation related infrastructure. The report to be submitted by the Commission shall evaluate the following: (1) The extent to which recreation components identified in specific authorizations concerning individual man-made lakes and reservoirs have been accomplished; (2) the feasibility of enhancing recreation opportunities at Federally-managed lakes and reservoirs under existing statutes; (3) legislative changes that could enhance recreation opportunities consistent with and subject to achievement of the authorized purposes of Federal water projects; and (4) recommendations on alternatives for enhanced recreation opportunities including, but not limited to, the establishment of a National Recreation Lake System under which specific lakes would receive national designation and which would be managed through innovative partnership-based agreements between Federal agencies, State and local units of government, and the private sector.

## COST AND REGULATORY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 23, 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 reviewed S. 1844, the National Recreation Lakes Study Act of 1996,

as reported by the Senate Committee on Energy and Natural Resources on September 16, 1996. CBO estimates that implementing S. 1844 would cost less than \$500,000 in 1997, assuming appropriation of the necessary amounts. Enacting the bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1844 would establish a commission to review opportunities for enhancing water-based recreation on the nation's man-made lakes and reservoirs. The Secretary of the Interior would provide all financial, administrative, and staffing requirements for the commission. The heads of other federal agencies would be authorized, at the request of the commission and within the limits of available funds, to provide information or personnel to the commission. The commission would be authorized to use the United States mail in the same manner as other federal agencies. Based on information provided by the Department of the Interior, CBO estimates that implementing the bill would require less than \$500,000 in 1997 to pay for staff expenses, conduct studies, and write a report to the Congress. The report would be required within one year of enactment.

S. 1844 contains no private-sector or 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.

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

Sincerely,

JUNE E. O'NEILL, *Director*.

#### FEDERAL MANDATE EVALUATION

The Congressional Budget Office has determined that S. 1844 contains no private sector or 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.

#### 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 implementing S. 1844. 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.

The paperwork requirements for the Department of the Interior are not likely to be significant.

#### EXECUTIVE COMMUNICATIONS

A Statement of Administration Position has not been submitted as of the date this report was filed. When the SAP is available, the Chairman will request that it be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1844, as ordered reported.

