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SENATE

{ REPORT
108-15

RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT

MARCH 5, 2003.—Ordered to be printed

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

R E P O R T

[To accompany S. 302]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 302) to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to restore and extend the term of the advisory commission for the recreation area, 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. 302 is to provide for the acquisition of approximately 4,762 acres of land for addition to the Golden Gate National Recreation Area in the State of California, to restore and extend the term of the advisory commission for the recreation area for ten years, and for other purposes.

BACKGROUND AND NEED

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

S. 302 would expand the GGNRA boundaries to include approximately 4,762 acres in San Mateo County, known generally as the "Rancho Corral de Tierra" property. Although negotiations to ac-

quire these properties were occurring at the time of the 2000 additions, they were not completed in time for inclusion in that legislation.

The lands to be added to the GGNRA by S. 320 include Montara Mountain and other coastal ridges. Rising 2,000 feet from the nearby coast, the mountain ridges contain the headwaters and most of the watershed for four coastal stream systems, and provide an important riparian habitat for threatened species such as the California red-legged frog and San Francisco garter snake. Montara Mountain is home to two plant species that are found nowhere else in the world: the Montara manzanita and blue lupine. The area also provides important open space and scenic values, with views over the entire San Francisco Bay area.

LEGISLATIVE HISTORY

S. 302 was introduced by Senators Feinstein and Boxer on February 5, 2003. Similar legislation, S. 941, was introduced by Senator Feinstein during the 107th Congress on May 23, 2002. The Subcommittee on National Parks held a hearing on S. 941 on July 26, 2001. At its business meeting on August 2, 2001, the Committee on Energy and Natural Resources ordered S. 941 favorably reported with amendments. S. 941 passed the Senate by unanimous consent on October 17, 2001. The House of Representatives passed the bill amended with several unrelated measures on September 24, 2002. The Senate agreed to the House amendment with an additional amendment on November 19, 2002.

At the business meeting on February 26, 2003, the Committee on Energy and Natural Resources ordered S. 302 favorably reported.

The Committee on Energy and Natural Resources, in open business session on February 26, 2003, by a unanimous vote of a quorum present, recommends that the Senate pass S. 302 as described herein.

SECTION-BY-SECTION ANALYSIS

Section 1 titles the Act the “Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act.”

Section 2(a) amends the enabling Act for the Golden Gate National Recreation Area (Public Law 92–589; 16 U.S.C. 460bb–1(a)) to include several parcels comprising approximately 4,500 acres of land, including properties known as “Rancho Corral de Tierra” within the boundaries of the park. Lands and interests in lands constituting the Devil’s Slide Tunnel alternative, are not included in the addition. The Secretary of the Interior is directed to modify the boundary map entitled “Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area” to reflect the exclusion of the Devil’s Slide Tunnel alternative from the park.

Subsection (b) amends section 5(g) of the enabling Act to extend the termination date for the GGNRA Advisory Commission by ten years beginning on the date of enactment of this bill.

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, March 5, 2003.

Hon. PETE V. DOMENICI,
*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. 302, the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act.

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

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 302—Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act

S. 302 would modify the boundary of the Golden Gate National Recreation Area (GGNRA) in California. Assuming appropriation of the necessary amounts, CBO estimates that implementing this legislation would cost the federal government about \$21 million over the next few years and \$0.3 million annually thereafter. Enactment of S. 302 would not affect revenues or direct spending.

The bill 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.

S. 302 would add to the GGNRA the 4,262-acre Rancho Corral de Tierra and over 300 acres of property in the Devil's Slide area. CBO estimates that the National Park Service (NPS) would spend \$15 million to purchase the Rancho Corral de Tierra from the Peninsula Open Space Trust (POST), a local nonprofit organization, which required the property in 2001 for \$29.7 million. (We expect that the organization would recover the balance of the land's purchase price from private and state sources.) The cost of acquiring land within the Devil's Slide area is less certain because formal property appraisals have not yet been completed and because it is unclear how much of this acreage might be acquired by the state of California for a proposed highway diversion. CBO estimates that private lands added to the NRA boundary that are not acquired by California would be purchased by the NPS at a cost of about \$5 million over the next few years.

CBO estimates that the cost to develop the property acquired under S. 302 would be about \$0.5 million, and that annual costs to administer the new lands would be \$0.3 million. S. 302 also would extend the term of the GGNRA's advisory commission (which expired on December 31, 2002) for an additional 10 years. The extension would have no significant effect on the federal budget.

This estimate is based on information provided by the NPS, POST, and local authorities. For this estimate, we have assumed that all funds would be appropriated as necessary for land acquisition, development, and ongoing expenses.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Robert A. Sunshine, 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. 302. 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. 302, as ordered reported.

EXECUTIVE COMMUNICATIONS

On February 26, 2003, 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. 302. These reports had not been received at the time the report on S. 302 was filed. When the reports become available, the Chairman will request that they 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, changes in existing law made by the bill S. 302, 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):

Public Law 92-589

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT

* * * * *

SEC. 2. COMPOSITION AND BOUNDARIES.

(a) AREAS INCLUDED AND EXCLUDED.—

[The recreation area shall comprise] (1) *INITIAL LANDS.*—*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. Not-

withstanding any other provision of this subchapter, 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 subchapter, 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, 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, 166-101-12, 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 Recreational 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 LANDS.*—*In addition to the lands described in paragraph (1), the recreation area shall include the following:*

(A) *The parcels numbered by the Assessor of Marin County, California, 119-040-04, 199-040-05, 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) *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.*

(C) *Lands acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb-1 note; Public Law 102-299).*

(D) *Lands generally depicted on the map entitled "Additions to Golden Gate National Recreation Area", numbered NPS-80-076, and dated July 2000/PWR-PLRPC.*

(E) *Lands generally depicted on the map entitled "Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area", numbered NPS-80,079C and dated January 2003, except that lands and interests in lands constituting the Devil's Slide Tunnel alternative are not included in the recreation area. The Secretary shall modify the boundary map referred to in this subparagraph to reflect the exclusion of such lands and interests in lands.*

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

* * * * *

(g) The Commission shall [cease to exist ten years after the enactment of this Act.] *terminate at the end of the 10-year period be-*

*ginning on the date of the enactment of the Rancho Corral de Tierra
Golden Gate National Recreation Area Boundary Adjustment Act.*

