

CHESAPEAKE BAY GATEWAYS AND WATERTRAILS
NETWORK CONTINUING AUTHORIZATION ACT

MAY 22, 2008.—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. 5540]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5540) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 5540 is to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network.

BACKGROUND AND NEED FOR LEGISLATION

The Chesapeake Bay Gateways and Watertrails Network was established in 1998 (Title V of Public Law 105-312) to identify, conserve, restore and interpret the natural, historical, cultural and recreational resources within the Chesapeake Bay watershed.

The network provides grants to parks, volunteer groups, wildlife refuges, historic sites, museums, and watertrails throughout the watershed. In the ten years since its creation, this network has grown to include 156 gateway sites in six states and the District of Columbia, with more than 1500 miles of established and developing watertrails.

The goal of the network is to educate residents of the Chesapeake Bay watershed about important sites throughout their re-

gion, and to show residents how their communities relate directly to the health of the bay, the nation's largest estuary.

P.L. 105–312 authorized \$3 million annually for the network in fiscal years 1999 through 2003. In 2002, P.L. 107–308 reauthorized the program through 2008 with no increase in funding level. In a 2004 special resources study, the National Park Service recommended permanent authorization for the program. H.R. 5540 would provide that permanent authorization.

COMMITTEE ACTION

H.R. 5540 was introduced by Representative John Sarbanes (D-MD) on March 5, 2008. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. The Subcommittee held a legislative hearing on the bill on April 24, 2008.

At an April 24 hearing on the bill, a representative of the Interior Department testified that while the Department supports authorization of continued technical assistance to the network for its bay cleanup mission, the Administration did not request grant funding for the program. The Department's testimony noted that the network was recognized by the White House Conference on Cooperative Conservation in 2005 as a cooperative conservation success story.

On April 30, 2008, the Full Natural Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged from further consideration of H.R. 5540. An amendment offered by Representative Sali (R-ID) to reauthorize the program only through the end of fiscal year 2013 was not agreed to by voice vote. The bill 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 Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network.

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. 5540—Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act

Summary: H.R. 5540 would reauthorize funding for the Chesapeake Bay Initiative, a program carried out by the National Park Service (NPS) and other federal agencies to conserve resources in the Chesapeake Bay watershed. Assuming appropriation of the necessary amounts, CBO estimates that implementing this legislation would cost the NPS about \$5 million over the 2009–2013 period and \$1 million a year thereafter. Enacting H.R. 5540 would not affect direct spending or revenues.

H.R. 5540 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 5540 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2008	2009	2010	2011	2012	2013
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law:						
Budget Authority ¹	1	0	0	0	0	0
Estimated Outlays	1	0	0	0	0	0
Proposed Changes:						
Estimated Authorization Level	0	1	1	1	1	1
Estimated Outlays	0	1	1	1	1	1
Spending Under H.R. 5540:						
Estimated Authorization Level ¹	1	1	1	1	1	1
Estimated Outlays	1	1	1	1	1	1

¹ The 2008 level is the amount appropriated for that year.

Basis of estimate: H.R. 5540 would authorize (indefinitely) the appropriation of whatever amounts are necessary for programs carried out under the Chesapeake Bay Initiative Act of 1998. Based on recent appropriations for those programs, CBO estimates that the NPS would spend about \$1 million annually under the bill, mostly for grants to nonfederal entities. The current authorization of appropriations for the program, which will expire at the end of fiscal year 2008, is \$3 million annually, but appropriations have generally been about one third of that amount each year (\$1 million).

Intergovernmental and private-sector impact: H.R. 5540 contains no intergovernmental or private-sector mandates as defined in

UMRA and would impose no costs on state, local, or tribal governments. State and local governments could benefit from grants authorized by the bill.

Estimate prepared by: Federal Costs: Deborah Reis; Impact on State, Local, and Tribal Governments: Burke Doherty; Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 5540 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) 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 (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):

SECTION 502 OF THE CHESAPEAKE BAY INITIATIVE ACT OF 1998

SEC. 502. CHESAPEAKE BAY GATEWAYS AND WATERTRAILS.

(a) * * *

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[(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 1999 through 2008.]

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

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