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JAY S. HAMMOND WILDERNESS ACT OF 2017

JUNE 14, 2017.—Ordered to be printed

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

R E P O R T

[To accompany S. 213]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 213) to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 213 is to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area.

BACKGROUND AND NEED

Lake Clark National Park and Preserve, established by Congress in 1980 in the Alaska National Interest Lands Conservation Act (ANILCA, Public Law 96–487), preserves and protects some 3,653,000 acres of Southwest Alaska on the western shore of Cook Inlet as a national park and preserve.

Although occupied by Alaska Natives for centuries, the area was explored by Russian explorers after 1741. After the United States purchased Alaska from Russia in 1867, Charles Leslie McKay became the first Euro-American to explore the area in 1881, collecting artifacts for the Smithsonian Institution. In 1891, a party led by explorer Alfred B. Schanz again traveled through the area. Included in the Schanz party was John W. Clark, a representative

of the Alaska Commercial Company. The Schanz party renamed the lake from its native Dena'ina name, *Qiz'jeh Vena*—"the lake where many people gather"—to Lake Clark to honor John Clark.

The first permanent non-Native resident, Brown Carlson, a trapper, moved to the area in 1903. With the advent of the float airplane in 1930, more non-Native residents moved in and settled around the Port Alsworth area. One early settler was Jay Sterner Hammond. Hammond was a former petroleum engineer born in New York, a U.S. Marines Corps fighter pilot who served in China and the South Pacific in World War II, and a settler to Alaska who arrived when it was a territory in 1947. After the war, Hammond studied biological sciences and graduated from the University of Alaska Fairbanks in 1949. In 1950, the part-time pilot, trapper, and guide became a biologist and field agent for the U.S. Fish and Wildlife Service and was stationed in Southwest Alaska. He paddled the entire shoreline of the 45-mile-long Lake Clark and selected a homestead where he built a cabin. This homestead served as his primary residence for nearly 55 years until his death in 2005.

Hammond, besides being a biologist and later a game guide, entered politics when Alaska became a State in 1959. He served three terms in the State House, two terms in the State Senate, and was later elected Mayor of the Bristol Bay Borough in 1972, after serving as its manager. He was then elected Governor of the State of Alaska in 1974 and was reelected in 1978.

During his two terms, he opposed oil leasing in the Kachemak Bay area of Cook Inlet, opposed construction of a proposed Ramparts hydroelectric dam across the Yukon River, supported the establishment by Congress of a 200-mile fisheries conservation zone, proposed a state limited-entry fisheries regime, proposed and oversaw the establishment of the nation's largest state park, the 1.6-million-acre Wood Tikchik State Park to the southwest of Lake Clark, and was Governor when Congress passed the Alaska National Interest Lands Conservation Act in 1980. That Act added 104 million acres of land as national parks, preserves, refuges, monuments, wild and scenic rivers, and wilderness in Alaska, including creating Lake Clark National Park and Preserve of which 2.6 million acres were designated as wilderness. Hammond's homestead is located inside the boundary of Lake Clark National Park and Preserve. S. 213 would name the 2.6 million-acre existing wilderness area within the Park and Preserve in memory of Governor Hammond, in recognition of his significant accomplishments related to the preservation of natural resources within the State of Alaska.

LEGISLATIVE HISTORY

Senators Murkowski and Sullivan introduced S. 213 on January 24, 2017.

In the 114th Congress, Senators Murkowski and Sullivan introduced a similar bill, S. 873, on March 26, 2015. The Subcommittee on National Parks held a hearing on S. 873 on June 10, 2015. The Committee on Energy and Natural Resources met in open business session on July 30, 2015, and ordered S. 873 favorably reported, as amended (S. Rept. 114–131).

The measure was included in Amendment No. 3234, which the Senate agreed to on April 19, 2016, as an amendment to S. 2012, the Energy Policy Modernization Act of 2016, which the Senate passed, as amended, on April 20, 2016.

The Committee on Energy and Natural Resources met in open business session on March 30, 2017, and ordered S. 213 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on March 30, 2017, by a majority voice vote of a quorum present, recommends that the Senate pass S. 213.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the "Jay S. Hammond Wilderness Act."

Section 2 designates the approximately 2,600,000 acres of existing wilderness in Lake Clark National Park and Preserve as the Jay S. Hammond Wilderness Area and deems any reference to the wilderness area in any law, map, regulation, document, paper, or other record to be a reference to the Jay S. Hammond Wilderness Area.

COST AND BUDGETARY CONSIDERATIONS

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

S. 213 would designate the 2.6 million acres of wilderness in the Lake Clark National Park and Preserve as the Jay S. Hammond Wilderness in honor of Alaska's fourth governor. The wilderness represents about 65 percent of Lake Clark's 4 million acres.

Based on information from the National Park Service on the cost of changing the name of a wilderness area, CBO estimates that S. 213 would have no significant effect on discretionary spending because revising federal maps and signs to reflect the new name would be done in conjunction with scheduled reprinting and other routine maintenance.

Enacting S. 213 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 213 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 213 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jon Sperl. The estimate was approved by H. Samuel Papenfuss, Deputy 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. 213.

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 provision. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 213, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 213, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

Because S. 213 is similar to legislation considered by the Committee in the 114th Congress, the Committee did not request Executive Agency views. The testimony provided by the National Park Service at the hearing before the Subcommittee on National Parks on June 10, 2015, follows:

> FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 873, TO DESIGNATE THE WILDERNESS WITHIN THE LAKE CLARK NATIONAL PARK AND PRESERVE IN THE STATE OF ALASKA AS THE JAY S. HAMMOND WILDERNESS AREA
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> Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 873, a bill to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area.
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> The Department supports S. 873, which would designate the approximately 2.6 million acres of National Wilderness Preservation System land located within the Lake Clark National Park and Preserve as the "Jay S. Hammond Wilderness Area." This designation is a fitting and appropriate way to recognize Hammond's significant contributions to the Alaska National Interest Lands Conservation Act (ANILCA), the National Park System, and Lake Clark National Park and Preserve, which was an important part of an extraordinary legacy of public service.
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> In 1946, following his military service as a fighter pilot during World War II, Jay Hammond came to Alaska and became a bush pilot, guide and trapper. In 1949, Hammond graduated from the University of Alaska, Fairbanks, and went to work for the U.S. Fish and Wildlife Service. As a U.S. Fish and Wildlife Service employee, Hammond conducted wildlife surveys of the Lake Clark area and located a homestead along Lake Clark. He lived with his wife Bella in their lakeside homestead from about 1982 until his death on August 2, 2005. Bella still resides in the homestead and enjoys the splendid views of the wilderness area.

In 1959, Hammond was elected to the state legislature and served several terms before being elected as a state senator in 1967. From 1972 to 1974, Hammond was the mayor of the Bristol Bay Borough. In 1974, he was elected Governor of Alaska, and served the state in that role until 1982. During his tenure, he oversaw the building and the opening of the Alaska Pipeline and preserved a large portion of the oil lease revenues in the form of a Permanent Fund which has been in existence for three decades. As a governor who sought to balance the development of Alaska's energy resources with the conservation of the state's vast untouched natural resources, he worked with the Federal government to achieve enactment of the legislation that became ANILCA.

ANILCA protected 104 million acres of land. It added more than 40 million acres in 10 new units of the National Park System, including the 3.86 million-acre Lake Clark National Park and Preserve. The law also designated the 2.6 million acres of wilderness within Lake Clark National Park and Preserve. Governor Hammond later said that what President Carter had done with the signing of ANILCA was "locking Alaska open" for future generations of Americans to enjoy and preserve for all time.

The National Park Service Management Policies 2006 states that "to be permanently commemorated in a national park is a high honor, affording a degree of recognition that implies national importance." The policies support the commemorative naming of national park resources only in cases where there is a compelling justification for the recognition. In general, a compelling justification involves an association between the park and the person that is of exceptional importance, as well as a lapse of at least five years since the person's death. The designation of wilderness within Lake Clark National Park and Preserve in honor of Jay S. Hammond meets these criteria.

Mr. Chairman, this concludes my testimony, and I would be happy to answer any questions you or other members may have.

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 as ordered reported.

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