

[Floor Situation](#) | [Summary](#) | [Background](#) | [Cost](#) | [Staff Contact](#)

[H.R. 3620, To amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes](#)

FLOOR SITUATION

On Wednesday, February 24, 2016, 2016, the House will consider [H.R. 3620](#), the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, under suspension of the rules. H.R. 3620 was introduced on September 28, 2015 by Rep. Tom Marino (R-PA), and was referred to the Committee on Natural Resources, which ordered the bill reported by unanimous consent on February 3, 2016.

SUMMARY

H.R. 3620 amends the Delaware Water Gap National Recreation Area Improvement Act with respect to the prohibition against the use of Highway 209, a federally owned road within the boundaries of the Delaware Water Gap Recreation Area in Pennsylvania, by certain commercial vehicles except as they serve businesses physically located in towns adjacent to Highway 209. The bill also requires the Department of the Interior to establish a fee and permit program for the use of Highway 209 by commercial vehicles, including an annual fee of up to \$200 per vehicle.

BACKGROUND

The Delaware Water Gap National Recreation Area in Pennsylvania and New Jersey preserves 70,000 acres on both sides of the Delaware River. Highway 209 spans 21 miles through the middle of the National Recreation Area and served as a major truck route for many years.¹ In 1981, Highway 209 was transferred from the Commonwealth of Pennsylvania to the National Park Service (NPS).²

¹ See [Natural Resources Committee Hearing Memo on H.R. 3620](#)

² *Id.*

Two years later, the Fiscal Year 1983 Supplemental Appropriations Act, closed the Park segment of Highway 209 to commercial traffic and authorized the NPS to collect and retain fees from commercial use of the road.³ A 10-year transition period was established to accommodate impacts on the surrounding communities, especially the 13 trucking companies that were in existence in towns adjacent to the park at that time.⁴ The federal government ensured that I-287 in New Jersey and I-380 in Pennsylvania were built to provide an alternate route between I-80 and I-84; and the Commonwealth of Pennsylvania was tasked with the improvement of State Road 2001 to absorb the remaining traffic.⁵

In 2005, Congress passed the Delaware Water Gap Improvement Act, which extended permitting for commercial vehicle traffic until September 30, 2015. This extension was passed to provide more time for the Commonwealth of Pennsylvania to complete upgrades to SR 2001, including a land exchange.⁶

As the third extension permitting commercial vehicle use of Highway 209 neared expiration on September 30, 2015, local elected officials requested that Congress enact legislation directed at permitting access for smaller class commercial vehicles for businesses physically located in towns adjacent to Highway 209, for a period of five years.⁷

According to the bill's sponsor, "the Delaware Water Gap National Recreation Area is a Pennsylvania treasure and a national gem; my colleagues in the House know that. Due to my efforts bringing together the National Park Service and local stakeholders to draft this bill extending the exemption for commercial traffic, a final resolution to this issue is in sight."⁸

COST

A Congressional Budget Office estimate is not available at this time.

STAFF CONTACT

For questions or further information please contact [Robert Goad](#) with the House Republican Policy Committee by email or at 6-1831.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ See Rep. Tom Marino Press Release "[Marino Moves Highway 209 Bill to House Floor](#)"