

JOHN L. BURTON TRAIL ACT

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SEPTEMBER 26, 2002.—Referred to the House Calendar and ordered to be printed

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Mr. HANSEN, from the Committee on Resources,  
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 3765]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3765) to designate the John L. Burton Trail in the Headwaters Forest Reserve, California, 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. 3765 is to designate the John L. Burton Trail in the Headwaters Forest Reserve, California.

BACKGROUND AND NEED FOR LEGISLATION

The 7,400 acres of the Headwaters Forest Reserve in Humboldt County, California, was created in 1999 following a landmark agreement between the Federal government and the State of California to protect ancient redwoods. Instrumental in the acquisition of the Headwaters property was former Congressman John Burton of California. Today, the Reserve is co-managed by the Bureau of Land Management and the State of California. While serving as a Member of Congress from 1974 to 1982, John L. Burton established himself as an environmental advocate. In 1996, he was elected to the California State Senate representing Marin County and parts of San Francisco and Sonoma Counties. Today, Mr. Burton is the President Pro Tem of the California Senate.

## COMMITTEE ACTION

H.R. 3765 was introduced on February 14, 2002, by Congressman George Miller (D-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On September 12, 2002, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Recreation, and Public Lands was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

## 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 Resources' oversight findings and recommendations are reflected in the body of this report.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 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. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

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:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 19, 2002.*

Hon. JAMES V. HANSEN,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3765, the John L. Burton Trail Act.

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

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

*H.R. 3765—John L. Burton Trail Act*

H.R. 3765 would name a trail in the Headwaters Forest Reserve in California as the John L. Burton Trail. Based on information from the Department of the Interior, CBO estimates that H.R. 3765 would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 3765 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 Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

## ADDITIONAL VIEWS

The Headwaters Forest Reserve comprised of 7,400 acres of spectacular ancient redwoods was established in 1999 in Humboldt County, California, as a result of a landmark effort between the Federal government and the State of California to save the grove from timbering. Some of the trees within the redwood grove are 300 feet high and 2,200 years old. Coexisting with the redwoods are numerous plant and wildlife species, such as the Marbled Murrelet, and the forest protects the headwaters of several major stream systems that provide habitat for the threatened Coho Salmon.

Yet, in 1986 when Charles Hurwitz's MAXXAM Corporation acquired Pacific Lumber Company, the owner of the Headwaters Forest, the future of the area hung on the brink when the company announced plans to harvest timber in the area. The ensuing national controversy gave rise to a 1996 negotiated agreement through which the Federal and State governments would acquire the forest for \$380 million among other conditions in return of the Headwaters and a buffer totaling 7,400 acres. Of the purchase amount, \$250 million was the Federal share and California contributed another \$130 million.

Today, the Headwaters Forest Reserve is co-managed by the Bureau of Land Management and the State of California for the benefit of current and future generations of Americans. However, this accomplishment might not have occurred if it was not for the dedication of one individual in California, who spearheaded the State's contribution to the acquisition. That person is John Burton, a former colleague of ours in the U.S. House of Representatives, and currently President Pro Tem of the California Senate.

While a Member of the House of Representatives, John served on the Committee on Government Operations and the Committee on House Administration. After choosing not to seek reelection to the House in 1982, John returned to San Francisco and the practice of law. In 1988, he was elected to the California Assembly for the second time, having served in the Assembly prior to his election to Congress. California's "Term-Limit" provisions prohibited his reelection to the Assembly in 1996, and he successfully sought a seat in the California Senate. In 1998 he was chosen by his Colleagues to serve as President Pro Tem, and he continues his service in that office today.

John Burton was instrumental in forcing a long and deliberate debate over the acquisition of the Headwaters property and his leadership paved the way for the project to move forward. Senator Burton has been in public service to the State of California for over thirty years, and has made an indelible mark on public policy through his efforts and his leadership.

In recognition of Senator Burton's efforts on behalf of establishing the Headwaters Forest Reserve, H.R. 3765 provides that any trail authorized by the final management plan for the area giving access to the southern end of the Headwaters Grove near the existing Salmon Trailhead shall be known as the "John L. Burton Trail."

GEORGE MILLER.  
NICK RAHALL.

