

## CRAIG RECREATION LAND PURCHASE ACT

SEPTEMBER 7, 2004.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

### R E P O R T

[To accompany H.R. 3427]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3427) to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the “Craig Recreation Land Purchase Act”.

(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) CITY.—The term “City” means the City of Craig, Alaska.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

#### SEC. 2. AUTHORIZATION FOR CONVEYANCE.

(a) IN GENERAL.—If the City tenders all right, title, and interest of the City in and to the land described in subsection (b) to the Secretary not later than 6 months after the date the City receives the results of the appraisal conducted pursuant to section 4, the Secretary shall accept such tender.

(b) LAND DESCRIPTION.—The land referred to in subsection (a) is as follows:

(1) The municipal land identified on the map entitled “Informational Map, Sunnahae Trail and Recreation Parcel and Craig Cannery Property” and dated August 2003.

(2) Lots 1 and 1A, Block 11-A, as identified on the City of Craig Subdivision Plat, Craig Tideland Addition, Patent # 155 (Inst. 69-982, Ketchikan Recording Office), dated April 21, 2004, consisting of approximately 22,353 square feet of land.

(3) The portion of Beach Road eastward of a projected line between the southwest corner of lot 1, Block 11, USS 1430 and the northwest corner of lot 1, Block 11-A, as identified on the City of Craig Subdivision Plat, Craig Tideland Addition, Patent # 155 (Inst. 69-982, Ketchikan Recording Office), dated April 21, 2004, consisting of approximately 4,700 square feet of land.

**SEC. 3. ACQUISITION OF LAND BY THE CITY OF CRAIG.**

(a) **USE OF FUNDS FOR LAND ACQUISITION.**—Funds received by the City under section 2 shall be used by the City for the purchase of the land shown on the map entitled “Wards Cove Property,” dated March 24, 1969.

(b) **COST OF LAND; EQUALIZATION OF VALUE.**—The purchase of land by the City under subsection (a) shall be for an amount equal to the appraised value of the lands conveyed to the Secretary by the City, except that the Secretary and the City may equalize the values by adjusting acreage or by payments not to exceed \$100,000.

**SEC. 4. APPRAISAL.**

Prior to any conveyance under this Act, the Secretary shall—

(1) conduct an appraisal of the land identified for conveyance by the City, in accordance with and conforming to the most current versions of the Uniform Appraisal Standards for Federal Land Acquisitions, Uniform Standards of Professional Practice, and U.S. Forest Service Appraisal Directives; and

(2) notify the City of the results of the appraisal.

**SEC. 5. MANAGEMENT OF CONVEYED LAND.**

Land received by the Secretary pursuant to this Act shall be—

(1) included in the Tongass National Forest; and

(2) managed in accordance with the laws, regulations, and forest plan applicable to the Tongass National Forest.

**SEC. 6. AUTHORIZATION.**

There are authorized to be appropriated—

(1) to the Forest Service for the reconstruction of the Sunnahae Trail \$250,000; and

(2) such other sums as are necessary to carry out this Act.

**PURPOSE OF THE BILL**

The purpose of H.R. 3427 is to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes.

**BACKGROUND AND NEED FOR LEGISLATION**

H.R. 3427 authorizes the Secretary of Agriculture to acquire approximately 350 acres of land from the City of Craig, Alaska for addition to the Tongass National Forest. The land in question is known as the “Sunnahae Trail and Recreation Parcel” and consists of a recreational trail, trailhead, and mountaintop property. The City will then use the proceeds from the sale of the Sunnahae Trail and Recreation Parcel to acquire approximately 10 acres in downtown Craig, known as the “Craig Cannery Property” from the Wards Cove Packing Company. The City plans to use the property to expand its harbor and for commercial development.

The City of Craig is located on Prince of Wales Island in southeastern Alaska. The economy of Prince of Wales Island has suffered in recent years with the loss of jobs in the timber industry. Unemployment in the area has reached seasonal highs of between 19 and 25 percent in the past decade.

Enactment of H.R. 3427 will enable the U.S. Forest Service to acquire a recreational trail and two lots adjacent to their administrative site in Craig and, at the same time, help the City of Craig acquire a valuable industrial site for commercial redevelopment. The entire transaction will be subject to federal appraisal standards, will take place only on a willing-seller basis, and will be subject to the availability of appropriated funds.

It is important to note that the bill does not include language authorizing the Secretary to pay the City of Craig the appraised value of the City’s land. Though this authority has been assumed, suffi-

cient language would likely need to be added in preparation for the House floor.

#### COMMITTEE ACTION

H.R. 3427 was introduced on October 30, 2003, by Congressman Don Young (R-AK). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forest Health. On June 17, 2004, the Subcommittee held a hearing on the bill. On July 14, 2004, the Full Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. Congressman Young offered an amendment to in the nature of a substitute. The amendment added two additional parcels of private land to be conveyed to the Forest Service as requested by the Forest Service. It was adopted by unanimous consent with the understanding the bill may need further amendments in preparation for the House floor. The bill as amended was then 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 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, as ordered reported, is to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes.

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. 3427—Craig Recreation Land Purchase Act*

H.R. 3427 would authorize the appropriation of amounts necessary for the Secretary of Agriculture to purchase roughly 350 acres of land from the city of Craig, Alaska, for inclusion in the Tongass National Forest. The bill also would authorize the Secretary to make an additional payment to the city of up to \$100,000 if proceeds from the sale of its land to the federal government are insufficient to pay for the city's cost to acquire certain other private land. In addition, the bill would authorize the appropriation of \$250,000 for the Forest Service to reconstruct a trail through the acquired land.

Based on information from the Forest Service about the value of municipal and private land involved in the proposed transactions, CBO estimates that implementing H.R. 3427 would cost \$1.1 million in 2005, assuming the availability of appropriated funds. That amount includes a total of \$850,000 in payments to the city of Craig—\$750,000 for the cost of acquiring the city's land and \$100,000 for the additional payment authorized by the bill. Our estimate of spending also includes \$250,000 to reconstruct the Sunnahae Trail.

H.R. 3427 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. The purchase authorized by this bill would be voluntary on the part of the city, as would be any associated expenses.

On May 5, 2004, CBO transmitted a cost estimate for S. 1778, similar legislation, as ordered reported by the Senate Committee on Energy and Natural Resources on April 28, 2004. Our estimates of the cost of acquiring land from the city of Craig and reconstructing the Sunnahae Trail are the same under both bills. Because H.R. 3427 would authorize an additional payment to the city, our estimate of total spending under that bill is \$100,000 more than our estimate of spending under S. 1778.

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.