

EXCHANGE CERTAIN LANDS LOCATED IN HINSDALE,
COLORADO

JULY 8, 1997.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 951]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 951) to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado, 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. 951 is to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 951 requires the Secretary of the Interior to exchange approximately 560 acres of land currently managed by the Bureau of Land Management (BLM) near Hinsdale, Colorado, to Lake City Ranches, Ltd (LCR), a Texas limited partnership. In return, the BLM will receive lands of equal value within the Handies Peak or Red Cloud Peak Wilderness Study Areas or the Alpine Loop Backcountry Bi-way. The exchange must be acceptable to the Secretary of the Interior and is contingent upon LCR granting a permanent conservation easement on approximately 440 of the 560 acres offered for exchange by the BLM. The permanent conservation easement will limit future use of the 440 acres to agricultural, wildlife, recreational, or open space purposes. The inholdings offered for exchange by LCR will consolidate existing BLM lands located within the boundaries of or in proximity to either the

Handies Peak or Red Cloud Wilderness Study Areas or along the Alpine Loop Backcountry Bi-way. Acquiring existing inholdings within areas such as these is a top priority of the BLM. Furthermore, the 560 acres offered for exchange by the BLM to LCR are surrounded by private property, thereby effectively limiting public access and use.

The land exchange is subject to the standard appraisal requirements and to reviews and approvals relating to threatened or endangered species, hazardous materials, and cultural and historic resources. The costs of the appraisals will be paid by LCR. However, the Secretary may credit such payments against the value of the selected land pursuant to applicable law.

This land exchange has wide support and is currently endorsed by environmental groups, such as the Wilderness Society, the Rocky Mountain Chapter of the Sierra Club, and the Colorado Environmental Coalition, as well as local government entities, such as Club 20, an association of 20 counties in Colorado, and the Hinsdale County Board of County Commissioners.

COMMITTEE ACTION

H.R. 951 was introduced on March 5, 1997, by Congressman Scott McInnis (R-CO). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On May 20, 1997, the Subcommittee held a hearing on H.R. 951, where the Administration, represented by W. Hord Tipton, Assistant Director of Mines and Minerals for the Bureau of Land Management, testified in support of H.R. 951. On June 19, 1997, the Subcommittee met to mark up H.R. 951. No amendments to H.R. 951 were offered. The bill was then ordered favorably reported to the Full Committee. On June 25, 1997, the Full Resources Committee met to consider H.R. 951. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X 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 IV, section 3 of the Constitution of the United States grants Congress the authority to enact H.R. 951.

COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 951. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 951 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. Enactment of H.R. 951 could reduce offsetting receipts to the federal government, but these would be negligible, according to the Congressional Budget Office.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 951.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 H.R. 951 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 3, 1997.

Hon. DON YOUNG,
*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. 951, a bill to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado.

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

Sincerely,

PAUL VAN DE WATER
(For June E. O'Neill, Director).

Enclosure.

H.R. 951—A bill to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado

CBO estimates that enacting this bill would have no significant impact on the federal budget. Because H.R. 951 could affect direct spending, pay-as-you-go procedures would apply; however, CBO estimates that any such effects would be negligible. H.R. 951 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on state, local, or tribal governments.

H.R. 951 would require the Secretary of the Interior to convey about 560 acres of federal land to Lake City Ranches, Ltd. (LCR), if LCR conveys to the federal government land of equal value that

is acceptable to the Secretary. The bill would require LCR to cover the costs of any appraisals or other reviews required to complete the exchange, but also provides that the costs of such appraisals and reviews may be credited against the value of the federal land to be acquired by LCR. Because there may be some grazing and right-of-way permits on the federal land to be exchanged, enacting H.R. 951 could have a small effect on offsetting receipts to the government. Based on information from the Bureau of Land Management (BLM), CBO estimates that any such budgetary effects would be negligible.

According to BLM, the provisions of H.R. 951 could be implemented through administrative action except that under current law about 440 acres of the federal land are designed as a wilderness study area (WSA). Enacting this bill would require the Secretary to convey the federal land despite its WSA status, thereby allowing the land exchange to go forward. The bill would make the exchange contingent upon LCR granting to the Secretary a permanent conservation easement on the 440 acres of federal land that currently have WSA status.

The CBO staff contact for this estimate is Victoria V. Heid. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 951 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 951 would make no changes in existing law.

