

## Calendar No. 492

106TH CONGRESS }  
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SENATE

{ REPORT  
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### CASTLE ROCK RANCH ACQUISITION ACT OF 1999

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APRIL 12, 2000.—Ordered to be printed

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

### REPORT

[To accompany S. 1705]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1705) to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE MEASURE

The purpose of S. 1705 is to direct the Secretary of the Interior to acquire approximately 1,240 acres of land, known as the “Castle Rock Ranch” located outside of the City of Rocks National Reserve in Idaho, and to convey the ranch to the State of Idaho in exchange for approximately 500 acres within Hagerman Fossil Beds National Monument. The State of Idaho will convey portions of the ranch to private owners in exchange for inholdings within the Reserve.

#### BACKGROUND AND NEED

City of Rocks National Reserve (the “Reserve”), in the State of Idaho, was established by Public Law 100-696 in November, 1988. Most of the Reserve is under the jurisdiction of the National Park Service, with other lands under the jurisdiction of the State of Idaho, the Forest Service, the Bureau of Land Management, and private landowners. The Reserve is managed cooperatively by the National Park Service and the State of Idaho Department of Parks and Recreation. The Reserve’s unique geologic features are internationally known and contain handwritten names and messages

from early wagon train pioneers who moved through the area on their way west. In more recent times the Reserve has become a mecca for rock climbers.

The 1,240-acre Castle Rock Ranch is located nearby and includes rock formations similar to those found within the Reserve, as well as irrigated pasture land. The ranch has recently been purchased by the Conservation Fund. The State of Idaho is interested in acquiring the property to be used for a State park.

A related issue concerns the State of Idaho's ownership of important fossil beds within nearby Hagerman Fossil Beds National Monument. The State of Idaho would like to divest its ownership of those fossil beds and the National Park Service is interested in acquiring them.

The land acquisition and exchanges authorized in S. 1705 will address land ownership issues involving the National Park Service, the State of Idaho, and private landowners. The bill would authorize the National Park Service to acquire the Castle Rock Ranch. The Park Service would then exchange the Ranch to the State of Idaho in return for the fossil beds at Hagerman Fossil Beds National Monument, thereby consolidating the Park Service's holdings at that park. In addition, the exchange would mandate that the State, having acquired the Castle Rock Ranch for a State Park, would exchange with voluntary inholders their non-irrigated property within the Reserve for irrigated lands on the Ranch.

The measure also addresses an easement on Hagerman Fossil Beds which allows a local irrigation company to provide water for farmers in the area. The measure includes language to ensure that the easement would be allowed to continue.

#### LEGISLATIVE HISTORY

S. 1705 was introduced by Senators Craig and Crapo on October 7, 1999. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 1705 on March 8, 2000.

At its business meeting on April 5, 2000, the Committee on Energy and Natural Resources ordered S. 1705 favorably reported, without amendment.

#### COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on April 5, 2000, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 1705 as described herein.

#### SECTION-BY-SECTION ANALYSIS

*Section 1* designates the bill's short title as the "Castle Rock Ranch Acquisition Act of 1999".

*Section 2* defines the term "Monument" as Hagerman Fossil Beds National Monument; the term "Ranch" as the land comprising approximately 1,240 acres situated outside the boundary of the Reserve, known as the "Castle Rock Ranch"; the term "Reserve" as the City of Rocks National Reserve; and the term "Secretary" as the Secretary of the Interior.

*Section 3(a)* directs the Secretary to acquire the Ranch by donation or by purchase with donated or appropriated funds.

Subsection (b) directs that the Secretary shall acquire the Ranch only with the consent of the owner.

*Section 4(a)(1)* directs the Secretary upon completion of acquisition of the Castle Rock Ranch, to convey the Ranch to the State of Idaho for approximately 492.87 acres of land located within the boundary of Hagerman Fossil Beds National Monument, subject to subsection (b).

Paragraph 2 allows the State of Idaho, upon acquiring the Castle Rock Ranch through the exchange provided for in paragraph 1, to exchange portions of the Ranch for private land located within the Reserve, with the consent of the landowners.

Subsection (b) directs that the State of Idaho shall administer all private land acquired within the Reserve under this measure in accordance with Title II of the Arizona-Idaho Conservation Act of 1988, the enabling legislation for the Reserve.

Subsection (c) directs that state land acquired by the United States within Hagerman Fossil Beds National Monument shall be administered by the Secretary of the Interior as part of the National Monument.

Subsection (d) clarifies that acquisition of the Castle Rock Ranch by a Federal or State agency shall not constitute any expansion of the Reserve.

Subsection (e) provides that this Act will have on effect on any easement in existence on the date of enactment.

#### COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, April 11, 2000.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1705, the Castle Rock Ranch Acquisition Act of 1999.

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

Sincerely,

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

Enclosure.

#### *S. 1705—Castle Rock Ranch Acquisition Act of 1999*

S. 1705 would authorize the National Park Service (NPS) to acquire by donation or purchase the Castle Rock Ranch in Idaho. Once acquired, the ranch would be conveyed to the state of Idaho in exchange for about 490 acres of land located within the boundary of the Hagerman National Monument.

Based on information provided by the NPS, CBO estimates that it would cost less than \$1 million to acquire Castle Rock Ranch. We further estimate that additional costs to execute the exchange of lands with Idaho and to manage the newly acquired acreage would not be significant. S. 1705 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1705 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act and would impose no significant costs on state, local, or tribal governments. Acquiring the Castle Rock Ranch from the federal government and participating in subsequent exchanges with private owners of land within City of Rocks National Reserve would be voluntary on the part of the state of Idaho.

The CBO contact is Deborah Reis. This estimate was approved by Peter H. Fontaine, 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. 1705. 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 program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1705.

#### EXECUTIVE COMMUNICATIONS

The legislative report received by the Committee from the Department of the Interior setting forth Executive agency recommendation relating to S. 1705, is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, DC, March 20, 2000.*

Hon. FRANK MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: This letter presents the Department's views on S. 1705, a bill that directs the Secretary of the Interior to engage in land exchanges relating to Hagerman Fossil Beds National Monument, and the City of rocks National Reserve.

The Department supports this legislation, with amendments that would make S. 1705 consistent with National Park Service policy.

S. 1705 directs the Secretary to acquire approximately 1,420 acres of land, known as the "Castle Rock Ranch," located outside of the City of Rocks National Reserve in Idaho and convey this land to the State of Idaho in exchange for approximately 500 acres within the Hagerman Fossil Beds National Monument. The State would have the authority to convey portions of the Castle Rock Ranch to private owners in exchange for land within the City of Rocks National Reserve.

This legislation tremendously benefits Hagerman Fossil Beds National Monument. This park was established in 1988 to protect the world's richest known fossil deposits from the late Pliocene time period. Most of the fossils discovered within the boundaries of the National Monument are found in an area called the Hagerman Horse Quarry. The Horse Quarry, a national natural landmark, is presently owned by the State of Idaho. S. 1705 transfers this land to the Secretary.

This transaction allows the NPS to fulfill its mandate under the 1988 act that created Hagerman Fossil Beds National Monument. The Horse Quarry's high concentration of paleontological resources from a relatively short geological span makes possible the understanding of geological events, environmental changes, and biodiversity that would be impossible for most fossil areas. By transferring this area to NPS ownership, S. 1705 protects these important resources in a way that was envisioned by Congress when it created Hagerman Fossil Beds National Monument.

S. 1705 also benefits the City of Rocks National Reserve. The City of Rocks National Reserve was established by Congress in 1988 as a unit of the National Park system primarily because of its unique rock formations. Despite its status as a unit of the National Park System, it is managed, in accordance with its enabling legislation, by the State of Idaho. S. 1705 allows the State to exchange portions of the Castle Rock Ranch for private holdings within the City of Rocks National Reserve. While we support increased public ownership of the land within the borders of the City of Rocks National Reserve, we believe the federal government, not the State, should be the owner of this land, because federal taxpayers would effectively be paying for this land. Federal ownership is consistent with the act that made City of Rocks National Reserve a unit of the National Park System. Indeed, without federal ownership of the land within the City of Rocks National Reserve Monument, this unit would be without federal management or ownership, two of the primary characteristics associated with units of the National Park System. The State of Idaho would continue to manage the Reserve under existing arrangements. Informal estimates indicate that the land to be received by the federal government would be approximately equal in value to the land it would convey to the State.

The Department suggests that the bill be amended to allow the Secretary to convey portions of the Castle Rock Ranch in exchange for inholdings within the City of Rocks National Reserve and to the State in exchange for the Hagerman Horse Quarry. Attached is language to amend section 4 to clarify the intent of the section.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

DON BARRY,  
*Assistant Secretary for Fish  
and Wildlife and Parks.*

*Department of the Interior's proposed amendment to S. 1705, section 4*

**SEC. 4. LAND EXCHANGE.**

(a) **HAGERMAN FOSSIL BEDS.**—

(1) **FEDERAL AND STATE EXCHANGE.**—Subject to subsection (b), on completion of the acquisition under section 3(a), the Secretary shall convey the Ranch, or portions thereof, to the State of Idaho in exchange for up to approximately 500 acres of land near Hagerman, Idaho, located within the boundary of the Monument.

(2) **ADMINISTRATION.**—State land acquired by the United States in the land exchange under subsection (a)(1) shall be administered by the Secretary as part of the Monument.

(b) **CITY OF ROCKS NATIONAL RESERVE.**—

(1) **SECRETARY AND PRIVATE LANDOWNER EXCHANGE.**—The Secretary may exchange the remaining portions of the Ranch not used for an exchange under subsection (a)(1) to acquire private land within the boundaries of the Reserve, with the consent of the owners of the private land.

(2) **CONDITION OF EXCHANGE.**—As a condition of the land exchange under subsection (b)(1), the State of Idaho shall administer all private land acquired by the federal government within the Reserve through an exchange under this Act in accordance with title II of the Arizona-Idaho Conservation Act of 1988 (16 U.S.C. 460yy et seq.).

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 bill S. 1705 as ordered reported.