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HOUSE OF REPRESENTATIVES
REPORT
104–307

MODOC NATIONAL FOREST BOUNDARY ADJUSTMENT ACT

NOVEMBER 6, 1995.—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. 1585]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1585) to expand the boundary of the Modoc National Forest to include lands presently owned by the Bank of California, N.A. Trustee, to facilitate a land exchange with the Forest Service, and for other purposes, 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. 1585 is to expand the boundary of the Modoc National Forest to include lands presently owned by the Bank of California, N.A. Trustee, to facilitate a land exchange with the Forest Service.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1585 would expand the boundary of the Modoc National Forest to include lands presently owned by the Bank of California, N.A., Trustee, and to facilitate a land exchange with the Forest Service.

The Ash Creek Exchange was entered into by the Bank of California, N.A., Trustee, and the Forest Service to consolidate their respective holdings in parts of the Lassen, Modoc and Plumas National Forests. Because certain private lands subject to the exchange were outside but contiguous to the boundary of the Modoc National Forest, the exchange was structured in two phases. The first phase was completed in June of 1993.

In phase 1 of the transaction, 11,044 acres of private land were exchanged for 3,757 acres of Forest Service land. Phase 2 of the transaction, which is the subject of this legislation, would transfer approximately 11,804 acres of private land to the Forest Service and approximately 4,240 acres of Forest Service land to private ownership. The remaining 760 acres of private land is located outside, but contiguous to, the proclamation boundary of the Modoc National Forest. The proposed boundary adjustment will provide for these lands to be acquired by the Forest Service.

COMMITTEE ACTION

Congressman Wally Herger introduced H.R. 1585 on May 9, 1995. The bill was referred to the Committee on Resources, and within the Committee, to the Subcommittee on National Parks, Forests and Lands. The Subcommittee held a hearing on various land exchange bills, including H.R. 1585, on July 20, 1995.

Consideration and mark-up of H.R. 1585 was held on October 17, 1995, in the Subcommittee. The bill was ordered favorably reported to the Full Committee by voice vote. Full Committee consideration and mark-up was held on H.R. 1585 on October 25, 1995. The bill was ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the "Modoc National Forest Boundary Adjustment Act."

Section 2. Findings

This section contains the findings for the bill.

Section 3. Boundary adjustment

Under subsection (a), the boundary of the Modoc National Forest is modified to include and encompass 760 acres, as described. Subsection (b) clarifies that for the purposes of section 7 of the Land and Water Conservation Fund Act of 1965, the boundary of the Modoc National Forest is adjusted and shall be considered the boundary of the Modoc National Forest as of January 1, 1965.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(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.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 1585 will have no significant inflationary impact on prices and costs in the operation of the national economy.

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. 1585. 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(l)(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. 1585 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(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. 1585.

3. With respect to the requirement of clause 2(l)(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. 1585 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 3, 1995.

Hon. DON YOUNG,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 1585, the Modoc National Forest Boundary Adjustment Act, as ordered reported by the House Committee on Resources on October 25, 1995. Enacting H.R. 1585 would affect direct spending by less than $500,000 annually. Therefore, pay-as-you-go procedures would apply to the bill.

The bill would expand the boundary of the Modoc National Forest to include another 760 acres. The boundary expansion would facilitate a land exchange between the Forest Service and the Bank of California, N.A. The planned land exchange would transfer about 11,800 acres of private land to the Forest Service in return for the transfer of about 4,240 acres of Forest Service land to private ownership. Although most of the land can be exchanged under the current authority of the Secretary of Agriculture, another 760 acres of private land in the planned exchange lies outside but adjacent to the boundary of the Modoc National Forest and could not be incorporated into the Modoc National Forest without this legislation.

Based on information from the Forest Service, we estimate no significant effect on offsetting receipts from timber harvesting or grazing as a result of this land exchange. The Forest Service does expect a small savings in management costs as a result of clearer ownership patterns at the boundary of the forest, but these savings are expected to be insignificant.

Enacting H.R. 1585 also would not significantly affect the budgets of state or local governments. H.R. 1585 could affect payments in lieu of taxes (PILT), which are based in part on the amount of federally owned acreage within a county, but we do not expect any significant changes to PILT as a result of enacting the bill.

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

Sincerely,

JUNE E. O'NEILL, *Director.*

CHANGES IN EXISTING LAW

If enacted, H.R. 1585 would make no changes in existing law.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 1585.

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