

EXCHANGES OF LAND EXCESS TO CASCADE RESERVOIR
RECLAMATION PROJECT

SEPTEMBER 20, 2000.—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

R E P O R T

[To accompany S. 1778]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1778) to provide for equal exchanges of land around the Cascade Reservoir, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1778 is to provide for equal exchanges of land around the Cascade Reservoir.

BACKGROUND AND NEED FOR LEGISLATION

Public Law 86-92, approved July 17, 1959, prohibits the Bureau of Reclamation (BOR) from exchanging land within 300 feet of the Cascade Reservoir in Idaho. While private property does not exist within 300 feet of the Reservoir, several agricultural easements were reserved by landowners within that zone at the time BOR acquired lands for the Reservoir. To ensure that ranching activities do not conflict with BOR's management of the Reservoir, S. 1778 authorizes the BOR to enter into land exchanges with these operators for their rights at, or near, the water's edge. S. 1778 provides the BOR with the legal authority necessary for more efficient management and better environmental protection of the Reservoir.

For additional information, see Senate Report 106-271.

COMMITTEE ACTION

S. 1778 was introduced on October 25, 1999, by Senator Larry Craig (R-ID). On April 13, 2000, the Senate passed S. 1778 with an amendment by unanimous consent. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On July 27, 2000, the Subcommittee held a hearing on the bill. On September 13, 2000, the Full Resources Committee met to consider the bill. The Subcommittee on Water and Power was discharged from further consideration of the measure by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Exchanges of land excess to Cascade Reservoir reclamation project

This section amends section 5 of Public Law 86–92 (73 Stat. 219), an act to add certain lands located in Idaho to the Boise and Payette National Forest, to authorize the Secretary of the Interior to enter into equal value land exchanges around the Cascade Reservoir in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. The bill authorizes cash payments to equalize the values of lands to be exchanged, if necessary.

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 tax expenditures. According to the Congressional Budget Office, enactment of this bill could affect direct spending and receipts by authorizing the payment and

acceptance of cash equalization payments for land exchanges. However, any impact on the federal budget would be “insignificant”.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII 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 on this bill.

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 18, 2000.

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 S. 1778, an act to provide for equal exchanges of land around the Cascade Reservoir.

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

Sincerely,

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

Enclosure.

S. 1778—An act to provide for equal exchanges of land around the Cascade Reservoir

CBO estimates that enacting S. 1778 would have no significant impact on the federal budget. The act could affect direct spending; thus, pay-as-you-go procedures would apply, but CBO expects any such impact to be insignificant over the 2000–2005 period. S. 1778 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant effect on the budgets of state, local, or tribal governments.

S. 1778 would amend current law to allow the Secretary of the Interior to negotiate exchanges of land of approximately equal value around the Cascade Reservoir in Idaho. According to the Bureau of Reclamation, the lands that would be exchanged under the act have already been identified to be in excess of the needs of the reservoir. Those lands do not currently generate any significant receipts, and the agency does not expect them to generate any significant receipts over the next 10 years. If lands exchanged under S. 1778 are not of equal value, the legislation would require either the federal government or the grantor to make a cash payment equal to the difference. Based on information from the Bureau of Reclamation, CBO estimates that any such payments would be insignificant.

On April 12, 2000, CBO transmitted a cost estimate for S. 1778 as ordered reported by the Senate Committee on Energy and Nat-

ural Resources on April 5, 2000. The two versions of the legislation are similar and our estimates of their costs are the same.

The CBO staff contact is Rachel Applebaum. 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 MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 5 OF THE ACT OF JULY 17, 1959

AN ACT To add certain lands located in Idaho to the Boise and Payette National Forests.

SEC. 5. (a) * * *

[(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within three hundred feet of the shoreline established by the normal water surface elevation of four thousand eight hundred and twenty eight feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.]

(b) *LAND EXCHANGES.*—

(1) *IN GENERAL.*—*The Secretary may exchange land of either class described in subsection (a) for non-Federal land of not less than approximately equal value, as determined by an appraisal carried out in accordance with—*

(A) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(B) the publication entitled “Uniform Appraisal Standards for Federal Land Acquisitions”, as amended by the Interagency Land Acquisition Conference in consultation with the Department of Justice.

(2) *EQUALIZATION.*—*If the land exchanged under paragraph (1) is not of equal value, the values shall be equalized by the payment of funds by the Secretary or the grantor, as appropriate, in an amount equal to the amount by which the values of the land differ.*

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