

CONSTRUCTION OF BRIDGE ADJACENT TO FOLSOM DAM,
CALIFORNIA

SEPTEMBER 11, 2002.—Ordered to be printed

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

R E P O R T

[To accompany H.R. 2301]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2301) to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California, 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. CONSTRUCTION OF BRIDGE ADJACENT TO FOLSOM DAM, CALIFORNIA.

(a) **IN GENERAL.**—The Secretary of the Interior may carry out a project to design and construct a bridge on Federal land west of and adjacent to Folsom Dam in California. In carrying out the project, the Secretary may also construct necessary linkages from the bridge to existing roadways and provide for reestablishment of administrative facilities located at the Dam that will be affected by construction of the bridge.

(b) **DESIGN AND CONSTRUCTION.**—In designing and constructing the bridge, the Secretary shall—

(1) maximize the economy, safety, and security of Folsom Dam's future operation, maintenance, and construction activities; and

(2) provide appropriate sizing and linkages to support present and future traffic flow requirements for the city of Folsom.

(c) **TRANSFER TO CITY OF FOLSOM.**—Before initiation of construction of the bridge, the Secretary shall enter into an agreement with the city of Folsom to provide that, upon completion of construction of the bridge—

(1) the Secretary shall transfer to the city of Folsom all right, title, and interest of the United States to the bridge and connecting structures;

(2) the Secretary shall transfer to the city of Folsom necessary easements to provide access to the bridge; and

(3) the city of Folsom shall assume full responsibility for operation and maintenance of the bridge and connecting structures in perpetuity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of \$66,500,000 for fiscal years beginning after September 30, 2001.

PURPOSE OF THE BILL

The purpose of H.R. 2301 is to authorize the Secretary of the Interior to construct a bridge on federal land west of and adjacent to Folsom Dam in California, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Flood Control Act of 1944 authorized construction of Folsom Dam as proposed by the State of California Water Plan (as a 355,000 acre-feet flood control facility). The final authorization came in the American River Basin Development Act of October 14, 1949 (Public Law 81–356). The 1949 Act created the Folsom and Sly Park Units of the Central Valley Project and provided for the enlargement of Folsom Reservoir to 1,000,000 acre-feet as a multi-purpose facility with a 162,000 kilowatt powerplant. That Act also authorized construction of Nimbus Dam and Lake Natoma as a regulating reservoir for the Folsom powerplant. Folsom Dam consists of a concrete main section flanked by two earthfill wing dams.

Folsom Dam was built by the U.S. Army Corps of Engineers; however, the Bureau of Reclamation manages and operates the dam. Folsom Dam is one of the few dams that has a two-lane public roadway which crosses the top of the concrete and earthfill structure. Due to the public roadway over the dam, and the security risk of having the roadway with unrestricted traffic, the Bureau of Reclamation has imposed traffic restrictions at the facility to prohibit trailers, buses, pickups with bed-mounted storage units, motor homes and campers from using the two-lane road. Passenger vehicles, including sport utility vehicles, are permitted, as are boats towed by passenger vehicles and pickups. The Bureau has also completed several security assessments at the dam and has documented the risks associated with open public access across it.

During an April 10, 2002, hearing on H.R. 2301, witnesses testified that, “the failure of the Folsom Dam would put at risk approximately 300,000 residents, 5,000 businesses and \$25 billion in property, including major highways, schools, our State Capitol and a multitude of other public institutions.”

H.R. 2301 authorizes the Secretary of the Interior to design and construct a bridge and connecting approach roads approximately 1,000 feet downstream of Folsom Dam to support present and future traffic flow requirements for the City of Folsom. Before initiating construction of the roadway, the Secretary shall enter into an agreement with the City of Folsom to transfer the rights, title and interests in the bridge and connecting structures to the City. The Secretary is also required to transfer all necessary easements to provide access to the bridge. The City of Folsom shall assume full responsibility for the operation and maintenance of the bridge and connecting structures in perpetuity. As ordered reported from the Committee on Resources, the bill authorizes \$66,500,000 for the design and construction of the bridge, approach roads and structures, and for the relocation of administrative facilities that would be affected by the bridge construction.

COMMITTEE ACTION

H.R. 2301 was introduced on June 25, 2001, by Congressman John T. Doolittle (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On April 10, 2002, the Subcommittee held a hearing on the bill. On May 15, 2002, the Subcommittee met to mark up the bill. Congressman Calvert offered an amendment to change the authorized amount from \$85,000,000 to \$66,500,000. It was adopted by voice vote. No further amendments were offered and the bill, as amended, was then ordered favorably reported to the Full Committee. On July 24, 2002, the Full Resources Committee met to consider the bill. No further amendments were offered, and the bill as amended and ordered reported to the House of Representatives by a roll call vote of 16 to 14, as follows:

COMMITTEE ON RESOURCES

U.S. House of Representatives

107th CongressDate: July 24, 2002Convened: 10:20 a.m.Adjourned: 11:26 p.m.Meeting on: On ordering H.R. 2301 favorably reported to the House, as amended. Attendance Voice Vote Roll Call VoteTotal Yeas 16 Nays 14

	YEA	NAY	PRESENT		YEA	NAY	PRESENT
Mr. Hansen, UT, Chairman	✓			Mr. Jones, NC			
<i>Mr. Rahall, WV</i>		✓		<i>Mr. Kind, WI</i>		✓	
Mr. Young, AK				Mr. Thornberry, TX			
<i>Mr. Miller, CA</i>		✓		<i>Mr. Inslee, WA</i>		✓	
Mr. Tauzin, LA				Mr. Cannon, UT	✓		
<i>Mr. Markey, MA</i>				<i>Mrs. Napolitano, CA</i>		✓	
Mr. Saxton, NJ				Mr. Peterson, PA			
<i>Mr. Kildee, MI</i>				<i>Mr. Tom Udall, NM</i>		✓	
Mr. Gallegly, CA	✓			Mr. Schaffer, CO			
<i>Mr. DeFazio, OR</i>		✓		<i>Mr. Mark Udall, CO</i>		✓	
Mr. Duncan, TN				Mr. Gibbons, NV	✓		
<i>Mr. Faleomavaega, AS</i>				<i>Mr. Holt, NJ</i>			
Mr. Hefley, CO				Mr. Souder, IN	✓		
<i>Mr. Abercrombie, HI</i>	✓			<i>Mr. Acevedo-Vilá, PR</i>		✓	
Mr. Gilchrest, MD				Mr. Walden, OR	✓		
<i>Mr. Ortiz, TX</i>				<i>Ms. Solis, CA</i>		✓	
Mr. Calvert, CA	✓			Mr. Simpson, ID			
<i>Mr. Pallone, NJ</i>				<i>Mr. Carson, OK</i>			
Mr. McInnis, CO				Mr. Tancredo, CO	✓		
<i>Mr. Dooley, CA</i>		✓		<i>Ms. McCollum, MN</i>		✓	
Mr. Pombo, CA	✓			Mr. Hayworth, AZ	✓		
<i>Mr. Underwood, GU</i>				<i>Mr. Holden, PA</i>		✓	
Mrs. Cubin, WY	✓			Mr. Otter, ID	✓		
<i>Mr. Smith, WA</i>				Mr. Osborne, NE	✓		
Mr. Radanovich, CA	✓			Mr. Flake, AZ			
<i>Ms. Christensen, VI</i>		✓		Mr. Rehberg, MT	✓		
				Total	16	14	

SECTION-BY-SECTION

Section 1. Construction of bridge adjacent to Folsom Dam, California

This section authorizes the Secretary of the Interior to carry out a project to design and construct a bridge on federal land west of and adjacent to Folsom Dam in California. Reestablishment of administrative facilities impacted by the change in bridge location will also be accomplished. Upon completion of construction the Secretary shall transfer all right, title, and interest to the bridge and connecting structures to the City of Folsom. The City shall be responsible for all operation and maintenance of the bridge and connecting structures in perpetuity.

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 is to authorize the Secretary of the Interior to construct a bridge on federal land west of and adjacent to Folsom Dam in California, 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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 5, 2002.

Hon. JAMES V. HANSEN,
*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. 2301, a bill to authorize the Secretary of the Interior to construct a bridge on federal land west of and adjacent to Folsom Dam in California, and for other purposes.

If you wish further details on this estimates, we will be pleased to provide them. The CBO staff contact is Julie Middleton.

Sincerely,

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

Enclosure.

H.R. 2301—A bill to authorize the Secretary of the Interior to construct a bridge on federal land west of and adjacent to Folsom Dam in California, and for other purposes

Summary: H.R. 2301 would authorize the Secretary of the Interior through the Bureau of Reclamation to design and build a bridge on federal land near the Folsom Dam in California. In addition, the bill would authorize the Secretary to transfer title to the bridge, the connecting structures and the associated easements to the city of Folsom. Following the transfer, the city of Folsom would be responsible for the operation and maintenance of the bridge and connecting structures.

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 2301 would cost \$52 million over the 2003–2007 period, and an additional \$15 million after that period. Enacting H.R. 2301 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 2301 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated costs to the Federal Government: The estimated budgetary impact of H.R. 2301 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2003	2004	2005	2006	2007
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	13	13	14	14	13
Estimated Outlays	4	8	13	14	13

Basis of estimate: For this estimate, CBO assumes that H.R. 2301 will be enacted near the start of fiscal year 2003 and the necessary funds will be appropriated for each year. CBO estimates that implementing H.R. 2301 would cost approximately \$52 million over the 2003–2007 period and an additional \$15 million after that period.

The bill would authorize the appropriation of \$67 million to design and construct a new bridge adjacent to the Folsom Dam, including all approach roads and structures, and to relocate administrative facilities that would be affected by the bridge construction. Based on information from the Bureau of Reclamation, CBO expects that it will take approximately five years to complete the design and construction of this project and that funds could be appropriated in roughly equal installments over that period.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 2301 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Enacting this legislation would benefit the state of California and local governments in the vicinity of the new bridge. These governments might incur some costs to meet conditions imposed by this bill, but those costs would be voluntary.

Estimate prepared by: Federal costs: Julie Middleton; Impact on State, Local, and Tribal Governments: Marjorie Miller; and Impact on the Private Sector: Lauren Marks.

Estimate 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.