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SENATE

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CITY OF GREEN RIVER LAND CONVEYANCE ACT

JULY 31, 2006.—Ordered to be printed

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

R E P O R T

[To accompany S. 2373]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2373) to provide for the sale of approximately 132 acres of public land to the City of Green River, Wyoming, at fair market value, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, line 17, strike “, within 180 days after the date of the offer,”.
2. On page 3, between lines 14 and 15, insert the following:
“(f) PLAN.—The conveyance of the public land under subsection (a) shall not require an amendment to the Green River Resource Management Plan.”.

PURPOSE OF THE MEASURE

The purpose of S. 2373 is to provide for the sale of approximately 132 acres of public lands to the city of Green River, Wyoming, for an alternate transportation route parallel to Interstate 80 and for community growth.

BACKGROUND AND NEED

S. 2373 would direct the Secretary of the Interior to convey 132 acres of public lands to the city of Green River, Wyoming, at fair market value. The lands are needed to build an alternative travel route for emergency vehicles between Rock Springs and Green River that can be used when Interstate 80 is closed due to weather or mishaps. Although the cities are only 14 miles apart, there is

currently no other road between the two communities except I-80. The hospital in Rock Springs serves both communities.

In addition, lands are needed to provide the city with room in which to grow. Currently the city is unable to expand due to topography and the fact that almost all of the developable surrounding land is owned by the Bureau of Land Management. The city is experiencing a housing shortage due to the energy boom in Wyoming.

LEGISLATIVE HISTORY

S. 2373 was introduced on March 6, 2006, by Senators Thomas and Enzi. The Subcommittee on Public Lands and Forests held a hearing on S. 2373 on March 29, 2006. At the business meeting on May 24, 2006, the Committee on Energy and Natural Resources ordered S. 2373 favorably reported, with amendments.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on May 24, 2006, by a unanimous voice vote of a quorum present recommends that the Senate pass S. 2373, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 2373, the Committee adopted two amendments. Amendment No. 1 removes a time requirement to complete the conveyance. Amendment No. 2 states that the conveyance of land under this Act shall not require an amendment to the existing resource management plan.

SECTION-BY-SECTION ANALYSIS

Section 1 and 2 provides a short title and defines key terms used in the bill.

Section 3 authorizes the Secretary of the Interior to convey approximately 132 acres of public land administered by the Bureau of Land Management to the city of Green River, Wyoming at fair market value of the land.

Subsection (b) requires the land to be appraised within 60 days of the enactment of the bill.

Subsection (c) requires the city to pay the Secretary the appraised value of the land no later than 30 days of the conveyance.

Subsection (d) directs the Secretary to deposit the proceeds of the conveyance of the sale in the Federal Land Disposal Account.

Subsection (e) requires the city to pay any costs associated with the conveyance.

Subsection (f) states that the conveyance of land under this Act shall not require an amendment to the Green River Resource Management Plan.

Section 4 withdraws the land from various mining and mineral leasing laws, subject to valid existing rights.

COST AND BUDGETARY CONSIDERATIONS

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

S. 2373—City of Green River Land Conveyance Act

S. 2373 would provide for the sale of certain federal property in Wyoming. CBO estimates that enacting S. 2373 would have no net effect on the federal budget and no effect on revenues. We estimate that enacting the bill would slightly increase offsetting receipts in 2007, but that increase would be offset by additional direct spending over the next five years.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. The transaction would be voluntary on the part of the city, as would any costs it would incur to comply with the conditions included in the bill.

S. 2373 would authorize the Secretary of the Interior to sell about 132 acres of land administered by the Bureau of Land Management (BLM) to the city of Green River, Wyoming. Under the bill, proceeds from the sale would be deposited into the federal land disposal account and would be available without further appropriation to acquire land within the state. Based on information provided by BLM, CBO estimates that selling the Wyoming acreage would increase federal offsetting receipts by about \$250,000 in fiscal year 2007. We estimate that the agency would spend this amount over the next five years to acquire other property within Wyoming.

The CBO staff contact for this estimate is Deborah Reis. The 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. 2373. 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. 2373.

EXECUTIVE COMMUNICATIONS

The views of the Administration were included in testimony provided by the Department of the Interior at the Subcommittee hearing as follows:

STATEMENT OF LAWRENCE E. BENNA, DEPUTY DIRECTOR,
BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE
INTERIOR

Mr. Chairman, thank you for the opportunity to testify. The Bureau of Land Management (BLM) manages 261.8 million acres of surface land primarily in 12 western states. As the Nation's largest Federal land manager, the BLM administers the public lands for a wide range of multiple uses including energy production, outdoor recreation,

livestock grazing, and by conserving natural, historical, cultural, and other resources. The Federal Land Policy and Management Act (FLPMA) directs the BLM to make decisions about the appropriate use of the public lands through the development of resource management plans using a collaborative public process.

FLPMA allows the BLM to convey lands out of public ownership if, for example, they have been identified for disposal through the BLM land use planning process in order to serve important public objectives, such as community expansion and economic development. In partnering with local communities across the West, we understand their needs and are supportive of efforts that ensure a balanced approach to local land use management. As a matter of both policy and practice, the BLM generally requires receipt of fair market value for any public lands transferred out of public ownership. This serves to ensure that taxpayers are fairly compensated for the removal of public lands from Federal ownership while also supporting local communities.

The various BLM-related bills before the Subcommittee today cover a wide range of Federal land issues, but at their core all are intended to support the needs of local communities.

S. 2373, the City of Green River Land Conveyance Act, directs the BLM to sell at appraised fair market value approximately 132 acres of public land to the City of Green River, Wyoming. The land would be used for development along Interstate-80 east of Green River. The Department of the Interior supports this proposal, but would like to work with the sponsors of the bill and the Committee on certain technical changes.

Green River, Wyoming, is a growing community located west of Rock Springs along the Green River in southwest Wyoming. The 132 acre parcel proposed for conveyance straddles Interstate-80 and could be appropriate for community expansion. We understand this is the intention of the City of Green River. These lands have not been identified for disposal in the BLM land use planning process. The land is currently authorized for grazing, and sufficient access and acreage for grazing would remain available if the lands were conveyed. There are no mineral leases or mining claims on the parcel.

S. 2373 requires the Secretary to convey all right, title, and interest to the land within 180 days after the City submits an offer to acquire the land. The proceeds from the sale of the lands are to be deposited in the Federal Land Disposal Account established under the Federal Land Transaction Facilitation Act, Public Law 106-248, to be expended in accordance with that Act.

We would like an opportunity to work with the Committee and the sponsors of the bill on certain technical changes, including the timeframes established in section 3(a) of the bill in order to ensure sufficient time for completion of a land use plan amendment in accordance with

section 202 of the Federal Land Policy and Management Act and completion of the necessary environmental reviews and clearances.

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 the bill S. 2373, as ordered reported.

