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SENATE

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LAKE HILL ADMINISTRATIVE SITE AFFORDABLE HOUSING

MAY 22, 2014.—Ordered to be printed

Ms. LANDRIEU, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 2337]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2337) to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE

The purpose of H.R. 2337 is to provide for the conveyance of the Forest Service Lake Hill Administrative Site to Summit County, Colorado.

BACKGROUND AND NEED

According to the Forest Service, the Lake Hill administrative site in Summit County, Colorado, has lost its national forest character as it is severed from the remaining White Hill National Forest. Interstate 70 runs parallel on the northwest side and the community of Frisco borders the Southwestern boundary. Furthermore, a community water storage reservoir and utility corridors also occupy National Forest system lands on, or adjacent to, the parcel.

Summit County, Colorado, would like to acquire the Lake Hill parcel to develop affordable local housing for municipal, school, hospital, and emergency services employees.

Although the Forest Service has authority to dispose of isolated, undeveloped parcels which are used specifically for Forest Service administrative uses under the Forest Service Facility Realignment and Enhancement Act of 2005, there is uncertainty whether the

Lake Hill parcel meets the technical requirements of that law. H.R. 2337 simply clarifies that the Lake Hill parcel shall be conveyed under the authority of that Act.

LEGISLATIVE HISTORY

H.R. 2337, sponsored by Representative Polis, passed the House of Representatives on a voice vote on October 29, 2013. A Senate companion measure, S. 1305, was introduced by Senators Udall of Colorado and Bennett on July 16, 2013. The Subcommittee on Public Lands, Forests and Mining held a hearing on S. 1305 on November 20, 2013. At its business meeting on December 19, 2013, the bill was ordered favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on December 19, 2013, by a voice vote of a quorum present, recommends that the Senate pass H.R. 2337.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the “Lake Hill Administrative Site Affordable Housing Act.”

Section 2 defines key terms used in the bill.

Section 3(a) directs the Secretary of Agriculture, after receiving an offer from Summit County, Colorado, to use the authority provided by the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note) to convey to the county all right, title, and interest of the United States in and to the Forest Service Lake Hill administrative site, which totals approximately 40 acres. That Act authorizes conveyance to be made by sale, lease, exchange, or any other means as the Secretary of Agriculture considers appropriate.

Subsection (b) states that the Lake Hill Administrative Site is considered to be an administrative site under section 502(1)(A) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note), except that paragraph (1)(C) of that section does not apply. Paragraph (1)(C) limits the conveyances under that Act to not more than 10 isolated, undeveloped parcels per fiscal year that were used for purposes of Forest Service administrative activities. Although the property authorized for conveyance by H.R. 2337 was used for administrative activities, it was not formally classified for that use. Accordingly, this subsection simply clarifies that the Lake Hill parcel is appropriate for conveyance under the Forest Service Facility Realignment and Enhancement Act regardless of its technical classification status.

Subsection (c) requires the County to be responsible for processing and transaction costs related to the direct sale under subsection (a).

Subsection (d) provides that any proceeds received from the conveyance under subsection (a) shall be available, without further appropriation, for capital improvement and maintenance of Forest Service facilities in Region 2 of the Forest Service.

COST AND BUDGETARY CONSIDERATIONS

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

H.R. 2337—Lake Hill Administrative Site Affordable Housing Act

H.R. 2337 would require the Secretary of Agriculture to sell 40 acres of Forest Service land near Frisco, Colorado. Based on information provided by the agency, CBO estimates that enacting the legislation would increase offsetting receipts and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that those changes would have no significant net impact on future budget deficits. Enacting H.R. 2337 would not affect revenues.

The act would require the Secretary to sell the affected lands to Summit County, Colorado, for fair market value. Based on information provided by the Forest Service, CBO estimates that proceeds from the sale of those lands would increase offsetting receipts by about \$5 million. Under the act, the agency would be authorized to retain and spend those proceeds, without further appropriation, for capital improvement and maintenance of Forest Service facilities. CBO expects that the agency would complete the sale and spend the proceeds within five years, and we estimate that enacting the legislation would have no net impact on the federal budget over that period. In addition, the act would require the county to pay for any administrative costs associated with the sale.

H.R. 2337 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On July 31, 2013, CBO transmitted a cost estimate for H.R. 2337 as ordered reported by the House Committee on Natural Resources on July 24, 2013. The two versions of the legislation are similar and the CBO cost estimates are the same.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, 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 H.R. 2337.

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 H.R. 2337, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

H.R. 2337, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Forest Service at the November 20, 2013, Subcommittee on Public Lands, Forests and Mining hearing on S. 1305, the companion measure to H.R. 2337 follows:

STATEMENT OF LESLIE WELDON, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Chairman Manchin, Ranking Member Barrasso and members of the Subcommittee, thank you for the opportunity to appear before you today to provide the Department of Agriculture's views on S. 1305, "A Bill to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado."

The Department supports S. 1305.

S. 1305 would provide that the approximately 40 acre Lake Hill site on the White River National Forest is considered to be an administrative site under the Forest Service Facility Realignment and Enhancement Act (FSFREA) of 2005 (Public Law 109-54; 16 U.S.C. 580d) and conveyed to Summit County, Colorado under that Act. The Lake Hill parcel is undeveloped land that would be used by the County primarily for providing affordable local housing for municipal, school, hospital and emergency services employees. As a condition of the conveyance, the County would pay for all administrative costs associated with the conveyance and the proceeds of the conveyance will be made available for capital improvement and maintenance of Forest Service facilities.

The Department supports the conveyance of the Lake Hill administrative site to Summit County Colorado. The Lake Hill site has lost its National Forest character. It is severed from the remaining White River National Forest. Interstate Highway 70 runs parallel on the Northwest side of the parcel, Dillon Reservoir and the Dam Road border the Southeast side and the community of Frisco borders the Southwestern boundary. A community water storage reservoir and utility corridors also occupy NFS lands on, or adjacent to, the parcel.

The conveyance will benefit both Summit County and the Forest Service. Summit County has identified the need to provide workforce housing in the area. The conveyance of the Lake Hill Administrative Site will provide space for this important county project. The Forest Service benefits by the opportunity to use funds generated by the legislation to improve the condition of Forest Service facilities within the Region.

In summary, we support S. 1305 and would be glad to answer any questions.

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 H.R. 2337 as ordered reported.

