

## HYDE PARK LAND CONVEYANCE ACT

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JANUARY 25, 2018.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

### R E P O R T

together with

### DISSENTING VIEWS

[To accompany H.R. 4264]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4264) to direct the Secretary of the Interior to convey certain Bureau of Land Management land in Cache County, Utah, to the City of Hyde Park for public 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. 4264 is to direct the Secretary of the Interior to convey certain Bureau of Land Management land in Cache County, Utah, to the City of Hyde Park for public purposes.

#### BACKGROUND AND NEED FOR LEGISLATION

The Bureau of Land Management (BLM) manages an approximately 80-acre parcel just outside the city limits of Hyde Park, in Cache County, Utah. The tract of land is isolated (surrounded entirely by private land) and does not have any mining or oil and gas leases. In 1985, BLM published an isolated tract planning decision

document which concluded that the parcel was suitable for disposal.<sup>1</sup> The BLM's rationale for disposal stated:

Due to its location, size and lack of access, this parcel is difficult and uneconomic to manage as part of the public lands, and is not suitable for management by another federal department or agency. There has been no interest by a public entity for management, and the resource values will not significantly change in non-federal ownership.

Although BLM found in 1985 that there was no interest in a public entity acquiring the parcel, the City of Hyde Park has interest in the property today. The Mayor and City Council of Hyde Park have requested that the parcel be conveyed to the City to be used for public purposes, specifically a new culinary water tank and as a trail head for the future extension of the Bonneville Shoreline Trail.

If requested by the City of Hyde Park, H.R. 4264 directs the Secretary of the Interior to convey the parcel to Hyde Park, subject to valid existing rights. The City will pay all costs of the conveyance.

#### COMMITTEE ACTION

H.R. 4264 was introduced on November 7, 2017, by Congressman Rob Bishop (R-UT). The bill was referred to the Committee on Natural Resources. On December 12, 2017, the Natural Resources Committee met to consider the bill. Congressman Raúl M. Grijalva (D-AZ) offered an amendment designated 009; it was not adopted by voice vote. No additional amendments were offered, and the bill was ordered favorably reported to the House of Representatives by a bipartisan roll call vote of 23 ayes to 12 noes on December 13, 2017, as follows:

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<sup>1</sup>Bureau of Land Management. 1985. "Decision Document for the Isolated Tract Planning Analysis Bear River Resource Area and Pony Express Resource Area." [https://eplanning.blm.gov/epl-front-office/projects/lup/71243/94759/114415/Isolated\\_Tract\\_Planning\\_Analysis\\_&\\_DR\\_\[1985\].pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/71243/94759/114415/Isolated_Tract_Planning_Analysis_&_DR_[1985].pdf)

## Committee on Natural Resources

U.S. House of Representatives

115th Congress

Date: 12-13-17

Recorded Vote #: 11

Meeting on / Amendment on: **FC Mark Up on Favorably Reporting H.R. 4264**, To direct the Secretary of the Interior to convey certain Bureau of Land Management land in Cache County, Utah, to the City of Hyde Park for public purposes. "Hyde Park Land Conveyance Act"

MEMBERS	Yes	No	Pres	MEMBERS	Yes	No	Pres
<b>Mr. Bishop, UT, Chairman</b>	X			<b>Mr. Cook, CA</b>	X		
<i>Mr. Grijalva, AZ, Ranking Member</i>		X		<i>Mr. Soto, FL</i>	X		
<b>Mr. Young, AK, Chairman Emeritus</b>	X			<b>Mr. Westerman, AR</b>	X		
<i>Mrs. Napolitano, CA</i>		X		<i>Mr. McEachin, VA</i>		X	
<b>Mr. Gohmert, TX, Vice Chairman</b>				<b>Mr. Graves, LA</b>	X		
<i>Ms. Bordallo, Guam</i>		X		<i>Mr. Brown, MD</i>		X	
<b>Mr. Lamborn, CO</b>	X			<b>Mr. Hice, GA</b>	X		
<i>Mr. Costa, CA</i>	X			<i>Mr. Clay, MO</i>			
<b>Mr. Wittman, VA</b>	X			<b>Mrs. Radewagen, AS</b>	X		
<i>Mr. Sablan, CNMI</i>		X		<i>Mr. Gomez, CA</i>		X	
<b>Mr. McClintock, CA</b>	X			<b>Mr. LaHood, IL</b>	X		
<i>Ms. Tsongas, MA</i>		X		<b>Mr. Webster, FL</b>	X		
<b>Mr. Pearce, NM</b>				<b>Mr. Bergman, MI</b>			
<i>Mr. Huffman, CA</i>		X		<b>Ms. Cheney, WY</b>	X		
<b>Mr. Thompson, PA</b>	X			<b>Mr. Johnson, LA</b>			
<i>Mr. Lowenthal, CA</i>		X		<b>Ms. González-Colón, PR</b>	X		
<b>Mr. Gosar, AZ</b>	X			<b>Mr. Gianforte, MT</b>	X		
<i>Mr. Beyer, VA</i>		X					
<b>Mr. Labrador, ID</b>							
<i>Mrs. Torres, CA</i>	X						
<b>Mr. Tipton, CO</b>							
<i>Mr. Gallego, AZ</i>							
<b>Mr. LaMalfa, CA</b>	X						
<i>Ms. Hanabusa, HI</i>	X						
<b>Mr. Denham, CA</b>	X						
<i>Ms. Barragán, CA</i>		X		<b>TOTAL:</b>	23	12	

## 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 Natural Resources' oversight findings and recommendations are reflected in the body of this report.

## COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, January 11, 2018.*

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4264, the Hyde Park Land Conveyance Act.

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

Sincerely,

KEITH HALL,  
*Director.*

Enclosure.

*H.R. 4264—Hyde Park Land Conveyance Act*

H.R. 4264 would direct the Bureau of Land Management to convey, upon request and without consideration, 80 acres of federal land to the city of Hyde Park, Utah. The affected lands do not currently generate receipts for the federal government and are not expected to generate such receipts over the next 10 years, and any costs associated with the conveyance would be paid by the city. Thus, CBO estimates that implementing the legislation would have no effect on the federal budget.

Enacting H.R. 4264 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 4264 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 4264 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 direct the Secretary of the Interior to convey cer-

tain Bureau of Land Management land in Cache County, Utah, to the City of Hyde Park for public purposes.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

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 to existing law.

## DISSENTING VIEWS

H.R. 4264 authorizes the conveyance of approximately 80 acres of federal land to the City of Hyde Park, Utah, for the development of a water tower and trailhead. This is a worthy goal that we would like to support, but the bill, as introduced, does not require any compensation to the taxpayers who own the land.

Federal lands are owned by all of us. Over the years, Congress has conveyed thousands of acres to support the needs of state and local governments, but in order to be fair to the American taxpayer, a conveyance must require some form of compensation.

Recipients of federal property can either elect to pay fair market value or Congress can choose to include some form of a reversionary interest. The bill mentions that the conveyance is for public purposes, but it does not include a way in which to enforce that requirement. There's nothing to stop the city from turning around and selling the land to the highest bidder.

Absent this sort of a guarantee, taxpayers should receive fair market value for the land. H.R. 4264 fails to include that requirement, which would cheat the public and undermine federal land management. Natural Resources Committee Ranking Member Grijalva offered an amendment at markup to require payment of fair market value. However, the amendment was not agreed to by Committee Republicans. As a result, we cannot support H.R. 4264 as ordered reported.

RAÚL M. GRIJALVA,  
*Ranking Member, House  
Natural Resources Com-  
mittee.*

ALAN LOWENTHAL.  
GRACE F. NAPOLITANO.  
JARED HUFFMAN.

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