

TO CLARIFY THE DESCRIPTION OF CERTAIN FEDERAL LAND UNDER THE
NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PART-
NERSHIP ACT OF 2005 TO INCLUDE ADDITIONAL LAND IN THE KAIBAB
NATIONAL FOREST

MARCH 22, 2018.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

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

R E P O R T

[To accompany S. 466]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (S. 466) to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest, 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. CLARIFICATION RELATING TO A CERTAIN LAND DESCRIPTION UNDER THE
NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP
ACT OF 2005.**

Section 104(a)(5) of the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 (Public Law 109-110; 119 Stat. 2356) is amended by inserting before the period at the end “, which, notwithstanding section 102(a)(4)(B), includes the N¹/₂ NE¹/₄ SW¹/₄ SW¹/₄, the N¹/₂ N¹/₂ SE¹/₄ SW¹/₄, and the N¹/₂ N¹/₂ SW¹/₄ SE¹/₄, sec. 34, Township 22 North, Range 2 East, Gila and Salt River Meridian, Coconino County, Arizona, comprising approximately 25 acres”.

PURPOSE OF THE BILL

The purpose of S. 466 is to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest.

BACKGROUND AND NEED FOR LEGISLATION

The Northern Arizona Land Exchange and the Verde River Basin Partnership Act of 2005 (Public Law 109–110) called for the conveyance of 237.5 acres of U.S. Forest Service (USFS) land to Young Life, a nonprofit and nondenominational Christian ministry focused on middle school, high school, and college aged students.¹ The organization planned to incorporate the conveyed land into their existing “Lost Canyon” camp in Williams, Arizona. However, the map referenced in the bill only depicted 212.5 acres of the 237.5 acres.² The Act added that “in the case of any discrepancy between a map and legal description, the map shall prevail unless the Secretary and Yavapai Ranch agree otherwise.”³ Because of the error on the map and the fact that the map took precedence in resolving discrepancies, the law did not grant USFS the authority to convey the remaining 25 acres.

According to USFS, it lacks the legal authority to convey more than the 212.5 acres identified on the map without passage of this legislation.⁴ S. 466 would amend Public Law 109–110 to clarify that USFS has legal authority to convey the full 237.5 acres of land that was intended by Public Law 109–110.

COMMITTEE ACTION

S.466 was introduced on February 28, 2017, by Senator Jeff Flake (R–AZ). The Senate passed the bill by voice vote on December 21, 2017. In the House of Representatives, the bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On March 14, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Rob Bishop (R–UT) offered an amendment designated #1; it was adopted by unanimous consent. No additional amendments were offered and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

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:

¹“About Young Life” Younglife.org

²S.466 Senate Bill Report (Report 115–41).

³Public Law 109–110

⁴Ibid 2

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 20, 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 S. 466, an act to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest.

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.

S. 466—An act to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest

S. 466 would amend current law to clarify that the Secretary of Agriculture is authorized to convey about 238 acres of federal land to a summer camp in Arizona. Under current law, the Secretary is authorized to convey 212 acres to the camp.

Using information provided by the Forest Service, CBO estimates that implementing the act would not affect the federal budget. Because CBO expects that the acreage that could be conveyed under the act would not generate any income over the next 10 years, enacting S. 466 would not affect direct spending. Enacting S. 466 also would not affect revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 466 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year period beginning in 2028.

S. 466 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The act would modify the terms of a land exchange between the federal government and a private business, which would have a small incidental effect on property taxes collected by the state and local governments in Arizona. That effect, however, would not result from an intergovernmental mandate as defined in UMRA.

On April 7, 2017, CBO transmitted a cost estimate for S. 466, a bill to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest, as ordered reported by the Senate Committee on Energy and Natural Resources on March 30, 2017. The pieces of legislation are similar and CBO's estimates of their budgetary effects are the same.

The CBO staff contacts for this estimate are Jeff LaFave (for federal costs) and Zachary Byrum (for mandates). 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 clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest.

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 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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT OF 2005

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TITLE I—NORTHERN ARIZONA LAND EXCHANGE

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SEC. 104. DESCRIPTION OF FEDERAL LAND.

(a) IN GENERAL.—The Federal land referred to in this title consists of the following:

(1) Certain land comprising approximately 15,300 acres located in the Prescott National Forest, as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Yavapai Ranch Area Federal Lands”, dated August 2004.

(2) Certain land located in the Coconino National Forest—

(A) comprising approximately 1,500 acres as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Flagstaff Federal Lands Airport Parcel”, dated August 2004; and

(B) comprising approximately 28.26 acres in two separate parcels, as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Flagstaff Federal Lands Wetzell School and Mt. Elden Parcels”, dated August 2004.

(3) Certain land located in the Kaibab National Forest, and referred to as the Williams Airport, Williams golf course, Williams Sewer, Bucks Skinner Park, Williams Railroad, and Well parcels number 2, 3, and 4, cumulatively comprising approximately 950 acres, as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Williams Federal Lands”, dated August 2004.

(4) Certain land located in the Prescott National Forest, comprising approximately 2,200 acres, as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Camp Verde Federal Land General Crook Parcel”, dated August 2004.

(5) Certain land located in the Kaibab National Forest, comprising approximately 237.5 acres, as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Younglife Lost Canyon”, dated August 2004, *which, notwithstanding section 102(a)(4)(B), includes the N¹/₂ NE¹/₄ SW¹/₄ SW¹/₄, the N¹/₂ N¹/₂ SE¹/₄ SW¹/₄, and the N¹/₂ N¹/₂ SW¹/₄ SE¹/₄, sec. 34, Township 22 North, Range 2 East, Gila and Salt River Meridian, Coconino County, Arizona, comprising approximately 25 acres.*

(6) Certain land located in the Prescott National Forest, including the “Friendly Pines”, “Patterdale Pines”, “Camp Pearlstein”, “Pine Summit”, and “Sky Y” camps, cumulatively comprising approximately 200 acres, as generally depicted on the map entitled “Yavapai Ranch Land Exchange, Prescott Federal Lands, Summer Youth Camp Parcels”, dated August 2004.

(b) CONDITION OF CONVEYANCE OF CAMP VERDE PARCEL.—(1) To conserve water in the Verde Valley, Arizona, and to minimize the adverse impacts from future development of the Camp Verde General Crook parcel described in subsection (a)(4) on current and future holders of water rights in existence of the date of enactment of this Act and the Verde River and National Forest System lands retained by the United States, the United States shall limit in perpetuity the use of water on the parcel by reserving conservation easements that—

(A) run with the land;

(B) prohibit golf course development on the parcel;

(C) require that any public park or greenbelt on the parcel be watered with treated wastewater;

(D) limit total post-exchange water use on the parcel to not more than 300 acre-feet of water per year;

(E) provide that any water supplied by municipalities or private water companies shall count towards the post-exchange water use limitation described in subparagraph (D); and

(F) except for water supplied to the parcel by municipal water service providers or private water companies, require that any water used for the parcel not be withdrawn from wells perforated in the saturated Holocene alluvium of the Verde River.

(2) If Yavapai Ranch conveys the Camp Verde parcel described in subsection (a)(4), or any portion thereof, the terms of conveyance shall include a recorded and binding agreement of the quantity of water available for use on the land conveyed, as determined by Yavapai Ranch, except that total water use on the Camp Verde parcel may not exceed the amount specified in paragraph (1)(D).

(3) The Secretary may enter into a memorandum of understanding with the State or political subdivision of the State to enforce the terms of the conservation easement.

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