

visits, and the law should reflect the reality of current winter activities.

I am proud to bring this bill to the floor today with broad bi-partisan support. We have worked closely with the Forest Service to develop a piece of legislation that is amenable to all affected parties, and I urge my colleagues to support this sensible piece of legislation.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 765, "The Ski Area Recreational Opportunity Enhancement Act of 2011," which amends the National Forest Ski Area Permit Act of 1986 to require the term and acreage of permits for the operation of ski areas and associated facilities on National Forest System lands to be governed by provisions under the Act relating to such permits and other applicable law. Furthermore, this legislation provides for the issuance of permits for the use and occupancy of suitable lands within the National Forest System for skiing and other snow sports and recreational uses authorized pursuant to this Act.

The Ski Area Recreational Opportunity Enhancement Act provides the American public with added ways to use and enjoy federally governed land. It is in a spirit of encouraging increased camaraderie, outdoor recreation and enjoyment of nature that I support providing an expanded opportunity for Americans to benefit from the natural resources in their own back yard. It is the responsibility of all Members of Congress to fulfill our moral obligation to promote harmony between Americans and the vast opportunities for outdoor recreation throughout the country. Additionally, this legislation serves to create revenue by allowing for additional permits, bolstering ski and winter recreation industries.

In the State of Texas, we have nearly 675,000 acres of public land that the U.S. Forest Service manages. This land is divided into four National Forests in east Texas and the National Grasslands in northeast Texas. Of the four National Forests, the 18th district is home to the Sam Houston National Forest. The Sam Houston National Forest consists of 161,508 acres with 47,609 acres in Montgomery County, 59,746 acres in San Jacinto County, and 54,153 acres in Walker County. The national forests in Texas were established by an act of the Texas legislature in 1933 that authorized the purchase of lands for the national forest system. These lands are operated under a Memorandum of Agreement with the U.S. Forest Service. Fishing, trapping, and public hunting of white-tailed deer, feral hog, waterfowl, dove, other migratory game birds, squirrel, quail, rabbits, hares, predators, furbearers, and frogs is permitted. Other outdoor recreation opportunities include camping, hiking, bicycling, and wildlife viewing.

In 1960, the Multiple Use-Sustained Yield Act codified into law the practices that had governed the management of national forests in Texas for 30 years. This act emphasized that resources on public lands would be managed so that they are used in the combination that will best meet the needs of the people, that the benefits obtained will exist indefinitely and that each natural resource would be managed in balance with other resources to meet present and future public needs.

Management plans outline direction for a forest under the multiple-use concept. However, even the most carefully planned system of management cannot foresee environmental or natural factors which can cause drastic

changes in a forest. Fire, storms, insects and disease, for example, can alter the way a forest is managed.

H.R. 765, "The Ski Area Recreational Opportunity Enhancement Act of 2011," provides for the issuance of permits for the use and occupancy of suitable lands within the National Forest System for skiing and other snow sports and recreational uses, highlighting the climate and recreational opportunities unique to specific regions of the nation. Since our nation's founding, we have marveled with immense pride at our vast natural resources, and this legislation serves to celebrate them.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 765.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CLARIFYING INTERIOR DEPARTMENT JURISDICTION REGARDING CRAGIN PROJECT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 489) to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 489

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. LAND WITHDRAWAL AND RESERVATION FOR CRAGIN PROJECT.

(a) DEFINITIONS.—In this section:

(1) COVERED LAND.—The term "covered land" means the parcel of land consisting of approximately 512 acres, as generally depicted on the Map, that consists of—

(A) approximately 300 feet of the crest of the Cragin Dam and associated spillway;

(B) the reservoir pool of the Cragin Dam that consists of approximately 250 acres defined by the high water mark; and

(C) the linear corridor.

(2) CRAGIN PROJECT.—The term "Cragin Project" means—

(A) the Cragin Dam and associated spillway;

(B) the reservoir pool of the Cragin Dam; and

(C) any pipelines, linear improvements, buildings, hydroelectric generating facilities, priming tanks, transmission, telephone, and fiber optic lines, pumps, machinery, tools, appliances, and other District or Bureau of Reclamation structures and facilities used for the Cragin Project.

(3) DISTRICT.—The term "District" means the Salt River Project Agricultural Improvement and Power District.

(4) LAND MANAGEMENT ACTIVITY.—The term "land management activity" includes, with respect to the covered land, the management of—

(A) recreation;

- (B) grazing;
- (C) wildland fire;
- (D) public conduct;
- (E) commercial activities that are not part of the Cragin Project;
- (F) cultural resources;
- (G) invasive species;
- (H) timber and hazardous fuels;
- (I) travel;
- (J) law enforcement; and
- (K) roads and trails.

(5) LINEAR CORRIDOR.—The term "linear corridor" means a corridor of land comprising approximately 262 acres—

(A) the width of which is approximately 200 feet;

(B) the length of which is approximately 11.5 miles;

(C) of which approximately 0.7 miles consists of an underground tunnel; and

(D) that is generally depicted on the Map.

(6) MAP.—The term "Map" means sheets 1 and 2 of the maps entitled "C.C. Cragin Project Withdrawal" and dated June 17, 2008.

(7) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) WITHDRAWAL OF COVERED LAND.—Subject to valid existing rights, the covered land is permanently withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(c) MAP.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior, in coordination with the Secretary, shall prepare a map and legal description of the covered land.

(2) FORCE AND EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Reclamation.

(d) JURISDICTION AND DUTIES.—

(1) JURISDICTION OF THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—Except as provided in subsection (e), the Secretary of the Interior, acting through the Commissioner of Reclamation, shall have exclusive administrative jurisdiction to manage the Cragin Project in accordance with this Act and section 213(i) of the Arizona Water Settlements Act (Public Law 108-451; 118 Stat. 3533) on the covered land.

(B) INCLUSION.—Notwithstanding subsection (e), the jurisdiction under subparagraph (A) shall include access to the Cragin Project by the District.

(2) RESPONSIBILITY OF SECRETARY OF THE INTERIOR AND DISTRICT.—In accordance with paragraphs (4)(B) and (5) of section 213(i) of the Arizona Water Settlements Act (Public Law 108-451; 118 Stat. 3533), the Secretary of the Interior and the District shall—

(A) ensure the compliance of each activity carried out at the Cragin Project with each applicable Federal environmental law (including regulations); and

(B) coordinate with appropriate Federal agencies in ensuring the compliance under subparagraph (A).

(e) LAND MANAGEMENT ACTIVITIES ON COVERED LAND.—

(1) IN GENERAL.—The Secretary shall have administrative jurisdiction over land management activities on the covered land and other appropriate management activities pursuant to an agreement under paragraph (2) that do not conflict with, or adversely affect, the operation, maintenance, or replacement (including repair) of the Cragin Project, as determined by the Secretary of the Interior.

(2) INTERAGENCY AGREEMENT.—The Secretary and the Secretary of the Interior, in coordination with the District, may enter into an agreement under which the Secretary may—

(A) undertake any other appropriate management activity in accordance with applicable law that will improve the management and safety of the covered land and other land managed by the Secretary if the activity does not conflict with, or adversely affect, the operation, maintenance, or replacement (including repair) of the Cragin Project, as determined by the Secretary of the Interior; and

(B) carry out any emergency activities, such as fire suppression, on the covered land.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and also to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

H.R. 489 is sponsored by our colleague, Representative GOSAR of Arizona, and it seeks to resolve bureaucratic dysfunction and streamline regulatory processes for the purposes of creating jobs in northern Arizona.

This is a no-cost bill, and it eliminates duplicative permitting requirements—which we often, in this body, commonly refer to as ‘red tape’—by putting just one Federal agency in charge of the C.C. Cragin project’s pipeline, part of a Federal water project.

Prior to this bill, the Bureau of Reclamation and the U.S. Forest Service could not reconcile their responsibilities over who would actually manage the pipeline. These dueling regulatory requirements ultimately increased the costs that were passed on to the water consumers. They also created enough confusion to keep one community from going forward with a locally financed project that would have been connected to the Federal pipeline.

This bill clarifies these Federal management responsibilities, and it mirrors other permitting and approval precedents on similar Federal projects. It also creates a regulatory environment for that local water project—and the jobs that will go with it—to proceed.

I thank Congressman GOSAR for sponsoring this jobs bill, and I urge the adoption of this particular measure.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SABLAN asked and was given permission to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, H.R. 489 would specify that the Bureau of Reclamation is authorized to approve necessary operation and maintenance activity for the C.C. Cragin project on National Forest System land.

H.R. 489 was introduced this Congress with language that reflects negotiations between the Bureau of Reclamation, the Forest Service, and the Salt River Project and the Congress. This legislation is not meant to serve as precedent for the management of utility corridors on Forest Service land. Instead, the legislation allows for the management of C.C. Cragin consistent with all the other Salt River Project facilities on Forest Service land where the Bureau of Reclamation oversees the operation and management of the facilities.

I have no requests for time, and I reserve the balance of my time.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

Mr. Speaker, Phelps Dodge, just to give you some background of this particular legislation, is a large mining company that built what is now the Cragin project in the 1960s to supply water to its mine complex. Phelps Dodge transferred ownership of the project to the Salt River Project, that’s known as the SRP, after the former realized it was not necessary for mining operations. At the request of the SRP and with the support of Phelps Dodge and the Bureau of Reclamation, the Arizona Water Rights Settlement Act authorized transfer of the title of the project and the associated lands from SRP to Reclamation in 2005. Even though the Federal Government owns the project, SRP stills operates and maintains it pursuant to the 1917 contract between SRP and the United States.

The project consists of a number of facilities, including a 147-foot-high dam, a 15,000-acre-foot reservoir, a diversion tunnel and pump shaft, pumping plant, priming reservoir, a 10-mile-long pipeline, electrical transmission line, and a small generating plant which supplies power to the project’s pumping plant. The project helps SRP to supply water to the Phoenix metropolitan area and to the town of Payson and neighboring communities in northern Gila County.

Implementation of the title transfer under Public Law 108-45 has been controversial due to misunderstandings between the U.S. Forest Service, Reclamation, and SRP. The operation of the project is like that of all other Salt River Project-managed Reclamation facilities located on U.S. Forest Service lands. And for those projects, Rec-

lamation approves SRP’s work plan, their environmental compliance, and other regulatory permitting requirements associated with the project.

Mr. Speaker, that is some background to the issue and why this particular bill is there.

With that, it is my pleasure to now yield such time as he may consume to the sponsor of this legislation, the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, I rise today in support of my legislation, H.R. 489, a bill that will permanently end the bureaucratic wrangling that has occurred between the Departments of Interior and Agriculture—a jurisdictional dispute that compromises the routine maintenance of critical water infrastructure in the State of Arizona, the C.C. Cragin Dam and Reservoir.

The Federal Government employs over 2.1 million civilian employees. There are hundreds of agencies, and within each agency there are divisions, departments, and subgroups. Sometimes, especially with respect to land management, more than one agency has jurisdiction; and when that occurs, bureaucratic disputes arise and government no longer serves the people.

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This is the exact circumstance that has necessitated my legislation.

The C.C. Cragin project consists of a number of facilities, including a dam and reservoir, diversion tunnel and pump shaft, pumping plant, priming reservoir, pipeline, electrical transmission line, and a generating plant.

The majority of the project is located on Federal lands in the Coconino and Tonto National Forests. This critical water infrastructure project is an important aspect of the Salt River Project’s Federal Reclamation Project. It is integral to providing a water supply for Phoenix and is instrumental in making 3,500 acre-feet of water a year available to Gila County. The town of Payson and the neighboring communities rely on the pipeline to supply municipal drinking water to my constituents.

In 2004, at the request of the Salt River Project—or SRP as it is commonly referred to—and with the support of the Bureau of Reclamation and the former owner of the project, the Arizona Water Settlements Act authorized the title transfer of the C.C. Cragin project from SRP to the Bureau of Reclamation. Under this language, the Federal Government would own the project, but SRP would still operate and maintain it.

Once a transfer was implemented, it became clear that there was a disagreement between the U.S. Forest Service and the Bureau of Reclamation over who had the responsibility for approving requested operation maintenance and repairs. Specifically, the Bureau of Reclamation argued that it should approve SRP’s work plans, environmental compliance, and other regulatory permitting requirements. The U.S. Forest

Service asserted that the reclamation was required to obtain a special use permit to operate, maintain, and repair the water project.

While the SRP project was able to overcome the issues with the Forest Service to complete repairs, it was with the Bureau of Reclamation's approval and occasionally over Forest Service objections. Concurrently, the added permit requirement delayed much needed repairs, wasting precious Arizona water resources, increased repair costs, and placed the economic development of the town of Payson at risk.

Looking forward, this is a long-lived asset that will be relied upon to provide reliable municipal water supply to Gila County and the valley. Just a few weeks ago, a \$34 million, 15-mile pipeline expansion project, which will double Payson's long-term, sustainable water supply, was finally approved by the Forest Service after a year-long delay. If Congress allows the jurisdictional dispute to continue, future operations and maintenance activities related to the C.C. Cragin project could face costly delays and could possibly interrupt water delivery to these Arizona communities.

This simply is not a tenable situation. I am pleased the House is taking up legislation that will permanently resolve this ridiculous jurisdictional battle.

My legislation reflects a compromise reached by the relevant parties. It grants the Department of the Interior exclusive jurisdiction to manage the C.C. Cragin project and grants the Department of Agriculture administrative jurisdiction over land management activities that do not conflict or adversely affect the operation, maintenance, replacement, or repair of the project.

It is important to note that H.R. 489 will still require compliance with all requirements under Federal law, including the National Environmental Policy Act, or NEPA. In addition, the implementation of this legislation has no cost to the taxpayer.

Having a single agency overseeing the project remains important—if not more important now that the project is operational. The United States Bureau of Reclamation has the expertise to conduct oversight on water supply projects and does so on many of the projects that are within national forests. This commonsense legislation meets the needs of SRP and Reclamation to ensure the infrastructure can be maintained while accommodating the Forest Service, ensuring they continue to manage the lands underlying the utility corridor with respect to recreation, wildfire, law enforcement, and other activities consistent with its authorities, responsibilities, and expertise.

It is important to note that when the House Natural Resources Subcommittee on Water and Power held a hearing on my bill on May 12, all par-

ties—including the Bureau of Reclamation and the Forest Service—agreed that H.R. 489 is vital to the long-term management of the C.C. Cragin dam and reservoir project and would bring about necessary economic certainty for the town of Payson and other impacted communities.

It is not often that Congress gets the opportunity to take up noncontroversial legislation like H.R. 489. I encourage my colleagues to vote in favor of this legislation.

Mr. SABLAN. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 489.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### HELP TO ACCESS LAND FOR THE EDUCATION OF SCOUTS

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 473) to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 473

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Help to Access Land for the Education of Scouts" or "HALE Scouts Act".*

#### SEC. 2. LAND CONVEYANCE, OUACHITA NATIONAL FOREST, OKLAHOMA.

(a) *FINDING.*—Congress finds that it is in the public interest to provide for the sale of certain federally owned land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, for market value consideration.

(b) *CONVEYANCE REQUIRED.*—Subject to valid existing rights, the Secretary of Agriculture shall convey, by quitclaim deed, to the Indian Nations Council, Inc., of the Boy Scouts of America (in this section referred to as the "Council") all right, title, and interest of the United States in and to certain National Forest System land in the Ouachita National Forest in the State of Oklahoma consisting of approximately 140 acres, depending on the final measurement of the road set back and the actual size of the affected sections, as more fully described in subsection (c). The conveyance may not include any land located within the Indian Nations National Scenic and Wildlife Area designated by section 10 of the Winding Stair Mountain National Recreation and Wilderness Area Act (16 U.S.C. 460vv–8).

(c) *COVERED LANDS.*—The National Forest System land to be conveyed under subsection (b) is depicted on the map entitled "Boy Scout Land Request—Ouachita NF". The map shall be

on file and available for public inspection in the Forest Service Regional Office in Atlanta, Georgia.

(d) *CONSIDERATION.*—As consideration for the land conveyed under subsection (b), the Council shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(e) *SURVEY AND ADMINISTRATIVE COSTS.*—The exact acreage and legal description of the land to be conveyed under subsection (b) shall be determined by a survey satisfactory to the Secretary. The Council shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

(f) *ACCESS.*—Access to the land conveyed under subsection (b) shall be from the adjacent land of the Council or its successor. Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)), the Secretary shall not be required to provide additional access to the conveyed land.

(g) *ADDITIONAL TERMS AND CONDITIONS.*—The Secretary may prescribe such terms and conditions on the conveyance under subsection (b) as the Secretary considers in the public interest, including the reservation of access rights to the conveyed land for administrative purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

If I spend less time speaking about this particular bill, it's not my commitment to this particular bill, only the gentleman from Oklahoma seems to be here already.

H.R. 473 was introduced by the gentleman from Oklahoma (Mr. BOREN). It would authorize the Forest Service to sell 143 acres of the Ouachita National Forest to the Camp Hale Boy Scout camp, which is just under 500 acres adjacent to those Federal lands. The additional acreage will allow the Boy Scouts to accommodate more campers and allow for a larger array of activities at the camp. The legislation stipulates that the acres will be appraised and sold at market value. The Boy Scouts will pay for the appraisal as well as the survey and the administrative costs.

This legislation is a commonsense solution to allow for an expansion of the camp and better accommodations for the Boy Scouts of America.

I urge adoption of this brilliant piece of legislation, and I reserve the balance of my time.