

Mr. GOSAR. Mr. Speaker, I rise today in support of my legislation, H.R. 1038, legislation that settles a Federal land boundary dispute in the Mountaineer subdivision in Coconino County, Arizona. This legislation is a commonsense solution to an incompressible Federal land situation.

In 1961, the Federal Government conducted a survey in which several acres of the United States Forest Service land were misidentified as private property. It was not until 2007, when the Federal Government contracted another private survey, that the mistakes were realized, and the residents of the Mountaineer neighborhood were informed of these errors.

Until the 2007 survey, many of these residents had maintained these parcels and had developed them as their own for years and, in some cases, decades. In essence, the Federal Government seized lands that residents had maintained, developed, and paid taxes on for years.

So what does this mean?

On some of these parcels, the revised boundary goes right through the portions of the residents' homes, literally right through people's homes. Can you imagine the Forest Service, if they told you we own half of your living room?

Questions associated with the land ownership have plummeted property values in the neighborhood and prevented a number of owners from selling their homes.

For years, the residents of this neighborhood have tried to work individually with the Forest Service to settle the situation administratively. It did not work. So I put forth this legislation to solve the problem immediately.

H.R. 1038 authorizes the Forest Service to convey all rights, titles, and interests in approximately 2.67 acres of the Coconino National Forest to the homeowners. It will provide much-needed relief to my constituents in the Mountaineer subdivision in Coconino County.

In exchange for the land, the homeowners pay a fee. The \$20,000, required in the bill, which was agreed to by all parties, including representatives from the local national forest, is based on precedence, the Northern Arizona Land Exchange legislation. This legislation pertained to a small piece of property within the same county.

Frankly, I do not believe these constituents should have to pay anything to retain property rights on land they have developed and paid taxes on as property owners for decades. However, I have agreed to this compromise, a compromise agreed upon by all parties, because my constituents need this situation fixed now.

The Forest Service does not want to own these people's living rooms, and the property owners certainly don't want to share their homes or yards with the Forest Service. This bill is a no-brainer. Everyone supports it, including the administration.

Before I conclude, I want to thank the residents of the Mountaineer

neighborhood and Coconino County. They worked with my office to put together a video, to call members of the committee, and to advocate on behalf of this bill. Without this teamwork, we would not have garnered unanimous support at the committee level and would not be voting on this bill today.

I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for pushing this bill forward. While this bill affects a small amount of land, it is vital to the livelihoods of my constituents that are affected.

It is not often that Congress gets the opportunity to take up noncontroversial legislation like H.R. 1038. I encourage my colleagues to vote in favor of this legislation and relieve my constituents of this financially burdensome situation.

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

(Ms. TSONGAS asked and was given permission to revise and extend her remarks.)

Ms. TSONGAS. Mr. Speaker, this bill corrects a survey error made in the 1960s. The landowners will be required to pay \$20,000 for these two parcels. We have no objections to Congressman GOSAR's legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. We have no other speakers. I'd ask if there are other speakers on your side.

Ms. TSONGAS. We have no other speakers.

Mr. BISHOP of Utah. I am ready to close if you're ready to yield back.

Ms. TSONGAS. I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, as has been said, this is a problem. It's sad that it has to come all the way to the Congress to actually solve this problem, but it is being solved; and I appreciate the gentleman from Arizona's hard work in trying to help his constituents out.

I would encourage our Members to support this bill, and 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. 1038, as amended.

The question was taken.

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

SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2157) to facilitate a land exchange involving certain National For-

est System lands in the Inyo National Forest, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2157

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

SECTION 1. SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE.

(a) AUTHORITY TO ACCEPT LANDS OUTSIDE BOUNDARIES OF INYO NATIONAL FOREST.—In any land exchange involving the conveyance of certain National Forest System land located within the boundaries of Inyo National Forest in California, as shown on the map titled "Federal Parcel" and dated June 2011, the Secretary of Agriculture may accept for acquisition in the exchange certain non-Federal lands in California lying outside the boundaries of Inyo National Forest, as shown on the maps titled "DWP Parcel - Interagency Visitor Center Parcel" and "DWP Parcel - Town of Bishop Parcel" and dated June 2011, if the Secretary determines that acquisition of the non-Federal lands is desirable for National Forest System purposes.

(b) CASH EQUALIZATION PAYMENT; USE.—In an exchange described in subsection (a), the Secretary of Agriculture may accept a cash equalization payment in excess of 25 percent. Any such cash equalization payment shall be deposited into the account in the Treasury of the United States established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a) and shall be made available to the Secretary for the acquisition of land for addition to the National Forest System.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant the Secretary of Agriculture new land exchange authority. This section modifies the use of land exchange authorities already available to the Secretary as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I, again, ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on this 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. This is another good bill that solves a problem that should have been solved at another level, and to introduce it I would yield such time as he may consume to the sponsor, the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Speaker, I thank the gentleman for yielding, and I rise today in support of my legislation, H.R. 2157.

I want to thank Chairman HASTINGS and Ranking Member MARKEY, as well as Subcommittee Chairman BISHOP and Ranking Member GRIJALVA, for giving my legislation a fair hearing and moving the bill through the committee.

Mr. Speaker, the Mammoth Mountain Ski Area is located in the northern half of my district in the eastern

Sierra Mountains. Mammoth provides between 10 and 30 percent of the total employment in Mono County, and it's a primary recreation destination for tourists all throughout California and the United States. Each winter, Mammoth sees an average of 1.3 million visitors.

□ 1640

These visitors pump vital money into the local economy by populating hotels, motels, restaurants, and stores throughout the region.

Tourism is the lifeblood of the eastern Sierra. Mammoth has operated on a special use permit from the U.S. Forest Service since 1953. The base area of the mountain is aging rapidly and is in need of renovation and redevelopment in order to provide a safer, more enjoyable experience for visitors to Mammoth Mountain; however, these renovations are difficult to achieve under the terms of the special use permit.

Since 1998, Mammoth Mountain has been working with the Forest Service to complete a land exchange between their main base parcel and other desired Forest Service acquisitions. These acquisitions include high-resource value lands in the Inyo, El Dorado, Stanislaus, and Plumas National Forests. The exchange would allow the main base to undergo significant and needed renovations.

My legislation is meant to supplement and codify this agreement. It is needed for two reasons:

Number one, the two parcels that the Forest Service wants are outside Inyo National Forest boundaries. Both parcels are currently leased by the Inyo National Forest from the Los Angeles Department of Water and Power;

Number two, there's more value in the Mammoth Mountain parcel than in all the land parcels exchanged in total. So Mammoth needs legislation for permission to pay a cash equalization to the Federal Government that will be used for future forest acquisition.

The agreement is widely supported by the local community because residents, business owners, local governments understand the great value of having Mammoth Mountain in their community. Besides jobs and recreation, Mammoth supports a significant portion of the tax base providing needed revenue throughout the region.

We've received numerous letters of support from community members, including those from Duane Hazard, chair of the Mono County Board of Supervisors; Vikki Bauer, member of the Mono County Board of Supervisors; the Mono Lake Committee; the Eastern Sierra Land Trust; and the Mammoth Lakes Town Council.

Mr. Speaker, thank you for giving my bill time on the floor. Mammoth Mountain has been a good steward of the environment, a solid partner in economic vitality for the region, and an honest party in negotiations with the Forest Service. This land exchange will be mutually beneficial for all parties

involved, and I urge my colleagues to support H.R. 2157.

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

(Ms. TSONGAS asked and was given permission to revise and extend her remarks.)

Ms. TSONGAS. H.R. 2157 provides for a land exchange between the United States Forest Service and the Mammoth Mountain Ski Area. We applaud Congressman McKEON for this legislation and support the passage of this bill.

I yield back the balance of my time. Mr. BISHOP of Utah. This is another great bill. I urge its adoption.

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. 2157.

The question was taken.

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

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2050

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 "Idaho Wilderness Water Resources Protection Act".

SEC. 2. TREATMENT OF EXISTING WATER DIVERSIONS IN FRANK CHURCH-RIVER OF NO RETURN WILDERNESS AND SELWAY-BITTERROOT WILDERNESS, IDAHO.

(a) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture shall issue a special use authorization to the owners of a water storage, transport, or diversion facility (in this section referred to as a "facility") located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land upon which the facility is located was designated as part of the National Wilderness Preservation System (in this section referred to as "the date of designation");

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the owner's non-Federal land since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the owner's non-Federal land under Idaho State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) TERMS AND CONDITIONS.—

(1) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary shall—

(A) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(i) the use is necessary to allow the facility to continue delivery of water to the non-Federal land for the beneficial uses recognized by the water right held under Idaho State law; and

(ii) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(B) preclude use of the facility for the storage, diversion, or transport of water in excess of the water right recognized by the State of Idaho on the date of designation.

(2) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary may—

(A) require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished; and

(B) require that the owner provide a reciprocal right of access across the non-Federal property, in which case, the owner shall receive market value for any right-of-way or other interest in real property conveyed to the United States, and market value may be paid by the Secretary, in whole or in part, by the grant of a reciprocal right-of-way, or by reduction of fees or other costs that may accrue to the owner to obtain the authorization for water facilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) 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 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. Mr. Speaker, again we have a bill that does a great job in solving a problem that should have been solved a long time ago, especially if the Senate would ever listen to it.

To introduce his bill, I would like to yield such time as he may consume to the sponsor of the bill, the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman from Utah for yielding.

Mr. Speaker, I rise today in support of H.R. 2050, the Idaho Wilderness Water Resources Protection Act.