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SENATE

REPORT
107–197

CONVEY CERTAIN LAND TO THE CITY OF HAINES, OREGON

JUNE 28, 2002.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 1907]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1907) to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike page 2, lines 4–6 in their entirety and insert the following: "as indicated on the map entitled 'S. 1907: Conveyance to the City of Haines, Oregon' and dated May 9, 2002."

PURPOSE

The purpose of S. 1907 is to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon.

BACKGROUND AND NEED

S. 1907 would solve a problem with management of the Haines, Oregon landfill. The Oregon Department of Environmental Quality requires the city of Haines to prepare a closure plan in order to have its landfill relicensed in 2007. One requirement of the closure plan is coverage of the site with three feet of topsoil.

Given the lack of topsoil available to the city of Haines on its own landfill property, the city must seek large quantities of topsoil off-site. This soil and its transport are estimated to cost $125,000, which Haines cannot afford. As a result, the city has been looking for other options in order to prepare the required closure plan for its landfill.

The Bureau of Land Management has a 40-acre parcel immediately adjacent to the Haines landfill site which the agency has

identified as surplus and has included in its land exchange inventory. This property offers Haines the topsoil that it needs, and eliminates a significant transportation cost.

S 1907 would transfer the ownership of this parcel to the city of Haines, in order to enable the city to comply with State of Oregon regulatory requirements for the relicensing of its landfill in 2007.

LEGISLATIVE HISTORY

S. 1907 was introduced by Senator Gordon Smith and Senator Wyden on January 29, 2002. The Subcommittee on Public Lands and Forests held a hearing on S. 1907 on May 9, 2002. The Committee on Energy and Natural Resources considered S. 1907 and adopted an amendment to it at its business meeting on May 15, 2002. The Committee ordered the bill as amended favorably reported at its business meeting on June 5, 2002.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on June 5, 2002, by a voice vote of a quorum present, recommends that the Senate pass S. 1907, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 1907, the Committee on Energy and Natural Resources adopted an amendment which changes the reference to an outdated map and replaces it with a reference to an updated map.

SECTION-BY-SECTION ANALYSIS

Section 1 directs the Secretary of the Interior to convey all right, title, and interest in approximately 40 acres of Bureau of Land Management land to the city of Haines, Oregon without consideration.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 12, 2002.

Hon. JEFF. BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1907, a bill to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon.

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

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 1907—A bill to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon

CBO estimates that enacting S. 1907 would not significantly affect the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 1907 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. Enacting this legislation would benefit the city of Haines by allowing them to acquire needed land at no cost.

S. 1907 would direct the Secretary of the Interior to convey to the city of Haines, Oregon, without consideration, approximately 40 acres of federal lands located within that state. According to the Bureau of Land Management, the lands to be conveyed currently generate no receipts and are not expected to over the next 10 years. Hence, we estimate that the proposed conveyance would not affect the federal budget.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, 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 S. 1907. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant 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 S. 1907.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Bureau of Land Management at the Subcommittee hearing follows:

STATEMENT OF LARRY FINFER, ASSISTANT DIRECTOR FOR COMMUNICATIONS, BUREAU OF LAND MANAGEMENT

Thank you for the opportunity to testify on S. 1907 to convey a parcel of land to the city of Haines, Oregon. The Department of the Interior supports S. 1907 and would like the opportunity to work with the sponsors of the bills and the Committee on minor and technical amendments.

S. 1907 directs the Secretary of the Interior to convey, without payment, to the City of Haines, Oregon a 40 acre parcel of land adjacent to the Haines, Oregon landfill. The intent of the legislation is to provide Haines with a source of topsoil as cover material for the landfill and allow for its closure, the BLM supports the bill.

This 40 acre parcel of BLM land has been identified for disposal by the BLM in the June 1998 Northeast Oregon Assembled Land Exchange final environmental impact statement. The 40 acre site is immediately adjacent to the

Haines landfill and is largely isolated. Under current law, the BLM would be required to charge full market value, and therefore the legislation is needed. The BLM believes that this is a worthwhile proposal which allows the BLM to be a good neighbor.

In order to make this conveyance as smooth as possible, we would like the opportunity to work with Senators Smith and Wyden and the Committee on a technical amendment to address speedy transfer of the lands. In addition, in order to avoid any confusion over the exact parcel of land to be transferred, we request that the legislation be modified at markup to reference a new map created to specifically address this transfer. We believe that this will reduce confusion and assure proper transfer of the intended parcel to the City of Haines, Oregon.

Conclusion

Thank you for the opportunity to testify. I am happy to answer any questions the members of the Committee may have.

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 S. 1907, as ordered reported.

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