

MOUNT NAOMI WILDERNESS BOUNDARY ADJUSTMENT  
ACT

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JULY 10, 2002.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. HANSEN, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 4870]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4870) to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes, 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. SHORT TITLE.**

This Act may be cited as the “Mount Naomi Wilderness Boundary Adjustment Act”.

**SEC. 2. BOUNDARY ADJUSTMENTS.**

(a) **LANDS REMOVED.**—The boundary of the Mount Naomi Wilderness is adjusted to exclude the approximately 31 acres of land depicted on the Map as “Land Excluded”.

(b) **LANDS ADDED.**—Subject to valid existing rights, the boundary of the Mount Naomi Wilderness is adjusted to include the approximately 31 acres of land depicted on the Map as “Land Added”. The Utah Wilderness Act of 1984 (Public Law 98-428) shall apply to the land added to the Mount Naomi Wilderness pursuant to this subsection.

**SEC. 3. MAP.**

(a) **DEFINITION.**—For the purpose of this Act, the term “Map” shall mean the map entitled “Mt. Naomi Wilderness Boundary Adjustment” and dated May 23, 2002.

(b) **MAP ON FILE.**—The Map shall be on file and available for inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(c) **CORRECTIONS.**—The Secretary of Agriculture may make technical corrections to the Map.

## PURPOSE OF THE BILL

The purpose of H.R. 4870 is to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes.

## BACKGROUND AND NEED FOR LEGISLATION

The Mount Naomi Wilderness Area, located to the northeast of Logan, Utah, was created by the Utah Wilderness Act of 1984 (Public Law 98-428). Encompassing approximately 44,523 acres in the Wasatch-Cache National Forest, the Mount Naomi Wilderness Area is one of the largest wilderness areas in the state of Utah and provides many recreational opportunities for the residents of Cache County and the more than 20,000 students at the neighboring Utah State University.

The close proximity of portions of the Mount Naomi Wilderness Area to the Logan City limits not only creates some difficulty for the Forest Service to manage these lands for wilderness uses, but also presents potential problems for the city. In one area of approximately 31 acres, the wilderness' southwestern boundary abuts the Logan City limits. Within this small area is a utility corridor with several utility lines, including power and communication lines, each of which existed prior to the designation of the wilderness area. Because no motorized or mechanized equipment may be operated within a wilderness area, maintenance of these facilities is difficult, if not nearly impossible, to conduct. Adjusting the boundaries of the wilderness area to exclude this small area would provide a common-sense solution both to the utility corridor's maintenance problem and the Forest Service's management problem.

The 31 acre adjustment would provide a manageable, natural boundary for the wilderness area. It allows the boundary to follow the natural contour lines at the base of Mount Naomi rather than arbitrary boundary lines on a map. The area to be adjusted was chosen and agreed upon by the Forest Service, Logan City, and Cache County, and is the smallest area necessary to complete this adjustment and realign the boundary.

Additionally, a small portion of the Bonneville Shoreline Trail has been proposed within this 31 acre area adjacent to the Logan City limits. This portion of the trail would connect with a number of other trails in the Bonneville Shoreline Trail system, and would provide outstanding recreational opportunities to thousands of people each year. The trail would be approximately eight (8) feet wide and accessible to pedestrian, biking, and equestrian traffic. Adjusting the boundary around this 31 acre area would serve to eliminate a potential non-conforming use in the wilderness area. This is the only portion of this trail that lies within the wilderness area.

In order to prevent a net loss of wilderness due to this boundary adjustment, the Forest Service, in consultation with Logan City and Cache County, identified a separate 31 acre parcel with wilderness characteristics located adjacent to the southern boundary of the wilderness area. This parcel would be added to the wilderness area by this legislation, thus resulting in no net loss of wilderness.

## COMMITTEE ACTION

H.R. 4870 was introduced on June 5, 2002 by Congressman James V. Hansen (R-UT). The bill was referred to the Committee on Resources and within the Committee to the Subcommittee on Forests and Forests Health. On June 20, 2002 the Subcommittee held a hearing on the bill. On June 26, 2002 the Full Resources Committee met to consider the bill. The bill was ordered favorably reported to the Full Committee by unanimous consent. Mr. Hansen offered a technical amendment to correct a typographical error in the bill. It was adopted by unanimous consent. The bill, as amended was then 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 Resources' oversight findings and recommendations are reflected in the body of this report.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

## COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 3, 2002.*

Hon. JAMES V. HANSEN,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4870, the Mount Naomi Wilderness Boundary Adjustment Act.

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.

*H.R. 4870—Mount Naomi Wilderness Boundary Adjustment Act*

CBO estimates that enacting H.R. 4870 would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 4870 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

H.R. 4870 would adjust the existing boundary of the Mount Naomi Wilderness in the Wasatch-Cache National Forest in Utah. The adjustment would exclude from the wilderness area about 31 acres of land and, subject to valid existing rights, would add 31 acres of other national forest land. Based on information from the Forest Service, CBO estimates that the proposed change would not significantly affect the agency's costs to manage those lands.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

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 in existing law.