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107TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
107–636

LOS PADRES NATIONAL FOREST LAND EXCHANGE ACT OF 2002

SEPTEMBER 4, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 4917]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4917) to provide for an exchange of lands with the United Water Conservation District of California to eliminate private inholdings in the Los Padres National Forest, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 4917 is to provide for an exchange of lands with the United Water Conservation District of California to eliminate private inholdings in the Los Padres National Forest, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4917 would provide for the exchange of land between the Secretary of Agriculture (U.S. Forest Service) and the United Water Conservation District of California (District). The exchange would eliminate private inholdings within National Forest lands as well as consolidate interior land boundaries on the Ojai Ranger District, providing the District with contiguous ownership around Lake Piru. Once the land exchange is completed, the District will own all the land associated with the management and operation of the Santa Felicia Dam, which provides power to about 1,000 homes.

99–006

Under the bill, the District would convey approximately 340 acres to the U.S. Forest Service and approximately 420 acres of National Forest lands in the Los Padres National Forest will be conveyed to the District. The tracts of land are specified in the legislation.

The bill further provides for an equal value exchange by allowing the Secretary to accept a cash equalization payment of greater than 25 percent if necessary. If a cash equalization payment is made, those funds will be available to the Secretary and deposited into the Sisk Act fund for expenditure without further appropriation for the acquisition, construction, or improvement of administrative or recreational facilities for the Los Padres National Forest, or for the acquisition of land.

COMMITTEE ACTION

H.R. 4917 was introduced on June 12, 2002 by Congressman Elton Gallegly (R–CA) and was referred to the Committee on Resources. On June 18, 2002, the bill was referred within the Committee to the Subcommittee on Forests and Forest Health. On June 20, 2002, the Subcommittee held a hearing on the bill. On June 24, 2002, the Full Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration by unanimous consent. There were no amendments offered and the bill, as introduced, 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 Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and article IV, section 3 of the Constitution of the United States, grant 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 tax expenditures. According to the Congressional Budget Office, this bill would affect direct spending. However, the effects are estimated to be negligible.

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, August 12, 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. 4917, the Los Padres National Forest Land Exchange Act of 2002.

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

Sincerely,

ROBERT A. SUNSHINE
(For Dan L. Crippen, Director).

Enclosure.

H.R. 4917—Los Padres National Forest Land Exchange Act of 2002

CBO estimates that enacting H.R. 4917 would have no significant impact on the federal budget. The bill would affect direct spending (including offsetting receipts); therefore, pay-as-you-go procedures would apply, but we estimate that the effects would be negligible.

H.R. 4917 would authorize a land exchange between the United Water Conservation District of California and the Secretary of Agriculture. Specifically, if the district conveys 340 acres of land to the Secretary, the Secretary would convey to the district, subject to valid existing rights, about 420 acres of federal lands within the Los Padres National Forest in California. If the values of those lands are not equal, the bill would authorize the Secretary to make or accept cash equalization payments in excess of the statutory limit on such payments. Under H.R. 4917, the Secretary could use receipts from such payments to acquire, construct, or improve administrative or recreational facilities within the Los Padres National Forest. The bill would direct the Secretary to reserve easements through the land transferred to the district for administrative purposes or to ensure public access to federal lands and specifies that acquired lands would be managed as part of the Los Padres National Forest.

According to the Forest Service, the federal lands to be conveyed under H.R. 4917 currently generate no significant receipts and are not expected to over the next 10 years. Based on information from the agency about the estimated value of the lands to be exchanged, CBO estimates that the Forest Service would receive a cash equalization payment of up to $100,000 during fiscal year 2003. We also estimate that the agency would spend most of that amount in that year for purposes authorized by the bill. Hence, we estimate that

the net change in direct spending under H.R. 4917 would be negligible.

H.R. 4917 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. This exchange would be voluntary on the part of the water district. Any costs the district might incur to complete the exchange also would be voluntary.

The CBO staff contacts for this estimate are Megan Carroll (for federal costs), and Marjorie Miller (for the state and local impact). 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.

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