

EXCHANGE OF CERTAIN FEDERAL LANDS IN THE STATE OF
CALIFORNIA

SEPTEMBER 4, 1996.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3147]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3147) to provide for the exchange of certain Federal lands in the State of California managed by the Bureau of Land Management for certain non-Federal lands, 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 (stated in terms of the page and line number of the introduced bill) is as follows:

Page 4, line 15, after the period insert "Any patent issued on such Federal lands shall not be subject to section 24 of said Act."

PURPOSE OF THE BILL

The purpose of H.R. 3147 is to provide for the exchange of certain Federal lands in the State of California managed by the Bureau of Land Management for certain non-Federal lands.

BACKGROUND AND NEED FOR LEGISLATION

In 1991, Congress added eight miles of the Merced River upstream from Lake McClure in Mariposa County, California, to the National Wild and Scenic River System. Lake McClure is the main reservoir of the Merced Irrigation District (MID). The Bureau of Land Management (BLM) manages a significant amount of land in the Lake McClure area.

Soon after the wild and scenic river designation, MID and the BLM began to discuss a possible land transfer to enhance their land management objectives. MID and BLM proposed to work out

a land exchange in which BLM would convey several scattered parcels of land below Lake McClure in exchange for approximately 160 acres of land owned by MID along the National Wild and Scenic River corridor. The land exchange proposal is contained in H.R. 3147.

As a result of the land exchange, BLM will be able to consolidate its land ownership in the Merced River region, which is one of BLM's most important recreational areas in California. The land to be managed by the BLM is critical to providing public access for whitewater rafters on the Merced River and will facilitate the construction of a hiking trail along the river. The exchange will benefit MID by allowing it to consolidate its ownership of lands in the Lake McClure area.

COMMITTEE ACTION

H.R. 3147 was introduced on March 21, 1996, by Congressman George P. Radanovich (R-CA) and later cosponsored by Congressman Gary A. Condit (D-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. On May 30, 1996, the Subcommittee held a hearing on H.R. 3147, where the Administration and a representative of MID testified in support of the bill. On June 27, 1996, the Subcommittee met to mark up H.R. 3147. The bill was ordered favorably reported without amendment to the Full Committee by voice vote. On July 17, 1996, the Full Resources Committee met to consider H.R. 3147. An amendment to assure that any patent issued on the described Federal lands not be subject to section 24 of the Federal Power Act was offered by Mr. Radanovich, and adopted by voice vote. The bill as amended was then ordered favorably reported to the House of Representatives by voice vote in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

Section 1. Findings and purpose

Section 1 finds that the exchange of lands authorized in the Act will benefit the United States as well as the private landowners.

Section 2. Merced Irrigation District land exchange

Section 2 allows the Secretary of Interior to convey the Federal lands described in the bill in exchanged for the non-Federal lands described in the bill and applies section 206 of the Federal Land Policy and Management Act to the exchange of the described lands. The Secretary shall not exchange the lands unless the title to the non-Federal lands to be conveyed to the United States is acceptable to the Secretary.

Paragraph (4) of the subsection 2(d) clears the way for the transfer of Federal lands to the irrigation district by revoking an existing powersite reserve and a powersite withdrawal affecting certain of the BLM lands proposed for exchange. The existing reserve was created by a 1912 public land order, and the withdrawal was created by operation of law under section 24 of the Federal Power Act. Paragraph (4) would revoke the powersite reserve and the withdrawal and would authorize the Secretary of the Interior to patent

the Federal lands free of any reserved interest under section 24 of the Federal Power Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3147 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 3147. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3147 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. Enactment of H.R. 3147 would reduce offsetting receipts by less than \$2000 per year.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3147.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 H.R. 3147 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 31, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3147, a bill to provide for the exchange of certain fed-

eral lands in the State of California managed by the Bureau of Land Management for certain nonfederal lands, and for other purposes. The bill was ordered reported by the House Committee on Resources on July 17, 1996. Enacting H.R. 3147 would have no significant impact on the Federal Budget. Enacting H.R. 3147 would affect direct spending by reducing offsetting receipts; therefore, pay-as-you-go procedures would apply to the bill. CBO estimates that the increased direct spending would total less than \$2,000 per year.

H.R. 3147 would authorize the Secretary of the Interior to convey about 179 acres of federal land in Mariposa County, California, to the Merced Irrigation District (MID). In exchange, MID would convey to the federal government about 160 acres in Mariposa County along the national wild and scenic corridor of the Merced River. The bill also would revoke both a power site reserve and a previous withdrawal of federal land for a power project, insofar as those designations affect the federal lands that the bill identifies for exchange.

Based on information from the Bureau of Land Management (BLM), CBO estimates that enacting the exchange would have no effect on the agency's administrative costs. According to MID and BLM, the irrigation district currently pays a small annual rental fee for the powersite withdrawals on the Federal land to the Federal Energy Regulatory Commission (FERC). A portion of those fee receipts are distributed to the states. By enacting this bill, the withdrawals would be revoked, and MID would no longer pay a fee to FERC. We estimate that this reduction in offsetting receipts would total less than \$2,000 per year, net of payments to states.

H.R. 3147 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would impose no significant costs on state, local, or tribal governments. The exchange authorized by this bill would be voluntary on the part of MID.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria V. Heid (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director*.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3147 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 3147 would make no changes in existing law.