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SENATE

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JACKSON MULTI-AGENCY CAMPUS ACT OF 1999

NOVEMBER 5, 1999.—Ordered to be printed

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

REPORT

[To accompany S. 1374]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1374) to authorize the development and maintenance of a multiagency campus project in the town of Jackson, Wyoming, 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 out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Jackson Multi-Agency Campus Act of 1999”.

SEC. 2. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) the management of public land and natural resources and the service of the public in the area of Jackson, Wyoming, are responsibilities shared by—

(A) the Department of Agriculture;

(B) the Forest Service;

(C) the Department of the Interior, including—

(i) the National Park Service; and

(ii) the United States Fish and Wildlife Service;

(D) the Game and Fish Commission of the State of Wyoming;

(E) Teton County, Wyoming;

(F) the town of Jackson, Wyoming;

(G) the Jackson Chamber of Commerce; and

(H) the Jackson Hole Historical Society; and

(2) it is desirable to locate the administrative offices of several of the agencies and entities specified in paragraph (1) on 1 site to—

(A) facilitate communication between the agencies and entities;

(B) reduce costs to the Federal, State, and local governments; and

(C) better serve the public.

(b) **PURPOSES.**—The purposes of this Act are—

- (1) to authorize the Federal agencies specified in subsection (a)—
 - (A) to develop and maintain the Project in Jackson, Wyoming, in cooperation with the other agencies and entities specified in subsection (a); and
 - (B) to provide resources and enter into such agreements as are necessary for the planning, design, construction, operation, maintenance, and fixture modifications of all elements of the Project;
- (2) to direct the Secretary to convey to the town of Jackson, Wyoming, certain parcels of federally owned land located in Teton County, Wyoming, in exchange for construction of facilities for the Bridger-Teton National Forest by the town of Jackson;
- (3) to direct the Secretary to convey to the Game and Fish Commission of the State of Wyoming certain parcels of federally owned land in the town of Jackson, Wyoming, in exchange for approximately 1.35 acres of land, also located in the town of Jackson, to be used in the construction of the Project; and
- (4) to relinquish certain reversionary interests of the United States in order to facilitate the transactions described in paragraphs (1) through (3).

SEC. 3. DEFINITIONS.

In this Act:

- (1) COMMISSION.—The term “Commission” means the Game and Fish Commission of the State of Wyoming.
- (2) CONSTRUCTION COST.—The term “construction cost” means any cost that is—
 - (A) associated with building improvements to Federal standards and guidelines; and
 - (B) open to a competitive bidding process approved by the Secretary.
- (3) FEDERAL PARCEL.—The term “Federal parcel” means—
 - (A) the parcel of land, and all appurtenances to the land, comprising approximately 15.3 acres, depicted as “Bridger-Teton National Forest” on the Map; and
 - (B) the parcel comprising approximately 80 acres, known as the “Cache Creek Administrative Site”, located adjacent to the town.
- (4) MAP.—The term “Map” means the map entitled “Multi-Agency Campus Project Site”, dated March 31, 1999, and on file in the offices of—
 - (A) the Bridger-Teton National Forest, in the State of Wyoming; and
 - (B) the Chief of the Forest Service.
- (5) MASTER PLAN.—The term “master plan” means the document entitled “Conceptual Master Plan”, dated July 14, 1998, and on file at the offices of—
 - (A) the Bridger-Teton National Forest, in the State of Wyoming; and
 - (B) the Chief of the Forest Service.
- (6) PROJECT.—The term “Project” means the proposed project for construction of a multi-agency campus, to be carried out by the town of Jackson in cooperation with the other agencies and entities described in section 2(a)(1), to provide, in accordance with the master plan—
 - (A) administrative facilities for various agencies and entities; and
 - (B) interpretive, educational, and other facilities for visitors to the greater Yellowstone area.
- (7) SECRETARY.—The term “Secretary” means the Secretary of Agriculture (including a designee of the Secretary).
- (8) STATE PARCEL.—The term “State parcel” means the parcel of land comprising approximately 3 acres, depicted as “Wyoming Game and Fish” on the Map.
- (9) TOWN.—The term “town” means the town of Jackson, Wyoming.

SEC. 4. MULTI-AGENCY CAMPUS PROJECT, JACKSON, WYOMING.

- (a) CONSTRUCTION FOR EXCHANGE OF PROPERTY.—
 - (1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the town may construct, as part of the Project, an administrative facility to be owned and operated by the Bridger-Teton National Forest, if—
 - (A) an offer by the town to construct the administrative facility is accepted by the Secretary under paragraph (2);
 - (B) a memorandum of understanding between the town and the Secretary outlining the roles and responsibilities of each party involved in the land exchange and construction is executed;
 - (C) a final building design and construction cost estimate is approved by the Secretary; and
 - (D) the exchange described in subsection (b)(2) is completed in accordance with that subsection.

(2) ACCEPTANCE AND AUTHORIZATION TO CONSTRUCT.—The Secretary, on receipt of an acceptable offer from the town under paragraph (1), shall authorize the town to construct the administrative facility described in paragraph (1) in accordance with this Act.

(3) CONVEYANCE.—

(A) SECRETARY.—The Secretary shall convey all right, title, and interest in and to the Federal land described in section 5(a)(1) to the town in simultaneous exchange for, and on satisfactory completion of, the administrative facility.

(B) TOWN.—The town shall convey all right, title, and interest in and to the administrative facility constructed under this section in exchange for the land described in section 5(a)(1).

(b) OFFER TO CONVEY STATE PARCEL.—

(1) IN GENERAL.—The Commission may offer to convey a portion of the State parcel, depicted on the Map as “Parcel Three”, to the United States to be used for construction of an administrative facility for the Bridger-Teton National Forest.

(2) CONVEYANCE.—If the offer described in paragraph (1) is made not later than 5 years after the date of enactment of this Act, the Secretary shall convey the Federal land described in section 5(a)(2) to the Commission, in exchange for the portion of the State parcel described in paragraph (1), in accordance with this Act.

SEC. 5. CONVEYANCE OF FEDERAL LAND.

(a) IN GENERAL.—In exchange for the consideration described in section 3, the Secretary shall convey—

(1) to the town, in a manner that equalizes values—

(A) the portion of the Federal parcel, comprising approximately 9.3 acres, depicted on the Map as “Parcel Two”; and

(B) if an additional conveyance of land is necessary to equalize the values of land exchanged after the conveyance of Parcel Two, an appropriate portion of the portion of the Federal parcel comprising approximately 80 acres, known as the “Cache Creek Administrative Site” and located adjacent to the town; and

(2) to the Commission, the portion of the Federal parcel, comprising approximately 3.2 acres, depicted on the Map as “Parcel One”.

(b) REVERSIONARY INTERESTS.—As additional consideration for acceptance by the United States of any offer described in section 4, the United States shall relinquish all reversionary interests in the State parcel, as set forth in the deed between the United States and the State of Wyoming, dated February 19, 1957, and recorded on October 2, 1967, in Book 14 of Deeds, Page 382, in the records of Teton County, Wyoming.

SEC. 6. EQUAL VALUE OF INTERESTS EXCHANGED.

(a) VALUATION OF LAND TO BE CONVEYED.—

(1) IN GENERAL.—The fair market and improvement values of the land to be exchanged under this Act shall be determined—

(A) by appraisals acceptable to the Secretary, using nationally recognized appraisal standards; and

(B) in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) APPRAISAL REPORT.—Each appraisal report shall be written to Federal standards, as defined in the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference.

(3) NO EFFECT ON VALUE OF REVERSIONARY INTERESTS.—An appraisal of the State parcel shall not take into consideration any reversionary interest held by the United States in the State parcel as of the date on which the appraisal is conducted.

(b) VALUE OF FEDERAL LAND GREATER THAN CONSTRUCTION COSTS.—If the value of the Federal land to be conveyed to the town under section 5(a)(1) is greater than the construction costs to be paid by the town for the administrative facility described in section 4(a), the Secretary shall reduce the acreage of the Federal land conveyed so that the value of the Federal land conveyed to the town closely approximates the construction costs.

(c) VALUE OF FEDERAL LAND EQUAL TO VALUE OF STATE PARCEL.—

(1) IN GENERAL.—The value of any Federal land conveyed to the Commission under section 5(a)(2) shall be equal to the value of the State parcel conveyed to the United States under section 4(b).

(2) BOUNDARIES.—The boundaries of the Federal land and the State parcel may be adjusted to equalize values.

(d) PAYMENT OF CASH EQUALIZATION.—Notwithstanding subsections (b) and (c), the values of Federal land and the State parcel may be equalized by payment of cash to the Secretary, the Commission, or the town, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), if the values cannot be equalized by adjusting the size of parcels to be conveyed or by conveying additional land, without compromising the design of the Project.

SEC. 7. ADDITIONAL PROVISIONS.

(a) CONSTRUCTION OF FEDERAL FACILITIES.—The construction of facilities on Federal land within the boundaries of the Project shall be—

(1) supervised and managed by the town in accordance with the memorandum of agreement referred to in section 4(a)(1)(A); and

(2) carried out to standards and specifications approved by the Secretary.

(b) ACCESS.—The town (including contractors and subcontractors of the town) shall have access to the Federal land until completion of construction for all purposes related to construction of facilities under this Act.

(c) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—Land acquired by the United States under this Act shall be governed by all laws applicable to the administration of national forest sites.

(d) WETLAND.—

(1) IN GENERAL.—There shall be no construction of any facility after the date of conveyance of Federal land under this Act within any portion of the Federal parcel delineated on the map as “wetlands”.

(2) DEEDS AND CONVEYANCE DOCUMENTS.—A deed or other conveyance document executed by the Secretary in carrying out this Act shall contain such reservations as are necessary to preclude development of wetland on any portion of the Federal parcel.

PURPOSE

The purpose of S. 1374 is to authorize the Forest Service to transfer a small parcel of their land within a proposed multi-agency office campus to the Town of Jackson, Wyoming, in exchange for the Town constructing a new administrative facility for the agency.

BACKGROUND AND NEED

Local, State and Federal officials have identified a need to develop a multi-agency campus in Jackson, Wyoming, that will offer visitors a “one stop shopping” service for wildlife, tourism and resource issues.

The multi-agency campus includes a wildlife interpretive center, facilities for public programs, walkways, bike paths, museum space, and office locations for the Wyoming Department of Game and Fish, the Forest Service, and the local Chamber of Commerce. There are several entities involved in this effort, including the U.S. Department of Agriculture, the Forest Service, Wyoming Department of Game and Fish, the National Park Service, the U.S. Fish and Wildlife Service, the Department of Interior, Teton County, the Town of Jackson, the Jackson Chamber of Commerce, and the Jackson Hole Historical Society.

S. 1374 will improve communications among the Federal agencies and related entities, and reduce costs to Federal, State and local governments as they address public needs.

LEGISLATIVE HISTORY

S. 1374 was introduced by Senators Thomas and Enzi on July 15, 1999, and referred to the Committee on Energy and Natural Resources. The Subcommittee on Forests and Public Land Manage-

ment held a hearing on S. 1374 on July 27, 1999. At the business meeting on October 20, 1999, the Committee on Energy and Natural Resources ordered S. 1374, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on October 20, 1999, by a vote of a quorum present, recommends that the Senate pass S. 1374, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 1374, the Committee adopted an amendment in the nature of a substitute. The amendment makes several clarifying and conforming changes to incorporate recommendations made by the Administration at the Subcommittee hearing. The amendment is described in detail in the section-by-section analysis below.

SECTION-BY-SECTION ANALYSIS

Section 1 cites the short title as "Jackson Multi-Agency Campus Act of 1999."

Section 2 contains the congressional findings and purposes.

Section 3 defines key terms used in the bill.

Section 4(a) requires that the Secretary of Agriculture convey a parcel of land to Jackson, Wyoming if the town offers to construct an administrative facility for the Bridger-Teton National Forest, as part of a multi-agency campus, within 5 years after the date of enactment of this Act.

Subsection (b) requires that the Secretary of Agriculture convey a parcel of land to the Wyoming Game and Fish Commission if it offers to convey a parcel of land for the construction of an administrative facility for the Bridger-Teton National Forest within 5 years after the date of enactment of this Act.

Section 5(a) describes the parcels of Federal land to be conveyed under the Act.

Subsection (b) provides that the United States will relinquish all reversionary interests in the parcel conveyed to the Wyoming Fish and Game Commission.

Section 6(a) states that the lands to be exchanged shall be of equal value, as provided in section 206 of the Federal Land Policy and Management Act (FLPMA).

Subsection (b) authorizes the Secretary to reduce the Federal acreage conveyed if the value of the Federal land to be conveyed is greater than the construction costs of the project.

Subsection (c) states that the value of any Federal land conveyed to the Wyoming Game and Fish Commission shall be equal to the value of land conveyed by the Commission to the United States.

Subsection (d) provides for cash equalization payments, if necessary, as authorized under section 206 of FLPMA.

Section 7(a) pertains to the construction of facilities on Federal Land for the multi-agency campus.

Subsection (b) ensures that the town shall have access to the Federal land until the construction of the project is completed.

Subsection (c) states that land acquired by the United States shall be governed by all laws applicable to the administration of national forest sites.

Subsection (d) states that no part of the construction can occur on land designated as a wetland.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 27, 1999.

Hon. FRANK H. MURKOWSKI,
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. 1374, the Jackson Multi-Agency Campus Act of 1999.

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

Sincerely,

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

Enclosure.

S. 1374—Jackson Multi-Agency Campus Act of 1999

CBO estimates that implementing S. 1374 would have no impact on the federal budget. Because S. 1374 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 1374 would authorize the Secretary of Agriculture to convey up to 90 acres of federal land to the town of Jackson, Wyoming, and to relinquish to the state of Wyoming the federal government's reversionary interest in about 3 acres of state land. The conveyance and relinquishment of interest in land would be made in exchange for the construction of an administrative facility by the town for the Forest Service. If the value of federal land conveyed to the town is greater than the facility construction costs to be paid by the town, the bill would direct the Secretary to reduce the acreage of federal land conveyed so that the exchange is of equal value. The bill would authorize the Secretary to convey to Wyoming about 3 acres of federal land in exchange for 1.35 acres of state land that would be the site of the new administrative facility.

Although the bill provides that the barter of federal land for the construction of a new facility be of equal value, it would allow for cash payments (subject to the availability of appropriate funds) to ensure an equal exchange between the federal government and the town of Jackson. Based on information from the Forest Service, we expect that enacting S. 1374 would not affect federal spending or receipts because the exchanges will be of equal value without need for cash equalization payments by either party.

S. 1374 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. The ex-

changes authorized by the bill would be voluntary on the part of the town of Jackson and the state of Wyoming and any costs incurred by these parties would be voluntary as well. Further, the bill would impose no costs on any other state, local, or tribal government.

The CBO staff contacts are Victoria Heid Hall (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.

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. 1374. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic 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. 1374, as ordered reported.

EXECUTIVE COMMUNICATIONS

On October 21, 1999 the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth Executive agency recommendations on S. 1374. These reports had not been received at the time the report on S. 1374 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Forest Service at the Subcommittee hearing follows:

STATEMENT OF RON STEWART, DEPUTY CHIEF, PROGRAMS AND LEGISLATION, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to discuss S. 1374, a bill to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

I am Ron Stewart, Forest Service Deputy Chief for Programs and Legislation. I am accompanied today by Mike Williams, Assistant Director of Lands.

The Administration supports the goals of S. 1374, which would authorize the sale of land and provide for the acquisition of a new site and facility for a multi-agency office in the town of Jackson, Wyoming, but would like to work with the subcommittee to make some adjustments.

The Administration supports the goals of S. 1374, the "Jackson Multi-Agency Campus Act of 1999." This bill would direct the Secretary of Agriculture to convey to the town of Jackson, Wyoming, certain parcels of federally

owned land located in Teton County, Wyoming, in exchange for construction of facilities for the Bridger-Teton National Forest by the town of Jackson. The bill would also direct the Secretary to convey to the Game and Fish Commission of the State of Wyoming certain parcels of federally owned land in the town of Jackson in exchange for approximately 1.35 acres of land, also located in Jackson to be used in the construction of the facilities. The bill also would relinquish certain reversionary interests of the United States, held by the Department of Defense on lands currently owned by the State of Wyoming, in order to facilitate the transactions.

This bill would facilitate an equal value land exchange that would result in a new facility to be used by the Forest Service, and would also provide for multi-agency uses such as combined visitor information and interpretive services. A Memorandum of Understanding will be entered into by the Forest Service and the town of Jackson to deal with specific requirements related to the design and construction of the facility.

The Forest Service is concerned that there are still sections of this bill that may need some technical amendments with regard to requirements for certain county actions, the relinquishment of the reversionary action of the United States, the terms of conveyance, and the section pertaining to value of federal lands less than construction costs. We are still reviewing this matter and would like to work with the subcommittee to make adjustments as needed.

CLOSING

In summary Mr. Chairman, we support the goals of S. 1374, the land conveyance and land exchange for the purpose of constructing a multi-agency campus in Jackson, and we intend to work with the subcommittee on our concerns regarding certain sections of the bill.

We thank the subcommittee for the opportunity to comment on these bills. I would be pleased to answer any questions you 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 the bill S. 1374, as ordered reported.