

TO PROVIDE FOR THE CONVEYANCE OF CERTAIN PUBLIC
LAND IN CLARK COUNTY, NEVADA, FOR USE AS A HEL-
IPIORT

OCTOBER 6, 2004.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 4285]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4285) to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport, 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. 4285 is to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport.

BACKGROUND AND NEED FOR LEGISLATION

The Las Vegas Valley is among the fastest growing communities in the United States, at present adding more than 6,000 new residents per month. The local economic community thrives on tourism with one of the most popular tourist excursions being the helicopter tour of the Grand Canyon. Currently, helicopter tour flight paths impact long-standing residential neighborhoods with overflights approaching ninety per day.

The purpose of this legislation is to provide a suitable location for the establishment of a commercial service heliport facility to serve the Las Vegas Valley. One of the primary goals is also to minimize the impact of air tours on the Sloan Canyon National Conservation Area (Conservation Area) and North McCullough Mountains Wilderness that lie just north of the major residential

areas. The bill directs the Bureau of Land Management to convey to Clark County, Nevada, 229 acres of public land for a new Clark County Public Heliport Facility. H.R. 4285 also seeks to prevent helicopter flights over the Conservation Area except between 3 and 5 miles north of the southern-most boundary, lower than 1,000 feet over eastern segments and lower than 500 feet over the western segments.

In addition, any operator of a helicopter tour originating from or concluding at the new heliport shall pay the Clark County Department of Aviation a \$3 conservation fee for each passenger on the tour if any of the helicopter tour overflies the Conservation Area. The fee collected will be placed in a special account in the Treasury of the United States. Those funds will then be made available to the Secretary of the Interior for management of cultural, wildlife and wilderness resources on public land in the State of Nevada.

COMMITTEE ACTION

Representative Jim Gibbons (R–NV) introduced H.R. 4285 on May 5, 2004. The bill was then referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation and Public Lands. On September 14, 2004, the Subcommittee held a hearing on the bill. On September 15, 2004, the Full Resource Committee met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill 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 in revenues or tax expenditures. According to the Congressional Budget Office, enactment of this bill will have a “negligible effect” on direct spending.

3. General Performance Goals and Objectives. The 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:

H.R. 4285—A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport

CBO estimates that H.R. 4285 would have no significant impact of the federal budget. Enacting the bill would have a negligible effect on direct spending and would not affect revenues.

H.R. 4285 would direct the Secretary of the Interior to give 229 acres of federal land to Clark County, Nevada. The county would use that land to build a heliport facility. H.R. 4285 would require helicopter tour operators who use that facility to pay a fee of \$3 per passenger if they fly over the Sloan Canyon National conservation Area, which is adjacent to the proposed heliport site. Under the bill, the Secretary could retain and spend those fees, without further appropriation, to manage cultural, wildlife, and wilderness resources on federal land in Nevada.

According to the Bureau of Land Management (BLM), the federal land to be conveyed currently generates no significant receipts and is not expected to do so over the next 10 years. Based on information from BLM, we estimate that charging helicopter tour operators a fee as proposed under H.R. 4285 would generate offsetting receipts (a credit against direct spending) totaling less than \$500,000 annually. Because we expect those amounts would be largely offset within the year they are collected by increased spending for resource management, we estimate that any resulting net change in direct spending under H.R. 4285 would be negligible.

H.R. 4285 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 Clark County by providing for the conveyance of federal land to the county at very little cost: only the administrative costs of the transfer. These costs would be incurred voluntarily.

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.