

WABENO ECONOMIC DEVELOPMENT ACT

JULY 21, 2025.—Ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 3937]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3937) to provide for the conveyance of certain Federal land in Chequamegon-Nicolet National Forest, and for other purposes, 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 all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wabeno Economic Development Act”.

SEC. 2. CONVEYANCE OF CERTAIN NATIONAL FOREST SYSTEM LAND IN THE CHEQUAMEGON-NICOLET NATIONAL FOREST TO TONY’S WABENO REDI-MIX, LLC.

(a) CONVEYANCE REQUIRED.—If, during the 180-day period beginning on the date of Federal approval of the appraisal under subsection (d), Tony’s Wabeno Redi-Mix, LLC submits to the Secretary an offer to acquire the property described in subsection (b) for market value, as determined by such appraisal, the Secretary shall, not later than 180 days after receiving such offer, convey to Tony’s Wabeno Redi-Mix, LLC all right, title, and interest of the United States, including mineral rights, in and to the property described in subsection (b).

(b) DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The property referred to in subsection (a) is the parcel of real property, including all land and improvements, generally depicted as “Federal Parcel to be Conveyed” on the Map, consisting of approximately 14 acres of National Forest System land located in the Chequamegon-Nicolet National Forest in Wisconsin.

(2) MAP.—

(A) MINOR ERRORS.—The Secretary may correct minor errors in the Map.

(B) AVAILABILITY.—A copy of the Map shall be on file and available for public inspection in the appropriate office of the Forest Service.

(3) SURVEY.—The exact acreage and legal description of the National Forest System land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) TERMS AND CONDITIONS OF THE CONVEYANCE.—

(1) REQUIREMENTS.—The conveyance under subsection (a) shall be—

(A) subject to valid existing rights;

- (B) made by quitclaim deed; and
- (C) subject to such other terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.
- (2) COSTS.—As a condition of the conveyance under subsection (a), Tony’s Wabeno Redi-Mix, LLC shall pay to the Secretary—
 - (A) an amount equal to the market value of the land to be conveyed under subsection (a), as determined by the appraisal under subsection (d); and
 - (B) all costs associated with the conveyance, including the cost of—
 - (i) a survey, if necessary, under subsection (b)(3);
 - (ii) conducting the appraisal under subsection (d); and
 - (iii) any environmental analysis or resource survey required under Federal law.
- (d) APPRAISAL.—
 - (1) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Secretary shall complete an appraisal to determine the market value of the land to be conveyed under subsection (a).
 - (2) STANDARDS.—The appraisal under paragraph (1) shall be conducted in accordance with—
 - (A) the Uniform Appraisal Standards for Federal Land Acquisitions; and
 - (B) the Uniform Standards of Professional Appraisal Practice.
- (e) DEFINITIONS.—In this section:
 - (1) MAP.—The term “Map” means the map entitled “Conveyance of Federal Parcel Chequamegon-Nicolet National Forest” and dated September 27, 2023.
 - (2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

SEC. 3. COMPREHENSIVE REVIEW OF FEDERAL PERMITTING PROCESSES FOR STONE, SAND, AND GRAVEL DEVELOPMENT ON FEDERAL LANDS.

- (a) REVIEW.—The Secretary of the Interior, in consultation with the heads of other relevant Federal agencies, industry stakeholders, and State permitting authorities, shall conduct a comprehensive review of the Federal permitting processes for the development of stone, sand, and gravel on Federal lands.
- (b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, in consultation with the entities referred to in subsection (a), shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, and make publicly available on the website of the Department of the Interior a report that includes—
 - (1) a detailed description of the current Federal permitting process for stone, sand, and gravel development, including average timelines from initial application to final approval;
 - (2) an analysis identifying potential inefficiencies and duplicative steps in such permitting process and the impact of such inefficiencies and duplicative steps on project timelines;
 - (3) the Secretary’s recommendations for legislative or administrative actions to streamline such permitting process; and
 - (4) a summary of the economic impacts associated with current permitting timelines under such permitting process, specifically focusing on the stone, sand, and gravel sectors.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 3937 is to provide for the conveyance of certain Federal land in Chequamegon-Nicolet National Forest, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Nearly half of the landmass of Forest County in northern Wisconsin, or roughly 350,000 acres, is federally owned as part of the Chequamegon-Nicolet National Forest.¹ Like many counties and states with significant federal footprints, Forest County has limited opportunities for economic development of local communities and businesses. Located in the Town of Wabeno, a historic logging com-

¹Forest County Forestry and Recreation Department, “Chequamegon-Nicolet National Forest”, <https://forestcountyiwi.com/education-and-resources#>.

munity with a population of just over 1,100 people in Forest County, Tony's Wabeno Redi-Mix, LLC, is one such business currently struggling to expand due to the lack of available nearby private lands. For more than 22 years, this small business has supplied concrete to local contractors and homeowners in the roughly 50-mile service area around Wabeno, Wisconsin.² Tony's Wabeno Redi-Mix, LLC, employs 17 people and has provided concrete for several community projects, including fire and rescue buildings, town shops and offices, barns for local farmers, as well as the material for home construction and renovations.³

At its current pace, this business will run out of the aggregate materials necessary to continue its operations in the next two to three years.⁴ Aggregates are the raw materials, such as stone, sand and gravel, that are used to create building materials, including cement and asphalt. To address this supply challenge, the company tried to work with the U.S. Forest Service (USFS) for seven years on a land conveyance of a 14-acre parcel located in the Chequamegon-Nicolet National Forest. This parcel is directly adjacent to the company's current location and has adequate sand and gravel resources needed to keep the business's operations running for years to come.⁵ To expedite this land conveyance process after years of continuous USFS delays, Representative Tom Tiffany (R-WI) introduced H.R. 3937, the "Wabeno Economic Development Act," to require USFS to convey this land to Tony's Wabeno Redi-Mix, LLC, for fair market value. This conveyance would provide much-needed economic growth to the local community and is supported by the Wabeno Chamber of Commerce, the Forest County Economic Development Partnership, and the Town of Wabeno.⁶

H.R. 3937 also includes a provision that recognizes the national importance of encouraging more domestic sand, stone, and gravel mining nationwide. A healthy supply of aggregates is critically important for infrastructure and economic development. It takes an average of 38,000 tons of aggregates to construct just one lane mile of interstate.⁷ Roughly 400 tons of aggregate are needed for the construction of an average home, while a school or hospital typically requires around 15,000 tons.⁸ In addition to serving as reliable building materials, aggregates are an important ingredient for many other materials, such as glass, plastic, silica for computer parts, and even calcium carbonate for antacids.⁹ The average American relies on over 10,000 pounds of stone and over 7,000 pounds of sand and gravel per year.¹⁰ Currently, projects of all varieties that rely on federal aggregates take four to ten years to

² City-Data.com, "Wabeno, Wisconsin", <https://www.city-data.com/city/Wabeno-Wisconsin.html>. Letter to U.S. Representative Tom Tiffany, Tony Smith, January 11, 2022, https://republicans-naturalresources.house.gov/UploadedFiles/Copy_of_letter.pdf.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ "Letters of Support, Tony Smith," U.S. House Committee on Natural Resources, https://republicans-naturalresources.house.gov/UploadedFiles/Tony_Smith_Letters_of_Support.pdf.

⁷ Association of Equipment Manufacturers, "Construction Aggregates 101: What They Are (And Why They Matter)", Sara Feuling, August 7, 2023, <https://www.aem.org/news/construction-aggregates-101-what-they-are-and-why-they-matter>.

⁸ *Id.*

⁹ *Id.*

¹⁰ Elements by Visual Capitalist, "Visualizing U.S. Consumption of Fuel and Materials per Capita", Bruno Venditti, January 27, 2023, <https://elements.visualcapitalist.com/visualizing-u-s-consumption-of-fuel-and-materials-per-capita/>.

complete the federal permitting process.¹¹ Aggregate producers have consistently encouraged steps to “fix a broken permitting reform process that currently makes the task of sourcing aggregates severely difficult.”¹² H.R. 3937 would help address this problem by requiring the Department of the Interior (DOI) to conduct a comprehensive review of the permitting process for stone, sand, and gravel on federal lands. As part of this review, DOI would be required to report on current delays and inefficiencies in the permitting process and the economic effects of those delays to the sand, stone, and gravel industry.

COMMITTEE ACTION

H.R. 3937 was introduced on June 11, 2025, by Representative Tom Tiffany (R-WI). The bill was referred to the Committee on Natural Resources. The bill was also referred to the Committee on Agriculture. On June 25, 2025, the Committee on Natural Resources met to consider the bill. Representative Tom Tiffany (R-WI) offered an Amendment in the Nature of a Substitute designated Tiffany_022 ANS. The Amendment in the Nature of a Substitute was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing in the 118th Congress by the Subcommittee on Federal Lands held on January 31, 2024.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 names the bill the “Wabeno Economic Development Act.”

Section 2. Conveyance of certain National Forest System land in the Chequamegon-Nicolet National Forest to Tony’s Wabeno Redi-Mix, LLC

Section 2 requires the Secretary of Agriculture to convey a 14-acre parcel of National Forest System land to Tony’s Wabeno Redi-Mix, LLC within 180 days of receiving an offer to acquire the property. Section 2 requires the conveyance be done at fair market value based on an appraisal conducted within 300 days of the bill’s passage. Section 2 sets guidelines for finalizing the map of the conveyance and provides for corrections to the map. Section 2 also requires Tony’s Wabeno Redi-Mix, LLC to pay for the cost of the conveyance and specifies that the conveyance is subject to valid existing rights.

¹¹National Stone, Sand and Gravel Association (NSSGA), Coalition Letter to House Committee on Natural Resources Leadership Supporting BUILDER Act of 2023, March 7, 2023, https://www.nssga.org/sites/default/files/2023-03/230307_Coalition_BUILDERAct_HouseNaturalResources.pdf.

¹²National Stone, Sand and Gravel Association (NSSGA), Letter to House Leadership Supporting H.R. 1, the Lower Energy Costs Act, March 23, 2023, https://www.nssga.org/sites/default/files/2023-03/FINAL_HR_1_PDF3.23.23.pdf.

Section 3. Comprehensive review of federal permitting processes for stone, sand, and gravel development on federal lands

Section 3 requires the Secretary of the Interior, in consultation with the other relevant federal agencies and stakeholders, to conduct a comprehensive review of the federal permitting process for the development of stone, sand, and gravel on federal lands within 180 days of the bill's passage. The report is required to include a detailed description of the current permitting process, an analysis identifying inefficiencies and duplicative steps in the permitting process and how such inefficiencies impact project timelines, recommendations for legislative or administrative actions to streamline the permitting process, and a summary of the economic impacts of the current permitting process. Section 3 requires the Secretary to submit the report to the House Committee on Natural Resources and the Senate Energy and Natural Resources Committee. The report must also be publicly posted on a DOI website.

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 Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND
CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to provide for the conveyance of certain Federal land in Chequamegon-Nicolet National Forest, and for other purposes.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 3937 would make no changes in existing law.

GLENN THOMPSON, PENNSYLVANIA,
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COMMITTEE CORRESPONDENCE

U.S. House of Representatives Committee on Agriculture Room 1301, Longworth House Office Building Washington, DC 20515-6001

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July 17, 2025

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The Honorable Bruce Westerman, Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

This letter confirms our mutual understanding regarding H.R. 3937, the "Wabeno Economic Development Act." Thank you for collaborating with the Committee on Agriculture on the matters within our jurisdiction.

The Committee on Agriculture will forego any further consideration of this bill. However, by foregoing consideration at this time, we do not waive any jurisdiction over any subject matter contained in this or similar legislation. The Committee on Agriculture also reserves the right to seek appointment of an appropriate number of conferees, should it become necessary, and ask that you support such a request.

We would appreciate a response to this letter confirming this understanding with respect to H.R. 3937 and request a copy of our letters on this matter be published in the Congressional Record during Floor consideration.

Sincerely,

Glenn "GT" Thompson
Chairman

Cc: The Honorable Angie Craig, Ranking Member, Committee on Agriculture
The Honorable Jared Huffman, Ranking Member, Committee on Natural Resources
The Honorable Mike Johnson, Speaker of the House of Representatives
The Honorable Jason Smith, Parliamentarian, U.S. House of Representatives

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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

July 17, 2025

The Honorable Glenn "GT" Thompson
Chairman
Committee on Agriculture
1301 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

I write regarding our mutual understanding of H.R. 3937, the *Wabeno Economic Development Act*, which was ordered report by the Committee on Natural Resources.

I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Agriculture and appreciate your willingness to forgo further consideration of the bill. I acknowledge that the Committee on Agriculture will not formally consider H.R. 3937 and agree that the inaction of your Committee with respect to the bill does not waive any jurisdiction over the subject matter contained therein.

I am pleased to support your request to name members of the Committee on Agriculture to any conference committee to consider such provisions. I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation.

Sincerely,



Bruce Westerman
Chairman
Committee on Natural Resources

cc: The Honorable Mike Johnson, Speaker of the House
The Honorable Angie Craig, Ranking Member, Committee on Agriculture
The Honorable Jared Huffman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian, U.S. House of Representatives