

LAND EXCHANGE FOR INYO NATIONAL FOREST

APRIL 16, 2012.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 2157]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2157) to facilitate a land exchange involving certain National Forest System lands in the Inyo 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. 2157 is to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2157 authorizes the U.S. Forest Service to acquire two parcels of land outside the boundary of the Inyo National Forest in exchange for conveyance of 20 acres of national forest land to the Mammoth Mountain Ski Area (MMSA). The main base of the MMSA currently operates under a special-use permit from the Forest Service and has been working to acquire ownership of the parcel to allow for needed renovations. The Inyo National Forest currently operates facilities on land that is owned by the Los Angeles Department of Water and Power outside the boundary of the forest. H.R. 2157 authorizes the Inyo National Forest to acquire those parcels in the process of exchanging lands with the MMSA. In addition, the value of the parcels to be acquired by the MMSA exceeds the value of the lands to be exchanged to the Forest Service so the legislation authorizes the Forest Service to accept a cash equalization payment greater than the 25 percent cap under current law.

COMMITTEE ACTION

H.R. 2157 was introduced on June 13, 2011, by Congressman Howard “Buck” McKeon (R–CA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On December 2, 2011, the Subcommittee held a hearing on the bill. On February 29, 2012, the Full Natural Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged by unanimous consent. No amendments were offered and the bill was then ordered favorably reported to the House of Representatives by voice vote.

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

1. Cost of Legislation. Clause 3(d)(1) 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)(2)(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. 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. 2157—A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes

H.R. 2157 would authorize the Secretary of Agriculture to accept certain nonfederal lands in exchange for 20 acres of federal land within the Inyo National Forest in California. Based on information provided by the Forest Service, CBO estimates that implementing the legislation would increase offsetting receipts and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO expects that those changes would have no net impact on the deficit over the 2012–2022 period. Enacting H.R. 2157 would not affect revenues.

H.R. 2157 would authorize the Secretary to accept private lands located outside of the Inyo National Forest in exchange for federal lands located within the forest. In addition, the bill would allow the Secretary to accept a cash payment that is greater than 25 percent of the value of the federal lands to equalize the values of the properties that would be exchanged. Under current law, the Secretary can only exchange federal lands within a national forest for non-federal lands located within that forest and cannot accept a cash

equalization payment greater than 25 percent of the value of the federal lands exchanged.

Formal appraisals of the properties have not been completed, but, based on information provided by the Forest Service, CBO estimates that the cash equalization payment could be several million dollars (if the federal land is found to be more valuable than the private land). Under the bill, amounts received from such a payment would be retained by the agency and spent, without further appropriation, to acquire other lands in California. CBO estimates that those amounts would be spent within five years of the bill's enactment.

H.R. 2157 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.

The CBO staff contact for this estimate is Jeff LaFave. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of 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, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the U.S. Forest Service, CBO estimates that implementing the legislation would increase offsetting receipts and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO expects that those changes would have no net impact on the deficit over the 2012–2022 period.

3. 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 facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest.

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.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates as defined under Public Law 104–4.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.