

ADJUSTMENT OF BOUNDARY OF THE TOIYABE NATIONAL
FOREST, NEVADA

JULY 17, 2000.—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 S. 439]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 439) to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 439 is to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada.

BACKGROUND AND NEED FOR LEGISLATION

Development in the Carson Valley in Douglas County, Nevada, has presented difficult challenges for the community. County officials, conservationists, developers and other residents have united in an effort to protect their open spaces. The private agricultural conservation easements proposed to be acquired by the Bureau of Land Management (BLM) will ensure that the land will continue to be used only for commercial agriculture.

The boundary adjustment in S. 439 will enable private landowners in Douglas County to work with only one federal agency, the BLM, in acquiring easements, rather than BLM and the U.S. Forest Service.

COMMITTEE ACTION

S. 439 was introduced on February 22, 1999, by Senator Richard Bryan (D–NV). The bill passed the Senate on November 19, 1999, by unanimous consent. It was then received in the House of Representatives where it was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forests Health. On May 3, 2000, the Subcommittee held a hearing on the bill. On June 7, 2000, the Full Resources Committee met to consider the bill. The Full Committee discharged the Subcommittee from further consideration of the bill by unanimous consent. No amendments were offered. 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 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.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII 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 on this bill.

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 14, 2000.

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 439, an act to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll,

Sincerely,

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

Enclosure.

CBO estimates that implementing S. 439 would have no impact on the federal budget. Because S. 439 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 439 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

S. 439 would adjust the boundary of the Toiyabe National Forest in Nevada to exclude roughly 2,000 acres of private land that is currently within that boundary. As a result, any future conservation easements on the affected private land would be managed by the Bureau of Land Management (BLM) rather than the Forest Service. The boundary adjustment would not affect the management of public lands, and based on information from BLM, we estimate that enacting this act would have no impact on federal spending.

On October 29, 1999, CBO transmitted a cost estimate for S. 439 as ordered reported by the Senate Committee on Energy and Natural Resources. The two versions of the legislation are identical, and the cost estimates are the same.

The CBO staff contacts are Megan Carroll and Ali Aslam. 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 MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**SECTION 4 OF THE NATIONAL FOREST AND PUBLIC
LANDS OF NEVADA ENHANCEMENT ACT OF 1988**

SEC. 4. TRANSFER OF LANDS.

(a) **TRANSFER OF PUBLIC LANDS TO THE FOREST SERVICE.**—[Effective]

(1) *IN GENERAL.*—Effective one hundred and eighty days after the enactment of this Act, the approximately six hundred sixty-two thousand acres of public lands designated for inclusion in the National Forest System on three maps entitled “Nevada Interchange-A”, dated January 1987, “Nevada Interchange-B”, dated February 1988, and “Nevada Interchange-C”, dated August 1988, are hereby withdrawn from the public domain, transferred to the jurisdiction of the Secretary of Agriculture, and shall become part of the Toiyabe National Forest or the Inyo National Forest, as appropriate.

(2) *BOUNDARY ADJUSTMENT.*—Effective on the date of enactment of this paragraph, the portion of the land transferred to the Secretary of Agriculture under paragraph (1) situated between the lines marked “Old Forest Boundary” and “Revised National Forest Boundary” on the map entitled “Nevada Interchange ‘A’, Change 1”, and dated September 16, 1998, is transferred to the Secretary of the Interior.

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