

SPANISH PEAKS WILDERNESS ACT OF 1997

AUGUST 4, 1998.—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 H.R. 1865]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1865) to designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness, 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. 1865 is to designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness.

BACKGROUND AND NEED FOR LEGISLATION

In the 1970s, the Spanish Peaks area was reviewed for possible wilderness designation, and the 1980 Colorado Wilderness Act provided for its continued management as a wilderness study area. In 1992, the House of Representatives passed a bill to designate the Spanish Peaks and other areas as wilderness. However, the final Colorado Wilderness Act of 1993 instead provided only for continued management of the Spanish Peaks as a wilderness study area for three years, and directed the Forest Service to report on the extent of non-federal holdings in the area and the likelihood of their acquisition by the United States with the owners' consent.

H.R. 1865 would designate as wilderness about 18,000 acres of Spanish Peaks. The boundaries of the proposed wilderness have been drawn to exclude most of the remaining non-federal interests in the area. The proposed wilderness is entirely a headwaters area, as are all of the areas designated as wilderness by the 1993 Act.

H.R. 1865 would simply amend the 1993 Act to add Spanish Peaks to the list of areas designated as wilderness. Thus, all the provisions of the 1993 Act, including those related to water, would apply to the Spanish Peaks area in the same way as the other listed wilderness areas. H.R. 1865 would also repeal the section of the 1993 Act that provided for management of the Spanish Peaks as a wilderness study area.

COMMITTEE ACTION

H.R. 1865 was introduced on June 11, 1997, by Congressman David E. Skaggs (D-CO) and cosponsor Congressman Scott McInnis (R-CO). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forest Health. On April 28, 1998, the Subcommittee held a hearing on H.R. 1865, where the Administration testified in support of H.R. 1865. On May 7, 1998, the Subcommittee met to mark up H.R. 1865. No amendments were offered and the bill was ordered favorably reported to the Full Committee by voice vote. On May 20, 1998, the Full Resources Committee met to consider H.R. 1865. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X 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 H.R. 1865.

COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 1865. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1865 does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of H.R. 1865 could affect direct spending as a result of foregone receipts, but any such effect would be insignificant.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI 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 and Oversight on the subject of H.R. 1865.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 H.R. 1865 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 29, 1998.

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 H.R. 1865, the Spanish Peaks Wilderness Act of 1997.

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

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 1865—Spanish Peaks Wilderness Act of 1997

H.R. 1865 would amend the Colorado Wilderness Act of 1993 (Public Law 103-77) by designating about 18,000 acres of federal land within the San Isabel National Forest in Colorado as the Spanish Peaks Wilderness. The land is managed as a wilderness study area under current law.

CBO estimates that enacting this bill would have no significant impact on the federal budget. Because H.R. 1865 could affect direct spending as a result of potential forgone receipts, pay-as-you-go procedures would apply; however, we estimate that any such effect would be insignificant. This bill would impose 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.

The CBO staff contact is Victoria V. Heid. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 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):

COLORADO WILDERNESS ACT OF 1993

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SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—The following lands in the State of Colorado are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) * * *

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(20) *Certain lands in the San Isabel National Forest which comprise approximately 18,000 acres, as generally depicted on a map entitled "Proposed Spanish Peaks Wilderness", dated May 1997, and which shall be known as the Spanish Peaks Wilderness.*

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[SEC. 10. SPANISH PEAKS PLANNING AREA STUDY.

[(a) REPORT.—Not later than three years from the date of enactment of this Act, the Secretary shall report to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate on the status of private property interests located within the Spanish Peaks planning area of the San Isabel National Forest in Colorado, as generally depicted on a map entitled "Spanish Peaks Further Planning Area Study", dated January, 1993.

[(b) CONTENTS OF REPORT.—The report required by this section shall identify the location of all private property situated within the exterior boundaries of the Spanish Peaks planning area; the nature of such property interests; the acreage of such private property interests; and the Secretary's views on whether the owners of said properties would be willing to enter into either a sale or exchange of these properties at fair market value if such a transaction became available in the near future.

[(c) NO AUTHORIZATION OF EMINENT DOMAIN.—Nothing contained in this Act authorizes, and nothing in this Act shall be construed to authorize, the acquisition of real property by eminent domain.

[(d) MANAGEMENT.—Notwithstanding the provisions of section 4(a) of this Act, for a period of three years from the date of enactment of this Act, the Secretary shall manage the Spanish Peaks planning area as provided by section 105(c) of Public Law 96-560.]

SEC. [11.] 10. PUMPING PLANT NAME CHANGE.

The facility of the Bureau of Reclamation, Department of the Interior, known as the Granby Pumping Plant of the Colorado Big Thompson Project, in the State of Colorado, shall hereafter be known as the Farr Pumping Plant. Any reference to the Granby Pumping Plant in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Farr Pumping Plant.