

Calendar No. 194

105TH CONGRESS }
1st Session }

SENATE

{ REPORT
105-99

DILLON RANGER DISTRICT

OCTOBER 6, 1997.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 591]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 591) to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the State of Colorado, 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 out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. INCLUSION OF DILLON RANGER DISTRICT IN WHITE RIVER NATIONAL FOREST, COLORADO.

(a) BOUNDARY ADJUSTMENTS.—

(1) WHITE RIVER NATIONAL FOREST.—The boundary of the White River National Forest in the State of Colorado is hereby adjusted to include all National Forest System lands located in Summit County, Colorado, comprising the Dillon Ranger District of the Arapaho National Forest.

(2) ARAPAHO NATIONAL FOREST.—The boundary of the Arapaho National Forest is adjusted to exclude the land transferred to the White River National Forest by paragraph (1).

(b) REFERENCE.—Any reference to the Dillon Ranger District, Arapaho National Forest, in any existing statute, regulation, manual, handbook, or other document shall be deemed to be a reference to the Dillon Ranger District White River National Forest.

(c) EXISTING RIGHTS.—Nothing in this section affects valid existing rights of persons holding any authorization, permit, option, or other form of contract existing on the date of the enactment of this Act.

(d) FOREST RECEIPTS.—Notwithstanding the distribution requirements of payments under the sixth paragraph under the heading “Forest Service” in the Act entitled “An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine”, approved May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), the distribution of receipts from the Arapaho National Forest and the White River National Forest to affected county

governments shall be based on the national forest boundaries that existed on the day before the date of enactment of this Act.

PURPOSE OF THE BILL

The purpose of S. 591 is to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in Colorado.

BACKGROUND AND NEED FOR LEGISLATION

This legislative adjusts the boundary of the White River National Forest to include all National Forest System lands within Summit County, Colorado, which are currently part of the Arapaho National Forest. These lands are known as the Dillon Ranger District. The White River National Forest has administered these lands for a number of years and therefore, the inclusion of the Dillon Ranger District within the White River National Forest will more accurately reflect the administration of these lands. Furthermore, this boundary adjustment should reduce confusion within the general public as to which national forest administers the Dillon Ranger District. The bill will not alter the current distribution of forest receipts to the affected county governments.

LEGISLATIVE HISTORY

S. 591 was introduced on April 16, 1997, by Senator Campbell. On June 18, 1997, the Subcommittee on Forests and Public Land Management held a hearing on S. 591. At the business meeting on September 24, 1997, the Committee on Energy and Natural Resources ordered S. 591, as amended, favorably reported.

SUMMARY OF MAJOR PROVISIONS

Section 1(a) adjusts the boundaries of the White River National Forest and the Arapaho National Forest to include the Dillon Ranger District within the White River National Forest. Section 1(b) directs updating references in statute, map and manual references to reflect boundary adjustments. Section 1(c) clarifies that the boundary adjustment shall not affect valid existing rights of persons holding any authorization, permit, option, or any other form of contract. Section 1(d) provides that the distribution of receipts from the Arapaho National Forest and White River National Forest to affected county governments shall be based upon the present National Forest boundaries, thus protecting the status quo of the distribution of receipts.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on September 24, 1997, by a unanimous voice vote of the quorum present, recommends that the Senate pass S. 591, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 591, the Committee adopted an amendment in the nature of a substitute that incorporates changes

recommended by the Administration and makes technical and clarifying modifications.

COST AND BUDGETARY CONSIDERATIONS

The cost and budgetary considerations prepared by the Congressional Budget Office are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 26, 1997.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S.591, a bill to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the state of Colorado.

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.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 591—A bill to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the state of Colorado

CBO estimates that enacting this bill would have no significant impact on the federal budget. Because S. 591 would not affect direct spending or receipts, pay-as-you-go procedures do not apply. S. 591 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would have no impact on the budgets of state, local, or tribal governments.

S. 591 would adjust the boundary of the White River National Forest to include all National Forest System lands located in Summit County, Colorado. Those lands form the Dillon Ranger District, which is within the Arapaho National Forest. According to the Forest Service, the Dillon Ranger District is legally designated as part of the Arapaho National Forest but is currently administered as part of the White River National Forest. Thus, enacting this bill would continue existing management practices.

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

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 591. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 591, as ordered reported.

EXECUTIVE COMMUNICATIONS

The administration testified on the legislation at a June 18, 1997 hearing held by the Subcommittee on Forests and Public Land Management, that passage of the legislation is not necessary. Nevertheless, the Administration indicated that it does not oppose S. 591. Legislative reports from the Department of Agriculture, and the Office of Management and Budget setting forth Executive agency recommendations on S. 591 were unavailable when the report was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

The Administration testimony is attached.

STATEMENT OF ROBERT JOSLIN, DEPUTY CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the Subcommittee, I am Bob Joslin, the new Deputy Chief of the Forest Service for the National Forest System. I am pleased to be here to share the Administration's views on S. 591.

S. 591, Adjustment of the boundary of the White river National Forest, Colorado

The Administration has no objection to S. 591, a bill to adjust the boundary of the White River National Forest in Colorado to include all National Forest System lands within Summit County, Colorado, which are currently part of the Dillon Ranger District of the Arapaho National Forest.

The area currently referred to as the Dillon Ranger District has been part of several National Forests: Kokomo, Leadville and Arapaho. In 1973 the District was administratively reassigned from the Arapaho to the White River National Forest. Since then, the Forest Supervisor of the White River National Forest has been responsible for all actions on the Dillon District and activities have been in accordance with the White River National Forest Plan. However, signs and administrative documents continue to state that the District is part of the Arapaho National Forest.

S. 591 affirms current administrative management practices on the two national forests in Colorado and helps resolve a public service problem on the Dillon Ranger District.

We note, however, that subsection (d), which deals with the distribution of receipts, results in increased administrative workload on both the White River and Arapaho National Forests. For this reason, we would prefer that subsection (d) be deleted.

Legislative action on this situation, which is found on many forests across the nation, could result in future conflicts over similar, locally generated, legislative proposals.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act, S. 591, as ordered reported.

