

Y MOUNTAIN ACCESS ENHANCEMENT ACT

JULY 19, 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. 4484]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4484) to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend 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 “Y Mountain Access Enhancement Act”.

SEC. 2. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.

(a) CONVEYANCE REQUIRED.—On the request of Brigham Young University submitted to the Secretary of Agriculture not later than one year after the date of the enactment of this Act, the Secretary shall convey, not later than one year after receiving the request, to Brigham Young University all right, title, and interest of the United States in and to an approximately 80-acre parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in the State of Utah consisting of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T. 6 S., R. 3 E., and Lot 4 of Section 5, T. 7 S., R. 3 E., Salt Lake Base & Meridian. The conveyance shall be subject to valid existing rights and shall be made by quitclaim deed.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection (a), Brigham Young University shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DEPOSIT.—The consideration received by the Secretary under paragraph (1) shall be deposited in the general fund of the Treasury to reduce the Federal deficit.

(c) GUARANTEED PUBLIC ACCESS TO Y MOUNTAIN TRAIL.—After the conveyance under subsection (a), Brigham Young University represents that it will—

(1) continue to allow the same reasonable public access to the trailhead and portion of the Y Mountain Trail already owned by Brigham Young University as of the date of the enactment of this Act that Brigham Young University has historically allowed; and

(2) allow that same reasonable public access to the portion of the Y Mountain Trail and the “Y” symbol located on the land described in subsection (a).

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. Brigham Young University shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

PURPOSE OF THE BILL

The purpose of H.R. 4484, as ordered reported, is to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University.

BACKGROUND AND NEED FOR LEGISLATION

Y Mountain is the location of the familiar white block “Y” in Provo, Utah, overlooking Utah Valley and the Brigham Young University campus. The Y was constructed in 1906 and has been part of the Provo landscape ever since.

Currently, the University owns and maintains the trailhead and much of the trail leading up to the 380-foot tall by 130-foot wide landmark. The remaining property is owned by the U.S. Forest Service, but is used by the University under a permit that has typically been renewed every 10 years. The University seeks to guarantee its ability to maintain the Y and surrounding grounds without the risk of losing the right through the permitting process. To that end, H.R. 4484 requires the Secretary of Agriculture to convey, at fair market value, approximately 80 acres of the Uinta-Wasatch-Cache National Forest, in Provo, Utah, to Brigham Young University for fair market value. Additionally, the legislation requires the university to continue to allow public access to the Y as it has for decades.

During Full Committee consideration of H.R. 4484, the Committee adopted an amendment offered by Congressman Rob Bishop (R-UT) to correct the legal description of the property.

COMMITTEE ACTION

H.R. 4484 was introduced on April 24, 2012, by Congressman Jason Chaffetz (R-UT). The bill was referred to the House Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On June 28, 2012, the Subcommittee on National Parks, Forests and Public Lands held a hearing on the bill. On July 11, 2012, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged by unanimous consent. Congressman Rob Bishop (R-UT) offered amendment designated #1 to the bill; the amendment was adopted by unanimous consent. The bill, as amended, was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

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:

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H.R. 4484 would require the Secretary of Agriculture to sell, for fair market value, about 80 acres of federal land located in Utah to Brigham Young University. Based on information about the value of similar lands in northern Utah, CBO estimates that enacting the legislation would increase offsetting receipts (a credit against direct spending) by less than \$500,000 in 2013; therefore, pay-as-you-go procedures apply. Because the bill would require the university to cover any administrative costs associated with the conveyance, CBO estimates that implementing the bill would not affect discretionary spending. Enacting H.R. 4484 would not affect revenues.

H.R. 4484 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The 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, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information about the value of similar lands in northern Utah, CBO estimates that enacting the legislation would increase offsetting receipts (a credit against direct spending) by less than \$500,000 in 2013; therefore, pay-as-you-go procedures apply. Because the bill would require the university to cover any administrative costs associated with the conveyance, CBO estimates that implementing the bill would not affect discretionary spending.

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, as ordered reported, is to provide for the conveyance of

a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University.

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.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

CHANGES IN EXISTING LAW

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

