

## Y MOUNTAIN ACCESS ENHANCEMENT ACT

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JUNE 6, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

### R E P O R T

[To accompany H.R. 253]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 253) 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 without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of H.R. 253 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 (BYU) campus. The Y was constructed in 1906 and has been part of the Provo landscape ever since.

Currently, BYU provides public access to the 380-foot tall by 130-foot wide landmark through its privately owned and maintained trailhead and much of the trail leading up to it. The remaining property is owned by the U.S. Forest Service, but is conserved by the university under a permit that has typically been renewed every 10 years. BYU 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. 253 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 BYU. Additionally, the legislation specifies that BYU will continue to allow public access to the Y as it has for decades.

#### COMMITTEE ACTION

H.R. 253 was introduced on January 15, 2013, by Congressman Jason Chaffetz (R-UT). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On April 24, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered, and the bill 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. 253 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 2014; 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. 253 would not affect revenues.

H.R. 253 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 2014; 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 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.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

#### 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.