

## SAWTOOTH NATIONAL RECREATION AREA

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OCTOBER 20 (legislative day, OCTOBER 19) 1977.—Ordered to be printed

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

### REPORT

[To accompany S. 791]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 791) to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE

S. 791, as ordered reported, would increase the authorization ceiling for the Sawtooth National Recreation Area from \$19,802,000 to \$47,802,000 for acquisition of land and interests in land.

#### BACKGROUND AND NEED

In establishing the Sawtooth National Recreation Area, the Congress intended that in order to avoid the use of condemnation and high land acquisition costs, affected landowners would comply with regulations promulgated by the Secretary of Agriculture which were published April 29, 1974. All of the owners of the large land holdings have approached the Forest Service requesting that a scenic easement be purchased on their properties. Many have stated that if the Forest Service does not voluntarily acquire the scenic easements, they will find themselves in a position of violating the regulations. This situation could make it necessary for the Forest Service to begin condemnation action in order to enforce the private land use regulations imposed by the Secretary.

In addition, the cost estimates included in the Sawtooth Act were partly based on an original provision (subsequently deleted) which would have permitted the continuance of existing nonconforming uses

within the area. Therefore, acquisition of these properties and uses has added significantly to the land acquisition costs.

Since the land acquisition program began, 8,754 acres have been acquired in fee and easements. Expenditures for these acquisitions have reached the limit set by the Congress. In order for the Forest Service to comply with the act, 14,046 acres of additional land must be acquired. Approximately 11,060 acres would be acquired in scenic easements with 1,370 acres to be acquired in fee.

The committee believes that any further delay in the land acquisition program at Sawtooth will not only result in higher acquisition costs, but will also work a hardship on those private landowners who must, because of regulations promulgated by the Secretary, sell their land.

#### LEGISLATIVE HISTORY

The committee favorably reported and the Senate passed a similar authorization increase for the Sawtooth National Recreation Area in the 94th Congress. The House, however, took no action on the proposal.

The committee has not conducted hearings on this measure this year.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on October 10, 1977, by unanimous vote of a quorum present recommends that the Senate pass S. 791 as described herein.

#### COST AND BUDGETARY CONSIDERATIONS

S. 791 authorizes \$28 million for land acquisition in fee and easement within the Sawtooth National Recreation Area. Enactment would place a new statutory authorization limitation on the amount of funds to be expended by the Secretary of Agriculture from the land and water conservation fund for the purchase of lands within the Sawtooth NRA.

Set forth below is the cost estimate prepared by the Congressional Budget Office:

#### CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

OCTOBER 11, 1977.

1. Bill No.: S. 791.
2. Bill title: A bill to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho.
3. Bill status: As ordered reported by the Senate Committee on Energy and Natural Resources on October 10, 1977.
4. Purpose of bill: The bill provides additional authorization to the Forest Service for the acquisition and development of lands to be incorporated in the Sawtooth National Recreation Area in Idaho. The bill increases the current ceiling of \$19.802 million to \$47.802 million for the land acquisition and development.

This is an authorization bill requiring subsequent appropriation.

5. Cost estimate: The table below presents the costs for the acquisition and development:

Net additional authorization (fiscal years):	Millions
1978.....	\$28
1979.....	---
1980.....	---
1981.....	---
1982.....	---
Estimated costs (fiscal years):	
1978.....	2
1979.....	10
1980.....	10
1981.....	6
1982.....	---

These costs fall within budget subfunction 303.

6. Basis for estimate: The authorization amount represents the amount of the increase in the appropriations ceiling.

The estimated outlays were based on information supplied by the U.S. Forest Service. For the purpose of the estimate, it is assumed that this bill and the necessary appropriations will be enacted by May 1, 1978.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: James V. Manaro.

10. Estimate approved by:

C. G. NUCKOLS  
(For James L. Blum,  
Assistant Director for Budget Analysis).

#### REGULATORY IMPACT EVALUATION

This bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and business. S. 791 would increase the existing authorization ceiling by \$28 million for land acquisitions at the Sawtooth National Recreation Area, Idaho. 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. 791.

#### EXECUTIVE COMMUNICATIONS

The committee requested a report on S. 791 on June 27, 1977. To date, no official report from the administration has been received regarding this measure. Set forth below is an exchange of correspondence between the chairman of the Parks and Recreation Subcommittee and the Forest Service regarding the land acquisition situation at the Sawtooth National Recreation Area.

U.S. DEPARTMENT OF AGRICULTURE,  
FOREST SERVICE,  
Washington, D.C., July 21, 1977.

HON. JAMES ABOUREZK,  
*Chairman, Subcommittee on Parks and Recreation, Committee on  
Energy and Natural Resources, U.S. Senate*

DEAR SENATOR ABOUREZK: This is in response to your request of July 21 for an estimate of our acquisition needs for the Sawtooth National Recreation Area (NRA) in Idaho. Your request is a follow-up to Assistant Secretary Cutler's May 4 testimony on H.R. 5306, in which he indicated that we had reached the authorized acquisition ceiling for the Sawtooth NRA and that we still needed to acquire additional prime valley lands.

Public Law 92-400 establishing the Sawtooth NRA authorized \$19.8 million for land acquisition. We reached this ceiling with the fiscal year 1977 budget. To date, we have acquired or are completing acquisition of 8,754 acres in fee and scenic easements. We estimate that an additional \$23 million is needed to acquire 14,046 acres of prime valley land—1,370 in fee; 11,060 in scenic easement—and an additional \$5 million is needed for purchase of mineral interests, where mining operations may create substantial impairment of the values for which the Sawtooth NRA was established.

We should point out that the recently enacted Public Law 95-42, the Land and Water Conservation Fund Act Amendments of 1977, could provide an additional \$3.9 million from the special land acquisition account established in the land and water conservation fund by this act. If these funds are appropriated, we would need only \$24 million in additional acquisition authority for the Sawtooth NRA.

Sincerely,

R. MAX PETERSON  
(For John R. McGuire, Chief).

#### CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the standing rules of the Senate, changes in existing law made by the bill H.R. 13713, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law is which no change is proposed is shown in roman):

SAWTOOTH NATIONAL RECREATION AREA ACT OF AUGUST 22, 1972  
(86 STAT. 612)

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SEC. 13. There are authorized to be appropriated for the purposes of this Act not more than ~~[\$19,802,000]~~ *\$47,802,000* for the acquisition of lands and interests in lands and not more than \$26,241,000 for development. Money appropriated from the land and water conservation fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area.

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