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SENATE

{ REPORT
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CONVEYANCE OF TUNNISON LAB HAGERMAN FIELD STATION, HAGERMAN, IDAHO

SEPTEMBER 28, 1998.—Ordered to be printed

Mr. CHAFEE, from the Committee on Environment and Public
Works, submitted the following

REPORT

[To accompany S. 2505]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 2505) to direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho, having considered the same and an amendment thereto, reports favorably thereon and recommends that the bill, as amended, do pass.

GENERAL STATEMENT AND BACKGROUND

The Hagerman National Fish Hatchery, owned and operated by the U.S. Fish and Wildlife Service (the Service) is located in Gooding County, Idaho, just south of the City of Hagerman and 30 miles west of Twin Falls. The Hatchery was authorized by statute in 1930, and since the late 1970s has been operated as part of the Lower Snake River Fish and Wildlife Compensation Plan to mitigate for losses caused by four dams along the lower Snake River. For the past three years, the Tunnison Lab, also known as the Hagerman Fish Culture Experiment Station, located on approximately four acres of the Hagerman National Fish Hatchery, has been operated by the University of Idaho (the University) pursuant to a cooperative agreement with the Service.

The University first approached the Service to request a transfer of the Tunnison Lab to the University to support the University's efforts to improve it. Specifically, the University has proposed to

spend \$1.75 million on improvements to the lab. These improvements would include construction of an additional wet-lab and additional larger outdoor tanks, the addition of a cryogenic genome repository to the existing office/laboratory structure, and construction of a learning facility for educational and outreach programs.

OBJECTIVES AND SUMMARY OF THE LEGISLATION

The purpose of this legislation is to direct the Secretary of the Interior to convey the Tunnison Lab Hagerman Field Station in Gooding County, Idaho to the University of Idaho.

Section 1(a) provides that within 180 days of enactment of this Act, the Secretary of the Interior shall convey to the University, without reimbursement, all right, title, and interest of the United States in and to the property for use by the University for fish research. This research has focused in two areas: the study of population genetics and dietary needs of salmonids when raised in captivity to maturity; and the study of alternative fish feed to reduce nutrient loads normally associated with aquaculture.

Under section 1(b), the property includes approximately four acres of land, the Tunnison Lab Hagerman Field Station located thereon, and all improvements and related personal property, excluding water rights vested in the United States and necessary access and utility easements and rights-of-way. The exact acreage and legal description of the property shall be determined by a survey that is satisfactory to the Secretary. Although water rights are excluded from the property to be conveyed, it is expected that the Service, through a cooperative agreement with the University, will continue to allow the University to use a portion of its water to conduct research at the lab.

Section 1(c) mandates that all right, title, and interest in and to the conveyed property revert to the United States if used for any purpose other than for fish research. In the case of a reversion, the property shall be returned to the United States in substantially the same condition as, or in better condition than, at the time of conveyance.

Section 1(d) provides that the University shall comply with the National Historic Preservation Act and the Archeological Resources Protection Act of 1979, laws with which the Service would be required to comply if it maintained title to the property. The Hagerman Valley contains several archeological sites, and the property surrounding the Tunnison Lab is home to a barn outbuilding that qualifies as an historic building.

Section 1(e) provides that, as a condition of the conveyance, the University shall hold the United States harmless for all claims, costs, damages and judgments arising out of any act or omission relating to the property, with certain exceptions.

LEGISLATIVE HISTORY

S. 2505 was introduced by Senator Craig, for himself and Senator Kempthorne, on September 21, 1998. On September 23, 1998, the Committee on Environment and Public Works held a business meeting to consider the bill. An amendment was offered by Senator Kempthorne and adopted by voice vote. The bill, as amended, was

favorably reported by voice vote. No rollcall votes occurred on the bill.

REGULATORY IMPACT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee makes the following evaluation of the regulatory impact of the bill. The bill does not create any additional regulatory burdens, nor will it have any adverse impact on the personal privacy of individuals.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 25, 1998.

Hon. JOHN H. CHAFEE, *Chairman,*
Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2505, a bill to direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226-2860.

Sincerely,

JUNE E. O'NEILL,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2505, A bill to direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho, as ordered reported by the Senate Committee on Environment and Public Works on September 23, 1998.

S. 2505 would direct the Secretary of the Interior to convey to the University of Idaho the Tunnison Lab complex and other property on about 4 acres of land at the Hagerman National Fish Hatchery, Idaho, without reimbursement.

Because these facilities are already operated by the university (at its expense), CBO expects that implementing S. 2505 would have no impact on the Federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 2505 contains 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 University of Idaho currently operates the Tunnison Lab, and CBO estimates that it would incur no significant additional costs as a result of this conveyance.

The CBO staff contact is Deborah Reis, who can be reached at 226–2860. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.

