

Committee on Natural Resources

Rob Bishop Chairman
Mark-Up Memorandum

March 12, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Steven Parr
Subcommittee on Federal Lands (x6-7736)

Mark-Up: **H.R. 4609 (Rep. Scott R. Tipton)**, To provide for the conveyance of a Forest Service site in Dolores County, Colorado, to be used for a fire station.
March 14, 2018, at 10:15 a.m.; 1324 Longworth House Office Building

H.R. 4609, *West Fork Fire Station Act of 2017*

Summary of the Bill

H.R. 4609, introduced by Representative Scott R. Tipton (R-CO), would allow the United States Forest Service (USFS) to convey approximately 3.61 acres of undeveloped USFS land in Dolores County, Colorado, to Dolores County to be used for siting a fire station.

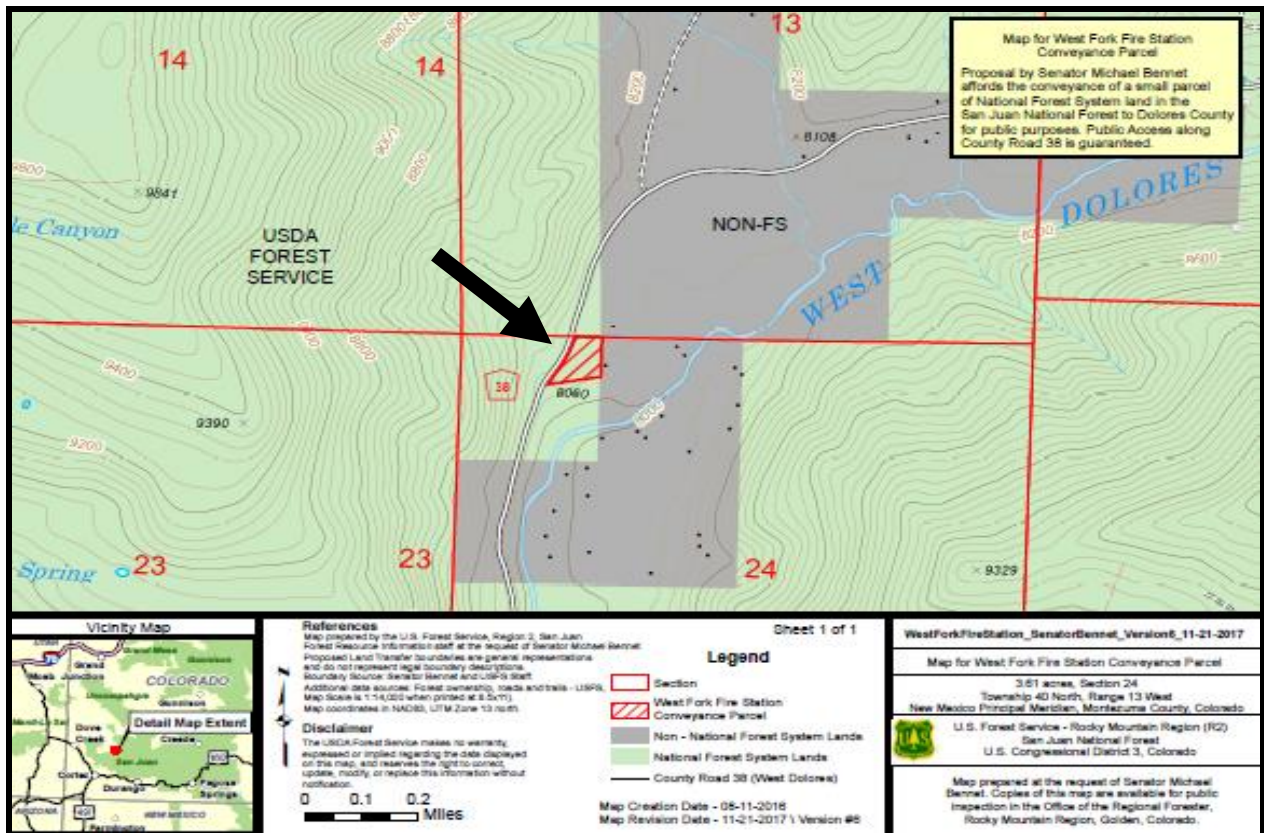
Cosponsors

None.

Background

Dolores County, located in South Western Colorado, is home to part of the 1.8 million-acre San Juan National Forest. As a neighbor to the San Juan National Forest, Dolores County plays an active role in fire suppression efforts on both private and public lands.

After two failed attempts to acquire an appropriate site for a fire station in Dolores County on either County-owned or private land due to insufficient space or accessibility constraints, the Dolores County Board of County Commissioners began working with the USFS, the Colorado congressional delegation, and local stakeholders to identify a suitable piece of property for fire station construction. H.R. 4609 is the result of those local efforts. The bill authorizes the conveyance of 3.61 acres of USFS land to Dolores County for the purposes of constructing the West Fork Fire Station (*see* Map 1). Companion legislation, S. 2218, has been introduced in the United States Senate and is sponsored by Senator Michael F. Bennet (D-CO) and co-sponsored by Senator Cory Gardner (R-CO).



Map 1: West Fork Fire Station Map, provided by Office of Rep. Scott Tipton

According to information provided by the County, the West Fork Fire Station will serve as a volunteer station and its construction will help to address insurability issues currently facing home and land owners in the West Fork area of Dolores County.¹ West Fork residents have had trouble obtaining insurance for their homes and land due to the lack of emergency response services in the area. Currently, area residents must rely on the Dolores Fire Protection District located 26 miles away in Montezuma County in the event of an emergency. The new fire station will allow the community improved access to emergency services and allow residents to address their current insurability issues.

Dolores County will cover all necessary conveyance costs as well as the costs associated with site preparation, construction of the new fire station and the long-term costs of equipping and manning the station. The cost of building the new fire station has been covered by a private \$100,000 donation. Dolores County will provide heavy equipment and operators to prepare the building site and construct a new driveway with culverts and signage.²

On February 7, 2018, USFS testified on identical companion legislation, S. 2218, before the Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands, Forests

¹ Dolores County Board of County Commissioners (DCBCC), Letter dated November 13, 2017.

² *Id.*

and Mining. Their testimony noted that USFS “supports Dolores County in their efforts to provide improved emergency services to county residents and visitors.” USFS “agrees that the parcel of land in question is in a practical location to provide” emergency management services and “there are not similarly situated non-federal lands of limited acreage available that provide the same locational benefits.”³

The Subcommittee on Federal Lands held a legislative hearing on H.R. 4609 on February 15, 2018.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

In Testimony before the Senate Energy and Natural Resources Committee on identical legislation, S. 2218, Associate Deputy Chief for the National Forest System Glenn Casamassa, indicated that, “USDA supports Dolores County in their efforts to provide improved emergency services.”⁴ USFS did note that the conveyance of the land without consideration is inconsistent with federal policy that requires the United States to be paid fair market value for the conveyance of federal lands. Mr. Casamassa also noted that there “are not similarly situated non-federal lands of limited acreage available that provide the same locational benefits.”⁵

Effect on Current Law (Ramseyer)

None.

³ Statement of Glen Casamassa, Associate Deputy Chief, USFS, U.S. Department of Agriculture before the Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands, Forests and Mining on February, 7, 2018 https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=904436BC-6120-49C9-9AE6-0F2ABFF6603D.

⁴ *Id.*

⁵ *Id.*