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REFERENCE: Vol. 143, No. 152

TITLE: RAGGEDS **WILDERNESS** BOUNDARY ADJUSTMENT AND LAND CONVEYANCE

SPEAKER: Mrs. CHENOWETH; Mr. FALCOMA

BILL NUMBER:

H.R. 1019

TEXT: [*H9925]

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 589) to provide for a boundary adjustment and land conveyance involving the Raggeds **Wilderness**, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys.

The Clerk read as follows:

S. 589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BOUNDARY ADJUSTMENT AND LAND CONVEYANCE, RAGGEDS **WILDERNESS**, WHITE RIVER NATIONAL FOREST, COLORADO.

(a) Findings.--Congress finds that--

(1) certain landowners in Gunnison County, Colorado, who own real property adjacent to the portion of the Raggeds **Wilderness** in the White River National Forest, Colorado, have occupied or improved their property in good faith and in reliance on erroneous surveys of their properties that the landowners reasonably believed were accurate;

(2) in 1993, a Forest Service resurvey of the Raggeds **Wilderness** established accurate boundaries between the **wilderness** area and adjacent private lands; and

(3) the resurvey indicates that a small portion of the Raggeds **Wilderness** is occupied by adjacent landowners on the basis of the earlier erroneous land surveys.

(b) Purpose.--If it the purpose of this section to remove from the boundaries of the Raggeds **Wilderness** certain real property so as to permit the Secretary of Agriculture to use the authority of Public Law 97-465 (commonly known as the "Small Tracts Act") (16 U.S.C. 521c et seq.) to convey the property to the landowners who occupied the property on the basis of erroneous land surveys.

(c) Boundary Adjustment.--The boundary of the Raggeds **Wilderness**, Gunnison and White River National Forests, Colorado, as designed by section 102(a)(16) of Public Law 96-560 (94 Stat. 3267; 16 U.S.C. 1132 note), is hereby modified to exclude from the area encompassed by the **wilderness** a parcel of real property approximately 0.86-acres in size situated in the SW 1/4 of the NE 1/4 of Section 28, Township 11 South, Range 88 West of the 6th Principal Meridian, as depicted on the map entitled "Encroachment-Raggeds **Wilderness**", dated November 17, 1993.

(d) Map.--The map described in subsection (c) shall be on file and available for inspection in the appropriate offices of the Forest Service, Department of Agriculture.

(e) Conveyance of Land Removed From **Wilderness** Area.--The Secretary of Agriculture shall use the authority provided by Public Law 97-465 (commonly known as the "Small Tracts Act") (16 U.S.C. 521c et seq.) to convey all right, title, and interest of the United States in and to the real property excluded from the boundaries of the Raggeds

[*H9926]

Wilderness under subsection (c) to the owners of real property in Gunnison County, Colorado, whose real property adjoins the excluded real property and who have occupied the excluded real property in good faith reliance on an erroneous survey.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho Mrs. Chenoweth and the gentleman from American Samoa Mr. Faleomavaega each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho Mrs. Chenoweth .

Mrs. CHENOWETH. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, Senate bill 589 provides for a boundary adjustment and land conveyance involving the Raggeds **Wilderness**, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys. This bill is identical to legislation which passed within the House of Representatives earlier this year as H.R. 1019.

In 1993, following a boundary survey, the White River National Forest discovered an encroachment in the Raggeds **Wilderness** area just west of the town of Marble in Colorado. The encroachment consists of approximately 400 feet of power line and 450 feet of road. In addition, portions of four subdivision lots extend into the **wilderness**. The road is a country road and provides the sole legal access to these four lots. The entire encroachment is less than 1 acre of land.

The Bureau of Land Management Forest Service surveys found that the original survey of the Crystal Meadows subdivision was erroneous, and although less than 1 acre is affected, the Forest Service cannot settle the matter under the authority of the Small Tracts Act because the lands in question are within the Raggeds **Wilderness** area. The **wilderness** boundary may only be modified by an act of Congress, and S. 589 follows the guidelines established by the Small Tracts Act, Public Law 97-465.

This bill is noncontroversial, Mr. Speaker, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, the House passed H.R. 1019 on June 3, 1997, and the text has returned to us with a Senate bill number.

Mr. Speaker, this bill adjusts the boundaries of the Raggeds **Wilderness** in the White River National Forest in Colorado to accommodate landowners who occupy the property on the basis of erroneous land surveys. It conveys about 1 acre of land on which roads and other improvements were inadvertently constructed. The legislation is noncontroversial, and the administration does not object. I ask my colleagues to support this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. CHENOWETH. Mr. Speaker, I want to thank the gentleman from American Samoa Mr. Faleomavaega for his comments.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Idaho Mrs. Chenoweth that the House suspend the rules and pass the Senate bill, S. 589.

The question was taken.

Mr. FALEOMAVAEGA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.