



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

May 28, 2008

S. 1380

**Rocky Mountain National Park Wilderness and
Indian Peaks Wilderness Expansion Act**

*As ordered reported by the Senate Committee on Energy and Natural Resources
on May 7, 2008*

S. 1380 would designate nearly 250,000 acres of lands within the Rocky Mountain National Park in Colorado as wilderness and would adjust the boundaries of other federal holdings within the Arapaho National Forest by about 4,000 acres. CBO estimates that implementing the boundary changes and wilderness designations made by S. 1380 would have no significant effect on federal spending and no effect on revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Under S. 1380, nearly 95 percent of the Rocky Mountain National Park would be designated as wilderness. Because that land is already managed as wilderness by the National Park Service (NPS), CBO estimates that the cost of that provision would be minimal. Changes to other federal areas, including the Indian Peaks Wilderness Area and the Arapaho National Recreation Area managed by the Forest Service, also would have no significant effect on the operations of any of the affected sites.

S. 1380 could affect future costs incurred by the NPS (to repair park resources) by relaxing the liability standard imposed on the operator of the Grand River Ditch inside the boundaries of Rocky Mountain National Park. Under the bill, the standard of liability imposed on the water facility's operator (currently the Water Supply and Storage Company) would be less than the absolute standard imposed under its existing contract with the NPS—if the company meets certain operating conditions. Imposing a lesser standard of liability could make it more difficult for the NPS to recover the costs of repairing possible future damages that may occur as a result of future flooding of the ditch. CBO cannot predict whether the current operator of the ditch would be able to meet the operating conditions necessary to reduce its future liability under the bill or whether any breaches would occur in the future. A previous breach resulted in a \$9 million settlement with the company. That money will be available,

without appropriation, to restore park resources. If the NPS had not been able to recover that amount (or had not pursued its claim because proving liability had been too expensive), the agency would have needed discretionary appropriations to restore the damaged resources.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.