

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2620

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 17 (legislative day, NOVEMBER 2), 1993

Received

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Read twice and referred to the Committee on Energy and Natural Resources

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## AN ACT

To authorize the Secretary of the Interior to acquire certain lands in California through an exchange pursuant to the Federal Land Policy and Management Act of 1976, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS AND PURPOSE.**

4       (a) FINDINGS.—The Congress finds—

5               (1) the Bureau of Land Management desires to  
6       obtain the lands described in section 3(a) for pur-  
7       poses of an access and staging area being planned  
8       in cooperation with the National Park Service;

1           (2) the lands described in section 3(b) con-  
2           stitute an isolated tract acquired by the United  
3           States in 1936 for purposes of a Forest Service fire  
4           lookout, but such lands are no longer needed for  
5           that or any other National Forest purpose, and all  
6           improvements have been removed from such lands;

7           (3) the lands described in section 3(b) are en-  
8           tirely surrounded by private lands owned by a family  
9           one of whose members also owns the lands described  
10          in section 3(a); and

11          (4)(A) the owners of the land described in sec-  
12          tion 3(a) are willing to transfer those lands to the  
13          United States in exchange for the lands described in  
14          section 3(b); but

15          (B) under existing law, such an exchange can-  
16          not be accomplished administratively.

17          (b) PURPOSE.—The purpose of this Act is to author-  
18          ize the Secretary of the Interior to acquire the lands de-  
19          scribed in section 3(a) through an equal-value exchange  
20          for the lands described in section 3(b).

21          **SEC. 2. AUTHORIZATION FOR EXCHANGE.**

22          Solely for purpose of acquisition by the Secretary of  
23          the Interior (on behalf of the United States) of the lands  
24          described in section 3(a) through an equal-value exchange  
25          pursuant to section 206 of the Federal Land Policy and

1 Management Act of 1976 (43 U.S.C. 1716), the lands de-  
2 scribed in section 3(b) shall, for the 36-month period be-  
3 ginning on the date of enactment of this Act, be deemed  
4 to be public lands, as defined in section 103(e) of such  
5 Act (43 U.S.C. 1702(e)).

6 **SEC. 3. LAND DESCRIPTIONS.**

7 (a) OHV AREA TRACT.—The lands whose acquisition  
8 through exchange is specifically authorized by this Act are  
9 described as follows: S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> of section 26, township 33  
10 north, range 7 west, Mount Diablo Base and Meridian,  
11 Shasta County, California, comprised of 80 acres, more  
12 or less.

13 (b) DELTA POINT LOOKOUT TRACT.—The lands  
14 which under this Act are deemed to be public lands for  
15 purposes of exchange is a parcel described as follows:  
16 Mount Diablo Meridian, township 36 north, range 5 west,  
17 section 23, SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
18 SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, comprised of 40  
19 acres, more or less.

20 **SEC. 4. ACQUISITION.**

21 Section 104 of the Everglades National Park Protec-  
22 tion and Expansion Act of 1989 (16 U.S.C. 410r-8) is  
23 amended by adding at the end the following new sub-  
24 section:

1       “(k)(1) Notwithstanding any other provision of this  
2 Act, the Secretary is authorized to use funds appropriated  
3 pursuant to this Act, including any available funds appro-  
4 priated to the National Park Service for construction in  
5 the Department of the Interior and Related Agencies Ap-  
6 propriations Acts for fiscal years 1991 through 1994 for  
7 project modifications by the Army Corps of Engineers, in  
8 such amounts as determined by the Secretary, to provide  
9 Federal assistance to the State of Florida (including polit-  
10 ical subdivisions of the State) for acquisition of lands de-  
11 scribed in paragraph (4).

12       “(2) With respect to any lands acquired pursuant to  
13 this subsection, the Secretary may provide not more than  
14 25 percent of the total cost of such acquisition.

15       “(3) All funds made available pursuant to this sub-  
16 section shall be transferred to the State of Florida or a  
17 political subdivision of the State, subject to an agreement  
18 that any lands acquired with such funds will be managed  
19 in perpetuity for the restoration of natural flows to the  
20 park or Florida Bay.

21       “(4) The lands referred to in paragraph (1) are those  
22 lands or interests therein adjacent to, or affecting the res-  
23 toration of natural water flows to, the park or Florida Bay  
24 which are located east of the park and known as the Frog

- 1 Pond, Rocky Glades Agricultural Area, and the Eight-and-
- 2 One-Half Square-Mile Area.”.

Passed the House of Representatives November 15,  
1993.

Attest:                   DONNALD K. ANDERSON,  
*Clerk.*