

Calendar No. 445107TH CONGRESS
2^D SESSION**S. 1240****[Report No. 107-178]**

To provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2001

Mr. BENNETT introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 25, 2002

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Timpanogos Inter-
3 agency Land Exchange Act of 2001”.

4 **SEC. 2. FINDINGS.**

5 (a) **FINDINGS.**—Congress finds that—

6 (1) the facility that houses the administrative
7 office of the Pleasant Grove Ranger District of the
8 Uinta National Forest can no longer properly serve
9 the purpose of the facility;

10 (2) a fire destroyed the Timpanogos Cave Na-
11 tional Monument Visitor Center and administrative
12 office in 1991, and the temporary structure that is
13 used for a visitor center cannot adequately serve the
14 public; and

15 (3) combining the administrative office of the
16 Pleasant Grove Ranger District with a new
17 Timpanogos Cave National Monument visitor center
18 and administrative office in 1 facility would—

19 (A) facilitate interagency coordination;

20 (B) serve the public better; and

21 (C) improve cost effectiveness.

22 (b) **PURPOSES.**—The purposes of this Act are—

23 (1) to authorize the Secretary of Agriculture to
24 acquire by exchange non-Federal land located in
25 Highland, Utah as the site for an interagency ad-
26 ministrative and visitor facility;

1 (2) to direct the Secretary of the Interior to
2 construct an administrative and visitor facility on
3 the non-Federal land acquired by the Secretary of
4 Agriculture; and

5 (3) to direct the Secretary of Agriculture and
6 the Secretary of the Interior to cooperate in the de-
7 velopment, construction, operation, and maintenance
8 of the facility.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) FACILITY.—The term “facility” means the
12 facility constructed under section 7 to house—

13 (A) the administrative office of the Pleas-
14 ant Grove Ranger District of the Uinta Na-
15 tional Forest; and

16 (B) the visitor center and administrative
17 office of the Timpanogos Cave National Monu-
18 ment.

19 (2) FEDERAL LAND.—The term “Federal land”
20 means the parcels of land and improvements to the
21 land in the Salt Lake Meridian comprising—

22 (A) approximately 237 acres located in T.
23 5 S., R. 3 E., sec. 13, lot 1, SW $\frac{1}{4}$, NE $\frac{1}{4}$, E $\frac{1}{2}$,
24 NW $\frac{1}{4}$ and E $\frac{1}{2}$, SW $\frac{1}{4}$, as depicted on the map

1 entitled “Long Hollow-Provo Canyon Parcel”,
2 dated March 12, 2001;

3 (B) approximately 0.18 acre located in T.
4 7 S., R. 2 E., sec. 12, NW $\frac{1}{4}$, as depicted on
5 the map entitled “Provo Sign and Radio Shop”,
6 dated March 12, 2001;

7 (C) approximately 20 acres located in T. 3
8 S., R. 1 E., sec. 33, SE $\frac{1}{4}$, as depicted on the
9 map entitled “Corner Canyon Parcel”, dated
10 March 12, 2001;

11 (D) approximately 0.18 acre located in T.
12 29 S., R. 7 W., sec. 15, S $\frac{1}{2}$, as depicted on the
13 map entitled “Beaver Administrative Site”,
14 dated March 12, 2001;

15 (E) approximately 7.37 acres located in T.
16 7 S., R. 3 E., sec. 28, NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, as
17 depicted on the map entitled “Springville Par-
18 cel”, dated March 12, 2001; and

19 (F) approximately 0.83 acre located in T.
20 5 S., R. 2 E., sec. 20, as depicted on the map
21 entitled “Pleasant Grove Ranger District Par-
22 cel”, dated March 12, 2001.

23 (3) NON-FEDERAL LAND.—The term “non-Fed-
24 eral land” means the parcel of land in the Salt Lake
25 Meridian comprising approximately 37.42 acres lo-

1 eated at approximately 4,400 West, 11,000 North
2 (~~SR-92~~), Highland, Utah in T. 4 S., R. 2 E., sec-
3 31, NW $\frac{1}{4}$, as depicted on the map entitled “The
4 Highland Property”, dated March 12, 2001.

5 (4) ~~SECRETARY~~.—The term “Secretary” means
6 the Secretary of Agriculture.

7 **SEC. 4. AVAILABILITY OF MAPS.**

8 The maps described in paragraphs (2) and (3) of sec-
9 tion 3 shall be on file and available for public inspection
10 in the Office of the Chief of the Forest Service until the
11 land depicted in the maps is exchanged under this Act.

12 **SEC. 5. EXCHANGE OF LAND FOR FACILITY SITE.**

13 (a) ~~IN GENERAL~~.—Subject to subsection (b), the Sec-
14 retary may, under such terms and conditions as the Sec-
15 retary may prescribe, convey by quitclaim deed all right,
16 title, and interest of the United States in and to the Fed-
17 eral land in exchange for the conveyance of the non-Fed-
18 eral land.

19 (b) ~~TITLE TO NON-FEDERAL LAND~~.—Before the
20 land exchange takes place under subsection (a), the Sec-
21 retary shall determine that title to the non-Federal land
22 is acceptable based on the approval standards applicable
23 to Federal land acquisitions.

24 (c) ~~VALUATION OF NON-FEDERAL LAND~~.—

1 (1) DETERMINATION.—The fair market value
2 of the land and the improvements on the land ex-
3 changed under this Act shall be determined by an
4 appraisal that—

5 (A) is approved by the Secretary; and

6 (B) conforms with the Federal appraisal
7 standards, as defined in the publication entitled
8 the “Uniform Appraisal Standards for Federal
9 Land Acquisitions” published in 1992 by the
10 Interagency Land Acquisition Conference.

11 (2) SEPARATE APPRAISALS.—

12 (A) IN GENERAL.—Each parcel of Federal
13 land described in section subparagraphs (A)
14 through (F) of section 3(2) shall be appraised
15 separately.

16 (B) INDIVIDUAL PROPERTY VALUES.—The
17 property values of each parcel shall not be af-
18 fected by the unit rule described in the Uniform
19 Appraisal Standards for Federal Land Acquisi-
20 tions.

21 (d) CASH EQUALIZATION.—Notwithstanding section
22 206(b) of the Federal Land Policy and Management Act
23 of 1976 (43 U.S.C. 1716(b))—

24 (1) if the value of the non-Federal land is less
25 than the value of the Federal land, the Secretary

1 may accept a cash equalization payment in excess of
2 25 percent of the value of the Federal land; or

3 ~~(2)~~ if the value of the Federal land is less than
4 the value of the non-Federal land, the Secretary may
5 make a cash equalization payment in excess of 25
6 percent of the value of the Federal land equal to the
7 difference in value between the Federal land and the
8 value of the non-Federal property.

9 ~~(c)~~ ADMINISTRATION OF LAND ACQUIRED BY
10 UNITED STATES.—

11 ~~(1)~~ BOUNDARY ADJUSTMENT.—

12 ~~(A)~~ IN GENERAL.—On acceptance of title
13 by the Secretary—

14 ~~(i)~~ the non-Federal land conveyed to
15 the United States shall become part of the
16 Uinta National Forest; and

17 ~~(ii)~~ the boundaries of the national for-
18 est shall be adjusted to include the land.

19 ~~(B)~~ ALLOCATION OF LAND AND WATER
20 CONSERVATION FUND MONEYS.—For purposes
21 of section 7 of the Land and Water Conserva-
22 tion Fund Act of 1965 (16 U.S.C. 460l-9), the
23 boundaries of the national forest, as adjusted
24 under this section, shall be considered to be

1 boundaries of the national forest as of January
2 1, 1965.

3 ~~(2) APPLICABLE LAW.~~—Subject to valid exist-
4 ing rights, the Secretary shall manage any land ac-
5 quired under this section in accordance with—

6 (A) the Act of March 1, 1911 (16 U.S.C.
7 480 et seq.) (commonly known as the “Weeks
8 Act”); and

9 (B) other laws (including regulations) that
10 apply to National Forest System land.

11 **SEC. 6. DISPOSITION OF FUNDS.**

12 (a) DEPOSIT.—The Secretary shall deposit any cash
13 equalization funds received in the land exchange in the
14 fund established under Public Law 90–171 (16 U.S.C.
15 484a) (commonly known as the “Sisk Act”).

16 (b) USE OF FUNDS.—Funds deposited under sub-
17 section (a) shall be available to the Secretary, without fur-
18 ther appropriation, for the acquisition of land and inter-
19 ests in land for administrative sites in the State of Utah
20 and land for the National Forest System.

21 **SEC. 7. CONSTRUCTION AND OPERATION OF FACILITY.**

22 (a) CONSTRUCTION.—

23 (1) IN GENERAL.—Subject to paragraph (2), as
24 soon as practicable after funds are made available to
25 carry out this Act, the Secretary of the Interior shall

1 construct, and bear responsibility for all costs of
2 construction of, a facility and all necessary infra-
3 structure on non-Federal land acquired under sec-
4 tion 5.

5 (2) DESIGN AND SPECIFICATIONS.—Prior to
6 construction, the design and specifications of the fa-
7 cility shall be approved by the Secretary and the
8 Secretary of the Interior.

9 (b) OPERATION AND MAINTENANCE OF FACILITY.—
10 The facility shall be occupied, operated, and maintained
11 jointly by the Secretary (acting through the Chief of the
12 Forest Service) and the Secretary of the Interior (acting
13 through the Director of the National Park Service) under
14 terms and conditions agreed to by the Secretary and the
15 Secretary of the Interior.

16 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums
18 as are necessary to carry out this Act.

19 **SECTION 1. SHORT TITLE.**

20 *This Act may be cited as the “Timpanogos Interagency*
21 *Land Exchange Act”.*

22 **SEC. 2. FINDINGS AND PURPOSES.**

23 (a) FINDINGS.—Congress finds that—

24 (1) *the facility that houses the administrative of-*
25 *fice of the Pleasant Grove Ranger District of the*

1 *Uinta National Forest can no longer properly serve*
2 *the purpose of the facility;*

3 *(2) a fire destroyed the Timpanogos Cave Na-*
4 *tional Monument Visitor Center and administrative*
5 *office in 1991, and the temporary structure that is*
6 *used for a visitor center cannot adequately serve the*
7 *public; and*

8 *(3) combining the administrative office of the*
9 *Pleasant Grove Ranger District with a new*
10 *Timpanogos Cave National Monument visitor center*
11 *and administrative office in one facility would—*

12 *(A) facilitate interagency coordination;*

13 *(B) serve the public better; and*

14 *(C) improve cost effectiveness.*

15 *(b) PURPOSES.—The purposes of this Act are—*

16 *(1) to authorize the Secretary of Agriculture to*
17 *acquire by exchange non-Federal land located in*
18 *Highland, Utah as the site for an interagency admin-*
19 *istrative and visitor facility;*

20 *(2) to direct the Secretary of the Interior to con-*
21 *struct an administrative and visitor facility on the*
22 *non-Federal land acquired by the Secretary of Agri-*
23 *culture; and*

24 *(3) to direct the Secretary of Agriculture and the*
25 *Secretary of the Interior to cooperate in the develop-*

1 *ment, construction, operation, and maintenance of the*
 2 *facility.*

3 **SEC. 3. DEFINITIONS.**

4 *In this Act:*

5 (1) *FACILITY.*—*The term “facility” means the*
 6 *facility constructed under section 7 to house—*

7 (A) *the administrative office of the Pleasant*
 8 *Grove Ranger District of the Uinta National*
 9 *Forest; and*

10 (B) *the visitor center and administrative of-*
 11 *fice of the Timpanogos Cave National Monu-*
 12 *ment.*

13 (2) *FEDERAL LAND.*—*The term “Federal land”*
 14 *means the parcels of land and improvements to the*
 15 *land in the Salt Lake Meridian comprising—*

16 (A) *approximately 237 acres located in T.*
 17 *5 S., R. 3 E., sec. 13, lot 1, SW¹/₄, NE¹/₄, E¹/₂,*
 18 *NW¹/₄ and E¹/₂, SW¹/₄, as depicted on the map*
 19 *entitled “Long Hollow-Provo Canyon Parcel”,*
 20 *dated March 12, 2001;*

21 (B) *approximately 0.18 acre located in T. 7*
 22 *S., R. 2 E., sec. 12, NW¹/₄, as depicted on the*
 23 *map entitled “Provo Sign and Radio Shop”,*
 24 *dated March 12, 2001;*

1 (C) approximately 20 acres located in T. 3
2 S., R. 1 E., sec. 33, SE¹/₄, as depicted on the
3 map entitled “Corner Canyon Parcel”, dated
4 March 12, 2001;

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18 eral land” means the parcel of land in the Salt Lake
19 Meridian comprising approximately 37.42 acres lo-
20 cated at approximately 4,400 West, 11,000 North
21 (SR-92), Highland, Utah in T. 4 S., R. 2 E., sec. 31,
22 NW¹/₄, as depicted on the map entitled “The High-
23 land Property”, dated March 12, 2001.

24 (4) SECRETARY.—The term “Secretary” means
25 the Secretary of Agriculture.

1 **SEC. 4. MAPS AND LEGAL DESCRIPTIONS.**

2 (a) *AVAILABILITY OF MAPS.*—The maps described in
3 paragraphs (2) and (3) of section 3 shall be on file and
4 available for public inspection in the Office of the Chief of
5 the Forest Service until the date on which the land depicted
6 on the maps is exchanged under this Act.

7 (b) *TECHNICAL CORRECTIONS TO LEGAL DESCRI-*
8 *TIONS.*—The Secretary may correct minor errors in the
9 legal descriptions in paragraphs (2) and (3) of section 3.

10 **SEC. 5. EXCHANGE OF LAND FOR FACILITY SITE.**

11 (a) *IN GENERAL.*—Subject to subsection (b), the Sec-
12 retary may, under such terms and conditions as the Sec-
13 retary may prescribe, convey by quitclaim deed all right,
14 title, and interest of the United States in and to the Federal
15 land in exchange for the conveyance of the non-Federal
16 land.

17 (b) *TITLE TO NON-FEDERAL LAND.*—Before the land
18 exchange takes place under subsection (a), the Secretary
19 shall determine that title to the non-Federal land is accept-
20 able based on the approval standards applicable to Federal
21 land acquisitions.

22 (c) *VALUATION OF NON-FEDERAL LAND.*—

23 (1) *DETERMINATION.*—The fair market value of
24 the land and the improvements on the land exchanged
25 under this Act shall be determined by an appraisal
26 that—

1 (A) is approved by the Secretary; and

2 (B) conforms with the Federal appraisal
3 standards, as defined in the publication entitled
4 “Uniform Appraisal Standards for Federal
5 Land Acquisitions”.

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8 land described in subparagraphs (A) through (F)
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10 (B) INDIVIDUAL PROPERTY VALUES.—The
11 property values of each parcel shall not be af-
12 fected by the unit rule described in the Uniform
13 Appraisal Standards for Federal Land Acquisi-
14 tions.

15 (d) CASH EQUALIZATION.—Notwithstanding section
16 206(b) of the Federal Land Policy and Management Act
17 of 1976 (43 U.S.C. 1716(b)), the Secretary may, as the cir-
18 cumstances require, either make or accept a cash equali-
19 zation payment in excess of 25 percent of the total value
20 of the lands or interests transferred out of Federal owner-
21 ship.

22 (e) ADMINISTRATION OF LAND ACQUISITION BY
23 UNITED STATES.—

24 (1) BOUNDARY ADJUSTMENT.—

1 (A) *IN GENERAL.*—*On acceptance of title by*
2 *the Secretary—*

3 (i) *the non-Federal land conveyed to*
4 *the United States shall become part of the*
5 *Uinta National Forest; and*

6 (ii) *the boundaries of the national for-*
7 *est shall be adjusted to include the land.*

8 (B) *ALLOCATION OF LAND AND WATER CON-*
9 *SERVATION FUND MONEYS.*—*For purposes of sec-*
10 *tion 7 of the Land and Water Conservation*
11 *Fund Act of 1965 (16 U.S.C. 4601–099), the*
12 *boundaries of the national forest, as adjusted*
13 *under this section, shall be considered to be*
14 *boundaries of the national forest as of January*
15 *1, 1965.*

16 (2) *APPLICABLE LAW.*—*Subject to valid existing*
17 *rights, the Secretary shall manage any land acquired*
18 *under this section in accordance with—*

19 (A) *the Act of March 1, 1911 (16 U.S.C.*
20 *480 et seq.) (commonly known as the “Weeks*
21 *Act”); and*

22 (B) *other laws (including regulations) that*
23 *apply to National Forest System land.*

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2 (a) *DEPOSIT.*—*The Secretary shall deposit any cash*
3 *equalization funds received in the land exchange in the fund*
4 *established under Public Law 90–171 (16 U.S.C. 484a)*
5 *(commonly known as the “Sisk Act”).*

6 (b) *USE OF FUNDS.*—*Funds deposited under sub-*
7 *section (a) shall be available to the Secretary, without fur-*
8 *ther appropriation, for the acquisition of land and interests*
9 *in land for administrative sites in the State of Utah and*
10 *land for the National Forest System.*

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12 (a) *CONSTRUCTION.*—

13 (1) *IN GENERAL.*—*Subject to paragraph (2), as*
14 *soon as practicable after funds are made available to*
15 *carry out this Act, the Secretary of the Interior shall*
16 *construct, and bear responsibility for all costs of con-*
17 *struction of, a facility and all necessary infrastruc-*
18 *ture on non-Federal land acquired under section 5.*

19 (2) *DESIGN AND SPECIFICATIONS.*—*Prior to con-*
20 *struction, the design and specifications of the facility*
21 *shall be approved by the Secretary and the Secretary*
22 *of the Interior.*

23 (b) *OPERATION AND MAINTENANCE OF FACILITY.*—*The*
24 *facility shall be occupied, operated, and maintained jointly*
25 *by the Secretary (acting through the Chief of the Forest*
26 *Service) and the Secretary of the Interior (acting through*

1 *the Director of the National Park Service) under terms and*
2 *conditions agreed to by the Secretary and the Secretary of*
3 *the Interior.*

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 *There are authorized to be appropriated such sums as*
6 *are necessary to carry out this Act.*

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