

108TH CONGRESS
1ST SESSION

H. R. 1651

To provide for the exchange of land within the Sierra National Forest,
California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2003

Mr. RADANOVICH (for himself, Mr. NUNES, and Mr. DOOLEY of California)
introduced the following bill; which was referred to the Committee on Re-
sources

A BILL

To provide for the exchange of land within the Sierra
National Forest, California, 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. SHORT TITLE.**

4 This Act may be cited as the “Sierra National Forest
5 Land Exchange Act of 2003”.

6 **SEC. 2. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALI-**
7 **FORNIA.**

8 (a) DEFINITIONS.—In this section:

9 (1) FEDERAL LAND.—The term “Federal land”
10 means the parcels of land and improvements thereon

1 comprising approximately 160 acres and located in
2 township 9 south, range 25 east, section 30,
3 E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$, Mt. Diablo Meridian,
4 California.

5 (2) NON-FEDERAL LAND.—The term “non-Fed-
6 eral land” means a parcel of land comprising ap-
7 proximately 80 acres and located in township 8
8 south, range 26 east, section 29, N $\frac{1}{2}$ NW $\frac{1}{4}$, Mt.
9 Diablo Meridian, California.

10 (b) EXCHANGE AUTHORIZED.—

11 (1) IN GENERAL.—If, during the one-year pe-
12 riod beginning on the date of enactment of this Act,
13 the owner of the non-Federal land offers the United
14 States the exchange of the non-Federal land, to-
15 gether with a cash equalization payment in accord-
16 ance with this section, the Secretary shall convey by
17 quit claim deed all right, title, and interest of the
18 United States in and to the Federal land. The con-
19 veyance of the Federal land shall be subject to valid
20 existing rights and under such terms and conditions
21 as the Secretary may prescribe.

22 (2) ACCEPTABLE TITLE.—Title to the non-Fed-
23 eral land shall conform with the title approval stand-
24 ards of the Attorney General applicable to Federal

1 land acquisitions and shall be acceptable to the Sec-
2 retary.

3 (3) CORRECTION AND MODIFICATION OF LEGAL
4 DESCRIPTIONS.—The Secretary, in consultation with
5 the owner of the non-Federal land, may make cor-
6 rections to the legal descriptions of the Federal land
7 and non-Federal land. The Secretary and the owner
8 of the non-Federal land may make minor modifica-
9 tions to such descriptions insofar as such modifica-
10 tions do not affect the overall value of the exchange
11 by more than 5 percent.

12 (c) VALUATION OF LAND TO BE CONVEYED.—For
13 purposes of this section, during the period referred to in
14 subsection (b)(1), the value of the non-Federal land shall
15 be deemed to be \$200,000 and the value of the Federal
16 land shall be deemed to be \$250,000.

17 (d) EQUALIZATION OF VALUES.—Notwithstanding
18 section 206(b) of the Federal Land Policy and Manage-
19 ment Act of 1976 (43 U.S.C. 1716(b)), the Secretary may
20 accept a cash equalization payment in excess of 25 percent
21 of the value of the Federal land.

22 (e) ADMINISTRATION OF LAND ACQUIRED BY
23 UNITED STATES.—Once acquired, the Secretary shall
24 manage the non-Federal land in accordance with the Act
25 of March 1, 1911 (commonly known as the Weeks Act;

1 16 U.S.C. 480 et seq.), and in accordance with the other
2 laws and regulations pertaining to National Forest System
3 lands.

4 (f) RECONVEYANCE.—The conveyance under sub-
5 section (b) shall be subject to the condition that the recipi-
6 ent of the Federal land agree to convey the land, within
7 a time period agreed to by the Secretary and the recipient,
8 to the Sequoia Council of the Boy Scouts of America.

9 (g) DISPOSITION AND USE OF CASH EQUALIZATION
10 FUNDS.—The Secretary shall deposit any cash equali-
11 zation payment received under this section in the fund es-
12 tablished by Public Law 90–171 (commonly known as the
13 Sisk Act; 16 U.S.C. 484a). Funds so deposited shall be
14 available to the Secretary until expended, without further
15 appropriation, for the acquisition of lands and interests
16 in lands for the National Forest System in the State of
17 California.

18 (h) COST COLLECTION FUNDS.—The owner of the
19 non-Federal land shall be responsible for all direct costs
20 associated with processing the land exchange under this
21 section and shall pay the Secretary the necessary funds,
22 which shall be deposited in a cost collection account.
23 Funds so deposited shall be available to the Secretary
24 until expended, without further appropriation, for the cost
25 associated with the land exchange. Any funds remaining

1 after completion of the land exchange, which are not need-
2 ed to cover expenses, shall be refunded to the owner of
3 the non-Federal land.

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