

Union Calendar No. 146

108TH CONGRESS
1ST SESSION

H. R. 1651

[Report No. 108-256]

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

SEPTEMBER 3, 2003

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on April 7, 2003]

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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Sierra National Forest*
3 *Land Exchange Act of 2003”.*

4 **SEC. 2. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALI-**
5 **FORNIA.**

6 (a) *DEFINITIONS.—In this section:*

7 (1) *FEDERAL LAND.—The term “Federal land”*
8 *means the parcels of land and improvements thereon*
9 *comprising approximately 160 acres and located in*
10 *township 9 south, range 25 east, section 30, E^{1/2}SW^{1/4}*
11 *and W^{1/2} SE^{1/4}, Mt. Diablo Meridian, California.*

12 (2) *NON-FEDERAL LAND.—The term “non-Fed-*
13 *eral land” means a parcel of land comprising ap-*
14 *proximately 80 acres and located in township 8*
15 *south, range 26 east, section 29, N^{1/2}NW^{1/4}, Mt. Dia-*
16 *blo Meridian, California.*

17 (b) *EXCHANGE AUTHORIZED.—*

18 (1) *IN GENERAL.—If, during the one-year period*
19 *beginning on the date of enactment of this Act, the*
20 *owner of the non-Federal land offers the United States*
21 *the exchange of the non-Federal land and a cash*
22 *equalization payment of \$50,000, the Secretary shall*
23 *convey, by quit claim deed, all right, title, and inter-*
24 *est of the United States in and to the Federal land.*
25 *The conveyance of the Federal land shall be subject to*

1 *valid existing rights and under such terms and condi-*
2 *tions as the Secretary may prescribe.*

3 (2) *ACCEPTABLE TITLE.*—*Title to the non-Fed-*
4 *eral land shall conform with the title approval stand-*
5 *ards of the Attorney General applicable to Federal*
6 *land acquisitions and shall be acceptable to the Sec-*
7 *retary.*

8 (3) *CORRECTION AND MODIFICATION OF LEGAL*
9 *DESCRIPTIONS.*—*The Secretary, in consultation with*
10 *the owner of the non-Federal land, may make correc-*
11 *tions to the legal descriptions of the Federal land and*
12 *non-Federal land. The Secretary and the owner of the*
13 *non-Federal land may make minor modifications to*
14 *such descriptions insofar as such modifications do not*
15 *affect the overall value of the exchange by more than*
16 *five percent.*

17 (c) *VALUATION OF LAND TO BE CONVEYED.*—*For pur-*
18 *poses of this section, during the period referred to in sub-*
19 *section (b)(1), the value of the non-Federal land shall be*
20 *deemed to be \$200,000 and the value of the Federal land*
21 *shall be deemed to be \$250,000.*

22 (d) *ADMINISTRATION OF LAND ACQUIRED BY UNITED*
23 *STATES.*—*Once acquired, the Secretary shall manage the*
24 *non-Federal land in accordance with the Act of March 1,*
25 *1911 (commonly known as the Weeks Act; 16 U.S.C. 480*

1 *et seq.*), and in accordance with the other laws and regula-
2 tions pertaining to National Forest System lands.

3 (e) *RECONVEYANCE REQUIRED.*—The conveyance
4 under subsection (b) shall be subject to the condition that
5 the recipient of the Federal land convey all 160 acres of
6 the Federal land to the Sequoia Council of the Boy Scouts
7 of America not later than four months after the date on
8 which the recipient receives the Federal land from the Sec-
9 retary under subsection (b).

10 (f) *DISPOSITION AND USE OF CASH EQUALIZATION*
11 *FUNDS.*—The Secretary shall deposit the cash equalization
12 payment received under subsection (b) in the fund estab-
13 lished by Public Law 90–171 (commonly known as the Sisk
14 Act; 16 U.S.C. 484a). The cash equalization payment shall
15 be available to the Secretary until expended, without further
16 appropriation, for the acquisition of lands and interests in
17 lands for the National Forest System in the State of Cali-
18 fornia.

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

- 1 *exchange. Any funds remaining after completion of the land*
- 2 *exchange, which are not needed to cover expenses, shall be*
- 3 *refunded to the owner of the non-Federal land.*

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