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111TH CONGRESS
1ST SESSION

H. R. 689

To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2009

Mr. HERGER introduced the following bill; which was referred to the Committee on Natural Resources

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A BILL

To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INTERCHANGE OF LANDS TO THE BUREAU OF LAND MANAGEMENT.

(a) INTERCHANGE.—Administrative jurisdiction of the federally owned lands described in subsection (b) is transferred from the Secretary of Agriculture to the Secretary of the Interior to be subject to the laws, rules, and regulations applicable to the public lands administered by

the Bureau of Land Management (hereafter in this Act referred to as the ''BLM'').

(b) LANDS AFFECTED.—Except as provided in subsection (c), the lands transferred to the administration of the Secretary of the Interior, through the BLM, under subsection (a) are those heretofore within the Shasta-Trinity National Forest in California, Mount Diablo Meridian, described as follows:

T. 33 N., R. 5 W., those parts of secs. 5, 6, 7, 8, 15, 16, 17, and 18 lying north of the northerly high water mark of the Sacramento River and westerly of the west edge of Shasta County Road No. 5G012 and Forest Road No. 35N05.

T. 34 N., R. 5 W., secs. 19, 20, 30, 31, and 32.

T. 33 N., R. 6 W., secs. 1, 2, 4, 10, 11, and 12.

T. 34 N., R. 6 W., secs. 10, 13, 14, 23, 24, 25, 26, and 35.

(c) EXCEPTED LANDS.—Excepted from the transfer under this section are those lands within the Shasta Dam Reclamation Zone which shall continue to be administered by the Secretary of the Interior through the Bureau of Reclamation.

SEC. 2. INTERCHANGE OF LANDS TO THE FOREST SERVICE.

(a) INTERCHANGE.—Administrative jurisdiction of the federally owned lands described in subsection (b) is transferred from the Secretary of the Interior to the Secretary of Agriculture to be subject to the laws, rules, and regulations applicable to the National Forest System.

(b) LANDS AFFECTED.—The lands transferred to the administration of the Secretary of Agriculture, through the Forest Service, under subsection (a), are those heretofore administered by the BLM in California, Mount Diablo Meridian, and described as follows:

T. 35 N., R. 1 W., sec. 34, NE1/4 and E1/2NW1/4.

T. 40 N., R. 1 W., sec. 4, lot 4.

T. 33 N., R. 10 W., those parts of secs. 5 and 6 lying north of the southerly high water line of Clear Creek Gulch.

T. 34 N., R. 10 W., sec. 8; sec. 17; sec. 18, E1/2; sec. 19; sec. 20; sec. 29, NE1/4 and W1/2; sec. 30; sec. 31, except that strip of land lying 50 feet easterly and 50 feet westerly of the centerline of Trinity County Road 401 (Canyon Creek Road); and that part of the W1/2 of sec. 32 lying north of the southerly high water line of Clear Creek Gulch.

T. 33 N., R. 11 W., that part of sec. 1 lying east of the east edge of Trinity County Road 401

(Canyon Creek Road) and north of the southerly high water line of Clear Creek Gulch.

T. 34 N., R. 11 W., sec. 36, E1/2SE1/4.

(c) WILDERNESS ADMINISTRATION.—The transfer of administrative jurisdiction from the BLM to the Forest Service of some lands previously designated as part of the Tunnel Ridge Wilderness shall not affect the wilderness status of such lands.

SEC. 3. MAP AND CORRECTIONS.

(a) MAP.—The lands described for interchange in sections 1 and 2 are generally depicted on a map titled "CSOHV Lands Consolidation November, 2008", which map shall be on file and available for public inspection in the Office of the Director, BLM, Washington, DC, and the Office of the Chief, Forest Service, Washington, DC.

(b) CORRECTIONS.—

(1) The Director of the BLM, and the Chief of the Forest Service, may, by mutual agreement—

(A) correct errors or any disparities between the map and the legal descriptions in sections 1 and 2, or

(B) effect minor adjustments to the interchange herein provided in order to facilitate land management, including survey.

(2) Any correction or adjustments shall be effective upon publication of a notice in the Federal Register.

SEC. 4. EXISTING RIGHTS AND AUTHORIZATIONS.

Nothing in this Act shall affect any valid existing rights, nor affect the validity or term and conditions of any existing withdrawal, right-of-way, easement, lease, license or permit on lands transferred by this Act, except that any such authorization shall be administered by the agency having jurisdiction of the land after the enactment of this Act in accordance with applicable law. Reissuance of any such authorization shall be in accordance with applicable law and regulations of the agency having jurisdiction.

SEC. 5. HAZARDOUS SUBSTANCES.

(a) NOTICE.—The Forest Service for lands described in section 1, and the BLM for lands described in section 2, shall identify any known sites containing hazardous substances and provide such information to the receiving agency.

(b) CLEAN UP OBLIGATIONS.—The clean up of hazardous substances on lands transferred by this Act shall be the responsibility of the agency having jurisdiction over

1 the lands on the day before the date of the enactment of
2 this Act.

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