H. R. 5513

To provide for an exchange of lands with San Bernardino County, California, to enhance management of lands within the San Bernardino National Forest, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2018

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

A BILL

To provide for an exchange of lands with San Bernardino County, California, to enhance management of lands within the San Bernardino National Forest, 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. SHORT TITLE.

This Act may be cited as the “Big Bear Land Exchange Act”.

SEC. 2. DEFINITIONS.

In this Act:
(1) COUNTY.—The term “County” means the County of San Bernardino, California.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 73 acres of Federal land administered by the Forest Service generally depicted as “Federal Land” on the Map.

(3) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 71 acres owned by the County generally depicted as “Non-Federal Land” on the Map.

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

(5) MAP.—The term “Map” means the map titled “Big Bear Land Exchange” and dated August 10, 2017.

SEC. 3. EXCHANGE OF LAND; EQUALIZATION OF VALUE.

(a) EXCHANGE AUTHORIZED.—Notwithstanding the land use planning requirements of sections 202, 210, and 211 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1720–21), subject to valid existing rights, and conditioned upon any equalization payment necessary under section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), and subsection (b) of this Act, as soon as practicable, but not later than 2 years after the date of the enactment of this
Act, if the County offers to convey the non-Federal land to the United States, the Secretary shall—

(1) convey to the County all right, title, and interest of the United States in and to the Federal land; and

(2) accept from the County a conveyance of all right, title, and interest of the County in and to the non-Federal land.

(b) EQUAL VALUE AND CASH EQUALIZATION.—

(1) EQUAL VALUE EXCHANGE.—The land exchange under this section shall be for equal value, or the values shall be equalized by a cash payment as provided for under this subsection.

(2) CASH EQUALIZATION PAYMENT.—The County or the Secretary, as appropriate, may equalize the values of the lands to be exchanged under this section by cash payment without regard to any statutory limit on the amount of such a cash equalization payment.

(3) DEPOSIT AND USE OF FUNDS RECEIVED FROM COUNTY.—Any cash equalization payment received by the Secretary under this subsection shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act). The funds so deposited shall remain
available to the Secretary, until expended, for the
acquisition of lands, waters, and interests in land for
the San Bernardino National Forest.

(4) SOURCE OF FUNDS FOR PAYMENT BY SEC-
RETARY.—If the Secretary will make a cash equali-
zation payment to the County under this subsection,
the Secretary may use funds available from the
Land and Water Conservation Fund, the Act of
June 15, 1938 (Chapter 438; 52 Stat. 699, com-
monly known as the Receipts Act of 1938), or cap-
ital improvement funds.

(c) APPRAISALS.—The value of the land to be ex-
changed under this Act shall be determined by appraisals
conducted—

(1) by one or more independent and qualified
appraisers; and

(2) in accordance with nationally recognized ap-
praisal standards, including, as appropriate, the
Uniform Appraisal Standards for Federal Land Ac-
quisions and the Uniform Standards of Profes-
sional Appraisal Practice.

(d) TITLE APPROVAL.—Title to the land to be ex-
changed under this Act shall be in a format acceptable
to the Secretary and the County.
(c) Survey of Non-Federal Lands.—Before completing the exchange under this Act, the Secretary shall inspect the non-Federal lands to ensure that the land meets Federal standards, including hazardous materials and land line surveys.

(f) Costs of Conveyance.—As a condition of conveyance, any costs related to the exchange under this section shall be paid by the County.

(g) Management of Acquired Lands.—The Secretary shall manage the non-Federal land acquired under this section in accordance with the Act of March 1, 1911 (16 U.S.C. 480 et seq.; commonly known as the Weeks Act), and other laws and regulations pertaining to National Forest System lands.

(h) Pacific Crest National Scenic Trail Relocation.—Before completing the land exchange under this section, the Secretary shall relocate the portion of the Pacific Crest National Scenic Trail located on the Federal land to adjacent National Forest System land. The trail relocation shall be conducted without further environmental analysis.

(i) Map and Legal Descriptions.—As soon as practicable after the date of the enactment of this Act, the Secretary shall finalize a map and legal descriptions of all land to be conveyed under this Act. The Secretary
may correct any minor errors in the map or in the legal
descriptions. The map and legal descriptions shall be on
file and available for public inspection in appropriate of-
ices of the Forest Service.