

**Suspend the Rules and Pass the Bill, H.R. 255, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 255

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2019

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

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## 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.

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 “Big Bear Land Ex-  
5 change Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COUNTY.—The term “County” means the  
4 County of San Bernardino, California.

5 (2) FEDERAL LAND.—The term “Federal land”  
6 means the approximately 73 acres of Federal land  
7 administered by the Forest Service generally de-  
8 picted as “Federal Land Proposed for Exchange” on  
9 the Map.

10 (3) NON-FEDERAL LAND.—The term “non-Fed-  
11 eral land” means the approximately 71 acres owned  
12 by the County generally depicted as “Non-Federal  
13 Land Proposed for Exchange” on the Map.

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

16 (5) MAP.—The term “Map” means the map ti-  
17 tled “Big Bear Land Exchange” and dated August  
18 6, 2018.

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

20 (a) EXCHANGE AUTHORIZED.—Subject to valid exist-  
21 ing rights and the terms of this Act, no later than one  
22 year after the date that the portion of the Pacific Crest  
23 National Scenic Trail is relocated in accordance with sub-  
24 section (h), if the County offers to convey the non-Federal  
25 land to the United States, the Secretary shall—

1           (1) convey to the County all right, title, and in-  
2           terest of the United States in and to the Federal  
3           land; and

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

7           (b) EQUAL VALUE AND CASH EQUALIZATION.—

8           (1) EQUAL VALUE EXCHANGE.—The land ex-  
9           change under this section shall be for equal value,  
10          or the values shall be equalized by a cash payment  
11          as provided for under this subsection or an adjust-  
12          ment in acreage. At the option of the County, any  
13          excess value of the non-Federal lands may be consid-  
14          ered a gift to the United States.

15          (2) EQUALIZATION.—If the value of the Federal  
16          land and the non-Federal land to be conveyed in a  
17          land exchange under this subsection is not equal, the  
18          value may be equalized by—

19                 (A) making a cash equalization payment to  
20                 the Secretary or to the owner of the non-Fed-  
21                 eral land, as appropriate, in accordance with  
22                 section 206(b) of the Federal Land Policy and  
23                 Management Act of 1976 (43 U.S.C. 1716(b));  
24                 or

1 (B) reducing the acreage of the Federal  
2 land or the non-Federal land to be exchanged,  
3 as appropriate.

4 (3) DEPOSIT AND USE OF FUNDS RECEIVED  
5 FROM COUNTY.—Any cash equalization payment re-  
6 ceived by the Secretary under this subsection shall  
7 be deposited in the fund established under Public  
8 Law 90–171 (16 U.S.C. 484a; commonly known as  
9 the “Sisk Act”). The funds so deposited shall re-  
10 main available to the Secretary, until expended, for  
11 the acquisition of lands, waters, and interests in  
12 land for the San Bernardino National Forest.

13 (c) APPRAISAL.—The Secretary shall complete an ap-  
14 praisal of the land to be exchanged under subsection (a)  
15 in accordance with—

16 (1) the Uniform Appraisal Standards for Fed-  
17 eral Land Acquisitions; and

18 (2) the Uniform Standards of Professional Ap-  
19 praisal Practice.

20 (d) TITLE APPROVAL.—Title to the land to be ex-  
21 changed under this Act shall be in a format acceptable  
22 to the Secretary and the County.

23 (e) SURVEY OF NON-FEDERAL LANDS.—Before com-  
24 pleting the exchange under this Act, the Secretary shall  
25 inspect the non-Federal lands to ensure that the land

1 meets Federal standards, including hazardous materials  
2 and land line surveys.

3 (f) COSTS OF CONVEYANCE.—As a condition of con-  
4 veyance, any costs related to the exchange under this sec-  
5 tion shall be paid by the County.

6 (g) MANAGEMENT OF ACQUIRED LANDS.—The non-  
7 Federal land acquired by the Secretary under subsection  
8 (a) shall be—

9 (1) added to, and managed as part of, San  
10 Bernardino National Forest; and

11 (2) managed in accordance with—

12 (A) the Act of March 1, 1911 (16 U.S.C.  
13 480 et seq.; commonly known as the “Weeks  
14 Act”); and

15 (B) any other laws, including regulations,  
16 pertaining to National Forest System lands.

17 (h) PACIFIC CREST NATIONAL SCENIC TRAIL RELO-  
18 CATION.—Not later than three years after the date of en-  
19 actment of this Act, the Secretary, in accordance with the  
20 National Environmental Policy Act of 1969 (42 U.S.C.  
21 4321 et seq.) and other applicable laws (including regula-  
22 tions), shall relocate the portion of the Pacific Crest Na-  
23 tional Scenic Trail located on the Federal land to—

24 (1) adjacent National Forest System land;

1           (2) land owned by the County, subject to Coun-  
2           ty approval;

3           (3) land within the Federal land, subject to  
4           County approval; or

5           (4) a combination of paragraphs (1), (2), and  
6           (3).

7           (i) MAP AND LEGAL DESCRIPTIONS.—As soon as  
8           practicable after the date of the enactment of this Act,  
9           the Secretary shall finalize a map and legal descriptions  
10          of all land to be conveyed under this Act. The Secretary  
11          may correct any minor errors in the map or in the legal  
12          descriptions. The map and legal descriptions shall be on  
13          file and available for public inspection in appropriate of-  
14          fices of the Forest Service.

15          (j) APPLICABLE LAW.—Section 206 of the Federal  
16          Land Policy and Management Act of 1976 (43 U.S.C.  
17          1716) shall apply to the land exchange authorized under  
18          subsection (a).

19          (k) ADDITIONAL TERMS AND CONDITIONS.—Any  
20          conveyance of Federal land under this Act shall be subject  
21          to—

22                 (1) valid existing rights;

23                 (2) the terms of this Act; and

24                 (3) such terms and conditions as the Secretary  
25          may require.

1 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

2       The budgetary effects of this Act, for the purpose of  
3 complying with the Statutory Pay-As-You-Go Act of 2010,  
4 shall be determined by reference to the latest statement  
5 titled “Budgetary Effects of PAYGO Legislation” for this  
6 Act, submitted for printing in the Congressional Record  
7 by the Chairman of the House Budget Committee, pro-  
8 vided that such statement has been submitted prior to the  
9 vote on passage.