

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3008
OFFERED BY MR. BISHOP OF UTAH**

Strike all after the enacting clause and insert the
following:

1 SECTION 1. DEFINITIONS.

2 In this Act:

3 (1) FEDERAL LAND.—The term “Federal land”
4 means the approximately 5 acres of National Forest
5 System land in Santa Barbara County, California,
6 as generally depicted on the map.

7 (2) FOUNDATION.—The term “Foundation”
8 means the White Lotus Foundation, a nonprofit
9 foundation located in Santa Barbara, California.

10 (3) MAP.—The term “map” means the map en-
11 titled “San Marcos Pass Encroachment for Consid-
12 eration of Legislative Remedy” and dated June 1,
13 2009.

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

16 SEC. 2. LAND CONVEYANCE.

17 (a) LAND EXCHANGE.—Subject to the provisions of
18 this section, if the Foundation offers to convey to the Sec-

1 retary all right, title, and interest of the Foundation in
2 and to a parcel of non-Federal land that is acceptable to
3 the Secretary—

4 (1) the Secretary shall accept the offer; and

5 (2) on receipt of acceptable title to the non-
6 Federal land, the Secretary shall convey to the
7 Foundation all right, title, and interest of the United
8 States in and to the Federal land.

9 (b) **APPLICABLE LAW.**—The land exchange author-
10 ized under subsection (a) shall be subject to section 206
11 of the Federal Land Policy and Management Act of 1976
12 (43 U.S.C. 1716).

13 (c) **TIME FOR COMPLETION OF LAND EXCHANGE.**—
14 It is the intent of Congress that the land exchange under
15 subsection (a) shall be completed not later than 2 years
16 after the date of enactment of this Act.

17 (d) **ALTERNATIVE SALE OF FEDERAL LAND.**—If the
18 land exchange under subsection (a) is not completed by
19 the date that is 2 years after the date of enactment of
20 this Act, the Secretary shall offer to sell to the Foundation
21 the Federal land for fair market value.

22 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The
23 land exchange under subsection (a) and any sale under
24 subsection (d) shall be subject to—

25 (1) valid existing rights;

1 (2) the Secretary finding that the public inter-
2 est would be well served by making the exchange or
3 sale;

4 (3) any terms and conditions that the Secretary
5 may require; and

6 (4) the Foundation paying the reasonable costs
7 of any surveys, appraisals, and any other adminis-
8 trative costs associated with the land exchange or
9 sale.

10 (f) APPRAISALS.—

11 (1) IN GENERAL.—The land conveyed under
12 subsection (a) or (d) shall be appraised by an inde-
13 pendent appraiser selected by the Secretary.

14 (2) REQUIREMENTS.—An appraisal under para-
15 graph (1) shall be conducted in accordance with na-
16 tionally recognized appraisal standards, including—

17 (A) the Uniform Appraisal Standards for
18 Federal Land Acquisitions; and

19 (B) the Uniform Standards of Professional
20 Appraisal Practice.

21 (g) MANAGEMENT AND STATUS OF ACQUIRED
22 LAND.—Any non-Federal land acquired by the Secretary
23 under this Act shall be managed by the Secretary in ac-
24 cordance with—

- 1 (1) the Act of March 1, 1911 (commonly known
- 2 as the “Weeks Law”) (16 U.S.C. 480 et seq.); and
- 3 (2) any laws (including regulations) applicable
- 4 to the National Forest System.

