AMENDMENT TO H.R. 5780

OFFERED BY MR. [redacted] Polis of Colorado

Page 118, strike line 22 and all that follows through page 125, line 17 (section 103 (other than subsection (a)) and sections 104 through 107), and insert the following new subsections:

(b) APPLICABLE LAW.—The exchange authorized under subsection (a) shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), including the requirement that the Secretary determine that the public interest will be well served by making the exchange.

(c) REMOVAL OF PARCELS FROM EXCHANGE.—The Secretary may remove a specific parcel identified on the maps from the requirements of the land exchange authorized by subsection (a) if the Secretary determines that the parcel is not suitable for disposal.

(d) CONDITIONS.—The exchange authorized under subsection (a) shall be subject to—

(1) valid existing rights;

(2) the condition that the owner make the offer to convey all or part of the non-Federal land during

1 the 3-year period beginning on the date of enact-
2 ment of this Act;
3 (3) the condition that the owner of the non-
4 Federal land pay not less than 50 percent of all
5 costs relating to the land exchange, including the
6 costs of appraisals, surveys, and any necessary envi-
7 ronmental clearances;
8 (4) the condition that title to the non-Federal
9 land be acceptable to the Secretary and in conform-
10 ance with the title approval standards applicable to
11 Federal land acquisitions; and
12 (5) such terms and conditions as the Secretary
13 may require.
14 (e) VALUATION, APPRAISALS, AND EQUALIZATION.—
15 (1) IN GENERAL.—The value of the Federal
16 land and the non-Federal land to be conveyed in the
17 exchange authorized under subsection (a)—
18 (A) shall be equal, as determined by ap-
19 praisals conducted in accordance with para-
20 graph (2); or
21 (B) if not equal, shall be equalized in ac-
22 cordance with paragraph (3).
23 (2) APPRAISALS.—
24 (A) IN GENERAL.—The Federal land and
25 the non-Federal land to be exchanged under

1 this section shall be appraised by an inde-
2 pendent, qualified appraiser that is agreed to by
3 the Secretary and the State.
4 (B) REQUIREMENTS.—An appraisal under
5 subparagraph (A) shall be conducted in accord-
6 ance with—
7 (i) the Uniform Appraisal Standards
8 for Federal Land Acquisitions; and
9 (ii) the Uniform Standards of Profes-
10 sional Appraisal Practice.
11 (3) EQUALIZATION.—If the value of the Federal
12 land and the non-Federal land to be exchanged
13 under this section is not equal, the value may be
14 equalized—
15 (A) by making a cash equalization pay-
16 ment to the Secretary or to the owner of the
17 non-Federal land, as appropriate, in accordance
18 with section 206(b) of the Federal Land Policy
19 and Management Act of 1976 (43 U.S.C.
20 1716(b)); or
21 (B) by reducing the acreage of the Federal
22 land or the non-Federal land to be exchanged,
23 as appropriate.