

# Committee on Natural Resources

Rob Bishop Chairman  
Mark-Up Memorandum

August 31, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Rebekah Rodriguez and Chris Marklund  
Subcommittee on Federal Lands (x6-7736)

Mark-Up: **H.R. 5513 (Rep. Paul Cook)**, 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.  
**September 5, 2018 at 10:15 AM; 1324 Longworth House Office Building**

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## H.R. 5513, “*Big Bear Land Exchange Act*”

### Summary of the Bill

H.R. 5513, introduced by Representative Paul Cook (R-CA-08), authorizes the conveyance of 73 acres of the San Bernardino National Forest to San Bernardino County in California, in exchange for 71 acres to be conveyed to the U.S. Forest Service by the County. The bill would require that a portion of the Pacific Crest National Scenic Trail be relocated onto adjacent land prior to the exchange and requires the County to pay for all required surveys, appraisals, and any other costs necessary to facilitate the exchange.

### Background

San Bernardino County (County), located in southeastern California, is the largest county in the contiguous United States, spanning nearly 13 million acres.<sup>1</sup> The mountain region of the County is home to a large section of the San Bernardino National Forest (Forest) and like many counties in the western United States, almost 80% of the entire county is owned by the federal government.<sup>2</sup>

The County currently has ownership of approximately 71 acres of inheld land within the San Bernardino Forest northeast of Big Bear City and has proposed to convey this land to the U.S. Forest Service (USFS) in exchange for 73 acres of USFS land further north.<sup>3</sup> Currently, the proposed federal land parcel contains a portion of the Pacific Crest National Scenic Trail. H.R. 5513 requires that USFS relocate that portion of the Trail to adjacent USFS land before the completion of the land exchange.

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<sup>1</sup> “*County Profile*.” 2015 San Bernardino County Community Indicators Report.

[http://cms.sbcounty.gov/Portals/21/Resources%20Documents/CIR\\_2015\\_Report.pdf](http://cms.sbcounty.gov/Portals/21/Resources%20Documents/CIR_2015_Report.pdf)

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Forest Service “*Big Bear Land Exchange*” Vicinity Map dated August 6, 2018.

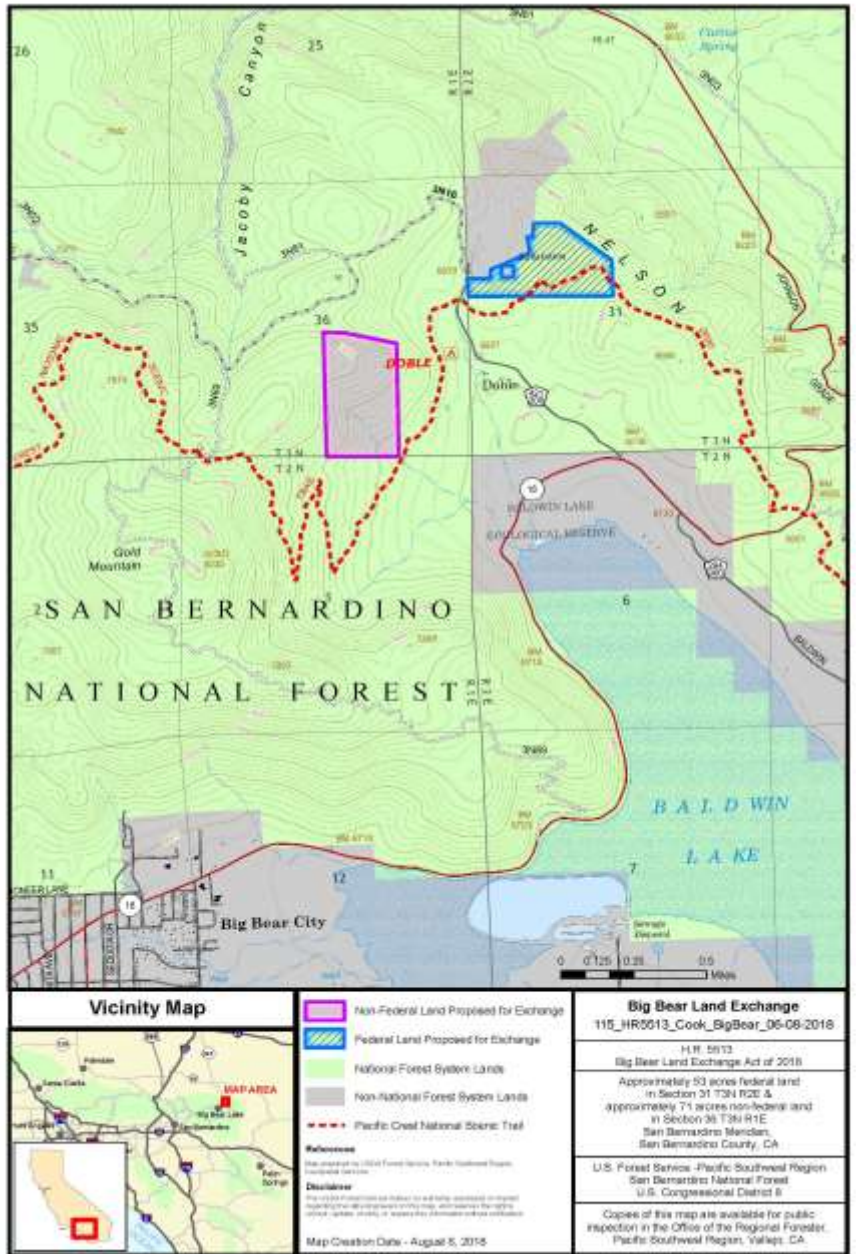
The County plans to use the 73 acres to work with a contracting company to build a timber processing facility in a safe and remote site further away from the city and closer to the trees being processed.<sup>4</sup> Currently, trees from the Forest are driven down the mountain through a narrow and winding pass to a processing facility in the valley, resulting in multiple traffic accidents yearly.<sup>5</sup> The land exchange and the subsequent new processing facility will help alleviate the traffic and make the mountain road safer for those who live in and visit the Forest.

The land exchange has strong local support including: The City of Big Bear Lake, Friends of Big Bear Valley, the Big Bear Fire Department, the Big Bear City Community Services District, Big Bear Municipal Water District, Bear Valley Community Healthcare District, the Big Bear Chamber of Commerce, and the local Big Bear Group chapter of the Sierra Club.<sup>6</sup>

**Major Provisions of H.R. 5513**

*Section 3: Exchange of Land; Equalization of Value*

This section directs the Secretary of Agriculture to exchange the land offered by the County of San Bernardino (71 acres) with the proposed federal land (73 acres) no later than 2 years after enactment subject to valid existing rights, and sections of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and requires the County to pay for all costs of conveyance. It also requires an equalization payment to be made by either the Secretary or the County if one of the proposed parcels exceeds the value of the other, and allows the Secretary to use funds from certain accounts, including the Land and Water Conservation Fund. This section



**Figure 1: Big Bear Land Exchange Map**  
Source: U.S. Forest Service

<sup>4</sup> Letter of Support for the Big Bear Land Exchange from 8 Big Bear Agencies and Groups.  
<sup>5</sup> Information provided to the Committee by the bill sponsor.  
<sup>6</sup> Letter of Support for the Big Bear Land Exchange from 8 Big Bear Agencies and Groups.

requires that appraisals of the land be in accordance with existing laws and standards, and grants the Secretary authority to finalize a map and legal description for the transfer, correct minor errors, and make the map publicly available. Finally, this section requires that the Secretary relocate a portion of the Pacific Crest National Scenic Trail to adjacent Forest System land without further environmental analysis.

### **Cost**

A Congressional Budget Office cost estimate has not yet been completed for this bill.

### **Administration Position**

The Administration's position is currently unknown.

### **Anticipated Amendments**

Mr. Cook will offer an amendment to strike all unnecessary sections relating to the Federal Land Policy and Management Act and the "Source of Funds for Payment by the Secretary." It also will strike all language requiring the Secretary of Agriculture to make an equalization payment to the County of San Bernardino. In addition, it will change the deadline for completion of the Pacific Coast Trail relocation to 3 years after the enacting date, require the relocation to be done subject to existing laws, allow the trail to be on county land subject to the county's approval, and require that the land exchange be completed no more than 1 year after the relocation of the trail. Finally, Mr. Cook's amendment will update the map to the most recent map provided by the U.S. Forest Service and update the appraisal standards to conform to standard language used by the Committee in similar legislation.

### **Effect on Current Law (Ramseyer)**

None.