

Subcommittee on Federal Lands

Tom McClintock, Chairman

Hearing Memorandum

July 15, 2018

To: All Subcommittee on Federal Lands Members

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

Hearing: Legislative hearing on **H.R. 5923 (Rep. Bruce Westerman)**, To direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes.

July 17, 2018, 10:00 AM; 1324 Longworth House Office Building

H.R. 5923, “Walnut Grove Land Exchange Act”

Summary of the Bill

H.R. 5923, introduced by Representative Bruce Westerman (R-AR-04), would allow for the exchange of approximately 4 acres of U.S. Forest Service land for 6 acres of land in the Ouachita National Forest currently owned by the Walnut Grove Community Church. This bill would require the Church to pay for all costs related to the conveyance.

Cosponsors

None.

Witnesses

The Honorable Bruce Westerman
Member of Congress, Arkansas's 4th district

Mr. George Joseph Bassett III
Deacon and Treasurer
Walnut Grove Community Church
Jessieville, AR

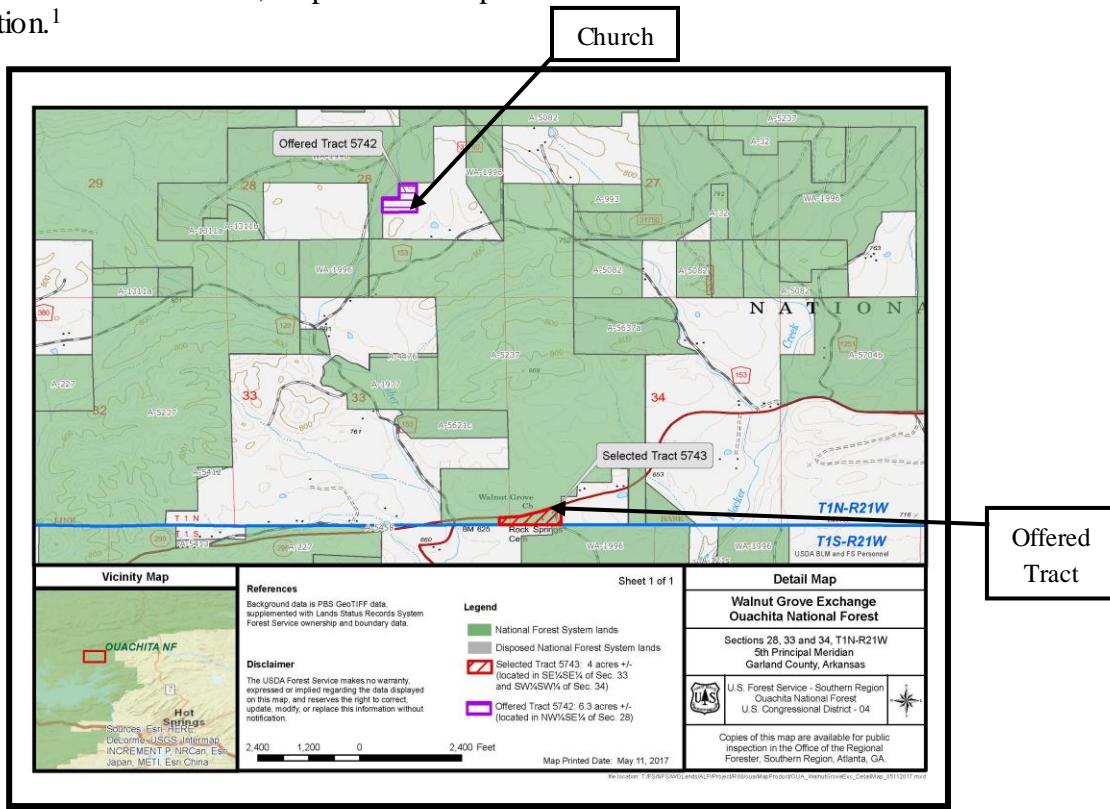
Background

The Walnut Grove Community Church (Church) is located in the unincorporated community of Jessieville, Arkansas. Originally built a mile up the road, in 1938, the congregation moved the church to its current location to be closer to its historic cemetery.^[1] The church building, community center, and cemetery sit on approximately four acres of land owned

^[1]Based on information provided to the Subcommittee by the Walnut Grove Community Church.

by the U.S. Forest Service (USFS). The church was originally constructed on federal land at a time when oversight of these issues was far less stringent than even today. The tract also contains part of a USFS road connecting the parcel to additional USFS land to the South. Although the church owns the facilities, because USFS owns the underlying land, the Church has faced significant challenges as it seeks to maintain, improve and expand its facilities to meet the needs of its growing congregation.¹

The Church owns approximately six acres of woodland inholdings within the Ouachita National Forest and has offered to exchange this six-acre tract for the four acres of land on which the Church's buildings and cemetery sit. The Church has been unsuccessfully seeking an administrative exchange of land with USFS for over twenty years.²



Walnut Grove Exchange Ouachita National Forest Detail Map

Source: U.S. Forest Service

The legislation would authorize the land exchange between the church and USFS. The bill requires the Church to pay any appraisal, survey, and any other conveyance costs of the exchange. If the Church's offered parcel is determined to be of lower value than the selected tract currently owned by USFS, the Church will be required to make an equalization payment to the government. The USFS would not be required to make an equalization payment if the offered tract is determined to be of higher value than the selected USFS land.

Major Provisions/Section-by-Section Analysis of H.R. 5923

Section 1: Short Title

This Act may be cited as the Walnut Grove Land Exchange Act.

¹ Based on information provided to the Subcommittee by the Walnut Grove Community Church via the Bill Sponsor's office.

² Based in information provided to the Subcommittee by the Bill Sponsor's office.

Section 2: Definitions

This section defines terms used in the Act.

Section 3: Exchange of Land; Equalization of Value

This section directs the Secretary of Agriculture to exchange the land offered by the Walnut Grove Community Church with the offered Federal land and requires the exchange be subject to valid existing rights. It also requires the Church to pay any conveyance costs and for an equalization payment by the church if the value of the selected tract exceeds the value of the offered tract. The federal government would not be required to make an equalization payment if the value of the offered tract exceeds the value of the selected tract. The bill also requires an appraisal be conducted in accordance with existing laws and appraisal standards and grants the Secretary of Agriculture the authority to finalize a map and legal descriptions for the transfer, correct minor errors, and make the map publicly available.

Cost

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

Administration Position

The Administration's position is currently unknown.

Effect on Current Law (Ramseyer)

None.