

Union Calendar No. 778

115TH CONGRESS
2^D SESSION

H. R. 5513

[Report No. 115–996]

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2018

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

OCTOBER 30, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on April 13, 2018]

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”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *COUNTY.*—*The term “County” means the*
9 *County of San Bernardino, California.*

10 (2) *FEDERAL LAND.*—*The term “Federal land”*
11 *means the approximately 73 acres of Federal land ad-*
12 *ministered by the Forest Service generally depicted as*
13 *“Federal Land Proposed for Exchange” on the Map.*

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

18 (4) *SECRETARY.*—*The term “Secretary” means*
19 *the Secretary of Agriculture.*

20 (5) *MAP.*—*The term “Map” means the map ti-*
21 *tled “Big Bear Land Exchange” and dated August 6,*
22 *2018.*

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

24 (a) *EXCHANGE AUTHORIZED.*—*Subject to valid exist-*
25 *ing rights and the terms of this Act, no later than one year*

1 *after the date that the portion of the Pacific Crest National*
2 *Scenic Trail is relocated in accordance with subsection (h),*
3 *if the County offers to convey the non-Federal land to the*
4 *United States, the Secretary shall—*

5 (1) *convey to the County all right, title, and in-*
6 *terest of the United States in and to the Federal land;*
7 *and*

8 (2) *accept from the County a conveyance of all*
9 *right, title, and interest of the County in and to the*
10 *non-Federal land.*

11 *(b) EQUAL VALUE AND CASH EQUALIZATION.—*

12 (1) *EQUAL VALUE EXCHANGE.—The land ex-*
13 *change under this section shall be for equal value, or*
14 *the values shall be equalized by a cash payment as*
15 *provided for under this subsection or an adjustment*
16 *in acreage. At the option of the County, any excess*
17 *value of the non-Federal lands may be considered a*
18 *gift to the United States.*

19 (2) *CASH EQUALIZATION PAYMENT.—The County*
20 *may equalize the values of the lands to be exchanged*
21 *under this section by cash payment without regard to*
22 *any statutory limit on the amount of such a cash*
23 *equalization payment.*

24 (3) *DEPOSIT AND USE OF FUNDS RECEIVED*
25 *FROM COUNTY.—Any cash equalization payment re-*

1 *ceived by the Secretary under this subsection shall be*
2 *deposited in the fund established under Public Law*
3 *90–171 (16 U.S.C. 484a; commonly known as the*
4 *Sisk Act). The funds so deposited shall remain avail-*
5 *able to the Secretary, until expended, for the acquisi-*
6 *tion of lands, waters, and interests in land for the*
7 *San Bernardino National Forest.*

8 *(c) APPRAISAL.—The Secretary shall complete an ap-*
9 *praisal of the land to be exchanged under subsection (a)*
10 *in accordance with—*

11 *(1) the Uniform Appraisal Standards for Fed-*
12 *eral Land Acquisitions; and*

13 *(2) the Uniform Standards of Professional Ap-*
14 *praisal Practice.*

15 *(d) TITLE APPROVAL.—Title to the land to be ex-*
16 *changed under this Act shall be in a format acceptable to*
17 *the Secretary and the County.*

18 *(e) SURVEY OF NON-FEDERAL LANDS.—Before com-*
19 *pleting the exchange under this Act, the Secretary shall in-*
20 *spect the non-Federal lands to ensure that the land meets*
21 *Federal standards, including hazardous materials and land*
22 *line surveys.*

23 *(f) COSTS OF CONVEYANCE.—As a condition of convey-*
24 *ance, any costs related to the exchange under this section*
25 *shall be paid by the County.*

1 (g) *MANAGEMENT OF ACQUIRED LANDS.*—The Sec-
2 retary shall manage the non-Federal land acquired under
3 this section in accordance with the Act of March 1, 1911
4 (16 U.S.C. 480 et seq.; commonly known as the Weeks Act),
5 and other laws and regulations pertaining to National For-
6 est System lands.

7 (h) *PACIFIC CREST NATIONAL SCENIC TRAIL RELOCA-*
8 TION.—No later than three years after the date of enactment
9 of this Act, the Secretary, in accordance with applicable
10 laws, shall relocate the portion of the Pacific Crest National
11 Scenic Trail located on the Federal land to—

12 (1) adjacent National Forest System land;

13 (2) land owned by the County, subject to County
14 approval;

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

17 (4) a combination of paragraphs (1), (2), and
18 (3).

19 (i) *MAP AND LEGAL DESCRIPTIONS.*—As soon as prac-
20 ticable after the date of the enactment of this Act, the Sec-
21 retary shall finalize a map and legal descriptions of all
22 land to be conveyed under this Act. The Secretary may cor-
23 rect any minor errors in the map or in the legal descrip-
24 tions. The map and legal descriptions shall be on file and

- 1 *available for public inspection in appropriate offices of the*
- 2 *Forest Service.*

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