Suspend the Rules and Pass the Bill, H.R. 255, With an Amendment
(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

H. R. 255

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

JANUARY 4, 2019

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

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”.

November 15, 2019 (3:01 p.m.)
SEC. 2. DEFINITIONS.

In this Act:

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

(2) FEDERAL LAND.—The term “Federal land” means the approximately 73 acres of Federal land administered by the Forest Service generally depicted as “Federal Land Proposed for Exchange” on the Map.

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

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

(5) MAP.—The term “Map” means the map titled “Big Bear Land Exchange” and dated August 6, 2018.

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

(a) EXCHANGE AUTHORIZED.—Subject to valid existing rights and the terms of this Act, no later than one year after the date that the portion of the Pacific Crest National Scenic Trail is relocated in accordance with subsection (h), if the County offers to convey the non-Federal land to the United States, the Secretary shall—
(1) convey to the County all right, title, and interest of the United States in and to the Federal land; and

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

(b) EQUAL VALUE AND CASH EQUALIZATION.—

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

(2) EQUALIZATION.—If the value of the Federal land and the non-Federal land to be conveyed in a land exchange under this subsection is not equal, the value may be equalized by—

(A) making a cash equalization payment to the Secretary or to the owner of the non-Federal land, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or
(B) reducing the acreage of the Federal land or the non-Federal land to be exchanged, as appropriate.

(3) DEPOSIT AND USE OF FUNDS RECEIVED FROM COUNTY.—Any cash equalization payment received by the Secretary under this subsection shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the “Sisk Act”). The funds so deposited shall remain available to the Secretary, until expended, for the acquisition of lands, waters, and interests in land for the San Bernadino National Forest.

(e) APPRAISAL.—The Secretary shall complete an appraisal of the land to be exchanged under subsection (a) in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(2) the Uniform Standards of Professional Appraisal Practice.

(d) TITLE APPROVAL.—Title to the land to be exchanged under this Act shall be in a format acceptable to the Secretary and the County.

(e) SURVEY OF NON-FEDERAL LANDS.—Before completing the exchange under this Act, the Secretary shall inspect the non-Federal lands to ensure that the land
meets Federal standards, including hazardous materials and land line surveys.

(f) COSTS OF CONVEYANCE.—As a condition of conveyance, any costs related to the exchange under this section shall be paid by the County.

(g) MANAGEMENT OF ACQUIRED LANDS.—The non-Federal land acquired by the Secretary under subsection (a) shall be—

(1) added to, and managed as part of, San Bernardino National Forest; and

(2) managed in accordance with—

(A) the Act of March 1, 1911 (16 U.S.C. 480 et seq.; commonly known as the “Weeks Act’’); and

(B) any other laws, including regulations, pertaining to National Forest System lands.

(h) PACIFIC CREST NATIONAL SCENIC TRAIL RELOCATION.—Not later than three years after the date of enactment of this Act, the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws (including regulations), shall relocate the portion of the Pacific Crest National Scenic Trail located on the Federal land to—

(1) adjacent National Forest System land;
(2) land owned by the County, subject to County approval;

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

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

(i) Map and Legal Descriptions.—As soon as practicable after the date of the enactment of this Act, the Secretary shall finalize a map and legal descriptions of all land to be conveyed under this Act. The Secretary may correct any minor errors in the map or in the legal descriptions. The map and legal descriptions shall be on file and available for public inspection in appropriate offices of the Forest Service.


(k) Additional Terms and Conditions.—Any conveyance of Federal land under this Act shall be subject to—

(1) valid existing rights;

(2) the terms of this Act; and

(3) such terms and conditions as the Secretary may require.
SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.