

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”.

1 SEC. 2. DEFINITIONS.

2 In this Act:

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

5 (2) FEDERAL LAND.—The term “Federal land”
6 means the approximately 73 acres of Federal land
7 administered by the Forest Service generally de-
8 picted as “Federal Land Proposed for Exchange” on
9 the Map.

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

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

16 (5) MAP.—The term “Map” means the map ti-
17 tled “Big Bear Land Exchange” and dated August
18 6, 2018.

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

20 (a) EXCHANGE AUTHORIZED.—Subject to valid exist-
21 ing rights and the terms of this Act, no later than one
22 year after the date that the portion of the Pacific Crest
23 National Scenic Trail is relocated in accordance with sub-
24 section (h), if the County offers to convey the non-Federal
25 land to the United States, the Secretary shall—

1 (1) convey to the County all right, title, and in-
2 terest of the United States in and to the Federal
3 land; and

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

7 (b) EQUAL VALUE AND CASH EQUALIZATION.—

8 (1) EQUAL VALUE EXCHANGE.—The land ex-
9 change under this section shall be for equal value,
10 or the values shall be equalized by a cash payment
11 as provided for under this subsection or an adjust-
12 ment in acreage. At the option of the County, any
13 excess value of the non-Federal lands may be consid-
14 ered a gift to the United States.

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

19 (A) making a cash equalization payment to
20 the Secretary or to the owner of the non-Fed-
21 eral land, as appropriate, in accordance with
22 section 206(b) of the Federal Land Policy and
23 Management Act of 1976 (43 U.S.C. 1716(b));
24 or

(B) reducing the acreage of the Federal land or the non-Federal land to be exchanged, as appropriate.

13 (c) APPRAISAL.—The Secretary shall complete an ap-
14 praisal of the land to be exchanged under subsection (a)
15 in accordance with—

(2) the Uniform Standards of Professional Appraisal Practice.

20 (d) TITLE APPROVAL.—Title to the land to be ex-
21 changed under this Act shall be in a format acceptable
22 to the Secretary and the County.

23 (e) SURVEY OF NON-FEDERAL LANDS.—Before com-
24 pleting the exchange under this Act, the Secretary shall
25 inspect the non-Federal lands to ensure that the land

1 meets Federal standards, including hazardous materials
2 and land line surveys.

3 (f) COSTS OF CONVEYANCE.—As a condition of con-
4 veyance, any costs related to the exchange under this sec-
5 tion shall be paid by the County.

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

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

11 (2) managed in accordance with—

12 (A) the Act of March 1, 1911 (16 U.S.C.
13 480 et seq.; commonly known as the “Weeks
14 Act”); and

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

17 (h) PACIFIC CREST NATIONAL SCENIC TRAIL RELO-
18 CATION.—Not later than three years after the date of en-
19 actment of this Act, the Secretary, in accordance with the
20 National Environmental Policy Act of 1969 (42 U.S.C.
21 4321 et seq.) and other applicable laws (including regula-
22 tions), shall relocate the portion of the Pacific Crest Na-
23 tional Scenic Trail located on the Federal land to—

24 (1) adjacent National Forest System land;

1 (2) land owned by the County, subject to Coun-
2 ty approval;
3 (3) land within the Federal land, subject to
4 County approval; or
5 (4) a combination of paragraphs (1), (2), and
6 (3).

7 (i) MAP AND LEGAL DESCRIPTIONS.—As soon as
8 practicable after the date of the enactment of this Act,
9 the Secretary shall finalize a map and legal descriptions
10 of all land to be conveyed under this Act. The Secretary
11 may correct any minor errors in the map or in the legal
12 descriptions. The map and legal descriptions shall be on
13 file and available for public inspection in appropriate of-
14 fices of the Forest Service.

15 (j) APPLICABLE LAW.—Section 206 of the Federal
16 Land Policy and Management Act of 1976 (43 U.S.C.
17 1716) shall apply to the land exchange authorized under
18 subsection (a).

19 (k) ADDITIONAL TERMS AND CONDITIONS.—Any
20 conveyance of Federal land under this Act shall be subject
21 to—

22 (1) valid existing rights;
23 (2) the terms of this Act; and
24 (3) such terms and conditions as the Secretary
25 may require.

1 SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

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