

Union Calendar No. 285

106TH CONGRESS
2^D SESSION

H. R. 1680

[Report No. 106-510]

To provide for the conveyance of Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 1999

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

MARCH 2, 2000

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 May 4, 1999]

A BILL

To provide for the conveyance of Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Kern County California*
3 *Land Exchange Act of 2000”.*

4 **SEC. 2. LAND EXCHANGE, CAMP OWEN AND RELATED PAR-**
5 **CELS, KERN COUNTY, CALIFORNIA.**

6 *(a) EXCHANGE REQUIRED.—In exchange for the non-*
7 *Federal lands and the additional consideration described in*
8 *subsection (b), the Secretary of Agriculture shall convey to*
9 *Kern County, California, all right, title, and interest of the*
10 *United States in and to four parcels of land under the juris-*
11 *isdiction of the Forest Service in Kern County, as follows:*

12 *(1) Approximately 70 acres known as Camp*
13 *Owen.*

14 *(2) Approximately 4 acres known as Wofford*
15 *Heights Park.*

16 *(3) Approximately 4 acres known as the French*
17 *Gulch maintenance yard.*

18 *(4) Approximately 14 acres known as the*
19 *Kernville Fish Hatchery.*

20 *(b) CONSIDERATION.—*

21 *(1) CONVEYANCE OF NON-FEDERAL LANDS.—As*
22 *consideration for the conveyance of the Federal lands*
23 *referred to in subsection (a), Kern County shall con-*
24 *vey to the Secretary a parcel of land consisting of ap-*
25 *proximately 52 acres of Greenhorn Mountain Park in*

1 *Kern County, California, which is owned by Kern*
2 *County within Sequoia National Forest.*

3 (2) *REPLACEMENT FACILITY.—As additional*
4 *consideration for the conveyance of the storage facility*
5 *located at the maintenance yard referred to in sub-*
6 *section (a)(3), Kern County shall provide a replace-*
7 *ment storage facility of comparable size and condi-*
8 *tion, as acceptable to the Secretary, at the Greenhorn*
9 *Ranger District Lake Isabella Maintenance Yard*
10 *property.*

11 (3) *CASH EQUALIZATION PAYMENT.—As addi-*
12 *tional consideration for the conveyance of the Federal*
13 *lands referred to in subsection (a), Kern County shall*
14 *tender a cash equalization payment specified by the*
15 *Secretary, but not to exceed \$100,000. Subject to such*
16 *limitation, the cash equalization payment shall be*
17 *based upon an appraisal performed at the option of*
18 *the Forest Service pursuant to section 206(b) of the*
19 *Federal Land Policy and Management Act of 1976*
20 *(43 U.S.C. 1716(b)).*

21 (c) *CONDITIONS ON ACCEPTANCE.—Title to the non-*
22 *Federal lands to be conveyed under this section must be ac-*
23 *ceptable to the Secretary, and the conveyance shall be sub-*
24 *ject to valid existing rights of record. The non-Federal lands*

1 *shall conform with the title approval standards applicable*
2 *to Federal land acquisitions.*

3 (d) *TIME FOR CONVEYANCE.*—*Subject to subsection (c),*
4 *the Secretary shall complete the conveyance of the Federal*
5 *lands under subsection (a) within three months after Kern*
6 *County tenders to the Secretary the consideration required*
7 *by subsection (b).*

8 (e) *STATUS OF ACQUIRED LANDS.*—*Upon approval*
9 *and acceptance of title by the Secretary, the non-Federal*
10 *lands conveyed to the United States under this section shall*
11 *become part of Sequoia National Forest, and the boundaries*
12 *of the national forest shall be adjusted to include the ac-*
13 *quired lands. The Secretary shall manage the acquired*
14 *lands for recreational purposes in accordance with the laws*
15 *and regulations pertaining to the National Forest System.*
16 *For purposes of section 7 of the Land and Water Conserva-*
17 *tion Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries*
18 *of the national forest, as adjusted pursuant to this section,*
19 *shall be considered to be the boundaries of the national for-*
20 *est as of January 1, 1965.*

21 (f) *RELATIONSHIP TO ENVIRONMENTAL LIABILITY.*—
22 *In connection with the conveyances under this section, the*
23 *Secretary may require such additional terms and condi-*
24 *tions related to environmental liability as the Secretary*

1 *considers appropriate to protect the interests of the United*
2 *States.*

3 (g) *LEGAL DESCRIPTIONS.*—*The exact acreage and*
4 *legal description of the real property to be exchanged under*
5 *this section shall be determined by a survey or surveys satis-*
6 *factory to the Secretary. The costs of any such survey, as*
7 *well as other administrative costs incurred to execute the*
8 *land exchange (other than costs incurred by Kern County*
9 *to comply with subsection (h)), shall be divided equally be-*
10 *tween the Secretary and Kern County.*

11 (h) *TREATMENT OF EXISTING UTILITY LINES AT CAMP*
12 *OWEN.*—*Upon receipt of the Federal lands described in sub-*
13 *section (a)(1), Kern County shall grant an easement, and*
14 *record the easement in the appropriate office, for permitted*
15 *or licensed uses of those lands that are unrecorded as of*
16 *the date of the conveyance.*

17 (i) *APPLICABLE LAW.*—*Except as otherwise provided*
18 *in this section, any exchange of National Forest System*
19 *land under this section shall be subject to the laws (includ-*
20 *ing regulations) applicable to the conveyance and acquisi-*
21 *tion of land for the National Forest System.*

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