

Calendar No. 651

107TH CONGRESS
2^D SESSION

S. 2652

To authorize the Secretary of Agriculture to sell or exchange certain land
in the State of Florida, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2002

Mr. GRAHAM introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

OCTOBER 8, 2002

Reported by Mr. BINGAMAN, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To authorize the Secretary of Agriculture to sell or exchange
certain land in the State of Florida, 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 “Florida National For-
5 est Land Management Act of 2002”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) MAP.—The term “map” means the map en-
 2 titled “Florida Land Dispositions” and dated March
 3 31, 2002.

4 (2) (1) SECRETARY.—The term “Secretary”
 5 means the Secretary of Agriculture.

6 (3) (2) STATE.—The term “State” means the
 7 State of Florida.

8 **SEC. 3. SALE OR EXCHANGE OF LAND.**

9 (a) IN GENERAL.—The Secretary may, under such
 10 terms and conditions as the Secretary may prescribe, sell
 11 or exchange any right, title, and interest of the United
 12 States in and to the parcels of Federal land in the State
 13 described in subsection (b).

14 (b) DESCRIPTION OF LAND.—The parcels of Federal
 15 land in the State referred to in subsection (a) consist of—

16 (1) tract A-942a, East Bay, Santa Rosa Coun-
 17 ty, consisting of approximately 61 acres, and more
 18 particularly described as T. 1 S., R. 27 W., Sec. 31,
 19 W¹/₂ of SW¹/₄;

20 (2) tract A-942b, East Bay, Santa Rosa Coun-
 21 ty, consisting of approximately 40 acres, and more
 22 particularly described as T. 1 S., R. 27 W., Sec. 38;

23 (3) tract A-942c, Ft. Walton, Okaloosa County,
 24 located southeast of the intersection of and adjacent
 25 to State Road 86 and Mooney Road, consisting of

1 approximately 0.59 acres, and more particularly de-
2 scribed as T. 1 S., R. 24 W., Sec. 26;

3 (4) tract A-942d, located southeast of
4 Crestview, Okaloosa County, consisting of approxi-
5 mately 79.90 acres, and more particularly described
6 as T. 2 N., R. 23 W., Sec. 2, NW¹/₄ NE¹/₄ and
7 NE¹/₄ NW¹/₄;

8 (5) tract A-943, Okaloosa County Fairgrounds,
9 Ft. Walton, Okaloosa County, consisting of approxi-
10 mately 30.14 acres, and more particularly described
11 as T. 1 S., R. 24 W., Sec. 26, S¹/₂;

12 (6) tract A-944, City Ball Park—Ft. Walton,
13 Okaloosa County, consisting of approximately 12.43
14 acres, and more particularly described as T. 1 S., R.
15 24 W., Sec. 26, S¹/₂;

16 (7) tract A-945, Landfill-Golf Course Driving
17 Range, located southeast of Crestview, Okaloosa
18 County, consisting of approximately 40.85 acres,
19 and more particularly described as T. 2 N., R. 23
20 W., Sec. 4, NW¹/₄ NE¹/₄;

21 (8) tract A-959, 2 vacant lots on the north side
22 of Micheaux Road in Bristol, Liberty County, con-
23 sisting of approximately 0.5 acres, and more particu-
24 larly described as T. 1 S., R. 7 W., Sec. 6;

1 (9) tract C-3m-d, located southwest of Astor in
2 Lake County, consisting of approximately 15.0
3 acres, and more particularly described as T. 15 S.,
4 R. 28 E., Sec. 37;

5 (10) tract C-691, Lake County, consisting of
6 the subsurface rights to approximately 40.76 acres
7 of land, and more particularly described as T. 17 S.,
8 R. 29 E., Sec. 25, SE¹/₄ NW¹/₄;

9 (11) tract C-2208b, Lake County, consisting of
10 approximately 39.99 acres, and more particularly de-
11 scribed as T. 17 S., R. 28 E., Sec. 28, NW¹/₄ SE¹/₄;

12 (12) tract C-2209, Lake County, consisting of
13 approximately 127.2 acres, as depicted on the map,
14 and more particularly described as T. 17 S., R. 28
15 E., Sec. 21, NE¹/₄ SW¹/₄, SE¹/₄ NW¹/₄, and SE¹/₄
16 NE¹/₄;

17 (13) tract C-2209b, Lake County, consisting of
18 approximately 39.41 acres, and more particularly de-
19 scribed as T. 17 S., R. 29 E., Sec. 32, NE¹/₄ SE¹/₄;

20 (14) tract C-2209c, Lake County, consisting of
21 approximately 40.09 acres, and more particularly de-
22 scribed as T. 18 S., R. 28 E., Sec. 14, SE¹/₄ SW¹/₄;

23 (15) tract C-2209d, Lake County, consisting of
24 approximately 79.58 acres, and more particularly de-

1 scribed as T. 18 S., R. 29 E., Sec. 5, SE¹/₄ NW¹/₄,
 2 NE¹/₄ SW¹/₄;

3 (16) tract C-2210, government lot 1, 20 rec-
 4 reational residential lots, and adjacent land on Lake
 5 Kerr, Marion County, consisting of approximately 30
 6 acres, and more particularly described as T. 13 S.,
 7 R. 25 E., Sec. 22;

8 ~~(17) tract C-2212, located West of Ocala, Mar-~~
 9 ~~ion County, consisting of approximately 5.0 acres,~~
 10 ~~and more particularly described as T. 14 S., R. 21~~
 11 ~~E., Sec. 19, W¹/₂ NW¹/₄ NW¹/₄ SW¹/₄;~~

12 ~~(18)~~ (17) tract C-2213, located in the F.M.
 13 Arrendondo grant, East of Ocala, Marion County,
 14 and including a portion of the land located east of
 15 the western right-of-way of State Highway 19, con-
 16 sisting of approximately 15.0 acres, and more par-
 17 ticularly described as T. 14 and 15 S., R. 26 E.,
 18 Sec. 36, 38, and 40; and

19 ~~(19)~~ (18) all improvements on the parcels de-
 20 scribed in paragraphs (1) through (18).

21 ~~(c) MAP AND LEGAL DESCRIPTION.—~~

22 ~~(1) AVAILABILITY.—The map shall be on file~~
 23 ~~and available for public inspection in the office of~~
 24 ~~the Chief of the Forest Service.~~

25 ~~(2) MODIFICATIONS.—The Secretary may—~~

1 (A) correct minor errors in the map; and

2 (B) for the purposes of soliciting offers for

3 the sale or exchange of land under subsection

4 (d); modify the descriptions of land specified in

5 subsection (b) based on—

6 (i) a survey; or

7 (ii) a determination by the Secretary

8 that the modification would be in the best

9 interest of the public.

10 (c) *LEGAL DESCRIPTION MODIFICATION.*—*The Sec-*

11 *retary may, for the purposes of soliciting offers for the sale*

12 *or exchange of land under subsection (d), modify the de-*

13 *scriptions of land specified in subsection (b) based on—*

14 (1) *a survey; or*

15 (2) *a determination by the Secretary that the*

16 *modification would be in the best interest of the pub-*

17 *lic.*

18 (d) *SOLICITATIONS OF OFFERS.*—

19 (1) *IN GENERAL.*—Subject to such terms and

20 conditions as the Secretary may prescribe, the Sec-

21 retary may solicit offers for the sale or exchange of

22 land described in subsection (b).

23 (2) *REJECTION OF OFFERS.*—The Secretary

24 may reject any offer received under this section if

25 the Secretary determines that the offer—

1 (A) is not adequate; or

2 (B) is not in the public interest.

3 (e) METHODS OF SALE.—The Secretary may sell the
4 land described in subsection (b) at public or private sale
5 (including at auction), in accordance with any terms, con-
6 ditions, and procedures that the Secretary determines to
7 be appropriate.

8 (f) BROKERS.—In any sale or exchange of land de-
9 scribed in subsection (b), the Secretary may—

10 (1) use a real estate broker; and

11 (2) pay the real estate broker a commission in
12 an amount that is comparable to the amounts of
13 commission generally paid for real estate trans-
14 actions in the area.

15 (g) CONCURRENCE OF THE SECRETARY OF THE AIR
16 FORCE.—A parcel of land described in paragraphs (1)
17 through (7) of subsection (b) shall not be sold or ex-
18 changed by the Secretary without the concurrence of the
19 Secretary of the Air Force.

20 (h) CASH EQUALIZATION.—Notwithstanding section
21 206(b) of the Federal Land Policy and Management Act
22 of 1976 (43 U.S.C. 1716(b)), if the value of non-Federal
23 land for which Federal land is exchanged under this sec-
24 tion is less than the value of the Federal land exchanged,

1 the Secretary may accept a cash equalization payment in
2 excess of 25 percent of the value of the Federal land.

3 (i) DISPOSITION OF PROCEEDS.—

4 (1) IN GENERAL.—The net proceeds derived
5 from any sale or exchange under this Act shall be
6 deposited in the fund established by Public Law 90–
7 171 (commonly known as the “Sisk Act”) (16
8 U.S.C. 484a).

9 (2) USE.—Amounts deposited under paragraph
10 (1) shall be available to the Secretary for expendi-
11 ture, without further appropriation, for—

12 (A) acquisition of land and interests in
13 land for inclusion as units of the National For-
14 est System in the State; and

15 (B) reimbursement of costs incurred by the
16 Secretary in carrying out land sales and ex-
17 changes under this Act, including the payment
18 of real estate broker commissions under sub-
19 section (f).

20 **SEC. 4. ADMINISTRATION.**

21 (a) IN GENERAL.—Land acquired by the United
22 States under this Act shall be—

23 (1) subject to the Act of March 1, 1911 (com-
24 monly known as the “Weeks Act”) (16 U.S.C. 480
25 et seq.); and

1 (2) administered in accordance with laws (in-
2 cluding regulations) applicable to the National For-
3 est System.

4 (b) APPLICABLE LAW.—The land described in section
5 3(b) shall not be subject to the Federal Property and Ad-
6 ministrative Services Act of 1949 (40 U.S.C. 471 et seq.).

7 (c) WITHDRAWAL.—Subject to valid existing rights,
8 the land described in section 3(b) is withdrawn from loca-
9 tion, entry, and patent under the public land laws, mining
10 laws, and mineral leasing laws (including geothermal leas-
11 ing laws).

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