

Union Calendar No. 298

111TH CONGRESS
2^D SESSION

H. R. 3923

[Report No. 111-525]

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2009

Mr. POLIS of Colorado introduced the following bill; which was referred to the Committee on Natural Resources

JULY 13, 2010

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 italic]

[For text of introduced bill, see copy of bill as introduced on October 23, 2009]

A BILL

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, 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 “Sugar Loaf Fire Protec-*
5 *tion District Land Exchange Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *DISTRICT.*—*The term “District” means the*
9 *Sugar Loaf Fire Protection District of Boulder, Colo-*
10 *rado.*

11 (2) *FEDERAL LAND.*—*The term “Federal land”*
12 *means—*

13 (A) *the parcel of approximately 1.52 acres*
14 *of land in the National Forest that is generally*
15 *depicted on the map numbered 1, entitled*
16 *“Sugarloaf Fire Protection District Proposed*
17 *Land Exchange”, and dated November 12, 2009;*
18 *and*

19 (B) *the parcel of approximately 3.56 acres*
20 *of land in the National Forest that is generally*
21 *depicted on the map numbered 2, entitled*
22 *“Sugarloaf Fire Protection District Proposed*
23 *Land Exchange”, and dated November 12, 2009.*

1 (3) *NATIONAL FOREST.*—*The term “National*
2 *Forest” means the Arapaho-Roosevelt National For-*
3 *ests located in the State of Colorado.*

4 (4) *NON-FEDERAL LAND.*—*The term “non-Fed-*
5 *eral land” means the parcel of approximately 5.17*
6 *acres of non-Federal land in unincorporated Boulder*
7 *County, Colorado, that is generally depicted on the*
8 *map numbered 3, entitled “Sugarloaf Fire Protection*
9 *District Proposed Land Exchange”, and dated No-*
10 *vember 12, 2009.*

11 (5) *SECRETARY.*—*The term “Secretary” means*
12 *the Secretary of Agriculture.*

13 **SEC. 3. LAND EXCHANGE.**

14 (a) *IN GENERAL.*—*Subject to the provisions of this*
15 *Act, if the District offers to convey to the Secretary all right,*
16 *title, and interest of the District in and to the non-Federal*
17 *land, and the offer is acceptable to the Secretary—*

18 (1) *the Secretary shall accept the offer; and*

19 (2) *on receipt of acceptable title to the non-Fed-*
20 *eral land, the Secretary shall convey to the District*
21 *all right, title, and interest of the United States in*
22 *and to the Federal land.*

23 (b) *APPLICABLE LAW.*—*Section 206 of the Federal*
24 *Land Policy and Management Act of 1976 (43 U.S.C. 1716)*

1 *shall apply to the land exchange authorized under sub-*
2 *section (a), except that—*

3 *(1) the Secretary may accept a cash equalization*
4 *payment in excess of 25 percent of the value of the*
5 *Federal land; and*

6 *(2) as a condition of the land exchange under*
7 *subsection (a), the District shall—*

8 *(A) pay each cost relating to any land sur-*
9 *veys and appraisals of the Federal land and*
10 *non-Federal land; and*

11 *(B) enter into an agreement with the Sec-*
12 *retary that allocates any other administrative*
13 *costs between the Secretary and the District.*

14 *(c) ADDITIONAL TERMS AND CONDITIONS.—The land*
15 *exchange under subsection (a) shall be subject to—*

16 *(1) valid existing rights; and*

17 *(2) any terms and conditions that the Secretary*
18 *may require.*

19 *(d) TIME FOR COMPLETION OF LAND EXCHANGE.—It*
20 *is the intent of Congress that the land exchange under sub-*
21 *section (a) shall be completed not later than 1 year after*
22 *the date of enactment of this Act.*

23 *(e) AUTHORITY OF SECRETARY TO CONDUCT SALE OF*
24 *FEDERAL LAND.—*

1 (1) *IN GENERAL.*—*In accordance with para-*
2 *graph (2), if the land exchange under subsection (a)*
3 *is not completed by the date that is 1 year after the*
4 *date of enactment of this Act, the Secretary may offer*
5 *to sell to the District the Federal land.*

6 (2) *VALUE OF FEDERAL LAND.*—*The Secretary*
7 *may offer to sell to the District the Federal land for*
8 *the fair market value of the Federal land.*

9 (f) *DISPOSITION OF PROCEEDS.*—

10 (1) *IN GENERAL.*—*The Secretary shall deposit in*
11 *the fund established under Public Law 90–171 (com-*
12 *monly known as the “Sisk Act”) (16 U.S.C. 484a)*
13 *any amount received by the Secretary as the result*
14 *of—*

15 (A) *any cash equalization payment made*
16 *under subsection (b); and*

17 (B) *any sale carried out under subsection*
18 *(e).*

19 (2) *USE OF PROCEEDS.*—*Amounts deposited*
20 *under paragraph (1) shall be available to the Sec-*
21 *retary, without further appropriation and until ex-*
22 *pended, for the acquisition of land or interests in*
23 *land in the National Forest.*

1 (g) *MANAGEMENT AND STATUS OF ACQUIRED LAND.*—

2 *The non-Federal land acquired by the Secretary under this*
3 *section shall be—*

4 (1) *added to, and administered as part of, the*
5 *National Forest; and*

6 (2) *managed by the Secretary in accordance*
7 *with—*

8 (A) *the Act of March 1, 1911 (commonly*
9 *known as the “Weeks Law”) (16 U.S.C. 480 et*
10 *seq.); and*

11 (B) *any laws (including regulations) appli-*
12 *cable to the National Forest.*

13 (h) *REVOCATION OF ORDERS; WITHDRAWAL.*—

14 (1) *REVOCATION OF ORDERS.*—*Any public order*
15 *withdrawing the Federal land from entry, appropria-*
16 *tion, or disposal under the public land laws is re-*
17 *voked to the extent necessary to permit the conveyance*
18 *of the Federal land to the District.*

19 (2) *WITHDRAWAL.*—*On the date of enactment of*
20 *this Act, if not already withdrawn or segregated from*
21 *entry and appropriation under the public land laws*
22 *(including the mining and mineral leasing laws) and*
23 *the Geothermal Steam Act of 1970 (30 U.S.C. 1001*
24 *et seq.), the Federal land is withdrawn until the date*
25 *of the conveyance of the Federal land to the District.*

Union Calendar No. 298

11TH CONGRESS
2^D Session

H. R. 3923

[Report No. 111-525]

A BILL

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes.

JULY 13, 2010

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