

Union Calendar No. 692

115TH CONGRESS
2^D SESSION

H. R. 6146

[Report No. 115–895]

To authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2018

Mr. GOSAR (for himself, Mrs. LESKO, Ms. SINEMA, Mr. SCHWEIKERT, and Mr. GALLEGRO) introduced the following bill; which was referred to the Committee on Natural Resources

AUGUST 10, 2018

Additional sponsor: Mr. O'HALLERAN

AUGUST 10, 2018

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 June 19, 2018]

A BILL

To authorize, direct, expedite, and facilitate a land exchange
in Yavapai County, Arizona, 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 “Cottonwood Land Ex-*
5 *change Act of 2018”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *COUNTY.*—*The term “County” means*
9 *Yavapai County, Arizona.*

10 (2) *FEDERAL LAND.*—*The term “Federal land”*
11 *means all right, title, and interest of the United*
12 *States in and to approximately 80 acres of land with-*
13 *in the Coconino National Forest, in Yavapai County,*
14 *Arizona, generally depicted as “Coconino National*
15 *Forest Parcels ‘Federal Land’ ” on the map.*

16 (3) *MAP.*—*The term “map” means the map enti-*
17 *tled “Cottonwood Land Exchange”, with the revision*
18 *date July 5, 2018\Version 1.*

19 (4) *NON-FEDERAL LAND.*—*The term “non-Fed-*
20 *eral land” means the approximately 369 acres of land*
21 *in Yavapai County, Arizona, generally depicted as*
22 *“Yavapai County Parcels ‘Non-Federal Land’ ” on the*
23 *map.*

1 (5) *SECRETARY.*—*The term “Secretary” means*
2 *the Secretary of Agriculture, unless otherwise speci-*
3 *fied.*

4 **SEC. 3. LAND EXCHANGE.**

5 (a) *IN GENERAL.*—*If the County offers to convey to*
6 *the Secretary all right, title, and interest of the County in*
7 *and to the non-Federal land, the Secretary shall accept the*
8 *offer and simultaneously convey to the County all right,*
9 *title, and interest of the United States to the Federal land.*

10 (b) *LAND TITLE.*—*Title to the non-Federal land con-*
11 *veyed to the Secretary under this Act shall be acceptable*
12 *to the Secretary and shall conform to the title approval*
13 *standards of the Attorney General of the United States ap-*
14 *plicable to land acquisitions by the Federal Government.*

15 (c) *EXCHANGE COSTS.*—*The County shall pay for all*
16 *land survey, appraisal, and other costs to the Secretary as*
17 *may be necessary to process and consummate the exchange*
18 *under this Act, including reimbursement to the Secretary,*
19 *if the Secretary so requests, for staff time spent in such*
20 *processing and consummation.*

21 **SEC. 4. EQUAL VALUE EXCHANGE AND APPRAISALS.**

22 (a) *APPRAISALS.*—*The values of the lands to be ex-*
23 *changed under this Act shall be determined by the Secretary*
24 *through appraisals performed in accordance with—*

1 (1) *the Uniform Appraisal Standards for Fed-*
2 *eral Land Acquisitions;*

3 (2) *the Uniform Standards of Professional Ap-*
4 *praisal Practice;*

5 (3) *appraisal instructions issued by the Sec-*
6 *retary; and*

7 (4) *shall be performed by an appraiser mutually*
8 *agreed to by the Secretary and the County.*

9 (b) *EQUAL VALUE EXCHANGE.—The values of the Fed-*
10 *eral and non-Federal land parcels exchanged shall be equal,*
11 *or if they are not equal, shall be equalized as follows:*

12 (1) *SURPLUS OF FEDERAL LAND VALUE.—If the*
13 *final appraised value of the Federal land exceeds the*
14 *final appraised value of the non-Federal land, the*
15 *County shall make a cash equalization payment to*
16 *the United States as necessary to achieve equal value,*
17 *including, if necessary, an amount in excess of that*
18 *authorized pursuant to section 206(b) of the Federal*
19 *Land Policy and Management Act of 1976 (43 U.S.C.*
20 *1716(b)).*

21 (2) *USE OF FUNDS.—Any cash equalization*
22 *moneys received by the Secretary under paragraph*
23 *(1) shall be—*

1 (A) deposited in the fund established under
2 Public Law 90–171 (commonly known as the
3 “Sisk Act”; 16 U.S.C. 484a); and

4 (B) made available to the Secretary for the
5 acquisition of land or interests in land in Re-
6 gion 3 of the Forest Service.

7 (3) *SURPLUS OF NON-FEDERAL LAND VALUE.*—If
8 the final appraised value of the non-Federal land ex-
9 ceeds the final appraised value of the Federal land,
10 the United States shall not make a cash equalization
11 payment to the County, and surplus value of the non-
12 Federal land shall be considered a donation by the
13 County to the United States for all purposes of law.

14 **SEC. 5. WITHDRAWAL PROVISIONS.**

15 Lands acquired by the Secretary under this Act are,
16 upon such acquisition, automatically and permanently
17 withdrawn from all forms of appropriation and disposal
18 under the public land laws (including the mining and min-
19 eral leasing laws) and the Geothermal Steam Act of 1930
20 (30 U.S.C. 1001 et seq.).

21 **SEC. 6. MANAGEMENT OF LAND.**

22 Land acquired by the Secretary under this Act shall
23 become part of the Coconino National Forest and be man-
24 aged in accordance with the laws, rules, and regulations
25 applicable to the National Forest System.

1 **SEC. 7. MAPS, ESTIMATES, AND DESCRIPTIONS.**

2 (a) *MINOR ERRORS.*—*The Secretary and the County*
3 *may, by mutual agreement—*

4 (1) *make minor boundary adjustments to the*
5 *Federal and non-Federal lands involved in the ex-*
6 *change; and*

7 (2) *correct any minor errors in any map, acre-*
8 *age estimate, or description of any land to be ex-*
9 *changed.*

10 (b) *CONFLICT.*—*If there is a conflict between a map,*
11 *an acreage estimate, or a description of land under this*
12 *Act, the map shall control unless the Secretary and the*
13 *County mutually agree otherwise.*

14 (c) *AVAILABILITY.*—*The Secretary shall file and make*
15 *available for public inspection in the headquarters of the*
16 *Coconino National Forest a copy of all maps referred to*
17 *in this Act.*

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