

107TH CONGRESS
2D SESSION

H. R. 5494

To provide for the conveyance of certain Federal lands administered by the Bureau of Land Management in Maricopa County, Arizona, in exchange for private lands located in Yavapai County, Arizona.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2002

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

A BILL

To provide for the conveyance of certain Federal lands administered by the Bureau of Land Management in Maricopa County, Arizona, in exchange for private lands located in Yavapai County, Arizona.

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. LAND EXCHANGE, BUREAU OF LAND MANAGE-**
4 **MENT LAND IN MARICOPA COUNTY, ARIZONA,**
5 **FOR PRIVATE LAND IN YAVAPAI COUNTY, AR-**
6 **IZONA.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Certain parcels of private land located in
2 Yavapai County in the State of Arizona near Lake
3 Pleasant are intermingled with land owned by the
4 United States and administered by the Secretary of
5 the Interior through the Bureau of Land Manage-
6 ment.

7 (2) A land exchange that would dispose of small
8 isolated tracts within larger blocks of contiguous
9 parcels of land would improve the management effi-
10 ciency of the Federal land and serve important pub-
11 lic objectives, including—

12 (A) the enhancement of public access, aes-
13 thetics, and recreational opportunities adjacent
14 to Lake Pleasant; and

15 (B) the protection and enhancement of
16 habitat for threatened and sensitive species
17 within unified landscapes under Federal man-
18 agement.

19 (b) DEFINITIONS.—In this section:

20 (1) The term “acquired land” means the land
21 described in subsection (c)(1) to be acquired by the
22 United States.

23 (2) The term “conveyed land” means the land
24 described in subsection (c)(2) to be conveyed by the
25 Secretary.

1 (3) The term “map” means the map entitled
2 “Lake Pleasant Land Exchange” and dated _____,
3 which shall be on file and available for public inspec-
4 tion in the offices of the Secretary and the Arizona
5 State Director of the Bureau of Land Management.

6 (4) The term “Secretary” means the Secretary
7 of the Interior, acting through the Director of the
8 Bureau of Land Management.

9 (c) LAND EXCHANGE.—

10 (1) ACQUISITION OF PRIVATE LANDS.—As con-
11 sideration for the conveyance of the Federal lands
12 referred to in paragraph (2), Pleasant Country Ltd.
13 shall convey to the Secretary parcels of private land,
14 as generally depicted on the map, designated from
15 the approximately 8,000 acres of private land in the
16 vicinity of Lake Pleasant in Yavapai County, Ari-
17 zona.

18 (2) CONVEYANCE OF FEDERAL LANDS.—In ex-
19 change for the private lands acquired by the Sec-
20 retary under paragraph (1), the Secretary shall con-
21 vey to Pleasant Country Ltd. all right, title, and in-
22 terest of the United States in and to Bureau of
23 Land Management lands (of equal value to the ac-
24 quired land) located—

1 (A) in sections 13, 14, 15, 22, 23, 24, and
2 25, township 6 north, range 2 west, Gila and
3 Salt River meridian;

4 (B) in sections 17 through 30, township 6
5 north, range 1 west, Gila and Salt River merid-
6 ian; or

7 (C) elsewhere in the State of Arizona that,
8 before the date the land exchange is completed,
9 are determined to be surplus to the needs of the
10 United States and are acceptable to both the
11 Secretary and Pleasant Country Ltd.

12 (3) CONDITIONS ON ACCEPTANCE.—Title to the
13 acquired land shall conform with the title approval
14 standards applicable to Federal land acquisitions,
15 and the acquired land shall be subject to valid exist-
16 ing rights of record. Title to the conveyed land shall
17 be acceptable to Pleasant Country Ltd., and the con-
18 veyed land may be subject to only those deed restric-
19 tions approved by both the Secretary and Pleasant
20 Country Ltd. before preparation of the appraisal.

21 (d) EQUAL VALUE EXCHANGE.—The values of the
22 acquired land and the conveyed land shall be equal accord-
23 ing to the appraisal conducted pursuant to subsection (e)
24 and approved by both the Secretary and Pleasant Country
25 Ltd.

1 (e) APPRAISAL.—

2 (1) SELECTION OF APPRAISER.—The Secretary
3 shall select a qualified appraiser acceptable to both
4 the Secretary and Pleasant Country Ltd. to estab-
5 lish the value of the acquired land and the conveyed
6 land.

7 (2) STANDARDS.—The selected appraiser shall
8 use nationally recognized appraisal standards to es-
9 tablish the value of the acquired land and the con-
10 veyed land, including, as appropriate, the following:

11 (A) The Uniform Appraisal Standards for
12 Federal Land Acquisitions (1992).

13 (B) The Uniform Standards of Profes-
14 sional Appraisal Practice.

15 (C) Section 206(d) of the Federal Land
16 Policy and Management Act of 1976 (43 U.S.C.
17 1716(d)).

18 (D) The Federal Land Exchange Facilita-
19 tion Act of 1988 (Public Law 100–409; 102
20 Stat. 1086; 43 U.S.C. 1701 note).

21 (3) APPROVAL.—Not later than 180 days after
22 the date of the enactment of this Act, all appraisals
23 of the acquired land and the conveyed land shall be
24 completed and submitted to the Secretary and Pleas-
25 ant Country Ltd. for approval.

1 (4) RESOLUTION OF DISAGREEMENT.—In the
2 case of a dispute concerning an appraisal or ap-
3 praisal issue that arises under this subsection, the
4 appraisal or appraisal issue in dispute shall be re-
5 solved in accordance with section 206(d) of the Fed-
6 eral Land Policy and Management Act of 1976 (43
7 U.S.C. 1716(d)).

8 (f) DEADLINE.—Notwithstanding any other provision
9 of law, all conveyances under subsection (c) shall be com-
10 pleted within 90 days after the later of the following dates:

11 (1) The date on which the conditions set forth
12 in subsections (c)(3) are met.

13 (2) The date on which the appraisal under sub-
14 section (e) is approved by both the Secretary and
15 Pleasant Country Ltd., or, in the case of a dispute
16 concerning an appraisal or appraisal issue that
17 arises under such subsection, the date the dispute is
18 resolved as provided in paragraph (4) of such sub-
19 section.

20 (g) RELATION TO OTHER LAW.—The land exchange
21 authorized by this section shall not be considered a major
22 Federal action for the purposes of section 102(2)(C) of
23 the National Environmental Policy Act of 1969 (42 U.S.C.
24 4332(2)(C)).

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