

In the Senate of the United States,

September 29, 2006.

Resolved, That the bill from the House of Representatives (H.R. 409) entitled “An Act to provide for the exchange of land within the Sierra National Forest, California, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Sierra National Forest*

3 *Land Exchange Act of 2006”.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) *COUNCIL.*—*The term “Council” means the*
4 *Sequoia Council of the Boy Scouts of America.*

5 (2) *FEDERAL LAND.*—*The term “Federal land”*
6 *means the parcel of land comprising 160 acres and*
7 *located in E¹/₂SW¹/₄ and W¹/₂SE¹/₄, sec. 30, T. 9 S.,*
8 *R. 25 E., Mt. Diablo Meridian, California.*

9 (3) *NON-FEDERAL LAND.*—*The term “non-Fed-*
10 *eral land” means a parcel of land comprising ap-*
11 *proximately 80 acres and located in N¹/₂NW¹/₄, sec.*
12 *29, T. 8 S., R. 26 E., Mt. Diablo Meridian, Cali-*
13 *fornia.*

14 (4) *PROJECT NO. 67.*—*The term “Project No. 67”*
15 *means the hydroelectric project licensed pursuant to*
16 *the Federal Power Act (16 U.S.C. 791a et seq.) as*
17 *Project No. 67.*

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

20 **SEC. 3. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALI-**
21 **FORNIA.**

22 (a) *EXCHANGE AUTHORIZED.*—

23 (1) *IN GENERAL.*—*If, during the 1-year period*
24 *beginning on the date of enactment of this Act, the*
25 *owner of the non-Federal land offers to convey to the*
26 *United States title to the non-Federal land and to*

1 *make a cash equalization payment of \$50,000 to the*
2 *United States, the Secretary shall convey to the owner*
3 *of the non-Federal land, all right, title, and interest*
4 *of the United States in and to the Federal land, ex-*
5 *cept as provided in subsection (d), subject to valid ex-*
6 *isting rights, and under such terms and conditions as*
7 *the Secretary may require.*

8 (2) *CORRECTION AND MODIFICATION OF LEGAL*
9 *DESCRIPTIONS.—*

10 (A) *IN GENERAL.—The Secretary, in con-*
11 *sultation with the owner of the non-Federal land,*
12 *may agree to make corrections to the legal de-*
13 *scriptions of the Federal land and non-Federal*
14 *land.*

15 (B) *MODIFICATIONS.—The Secretary and*
16 *the owner of the non-Federal land may agree to*
17 *make minor modifications to the legal descrip-*
18 *tions if the modifications do not affect the overall*
19 *value of the exchange by more than 5 percent.*

20 (b) *VALUATION OF LAND TO BE CONVEYED.—For pur-*
21 *poses of this section, during the period referred to in sub-*
22 *section (a)(1)—*

23 (1) *the value of the non-Federal land shall be*
24 *considered to be \$200,000; and*

1 (2) *the value of the Federal land shall be consid-*
2 *ered to be \$250,000.*

3 (c) *ADMINISTRATION OF LAND ACQUIRED BY UNITED*
4 *STATES.—On acquisition by the Secretary, the Secretary*
5 *shall manage the non-Federal land in accordance with—*

6 (1) *the Act of March 1, 1911 (commonly known*
7 *as the “Weeks Act”) (16 U.S.C. 480 et seq.); and*

8 (2) *any other laws (including regulations) appli-*
9 *cable to the National Forest System.*

10 (d) *CONDITIONS ON CONVEYANCE OF FEDERAL*
11 *LAND.—The conveyance by the Secretary under subsection*
12 *(a) shall be subject to the conditions that—*

13 (1) *the recipient of the Federal land convey all*
14 *160 acres of the Federal land to the Council not later*
15 *than 120 days after the date on which the recipient*
16 *receives title to the Federal land;*

17 (2) *in accordance with section 4(a), the Sec-*
18 *retary grant to the owner of Project No. 67 an ease-*
19 *ment; and*

20 (3) *in accordance with section 4(b), the owner of*
21 *Project No. 67 has the right of first refusal regarding*
22 *any reconveyance of the Federal land by the Council.*

23 (e) *DISPOSITION AND USE OF CASH EQUALIZATION*
24 *FUNDS.—*

1 (1) *IN GENERAL.*—*The Secretary shall deposit*
2 *the cash equalization payment received under sub-*
3 *section (a)(1) in the fund established by Public Law*
4 *90–171 (commonly known as the “Sisk Act”) (16*
5 *U.S.C. 484a).*

6 (2) *USE.*—*Amounts deposited under paragraph*
7 *(1) shall be available to the Secretary until expended,*
8 *without further appropriation, for the acquisition of*
9 *land and any interests in land for the National For-*
10 *est System in the State of California.*

11 *(f) COST COLLECTION FUNDS.*—

12 (1) *IN GENERAL.*—*The owner of the non-Federal*
13 *land shall pay to the Secretary all direct costs associ-*
14 *ated with processing the land exchange under this sec-*
15 *tion.*

16 (2) *COST COLLECTION ACCOUNT.*—

17 (A) *IN GENERAL.*—*Any amounts received*
18 *by the Secretary under paragraph (1) shall be*
19 *deposited in a cost collection account.*

20 (B) *USE.*—*Amounts deposited under sub-*
21 *paragraph (A) shall be available to the Secretary*
22 *until expended, without further appropriation,*
23 *for the costs associated with the land exchange.*

24 (C) *REFUND.*—*The Secretary shall provide*
25 *to the owner of the non-Federal land a refund of*

1 **SEC. 6. GRANTS TO IMPROVE THE COMMERCIAL VALUE OF**
2 **FOREST BIOMASS FOR ELECTRIC ENERGY,**
3 **USEFUL HEAT, TRANSPORTATION FUELS,**
4 **AND OTHER COMMERCIAL PURPOSES.**

5 *Section 210(d) of the Energy Policy Act of 2005 (42*
6 *U.S.C. 15855(d)) is amended by striking “\$50,000,000 for*
7 *each of the fiscal years 2006 through 2016” and inserting*
8 *“\$50,000,000 for fiscal year 2006 and \$35,000,000 for each*
9 *of fiscal years 2007 through 2016”.*

Attest:

Secretary.

109TH CONGRESS
2^D SESSION

H. R. 409

AMENDMENT