

109TH CONGRESS
2D SESSION

S. 1131

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2006

Referred to the Committee on Resources

AN ACT

To authorize the exchange of certain Federal land within
the State of Idaho, 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 “Idaho Land Enhance-
5 ment Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) AGREEMENT.—The term “Agreement”
4 means the agreement executed in April 2005 entitled
5 “Agreement to Initiate, Boise Foothills—Northern
6 Idaho Land Exchange”, as modified by the agree-
7 ment executed in March 2006 entitled “Amendment
8 No. 1”, and entered into by—

9 (A) the Bureau of Land Management;

10 (B) the Forest Service;

11 (C) the State; and

12 (D) the City.

13 (2) BUREAU OF LAND MANAGEMENT LAND.—

14 The term “Bureau of Land Management land”
15 means the approximately 605 acres of land adminis-
16 tered by the Bureau of Land Management (includ-
17 ing all appurtenances to the land) that is proposed
18 to be acquired by the State, as identified in exhibit
19 A2 of the Agreement and as generally depicted on
20 the maps.

21 (3) BOARD.—The term “Board” means the
22 Idaho State Board of Land Commissioners.

23 (4) CITY.—The term “City” means the city of
24 Boise, Idaho.

1 (5) FEDERAL LAND.—The term “Federal land”
2 means the Bureau of Land Management land and
3 the National Forest System land.

4 (6) MAPS.—The term “maps” means maps 1
5 through 7 entitled “Parcel Identification Map: Idaho
6 Lands Enhancement Act Land Exchange” and
7 dated February 28, 2006.

8 (7) NATIONAL FOREST SYSTEM LAND.—The
9 term “National Forest System land” means the ap-
10 proximately 7,220 acres of land (including all appur-
11 tenances to the land) that is—

12 (A) administered by the Secretary of Agri-
13 culture in the Idaho Panhandle National For-
14 ests and the Clearwater National Forest;

15 (B) proposed to be acquired by the State;

16 (C) identified in exhibit A2 of the Agree-
17 ment; and

18 (D) generally depicted on the maps.

19 (8) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (9) STATE.—The term “State” means the State
22 of Idaho, Department of Lands.

23 (10) STATE LAND.—The term “State land”
24 means the approximately 11,815 acres of land (in-
25 cluding all appurtenances to the land) administered

1 by the State that is proposed to be acquired by the
2 United States, as identified in exhibit A1 of the
3 Agreement and as generally depicted on the maps.

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

5 (a) IN GENERAL.—In accordance with the Agreement
6 and this Act, if the State offers to convey the State land
7 to the United States, the Secretary and the Secretary of
8 Agriculture shall—

9 (1) accept the offer; and

10 (2) on receipt of title to the State land, simulta-
11 neously convey to the State the Federal land.

12 (b) VALID EXISTING RIGHTS.—The conveyance of
13 the Federal land and State land shall be subject to all
14 valid existing rights.

15 (c) EQUAL VALUE EXCHANGE.—

16 (1) IN GENERAL.—The value of the Federal
17 land and State land to be exchanged under this
18 Act—

19 (A) shall be equal; or

20 (B) shall be made equal in accordance with
21 subsection (d).

22 (2) APPRAISALS.—The value of the Federal
23 land and State land shall be determined in accord-
24 ance with appraisals—

25 (A) conducted in accordance with—

1 (i) the Uniform Appraisal Standards
2 for Federal Land Acquisitions; and

3 (ii) the Uniform Standards of Profes-
4 sional Appraisal Practice;

5 (B) reviewed by an interdepartmental re-
6 view team comprised of representatives of Fed-
7 eral and State agencies; and

8 (C) approved by the Secretary or the Sec-
9 retary of Agriculture, as appropriate.

10 (3) TERM OF APPROVAL.—The term of ap-
11 proval of the appraisals by the interdepartmental re-
12 view team is extended to September 13, 2008.

13 (d) CASH EQUALIZATION.—

14 (1) IN GENERAL.—If the value of the Federal
15 land and State land is not equal, the value may be
16 equalized by the payment of cash to the United
17 States or to the State, as appropriate, in accordance
18 with section 206(b) of the Federal Land Policy and
19 Management Act of 1976 (43 U.S.C. 1716(b)).

20 (2) DISPOSITION AND USE OF PROCEEDS.—

21 (A) DISPOSITION OF PROCEEDS.—Any
22 cash equalization payments received by the
23 United States under paragraph (1) shall be de-
24 posited in the fund established under Public

1 Law 90–171 (commonly known as the “Sisk
2 Act”) (16 U.S.C. 484a).

3 (B) USE OF PROCEEDS.—Amounts depos-
4 ited under subparagraph (A) shall be available
5 to the Secretary of Agriculture, without further
6 appropriation and until expended, for the acqui-
7 sition of land and interests in land for addition
8 to the National Forest System in the State.

9 (e) TIMING.—It is the intent of Congress that the
10 land exchange authorized and directed by this Act shall
11 be completed not later than 180 days after the date of
12 enactment of this Act.

13 (f) RIGHTS-OF-WAY.—

14 (1) RIGHTS-OF-WAY TO NATIONAL FOREST SYS-
15 TEM LAND.—The Secretary of Agriculture, under
16 the authority of the Federal Land Policy and Man-
17 agement Act of 1976 (43 U.S.C. 1701 et seq.), shall
18 convey to the State any easements or other rights-
19 of-way to National Forest System land that are—

20 (A) appropriate to provide access to the
21 National Forest System land acquired by the
22 State; and

23 (B) agreed to by the Secretary of Agri-
24 culture and the State.

1 (2) RIGHTS-OF-WAY TO STATE LAND.—The
 2 State shall convey to the United States any ease-
 3 ments or other rights-of-way to land owned by the
 4 State that are—

5 (A) appropriate to provide access to the
 6 State land acquired by the United States; and

7 (B) agreed to by—

8 (i) the Secretary or the Secretary of
 9 Agriculture; and

10 (ii) the State.

11 (g) COSTS.—The City, either directly or through a
 12 collection agreement with the Secretary and the Secretary
 13 of Agriculture, shall pay the administrative costs associ-
 14 ated with the conveyance of the Federal land and State
 15 land, including the costs of any field inspections, environ-
 16 mental analyses, appraisals, title examinations, and deed
 17 and patent preparations.

18 **SEC. 4. MANAGEMENT OF FEDERAL LAND.**

19 (a) TRANSFER OF ADMINISTRATIVE JURISDIC-
 20 TION.—

21 (1) IN GENERAL.—There is transferred from
 22 the Secretary to the Secretary of Agriculture admin-
 23 istrative jurisdiction over the land described in para-
 24 graph (2).

1 (2) DESCRIPTION OF LAND.—The land referred
2 to in paragraph (1) is the approximately 2,110 acres
3 of land that is administered by the Bureau of Land
4 Management and located in Shoshone County,
5 Idaho, as generally identified in exhibit A3 of the
6 Agreement.

7 (3) WILDERNESS STUDY AREAS.—Any land
8 designated as a Wilderness Study Area that is trans-
9 ferred to the Secretary of Agriculture under para-
10 graph (1) shall be managed in a manner that pre-
11 serves the suitability of land for designation as wil-
12 derness until Congress determines otherwise.

13 (b) ADDITIONS TO THE NATIONAL FOREST SYS-
14 TEM.—The Secretary of Agriculture shall administer any
15 land transferred to, or conveyed to the United States for
16 administration by, the Secretary of Agriculture in accord-
17 ance with—

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

20 (2) the laws (including regulations) applicable
21 to the National Forest System.

22 (c) LAND TO BE MANAGED BY THE SECRETARY.—
23 The Secretary shall administer any State land conveyed
24 to the United States under this Act for administration by
25 the Secretary in accordance with—

1 (1) the Federal Land Policy and Management
2 Act of 1976 (43 U.S.C. 1701 et seq.); and

3 (2) other applicable laws.

4 (d) LAND AND WATER CONSERVATION FUND.—For
5 purposes of section 7 of the Land and Water Conservation
6 Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of
7 the Idaho Panhandle National Forests and the Clearwater
8 National Forest shall be considered to be the boundaries
9 of the Idaho Panhandle National Forests and the Clear-
10 water National Forest, respectively, as of January 1,
11 1965.

12 **SEC. 5. MISCELLANEOUS PROVISIONS.**

13 (a) LEGAL DESCRIPTIONS.—The Secretary, the Sec-
14 retary of Agriculture, and the Board may modify the de-
15 scriptions of land specified in the Agreement to—

16 (1) correct errors; or

17 (2) make minor adjustments to the parcels
18 based on a survey or other means.

19 (b) REVOCATION OF ORDERS.—Subject to valid exist-
20 ing rights, any public land orders withdrawing any of the
21 Federal land from appropriation or disposal under the
22 public land laws are revoked to the extent necessary to
23 permit disposal of the Federal land.

24 (c) WITHDRAWALS.—

(B) disposition under the mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

12 (A) all forms of location, entry, and patent
13 under the mining and public land laws; and

(3) EFFECT.—Nothing in this section precludes the Secretary or the Secretary of Agriculture from using common varieties of mineral materials for construction and maintenance of Federal roads and facilities on the State land acquired under this Act.

Attest: EMILY J. REYNOLDS,
Secretary.