

111TH CONGRESS
1ST SESSION

H. R. 689

To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2009

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

A BILL

To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, 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. INTERCHANGE OF LANDS TO THE BUREAU OF**
4 **LAND MANAGEMENT.**

5 (a) INTERCHANGE.—Administrative jurisdiction of
6 the federally owned lands described in subsection (b) is
7 transferred from the Secretary of Agriculture to the Sec-
8 retary of the Interior to be subject to the laws, rules, and
9 regulations applicable to the public lands administered by

1 the Bureau of Land Management (hereafter in this Act
2 referred to as the “BLM”).

3 (b) LANDS AFFECTED.—Except as provided in sub-
4 section (c), the lands transferred to the administration of
5 the Secretary of the Interior, through the BLM, under
6 subsection (a) are those heretofore within the Shasta-
7 Trinity National Forest in California, Mount Diablo Me-
8 ridian, described as follows:

9 T. 33 N., R. 5 W., those parts of secs. 5, 6,
10 7, 8, 15, 16, 17, and 18 lying north of the northerly
11 high water mark of the Sacramento River and west-
12 erly of the west edge of Shasta County Road No.
13 5G012 and Forest Road No. 35N05.

14 T. 34 N., R. 5 W., secs. 19, 20, 30, 31, and
15 32.

16 T. 33 N., R. 6 W., secs. 1, 2, 4, 10, 11, and
17 12.

18 T. 34 N., R. 6 W., secs. 10, 13, 14, 23, 24, 25,
19 26, and 35.

20 (c) EXCEPTED LANDS.—Excepted from the transfer
21 under this section are those lands within the Shasta Dam
22 Reclamation Zone which shall continue to be administered
23 by the Secretary of the Interior through the Bureau of
24 Reclamation.

1 **SEC. 2. INTERCHANGE OF LANDS TO THE FOREST SERVICE.**

2 (a) INTERCHANGE.—Administrative jurisdiction of
3 the federally owned lands described in subsection (b) is
4 transferred from the Secretary of the Interior to the Sec-
5 retary of Agriculture to be subject to the laws, rules, and
6 regulations applicable to the National Forest System.

7 (b) LANDS AFFECTED.—The lands transferred to the
8 administration of the Secretary of Agriculture, through
9 the Forest Service, under subsection (a), are those here-
10 tofore administered by the BLM in California, Mount Dia-
11 blo Meridian, and described as follows:

12 T. 35 N., R. 1 W., sec. 34, NE1/4 and E1/
13 2NW1/4.

14 T. 40 N., R. 1 W., sec. 4, lot 4.

15 T. 33 N., R. 10 W., those parts of secs. 5 and
16 6 lying north of the southerly high water line of
17 Clear Creek Gulch.

18 T. 34 N., R. 10 W., sec. 8; sec. 17; sec. 18, E1/
19 2; sec. 19; sec. 20; sec. 29, NE1/4 and W1/2; sec.
20 30; sec. 31, except that strip of land lying 50 feet
21 easterly and 50 feet westerly of the centerline of
22 Trinity County Road 401 (Canyon Creek Road); and
23 that part of the W1/2 of sec. 32 lying north of the
24 southerly high water line of Clear Creek Gulch.

25 T. 33 N., R. 11 W., that part of sec. 1 lying
26 east of the east edge of Trinity County Road 401

1 (Canyon Creek Road) and north of the southerly
2 high water line of Clear Creek Gulch.

3 T. 34 N., R. 11 W., sec. 36, E1/2SE1/4.

4 (c) WILDERNESS ADMINISTRATION.—The transfer of
5 administrative jurisdiction from the BLM to the Forest
6 Service of some lands previously designated as part of the
7 Tunnel Ridge Wilderness shall not affect the wilderness
8 status of such lands.

9 **SEC. 3. MAP AND CORRECTIONS.**

10 (a) MAP.—The lands described for interchange in
11 sections 1 and 2 are generally depicted on a map titled
12 “CSOHV Lands Consolidation November, 2008”, which
13 map shall be on file and available for public inspection
14 in the Office of the Director, BLM, Washington, DC, and
15 the Office of the Chief, Forest Service, Washington, DC.

16 (b) CORRECTIONS.—

17 (1) The Director of the BLM, and the Chief of
18 the Forest Service, may, by mutual agreement—

19 (A) correct errors or any disparities be-
20 tween the map and the legal descriptions in sec-
21 tions 1 and 2, or

22 (B) effect minor adjustments to the inter-
23 change herein provided in order to facilitate
24 land management, including survey.

1 (2) Any correction or adjustments shall be ef-
2 fective upon publication of a notice in the Federal
3 Register.

4 **SEC. 4. EXISTING RIGHTS AND AUTHORIZATIONS.**

5 Nothing in this Act shall affect any valid existing
6 rights, nor affect the validity or term and conditions of
7 any existing withdrawal, right-of-way, easement, lease, li-
8 cense or permit on lands transferred by this Act, except
9 that any such authorization shall be administered by the
10 agency having jurisdiction of the land after the enactment
11 of this Act in accordance with applicable law. Reissuance
12 of any such authorization shall be in accordance with ap-
13 plicable law and regulations of the agency having jurisdic-
14 tion.

15 **SEC. 5. HAZARDOUS SUBSTANCES.**

16 (a) NOTICE.—The Forest Service for lands described
17 in section 1, and the BLM for lands described in section
18 2, shall identify any known sites containing hazardous
19 substances and provide such information to the receiving
20 agency.

21 (b) CLEAN UP OBLIGATIONS.—The clean up of haz-
22 ardoous substances on lands transferred by this Act shall
23 be the responsibility of the agency having jurisdiction over

1 the lands on the day before the date of the enactment of
2 this Act.

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