

## Union Calendar No. 52

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 689

[Report No. 111-108]

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

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2009

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

MAY 14, 2009

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on January 26, 2009]

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## 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,*

1 **SECTION 1. INTERCHANGE OF LANDS TO THE BUREAU OF**  
2 **LAND MANAGEMENT.**

3 (a) *INTERCHANGE.*—Effective on the date of the enact-  
4 ment of this Act, administrative jurisdiction of the federally  
5 owned lands described in subsection (b) is transferred from  
6 the Secretary of Agriculture to the Secretary of the Interior  
7 to be subject to the laws, rules, and regulations applicable  
8 to the public lands administered by the Bureau of Land  
9 Management (hereafter in this Act referred to as the  
10 “BLM”).

11 (b) *LANDS AFFECTED.*—Except as provided in sub-  
12 section (c), the lands transferred to the administration of  
13 the Secretary of the Interior, through the BLM, under sub-  
14 section (a) are those heretofore within the Shasta-Trinity  
15 National Forest in California, Mount Diablo Meridian, as  
16 shown on the map titled “H.R. 689, Transfer from Forest  
17 Service to BLM, Map 1”, dated April 21, 2009.

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

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

24 (a) *INTERCHANGE.*—Effective on the date of the enact-  
25 ment of this Act, administrative jurisdiction of the federally  
26 owned lands described in subsection (b) is transferred from

1 *the Secretary of the Interior to the Secretary of Agriculture*  
2 *to be subject to the laws, rules, and regulations applicable*  
3 *to the National Forest System. Such lands are hereby with-*  
4 *drawn from the public domain and reserved for administra-*  
5 *tion as part of the Shasta-Trinity National Forest.*

6 (b) *LANDS AFFECTED.—The lands transferred to the*  
7 *administration of the Secretary of Agriculture, through the*  
8 *Forest Service, under subsection (a), are those heretofore ad-*  
9 *ministered by the BLM in California, Mount Diablo Merid-*  
10 *ian, as shown on the map titled “H.R. 689, Transfer from*  
11 *BLM to Forest Service, Map 2”, dated April 21, 2009.*

12 (c) *WILDERNESS ADMINISTRATION.—The transfer of*  
13 *administrative jurisdiction from the BLM to the Forest*  
14 *Service of certain lands previously designated as part of*  
15 *the Trinity Alps Wilderness shall not affect the wilderness*  
16 *status of such lands.*

17 (d) *LAND AND WATER CONSERVATION FUND.—For the*  
18 *purposes of section 7 of the Land and Water Conservation*  
19 *Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of*  
20 *the Shasta-Trinity National Forest, as adjusted pursuant*  
21 *to this Act, shall be considered the boundaries of that na-*  
22 *tional forest as of January 1, 1965.*

23 **SEC. 3. EXISTING RIGHTS AND AUTHORIZATIONS.**

24 *Nothing in this Act shall affect any valid existing*  
25 *rights, nor affect the validity or term and conditions of any*

1 *existing withdrawal, right-of-way, easement, lease, license*  
2 *or permit on lands transferred by this Act, except that any*  
3 *such authorization shall be administered by the agency hav-*  
4 *ing jurisdiction of the land after the enactment of this Act*  
5 *in accordance with applicable law. Reissuance of any such*  
6 *authorization shall be in accordance with applicable law*  
7 *and regulations of the agency having jurisdiction.*

8 **SEC. 4. HAZARDOUS SUBSTANCES.**

9       (a) *NOTICE.*—*The Forest Service for lands described*  
10 *in section 1, and the BLM for lands described in section*  
11 *2, shall identify any known sites containing hazardous sub-*  
12 *stances and provide such information to the receiving agen-*  
13 *cy.*

14       (b) *CLEAN UP OBLIGATIONS.*—*The clean up of haz-*  
15 *ardous substances on lands transferred by this Act shall be*  
16 *the responsibility of the agency having jurisdiction over the*  
17 *lands on the day before the date of the enactment of this*  
18 *Act.*

19 **SEC. 5. CORRECTIONS.**

20       (a) *MINOR ADJUSTMENTS.*—*The Director of the BLM*  
21 *and the Chief of the Forest Service, may, by mutual agree-*  
22 *ment, effect minor corrections and adjustments to the inter-*  
23 *change provided for in this Act to facilitate land manage-*  
24 *ment, including survey.*

1       **(b) PUBLICATIONS.**—*Any corrections or adjustments*  
2 *made under subsection (a) shall be effective upon publica-*  
3 *tion of a notice in the Federal Register.*

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11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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