

113TH CONGRESS
1ST SESSION

S. 1484

To provide for an exchange of land between the Secretary of Agriculture
and the Sabine River Authority of Texas.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2013

Mr. REID (for Ms. LANDRIEU (for herself, Mr. VITTER, and Mr. CORNYN))
introduced the following bill; which was read twice and referred to the
Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide for an exchange of land between the Secretary
of Agriculture and the Sabine River Authority of Texas.

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 “Sabine National Forest
5 Land Exchange Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **AUTHORITY.**—The term “Authority” means
9 the Sabine River Authority of Texas.

1 (2) FEDERAL LAND.—The term “Federal land”
2 means—

3 (A) the approximately 4,000 acres of Na-
4 tional Forest System land, excluding the min-
5 eral estate and including the wilderness area,
6 located within the Sabine National Forest and
7 the Toledo Bend Project boundary in Texas, as
8 generally depicted on the map entitled “Sabine
9 National Forest Toledo Bend Project Strip
10 Lands”; and

11 (B) certain additional Federal land occu-
12 pied by Forest Service campgrounds, including
13 all structures, buildings, fixtures, roads, and
14 other improvements on the land, adjacent to the
15 Toledo Bend Project, as mutually agreed by the
16 Secretary and the Authority, and as generally
17 depicted on the map entitled “Sabine National
18 Forest Campgrounds, Toledo Bend Project”.

19 (3) NON-FEDERAL LAND.—The term “non-Fed-
20 eral land” means the surface estate of a parcel or
21 parcels of private land adjacent to Sabine National
22 Forest that is—

23 (A) owned or to be acquired by the Au-
24 thority; and

1 (B) mutually agreed upon by the Authority
2 and the Secretary.

3 (4) SECRETARY.—The term “Secretary” means
4 the Secretary of Agriculture, acting through the
5 Chief of the Forest Service.

6 (5) TOLEDO BEND PROJECT.—The term “To-
7 ledo Bend Project” means the Federal Energy Reg-
8 ulatory Commission project numbered 2305.

9 (6) WILDERNESS AREA.—The term “wilderness
10 area” means the Indian Mounds Wilderness Area,
11 Sabine National Forest, as designated by section
12 2(4) of the Texas Wilderness Act of 1984 (16
13 U.S.C. 1132 note; Public Law 98–574).

14 (7) WILDERNESS CANDIDATE LAND.—The term
15 “wilderness candidate land” means the surface es-
16 tate of land adjacent to the wilderness area, to be
17 mutually agreed upon by the Authority and the Sec-
18 retary, that is owned or to be acquired by the Au-
19 thority.

20 **SEC. 3. LAND EXCHANGE, SABINE NATIONAL FOREST.**

21 (a) IN GENERAL.—In exchange for the non-Federal
22 land, wilderness candidate land, and any cash equalization
23 payment authorized under subsection (d), the Secretary
24 shall convey to the Authority all right, title, and interest
25 of the United States in and to the Federal land.

1 (b) EXISTING RIGHTS.—The conveyance of the Fed-
2 eral land under subsection (a) shall be subject to valid ex-
3 isting rights.

4 (c) IMPLEMENTATION.—

5 (1) APPRAISAL.—

6 (A) DEADLINE.—Not later than 180 days
7 after the date of enactment of this Act, the Sec-
8 retary shall complete an appraisal of the sur-
9 face estate of the Federal land, non-Federal
10 land, and wilderness candidate land.

11 (B) STANDARDS.—The appraisal under
12 this paragraph shall be performed in accordance
13 with—

14 (i) the Uniform Appraisal Standards
15 for Federal Land Acquisitions;

16 (ii) the Uniform Standards of Profes-
17 sional Appraisal Practice; and

18 (iii) appraisal instructions issued by
19 the Secretary.

20 (C) EFFECT OF RESTRICTIVE COV-
21 ENANT.—In determining the value of the Fed-
22 eral land, the Secretary shall account for the
23 limitations on the use of the Federal land after
24 conveyance imposed by the restrictive covenant
25 required under subsection (e)(3).

1 (2) SURVEY.—The exact acreage and legal de-
2 scription of the Federal land, non-Federal land, and
3 wilderness candidate land to be conveyed under sub-
4 section (a) shall be determined by surveys or other
5 means of identifying and describing the land mutu-
6 ally agreed to by the Secretary and the Authority.

7 (3) COSTS.—The costs of conducting the land
8 exchange under subsection (a) shall be shared equal-
9 ly between the Authority and the Secretary.

10 (d) CASH EQUALIZATION.—

11 (1) EQUAL VALUE EXCHANGE.—The land ex-
12 change under subsection (a) shall be conducted on
13 an equal value basis.

14 (2) LIMITS WAIVED.—The values of the land to
15 be exchanged under subsection (a) may be equalized
16 through the use of a cash equalization payment in
17 an amount in excess of the statutory limit specified
18 in section 206 of the Federal Land Policy and Man-
19 agement Act of 1976 (43 U.S.C. 1716).

20 (3) DISPOSITION AND USE OF FUNDS.—Any
21 cash equalization payment received by the Secretary
22 under this subsection shall be—

23 (A) deposited into the fund established
24 under Public Law 90–171 (commonly known as
25 the “Sisk Act”) (16 U.S.C. 484a); and

1 (B) available to the Secretary for expendi-
2 ture, without further appropriation and until
3 expended, for the acquisition of land or inter-
4 ests in land for addition to the National Forest
5 System.

6 (e) TITLE.—

7 (1) IN GENERAL.—Title to the non-Federal
8 land conveyed to the Secretary under this section
9 shall—

10 (A) be acceptable to the Secretary; and

11 (B) conform to the title approval standards
12 of the Attorney General applicable to land ac-
13 quisitions by the Federal Government.

14 (2) RESERVATION OF MINERAL ESTATE.—The
15 deed of conveyance that conveys the Federal land to
16 the Authority shall reserve any subsurface mineral
17 estate owned by the United States in the Federal
18 land, including oil, gas, rock, sand, and gravel.

19 (3) RESTRICTIVE COVENANT.—

20 (A) IN GENERAL.—In the deed of convey-
21 ance that conveys the Federal land to the Au-
22 thority, the Secretary shall include a covenant,
23 running with the land, providing that the Fed-
24 eral land conveyed shall—

1 (i) be used in a manner consistent
2 with the management of adjacent National
3 Forest System land or wilderness area
4 land;

5 (ii) remain unsubdivided; and

6 (iii) not be used for commercial, resi-
7 dential, or industrial development.

8 (B) EFFECT.—The restrictive covenant de-
9 scribed in subparagraph (A) shall not create
10 any property interest of the United States.

11 (f) CONTINUED CAMPGROUND OPERATION.—The
12 Authority may continue to operate and maintain the For-
13 est Service campgrounds described in section 2(2)(B) and
14 conveyed under subsection (a) consistent with the author-
15 ization granted by the Federal Energy Regulatory Com-
16 mission.

17 (g) TIME FOR COMPLETION.—It is the intent of Con-
18 gress that the land exchange under subsection (a) shall
19 be completed not later than 1 year after the date of enact-
20 ment of this Act.

21 **SEC. 4. BOUNDARY ADJUSTMENT, INDIAN MOUNDS WIL-**
22 **DERNESS AREA, SABINE NATIONAL FOREST.**

23 (a) BOUNDARY ADJUSTMENT.—On completion of the
24 land exchange under section 3(a), the Secretary shall mod-
25 ify the boundaries of the wilderness area—

1 (1) to exclude all wilderness area land that, be-
2 fore the date of the exchange, was located within the
3 Toledo Bend Project, with the land excluded under
4 this paragraph to be removed from wilderness des-
5 ignation and ceasing to be part of the wilderness
6 area and the National Wilderness Preservation Sys-
7 tem under the Wilderness Act (16 U.S.C. 1131 et
8 seq.); and

9 (2) to include as part of the wilderness area all
10 wilderness candidate land acquired by the Secretary
11 under section 3(a), with the land included under this
12 paragraph to be designated as wilderness and as a
13 component of the National Wilderness Preservation
14 System.

15 (b) MAP AND LEGAL DESCRIPTION.—

16 (1) REQUIRED.—As soon as practicable after
17 the date of completion of the land exchange under
18 section 3(a), the Secretary shall file with the Com-
19 mittee on Natural Resources of the House of Rep-
20 resentatives and the Committee on Energy and Nat-
21 ural Resources of the Senate a map and legal de-
22 scription of the changes made to the boundaries of
23 the wilderness area as a result of the land exchange.

24 (2) FORCE AND EFFECT.—The map and legal
25 description filed under paragraph (1) shall have the

1 same force and effect as if included in this Act, ex-
2 cept that the Secretary may correct clerical and ty-
3 pographical errors in the map and legal description.

4 (3) PUBLIC INSPECTION.—The map and legal
5 description also shall be on file and available for
6 public inspection in the appropriate offices of the
7 Forest Service.

○