

115TH CONGRESS  
2D SESSION

# H. R. 5513

To provide for an exchange of lands with San Bernardino County, California, to enhance management of lands within the San Bernardino National Forest, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2018

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

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## A BILL

To provide for an exchange of lands with San Bernardino County, California, to enhance management of lands within the San Bernardino National Forest, 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 “Big Bear Land Ex-  
5       change Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) COUNTY.—The term “County” means the  
2 County of San Bernardino, California.

3           (2) FEDERAL LAND.—The term “Federal land”  
4 means the approximately 73 acres of Federal land  
5 administered by the Forest Service generally de-  
6 picted as “Federal Land” on the Map.

7           (3) NON-FEDERAL LAND.—The term “non-Fed-  
8 eral land” means the approximately 71 acres owned  
9 by the County generally depicted as “Non-Federal  
10 Land” on the Map.

11           (4) SECRETARY.—The term “Secretary” means  
12 the Secretary of Agriculture.

13           (5) MAP.—The term “Map” means the map ti-  
14 tled “Big Bear Land Exchange” and dated August  
15 10, 2017.

16 **SEC. 3. EXCHANGE OF LAND; EQUALIZATION OF VALUE.**

17           (a) EXCHANGE AUTHORIZED.—Notwithstanding the  
18 land use planning requirements of sections 202, 210, and  
19 211 of the Federal Land Policy and Management Act of  
20 1976 (43 U.S.C. 1712, 1720–21), subject to valid existing  
21 rights, and conditioned upon any equalization payment  
22 necessary under section 206(b) of the Federal Land Policy  
23 and Management Act of 1976 (43 U.S.C. 1716(b)), and  
24 subsection (b) of this Act, as soon as practicable, but not  
25 later than 2 years after the date of the enactment of this

1 Act, if the County offers to convey the non-Federal land  
2 to the United States, the Secretary shall—

3 (1) convey to the County all right, title, and in-  
4 terest of the United States in and to the Federal  
5 land; and

6 (2) accept from the County a conveyance of all  
7 right, title, and interest of the County in and to the  
8 non-Federal land.

9 (b) EQUAL VALUE AND CASH EQUALIZATION.—

10 (1) EQUAL VALUE EXCHANGE.—The land ex-  
11 change under this section shall be for equal value,  
12 or the values shall be equalized by a cash payment  
13 as provided for under this subsection.

14 (2) CASH EQUALIZATION PAYMENT.—The  
15 County or the Secretary, as appropriate, may equal-  
16 ize the values of the lands to be exchanged under  
17 this section by cash payment without regard to any  
18 statutory limit on the amount of such a cash equali-  
19 zation payment.

20 (3) DEPOSIT AND USE OF FUNDS RECEIVED  
21 FROM COUNTY.—Any cash equalization payment re-  
22 ceived by the Secretary under this subsection shall  
23 be deposited in the fund established under Public  
24 Law 90–171 (16 U.S.C. 484a; commonly known as  
25 the Sisk Act). The funds so deposited shall remain

1 available to the Secretary, until expended, for the  
2 acquisition of lands, waters, and interests in land for  
3 the San Bernardino National Forest.

4 (4) SOURCE OF FUNDS FOR PAYMENT BY SEC-  
5 RETARY.—If the Secretary will make a cash equali-  
6 zation payment to the County under this subsection,  
7 the Secretary may use funds available from the  
8 Land and Water Conservation Fund, the Act of  
9 June 15, 1938 (Chapter 438; 52 Stat. 699, com-  
10 monly known as the Receipts Act of 1938), or cap-  
11 ital improvement funds.

12 (c) APPRAISALS.—The value of the land to be ex-  
13 changed under this Act shall be determined by appraisals  
14 conducted—

15 (1) by one or more independent and qualified  
16 appraisers; and

17 (2) in accordance with nationally recognized ap-  
18 praisal standards, including, as appropriate, the  
19 Uniform Appraisal Standards for Federal Land Ac-  
20 quisitions and the Uniform Standards of Profes-  
21 sional Appraisal Practice.

22 (d) TITLE APPROVAL.—Title to the land to be ex-  
23 changed under this Act shall be in a format acceptable  
24 to the Secretary and the County.

1 (e) SURVEY OF NON-FEDERAL LANDS.—Before com-  
2 pleting the exchange under this Act, the Secretary shall  
3 inspect the non-Federal lands to ensure that the land  
4 meets Federal standards, including hazardous materials  
5 and land line surveys.

6 (f) COSTS OF CONVEYANCE.—As a condition of con-  
7 veyance, any costs related to the exchange under this sec-  
8 tion shall be paid by the County.

9 (g) MANAGEMENT OF ACQUIRED LANDS.—The Sec-  
10 retary shall manage the non-Federal land acquired under  
11 this section in accordance with the Act of March 1, 1911  
12 (16 U.S.C. 480 et seq.; commonly known as the Weeks  
13 Act), and other laws and regulations pertaining to Na-  
14 tional Forest System lands.

15 (h) PACIFIC CREST NATIONAL SCENIC TRAIL RELO-  
16 CATION.—Before completing the land exchange under this  
17 section, the Secretary shall relocate the portion of the Pa-  
18 cific Crest National Scenic Trail located on the Federal  
19 land to adjacent National Forest System land. The trail  
20 relocation shall be conducted without further environ-  
21 mental analysis.

22 (i) MAP AND LEGAL DESCRIPTIONS.—As soon as  
23 practicable after the date of the enactment of this Act,  
24 the Secretary shall finalize a map and legal descriptions  
25 of all land to be conveyed under this Act. The Secretary

1 may correct any minor errors in the map or in the legal  
2 descriptions. The map and legal descriptions shall be on  
3 file and available for public inspection in appropriate of-  
4 fices of the Forest Service.

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