

115TH CONGRESS
2D SESSION

H. R. 6146

To authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2018

Mr. GOSAR (for himself, Mrs. LESKO, Ms. SINEMA, Mr. SCHWEIKERT, and Mr. GALLEGO) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, 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 “Cottonwood Land Ex-
5 change Act of 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COUNTY.—The term “County” means
9 Yavapai County, Arizona.

1 (2) FEDERAL LAND.—The term “Federal land”
2 means all right, title, and interest of the United
3 States in and to approximately 80 acres of land
4 within the Coconino National Forest, in Yavapai
5 County, Arizona, generally depicted as “Coconino
6 National Forest Parcels ‘Federal Land’” on the
7 map.

8 (3) MAP.—The term “map” means the map en-
9 titled “Cottonwood Land Exchange”, dated Decem-
10 ber 2015.

11 (4) NON-FEDERAL LAND.—The term “non-Fed-
12 eral land” means the approximately 369 acres of
13 land in Yavapai County, Arizona, generally depicted
14 as “Yavapai County Parcels ‘Non-Federal Land’”
15 on the map.

16 (5) SECRETARY.—The term “Secretary” means
17 the Secretary of Agriculture, unless otherwise speci-
18 fied.

19 **SEC. 3. LAND EXCHANGE.**

20 (a) IN GENERAL.—If the County offers to convey to
21 the Secretary all right, title, and interest of the County
22 in and to the non-Federal land, the Secretary shall accept
23 the offer and simultaneously convey to the County all
24 right, title, and interest of the United States to the Fed-
25 eral land.

1 (b) LAND TITLE.—Title to the non-Federal land con-
2 veyed to the Secretary under this Act shall be acceptable
3 to the Secretary and shall conform to the title approval
4 standards of the Attorney General of the United States
5 applicable to land acquisitions by the Federal Government.

6 (c) EXCHANGE COSTS.—The County shall pay for all
7 land survey, appraisal, and other costs to the Secretary
8 as may be necessary to process and consummate the ex-
9 change under this Act, including reimbursement to the
10 Secretary, if the Secretary so requests, for staff time spent
11 in such processing and consummation.

12 **SEC. 4. EQUAL VALUE EXCHANGE AND APPRAISALS.**

13 (a) APPRAISALS.—The values of the lands to be ex-
14 changed under this Act shall be determined by the Sec-
15 retary through appraisals performed in accordance with—

16 (1) the Uniform Appraisal Standards for Fed-
17 eral Land Acquisitions;

18 (2) the Uniform Standards of Professional Ap-
19 praisal Practice;

20 (3) appraisal instructions issued by the Sec-
21 retary; and

22 (4) shall be performed by an appraiser mutually
23 agreed to by the Secretary and the County.

24 (b) EQUAL VALUE EXCHANGE.—The values of the
25 Federal and non-Federal land parcels exchanged shall be

1 equal, or if they are not equal, shall be equalized as fol-
2 lows:

3 (1) SURPLUS OF FEDERAL LAND VALUE.—If
4 the final appraised value of the Federal land exceeds
5 the final appraised value of the non-Federal land,
6 the County shall make a cash equalization payment
7 to the United States as necessary to achieve equal
8 value, including, if necessary, an amount in excess of
9 that authorized pursuant to section 206(b) of the
10 Federal Land Policy and Management Act of 1976
11 (43 U.S.C. 1716(b)).

12 (2) USE OF FUNDS.—Any cash equalization
13 moneys received by the Secretary under paragraph
14 (1) shall be—

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

18 (B) made available to the Secretary for the
19 acquisition of land or interests in land in Re-
20 gion 3 of the Forest Service.

21 (3) SURPLUS OF NON-FEDERAL LAND VALUE.—
22 If the final appraised value of the non-Federal land
23 exceeds the final appraised value of the Federal
24 land, the United States shall not make a cash
25 equalization payment to the County, and surplus

1 value of the non-Federal land shall be considered a
2 donation by the County to the United States for all
3 purposes of law.

4 **SEC. 5. WITHDRAWAL PROVISIONS.**

5 Lands acquired by the Secretary under this Act are,
6 upon such acquisition, automatically and permanently
7 withdrawn from all forms of appropriation and disposal
8 under the public land laws (including the mining and min-
9 eral leasing laws) and the Geothermal Steam Act of 1930
10 (30 U.S.C. 1001 et seq.).

11 **SEC. 6. MANAGEMENT OF LAND.**

12 Land acquired by the Secretary under this Act shall
13 become part of the Coconino National Forest and be man-
14 aged in accordance with the laws, rules, and regulations
15 applicable to the National Forest System.

16 **SEC. 7. MAPS, ESTIMATES, AND DESCRIPTIONS.**

17 (a) **MINOR ERRORS.**—The Secretary and the County
18 may, by mutual agreement—

19 (1) make minor boundary adjustments to the
20 Federal and non-Federal lands involved in the ex-
21 change; and

22 (2) correct any minor errors in any map, acre-
23 age estimate, or description of any land to be ex-
24 changed.

1 (b) CONFLICT.—If there is a conflict between a map,
2 an acreage estimate, or a description of land under this
3 Act, the map shall control unless the Secretary and the
4 County mutually agree otherwise.

5 (c) AVAILABILITY.—The Secretary shall file and
6 make available for public inspection in the headquarters
7 of the Coconino National Forest a copy of all maps re-
8 ferred to in this Act.

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