

Union Calendar No. 534

116TH CONGRESS
2^D SESSION

H. R. 7099

[Report No. 116-650]

To provide for the conveyance of a small parcel of Coconino National Forest land in the State of Arizona.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2020

Mr. GRIJALVA (for himself and Mr. O'HALLERAN) introduced the following bill; which was referred to the Committee on Natural Resources

DECEMBER 15, 2020

Additional sponsor: Mr. GALLEG0

DECEMBER 15, 2020

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 italics]

[For text of introduced bill, see copy of bill as introduced on June 4, 2020]

A BILL

To provide for the conveyance of a small parcel of Coconino
National Forest land in the State of Arizona.

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. COCONINO NATIONAL FOREST LAND CONVEY-**
4 **ANCE, ARIZONA.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *ABOR.—The term “ABOR” means the Ari-*
7 *zona Board of Regents, on behalf of the University of*
8 *Arizona Experiment Station.*

9 (2) *FEDERAL LAND.—The term “Federal land*
10 *and interests in land” means—*

11 (A) *the approximately 13.3 acres of land*
12 *within the Coconino National Forest, in Yavapai*
13 *County, Arizona as generally depicted on the*
14 *map entitled “Act to Convey Certain NFS Land*
15 *and non-Federal Land in Arizona Winter Quar-*
16 *ters” and dated June 20, 2019; and*

17 (B) *an easement on Forest Service Road*
18 *9201D from its junction with Forest Service*
19 *Road 0618 (commonly known as “Beaver*
20 *Creek”).*

21 (3) *NON-FEDERAL LAND.—The term “non-Fed-*
22 *eral land” means the approximately 7.5 acres of land*
23 *generally depicted on the map entitled “Act to Convey*
24 *Certain NFS Land and non-Federal Land in Arizona*
25 *Summer Quarters” and dated June 20, 2019.*

1 (4) *SECRETARY.*—*The term “Secretary” means*
2 *the Secretary of Agriculture.*

3 (5) *STATE.*—*The term “State” means the State of*
4 *Arizona.*

5 (b) *LAND EXCHANGE.*—

6 (1) *CONVEYANCE OF LAND.*—*Subject to the provi-*
7 *sions of this Act, if the ABOR offers to convey to the*
8 *United States all right, title, and interest of the*
9 *ABOR in and to the non-Federal land, the Secretary*
10 *shall, subject to valid existing rights, convey to the*
11 *ABOR all right, title, and interest of the United*
12 *States in and to the Federal land and interests in*
13 *land.*

14 (2) *COMPLIANCE WITH EXISTING LAW.*—*Except*
15 *as otherwise provided in this Act, the Secretary shall*
16 *carry out the land exchange under this Act in accord-*
17 *ance with section 206 of the Federal Land Policy and*
18 *Management Act of 1976 (43 U.S.C. 1716).*

19 (3) *CONDITIONS ON ACCEPTANCE.*—

20 (A) *TITLE.*—*As a condition of the land ex-*
21 *change under this subsection, title to the non-*
22 *Federal land to be acquired by the Secretary*
23 *under this subsection shall be acceptable to the*
24 *Secretary.*

1 (B) *TERMS AND CONDITIONS.*—*The convey-*
2 *ance of the Federal land and interests in land*
3 *and non-Federal land shall be subject to such*
4 *terms and conditions as the Secretary may re-*
5 *quire.*

6 (4) *SURVEYS.*—

7 (A) *IN GENERAL.*—*The exact acreage and*
8 *legal description of the Federal land and inter-*
9 *ests in land and non-Federal land shall be deter-*
10 *mined by surveys approved by the Secretary.*

11 (B) *COSTS.*—*The Arizona Board of Regents*
12 *shall be responsible for the costs of any surveys*
13 *carried out under subparagraph (A) and any*
14 *other administrative costs of carrying out the*
15 *land exchange.*

16 (c) *VALUATION AND APPRAISALS.*—

17 (1) *VALUATION.*—*The value of the Federal land*
18 *and interests in land and the non-Federal land—*

19 (A) *shall be equal, as determined by ap-*
20 *praisals conducted in accordance with para-*
21 *graph (2); or*

22 (B) *if the value is not equal, shall be equal-*
23 *ized in accordance with subsection (d)(2).*

24 (2) *APPRAISALS.*—

1 (A) *IN GENERAL.*—As soon as practicable
2 after the date of enactment of this Act, the Sec-
3 retary shall select an appraiser to conduct an
4 appraisal of the Federal land and interests in
5 land and the non-Federal land.

6 (B) *REQUIREMENTS.*—An appraisal under
7 subparagraph (A) shall be conducted in accord-
8 ance with nationally recognized appraisal stand-
9 ards including—

10 (i) *the Uniform Appraisal Standards*
11 *for Federal Land Acquisitions; and*

12 (ii) *the Uniform Standards of Profes-*
13 *sional Appraisal Practice.*

14 (d) *EQUAL VALUE AND CASH EQUALIZATION.*—

15 (1) *EQUAL VALUE LAND EXCHANGE.*—The land
16 exchange under this section shall be for equal value,
17 or the values shall be equalized by a cash payment as
18 provided for under this subsection or an adjustment
19 in acreage. At the option of the ABOR, any excess
20 value of the non-Federal lands may be considered a
21 gift to the United States.

22 (2) *EQUALIZATION.*—If the value of the Federal
23 land and the non-Federal land to be conveyed in a
24 land exchange under this subsection is not equal, the
25 value may be equalized by—

1 (A) making a cash equalization payment to
2 the Secretary or to the owner of the non-Federal
3 land, as appropriate, in accordance with section
4 206(b) of the Federal Land Policy and Manage-
5 ment Act of 1976 (43 U.S.C. 1716(b)); or

6 (B) increasing or reducing the acreage of
7 the Federal land or the non-Federal land to be
8 exchanged, as appropriate.

9 (3) *DEPOSIT AND USE OF FUNDS RECEIVED*
10 *FROM ABOR.*—Any cash equalization payment re-
11 ceived by the Secretary under this subsection shall be
12 deposited in the fund established under Public Law
13 90–171 (16 U.S.C. 484a; commonly known as the
14 “Sisk Act”). The funds so deposited shall remain
15 available to the Secretary, until expended, for the ac-
16 quisition of lands, waters, and interests in land for
17 the Coconino National Forest.

18 (e) *TIMELINE.*—It is the intent of Congress that the
19 land exchange under subsection (b) shall be completed by
20 not later than 3 years after the date of enactment of this
21 Act.

22 (f) *MANAGEMENT AND STATUS OF ACQUIRED LAND.*—
23 Any non-Federal land acquired by the Secretary under sub-
24 section (b) shall be managed by the Secretary in accordance
25 with—

1 (1) *the Act of March 1, 1911 (commonly known*
2 *as the “Weeks Law”) (36 Stat. 961, chapter 186; 16*
3 *U.S.C. 480 et seq.); and*

4 (2) *any other laws (including regulations) appli-*
5 *cable to the National Forest System.*

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