

Calendar No. 462

111TH CONGRESS
2^D SESSION**H. R. 3923**

IN THE SENATE OF THE UNITED STATES

JULY 14, 2010

Received; read twice and placed on the calendar

AN ACT

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, 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 “Sugar Loaf Fire Pro-
5 tection District Land Exchange Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) DISTRICT.—The term “District” means the
9 Sugar Loaf Fire Protection District of Boulder, Col-
10 orado.

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

3 (A) the parcel of approximately 1.52 acres
4 of land in the National Forest that is generally
5 depicted on the map numbered 1, entitled
6 “Sugarloaf Fire Protection District Proposed
7 Land Exchange”, and dated November 12,
8 2009; and

9 (B) the parcel of approximately 3.56 acres
10 of land in the National Forest that is generally
11 depicted on the map numbered 2, entitled
12 “Sugarloaf Fire Protection District Proposed
13 Land Exchange”, and dated November 12,
14 2009.

15 (3) NATIONAL FOREST.—The term “National
16 Forest” means the Arapaho-Roosevelt National For-
17 ests located in the State of Colorado.

18 (4) NON-FEDERAL LAND.—The term “non-Fed-
19 eral land” means the parcel of approximately 5.17
20 acres of non-Federal land in unincorporated Boulder
21 County, Colorado, that is generally depicted on the
22 map numbered 3, entitled “Sugarloaf Fire Protec-
23 tion District Proposed Land Exchange”, and dated
24 November 12, 2009.

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

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

4 (a) IN GENERAL.—Subject to the provisions of this
5 Act, if the District offers to convey to the Secretary all
6 right, title, and interest of the District in and to the non-
7 Federal land, and the offer is acceptable to the Sec-
8 retary—

9 (1) the Secretary shall accept the offer; and

10 (2) on receipt of acceptable title to the non-
11 Federal land, the Secretary shall convey to the Dis-
12 trict all right, title, and interest of the United States
13 in and to the Federal land.

14 (b) APPLICABLE LAW.—Section 206 of the Federal
15 Land Policy and Management Act of 1976 (43 U.S.C.
16 1716) shall apply to the land exchange authorized under
17 subsection (a), except that—

18 (1) the Secretary may accept a cash equali-
19 zation payment in excess of 25 percent of the value
20 of the Federal land; and

21 (2) as a condition of the land exchange under
22 subsection (a), the District shall—

23 (A) pay each cost relating to any land sur-
24 veys and appraisals of the Federal land and
25 non-Federal land; and

1 (B) enter into an agreement with the Sec-
2 retary that allocates any other administrative
3 costs between the Secretary and the District.

4 (c) **ADDITIONAL TERMS AND CONDITIONS.**—The
5 land exchange under subsection (a) shall be subject to—

6 (1) valid existing rights; and

7 (2) any terms and conditions that the Secretary
8 may require.

9 (d) **TIME FOR COMPLETION OF LAND EXCHANGE.**—

10 It is the intent of Congress that the land exchange under
11 subsection (a) shall be completed not later than 1 year
12 after the date of enactment of this Act.

13 (e) **AUTHORITY OF SECRETARY TO CONDUCT SALE**
14 **OF FEDERAL LAND.**—

15 (1) **IN GENERAL.**—In accordance with para-
16 graph (2), if the land exchange under subsection (a)
17 is not completed by the date that is 1 year after the
18 date of enactment of this Act, the Secretary may
19 offer to sell to the District the Federal land.

20 (2) **VALUE OF FEDERAL LAND.**—The Secretary
21 may offer to sell to the District the Federal land for
22 the fair market value of the Federal land.

23 (f) **DISPOSITION OF PROCEEDS.**—

24 (1) **IN GENERAL.**—The Secretary shall deposit
25 in the fund established under Public Law 90–171

1 (commonly known as the “Sisk Act”) (16 U.S.C.
2 484a) any amount received by the Secretary as the
3 result of—

4 (A) any cash equalization payment made
5 under subsection (b); and

6 (B) any sale carried out under subsection
7 (e).

8 (2) USE OF PROCEEDS.—Amounts deposited
9 under paragraph (1) shall be available to the Sec-
10 retary, without further appropriation and until ex-
11 pended, for the acquisition of land or interests in
12 land in the National Forest.

13 (g) MANAGEMENT AND STATUS OF ACQUIRED
14 LAND.—The non-Federal land acquired by the Secretary
15 under this section shall be—

16 (1) added to, and administered as part of, the
17 National Forest; and

18 (2) managed by the Secretary in accordance
19 with—

20 (A) the Act of March 1, 1911 (commonly
21 known as the “Weeks Law”) (16 U.S.C. 480 et
22 seq.); and

23 (B) any laws (including regulations) appli-
24 cable to the National Forest.

25 (h) REVOCATION OF ORDERS; WITHDRAWAL.—

1 (1) REVOCATION OF ORDERS.—Any public
2 order withdrawing the Federal land from entry, ap-
3 propriation, or disposal under the public land laws
4 is revoked to the extent necessary to permit the con-
5 veyance of the Federal land to the District.

6 (2) WITHDRAWAL.—On the date of enactment
7 of this Act, if not already withdrawn or segregated
8 from entry and appropriation under the public land
9 laws (including the mining and mineral leasing laws)
10 and the Geothermal Steam Act of 1970 (30 U.S.C.
11 1001 et seq.), the Federal land is withdrawn until
12 the date of the conveyance of the Federal land to the
13 District.

Passed the House of Representatives July 13, 2010.

Attest: LORRAINE C. MILLER,
Clerk.

Calendar No. 462

11TH CONGRESS
2^D SESSION

H. R. 3923

AN ACT

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes.

JULY 14, 2010

Received; read twice and placed on the calendar