To provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2017

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Natural Resources

JULY 13, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed
A BILL

To provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “King Cove Road Land
Exchange Act”.

SEC. 2. FINDING.

Congress finds that the land exchange required under
this Act (including the designation of the road corridor
and the construction of the road along the road corridor)
is in the public interest.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—

(A) IN GENERAL.—The term “Federal
land” means the approximately 206 acres of
Federal land located within the Refuge as de-
picted on the map entitled “Project Area Map”
and dated September 2012.

(B) INCLUSION.—The term “Federal
land” includes the 131 acres of Federal land in
the Wilderness, which shall be used for the road
corridor along which the road is to be con-
structed in accordance with section 4(b)(2).

(2) NON-FEDERAL LAND.—The term “non-Fed-
eral land” means the approximately 43,093 acres of
land owned by the State as depicted on the map entitled “Project Area Map” and dated September 2012.

(3) REFUGE.—The term “Refuge” means the Izembek National Wildlife Refuge in the State.

(4) ROAD CORRIDOR.—The term “road corridor” means the road corridor designated under section 4(b)(1).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of Alaska.


SEC. 4. LAND EXCHANGE REQUIRED.

(a) IN GENERAL.—If the State offers to convey to the Secretary all right, title, and interest of the State in and to the non-Federal land, the Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal land.

(b) USE OF FEDERAL LAND.—The Federal land shall be conveyed to the State for the purposes of—
(1) designating a road corridor through the Refuge; and

(2) constructing a single-lane gravel road along the road corridor subject to the requirements in section 6.

(c) VALUATION, APPRAISALS, AND EQUALIZATION.—

(1) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under this section—

(A) shall be equal, as determined by appraisals conducted in accordance with paragraph (2); or

(B) if not equal, shall be equalized in accordance with paragraph (3).

(2) APPRAISALS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and State shall select an appraiser to conduct appraisals of the Federal land and non-Federal land.

(B) REQUIREMENTS.—The appraisals required under subparagraph (A) shall be conducted in accordance with nationally recognized appraisal standards, including—
(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and
(ii) the Uniform Standards of Professional Appraisal Practice.

(3) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized—

(i) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;

(ii) by the State making a cash payment to the United States; or

(iii) by using a combination of the methods described in clauses (i) and (ii).

(B) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equal-
ized by the State adjusting the acreage of the non-Federal land to be conveyed.

   (C) Amount of Payment.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a payment under subparagraph (A)(ii) in excess of 25 percent of the value of the Federal land conveyed.

   (d) Administration.—On completion of the exchange of Federal land and non-Federal land under this section—

   (1) the boundary of the Wilderness shall be modified to exclude the Federal land; and

   (2) the non-Federal land shall be—

       (A) added to the Wilderness; and

       (B) administered in accordance with—

       (i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

       (ii) other applicable laws.

   (e) Deadline.—The land exchange under this section shall be completed not later than 180 days after the date of enactment of this Act.

SEC. 5. ROUTE OF ROAD CORRIDOR.

The route of the road corridor shall follow the southern road alignment as described in the alternative entitled

SEC. 6. REQUIREMENTS RELATING TO ROAD.

The requirements relating to usage, barrier cables, and dimensions and the limitation on support facilities under subsections (a) and (b) of section 6403 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1180) shall apply to the road constructed in the road corridor.

SEC. 7. EFFECT.

The exchange of Federal land and non-Federal land and the road to be constructed under this Act shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).
A BILL

To provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.

H. R. 218

115TH CONGRESS 1ST SESSION

COMMITTEE PRINTED JULY 13, 2017

[Report No. 115-218]