

Union Calendar No. 561

118TH CONGRESS
2D SESSION

H. R. 1657

[Report No. 118–665]

To provide for a land exchange in the Chippewa National Forest, Minnesota,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2023

Mr. STAUBER (for himself, Mr. FINSTAD, Mrs. FISCHBACH, Mr. HUFFMAN,
and Mr. NEGUSE) introduced the following bill; which was referred to the
Committee on Natural Resources

SEPTEMBER 12, 2024

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 *italic*]

[For text of introduced bill, see copy of bill as introduced on March 17, 2023]

A BILL

To provide for a land exchange in the Chippewa National
Forest, Minnesota, 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 “Lake Winnibigoshish*
5 *Land Exchange Act of 2024”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *BWLT.*—*The term “BWLT” means Big*
9 *Winnie Land and Timber, LLC, a Minnesota Lim-*
10 *ited Liability Corporation.*

11 (2) *MAP.*—*The term “Map” means the map enti-*
12 *tled “Heig Land Exchange” and dated December 14,*
13 *2023.*

14 (3) *FEDERAL LAND.*—*The term “Federal land”*
15 *means the approximately 17.5 acres of Federal land*
16 *in Itasca County, Minnesota, generally depicted as*
17 *the “Federal Parcel” on the Map.*

18 (4) *NON-FEDERAL LAND.*—*The term “non-Fed-*
19 *eral land” means the approximately 36.7 acres of*
20 *non-Federal land in Itasca County, Minnesota, gen-*
21 *erally depicted as the “Non-Federal Parcel” on the*
22 *Map.*

23 (5) *SECRETARY.*—*The term “Secretary” means*
24 *the Secretary of Agriculture, acting through the Chief*
25 *of the Forest Service.*

1 **SEC. 3. EXCHANGE OF LAND.**

2 (a) *EXCHANGE AUTHORIZED.*—Subject to the provi-
 3 sions of this Act, if BWLT offers to convey the non-Federal
 4 land to the United States, the Secretary shall, not later than
 5 1 year after the date on which such offer is made—

6 (1) accept the offer;

7 (2) convey to BWLT all right, title, and interest
 8 of the United States in and to the Federal land, ex-
 9 cepting and reserving an easement for road access to
 10 National Forest System land west of the Federal Par-
 11 cel; and

12 (3) accept from BWLT all right, title, and inter-
 13 est of BWLT in and to the non-Federal land.

14 (b) *REQUIREMENTS.*—The exchange under subsection
 15 (a) shall be—

16 (1) conditioned on title approval for the non-
 17 Federal land by the Secretary in accordance with sub-
 18 section (e);

19 (2) conditioned on a cash equalization payment
 20 made by BWLT to the United States in accordance
 21 with subsection (c) if, under the appraisals conducted
 22 in accordance with this Act, it is determined that the
 23 value of the Federal land exceeds the value of the non-
 24 Federal land;

25 (3) conditioned on the satisfactory completion of
 26 a Phase I Environmental Site Assessment by BWLT,

1 *provided to the Secretary, in advance of the accept-*
2 *ance of the non-Federal parcel;*

3 *(4) subject to valid existing rights; and*

4 *(5) subject to any other terms and conditions the*
5 *Secretary determines appropriate.*

6 *(c) EQUAL VALUE AND CASH EQUALIZATION.—*

7 *(1) IN GENERAL.—Except as provided in para-*
8 *graph (2), the exchange under subsection (a) shall be*
9 *for equal value or the values shall be equalized by a*
10 *cash payment.*

11 *(2) EXCEPTION.—Notwithstanding any other*
12 *provision of law, if the appraised value of the non-*
13 *Federal land to be conveyed to the United States ex-*
14 *ceeds the appraised value of the Federal land, a cash*
15 *equalization payment by the United States to BWLT*
16 *is hereby waived and the amount of such waived pay-*
17 *ment shall be considered a donation by BWLT to the*
18 *United States for all purposes of law.*

19 *(d) APPRAISALS.—*

20 *(1) IN GENERAL.—The value of the land to be ex-*
21 *changed under this Act shall be determined by ap-*
22 *praisals conducted by an independent and qualified*
23 *appraiser mutually agreed to by the Secretary and*
24 *BWLT.*

1 (2) *APPRAISAL STANDARDS.*—*The Secretary shall*
2 *complete appraisals of the land to be exchanged under*
3 *this Act in accordance with—*

4 *(A) the Uniform Appraisal Standards for*
5 *Federal Land Acquisitions; and*

6 *(B) the Uniform Standards of Professional*
7 *Appraisal Practice.*

8 (e) *FORMAT.*—*Title to the non-Federal land to be con-*
9 *veyed to the United States under this Act shall be found*
10 *sufficient by the Secretary pursuant to section 3111 of title*
11 *40, United States Code.*

12 (f) *MANAGEMENT OF ACQUIRED LAND.*—*The non-Fed-*
13 *eral land acquired by the United States under subsection*
14 *(a) shall be—*

15 *(1) added to, and managed as part of, the Chip-*
16 *pewa National Forest; and*

17 *(2) managed in accordance with the laws, rules,*
18 *and regulations pertaining to National Forest System*
19 *lands.*

20 (g) *MAP AND LEGAL DESCRIPTIONS.*—

21 *(1) IN GENERAL.*—*As soon as practicable after*
22 *the date of enactment of this Act, the Secretary shall*
23 *finalize the Map and legal descriptions of all land to*
24 *be conveyed under this Act.*

1 (2) *CONTROLLING DOCUMENT.*—*In the case of a*
 2 *discrepancy between the Map and a legal description,*
 3 *the legal description shall control.*

4 (3) *CORRECTIONS.*—*The Secretary and BWLT,*
 5 *by mutual agreement, may correct any minor errors*
 6 *in the Map or in the legal descriptions, including*
 7 *with respect to the boundaries of the Federal land and*
 8 *the non-Federal land.*

9 (4) *MAP ON FILE.*—*The Map and legal descrip-*
 10 *tions shall be on file and available for public inspec-*
 11 *tion in appropriate offices of the Forest Service.*

12 (h) *CLOSING COSTS.*—*As a condition for the exchange*
 13 *under subsection (a), BWLT shall pay all closing costs asso-*
 14 *ciated with the exchange, including for—*

15 (1) *title insurance and title search;*

16 (2) *any applicable inspection fees, escrow fees,*
 17 *attorneys fees, and recording fees; and*

18 (3) *any environmental analysis or resource sur-*
 19 *vey required under Federal law, regulation, or policy,*
 20 *including a Phase I Environmental Site Assessment*
 21 *of the non-Federal land.*

22 (i) *SURVEY.*—

23 (1) *IN GENERAL.*—*The exact acreages and legal*
 24 *descriptions of the Federal and non-Federal land to*

1 *be exchanged under subsection (a) shall be determined*
2 *by surveys satisfactory to the Secretary.*

3 (2) *COSTS OF SURVEY.—BWL**T shall bear all*
4 *costs associated with the surveys under paragraph*
5 *(1).*

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