

107TH CONGRESS
2D SESSION

H. R. 4917

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2002

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To provide for an exchange of lands with the United Water
Conservation District of California to eliminate private
inholdings in the Los Padres National Forest, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Los Padres National
3 Forest Land Exchange Act of 2002”.

4 **SEC. 2. LAND EXCHANGE, LOS PADRES NATIONAL FOREST,**
5 **CALIFORNIA.**

6 (a) EXCHANGE AUTHORIZED.—

7 (1) IN GENERAL.—If the United Water Con-
8 servation District of California (in this section re-
9 ferred to as the “District”) conveys to the Secretary
10 of Agriculture (in this section referred to as the
11 “Secretary”) all of right, title, and interest of the
12 District in and to the lands described in subsection
13 (b)(1), the Secretary shall convey to the District, in
14 exchange for such lands, all right, title, and interest
15 of the United States in and to the National Forest
16 System lands described in subsection (b)(2).

17 (2) EXISTING RIGHTS.—The conveyance of Na-
18 tional Forest System lands under this section shall
19 be subject to valid existing rights and to such terms,
20 conditions, and reservations as may be required by
21 this section or considered necessary by the Sec-
22 retary.

23 (3) TIME FOR EXCHANGE.—The Secretary and
24 the District shall endeavor to complete the exchange
25 in a timely manner.

26 (b) EXCHANGE LANDS.—

1 (1) LANDS TO BE CONVEYED BY DISTRICT.—

2 The lands to be conveyed by the District under this
3 section consist of approximately 340 acres as fol-
4 lows:

5 (A) “Tract A”—Approximately 40 acres,
6 located in township 5 north, range 18 west, sec-
7 tion 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base and
8 meridian.

9 (B) “Tract B”—Approximately 40 acres,
10 located in township 5 north, range 18 west, sec-
11 tion 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$, San Bernardino base and
12 meridian.

13 (C) “Tract C”—Approximately 80 acres,
14 located in township 5 north, range 18 west, sec-
15 tion 16, S $\frac{1}{2}$ SE $\frac{1}{4}$, San Bernardino base and
16 meridian.

17 (D) “Tract D”—Approximately 160 acres,
18 located in township 5 north, range 18 west, sec-
19 tion 21, NE $\frac{1}{4}$, San Bernardino base and me-
20 ridian.

21 (E) “Tract E”—Approximately 20 acres,
22 located in township 5 north, range 18 west, sec-
23 tion 15, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, San Bernardino base
24 and meridian.

1 (2) LANDS TO BE CONVEYED BY SECRETARY.—

2 The National Forest System lands to be conveyed by
3 the Secretary under this section consist of approxi-
4 mately 420 acres as follows:

5 (A) “Tract 1”—Approximately 80 acres,
6 located in township 5 north, range 18 west, sec-
7 tion 10, E $\frac{1}{2}$ SW $\frac{1}{4}$, San Bernardino base and
8 meridian.

9 (B) “Tract 2”—Approximately 40 acres,
10 located in township 5 north, range 18 west, sec-
11 tion 15, NE $\frac{1}{4}$ NW $\frac{1}{4}$, San Bernardino base and
12 meridian.

13 (C) “Tract 3”—Approximately 40 acres,
14 located in township 5 north, range 18 west, sec-
15 tion 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base and
16 meridian.

17 (D) “Tract 4”—Approximately 10 acres,
18 located in township 5 north, range 18 west, sec-
19 tion 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, San Bernardino
20 base and meridian.

21 (E) “Tract 5”—Approximately 20 acres,
22 located in township 5 north, range 18 west, sec-
23 tion 22, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base
24 and meridian.

1 (F) “Tract 6”—Approximately 40 acres,
2 located in township 5 north, range 18 west, sec-
3 tion 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base and
4 meridian.

5 (G) “Tract 7”—Approximately 80 acres,
6 located in township 5 north, range 18 west, sec-
7 tion 22, E $\frac{1}{2}$ SW $\frac{1}{4}$, San Bernardino base and
8 meridian.

9 (H) “Tract 8”—Approximately 20 acres,
10 located in township 5 north, range 18 west, sec-
11 tion 22, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, San Bernardino base
12 and meridian.

13 (I) “Tract 9”—Approximately 80 acres, lo-
14 cated in township 5 north, range 18 west, sec-
15 tion 27, W $\frac{1}{2}$ NE $\frac{1}{4}$, San Bernardino base and
16 meridian.

17 (J) “Tract 10”—Approximately 10 acres,
18 located in township 5 north, range 18 west, sec-
19 tion 27, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, San Bernardino
20 base and meridian.

21 (3) CORRECTIONS TO LEGAL DESCRIPTIONS.—
22 By mutual agreement, the Secretary and the Dis-
23 trict may adjust the legal descriptions contained in
24 this subsection to correct errors or to make minor
25 adjustments in the lands to be exchanged.

1 (c) PROCESSING OF LAND EXCHANGE.—

2 (1) IN GENERAL.—Except as otherwise pro-
3 vided in this section, the Secretary shall process the
4 land exchange under this section in accordance with
5 Forest Service land exchange regulations in subpart
6 A of part 254 of title 36, Code of Federal Regula-
7 tions.

8 (2) TITLE STANDARDS.—The Secretary shall
9 require that title to the District lands acquired by
10 the Secretary under this section is in conformity
11 with the title standards of the Attorney General of
12 the United States.

13 (d) EASEMENTS AND ACCESS.—

14 (1) RESERVATION.—In the conveyance of the
15 National Forest System lands authorized by this
16 section, the Secretary shall reserve easements for all
17 roads and trails that the Secretary considers to be
18 necessary or desirable to provide for administrative
19 purposes and to ensure public access to National
20 Forest System lands. In particular, the Secretary
21 shall reserve perpetual unrestricted rights of pedes-
22 trian access to the Potholes trailhead of the Los Pa-
23 dres National Forest.

24 (2) ACCESSIBILITY.—In the case of the District
25 lands acquired by the Secretary under this section,

1 the Secretary shall provide reasonable access to pri-
2 vately owned inholdings consistent with section
3 1323(a) of the Alaska National Interest Lands Con-
4 servation Act (16 U.S.C. 3210(a)).

5 (3) CONSTRUCTION OF PARKING LOT.—As a
6 condition on the receipt of National Forest System
7 lands under this section, the District shall agree to
8 construct a gravel parking area upon District lands
9 for the Potholes trailhead of the Los Padres Na-
10 tional Forest, subject to the following requirements:

11 (A) The District may reasonably regulate
12 vehicular access to the trailhead in accordance
13 with rules and regulations promulgated in ac-
14 cordance with applicable law.

15 (B) Foot traffic to the trailhead shall be
16 perpetual and unrestricted.

17 (e) SPECIAL USE AUTHORIZATION AND EASE-
18 MENTS.—All special use authorizations and term ease-
19 ments issued by the Secretary with respect to the National
20 Forest System lands described in subsection (b)(2) shall
21 not be renewed or reauthorized after the date of enact-
22 ment of this Act.

23 (f) WATER RIGHTS.—The land exchange authorized
24 by this section does not include any water rights owned
25 by the District or the United States.

1 (g) CASH EQUALIZATION.—

2 (1) LIMITS WAIVED.—The District or the Sec-
3 retary, as appropriate, may equalize the values of
4 the lands to be exchanged under this section by a
5 cash payment without regard to any statutory limit
6 on the amount of such a cash equalization payment.

7 (2) DISPOSITION AND USE OF FUNDS.—Any
8 cash equalization payment received by the Secretary
9 under this section shall be deposited into the fund
10 established by Public Law 90–171 (commonly known
11 as the Sisk Act; 16 U.S.C. 484a). The payment shall
12 be available to the Secretary for expenditure, with-
13 out further appropriation, for the acquisition, con-
14 struction, or improvement of administrative or rec-
15 reational facilities for the Los Padres National For-
16 est in Ventura County, Santa Barbara County, and
17 San Luis Obispo County, California, or for the ac-
18 quisition of land or interests in land in such coun-
19 ties.

20 (h) MANAGEMENT OF ACQUIRED LANDS.—The Dis-
21 trict lands acquired by the Secretary under this section
22 shall be added to and administered as part of the Los Pa-

- 1 dres National Forest in accordance with the laws and reg-
- 2 ulations applicable to that national forest.

Passed the House of Representatives September 24,
2002.

Attest:

JEFF TRANDAHL,
Clerk.