

108TH CONGRESS
2D SESSION

H. R. 3954

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2004

Received

AN ACT

To authorize the Secretary of the Interior to resolve boundary discrepancies in San Diego County, California, arising from an erroneous survey conducted by a Government contractor in 1881 that resulted in overlapping boundaries for certain lands, 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 “Rancho El Cajon
5 Boundary Reconciliation Act”.

6 **SEC. 2. RESOLUTION OF BOUNDARY DISCREPANCIES, SAN**
7 **DIEGO COUNTY, CALIFORNIA.**

8 (a) RESOLUTION OF BOUNDARY DISCREPANCIES.—
9 The Secretary of the Interior shall provide compensation
10 to any landowner whose title to land in lots 1 and 2 of
11 section 9, township 15 south, range 1 east, San
12 Bernardino Meridian, in San Diego County, California, is
13 based on an erroneous survey conducted by a Government
14 contractor in 1881 and is rendered void because that title
15 is inferior to the title to the same land established by a
16 survey of the Rancho El Cajon conducted in 1872 and
17 approved by the Commissioner of the General Land Office
18 in 1876.

19 (b) FORMS OF COMPENSATION.—Compensation
20 under subsection (a) shall be mutually agreed upon by the
21 Secretary and the landowner and shall consist of—

22 (1) public lands in San Diego or Imperial Coun-
23 ties, California, selected jointly by the Secretary and
24 the landowner and conveyed by the Secretary to the
25 landowner;

1 (2) a cash payment to the landowner; or

2 (3) a combination of a conveyance under para-
3 graph (1) and a cash payment under paragraph (2).

4 (c) EQUAL VALUE.—Compensation provided under
5 subsection (a) for a parcel of land whose title was rendered
6 void, as described in such subsection, may not exceed the
7 fair market value of the land, as determined by an ap-
8 praisal satisfactory to the Secretary and the landowner.

9 (d) SOURCE OF FUNDS.—The Secretary may make
10 payments under subsection (a) using funds available to the
11 Secretary to equalize land exchanges under section 206(b)
12 of the Federal Land Policy and Management Act of 1976
13 (43 U.S.C. 1716(b)).

14 (e) PUBLIC LANDS DEFINED.—In this section, the
15 term “public lands” has the meaning given the term in
16 section 103(e) of the Federal Land Policy and Manage-
17 ment Act of 1976 (7 U.S.C. 1702(e)).

18 **SEC. 3. REVOCATION OF PUBLIC LAND ORDER WITH RE-**
19 **SPECT TO LANDS ERRONEOUSLY INCLUDED**
20 **IN CIBOLA NATIONAL WILDLIFE REFUGE,**
21 **CALIFORNIA.**

22 (a) REVOCATION.—Public Land Order 3442, dated
23 August 21, 1964, is revoked insofar as it applies to the
24 following described lands: San Bernardino Meridian,
25 T11S, R22E, sec. 6, all of lots 1, 16, and 17, and SE¼

1 of SW¹/₄ in Imperial County, California, aggregating ap-
2 proximately 140.32 acres.

3 (b) RESURVEY AND NOTICE OF MODIFIED BOUND-
4 ARIES.—The Secretary of the Interior shall, by not later
5 than 6 months after the date of the enactment of this
6 Act—

7 (1) resurvey the boundaries of the Cibola Na-
8 tional Wildlife Refuge, as modified by the revocation
9 under section 1;

10 (2) publish notice of, and post conspicuous
11 signs marking, the boundaries of the refuge deter-
12 mined in such resurvey; and

13 (3) prepare and publish a map showing the
14 boundaries of the refuge.

Passed the House of Representatives September 28,
2004.

Attest:

JEFF TRANDAHL,

Clerk.