

Calendar No. 543

111TH CONGRESS
2^D SESSION**H. R. 1043****[Report No. 111–273]**

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 2009

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

AUGUST 5, 2010

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide for a land exchange involving certain National
Forest System lands in the Mendocino National Forest
in the State of California, 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 “Deafy Glade Land Ex-
5 change Act”.

1 **SEC. 2. LAND EXCHANGE, MENDOCINO NATIONAL FOREST,**
2 **CALIFORNIA.**

3 (a) **LAND EXCHANGE REQUIRED.**—If Solano County,
4 California (in this section referred to as the “County”)
5 conveys to the Secretary of Agriculture all right, title, and
6 interest of the County in and to four parcels of land con-
7 sisting of a total of approximately 160 acres identified on
8 the map entitled “Fouts Springs-Deafy Glade Federal and
9 Non-Federal Lands” and dated July 17, 2008, the Sec-
10 retary shall convey to the County, in exchange, all right,
11 title, and interest of the United States in and to the parcel
12 of land in the Mendocino National Forest in the State of
13 California (including any improvements on the land) com-
14 prising approximately 82 acres and known as the Fouts
15 Springs Ranch, as also depicted on the map.

16 (b) **AVAILABILITY OF MAP.**—The map referred to in
17 subsection (a) shall be on file and available for public in-
18 spection in the Office of the Chief of the Forest Service.
19 With the agreement of the County, the Secretary may
20 make technical corrections to the map and the legal de-
21 scriptions of the land to be exchanged under this section.

22 (c) **LAND EXCHANGE PROCESS.**—Section 206 of the
23 Federal Land Policy and Management Act of 1976 (43
24 U.S.C. 1716) shall apply to the land exchange under this
25 section.

1 (d) SURVEY AND ADMINISTRATIVE COSTS.—The
 2 exact acreage and legal description of the land to be ex-
 3 changed under subsection (a) shall be determined by a
 4 survey satisfactory to the Secretary. The costs of the sur-
 5 vey and any administrative costs related to the land ex-
 6 change shall be borne by the County.

7 (e) CONDITION ON USE OF CONVEYED LAND.—As
 8 a condition of the conveyance to the County under sub-
 9 section (a), the County shall agree to continue to use the
 10 land acquired by the County under such subsection for
 11 purposes consistent with the purposes listed in the special
 12 use authorization for the Fouts Springs Ranch in effect
 13 as of the date of the enactment of this Act.

14 (f) EASEMENT AUTHORITY.—The Secretary may
 15 grant an easement to provide continued access to, and
 16 maintenance and use of, the facilities covered by the spe-
 17 cial use authorization referred to in subsection (e) as nec-
 18 essary for the continued operation of the Fouts Springs
 19 Ranch conveyed under subsection (a).

20 (g) MANAGEMENT OF ACQUIRED LAND.—The lands
 21 acquired by the Secretary under subsection (a) shall be
 22 added to and administered as part of the Mendocino Na-
 23 tional Forest and managed in accordance with the Act of
 24 March 1, 1911 (commonly known as the Weeks Act; 16

1 U.S.C. 480 et seq.) and the laws and regulations applica-
 2 ble to the National Forest System.

3 (h) ~~ADDITIONAL TERMS AND CONDITIONS.~~—The
 4 land exchange under subsection (a) shall be subject to
 5 such additional terms and conditions as the Secretary and
 6 the County may agree upon.

7 (i) ~~CANCELLATION OF PORTION OF UNOBLIGATED~~
 8 ~~BALANCE IN FLREA SPECIAL ACCOUNT.~~—The amount
 9 available for obligation as of the date of the enactment
 10 of this Act from the unobligated balance in the special ac-
 11 count established for the Forest Service under section 807
 12 of the Federal Lands Recreation Enhancement Act (16
 13 U.S.C. 6806) is reduced by a total of \$60,000, and the
 14 amount so reduced is hereby cancelled.

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “Deafy Glade Land Ex-*
 17 *change Act”.*

18 **SEC. 2. LAND EXCHANGE, MENDOCINO NATIONAL FOREST,**
 19 **CALIFORNIA.**

20 (a) *DEFINITIONS.*—*In this section:*

21 (1) *COUNTY.*—*The term “County” means Solano*
 22 *County, California.*

23 (2) *FEDERAL LAND.*—*The term “Federal land”*
 24 *means the parcel of approximately 82 acres of land—*

1 (A) known as the “Fouts Springs Ranch”;
2 and

3 (B) generally depicted as the “Fouts
4 Springs Parcel” on the map.

5 (3) MAP.—The term “map” means the map enti-
6 tled “Fouts Springs-Deafy Glade: Federal and Non-
7 Federal Lands” and dated July 17, 2008.

8 (4) NON-FEDERAL LAND.—The term “non-Fed-
9 eral land” means the 4 parcels of land comprising
10 approximately 160 acres that are generally depicted
11 as the “Deafy Glade Parcel” on the map.

12 (5) SECRETARY.—The term “Secretary” means
13 the Secretary of Agriculture.

14 (b) LAND EXCHANGE REQUIRED.—Subject to sub-
15 sections (c) through (f), if the County conveys to the United
16 States such right, title, and interest in and to the non-Fed-
17 eral land that is acceptable to the Secretary, the Secretary
18 shall convey to the County such right, title, and interest
19 to the Federal land that the Secretary considers to be appro-
20 priate.

21 (c) APPLICABLE LAW.—Section 206 of the Federal
22 Land Policy and Management Act of 1976 (43 U.S.C. 1716)
23 shall apply to the land exchange under this section.

24 (d) SURVEY; ADMINISTRATIVE COSTS.—

1 (1) *IN GENERAL.*—*The exact acreage and legal*
 2 *description of the land to be exchanged under sub-*
 3 *section (b) shall be determined by a survey satisfac-*
 4 *tory to the Secretary.*

5 (2) *COSTS.*—*The costs of the survey, appraisal,*
 6 *and any other administrative costs relating to the*
 7 *land exchange shall be paid by the County.*

8 (e) *MANAGEMENT OF ACQUIRED LAND.*—*The non-Fed-*
 9 *eral land acquired by the Secretary under subsection (b)*
 10 *shall be—*

11 (1) *added to, and administered as part of, the*
 12 *Mendocino National Forest; and*

13 (2) *managed in accordance with—*

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

17 (B) *the laws (including regulations) appli-*
 18 *cable to the National Forest System.*

19 (f) *ADDITIONAL TERMS AND CONDITIONS.*—*The land*
 20 *exchange under subsection (b) shall be subject to any addi-*
 21 *tional terms and conditions that the Secretary may require,*
 22 *including such terms and conditions as are necessary to en-*
 23 *sure that the use of the Federal land does not adversely im-*
 24 *pact the use of the adjacent National Forest System land.*

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