

Calendar No. 462

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 3923**

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IN THE SENATE OF THE UNITED STATES

JULY 14, 2010

Received; read twice and placed on the calendar

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**AN ACT**

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, 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 “Sugar Loaf Fire Pro-  
5       tection District Land Exchange Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) DISTRICT.—The term “District” means the  
9       Sugar Loaf Fire Protection District of Boulder, Col-  
10      orado.

1           (2) FEDERAL LAND.—The term “Federal land”  
2       means—

3           (A) the parcel of approximately 1.52 acres  
4       of land in the National Forest that is generally  
5       depicted on the map numbered 1, entitled  
6       “Sugarloaf Fire Protection District Proposed  
7       Land Exchange”, and dated November 12,  
8       2009; and

9           (B) the parcel of approximately 3.56 acres  
10      of land in the National Forest that is generally  
11      depicted on the map numbered 2, entitled  
12      “Sugarloaf Fire Protection District Proposed  
13      Land Exchange”, and dated November 12,  
14      2009.

15          (3) NATIONAL FOREST.—The term “National  
16      Forest” means the Arapaho-Roosevelt National For-  
17      ests located in the State of Colorado.

18          (4) NON-FEDERAL LAND.—The term “non-Fed-  
19      eral land” means the parcel of approximately 5.17  
20      acres of non-Federal land in unincorporated Boulder  
21      County, Colorado, that is generally depicted on the  
22      map numbered 3, entitled “Sugarloaf Fire Protec-  
23      tion District Proposed Land Exchange”, and dated  
24      November 12, 2009.

1           (5) SECRETARY.—The term “Secretary” means  
2       the Secretary of Agriculture.

3   **SEC. 3. LAND EXCHANGE.**

4       (a) IN GENERAL.—Subject to the provisions of this  
5   Act, if the District offers to convey to the Secretary all  
6   right, title, and interest of the District in and to the non-  
7   Federal land, and the offer is acceptable to the Sec-  
8   retary—

9           (1) the Secretary shall accept the offer; and

10          (2) on receipt of acceptable title to the non-  
11   Federal land, the Secretary shall convey to the Dis-  
12   trict all right, title, and interest of the United States  
13   in and to the Federal land.

14       (b) APPLICABLE LAW.—Section 206 of the Federal  
15   Land Policy and Management Act of 1976 (43 U.S.C.  
16   1716) shall apply to the land exchange authorized under  
17   subsection (a), except that—

18           (1) the Secretary may accept a cash equali-  
19   zation payment in excess of 25 percent of the value  
20   of the Federal land; and

21           (2) as a condition of the land exchange under  
22   subsection (a), the District shall—

23               (A) pay each cost relating to any land sur-  
24   veys and appraisals of the Federal land and  
25   non-Federal land; and

1 (B) enter into an agreement with the Sec-  
2 retary that allocates any other administrative  
3 costs between the Secretary and the District.

4 (c) ADDITIONAL TERMS AND CONDITIONS.—The  
5 land exchange under subsection (a) shall be subject to—

6 (1) valid existing rights; and

7 (2) any terms and conditions that the Secretary  
8 may require.

9 (d) TIME FOR COMPLETION OF LAND EXCHANGE.—  
10 It is the intent of Congress that the land exchange under  
11 subsection (a) shall be completed not later than 1 year  
12 after the date of enactment of this Act.

13 (e) AUTHORITY OF SECRETARY TO CONDUCT SALE  
14 OF FEDERAL LAND.—

15 (1) IN GENERAL.—In accordance with para-  
16 graph (2), if the land exchange under subsection (a)  
17 is not completed by the date that is 1 year after the  
18 date of enactment of this Act, the Secretary may  
19 offer to sell to the District the Federal land.

20 (2) VALUE OF FEDERAL LAND.—The Secretary  
21 may offer to sell to the District the Federal land for  
22 the fair market value of the Federal land.

23 (f) DISPOSITION OF PROCEEDS.—

24 (1) IN GENERAL.—The Secretary shall deposit  
25 in the fund established under Public Law 90–171

1 (commonly known as the “Sisk Act”) (16 U.S.C.  
2 484a) any amount received by the Secretary as the  
3 result of—

4 (A) any cash equalization payment made  
5 under subsection (b); and

6 (B) any sale carried out under subsection  
7 (e).

8 (2) USE OF PROCEEDS.—Amounts deposited  
9 under paragraph (1) shall be available to the Sec-  
10 retary, without further appropriation and until ex-  
11 pended, for the acquisition of land or interests in  
12 land in the National Forest.

13 (g) MANAGEMENT AND STATUS OF ACQUIRED  
14 LAND.—The non-Federal land acquired by the Secretary  
15 under this section shall be—

16 (1) added to, and administered as part of, the  
17 National Forest; and

18 (2) managed by the Secretary in accordance  
19 with—

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

23 (B) any laws (including regulations) appli-  
24 cable to the National Forest.

25 (h) REVOCATION OF ORDERS; WITHDRAWAL.—

(2) WITHDRAWAL.—On the date of enactment of this Act, if not already withdrawn or segregated from entry and appropriation under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.), the Federal land is withdrawn until the date of the conveyance of the Federal land to the District.

Attest: LORRAINE C. MILLER,  
*Clerk.*



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