

111TH CONGRESS
2D SESSION

H. R. 3954

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2010

Received; read twice and referred to the Committee on Agriculture, Nutrition,
and Forestry

AN ACT

To release Federal reversionary interests retained on certain lands acquired in the State of Florida under the Bankhead-Jones Farm Tenant Act, to authorize the interchange of National Forest System land and State land in Florida, to authorize an additional conveyance under the Florida National Forest Land Management Act of 2003, 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 “Florida National For-
5 est Land Adjustment Act of 2010”.

6 **SEC. 2. RELEASE OF DEED RESTRICTIONS ON CERTAIN**
7 **LANDS ACQUIRED UNDER THE BANKHEAD-**
8 **JONES FARM TENANT ACT IN FLORIDA.**

9 (a) FINDINGS.—Congress finds the following:

10 (1) Certain lands in the State of Florida were
11 conveyed by the United States to the State under
12 the authority of section 32(c) of the Bankhead-Jones
13 Farm Tenant Act (7 U.S.C. 1011(c)), and now are
14 part of the Blackwater River and Withlacoochee
15 State Forests.

16 (2) The lands were conveyed to the State sub-
17 ject to deed restrictions that the lands could be only
18 used for public purposes.

19 (3) The deed restrictions impede the ability of
20 the State to remedy boundary and encroachment
21 problems involving the lands.

22 (4) The release of the deed restrictions by the
23 Secretary of Agriculture (hereafter referred to as the
24 “Secretary”) will further the purposes for which the
25 lands are being managed as State forests and will

1 alleviate future Federal responsibilities with respect
2 to the lands.

3 (b) RELEASE REQUIRED.—Subject to valid existing
4 rights, and such reservations as the Secretary considers
5 to be in the public interest, the Secretary shall release,
6 convey, and quitclaim to the State of Florida, without
7 monetary consideration, all rights, title, and remaining in-
8 terest of the United States in and to those lands within
9 or adjacent to the Blackwater River and Withlacoochee
10 State Forests that were conveyed to the State under the
11 authority of section 32(c) of the Bankhead-Jones Farm
12 Tenant Act (7 U.S.C. 1011(c)) or under any other law
13 authorizing conveyance subject to restrictions or rever-
14 sionary interests retained by the United States.

15 (c) TERMS AND CONDITIONS.—The conveyances au-
16 thorized by subsection (b) are subject to the following
17 terms and conditions:

18 (1) The State shall cover or reimburse the Sec-
19 retary for reasonable costs incurred by the Secretary
20 to make the conveyances, including title searches,
21 surveys, deed preparation, attorneys' fees, and simi-
22 lar expenses. The Secretary may not seek reimburse-
23 ment for administrative overhead costs.

24 (2) By accepting the conveyances authorized by
25 this section, the State agrees—

1 (A) that all net proceeds from any sale, ex-
 2 change, or other disposition of the real property
 3 subject to deed restrictions shall be used by the
 4 State for the acquisition of lands or interests in
 5 lands within or adjacent to units of the state
 6 forest and park systems;

7 (B) to affirmatively address and resolve
 8 boundary encroachments in accordance with
 9 State law for the affected State forests; and

10 (C) to indemnify and hold the United
 11 States harmless with regard to any boundary
 12 disputes related to any parcel released under
 13 this section.

14 **SEC. 3. INTERCHANGE INVOLVING NATIONAL FOREST SYS-**
 15 **TEM LAND AND STATE LAND IN FLORIDA.**

16 (a) FINDINGS.—The Congress finds the following:

17 (1) There are intermingled Federal and State
 18 lands within units of the National Forest System in
 19 Florida that are of comparable quantity and quality
 20 and of approximately equal value.

21 (2) Interchanging these lands would be in the
 22 public interest by facilitating more efficient public
 23 land management.

24 (b) APPROXIMATELY EQUAL VALUE DEFINED.—In
 25 this section, the term “approximately equal value” means

1 a comparative estimate of the value between lands to be
2 interchanged, regarding which, without the necessity of an
3 appraisal, the elements of value, such as physical charac-
4 teristics and other amenities, are readily apparent and
5 substantially similar.

6 (c) LAND INTERCHANGE AUTHORIZED.—

7 (1) AUTHORIZATION.—Subject to valid existing
8 rights, if the State of Florida offers to convey to the
9 United States those State lands designated for inter-
10 change on the two maps entitled “State of Florida—
11 U.S. Forest Service Interchange—January, 2009”
12 and title to such lands is otherwise acceptable to the
13 Secretary of Agriculture, the Secretary shall convey
14 and quitclaim to the State those National Forest
15 System lands in the Ocala National Forest and the
16 Apalachicola National Forest designated for inter-
17 change on the maps.

18 (2) MAPS.—The maps referenced in paragraph
19 (1) shall be available for public inspection in the of-
20 fice of the Chief of the Forest Service and in the of-
21 fice of the Supervisor of the National Forests in
22 Florida for a period of at least 5 years after comple-
23 tion of the land interchanges authorized by this sec-
24 tion.

1 (d) TERMS AND CONDITIONS.—Any land interchange
2 under this section shall be subject to such reservations and
3 rights-of-way as may be mutually acceptable to the Sec-
4 retary and the authorized officer of the State.

5 (e) REPLACEMENT LAND.—In the event that any of
6 the designated lands are in whole or part found to be un-
7 acceptable for interchange under this section due to title
8 deficiencies, survey problems, the existence of hazardous
9 materials, or for any other reason, the Secretary and the
10 authorized officer of the State may substitute or modify
11 the lands to be interchanged insofar as it is mutually
12 agreed that the lands are of comparable quality and ap-
13 proximately equal value.

14 **SEC. 4. ADDITIONAL LAND DISPOSAL UNDER FLORIDA NA-**
15 **TIONAL FOREST LAND MANAGEMENT ACT OF**
16 **2003.**

17 (a) DISPOSAL AUTHORIZED.—In accordance with the
18 provisions of the Florida National Forest Land Manage-
19 ment Act of 2003 (Public Law 108–152; 117 Stat. 1919),
20 the Secretary of Agriculture may convey, by means of sale
21 or exchange, all right, title, and interest of the United
22 States in and to a parcel of land comprising approximately
23 114 acres, located within Township 1 South, Range 1
24 West, section 25, Leon County, Florida, and designated
25 as tract W–1979.

1 (b) USE OF PROCEEDS.—

2 (1) TRACT W-1979.—The Secretary shall use
3 the proceeds derived from any sale of tract W-1979,
4 as authorized by subsection (a), only—

5 (A) to acquire lands and interests in land
6 for inclusion in the Apalachicola National For-
7 est; and

8 (B) to cover the disposal costs incurred by
9 the Secretary to carry out the sale of such
10 tract.

11 (2) CERTAIN OTHER TRACTS.—With respect to
12 tract A-943, tract A-944, and tract C-2210, as de-
13 scribed in paragraphs (5), (6), and (16) of sub-
14 section (b) of section 3 of the Florida National For-
15 est Land Management Act of 2003 and authorized
16 for sale by subsection (a) of such section, being
17 lands having permanent improvements and infra-
18 structure, the Secretary may use the net proceeds
19 derived from any sale of such tracts to acquire, con-
20 struct, or maintain administrative improvements for
21 units of the National Forest System in Florida.

22 **SEC. 5. REQUIRED DESIGNATION IN PAYGO ACTS.**

23 The budgetary effects of this Act, for the purpose of
24 complying with the Statutory Pay-As-You-Go Act of 2010
25 (Public Law 111-39; 124 Stat. 8), shall be determined

1 by reference to the latest statement titled “Budgetary Ef-
2 fects of PAYGO Legislation” for this Act, submitted for
3 printing in the Congressional Record by the Chairman of
4 the House Budget Committee, provided that such state-
5 ment has been submitted prior to the vote on passage.

Passed the House of Representatives March 17,
2010.

Attest:

LORRAINE C. MILLER,

Clerk.