

111TH CONGRESS
2D SESSION

S. 3070

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.

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2010

Mr. NELSON of Florida (for himself and Mr. LEMIEUX) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Florida National For-
3 est Land Adjustment Act of 2010”.

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

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

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

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

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

20 (4) The release of the deed restrictions by the
21 Secretary of Agriculture (hereafter referred to as the
22 “Secretary”) will further the purposes for which the
23 lands are being managed as State forests and will
24 alleviate future Federal responsibilities with respect
25 to the lands.

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

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

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

22 (2) By accepting the conveyances authorized by
23 this section, the State agrees—

24 (A) that all net proceeds from any sale, ex-
25 change, or other disposition of the real property

subject to deed restrictions shall be used by the State for the acquisition of lands or interests in lands within or adjacent to units of the state forest and park systems;

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

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

SEC. 3. INTERCHANGE INVOLVING NATIONAL FOREST SYSTEM LAND AND STATE LAND IN FLORIDA.

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

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

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

(b) APPROXIMATELY EQUAL VALUE DEFINED.—In this section, the term “approximately equal value” means a comparative estimate of the value between lands to be interchanged, regarding which, without the necessity of an

1 appraisal, the elements of value, such as physical charac-
2 teristics and other amenities, are readily apparent and
3 substantially similar.

4 (c) LAND INTERCHANGE AUTHORIZED.—

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

16 (2) MAPS.—The maps referenced in paragraph
17 (1) shall be available for public inspection in the of-
18 fice of the Chief of the Forest Service and in the of-
19 fice of the Supervisor of the National Forests in
20 Florida for a period of at least five years after com-
21 pletion of the land interchanges authorized by this
22 section.

23 (d) TERMS AND CONDITIONS.—Any land interchange
24 under this section shall be subject to such reservations and

1 rights-of-way as may be mutually acceptable to the Sec-
 2 retary and the authorized officer of the State.

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

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

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

24 (b) USE OF PROCEEDS.—

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

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

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

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

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