

115TH CONGRESS
2D SESSION

H. R. 6146

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2018

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

AN ACT

To authorize, direct, expedite, and facilitate a land exchange
in Yavapai County, Arizona, 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 “Cottonwood Land Ex-
3 change Act of 2018”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) COUNTY.—The term “County” means
7 Yavapai County, Arizona.

8 (2) FEDERAL LAND.—The term “Federal land”
9 means all right, title, and interest of the United
10 States in and to approximately 80 acres of land
11 within the Coconino National Forest, in Yavapai
12 County, Arizona, generally depicted as “Coconino
13 National Forest Parcels ‘Federal Land’” on the
14 map.

15 (3) MAP.—The term “map” means the map en-
16 titled “Cottonwood Land Exchange”, with the revi-
17 sion date July 5, 2018\Version 1.

18 (4) NON-FEDERAL LAND.—The term “non-Fed-
19 eral land” means the approximately 369 acres of
20 land in Yavapai County, Arizona, generally depicted
21 as “Yavapai County Parcels ‘Non-Federal Land’”
22 on the map.

23 (5) SECRETARY.—The term “Secretary” means
24 the Secretary of Agriculture, unless otherwise speci-
25 fied.

1 **SEC. 3. LAND EXCHANGE.**

2 (a) IN GENERAL.—If the County offers to convey to
3 the Secretary all right, title, and interest of the County
4 in and to the non-Federal land, the Secretary shall accept
5 the offer and simultaneously convey to the County all
6 right, title, and interest of the United States to the Fed-
7 eral land.

8 (b) LAND TITLE.—Title to the non-Federal land con-
9 veyed to the Secretary under this Act shall be acceptable
10 to the Secretary and shall conform to the title approval
11 standards of the Attorney General of the United States
12 applicable to land acquisitions by the Federal Government.

13 (c) EXCHANGE COSTS.—The County shall pay for all
14 land survey, appraisal, and other costs to the Secretary
15 as may be necessary to process and consummate the ex-
16 change under this Act, including reimbursement to the
17 Secretary, if the Secretary so requests, for staff time spent
18 in such processing and consummation.

19 **SEC. 4. EQUAL VALUE EXCHANGE AND APPRAISALS.**

20 (a) APPRAISALS.—The values of the lands to be ex-
21 changed under this Act shall be determined by the Sec-
22 retary through appraisals performed in accordance with—

23 (1) the Uniform Appraisal Standards for Fed-
24 eral Land Acquisitions;

25 (2) the Uniform Standards of Professional Ap-
26 praisal Practice;

1 (3) appraisal instructions issued by the Sec-
2 retary; and

3 (4) shall be performed by an appraiser mutually
4 agreed to by the Secretary and the County.

5 (b) EQUAL VALUE EXCHANGE.—The values of the
6 Federal and non-Federal land parcels exchanged shall be
7 equal, or if they are not equal, shall be equalized as fol-
8 lows:

9 (1) SURPLUS OF FEDERAL LAND VALUE.—If
10 the final appraised value of the Federal land exceeds
11 the final appraised value of the non-Federal land,
12 the County shall make a cash equalization payment
13 to the United States as necessary to achieve equal
14 value, including, if necessary, an amount in excess of
15 that authorized pursuant to section 206(b) of the
16 Federal Land Policy and Management Act of 1976
17 (43 U.S.C. 1716(b)).

18 (2) USE OF FUNDS.—Any cash equalization
19 moneys received by the Secretary under paragraph
20 (1) shall be—

21 (A) deposited in the fund established under
22 Public Law 90–171 (commonly known as the
23 “Sisk Act”; 16 U.S.C. 484a); and

1 (B) made available to the Secretary for the
2 acquisition of land or interests in land in Re-
3 gion 3 of the Forest Service.

4 (3) SURPLUS OF NON-FEDERAL LAND VALUE.—

5 If the final appraised value of the non-Federal land
6 exceeds the final appraised value of the Federal
7 land, the United States shall not make a cash
8 equalization payment to the County, and surplus
9 value of the non-Federal land shall be considered a
10 donation by the County to the United States for all
11 purposes of law.

12 **SEC. 5. WITHDRAWAL PROVISIONS.**

13 Lands acquired by the Secretary under this Act are,
14 upon such acquisition, automatically and permanently
15 withdrawn from all forms of appropriation and disposal
16 under the public land laws (including the mining and min-
17 eral leasing laws) and the Geothermal Steam Act of 1930
18 (30 U.S.C. 1001 et seq.).

19 **SEC. 6. MANAGEMENT OF LAND.**

20 Land acquired by the Secretary under this Act shall
21 become part of the Coconino National Forest and be man-
22 aged in accordance with the laws, rules, and regulations
23 applicable to the National Forest System.

1 **SEC. 7. MAPS, ESTIMATES, AND DESCRIPTIONS.**

2 (a) **MINOR ERRORS.**—The Secretary and the County
3 may, by mutual agreement—

4 (1) make minor boundary adjustments to the
5 Federal and non-Federal lands involved in the ex-
6 change; and

7 (2) correct any minor errors in any map, acre-
8 age estimate, or description of any land to be ex-
9 changed.

10 (b) **CONFLICT.**—If there is a conflict between a map,
11 an acreage estimate, or a description of land under this
12 Act, the map shall control unless the Secretary and the
13 County mutually agree otherwise.

14 (c) **AVAILABILITY.**—The Secretary shall file and
15 make available for public inspection in the headquarters
16 of the Coconino National Forest a copy of all maps re-
17 ferred to in this Act.

Passed the House of Representatives November 13,
2018.

Attest:

KAREN L. HAAS,

Clerk.