

Calendar No. 80

115TH CONGRESS
1ST SESSION**S. 131**

To provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2017

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MAY 16, 2017

Reported by Ms. MURKOWSKI, with an amendment

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

A BILL

To provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, 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 “Alaska Mental Health
5 Trust Land Exchange Act of 2017”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to facilitate, authorize, di-
 3 rect, and expedite the exchange of land between the Alaska
 4 Mental Health Trust and the Secretary of Agriculture in
 5 accordance with this Act—

6 (1) to preserve the scenic and visual backdrops
 7 of southeastern Alaska communities, while creating
 8 jobs and economic opportunities in more remote
 9 areas of the State;

10 (2) to secure Federal ownership and protection
 11 of non-Federal land in the State that has significant
 12 natural, scenic, recreational, and other public values;
 13 and

14 (3) to contribute to the goals and objectives of
 15 the Alaska Mental Health Trust.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) **ALASKA MENTAL HEALTH TRUST.**—The
 19 term “Alaska Mental Health Trust” means the Alas-
 20 ka Mental Health Trust Authority, an agency of the
 21 State.

22 (2) **FEDERAL LAND.**—The term “Federal land”
 23 means the following 7 parcels of National Forest
 24 System land, as generally depicted on maps 7
 25 through 9, comprising a total of approximately
 26 20,580 acres.

1 (A) The parcel generally depicted as
 2 “Naukati Phase 1” on map 8, comprising ap-
 3 proximately 2,400 acres.

4 (B) The parcel generally depicted as “West
 5 Naukati” on map 8, comprising approximately
 6 4,182 acres.

7 (C) The parcel generally depicted as
 8 “North Naukati” on map 8, comprising ap-
 9 proximately 1,311 acres.

10 (D) The parcel generally depicted as “East
 11 Naukati/2016 Naukati addition” on map 8,
 12 comprising approximately 1,067 acres.

13 (E) The parcel generally depicted as “Cen-
 14 tral Naukati” on map 8, comprising approxi-
 15 mately 1,858 acres.

16 (F) The parcel generally depicted as “Hol-
 17 lis” on map 9, comprising approximately 1,538
 18 acres.

19 (G) The parcel generally depicted as “Shel-
 20 ter Cove Area” on map 7, comprising approxi-
 21 mately 8,224 acres.

22 (3) MAP.—The term “map” means the applica-
 23 ble map prepared by the Alaska Region of the For-
 24 est Service entitled “Alaska Mental Health Trust
 25 Act of 2016”—

1 (A) numbered 1, 2, 3, 4, 5, 6, 7, or 9 and
2 dated September 19, 2016; or

3 (B) numbered 8 and dated November 28,
4 2016.

5 (4) NON-FEDERAL LAND.—The term “non-Fed-
6 eral land” means the following 20 parcels of non-
7 Federal land, as generally depicted on maps 1
8 through 6, comprising a total of approximately
9 17,341 acres:

10 (A) The parcel generally depicted as parcel
11 K-1 on map 1, comprising approximately 1,878
12 acres.

13 (B) The parcel generally depicted as parcel
14 K-2 on map 1, comprising approximately 707
15 acres.

16 (C) The parcel generally depicted as parcel
17 K-3 on map 1, comprising approximately 901
18 acres, including the 12-acre conservation ease-
19 ment described in section 4(e)(1).

20 (D) The parcel generally depicted as parcel
21 K-4A on map 1, comprising approximately
22 3,180 acres.

23 (E) The parcel generally depicted as parcel
24 P-1A on map 2, comprising approximately

1 3,174 acres, including the administrative site
2 described in section 5(c).

3 (F) The parcel generally depicted as parcel
4 P-1B on map 2, comprising approximately 144
5 acres.

6 (G) The parcel generally depicted as parcel
7 P-2B on map 2, comprising approximately 181
8 acres.

9 (H) The parcel generally depicted as parcel
10 P-3B on map 2, comprising approximately 92
11 acres.

12 (I) The parcel generally depicted as parcel
13 P-4 on map 2, comprising approximately 280
14 acres.

15 (J) The parcel generally depicted as parcel
16 W-1 on map 3, comprising approximately 204
17 acres.

18 (K) The parcel generally depicted as parcel
19 W-2 on map 3, comprising approximately 104
20 acres.

21 (L) The parcel generally depicted as parcel
22 W-3 on map 3, comprising approximately 63
23 acres.

1 (M) The parcel generally depicted as parcel
2 W-4 on map 3, comprising approximately 700
3 acres.

4 (N) The parcel generally depicted as parcel
5 S-1 on map 4, comprising approximately 2,456
6 acres.

7 (O) The parcel generally depicted as parcel
8 S-2 on map 4, comprising approximately 284
9 acres.

10 (P) The parcel generally depicted as parcel
11 S-3 on map 4, comprising approximately 109
12 acres.

13 (Q) The parcel generally depicted as parcel
14 S-4 on map 4, comprising approximately 26
15 acres.

16 (R) The parcel generally depicted as parcel
17 MC-1 on map 5, comprising approximately 169
18 acres.

19 (S) The parcel generally depicted as parcel
20 J-1B on map 6, comprising approximately
21 2,261 acres.

22 (T) The parcel generally depicted as parcel
23 J-1A on map 6, comprising approximately 428
24 acres.

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

3 **SEC. 4. LAND EXCHANGE.**

4 ~~(a) IN GENERAL.—If the Alaska Mental Health~~
 5 ~~Trust offers to convey to the Secretary, in the 2 phases~~
 6 ~~described in subsection (n), all right, title, and interest~~
 7 ~~of the Alaska Mental Health Trust in and to the non-Fed-~~
 8 ~~eral land, the Secretary shall simultaneously convey to the~~
 9 ~~Alaska Mental Health Trust, in the 2 phases described~~
 10 ~~in subsection (n), all right, title, and interest of the United~~
 11 ~~States in and to the Federal land.~~

12 ~~(b) CONDITION ON ACCEPTANCE.—Title to any non-~~
 13 ~~Federal land conveyed by the Alaska Mental Health Trust~~
 14 ~~to the Secretary under subsection (a) shall be in a form~~
 15 ~~that is acceptable to the Secretary.~~

16 ~~(c) VALID EXISTING RIGHTS.—Unless otherwise~~
 17 ~~agreed to by the Secretary and the Alaska Mental Health~~
 18 ~~Trust, the conveyances under subsection (a) shall be sub-~~
 19 ~~ject to any valid existing rights, reservations, rights-of-~~
 20 ~~way, or other encumbrances of third parties in, to, or on~~
 21 ~~the Federal land and the non-Federal land as of the date~~
 22 ~~of enactment of this Act.~~

23 ~~(d) RECIPROCAL ROAD EASEMENTS.—~~

24 ~~(1) IN GENERAL.—In conveying the Federal~~
 25 ~~land and the non-Federal land under subsection (a),~~

1 the Secretary and the Alaska Mental Health Trust
 2 shall exchange at no cost reciprocal easements on ex-
 3 isting roads as necessary to access the parcels each
 4 party acquires in the exchange.

5 (2) PUBLIC ACCESS.—The reciprocal easements
 6 exchanged under paragraph (1) shall provide for
 7 public access.

8 (3) COST-SHARE AGREEMENT.—The Secretary
 9 and the Alaska Mental Health Trust may enter into
 10 a separate cost-share agreement to cover the cost of
 11 road maintenance with respect to the reciprocal
 12 easements exchanged under paragraph (1).

13 (c) ~~K-3~~ PARCEL LANDFILL BUFFER.—

14 (1) IN GENERAL.—As a condition of the ex-
 15 change under subsection (a), in conveying the parcel
 16 of non-Federal land described in section 3(4)(C) to
 17 the United States, the Alaska Mental Health Trust
 18 shall grant to the United States a 300-foot conserva-
 19 tion easement abutting that parcel along the inter-
 20 face of the parcel and the City of Ketchikan landfill
 21 (as in existence on the date of enactment of this
 22 Act), as generally depicted on map 1.

23 (2) DEVELOPMENT AND OWNERSHIP.—The
 24 conservation easement described in paragraph (1)

1 shall remain undeveloped and in the ownership of
 2 the Alaska Mental Health Trust.

3 ~~(3) EQUALIZATION.~~—The value of the conserva-
 4 tion easement described in paragraph (1) shall be in-
 5 cluded in the value of the non-Federal land for pur-
 6 poses of equalizing the values of the Federal land
 7 and the non-Federal land under subsection (j).

8 ~~(f) RESEARCH EASEMENTS.~~—

9 ~~(1) IN GENERAL.~~—In order to allow time for
 10 the completion of research activities of the Forest
 11 Service that are ongoing as of the date of enactment
 12 of this Act, in conveying the Federal land to the
 13 Alaska Mental Health Trust under subsection (a),
 14 the Secretary shall reserve research easements for
 15 the following Forest Service study plots (as in exist-
 16 ence on the date of enactment of this Act):

17 (A) The Sarkar research easement study
 18 plot on the parcel of Federal land described in
 19 section 3(2)(B), as generally depicted on map
 20 8, to remain in effect for the 10-year period be-
 21 ginning on the date of enactment of this Act.

22 (B) The Naukati commercial thinning
 23 study plot on the parcel of Federal land de-
 24 scribed in section 3(2)(B), as generally depicted
 25 on map 8, to remain in effect for the 15-year

1 period beginning on the date of enactment of
2 this Act.

3 (C) The POW Yatak study plot on the
4 parcel of Federal land described in section
5 3(2)(A), as generally depicted on map 8, to re-
6 main in effect for the 10-year period beginning
7 on the date of enactment of this Act.

8 (D) The POW Naukati study plot on the
9 parcel of Federal land described in section
10 3(2)(D), as generally depicted on map 8, to re-
11 main in effect for the 10-year period beginning
12 on the date of enactment of this Act.

13 (E) The Revilla George study plot on the
14 parcel of Federal land described in section
15 3(2)(G), as generally depicted on map 8, to re-
16 main in effect for the 10-year period beginning
17 on the date of enactment of this Act.

18 (2) PROHIBITED ACTIVITIES.—The Alaska
19 Mental Health Trust shall not construct any new
20 road or harvest timber on any study plot covered by
21 a research easement described in paragraph (1) dur-
22 ing the period described in subparagraph (A), (B),
23 (C), (D), or (E) of that paragraph, as applicable.

24 (g) AREA OF KARST CONCERN.—

1 ~~(1) IN GENERAL.—~~In conveying the parcels of
 2 Federal land described in subparagraphs (A) and
 3 ~~(D)~~ of section 3(2) to the Alaska Mental Health
 4 Trust under subsection (a), the Secretary shall re-
 5 serve to the United States a conservation easement
 6 that shall protect the aquatic and riparian habitat
 7 within the area labeled “Conservation Easement”, as
 8 generally depicted on map 8.

9 ~~(2) PROHIBITED ACTIVITIES.—~~The conservation
 10 easement described in paragraph (1) shall prohibit
 11 within the area covered by the conservation ease-
 12 ment—

13 ~~(A) new road construction and timber har-~~
 14 ~~vest within 100 feet of any anadromous water~~
 15 ~~bodies (including underground water bodies);~~
 16 and

17 ~~(B) commercial mineral extraction.~~

18 ~~(h) COMPLIANCE WITH APPLICABLE LAW.—~~Prior to
 19 completing each phase of the land exchange described in
 20 subsection (n), the Secretary shall complete, for the land
 21 to be conveyed in the applicable phase, any necessary land
 22 surveys and required preexchange clearances, reviews,
 23 mitigation activities, and approvals relating to—

24 ~~(1) threatened and endangered species;~~

25 ~~(2) cultural and historic resources;~~

1 ~~(3)~~ wetland and floodplains; and

2 ~~(4)~~ hazardous materials.

3 ~~(i)~~ APPRAISALS.—

4 ~~(1)~~ IN GENERAL.—Not later than 90 days after
5 the date of enactment of this Act—

6 ~~(A)~~ the Secretary and the Alaska Mental
7 Health Trust shall select an appraiser to con-
8 duct appraisals of the Federal land and the
9 non-Federal land; and

10 ~~(B)~~ the Secretary shall issue all appraisal
11 instructions for those appraisals.

12 ~~(2)~~ REQUIREMENTS.—

13 ~~(A)~~ IN GENERAL.—All appraisals under
14 paragraph ~~(1)~~ shall be conducted in accordance
15 with nationally recognized appraisal standards;
16 including—

17 ~~(i)~~ the Uniform Appraisal Standards
18 for Federal Land Acquisitions; and

19 ~~(ii)~~ the Uniform Standards of Profes-
20 sional Appraisal Practice.

21 ~~(B)~~ FINAL APPRAISED VALUE.—

22 ~~(i)~~ IN GENERAL.—During the ~~3~~-year
23 period beginning on the date on which the
24 final appraised values of the Federal land
25 and the non-Federal land for each phase of

the exchange described in subsection (n) are approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised values of the Federal land and the non-Federal land.

(ii) EXCHANGE AGREEMENT.—Beginning on the date of entrance into an exchange agreement under subsection (a), no reappraisal or updates to the final appraised values of the Federal land and the non-Federal land approved by the Secretary shall be required.

(3) PUBLIC REVIEW.—Before completing each phase of the land exchange described in subsection (n), the Secretary shall make available for public review summaries of the appraisals of the Federal land and the non-Federal land for the applicable phase.

(j) EQUAL VALUE LAND EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under subsection (a) shall be—

(A) equal; or

(B) equalized in accordance with this subsection.

(2) SURPLUS OF FEDERAL LAND VALUE.—

1 (A) IN GENERAL.—If the final appraised
 2 value of the Federal land (after applying any
 3 cash equalization credit or debit from phase 1
 4 of the exchange under subsection (n)(2)) ex-
 5 ceeds the final appraised value of the non-Fed-
 6 eral land in phase 2 of the exchange, notwith-
 7 standing subsection (a), 1 or more parcels, or
 8 1 or more portions of parcels, of the Federal
 9 land, as determined by the Alaska Mental
 10 Health Trust after consultation with the Sec-
 11 retary, shall be removed from the conveyance to
 12 the Alaska Mental Health Trust by—

13 (i) removing parcels in accordance
 14 with subparagraph (B) until, to the max-
 15 imum extent practicable, approximate
 16 equal value is achieved; and

17 (ii) equalizing any remaining dif-
 18 ference in value in accordance with para-
 19 graph (4).

20 (B) ORDER OF PRIORITY.—Parcels shall
 21 be removed under subparagraph (A)(i) in the
 22 reverse order of the parcels described in sub-
 23 paragraphs (A) through (G) of section 3(2).

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

1 ~~(A) IN GENERAL.—~~If the final appraised
 2 value of the non-Federal land (after applying
 3 any cash equalization credit or debit from phase
 4 ~~1~~ of the exchange under subsection ~~(n)(2)~~) ex-
 5 ceeds the final appraised value of the Federal
 6 land in phase 2 of the exchange, notwith-
 7 standing subsection ~~(a)~~, ~~1~~ or more parcels, or
 8 ~~1~~ or more portions of parcels, of the non-Fed-
 9 eral land, as determined by the Alaska Mental
 10 Health Trust after consultation with the Sec-
 11 retary, shall be removed from the conveyance to
 12 the United States by—

13 ~~(i)~~ removing parcels in accordance
 14 with subparagraph ~~(B)~~ until, to the max-
 15 imum extent practicable, approximate
 16 equal value is achieved; and

17 ~~(ii)~~ equalizing any remaining dif-
 18 ference in value in accordance with para-
 19 graph ~~(4)~~.

20 ~~(B) ORDER OF PRIORITY.—~~Parcels shall
 21 be removed under subparagraph ~~(A)(i)~~ in the
 22 reverse order of the parcels, as described in
 23 subparagraphs ~~(A)~~ through ~~(T)~~ of section ~~3(4)~~.

24 ~~(C) WAIVER OF CASH EQUALIZATION.—~~In
 25 order to expedite completion of the exchange, if

1 the values of the Federal land and the non-Fed-
 2 eral land cannot be exactly equalized under this
 3 paragraph, the Alaska Mental Health Trust
 4 may, at its sole discretion, elect to waive any
 5 cash equalization payment that would otherwise
 6 be due from the United States under paragraph
 7 (4).

8 (4) REMAINING DIFFERENCE.—Any remaining
 9 difference in value shall be equalized under para-
 10 graph (2)(A)(ii) or (3)(A)(ii), as applicable, by—

11 (A) removal of a portion of a parcel of the
 12 Federal land or the non-Federal land, as appli-
 13 cable, as determined by the Alaska Mental
 14 Health Trust after consultation with the Sec-
 15 retary;

16 (B) the payment of a cash equalization, as
 17 necessary, by the Secretary or the Alaska Men-
 18 tal Health Trust, as appropriate, in accordance
 19 with section 206(b) of the Federal Land Policy
 20 and Management Act of 1976 (43 U.S.C.
 21 1716(b)); or

22 (C) a combination of the methods de-
 23 scribed in subparagraphs (A) and (B), as deter-
 24 mined by the Alaska Mental Health Trust after
 25 consultation with the Secretary.

1 (k) COSTS.—As a condition of the land exchange
 2 under this Act, the Alaska Mental Health Trust shall
 3 agree to pay, without compensation, all costs that are as-
 4 sociated with each phase of the exchange described in sub-
 5 section (n), including—

6 (1) all costs to complete the land surveys, ap-
 7 praisals, and environmental reviews described in sub-
 8 section (h) such that the exchange may be completed
 9 in accordance with the deadlines described in sub-
 10 section (n); and

11 (2) on request of the Secretary, reimbursement
 12 of costs for agency staff, additional agency staff, or
 13 third-party contractors appropriate such that the ex-
 14 change may be completed in accordance with the
 15 deadlines described in subsection (n).

16 (l) LAND SURVEYS, APPROVALS, USES.—

17 (1) SURVEY INSTRUCTIONS.—Not later than 90
 18 days after the date of enactment of this Act, the
 19 Secretary of the Interior shall issue survey instruc-
 20 tions to assist in the timely completion of all land
 21 surveys necessary to complete the land exchange
 22 under subsection (a) in accordance with the dead-
 23 lines described in subsection (n).

24 (2) SURVEYS.—Unless otherwise agreed to by
 25 the Secretary and the Alaska Mental Health Trust,

1 after consultation with the Secretary of the Interior;
2 land surveys shall not be required for—

3 ~~(A)~~ any portion of the boundaries of the
4 non-Federal land that is contiguous to—

5 (i) National Forest System land, as in
6 existence on the date of enactment of this
7 Act; or

8 (ii) land that has been surveyed or
9 lotted as of the date of enactment of this
10 Act;

11 ~~(B)~~ any portion of the boundaries of the
12 Federal land that is contiguous to—

13 (i) land owned as of the date of enact-
14 ment of this Act by—

15 ~~(I)~~ the Alaska Mental Health
16 Trust; or

17 ~~(II)~~ the State; or

18 (ii) land that has been surveyed or
19 lotted as of the date of enactment of this
20 Act;

21 ~~(C)~~ any portion of the boundaries that the
22 Secretary and the Alaska Mental Health Trust
23 agree, after consultation with the Secretary of
24 the Interior, is adequately defined by a survey;

1 mapping; or aliquot part; or other legal descrip-
 2 tion; and

3 ~~(D)~~ any portion of the boundaries of the
 4 non-Federal land that—

5 (i) the United States tentatively con-
 6 veyed to the State without survey;

7 (ii) is being reconveyed to the United
 8 States in the land exchange under sub-
 9 section (a); and

10 (iii) is not surveyed as of the date of
 11 enactment of this Act.

12 ~~(3) USE OF LAND.—Any Federal land or non-~~
 13 Federal land that is conveyed to the Alaska Mental
 14 Health Trust or the United States under subsection
 15 (a) shall, on the conveyance—

16 (A) become the property of the party to
 17 which the land is conveyed; and

18 (B) be available to the party to which the
 19 land is conveyed for all uses permitted under
 20 applicable laws (including regulations).

21 ~~(m) PARCEL ADJUSTMENT.—If a portion of a parcel~~
 22 of the Federal land or the non-Federal land to be conveyed
 23 under subsection (a) cannot be conveyed due to the pres-
 24 ence of hazardous materials—

1 (1) the portion shall be removed from the ex-
2 change; and

3 (2) the final exchange values shall be equalized
4 in accordance with subsection (j).

5 (n) LAND EXCHANGE PHASES.—

6 (1) IN GENERAL.—The land exchange under
7 subsection (a) shall be completed in 2 phases; as de-
8 scribed in paragraphs (2) and (3).

9 (2) PHASE 1.—

10 (A) IN GENERAL.—Subject to subpara-
11 graph (B) and subsection (j), not later than 1
12 year after the date of enactment of this Act—

13 (i) the Secretary shall convey to the
14 Alaska Mental Health Trust the parcel of
15 Federal land described in section 3(2)(A);
16 and

17 (ii) the Alaska Mental Health Trust
18 shall convey to the United States the par-
19 cels of non-Federal land described in sub-
20 paragraphs (A) and (B) of section 3(4).

21 (B) CONDITIONS.—Subparagraph (A) shall
22 be subject to the following conditions:

23 (i) The land conveyed under this sub-
24 paragraph shall be appraised—

1 (I) separately from the land de-
2 scribed in paragraph (3); but

3 (II) in accordance with the na-
4 tionally recognized appraisal stand-
5 ards described in subsection (i)(2)(A).

6 (ii) Any cash equalization payment
7 that would otherwise be necessary to be
8 paid by the Secretary or the Alaska Mental
9 Health Trust on the completion of the con-
10 veyance under this paragraph shall be—

11 (I) deferred until the completion
12 of the conveyance under paragraph
13 (3); and

14 (II) debited or credited, as appro-
15 priate, to any final land or cash
16 equalization that may be due from ei-
17 ther party on the completion of the
18 conveyance under paragraph (3).

19 (3) PHASE 2.—Subject to subsection (j), not
20 later than 2 years after the date of enactment of
21 this Act—

22 (A) the Secretary shall convey to the Alas-
23 ka Mental Health Trust the Federal land de-
24 scribed in subparagraphs (B) through (G) of
25 section 3(2); and

1 ~~(B)~~ the Alaska Mental Health Trust shall
 2 convey to the United States the non-Federal
 3 land described in subparagraphs ~~(C)~~ through
 4 ~~(T)~~ of section 3(4).

5 **SEC. 5. MANAGEMENT OF NON-FEDERAL LAND.**

6 ~~(a)~~ IN GENERAL.—On acquisition of the non-Federal
 7 land by the Secretary under this Act, the non-Federal land
 8 shall—

9 ~~(1)~~ become part of the Tongass National For-
 10 est;

11 ~~(2)~~ be administered in accordance with the laws
 12 applicable to the National Forest System; and

13 ~~(3)~~ be managed to protect the scenic value of
 14 the non-Federal land.

15 ~~(b)~~ BOUNDARY REVISION.—On acquisition of the
 16 non-Federal land by the Secretary under this Act, the
 17 boundaries of the Tongass National Forest shall be modi-
 18 fied to reflect the inclusion of the non-Federal land.

19 ~~(c)~~ ADMINISTRATIVE SITE.—On acquisition of the
 20 parcel of non-Federal land described in section 3(4)(E),
 21 the Secretary shall set aside 42 acres of the parcel, in the
 22 location generally depicted on map 2, as an administrative
 23 site for purposes of the future administrative needs of the
 24 Tongass National Forest.

1 **SEC. 6. WITHDRAWAL.**

2 Subject to valid existing rights, the non-Federal land
3 acquired by the Secretary under this Act shall be with-
4 drawn from all forms of—

5 (1) entry, appropriation, or disposal under the
6 public land laws;

7 (2) location, entry, and patent under the mining
8 laws; and

9 (3) disposition under the mineral leasing, min-
10 eral materials, and geothermal leasing laws.

11 **SEC. 7. MISCELLANEOUS PROVISIONS.**

12 (a) **REVOCATION OF ORDERS; WITHDRAWAL.—**

13 (1) **REVOCATION OF ORDERS.**—Any public land
14 order or administrative action that withdraws the
15 Federal land from appropriation or disposal under a
16 public land law shall be revoked to the extent nec-
17 essary to permit the conveyance of the Federal land.

18 (2) **WITHDRAWAL.—**

19 (A) **IN GENERAL.**—If the Federal land or
20 any Federal interest in the non-Federal land is
21 not withdrawn or segregated from entry and
22 appropriation under a public land law (includ-
23 ing logging and mineral leasing laws and the
24 Geothermal Steam Act of 1970 (30 U.S.C.
25 1001 et seq.)) as of the date of enactment of
26 this Act, the Federal land or Federal interest in

1 the non-Federal land shall be withdrawn, with-
 2 out further action by the Secretary, from entry
 3 and appropriation.

4 (B) TERMINATION.—The withdrawal
 5 under subparagraph (A) shall be terminated—

6 (i) on the date of the completion of
 7 the phase of the land exchange described
 8 in section 4(n) covering the applicable Fed-
 9 eral land; or

10 (ii) if the Alaska Mental Health Trust
 11 notifies the Secretary in writing that the
 12 Alaska Mental Health Trust elects to with-
 13 draw from the land exchange under section
 14 206(d) of the Federal Land Policy and
 15 Management Act of 1976 (43 U.S.C.
 16 1716(d)), on the date on which the Sec-
 17 retary receives the notice of the election.

18 (b) MAPS, ESTIMATES, DESCRIPTIONS.—

19 (1) MINOR ERRORS.—The Secretary and the
 20 Alaska Mental Health Trust, by mutual agreement,
 21 may correct minor errors in any map, acreage esti-
 22 mate, or description of any land conveyed or ex-
 23 changed under this Act.

24 (2) CONFLICT.—If there is a conflict between a
 25 map, acreage estimate, or description of land in this

1 Act, the map shall be given effect unless the Sec-
 2 retary and the Alaska Mental Health Trust mutually
 3 agree otherwise.

4 ~~(3) AVAILABILITY.—~~On the date of enactment
 5 of this Act, the Secretary shall file and make avail-
 6 able for public inspection in the office of the Super-
 7 visor of the Tongass National Forest each map.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Alaska Mental Health*
 10 *Trust Land Exchange Act of 2017”.*

11 **SEC. 2. PURPOSE.**

12 *The purpose of this Act is to facilitate and expedite*
 13 *the exchange of land between the Alaska Mental Health*
 14 *Trust and the Secretary of Agriculture in accordance with*
 15 *this Act—*

16 *(1) to secure Federal ownership and protection of*
 17 *non-Federal land in the State of Alaska that has sig-*
 18 *nificant natural, scenic, watershed, recreational, wild-*
 19 *life, and other public values by—*

20 *(A) retaining the undeveloped natural char-*
 21 *acter of the non-Federal land; and*

22 *(B) preserving recreational trails for hiking,*
 23 *biking, and skiing;*

1 (2) *to create jobs and provide economic opportu-*
 2 *nities for resource use in more remote areas of the*
 3 *State; and*

4 (3) *to facilitate the goals and objectives of the*
 5 *Alaska Mental Health Trust.*

6 **SEC. 3. DEFINITIONS.**

7 *In this Act:*

8 (1) *ALASKA MENTAL HEALTH TRUST.*—*The term*
 9 *“Alaska Mental Health Trust” means the Alaska*
 10 *Mental Health Trust Authority, an agency of the*
 11 *State.*

12 (2) *FEDERAL LAND.*—*The term “Federal land”*
 13 *means the following 7 parcels of National Forest Sys-*
 14 *tem land, as generally depicted on maps 7 through 9,*
 15 *comprising a total of approximately 20,580 acres:*

16 (A) *The parcel generally depicted as*
 17 *“Naukati Phase 1” on map 8, comprising ap-*
 18 *proximately 2,400 acres.*

19 (B) *The parcel generally depicted as “West*
 20 *Naukati” on map 8, comprising approximately*
 21 *4,182 acres.*

22 (C) *The parcel generally depicted as “North*
 23 *Naukati” on map 8, comprising approximately*
 24 *1,311 acres.*

1 (D) The parcel generally depicted as “East
2 Naukati/2016 Naukati addition” on map 8, com-
3 prising approximately 1,067 acres.

4 (E) The parcel generally depicted as “Cen-
5 tral Naukati” on map 8, comprising approxi-
6 mately 1,858 acres.

7 (F) The parcel generally depicted as “Hol-
8 lis” on map 9, comprising approximately 1,538
9 acres.

10 (G) The parcel generally depicted as “Shel-
11 ter Cove Area” on map 7, comprising approxi-
12 mately 8,224 acres.

13 (3) MAP.—The term “map” means the applica-
14 ble map prepared by the Alaska Region of the Forest
15 Service to accompany this Act—

16 (A) numbered 1, 2, 3, 4, 5, 6, 7, 8, or 9 and
17 dated March 3, 2017; or

18 (B) numbered 10 and dated March 9, 2017.

19 (4) NON-FEDERAL LAND.—The term “non-Fed-
20 eral land” means the following 20 parcels of non-Fed-
21 eral land, as generally depicted on maps 1 through 6
22 and map 10, comprising a total of approximately
23 18,258 acres:

1 (A) The parcel generally depicted as parcel
2 K-1 on map 1, comprising approximately 1,878
3 acres.

4 (B) The parcel generally depicted as parcel
5 K-2 on map 1, comprising approximately 707
6 acres.

7 (C) The parcel generally depicted as parcel
8 K-3 on map 1, comprising approximately 901
9 acres, including the 12-acre conservation ease-
10 ment described in section 4(e)(1).

11 (D) The parcel generally depicted as parcel
12 K-4A on map 1, comprising approximately
13 3,180 acres.

14 (E) The parcel generally depicted as parcel
15 P-1A on map 2, comprising approximately
16 3,174 acres, including the administrative site de-
17 scribed in section 5(c).

18 (F) The parcel generally depicted as parcel
19 P-1B on map 2, comprising approximately 144
20 acres.

21 (G) The parcel generally depicted as parcel
22 P-2B on map 2, comprising approximately 181
23 acres.

1 (H) The parcel generally depicted as parcel
2 P-3B on map 2, comprising approximately 92
3 acres.

4 (I) The parcel generally depicted as parcel
5 P-4 on map 2, comprising approximately 280
6 acres.

7 (J) The parcel generally depicted as parcel
8 W-1 on map 3, comprising approximately 204
9 acres.

10 (K) The parcel generally depicted as parcel
11 W-2 on map 3, comprising approximately 104
12 acres.

13 (L) The parcel generally depicted as parcel
14 W-3 on map 3, comprising approximately 63
15 acres.

16 (M) The parcel generally depicted as parcel
17 W-4 on map 3, comprising approximately 700
18 acres.

19 (N) The parcel generally depicted as parcel
20 S-2 on map 4, comprising approximately 284
21 acres.

22 (O) The parcel generally depicted as parcel
23 S-3 on map 4, comprising approximately 109
24 acres.

1 (P) *The parcel generally depicted as parcel*
 2 *S-4 on map 4, comprising approximately 26*
 3 *acres.*

4 (Q) *The parcel generally depicted as parcel*
 5 *MC-1 on map 5, comprising approximately 169*
 6 *acres.*

7 (R) *The parcel generally depicted as parcel*
 8 *J-1B on map 6, comprising approximately*
 9 *2,261 acres.*

10 (S) *The parcel generally depicted as parcel*
 11 *J-1A on map 6, comprising approximately 428*
 12 *acres.*

13 (T) *The parcel generally depicted as parcel*
 14 *NB-1 on map 10, comprising approximately*
 15 *3,374 acres.*

16 (5) *SECRETARY.—The term “Secretary” means*
 17 *the Secretary of Agriculture.*

18 (6) *STATE.—The term “State” means the State*
 19 *of Alaska.*

20 **SEC. 4. LAND EXCHANGE.**

21 (a) *IN GENERAL.—If the Alaska Mental Health Trust*
 22 *offers to convey to the Secretary, in the 2 phases described*
 23 *in subsection (n), all right, title, and interest of the Alaska*
 24 *Mental Health Trust in and to the non-Federal land, the*
 25 *Secretary shall—*

1 (1) *accept the offer; and*

2 (2) *offer to exchange with the Alaska Mental*
 3 *Health Trust, in the 2 phases described in subsection*
 4 *(n), all right, title, and interest of the United States*
 5 *in and to the Federal land.*

6 (b) *CONDITION ON ACCEPTANCE.—Title to any non-*
 7 *Federal land conveyed by the Alaska Mental Health Trust*
 8 *to the Secretary under subsection (a) shall be in a form*
 9 *that is acceptable to the Secretary.*

10 (c) *VALID EXISTING RIGHTS.—The conveyances under*
 11 *subsection (a) shall be subject to any valid existing rights,*
 12 *reservations, rights-of-way, or other encumbrances of third*
 13 *parties in, to, or on the Federal land and the non-Federal*
 14 *land as of the date of enactment of this Act.*

15 (d) *RECIPROCAL ROAD EASEMENTS.—*

16 (1) *IN GENERAL.—The Secretary and the Alaska*
 17 *Mental Health Trust shall exchange at no cost recip-*
 18 *rocal easements on existing roads as necessary to ac-*
 19 *cess the parcels each party acquires in the exchange.*

20 (2) *PUBLIC ACCESS.—The reciprocal easements*
 21 *exchanged under paragraph (1) shall provide for pub-*
 22 *lic access.*

23 (3) *COST-SHARE AGREEMENT.—The Secretary*
 24 *and the Alaska Mental Health Trust may enter into*
 25 *a separate cost-share agreement to cover the cost of*

1 road maintenance with respect to the reciprocal ease-
 2 ments exchanged under paragraph (1).

3 (e) *K-3 PARCEL LANDFILL BUFFER.*—

4 (1) *IN GENERAL.*—As a condition of the exchange
 5 under subsection (a), in conveying the parcel of non-
 6 Federal land described in section 3(4)(C) to the
 7 United States, the Alaska Mental Health Trust shall
 8 grant to the United States a 300-foot conservation
 9 easement abutting that parcel along the interface of
 10 the parcel and the City of Ketchikan landfill (as in
 11 existence on the date of enactment of this Act), as gen-
 12 erally depicted on map 1.

13 (2) *DEVELOPMENT AND OWNERSHIP.*—The con-
 14 servation easement described in paragraph (1) shall
 15 provide that the land covered by the easement remains
 16 undeveloped and in the ownership of the Alaska Men-
 17 tal Health Trust.

18 (3) *EQUALIZATION.*—The value of the conserva-
 19 tion easement described in paragraph (1) shall be in-
 20 cluded in the value of the non-Federal land for pur-
 21 poses of equalizing the values of the Federal land and
 22 the non-Federal land under subsection (j).

23 (f) *RESEARCH EASEMENTS.*—

24 (1) *IN GENERAL.*—In order to allow time for the
 25 completion of research activities of the Forest Service

1 *that are ongoing as of the date of enactment of this*
2 *Act, in conveying the Federal land to the Alaska Men-*
3 *tal Health Trust under subsection (a), the Secretary*
4 *shall reserve research easements for the following For-*
5 *est Service study plots (as in existence on the date of*
6 *enactment of this Act):*

7 *(A) The Sarkar research easement study*
8 *plot on the parcel of Federal land described in*
9 *section 3(2)(B), as generally depicted on map 8,*
10 *to remain in effect for the 10-year period begin-*
11 *ning on the date of enactment of this Act.*

12 *(B) The Naukati commercial thinning*
13 *study plot on the parcel of Federal land de-*
14 *scribed in section 3(2)(B), as generally depicted*
15 *on map 8, to remain in effect for the 15-year pe-*
16 *riod beginning on the date of enactment of this*
17 *Act.*

18 *(C) The POW Yatuk study plot on the par-*
19 *cel of Federal land described in section 3(2)(A),*
20 *as generally depicted on map 8, to remain in ef-*
21 *fect for the 10-year period beginning on the date*
22 *of enactment of this Act.*

23 *(D) The POW Naukati study plot on the*
24 *parcel of Federal land described in section*
25 *3(2)(D), as generally depicted on map 8, to re-*

1 *main in effect for the 10-year period beginning*
 2 *on the date of enactment of this Act.*

3 *(E) The Revilla George study plot on the*
 4 *parcel of Federal land described in section*
 5 *3(2)(G), as generally depicted on map 8, to re-*
 6 *main in effect for the 10-year period beginning*
 7 *on the date of enactment of this Act.*

8 *(2) PROHIBITED ACTIVITIES.—The Alaska Men-*
 9 *tal Health Trust shall not construct any new road or*
 10 *harvest timber on any study plot covered by a re-*
 11 *search easement described in paragraph (1) during*
 12 *the period described in subparagraph (A), (B), (C),*
 13 *(D), or (E) of that paragraph, as applicable.*

14 *(g) AREA OF KARST CONCERN.—*

15 *(1) IN GENERAL.—In conveying the parcels of*
 16 *Federal land described in subparagraphs (A) and (D)*
 17 *of section 3(2) to the Alaska Mental Health Trust*
 18 *under subsection (a), the Secretary shall reserve to the*
 19 *United States a conservation easement that shall pro-*
 20 *tect the aquatic and riparian habitat within the area*
 21 *labeled “Conservation Easement”, as generally de-*
 22 *icted on map 8.*

23 *(2) PROHIBITED ACTIVITIES.—The conservation*
 24 *easement described in paragraph (1) shall prohibit*

1 *within the area covered by the conservation ease-*
 2 *ment—*

3 *(A) new road construction and timber har-*
 4 *vest within 100 feet of any anadromous water*
 5 *bodies (including underground water bodies);*
 6 *and*

7 *(B) commercial mineral extraction.*

8 *(h) COMPLIANCE WITH APPLICABLE LAW.—Prior to*
 9 *completing each phase of the land exchange described in*
 10 *subsection (n), the Secretary shall complete, for the land*
 11 *to be conveyed in the applicable phase, any necessary land*
 12 *surveys and required preexchange clearances, reviews, miti-*
 13 *gation activities, and approvals relating to—*

14 *(1) threatened and endangered species;*

15 *(2) cultural and historic resources;*

16 *(3) wetland and floodplains; and*

17 *(4) hazardous materials.*

18 *(i) APPRAISALS.—*

19 *(1) IN GENERAL.—Not later than 90 days after*
 20 *the date of enactment of this Act—*

21 *(A) the Secretary and the Alaska Mental*
 22 *Health Trust shall select an appraiser to conduct*
 23 *appraisals of the Federal land and the non-Fed-*
 24 *eral land; and*

1 (B) the Secretary shall issue all appraisal
2 instructions for those appraisals.

3 (2) *REQUIREMENTS.*—

4 (A) *IN GENERAL.*—All appraisals under
5 paragraph (1) shall be conducted in accordance
6 with nationally recognized appraisal standards,
7 including—

8 (i) the Uniform Appraisal Standards
9 for Federal Land Acquisitions; and

10 (ii) the Uniform Standards of Profes-
11 sional Appraisal Practice.

12 (B) *FINAL APPRAISED VALUE.*—

13 (i) *IN GENERAL.*—During the 3-year
14 period beginning on the date on which the
15 final appraised values of the Federal land
16 and the non-Federal land for each phase of
17 the exchange described in subsection (n) are
18 approved by the Secretary, the Secretary
19 shall not be required to reappraise or up-
20 date the final appraised values of the Fed-
21 eral land and the non-Federal land.

22 (ii) *EXCHANGE AGREEMENT.*—After
23 the date on which an agreement to exchange
24 the Federal land and non-Federal is entered
25 into under this Act, no reappraisal or up-

1 *dates to the final appraised values of the*
 2 *Federal land and the non-Federal land ap-*
 3 *proved by the Secretary shall be required.*

4 (3) *PUBLIC REVIEW.*—*Before completing each*
 5 *phase of the land exchange described in subsection*
 6 *(n), the Secretary shall make available for public re-*
 7 *view summaries of the appraisals of the Federal land*
 8 *and the non-Federal land for the applicable phase.*

9 (j) *EQUAL VALUE LAND EXCHANGE.*—

10 (1) *IN GENERAL.*—*The value of the Federal land*
 11 *and the non-Federal land to be exchanged under sub-*
 12 *section (a) shall be—*

13 (A) *equal; or*

14 (B) *equalized in accordance with this sub-*
 15 *section.*

16 (2) *SURPLUS OF FEDERAL LAND VALUE.*—

17 (A) *IN GENERAL.*—*If the final appraised*
 18 *value of the Federal land exceeds the final ap-*
 19 *praised value of the non-Federal land in phase*
 20 *2 of the exchange (after applying any cash*
 21 *equalization credit or debit from phase 1 of the*
 22 *exchange under subsection (n)(2)), the Federal*
 23 *land shall be adjusted by removing 1 or more*
 24 *parcels, or 1 or more portions of parcels, as de-*
 25 *termined by the Alaska Mental Health Trust,*

1 *with the concurrence of the Secretary, in accord-*
 2 *ance with subparagraph (B) until, to the max-*
 3 *imum extent practicable, approximate equal*
 4 *value of the Federal land and non-Federal land*
 5 *is achieved.*

6 *(B) ORDER OF PRIORITY.—The parcels of*
 7 *Federal land shall be removed under subpara-*
 8 *graph (A) in the reverse order in which the par-*
 9 *cels are listed in section 3(2), beginning with*
 10 *subparagraph (G).*

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

12 *(A) IN GENERAL.—If the final appraised*
 13 *value of the non-Federal land exceeds the final*
 14 *appraised value of the Federal land in phase 2*
 15 *of the exchange (after applying any cash equali-*
 16 *zation credit or debit from phase 1 of the ex-*
 17 *change under subsection (n)(2)), the non-Federal*
 18 *land shall be adjusted by removing 1 or more*
 19 *parcels, or 1 or more portions of parcels, as de-*
 20 *termined by the Alaska Mental Health Trust,*
 21 *with the concurrence of the Secretary, in accord-*
 22 *ance with subparagraph (B) until, to the max-*
 23 *imum extent practicable, approximate equal*
 24 *value of the Federal land and non-Federal land*
 25 *is achieved.*

1 (B) *ORDER OF PRIORITY.*—*The parcels of*
 2 *non-Federal land shall be removed under sub-*
 3 *paragraph (A) in the reverse order in which the*
 4 *parcels are listed in section 3(4), beginning with*
 5 *subparagraph (T).*

6 (C) *WAIVER OF CASH EQUALIZATION.*—*In*
 7 *order to expedite completion of the exchange, if*
 8 *the values of the Federal land and the non-Fed-*
 9 *eral land cannot be equalized under this para-*
 10 *graph, the Alaska Mental Health Trust may, at*
 11 *its sole discretion, elect to waive any cash equali-*
 12 *zation payment that would otherwise be due*
 13 *from the United States under paragraph (4).*

14 (4) *REMAINING DIFFERENCE.*—*Any remaining*
 15 *difference in value after adjusting the Federal land or*
 16 *non-Federal land under paragraph (2)(A) or (3)(A),*
 17 *respectively, shall be equalized by—*

18 (A) *removal of a portion of a parcel of the*
 19 *Federal land or the non-Federal land, as appli-*
 20 *cable, as determined by the Alaska Mental*
 21 *Health Trust, with the concurrence of the Sec-*
 22 *retary;*

23 (B) *the payment of a cash equalization, as*
 24 *necessary, by the Secretary or the Alaska Mental*
 25 *Health Trust, as appropriate, in accordance*

1 *with section 206(b) of the Federal Land Policy*
 2 *and Management Act of 1976 (43 U.S.C.*
 3 *1716(b)); or*

4 *(C) a combination of the methods described*
 5 *in subparagraphs (A) and (B), as determined by*
 6 *the Alaska Mental Health Trust, with the con-*
 7 *currence of the Secretary.*

8 *(k) COSTS.—As a condition of the land exchange under*
 9 *this Act, the Alaska Mental Health Trust shall agree to pay,*
 10 *without compensation, all costs that are associated with*
 11 *each phase of the exchange described in subsection (n), in-*
 12 *cluding—*

13 *(1) all costs to complete the land surveys, ap-*
 14 *praisals, and environmental reviews described in sub-*
 15 *section (h) such that the exchange may be completed*
 16 *in accordance with the deadlines described in sub-*
 17 *section (n); and*

18 *(2) on request of the Secretary, reimbursement of*
 19 *costs for agency staff, additional agency staff, or*
 20 *third-party contractors appropriate such that the ex-*
 21 *change may be completed in accordance with the*
 22 *deadlines described in subsection (n).*

23 *(l) LAND SURVEYS, APPROVALS, USES.—*

24 *(1) SURVEY INSTRUCTIONS.—Not later than 90*
 25 *days after the date of enactment of this Act, the Sec-*

1 *retary of the Interior shall issue survey instructions*
 2 *to assist in the timely completion of all land surveys*
 3 *necessary to complete the land exchange under sub-*
 4 *section (a) in accordance with the deadlines described*
 5 *in subsection (n).*

6 (2) *SURVEYS.—Unless otherwise agreed to by the*
 7 *Secretary and the Alaska Mental Health Trust, after*
 8 *consultation with the Secretary of the Interior, land*
 9 *surveys shall not be required for—*

10 (A) *any portion of the boundaries of the*
 11 *non-Federal land that is contiguous to—*

12 (i) *National Forest System land, as in*
 13 *existence on the date of enactment of this*
 14 *Act; or*

15 (ii) *land that has been surveyed or*
 16 *lotted as of the date of enactment of this*
 17 *Act;*

18 (B) *any portion of the boundaries of the*
 19 *Federal land that is contiguous to—*

20 (i) *land owned as of the date of enact-*
 21 *ment of this Act by—*

22 (I) *the Alaska Mental Health*
 23 *Trust; or*

24 (II) *the State; or*

1 (ii) land that has been surveyed or
 2 lotted as of the date of enactment of this
 3 Act;

4 (C) any portion of the boundaries that the
 5 Secretary and the Alaska Mental Health Trust
 6 agree, after consultation with the Secretary of
 7 the Interior, is adequately defined by a survey,
 8 mapping, or aliquot part, or other legal descrip-
 9 tion; and

10 (D) any portion of the boundaries of the
 11 non-Federal land that—

12 (i) the United States tentatively con-
 13 veyed to the State without survey;

14 (ii) is being reconveyed to the United
 15 States in the land exchange under sub-
 16 section (a); and

17 (iii) is not surveyed as of the date of
 18 enactment of this Act.

19 (m) *PARCEL ADJUSTMENT.*—If a portion of a parcel
 20 of the Federal land or the non-Federal land to be conveyed
 21 under subsection (a) cannot be conveyed due to the presence
 22 of hazardous materials—

23 (1) the portion shall be removed from the ex-
 24 change; and

1 (2) *the final exchange values shall be equalized*
 2 *in accordance with subsection (j).*

3 (n) *LAND EXCHANGE PHASES.—*

4 (1) *IN GENERAL.—The land exchange under sub-*
 5 *section (a) shall be completed in 2 phases, as specifi-*
 6 *cally described in paragraphs (2) and (3).*

7 (2) *PHASE 1.—*

8 (A) *IN GENERAL.—Subject to subparagraph*
 9 *(B), not later than 1 year after the date of enact-*
 10 *ment of this Act—*

11 (i) *the Secretary shall convey to the*
 12 *Alaska Mental Health Trust the parcel of*
 13 *Federal land described in section 3(2)(A);*
 14 *and*

15 (ii) *the Alaska Mental Health Trust*
 16 *shall simultaneously convey to the United*
 17 *States the parcels of non-Federal land de-*
 18 *scribed in subparagraphs (A) and (B) of*
 19 *section 3(4).*

20 (B) *CONDITIONS.—Subparagraph (A) shall*
 21 *be subject to the following conditions:*

22 (i) *The land conveyed under this sub-*
 23 *paragraph shall be appraised—*

24 (I) *separately from the land de-*
 25 *scribed in paragraph (3); but*

1 (II) in accordance with the na-
 2 tionally recognized appraisal stand-
 3 ards described in subsection (i)(2)(A).

4 (ii) Any cash equalization payment
 5 that would otherwise be necessary to be paid
 6 by the Secretary or the Alaska Mental
 7 Health Trust on the completion of the con-
 8 veyance under this paragraph shall be—

9 (I) deferred until the completion
 10 of the conveyance under paragraph (3);
 11 and

12 (II) debited or credited, as appro-
 13 priate, to any final land or cash
 14 equalization that may be due from ei-
 15 ther party on the completion of the
 16 conveyance under paragraph (3).

17 (3) *PHASE 2.*—Subject to subsection (j), not later
 18 than 2 years after the date of enactment of this Act—

19 (A) the Secretary shall convey to the Alaska
 20 Mental Health Trust the Federal land described
 21 in subparagraphs (B) through (G) of section
 22 3(2); and

23 (B) the Alaska Mental Health Trust shall
 24 simultaneously convey to the United States the

1 *non-Federal land described in subparagraphs (C)*
 2 *through (T) of section 3(4).*

3 **SEC. 5. USE OF THE FEDERAL LAND AND NON-FEDERAL**
 4 **LAND.**

5 *(a) FEDERAL LAND CONVEYED TO THE ALASKA MEN-*
 6 *TAL HEALTH TRUST.—On conveyance of the Federal land*
 7 *to the Alaska Mental Health Trust under this Act, the Fed-*
 8 *eral land shall—*

9 *(1) become the property of the Alaska Mental*
 10 *Health Trust; and*

11 *(2) be available for any use permitted under ap-*
 12 *plicable law (including regulations).*

13 *(b) NON-FEDERAL LAND ACQUIRED BY THE SEC-*
 14 *RETARY.—*

15 *(1) IN GENERAL.—On acquisition of the non-*
 16 *Federal land by the Secretary under this Act, the*
 17 *non-Federal land shall—*

18 *(A) become part of the Tongass National*
 19 *Forest;*

20 *(B) be administered in accordance with the*
 21 *laws applicable to the National Forest System;*
 22 *and*

23 *(C) be managed—*

24 *(i) to preserve—*

1 (I) *the undeveloped natural char-*
 2 *acter of the non-Federal land, except as*
 3 *provided in paragraph (3); and*

4 (II) *the wildlife, watershed, and*
 5 *scenic values of the non-Federal land;*
 6 *and*

7 (ii) *to provide for recreational oppor-*
 8 *tunities consistent with the purposes and*
 9 *values of the non-Federal land to be pre-*
 10 *served under clause (i), including the devel-*
 11 *opment or maintenance of recreational*
 12 *trails as described in paragraph (3).*

13 (2) *BOUNDARY REVISION.*—*On acquisition of the*
 14 *non-Federal land by the Secretary under this Act, the*
 15 *boundaries of the Tongass National Forest shall be*
 16 *modified to reflect the inclusion of the non-Federal*
 17 *land.*

18 (3) *RECREATIONAL TRAILS.*—*Nothing in this*
 19 *subsection precludes the development or maintenance*
 20 *of recreational trails for hiking, biking, or skiing.*

21 (c) *ADMINISTRATIVE SITE.*—*On acquisition of the par-*
 22 *cel of non-Federal land described in section 3(4)(E), the*
 23 *Secretary shall set aside 42 acres of the parcel, in the loca-*
 24 *tion generally depicted on map 2, as an administrative site*

1 *for purposes of the future administrative needs of the*
 2 *Tongass National Forest.*

3 **SEC. 6. WITHDRAWAL.**

4 *Subject to valid existing rights, the non-Federal land*
 5 *acquired by the Secretary under this Act shall be withdrawn*
 6 *from all forms of—*

7 *(1) entry, appropriation, or disposal under the*
 8 *public land laws;*

9 *(2) location, entry, and patent under the mining*
 10 *laws; and*

11 *(3) disposition under the mineral leasing, min-*
 12 *eral materials, and geothermal leasing laws.*

13 **SEC. 7. MISCELLANEOUS PROVISIONS.**

14 *(a) REVOCATION OF ORDERS; WITHDRAWAL.—*

15 *(1) REVOCATION OF ORDERS.—Any public land*
 16 *order or administrative action that withdraws the*
 17 *Federal land from appropriation or disposal under a*
 18 *public land law shall be revoked to the extent nec-*
 19 *essary to permit the conveyance of the Federal land.*

20 *(2) WITHDRAWAL.—*

21 *(A) IN GENERAL.—If the Federal land or*
 22 *any Federal interest in the non-Federal land is*
 23 *not withdrawn or segregated from entry and ap-*
 24 *propriation under a public land law (including*
 25 *logging and mineral leasing laws and the Geo-*

1 *thermal Steam Act of 1970 (30 U.S.C. 1001 et*
 2 *seq.)) as of the date of enactment of this Act, the*
 3 *Federal land or Federal interest in the non-Fed-*
 4 *eral land shall be withdrawn, without further ac-*
 5 *tion by the Secretary, from entry and appro-*
 6 *priation.*

7 (B) *TERMINATION.—The withdrawal under*
 8 *subparagraph (A) shall be terminated—*

9 (i) *on the date of the completion of the*
 10 *phase of the land exchange described in sec-*
 11 *tion 4(n) covering the applicable Federal*
 12 *land; or*

13 (ii) *if the Alaska Mental Health Trust*
 14 *notifies the Secretary in writing that the*
 15 *Alaska Mental Health Trust elects to with-*
 16 *draw from the land exchange under section*
 17 *206(d) of the Federal Land Policy and*
 18 *Management Act of 1976 (43 U.S.C.*
 19 *1716(d)), on the date on which the Sec-*
 20 *retary receives the notice of the election.*

21 (b) *MAPS, ESTIMATES, DESCRIPTIONS.—*

22 (1) *MINOR ERRORS.—The Secretary and the*
 23 *Alaska Mental Health Trust, by mutual agreement,*
 24 *may correct minor errors in any map, acreage esti-*

1 *mate, or description of any land conveyed or ex-*
2 *changed under this Act.*

3 (2) *CONFLICT.—If there is a conflict between a*
4 *map, acreage estimate, or description of land in this*
5 *Act, the map shall be given effect unless the Secretary*
6 *and the Alaska Mental Health Trust mutually agree*
7 *otherwise.*

8 (3) *AVAILABILITY.—On the date of enactment of*
9 *this Act, the Secretary shall file and make available*
10 *for public inspection in the office of the Supervisor of*
11 *the Tongass National Forest each map.*

Calendar No. 80

115TH CONGRESS
1ST Session

S. 131

A BILL

To provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes.

MAY 16, 2017

Reported with an amendment