

115TH CONGRESS
2D SESSION

S. 3634

To authorize, direct, expedite, and facilitate a land exchange in Bullhead City, Arizona, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2018

Mr. KYL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize, direct, expedite, and facilitate a land exchange in Bullhead City, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Black Mountain Range
5 and Bullhead City Land Exchange Act of 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CITY.—The term “City” means Bullhead
9 City, Arizona.

1 (2) NON-FEDERAL LAND.—The term “non-Fed-
2 eral Land” means the approximately 1,100 acres of
3 land owned by Bullhead City in the Black Mountain
4 Range generally depicted as “Bullhead City Land to
5 be Exchanged to BLM” on the Map.

6 (3) MAP.—The term “Map” means the map en-
7 titled “Bullhead City Land Exchange”, dated Au-
8 gust 24, 2018.

9 (4) FEDERAL LAND.—The term “Federal land”
10 means the approximately 345.2 acres of land in
11 Bullhead City, Arizona, generally depicted as “Fed-
12 eral Land to be exchanged to Bullhead City” on the
13 Map.

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of Interior.

16 **SEC. 3. LAND EXCHANGE.**

17 (a) IN GENERAL.—If after December 15, 2020, the
18 City offers to convey to the Secretary all right, title, and
19 interest of the City in and to the non-Federal land, the
20 Secretary shall accept the offer and simultaneously convey
21 to the City all right, title, and interest of the United States
22 in and to the Federal land.

23 (b) LAND TITLE.—Title to the non-Federal land con-
24 veyed to the Secretary under this Act shall be in a form
25 acceptable to the Secretary and shall conform to the title

1 approval standards of the Attorney General of the United
 2 States applicable to land acquisitions by the Federal Gov-
 3 ernment.

4 (c) EXCHANGE COSTS.—The City shall pay for all
 5 land survey, appraisal, and other costs to the Secretary
 6 as may be necessary to process and consummate the ex-
 7 change under this Act, including reimbursement to the
 8 Secretary, if the Secretary so requests, for staff time spent
 9 in such processing and consummation.

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

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

14 (1) the Uniform Appraisal Standards for Fed-
 15 eral Land Acquisitions;

16 (2) the Uniform Standards of Professional Ap-
 17 praisal Practice;

18 (3) appraisal instructions issued by the Sec-
 19 retary; and

20 (4) shall be performed by an appraiser mutually
 21 agreed to by the Secretary and the City.

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

1 (1) SURPLUS OF FEDERAL LAND VALUE.—If
2 the final appraised value of the Federal land exceeds
3 the final appraised value of the non-Federal land,
4 the City shall reduce the amount of land it is re-
5 questing from the Federal Government in order to
6 create an equal value in accordance with section
7 206(b) of the Federal Land Policy and Management
8 Act of 1976 (43 U.S.C. 1716(b)). Land that is not
9 exchanged because of equalization under this para-
10 graph shall remain subject to lease under the Recre-
11 ation and Public Purposes Act.

12 (2) USE OF FUNDS.—Any cash equalization
13 moneys received by the Secretary under paragraph
14 (1) shall be—

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

18 (B) made available to the Secretary for the
19 acquisition of land or interests in land in BLM
20 Arizona.

21 (3) SURPLUS OF NON-FEDERAL LAND VALUE.—
22 If the final appraised value of the non-Federal land
23 exceeds the final appraised value of the Federal
24 land, the United States shall not make a cash
25 equalization payment to the City, and surplus value

1 of the non-Federal land shall be considered a dona-
2 tion by the City to the United States for all pur-
3 poses of law.

4 **SEC. 5. WITHDRAWAL PROVISIONS.**

5 Lands acquired by the Secretary under this Act are,
6 upon such acquisition, automatically and permanently
7 withdrawn from all forms of appropriation and disposal
8 under the public land laws (including the mining and min-
9 eral leasing laws) and the Geothermal Steam Act of 1930
10 (30 U.S.C. 1001 et seq.).

11 **SEC. 6. MAPS, ESTIMATES, AND DESCRIPTIONS.**

12 (a) MINOR ERRORS.—The Secretary and the City
13 may, by mutual agreement—

14 (1) make minor boundary adjustments to the
15 Federal and non-Federal lands involved in the ex-
16 change; and

17 (2) correct any minor errors in any map, acre-
18 age estimate, or description of any land to be ex-
19 changed.

20 (b) CONFLICT.—If there is a conflict between a map,
21 an acreage estimate, or a description of land under this
22 Act, the map shall control unless the Secretary and the
23 City mutually agree otherwise.

24 (c) AVAILABILITY.—The Secretary shall file and
25 make available for public inspection in the Arizona head-

1 quarters of the Bureau of Land Management a copy of
2 all maps referred to in this Act.

3 **SEC. 7. EFFECT.**

4 The exchange of Federal land and non-Federal land
5 under this Act shall not constitute a major Federal action
6 for purposes of the National Environmental Policy Act of
7 1969 (42 U.S.C. 4321 et seq.).

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