

112TH CONGRESS  
1ST SESSION

# H. R. 281

To provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California to eliminate certain private inholdings in the Los Padres National Forest, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2011

Mr. GALLEGLY introduced the following bill; which was referred to the  
Committee on Natural Resources

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## A BILL

To provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California to eliminate certain private inholdings in the Los Padres National Forest, 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 “Los Padres National  
5 Forest Land Exchange Act”.

1 **SEC. 2. LAND EXCHANGE, LOS PADRES NATIONAL FOREST,**  
2 **CALIFORNIA.**

3 (a) LAND EXCHANGE.—In exchange for all right,  
4 title, and interest of the United Water Conservation Dis-  
5 trict of California (in this section referred to as the “Dis-  
6 trict”) in and to the lands described in subsection (b), the  
7 Secretary of Agriculture may convey to the District all  
8 right, title, and interest of the United States in and to  
9 the National Forest System lands described in subsection  
10 (c). The conveyance of National Forest System lands  
11 under this section shall be subject to valid existing rights  
12 and to such terms, conditions, and reservations as may  
13 be required by this section or considered necessary by the  
14 Secretary.

15 (b) LANDS TO BE CONVEYED BY DISTRICT.—The  
16 lands to be conveyed by the District under subsection (a)  
17 consist of approximately 340 acres located within township  
18 5 north, range 18 west, San Bernardino base and merid-  
19 ian and are more fully described as follows:

20 (1) “Tract A”—SE1/4NE1/4 of section 16 (ap-  
21 proximately 40 acres).

22 (2) “Tract B”—NE1/4SE1/4 of section 16 (ap-  
23 proximately 40 acres).

24 (3) “Tract C”—S1/2SE1/4 of section 16 (ap-  
25 proximately 80 acres).

1           (4) “Tract D”—NE1/4 of section 21 (approx-  
2           mately 160 acres).

3           (5) “Tract E”—N1/2SW1/4SW1/4 of section  
4           15 (approximately 20 acres).

5           (c) LANDS TO BE CONVEYED BY SECRETARY.—The  
6 National Forest System lands to be conveyed by the Sec-  
7 retary under subsection (a) consist of approximately 440  
8 acres located within township 5 north, range 18 west, San  
9 Bernardino base and meridian and are more fully de-  
10 scribed as follows:

11           (1) “Tract 1”—E1/2SW1/4 of section 10 (ap-  
12           proximately 80 acres).

13           (2) “Tract 2”—NE1/4NW1/4 of section 15  
14           (approximately 40 acres).

15           (3) “Tract 3”—S1/2SW1/4SW1/4SE1/4 of sec-  
16           tion 15 (approximately 5 acres).

17           (4) “Tract 4”—N1/2S1/2S1/2SE1/4 of section  
18           15 (approximately 20 acres).

19           (5) “Tract 5”—S1/2N1/2SW1/4SE1/4 of sec-  
20           tion 15 (approximately 10 acres).

21           (6) “Tract 6”—N1/2NW1/4SW1/4SE1/4 of  
22           section 15 (approximately 5 acres).

23           (7) “Tract 7”—SW1/4SE1/4 of section 15 (ap-  
24           proximately 2.5 acres).

1           (8) “Tract 8”—S1/2NW1/4SE1/4SE1/4 of sec-  
2           tion 15 (approximately 5 acres).

3           (9) “Tract 9”—SW1/4NE1/4SE1/4SE1/4 of  
4           section 15 (approximately 2.5 acres).

5           (10) “Tract 10”—W1/2W1/2NW1/4SE1/4 of  
6           section 15 (approximately 10 acres).

7           (11) “Tract 11”—SE1/4SW1/4NW1/4SE1/4 of  
8           section 15 (approximately 2.5 acres).

9           (12) “Tract 12”—SW1/4SE1/4NW1/4SE1/4 of  
10          section 15 (approximately 2.5 acres).

11          (13) “Tract 13”—W1/2W1/2SW1/4NE1/4 of  
12          section 15 (approximately 10 acres).

13          (14) “Tract 14”—SW1/4SW1/4NE1/4 of sec-  
14          tion 22 (approximately 10 acres).

15          (15) “Tract 15”—NW1/4NW1/4NW1/4NE1/4  
16          of section 22 (approximately 2.5 acres).

17          (16) “Tract 16”—SW1/4NW1/4SW1/4NE1/4  
18          of section 22 (approximately 2.5 acres).

19          (17) “Tract 17”—W1/2NW1/4SE1/4 of section  
20          22 (approximately 20 acres).

21          (18) “Tract 18”—SW1/4SE1/4 of section 22  
22          (approximately 40 acres).

23          (19) “Tract 19”—E1/2SW1/4 of section 22  
24          (approximately 80 acres).

1           (20) “Tract 20”—N1/2NW1/4SW1/4 of section  
2           22 (approximately 20 acres).

3           (21) “Tract 21”—W1/2NE1/4 of section 27  
4           (approximately 60 acres).

5           (22) “Tract 22”—NE1/4SW1/4NW1/4 of sec-  
6           tion 27 (approximately 10 acres).

7           (d) IMPLEMENTATION OF LAND EXCHANGE.—

8           (1) MAPS; PUBLIC AVAILABILITY.—The lands to  
9           be exchanged under this section are depicted on  
10          maps entitled “Los Padres National Forest Land  
11          Exchange” and dated June 1, 2005. The maps shall  
12          be on file and available for public inspection in ap-  
13          propriate offices of the Forest Service until comple-  
14          tion of the land exchange. The Secretary may also  
15          correct errors in the maps or the accompanying legal  
16          descriptions.

17          (2) MODIFICATION OF STATUTORY TERMS OF  
18          EXCHANGE.—By mutual agreement to facilitate the  
19          land exchange under this section, the Secretary and  
20          the District may reduce the number of tracts of land  
21          involved in the land exchange or adjust the legal de-  
22          scriptions specified in subsections (b) and (c) and  
23          the boundaries depicted on the maps referred to in  
24          paragraph (1) based upon the environmental anal-  
25          ysis conducted and public input obtained in com-

1 plying with the National Environmental Policy Act  
2 of 1969 (42 U.S.C. 4331 et seq.).

3 (3) PRIORITY FOR COMPLETION.—The Sec-  
4 retary shall order completion of the land exchange  
5 under this section to be a priority for the Forest  
6 Service, which shall endeavor to complete the land  
7 exchange within one year after the date of the enact-  
8 ment of this Act.

9 (4) ADMINISTRATIVE COSTS.—The costs of con-  
10 ducting the land exchange under this section shall be  
11 shared equally by the District and the Secretary.  
12 The costs to be shared include expenditures incurred  
13 for survey, mapping, appraisals, closing costs, re-  
14 cording fees, and similar expenditures, but do not  
15 include staff salaries, administrative overhead, attor-  
16 ney fees, the cost of construction required by sub-  
17 section (e)(2), or the costs to cure any title defects.

18 (5) TITLE STANDARDS.—The Secretary shall  
19 require that title to the District lands to be acquired  
20 by the Secretary under this section is in conformity  
21 with the title standards of the Attorney General.

22 (e) EASEMENTS AND ACCESS.—

23 (1) RESERVATION.—In the conveyance of the  
24 National Forest System lands under this section, the  
25 Secretary shall reserve easements for all roads and

1 trails that the Secretary considers to be necessary or  
2 desirable to provide for administrative purposes and  
3 to ensure public access to National Forest System  
4 lands. In particular, the Secretary shall reserve per-  
5 petual unrestricted rights of pedestrian and eques-  
6 trian access over all existing roads and trails.

7 (2) CONSTRUCTION OF PARKING LOT.—As a  
8 condition on the receipt of National Forest System  
9 lands under this section, the District shall agree to  
10 construct a gravel parking area upon District lands  
11 to provide access to the Potholes trail of the Los Pa-  
12 dres National Forest. The site design for the park-  
13 ing area shall be subject to the approval by the Sec-  
14 retary. The District may reasonably regulate vehic-  
15 ular access to the parking area in accordance with  
16 rules and regulations promulgated in accordance  
17 with applicable law.

18 (f) PARTIAL REVOCATION OF WITHDRAWALS.—The  
19 public lands withdrawals provided by the Act of May 29,  
20 1928 (Chapter 868; 45 Stat. 956), Power Site Classifica-  
21 tion No. 414—USGS, June 22, 1951, FERC Power  
22 Project No. 2153, January 15, 1957, and Forest Service  
23 Land Order No. 3338, February 28, 1964, are hereby re-  
24 voked insofar as they effect the National Forest System  
25 lands conveyed under this section.

1 (g) WATER RIGHTS.—The land exchange under this  
2 section does not include any water rights owned by the  
3 District or the United States.

4 (h) CASH EQUALIZATION.—

5 (1) EQUAL VALUE EXCHANGE.—Subject to  
6 paragraph (2), the land exchange under this section  
7 shall be conducted on an equal value basis, as deter-  
8 mined by the appraisal done in conformity with the  
9 Uniform Appraisal Standards for Federal Lands  
10 Standards for Acquisition and Forest Service ap-  
11 praisal instructions.

12 (2) LIMITS WAIVED.—The values of the lands  
13 to be exchanged under this section may be equalized  
14 through the payment of a cash equalization payment  
15 in an amount in excess of the statutory limit speci-  
16 fied in section 206 of the Federal Land Policy and  
17 Management Act of 1976 (43 U.S.C. 1716).

18 (3) DISPOSITION AND USE OF FUNDS.—Any  
19 cash equalization payment received by the Secretary  
20 under this section shall be deposited into the fund  
21 established by Public Law 90–171 (commonly known  
22 as the Sisk Act; 16 U.S.C. 484a). The payment shall  
23 be available to the Secretary for expenditure, with-  
24 out further appropriation and until expended, for  
25 the acquisition, construction, or improvement of ad-



1       ministrative or recreational facilities for the Los Pa-  
2       dres National Forest in Ventura County, Santa Bar-  
3       bara County, and San Luis Obispo County, Cali-  
4       fornia, or for the acquisition of land or interests in  
5       land in such counties.

6       (i) EFFECT OF EXCHANGE; MANAGEMENT OF AC-  
7       QUIRED LANDS.—For purposes of section 7 of the Land  
8       and Water Conservation Fund Act of 1965 (16 U.S.C.  
9       4601–9), the boundaries of the Los Padres National For-  
10      est, as adjusted as a result of the land exchange under  
11      this section, shall be considered to be the boundaries of  
12      that national forest as of January 1, 1965. The District  
13      lands acquired by the Secretary under this section shall  
14      be added to and administered as part of the Los Padres  
15      National Forest in accordance with the laws and regula-  
16      tions applicable to that national forest.

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