

Calendar No. 515

114TH CONGRESS  
2D SESSION

**H. R. 3826**

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IN THE SENATE OF THE UNITED STATES

JUNE 9, 2016

Received

JUNE 10, 2016

Read twice and placed on the calendar

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**AN ACT**

To amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

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 “Mount Hood Cooper  
5 Spur Land Exchange Clarification Act”.

1 **SEC. 2. COOPER SPUR LAND EXCHANGE CLARIFICATION**  
2 **AMENDMENTS.**

3 Section 1206(a) of the Omnibus Public Land Man-  
4 agement Act of 2009 (Public Law 111–11; 123 Stat.  
5 1018) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (C), by striking “120  
8 acres” and inserting “107 acres”; and

9 (B) in subparagraph (E)(ii), by inserting  
10 “improvements,” after “buildings,”; and

11 (2) in paragraph (2)—

12 (A) in subparagraph (D)—

13 (i) in clause (i), by striking “As soon  
14 as practicable after the date of enactment  
15 of this Act, the Secretary and Mt. Hood  
16 Meadows shall select” and inserting “Not  
17 later than 120 days after the date of the  
18 enactment of the Mount Hood Cooper  
19 Spur Land Exchange Clarification Act, the  
20 Secretary and Mt. Hood Meadows shall  
21 jointly select”;

22 (ii) in clause (ii), in the matter pre-  
23 ceding subclause (I), by striking “An ap-  
24 praisal under clause (i) shall” and insert-  
25 ing “Except as provided under clause (iii),  
26 an appraisal under clause (i) shall assign a

1 separate value to each tax lot to allow for  
2 the equalization of values and”; and

3 (iii) by adding at the end the fol-  
4 lowing:

5 “(iii) FINAL APPRAISED VALUE.—

6 “(I) IN GENERAL.—Subject to  
7 subclause (II), after the final ap-  
8 praised value of the Federal land and  
9 the non-Federal land are determined  
10 and approved by the Secretary, the  
11 Secretary shall not be required to re-  
12 appraise or update the final appraised  
13 value for a period of up to 3 years,  
14 beginning on the date of the approval  
15 by the Secretary of the final appraised  
16 value.

17 “(II) EXCEPTION.—Subclause (I)  
18 shall not apply if the condition of ei-  
19 ther the Federal land or the non-Fed-  
20 eral land referred to in subclause (I)  
21 is significantly and substantially al-  
22 tered by fire, windstorm, or other  
23 events.

24 “(iv) PUBLIC REVIEW.—Before com-  
25 pleting the land exchange under this Act,

1 the Secretary shall make available for pub-  
2 lic review the complete appraisals of the  
3 land to be exchanged.”; and

4 (B) by striking subparagraph (G) and in-  
5 serting the following:

6 “(G) REQUIRED CONVEYANCE CONDI-  
7 TIONS.—Prior to the exchange of the Federal  
8 and non-Federal land—

9 “(i) the Secretary and Mt. Hood  
10 Meadows may mutually agree for the Sec-  
11 retary to reserve a conservation easement  
12 to protect the identified wetland in accord-  
13 ance with applicable law, subject to the re-  
14 quirements that—

15 “(I) the conservation easement  
16 shall be consistent with the terms of  
17 the September 30, 2015, mediation  
18 between the Secretary and Mt. Hood  
19 Meadows; and

20 “(II) in order to take effect, the  
21 conservation easement shall be final-  
22 ized not later than 120 days after the  
23 date of enactment of the Mount Hood  
24 Cooper Spur Land Exchange Clari-  
25 fication Act; and

1           “(ii) the Secretary shall reserve a 24-  
2           foot-wide nonexclusive trail easement at  
3           the existing trail locations on the Federal  
4           land that retains for the United States ex-  
5           isting rights to construct, reconstruct,  
6           maintain, and permit nonmotorized use by  
7           the public of existing trails subject to the  
8           right of the owner of the Federal land—

9                   “(I) to cross the trails with  
10                  roads, utilities, and infrastructure fa-  
11                  cilities; and

12                  “(II) to improve or relocate the  
13                  trails to accommodate development of  
14                  the Federal land.

15           “(H) EQUALIZATION OF VALUES.—

16                   “(i) IN GENERAL.—Notwithstanding  
17                  subparagraph (A), in addition to or in lieu  
18                  of monetary compensation, a lesser area of  
19                  Federal land or non-Federal land may be  
20                  conveyed if necessary to equalize appraised  
21                  values of the exchange properties, without  
22                  limitation, consistent with the require-  
23                  ments of this Act and subject to the ap-  
24                  proval of the Secretary and Mt. Hood  
25                  Meadows.

1                   “(ii) TREATMENT OF CERTAIN COM-  
2                   PENSATION OR CONVEYANCES AS DONA-  
3                   TION.—If, after payment of compensation  
4                   or adjustment of land area subject to ex-  
5                   change under this Act, the amount by  
6                   which the appraised value of the land and  
7                   other property conveyed by Mt. Hood  
8                   Meadows under subparagraph (A) exceeds  
9                   the appraised value of the land conveyed  
10                  by the Secretary under subparagraph (A)  
11                  shall be considered a donation by Mt.  
12                  Hood Meadows to the United States.”.

Passed the House of Representatives June 8, 2016.

Attest:

KAREN L. HAAS,

*Clerk.*



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