

114TH CONGRESS  
2D SESSION

# H. R. 5777

To provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2016

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.

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 “King Cove Road Land  
5 Exchange Act”.

6 **SEC. 2. FINDING.**

7 Congress finds that the land exchange required under  
8 this Act (including the designation of the road corridor

1 and the construction of the road along the road corridor)  
2 is in the public interest.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) FEDERAL LAND.—

6 (A) IN GENERAL.—The term “Federal  
7 land” means the approximately 206 acres of  
8 Federal land located within the Refuge as de-  
9 picted on the map entitled “Project Area Map”  
10 and dated September 2012.

11 (B) INCLUSION.—The term “Federal  
12 land” includes the 131 acres of Federal land in  
13 the Wilderness, which shall be used for the road  
14 corridor along which the road is to be con-  
15 structed in accordance with section 4(b)(2).

16 (2) NON-FEDERAL LAND.—The term “non-Fed-  
17 eral land” means the approximately 43,093 acres of  
18 land owned by the State as depicted on the map en-  
19 titled “Project Area Map” and dated September  
20 2012.

21 (3) REFUGE.—The term “Refuge” means the  
22 Izembek National Wildlife Refuge in the State.

23 (4) ROAD CORRIDOR.—The term “road cor-  
24 ridor” means the road corridor designated under  
25 section 4(b)(1).

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

3           (6) STATE.—The term “State” means the State  
4 of Alaska.

5           (7) WILDERNESS.—The term “Wilderness”  
6 means the Izembek Wilderness designated by section  
7 702(6) of the Alaska National Interest Lands Con-  
8 servation Act (16 U.S.C. 1132 note; Public Law 96–  
9 487).

10 **SEC. 4. LAND EXCHANGE REQUIRED.**

11       (a) IN GENERAL.—If the State offers to convey to  
12 the Secretary all right, title, and interest of the State in  
13 and to the non-Federal land, the Secretary shall convey  
14 to the State all right, title, and interest of the United  
15 States in and to the Federal land.

16       (b) USE OF FEDERAL LAND.—The Federal land  
17 shall be conveyed to the State for the purposes of—

18           (1) designating a road corridor through the  
19 Refuge; and

20           (2) constructing a single-lane gravel road along  
21 the road corridor subject to the requirements in sec-  
22 tion 6.

23       (c) VALUATION, APPRAISALS, AND EQUALIZATION.—

1           (1) IN GENERAL.—The value of the Federal  
2 land and the non-Federal land to be exchanged  
3 under this section—

4           (A) shall be equal, as determined by ap-  
5 praisals conducted in accordance with para-  
6 graph (2); or

7           (B) if not equal, shall be equalized in ac-  
8 cordance with paragraph (3).

9           (2) APPRAISALS.—

10           (A) IN GENERAL.—As soon as practicable  
11 after the date of enactment of this Act, the Sec-  
12 retary and State shall select an appraiser to  
13 conduct appraisals of the Federal land and non-  
14 Federal land.

15           (B) REQUIREMENTS.—The appraisals re-  
16 quired under subparagraph (A) shall be con-  
17 ducted in accordance with nationally recognized  
18 appraisal standards, including—

19           (i) the Uniform Appraisal Standards  
20 for Federal Land Acquisitions; and

21           (ii) the Uniform Standards of Profes-  
22 sional Appraisal Practice.

23           (3) EQUALIZATION.—

24           (A) SURPLUS OF FEDERAL LAND.—If the  
25 final appraised value of the Federal land ex-

1 ceeds the final appraised value of the non-Fed-  
2 eral land to be conveyed under the land ex-  
3 change under this section, the value of the Fed-  
4 eral land and non-Federal land shall be equal-  
5 ized—

6 (i) by conveying additional non-Fed-  
7 eral land in the State to the Secretary,  
8 subject to the approval of the Secretary;

9 (ii) by the State making a cash pay-  
10 ment to the United States; or

11 (iii) by using a combination of the  
12 methods described in clauses (i) and (ii).

13 (B) SURPLUS OF NON-FEDERAL LAND.—If  
14 the final appraised value of the non-Federal  
15 land exceeds the final appraised value of the  
16 Federal land to be conveyed under the land ex-  
17 change under this section, the value of the Fed-  
18 eral land and non-Federal land shall be equal-  
19 ized by the State adjusting the acreage of the  
20 non-Federal land to be conveyed.

21 (C) AMOUNT OF PAYMENT.—Notwith-  
22 standing section 206(b) of the Federal Land  
23 Policy and Management Act of 1976 (43 U.S.C.  
24 1716(b)), the Secretary may accept a payment

1           under subparagraph (A)(ii) in excess of 25 per-  
2           cent of the value of the Federal land conveyed.

3           (d) ADMINISTRATION.—On completion of the ex-  
4 change of Federal land and non-Federal land under this  
5 section—

6           (1) the boundary of the Wilderness shall be  
7 modified to exclude the Federal land; and

8           (2) the non-Federal land shall be—

9                   (A) added to the Wilderness; and

10                   (B) administered in accordance with—

11                           (i) the Wilderness Act (16 U.S.C.  
12                           1131 et seq.); and

13                           (ii) other applicable laws.

14           (e) DEADLINE.—The land exchange under this sec-  
15 tion shall be completed not later than 180 days after the  
16 date of enactment of this Act.

17 **SEC. 5. ROUTE OF ROAD CORRIDOR.**

18           The route of the road corridor shall follow the south-  
19 ern road alignment as described in the alternative entitled  
20 “Alternative 2-Land Exchange and Southern Road Align-  
21 ment” in the final environmental impact statement enti-  
22 tled “Izembek National Wildlife Refuge Land Exchange/  
23 Road Corridor Final Environmental Impact Statement”  
24 and dated February 5, 2013.

1 **SEC. 6. REQUIREMENTS RELATING TO ROAD.**

2       The requirements relating to usage, barrier cables,  
3 and dimensions and the limitation on support facilities  
4 under subsections (a) and (b) of section 6403 of the Omni-  
5 bus Public Land Management Act of 2009 (Public Law  
6 111–11; 123 Stat. 1180) shall apply to the road con-  
7 structed in the road corridor.

8 **SEC. 7. EFFECT.**

9       The exchange of Federal land and non-Federal land  
10 and the road to be constructed under this Act shall not  
11 constitute a major Federal action for purposes of the Na-  
12 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
13 et seq.).

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