

Suspend the Rules and Pass the Bill, S. 278, with An Amendment
**(The amendment strikes all after the enacting clause and inserts a
new text)**

112TH CONGRESS
1ST SESSION

S. 278

AN ACT

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, 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 “Sugar Loaf Fire Pro-
5 tection District Land Exchange Act of 2011”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) DISTRICT.—The term “District” means the
9 Sugar Loaf Fire Protection District of Boulder, Col-
10 orado.

11 (2) FEDERAL LAND.—The term “Federal land”
12 means—

13 (A) the parcel of approximately 1.52 acres
14 of land in the National Forest that is generally

1 depicted on the map numbered 1, entitled
2 “Sugarloaf Fire Protection District Proposed
3 Land Exchange”, and dated November 12,
4 2009; and

5 (B) the parcel of approximately 3.56 acres
6 of land in the National Forest that is generally
7 depicted on the map numbered 2, entitled
8 “Sugarloaf Fire Protection District Proposed
9 Land Exchange”, and dated November 12,
10 2009.

11 (3) NATIONAL FOREST.—The term “National
12 Forest” means the Arapaho-Roosevelt National For-
13 ests located in the State of Colorado.

14 (4) NON-FEDERAL LAND.—The term “non-Fed-
15 eral land” means the parcel of approximately 5.17
16 acres of non-Federal land in unincorporated Boulder
17 County, Colorado, that is generally depicted on the
18 map numbered 3, entitled “Sugarloaf Fire Protec-
19 tion District Proposed Land Exchange”, and dated
20 November 12, 2009.

21 (5) SECRETARY.—The term “Secretary” means
22 the Secretary of Agriculture.

23 **SEC. 3. LAND EXCHANGE.**

24 (a) IN GENERAL.—Subject to the provisions of this
25 Act, if the District offers to convey to the Secretary all

1 right, title, and interest of the District in and to the non-
2 Federal land, and the offer is acceptable to the Sec-
3 retary—

4 (1) the Secretary shall accept the offer; and

5 (2) on receipt of acceptable title to the non-
6 Federal land, the Secretary shall convey to the Dis-
7 trict all right, title, and interest of the United States
8 in and to the Federal land.

9 (b) APPLICABLE LAW.—Section 206 of the Federal
10 Land Policy and Management Act of 1976 (43 U.S.C.
11 1716) shall apply to the land exchange authorized under
12 subsection (a), except that—

13 (1) the Secretary may accept a cash equali-
14 zation payment in excess of 25 percent of the value
15 of the Federal land; and

16 (2) as a condition of the land exchange under
17 subsection (a), the District shall—

18 (A) pay each cost relating to any land sur-
19 veys and appraisals of the Federal land and
20 non-Federal land; and

21 (B) enter into an agreement with the Sec-
22 retary that allocates any other administrative
23 costs between the Secretary and the District.

24 (c) ADDITIONAL TERMS AND CONDITIONS.—The
25 land exchange under subsection (a) shall be subject to—

1 (1) valid existing rights; and

2 (2) any terms and conditions that the Secretary
3 may require.

4 (d) TIME FOR COMPLETION OF LAND EXCHANGE.—

5 It is the intent of Congress that the land exchange under
6 subsection (a) shall be completed not later than 1 year
7 after the date of enactment of this Act.

8 (e) AUTHORITY OF SECRETARY TO CONDUCT SALE
9 OF FEDERAL LAND.—

10 (1) IN GENERAL.—In accordance with para-
11 graph (2), if the land exchange under subsection (a)
12 is not completed by the date that is 1 year after the
13 date of enactment of this Act, the Secretary may
14 offer to sell to the District the Federal land.

15 (2) VALUE OF FEDERAL LAND.—The Secretary
16 may offer to sell to the District the Federal land for
17 the fair market value of the Federal land.

18 (f) DISPOSITION OF PROCEEDS.—

19 (1) IN GENERAL.—The Secretary shall deposit
20 in the fund established under Public Law 90–171
21 (commonly known as the “Sisk Act”) (16 U.S.C.
22 484a) any amount received by the Secretary as the
23 result of—

24 (A) any cash equalization payment made
25 under subsection (b); and

1 (B) any sale carried out under subsection
2 (e).

3 (2) USE OF PROCEEDS.—Amounts deposited
4 under paragraph (1) shall be available to the Sec-
5 retary, without further appropriation and until ex-
6 pended, for the acquisition of land or interests in
7 land in the National Forest System.

8 (g) MANAGEMENT AND STATUS OF ACQUIRED
9 LAND.—The non-Federal land acquired by the Secretary
10 under this section shall be—

11 (1) added to, and administered as part of, the
12 National Forest; and

13 (2) managed by the Secretary in accordance
14 with—

15 (A) the Act of March 1, 1911 (commonly
16 known as the “Weeks Law”) (16 U.S.C. 480 et
17 seq.); and

18 (B) any laws (including regulations) appli-
19 cable to the National Forest.

20 (h) REVOCATION OF ORDERS; WITHDRAWAL.—

21 (1) REVOCATION OF ORDERS.—Any public
22 order withdrawing the Federal land from entry, ap-
23 propriation, or disposal under the public land laws
24 is revoked to the extent necessary to permit the con-
25 veyance of the Federal land to the District.

1 (2) WITHDRAWAL.—On the date of enactment
2 of this Act, if not already withdrawn or segregated
3 from entry and appropriation under the public land
4 laws (including the mining and mineral leasing laws)
5 and the Geothermal Steam Act of 1970 (30 U.S.C.
6 1001 et seq.), the Federal land is withdrawn until
7 the date of the conveyance of the Federal land to the
8 District.

Passed the Senate November 2, 2011.

Attest:

Secretary.

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