

# Subcommittee on Federal Lands

Tom McClintock, Chairman

## Hearing Memorandum

July 15, 2018

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff— Chris Marklund and Rebekah Rodriguez  
Subcommittee on Federal Lands (x6-7736)

Hearing: Legislative hearing on **H.R. 6146 (Rep. Paul A. Gosar)**, To authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes.  
**July 17, 2018, 10:00 AM; 1324 Longworth House Office Building**

---

### **H.R. 6146, “Cottonwood Land Exchange Act of 2018”**

#### **Summary of the Bill**

H.R. 6146, introduced by Representative Paul A. Gosar (R-AZ-04), authorizes the conveyance of 80 acres of Coconino National Forest land to Yavapai County in Arizona, in exchange for 369 acres to be conveyed to the U.S. Forest Service by the county. The bill would require the county to pay for all required surveys, appraisals, and any other costs necessary to facilitate the exchange.

#### **Cosponsors**

Rep. Ruben Gallego [D-AZ-07]  
Rep. Debbie Lesko [R-AZ-08]  
Rep. Tom O’Halloran [D-AZ-01]  
Rep. David Schweikert [R-AZ-06]  
Rep. Kyrsten Sinema [D-AZ-09]

#### **Witnesses**

*The Honorable Paul A. Gosar*  
Member of Congress, Arizona’s 4<sup>th</sup> district

*The Honorable Randall Garrison*  
Vice Chairman  
Yavapai County Board of Supervisors  
Cottonwood, AZ

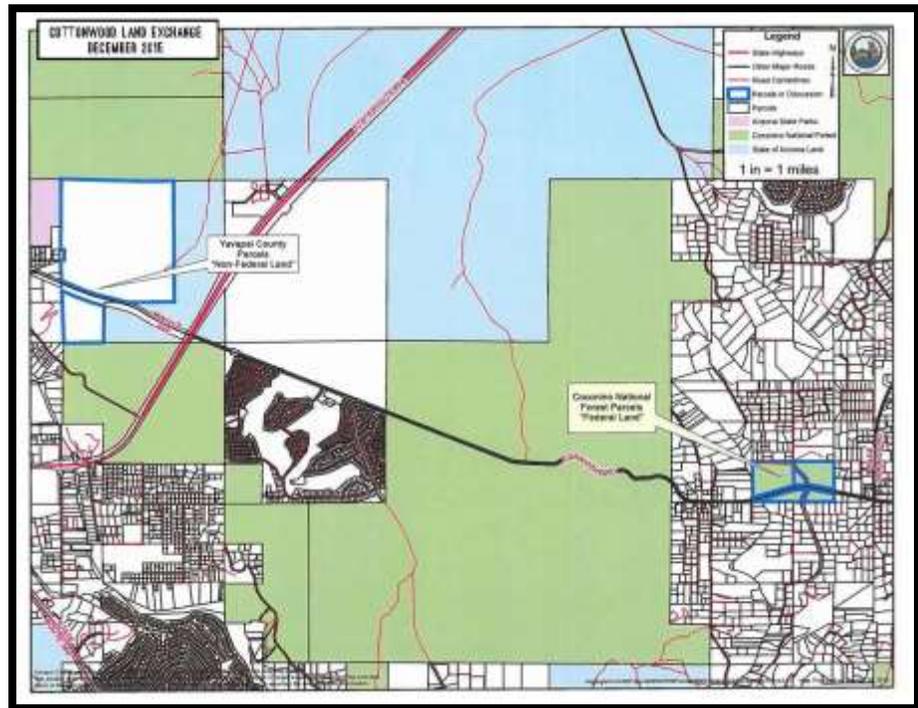
#### **Background**

Yavapai County (County), located in central Arizona, is comprised of an area totaling 520,000 acres and encompassing portions of 3 national forests. Like many western counties, the

County has encountered significant population growth over the last 100 years, rising from a population of 16,000 people in 1920 to 211,033 people today. Also like many western counties, the federal government owns nearly 50% of the land in the County.<sup>1</sup>

The U.S. Forest Service (USFS) currently owns an 80-acre island parcel near the City of Cottonwood within the County. The 80-acres of USFS land is not contiguous or adjacent to any other federal- or State-owned public land and is completely surrounded by County and privately-owned parcels.<sup>2</sup>

The County plans to use the 80 acres as a park, serving the residents of Cottonwood and the nearby neighborhood of Cornville. Plans for the park include the addition of new trails, a pedestrian bridge, and the addition of new acreage to the park following the finalization of the exchange.<sup>3</sup>



**Figure 1:** Cottonwood Land Exchange Map  
*Source: Provided to the Subcommittee by the Bill Sponsor*

As part of the exchange, the County has offered 369 acres of County land to be conveyed to USFS for inclusion in the Coconino National Forest. The 369 acres would connect tracts of land already owned by USFS. The land is habitat for the endangered Arizona Cliff Rose among other sensitive species.<sup>4</sup>

The land exchange is supported by the Yavapai County Board of Supervisors, which on October 19, 2015, passed a resolution in support of the land exchange.<sup>5</sup>

**Major Provisions/Section-by-Section Analysis of H.R. 6146**

***Section 1: Short Title***

<sup>1</sup> “About Yavapai County.” Yavapai County AZ Government. <http://www.yavapai.us/about-us>

<sup>2</sup> Information provided to the Subcommittee by the Bill Sponsor

<sup>3</sup> Information provided to the Subcommittee by Yavapai County through the Bill Sponsor

<sup>4</sup> Information provided to the Subcommittee by the Bill Sponsor

<sup>5</sup> Yavapai County Board of Supervisors Resolution No. 1922

## ***Section 2: Definitions***

## ***Section 3: Land Exchange***

This section directs the Secretary of Agriculture to accept all right, title, and interest to the land that Yavapai County offers to convey to the federal government. It also directs the Secretary to simultaneously convey the right, title, and interest to the 80 acres of federal land to Yavapai County. Finally, this section clarifies that all land survey and appraisal costs incurred by the Department of Agriculture will be covered fully by the County.

## ***Section 4: Equal Exchange of Appraisals***

This section requires an appraisal to be conducted in accordance with existing laws by an appraiser mutually agreed to by the County and the Secretary. In addition, if the value of the federal land is greater in value than the County land, the County will make an equalization payment to the federal government. If the value of the County land is greater in value than the federal land, the federal government will not be required to make an equalization payment and the land will be considered a donation to the United States by Yavapai County.

## ***Section 5: Withdrawal Provisions***

This section requires that the land to be acquired by the federal government will be immediately and permanently withdrawn from appropriation and disposal under applicable public land laws, including mining and mineral leasing laws and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

## ***Section 6: Management of Land***

This section directs the Secretary to include the acquired land in the Coconino National Forest and that the land be managed in accordance with applicable National Forest System laws.

## ***Section 7: Maps, Estimates, and Descriptions***

This section authorizes the Secretary and the County to make minor boundary adjustments and correct minor errors on maps, estimates or descriptions of land. It also clarifies that the map will control in the case of a conflict between the map and land estimates or descriptions. Finally, it directs the Secretary to make all maps publicly available.

## **Cost**

A Congressional Budget Office cost estimate has not yet been completed for this bill.

## **Administration Position**

The Administration's position is currently unknown.

## **Effect on Current Law (Ramseyer)**

None.