

Committee on Natural Resources

Rob Bishop Chairman
Markup Memorandum

July 16, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Chris Marklund and Rebekah Rodriguez
Subcommittee on Federal Lands (x67736)

Markup: **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 18, 2018, 10:45am; 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'Halleran [D-AZ-01]
Rep. David Schweikert [R-AZ-06]
Rep. Kyrsten Sinema [D-AZ-09]

Background

Yavapai 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, Yavapai 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 in many western counties, the federal government owns nearly 50% of the land in Yavapai County.¹

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

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

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 new trails, a pedestrian bridge, and the addition of new acreage to the park following the land exchange authorized by the bill.³

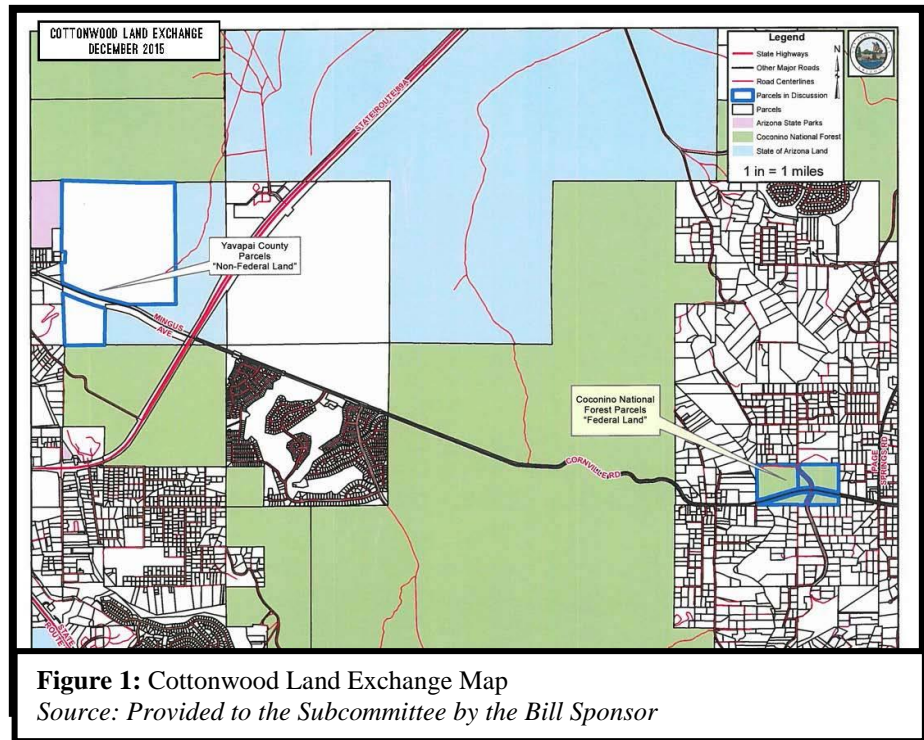


Figure 1: Cottonwood Land Exchange Map
Source: Provided to the Subcommittee by the Bill Sponsor

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

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.⁵

The Subcommittee on Federal Lands will hold a legislative hearing on H.R. 6146 on July 17, 2018.

Major Provisions/Analysis of H.R. 6146

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 all right, title, and interest to 80 acres of federal land to Yavapai County. Finally, this section clarifies that all land survey and appraisal costs incurred by the Secretary will be covered fully by the County.

² Information provided to the Subcommittee by the bill sponsor.

³ Information provided to the Subcommittee by Yavapai County through the bill sponsor.

⁴ Information provided to the Subcommittee by the bill sponsor.

⁵ Yavapai County Board of Supervisors Resolution No. 1922.

Section 4. Equal Value Exchange and 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 land will be considered a donation to the United States by Yavapai County and no payment by the federal government will be required.

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 once acquired.

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

Unknown.

Anticipated Amendments

Representative Gosar will offer an amendment to update the bill text to reference the most recent version of the map provided by the USFS.

Effect on Current Law (Ramseyer)

None.