RYA17235 S.L.C.

AM	IENDMENT NO Calendar No	
Pu	rpose: In the nature of a substitute.	
IN	THE SENATE OF THE UNITED STATES—115th Cong., 1st Sea	5S.
	S. 131	
То	provide for the exchange of certain National Forest Sy tem land and non-Federal land in the State of Alask and for other purposes.	
R	eferred to the Committee on and ordered to be printed	ł
	Ordered to lie on the table and to be printed	
A	MENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by	l
Viz	::	
1	Strike all after the enacting clause and insert the fo	ol-
2	lowing:	
3	SECTION 1. SHORT TITLE.	
4	This Act may be cited as the "Alaska Mental Heal	th
5	Trust Land Exchange Act of 2017".	
6	SEC. 2. PURPOSE.	
7	The purpose of this Act is to facilitate and expedi	te
8	the exchange of land between the Alaska Mental Heal	th
9	Trust and the Secretary of Agriculture in accordance wi	th
10	this Act—	

1	(1) to secure Federal ownership and protection
2	of non-Federal land in the State of Alaska that has
3	significant natural, scenic, watershed, recreational,
4	wildlife, and other public values by—
5	(A) retaining the undeveloped natural
6	character of the non-Federal land; and
7	(B) preserving recreational trails for hik-
8	ing, biking, and skiing;
9	(2) to create jobs and provide economic oppor-
10	tunities for resource use in more remote areas of the
11	State; and
12	(3) to facilitate the goals and objectives of the
13	Alaska Mental Health Trust.
	Alaska Mental Health Trust. SEC. 3. DEFINITIONS.
13	
13 14	SEC. 3. DEFINITIONS.
13 14 15	SEC. 3. DEFINITIONS. In this Act:
13 14 15 16	SEC. 3. DEFINITIONS. In this Act: (1) Alaska Mental Health Trust.—The
13 14 15 16	SEC. 3. DEFINITIONS. In this Act: (1) Alaska Mental Health Trust" means the Alasterm "Alaska Mental Health Trust" means the Alasterm
113 114 115 116 117	SEC. 3. DEFINITIONS. In this Act: (1) Alaska Mental Health Trust' means the Alaska Mental Health Trust' means the Alaska Mental Health Trust Authority, an agency of the
113 114 115 116 117 118 119	SEC. 3. DEFINITIONS. In this Act: (1) Alaska Mental Health Trust" means the Alaska Mental Health Trust" means the Alaska Mental Health Trust Authority, an agency of the State.
13 14 15 16 17 18 19 20	SEC. 3. DEFINITIONS. In this Act: (1) Alaska Mental Health Trust.—The term "Alaska Mental Health Trust" means the Alaska Mental Health Trust Authority, an agency of the State. (2) Federal Land.—The term "Federal land"
13 14 15 16 17 18 19 20 21	SEC. 3. DEFINITIONS. In this Act: (1) Alaska Mental Health Trust.—The term "Alaska Mental Health Trust" means the Alaska Mental Health Trust Authority, an agency of the State. (2) Federal Land.—The term "Federal land" means the following 7 parcels of National Forest

1	(A) The parcel generally depicted as
2	"Naukati Phase 1" on map 8, comprising ap-
3	proximately 2,400 acres.
4	(B) The parcel generally depicted as "West
5	Naukati" on map 8, comprising approximately
6	4,182 acres.
7	(C) The parcel generally depicted as
8	"North Naukati" on map 8, comprising ap-
9	proximately 1,311 acres.
10	(D) The parcel generally depicted as "East
11	Naukati/2016 Naukati addition" on map 8,
12	comprising approximately 1,067 acres.
13	(E) The parcel generally depicted as "Cen-
14	tral Naukati" on map 8, comprising approxi-
15	mately 1,858 acres.
16	(F) The parcel generally depicted as "Hol-
17	lis" on map 9, comprising approximately 1,538
18	acres.
19	(G) The parcel generally depicted as "Shel-
20	ter Cove Area" on map 7, comprising approxi-
21	mately 8,224 acres.
22	(3) Map.—The term "map" means the applica-
23	ble map prepared by the Alaska Region of the For-
24	est Service to accompany this Act—

1	(A) numbered 1, 2, 3, 4, 5, 6, 7, 8, or 9
2	and dated March 3, 2017; or
3	(B) numbered 10 and dated March 9,
4	2017.
5	(4) Non-federal land.—The term "non-fed-
6	eral land" means the following 20 parcels of non-
7	Federal land, as generally depicted on maps 1
8	through 6 and map 10, comprising a total of ap-
9	proximately 18,258 acres:
10	(A) The parcel generally depicted as parcel
11	K-1 on map 1, comprising approximately 1,878
12	acres.
13	(B) The parcel generally depicted as parcel
14	K-2 on map 1, comprising approximately 707
15	acres.
16	(C) The parcel generally depicted as parcel
17	K-3 on map 1, comprising approximately 901
18	acres, including the 12-acre conservation ease-
19	ment described in section $4(e)(1)$.
20	(D) The parcel generally depicted as parcel
21	K-4A on map 1, comprising approximately
22	3,180 acres.
23	(E) The parcel generally depicted as parcel
24	P-1A on map 2, comprising approximately

1	3,174 acres, including the administrative site
2	described in section 5(c).
3	(F) The parcel generally depicted as parcel
4	P-1B on map 2, comprising approximately 144
5	acres.
6	(G) The parcel generally depicted as parcel
7	P-2B on map 2, comprising approximately 181
8	acres.
9	(H) The parcel generally depicted as parcel
10	P-3B on map 2, comprising approximately 92
11	acres.
12	(I) The parcel generally depicted as parcel
13	P-4 on map 2, comprising approximately 280
14	acres.
15	(J) The parcel generally depicted as parcel
16	W-1 on map 3, comprising approximately 204
17	acres.
18	(K) The parcel generally depicted as parcel
19	W-2 on map 3, comprising approximately 104
20	acres.
21	(L) The parcel generally depicted as parcel
22	W-3 on map 3, comprising approximately 63
23	acres.

1	(M) The parcel generally depicted as parcel
2	W-4 on map 3, comprising approximately 700
3	acres.
4	(N) The parcel generally depicted as parcel
5	S-2 on map 4, comprising approximately 284
6	acres.
7	(O) The parcel generally depicted as parcel
8	S-3 on map 4, comprising approximately 109
9	acres.
10	(P) The parcel generally depicted as parcel
11	S-4 on map 4, comprising approximately 26
12	acres.
13	(Q) The parcel generally depicted as parcel
14	MC-1 on map 5, comprising approximately 169
15	acres.
16	(R) The parcel generally depicted as parcel
17	J-1B on map 6, comprising approximately
18	2,261 acres.
19	(S) The parcel generally depicted as parcel
20	J-1A on map 6, comprising approximately 428
21	acres.
22	(T) The parcel generally depicted as parcel
23	NB-1 on map 10, comprising approximately
24	3,374 acres.

1	(5) Secretary.—The term "Secretary" means
2	the Secretary of Agriculture.
3	(6) STATE.—The term "State" means the State
4	of Alaska.
5	SEC. 4. LAND EXCHANGE.
6	(a) In General.—If the Alaska Mental Health
7	Trust offers to convey to the Secretary, in the 2 phases
8	described in subsection (n), all right, title, and interest
9	of the Alaska Mental Health Trust in and to the non-Fed-
10	eral land, the Secretary shall—
11	(1) accept the offer; and
12	(2) offer to exchange with the Alaska Mental
13	Health Trust, in the 2 phases described in sub-
14	section (n), all right, title, and interest of the United
15	States in and to the Federal land.
16	(b) Condition on Acceptance.—Title to any non-
17	Federal land conveyed by the Alaska Mental Health Trust
18	to the Secretary under subsection (a) shall be in a form
19	that is acceptable to the Secretary.
20	(c) Valid Existing Rights.—The conveyances
21	under subsection (a) shall be subject to any valid existing
22	rights, reservations, rights-of-way, or other encumbrances
23	of third parties in, to, or on the Federal land and the non-
24	Federal land as of the date of enactment of this Act.
25	(d) RECIPROCAL ROAD EASEMENTS —

1	(1) IN GENERAL.—The Secretary and the Alas-
2	ka Mental Health Trust shall exchange at no cost
3	reciprocal easements on existing roads as necessary
4	to access the parcels each party acquires in the ex-
5	change.
6	(2) Public access.—The reciprocal easements
7	exchanged under paragraph (1) shall provide for
8	public access.
9	(3) Cost-share agreement.—The Secretary
10	and the Alaska Mental Health Trust may enter into
11	a separate cost-share agreement to cover the cost of
12	road maintenance with respect to the reciprocal
13	easements exchanged under paragraph (1).
14	(e) K-3 Parcel Landfill Buffer.—
15	(1) In general.—As a condition of the ex-
16	change under subsection (a), in conveying the parcel
17	of non-Federal land described in section 3(4)(C) to
18	the United States, the Alaska Mental Health Trust
19	shall grant to the United States a 300-foot conserva-
20	tion easement abutting that parcel along the inter-
21	face of the parcel and the City of Ketchikan landfill
22	(as in existence on the date of enactment of this
23	Act), as generally depicted on map 1.
24	(2) DEVELOPMENT AND OWNERSHIP.—The
25	conservation easement described in paragraph (1)

1	shall provide that the land covered by the easement
2	remains undeveloped and in the ownership of the
3	Alaska Mental Health Trust.
4	(3) Equalization.—The value of the conserva-
5	tion easement described in paragraph (1) shall be in-
6	cluded in the value of the non-Federal land for pur-
7	poses of equalizing the values of the Federal land
8	and the non-Federal land under subsection (j).
9	(f) Research Easements.—
10	(1) In general.—In order to allow time for
11	the completion of research activities of the Forest
12	Service that are ongoing as of the date of enactment
13	of this Act, in conveying the Federal land to the
14	Alaska Mental Health Trust under subsection (a),
15	the Secretary shall reserve research easements for
16	the following Forest Service study plots (as in exist-
17	ence on the date of enactment of this Act):
18	(A) The Sarkar research easement study
19	plot on the parcel of Federal land described in
20	section 3(2)(B), as generally depicted on map
21	8, to remain in effect for the 10-year period be-
22	ginning on the date of enactment of this Act.
23	(B) The Naukati commercial thinning
24	study plot on the parcel of Federal land de-
25	scribed in section 3(2)(B), as generally depicted

1	on map 8, to remain in effect for the 15-year
2	period beginning on the date of enactment of
3	this Act.
4	(C) The POW Yatuk study plot on the
5	parcel of Federal land described in section
6	3(2)(A), as generally depicted on map 8, to re-
7	main in effect for the 10-year period beginning
8	on the date of enactment of this Act.
9	(D) The POW Naukati study plot on the
10	parcel of Federal land described in section
11	3(2)(D), as generally depicted on map 8, to re-
12	main in effect for the 10-year period beginning
13	on the date of enactment of this Act.
14	(E) The Revilla George study plot on the
15	parcel of Federal land described in section
16	3(2)(G), as generally depicted on map 8, to re-
17	main in effect for the 10-year period beginning
18	on the date of enactment of this Act.
19	(2) Prohibited activities.—The Alaska
20	Mental Health Trust shall not construct any new
21	road or harvest timber on any study plot covered by
22	a research easement described in paragraph (1) dur-
23	ing the period described in subparagraph (A), (B),
24	(C), (D), or (E) of that paragraph, as applicable.
25	(9) Area of Karst Concern.—

1	(1) In general.—In conveying the parcels of
2	Federal land described in subparagraphs (A) and
3	(D) of section 3(2) to the Alaska Mental Health
4	Trust under subsection (a), the Secretary shall re-
5	serve to the United States a conservation easement
6	that shall protect the aquatic and riparian habitat
7	within the area labeled "Conservation Easement", as
8	generally depicted on map 8.
9	(2) Prohibited activities.—The conservation
10	easement described in paragraph (1) shall prohibit
11	within the area covered by the conservation ease-
12	ment—
13	(A) new road construction and timber har-
14	vest within 100 feet of any anadromous water
15	bodies (including underground water bodies);
16	and
17	(B) commercial mineral extraction.
18	(h) Compliance With Applicable Law.—Prior to
19	completing each phase of the land exchange described in
20	subsection (n), the Secretary shall complete, for the land
21	to be conveyed in the applicable phase, any necessary land
22	surveys and required preexchange clearances, reviews,
23	mitigation activities, and approvals relating to—
24	(1) threatened and endangered species;
25	(2) cultural and historic resources;

1	(3) wetland and floodplains; and
2	(4) hazardous materials.
3	(i) Appraisals.—
4	(1) In general.—Not later than 90 days after
5	the date of enactment of this Act—
6	(A) the Secretary and the Alaska Mental
7	Health Trust shall select an appraiser to con-
8	duct appraisals of the Federal land and the
9	non-Federal land; and
10	(B) the Secretary shall issue all appraisal
11	instructions for those appraisals.
12	(2) Requirements.—
13	(A) In general.—All appraisals under
14	paragraph (1) shall be conducted in accordance
15	with nationally recognized appraisal standards,
16	including—
17	(i) the Uniform Appraisal Standards
18	for Federal Land Acquisitions; and
19	(ii) the Uniform Standards of Profes-
20	sional Appraisal Practice.
21	(B) Final appraised value.—
22	(i) In General.—During the 3-year
23	period beginning on the date on which the
24	final appraised values of the Federal land
25	and the non-Federal land for each phase of

1	the exchange described in subsection (n)
2	are approved by the Secretary, the Sec-
3	retary shall not be required to reappraise
4	or update the final appraised values of the
5	Federal land and the non-Federal land.
6	(ii) Exchange agreement.—After
7	the date on which an agreement to ex-
8	change the Federal land and non-Federal
9	is entered into under this Act, no re-
10	appraisal or updates to the final appraised
11	values of the Federal land and the non-
12	Federal land approved by the Secretary
13	shall be required.
14	(3) Public Review.—Before completing each
15	phase of the land exchange described in subsection
16	(n), the Secretary shall make available for public re-
17	view summaries of the appraisals of the Federal land
18	and the non-Federal land for the applicable phase.
19	(j) Equal Value Land Exchange.—
20	(1) IN GENERAL.—The value of the Federal
21	land and the non-Federal land to be exchanged
22	under subsection (a) shall be—
23	(A) equal; or
24	(B) equalized in accordance with this sub-
25	section.

You created this PDF from an application that is not licensed to print to novaPDF printer (http://www.novapdf.com)

1	(2) Surplus of federal land value.—
2	(A) IN GENERAL.—If the final appraised
3	value of the Federal land exceeds the final ap-
4	praised value of the non-Federal land in phase
5	2 of the exchange (after applying any cash
6	equalization credit or debit from phase 1 of the
7	exchange under subsection (n)(2)), the Federal
8	land shall be adjusted by removing 1 or more
9	parcels, or 1 or more portions of parcels, as de-
10	termined by the Alaska Mental Health Trust,
11	with the concurrence of the Secretary, in ac-
12	cordance with subparagraph (B) until, to the
13	maximum extent practicable, approximate equal
14	value of the Federal land and non-Federal land
15	is achieved.
16	(B) Order of priority.—The parcels of
17	Federal land shall be removed under subpara-
18	graph (A) in the reverse order in which the par-
19	cels are listed in section 3(2), beginning with
20	subparagraph (G).
21	(3) Surplus of non-federal land value.—
22	(A) IN GENERAL.—If the final appraised
23	value of the non-Federal land exceeds the final
24	appraised value of the Federal land in phase 2
25	of the exchange (after applying any cash equali-

1	zation credit or debit from phase 1 of the ex-
2	change under subsection (n)(2)), the non-Fed-
3	eral land shall be adjusted by removing 1 or
4	more parcels, or 1 or more portions of parcels,
5	as determined by the Alaska Mental Health
6	Trust, with the concurrence of the Secretary, in
7	accordance with subparagraph (B) until, to the
8	maximum extent practicable, approximate equal
9	value of the Federal land and non-Federal land
10	is achieved.
11	(B) Order of Priority.—The parcels of
12	non-Federal land shall be removed under sub-
13	paragraph (A) in the reverse order in which the
14	parcels are listed in section 3(4), beginning
15	with subparagraph (T).
16	(C) Waiver of Cash equalization.—In
17	order to expedite completion of the exchange, if
18	the values of the Federal land and the non-Fed-
19	eral land cannot be equalized under this para-
20	graph, the Alaska Mental Health Trust may, at
21	its sole discretion, elect to waive any cash
22	equalization payment that would otherwise be
23	due from the United States under paragraph
24	(4).

1	(4) Remaining difference.—Any remaining
2	difference in value after adjusting the Federal land
3	or non-Federal land under paragraph (2)(A) or
4	(3)(A), respectively, shall be equalized by—
5	(A) removal of a portion of a parcel of the
6	Federal land or the non-Federal land, as appli-
7	cable, as determined by the Alaska Mental
8	Health Trust, with the concurrence of the Sec-
9	retary;
10	(B) the payment of a cash equalization, as
11	necessary, by the Secretary or the Alaska Men-
12	tal Health Trust, as appropriate, in accordance
13	with section 206(b) of the Federal Land Policy
14	and Management Act of 1976 (43 U.S.C.
15	1716(b)); or
16	(C) a combination of the methods de-
17	scribed in subparagraphs (A) and (B), as deter-
18	mined by the Alaska Mental Health Trust, with
19	the concurrence of the Secretary.
20	(k) Costs.—As a condition of the land exchange
21	under this Act, the Alaska Mental Health Trust shall
22	agree to pay, without compensation, all costs that are as-
23	sociated with each phase of the exchange described in sub-
24	section (n), including—

1	(1) all costs to complete the land surveys, ap-
2	praisals, and environmental reviews described in sub-
3	section (h) such that the exchange may be completed
4	in accordance with the deadlines described in sub-
5	section (n); and
6	(2) on request of the Secretary, reimbursement
7	of costs for agency staff, additional agency staff, or
8	third-party contractors appropriate such that the ex-
9	change may be completed in accordance with the
10	deadlines described in subsection (n).
11	(l) Land Surveys, Approvals, Uses.—
12	(1) Survey instructions.—Not later than 90
13	days after the date of enactment of this Act, the
14	Secretary of the Interior shall issue survey instruc-
15	tions to assist in the timely completion of all land
16	surveys necessary to complete the land exchange
17	under subsection (a) in accordance with the dead-
18	lines described in subsection (n).
19	(2) Surveys.—Unless otherwise agreed to by
20	the Secretary and the Alaska Mental Health Trust,
21	after consultation with the Secretary of the Interior,
22	land surveys shall not be required for—
23	(A) any portion of the boundaries of the
24	non-Federal land that is contiguous to—

1	(i) National Forest System land, as in
2	existence on the date of enactment of this
3	Act; or
4	(ii) land that has been surveyed or
5	lotted as of the date of enactment of this
6	Act;
7	(B) any portion of the boundaries of the
8	Federal land that is contiguous to—
9	(i) land owned as of the date of enact-
10	ment of this Act by—
11	(I) the Alaska Mental Health
12	Trust; or
13	(II) the State; or
14	(ii) land that has been surveyed or
15	lotted as of the date of enactment of this
16	Act;
17	(C) any portion of the boundaries that the
18	Secretary and the Alaska Mental Health Trust
19	agree, after consultation with the Secretary of
20	the Interior, is adequately defined by a survey,
21	mapping, or aliquot part, or other legal descrip-
22	tion; and
23	(D) any portion of the boundaries of the
24	non-Federal land that—

1	(i) the United States tentatively con-
2	veyed to the State without survey;
3	(ii) is being reconveyed to the United
4	States in the land exchange under sub-
5	section (a); and
6	(iii) is not surveyed as of the date of
7	enactment of this Act.
8	(m) Parcel Adjustment.—If a portion of a parcel
9	of the Federal land or the non-Federal land to be conveyed
10	under subsection (a) cannot be conveyed due to the pres-
11	ence of hazardous materials—
12	(1) the portion shall be removed from the ex-
13	change; and
14	(2) the final exchange values shall be equalized
15	in accordance with subsection (j).
16	(n) Land Exchange Phases.—
17	(1) IN GENERAL.—The land exchange under
18	subsection (a) shall be completed in 2 phases, as
19	specifically described in paragraphs (2) and (3).
20	(2) Phase 1.—
21	(A) In general.—Subject to subpara-
22	graph (B), not later than 1 year after the date
23	of enactment of this Act—
24	(i) the Secretary shall convey to the
25	Alaska Mental Health Trust the parcel of

1	Federal land described in section $3(2)(A)$;
2	and
3	(ii) the Alaska Mental Health Trust
4	shall simultaneously convey to the United
5	States the parcels of non-Federal land de-
6	scribed in subparagraphs (A) and (B) of
7	section $3(4)$.
8	(B) Conditions.—Subparagraph (A) shall
9	be subject to the following conditions:
10	(i) The land conveyed under this sub-
11	paragraph shall be appraised—
12	(I) separately from the land de-
13	scribed in paragraph (3); but
14	(II) in accordance with the na-
15	tionally recognized appraisal stand-
16	ards described in subsection (i)(2)(A).
17	(ii) Any cash equalization payment
18	that would otherwise be necessary to be
19	paid by the Secretary or the Alaska Mental
20	Health Trust on the completion of the con-
21	veyance under this paragraph shall be—
22	(I) deferred until the completion
23	of the conveyance under paragraph
24	(3); and

1	(II) debited or credited, as appro-
2	priate, to any final land or cash
3	equalization that may be due from ei-
4	ther party on the completion of the
5	conveyance under paragraph (3).
6	(3) Phase 2.—Subject to subsection (j), not
7	later than 2 years after the date of enactment of
8	this Act—
9	(A) the Secretary shall convey to the Alas-
10	ka Mental Health Trust the Federal land de-
11	scribed in subparagraphs (B) through (G) of
12	section 3(2); and
13	(B) the Alaska Mental Health Trust shall
14	simultaneously convey to the United States the
15	non-Federal land described in subparagraphs
16	(C) through (T) of section 3(4).
17	SEC. 5. USE OF THE FEDERAL LAND AND NON-FEDERAL
18	LAND.
19	(a) Federal Land Conveyed to the Alaska
20	MENTAL HEALTH TRUST.—On conveyance of the Federal
21	land to the Alaska Mental Health Trust under this Act,
22	the Federal land shall—
23	(1) become the property of the Alaska Mental
24	Health Trust; and

RYA17235

1	(2) be available for any use permitted under ap-
2	plicable law (including regulations).
3	(b) Non-Federal Land Acquired by the Sec-
4	RETARY.—
5	(1) In general.—On acquisition of the non-
6	Federal land by the Secretary under this Act, the
7	non-Federal land shall—
8	(A) become part of the Tongass National
9	Forest;
10	(B) be administered in accordance with the
11	laws applicable to the National Forest System;
12	and
13	(C) be managed—
14	(i) to preserve—
15	(I) the undeveloped natural char-
16	acter of the non-Federal land, except
17	as provided in paragraph (3); and
18	(II) the wildlife, watershed, and
19	scenic values of the non-Federal land;
20	and
21	(ii) to provide for recreational oppor-
22	tunities consistent with the purposes and
23	values of the non-Federal land to be pre-
24	served under clause (i), including the de-

22

RYA17235 S.L.C. 23

1	velopment or maintenance of recreational
2	trails as described in paragraph (3).
3	(2) Boundary Revision.—On acquisition of
4	the non-Federal land by the Secretary under this
5	Act, the boundaries of the Tongass National Forest
6	shall be modified to reflect the inclusion of the non-
7	Federal land.
8	(3) Recreational trails.—Nothing in this
9	subsection precludes the development or mainte-
10	nance of recreational trails for hiking, biking, or ski-
11	ing.
12	(c) Administrative Site.—On acquisition of the
13	parcel of non-Federal land described in section 3(4)(E),
14	the Secretary shall set aside 42 acres of the parcel, in the
15	location generally depicted on map 2, as an administrative
16	site for purposes of the future administrative needs of the
17	Tongass National Forest.
18	SEC. 6. WITHDRAWAL.
19	Subject to valid existing rights, the non-Federal land
20	acquired by the Secretary under this Act shall be with-
21	drawn from all forms of—
22	(1) entry, appropriation, or disposal under the
23	public land laws;
24	(2) location, entry, and patent under the mining
25	laws; and

1	(3) disposition under the mineral leasing, min-
2	eral materials, and geothermal leasing laws.
3	SEC. 7. MISCELLANEOUS PROVISIONS.
4	(a) Revocation of Orders; Withdrawal.—
5	(1) REVOCATION OF ORDERS.—Any public land
6	order or administrative action that withdraws the
7	Federal land from appropriation or disposal under a
8	public land law shall be revoked to the extent nec-
9	essary to permit the conveyance of the Federal land.
10	(2) Withdrawal.—
11	(A) IN GENERAL.—If the Federal land or
12	any Federal interest in the non-Federal land is
13	not withdrawn or segregated from entry and
14	appropriation under a public land law (includ-
15	ing logging and mineral leasing laws and the
16	Geothermal Steam Act of 1970 (30 U.S.C.
17	1001 et seq.)) as of the date of enactment of
18	this Act, the Federal land or Federal interest in
19	the non-Federal land shall be withdrawn, with-
20	out further action by the Secretary, from entry
21	and appropriation.
22	(B) TERMINATION.—The withdrawal
23	under subparagraph (A) shall be terminated—
24	(i) on the date of the completion of
25	the phase of the land exchange described

1	in section 4(n) covering the applicable Fed-			
2	eral land; or			
3	(ii) if the Alaska Mental Health Trust			
4	notifies the Secretary in writing that the			
5	Alaska Mental Health Trust elects to with-			
6	draw from the land exchange under section			
7	206(d) of the Federal Land Policy and			
8	Management Act of 1976 (43 U.S.C.			
9	1716(d)), on the date on which the Sec-			
10	retary receives the notice of the election.			
11	(b) Maps, Estimates, Descriptions.—			
12	(1) MINOR ERRORS.—The Secretary and the			
13	Alaska Mental Health Trust, by mutual agreement,			
14	may correct minor errors in any map, acreage esti-			
15	mate, or description of any land conveyed or ex-			
16	changed under this Act.			
17	(2) Conflict.—If there is a conflict between a			
18	map, acreage estimate, or description of land in this			
19	Act, the map shall be given effect unless the Sec-			
20	retary and the Alaska Mental Health Trust mutually			
21	agree otherwise.			
22	(3) AVAILABILITY.—On the date of enactment			
23	of this Act, the Secretary shall file and make avail-			
24	able for public inspection in the office of the Super-			
25	visor of the Tongass National Forest each map.			

APRIL , 2017

RULES COMMITTEE PRINT 115-

TEXT OF THE HOUSE AMENDMENT TO SENATE

AMENDMENT NUMBERED 1 TO H.R. 244, THE

HONORING INVESTMENTS IN RECRUITING

AND EMPLOYING AMERICAN VETERANS ACT

OF 2017

[Showing the text of the Consolidated Appropriations Act, 2017.]

In lieu of the matter proposed to be stricken by Senate amendment numbered 1, insert the following:

- 1 SECTION 1. SHORT TITLE.
- This Act may be cited as the "Consolidated Appro-
- 3 priations Act, 2017".
- 4 SEC. 2. TABLE OF CONTENTS.
 - Sec. 1. Short title.
 - Sec. 2. Table of contents.
 - Sec. 3. References.
 - Sec. 4. Explanatory statement.
 - Sec. 5. Statement of appropriations.
 - Sec. 6. Availability of funds.
 - Sec. 7. Technical allowance for estimating differences.
 - Sec. 8. Correction.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs

904

1	INCORPORATION BY REFERENCE
2	Sec. 431. (a) The provisions of the following bills of
3	the 115th Congress are hereby enacted into law:
4	(1) H.R. 2104 (the Morley Nelson Snake River
5	Birds of Prey National Conservation Area Boundary
6	Modification Act of 2017), as introduced on April
7	20, 2017.
8	(2) S. 131 (the Alaska Mental Health Trust
9	Land Exchange Act of 2017), as ordered to be re-
10	ported on March 30, 2017, by the Committee on
11	Energy and Natural Resources of the Senate.
12	(3) S. 847 (the Women's Suffrage Centennial
13	Commission Act), as introduced on April 5, 2017.
14	(b) In publishing this Act in slip form and in the
15	United States Statutes at Large pursuant to section 112
16	of title 1, United States Code, the Archivist of the United
17	States shall include after the date of approval at the end
18	an appendix setting forth the text of the bills referred to
19	in subsection (a).
20	This division may be cited as the "Department of the
21	Interior, Environment, and Related Agencies Appropria-
22	tions Act, 2017".



LAWS OF ALASKA 2017

Source CSSB 88(RES)

Chapter No.

AN ACT

Authorizing a land exchange with the federal government in which certain Alaska mental health trust land is exchanged for certain national forest land and relating to the costs of the exchange; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

Authorizing a land exchange with the federal government in which certain Alaska mental 1 2 health trust land is exchanged for certain national forest land and relating to the costs of the 3 exchange; and providing for an effective date. 4 5 * Section 1. The uncodified law of the State of Alaska is amended by adding a new section 6 to read: 7 PURPOSE. In accordance with the Alaska Mental Health Trust Land Exchange Act of 8 2017 or a federal Act with similar terms, the purposes of this Act are to 9 (1) authorize the Department of Natural Resources, acting on behalf of the 10 Alaska Mental Health Trust Authority, to exchange mental health trust land managed by the 11 Department of Natural Resources for United States Forest Service land of equal or 12 comparable value; 13 (2) aid the Alaska Mental Health Trust Authority in achieving its goals and 14 objectives, including increasing trust revenue;

1	(3) contribute to the economic health of communities in Southeast Alaska; and
2	(4) preserve land adjacent to the communities of Ketchikan, Petersburg,
3	Wrangell, Sitka, Juneau, and Meyers Chuck.
4	* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
5	read:
6	EXCHANGE OF MENTAL HEALTH TRUST LAND FOR FEDERAL LAND. (a)
7	Notwithstanding AS 38.05.801, AS 38.50, or any other provision of law, and subject to the
8	provisions of this Act, the Alaska Mental Health Trust Land Exchange Act of 2017 or a
9	federal Act with similar terms, and any valid existing rights, reservations, rights-of-way, or
10	other encumbrances in, to, or on land conveyed under this Act, the Department of Natural
11	Resources may convey all right, title, and interest of certain mental health trust land described
12	in sec. 3(a) of this Act to the federal government in exchange for the conveyance of certain
13	federal land described in sec. 3(b) of this Act.
14	(b) The Alaska Mental Health Trust Authority shall pay all costs of the exchange,
15	including
16	(1) the costs incurred completing the land surveys, appraisals, and
17	environmental reviews described in the Alaska Mental Health Trust Land Exchange Act of
18	2017 or a federal Act with similar terms; and
19	(2) upon request of the United States Secretary of Agriculture, the costs of
20	federal agency staff, additional federal agency staff, or third-party contractors hired by the
21	federal government to effect the exchange as described in the Alaska Mental Health Trust
22	Land Exchange Act of 2017 or a federal Act with similar terms.
23	(c) All surveys required to complete the exchange shall be conducted in the manner
24	described in the Alaska Mental Health Trust Land Exchange Act of 2017 or a federal Act with
25	similar terms.
26	(d) In accordance with the Alaska Mental Health Trust Land Exchange Act of 2017 or
27	a federal Act with similar terms, conveyance of both federal and mental health trust land
28	under this Act is subject to
29	(1) reciprocal easements on existing roads as necessary to access the parcels
30	that each party acquires in the exchange; the easements must also provide for public access;
31	and

1	(2) conservation and research easements and related land use limitations			
2	described in the Alaska Mental Health Trust Land Exchange Act of 2017 or a federal Act with			
3	similar terms that			
4	(A) provide a buffer adjacent to the Ketchikan landfill;			
5	(B) allow for the completion of United States Forest Service research			
6	on designated study plots; and			
7	(C) protect certain karst areas of concern.			
8	(e) The Department of Natural Resources may enter into a cost-share agreement to			
9	cover the cost of road maintenance with respect to any reciprocal road easements exchanged			
10	under (d)(1) of this section.			
11	* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to			
12	read:			
13	LAND TO BE EXCHANGED. (a) Subject to the provisions of this Act, the following			
14	mental health trust land, as generally depicted on maps one through six and 10, comprising a			
15	total of approximately 18,258 acres, may be exchanged for the federal land described in (b) of			
16	this section:			
17	(1) land generally depicted as parcel K-1 on map 1, comprising approximately			
18	1,878 acres;			
19	(2) land generally depicted as parcel K-2 on map 1, comprising approximately			
20	707 acres;			
21	(3) land generally depicted as parcel K-3 on map 1, comprising approximately			
22	901 acres, including the depicted conservation easement area;			
23	(4) land generally depicted as parcel K-4A on map 1, comprising			
24	approximately 3,180 acres;			
25	(5) land generally depicted as parcel P-1A on map 2, comprising			
26	approximately 3,174 acres;			
27	(6) land generally depicted as parcel P-1B on map 2, comprising			
28	approximately 144 acres;			
29	(7) land generally depicted as parcel P-2B on map 2, comprising			
30	approximately 181 acres;			
31	(8) land generally depicted as parcel P-3B on map 2, comprising			

4			00	
	approx	ımatalı	7 U)	acrac.
1	abbioa	mnawiv	1 72	acros.
	I I		, -	

- 2 (9) land generally depicted as parcel P-4 on map 2, comprising approximately
- 3 280 acres;
- 4 (10) land generally depicted as parcel W-1 on map 3, comprising
- 5 approximately 204 acres;
- 6 (11) land generally depicted as parcel W-2 on map 3, comprising
- 7 approximately 104 acres;
- 8 (12) land generally depicted as parcel W-3 on map 3, comprising
- 9 approximately 63 acres;
- 10 (13) land generally depicted as parcel W-4 on map 3, comprising
- approximately 700 acres;
- 12 (14) land generally depicted as parcel S-2 on map 4, comprising
- approximately 284 acres;
- 14 (15) land generally depicted as parcel S-3 on map 4, comprising
- approximately 109 acres;
- 16 (16) land generally depicted as parcel S-4 on map 4, comprising
- 17 approximately 26 acres;
- 18 (17) land generally depicted as parcel MC-1 on map 5, comprising
- 19 approximately 169 acres:
- 20 (18) land generally depicted as parcel J-1B on map 6, comprising
- 21 approximately 2,261 acres;
- 22 (19) land generally depicted as parcel J-1A on map 6, comprising
- 23 approximately 428 acres; and
- 24 (20) land generally depicted as parcel NB-1 on map 10, comprising
- approximately 3,374 acres.
- 26 (b) Subject to the provisions of this Act, the mental health trust land described in (a)
- of this section may be exchanged, in the manner provided in secs. 4 and 5 of this Act, for the
- 28 following United States Forest Service land, comprising a total of approximately 20,580
- acres, as generally depicted on maps seven through nine:
- 30 (1) land generally depicted as the "Naukati Phase 1" parcel on map 8,
- 31 comprising approximately 2,400 acres;

2	approximately 4,182 acres;			
3	(3) land generally depicted as the "North Naukati" parcel on map 8,			
4	comprising approximately 1,311 acres;			
5	(4) land generally depicted as the "East Naukati/2016 Naukati addition" parcel			
6	on map 8, comprising approximately 1,067 acres;			
7	(5) land generally depicted as the "Central Naukati" parcel on map 8,			
8	comprising approximately 1,858 acres;			
9	(6) land generally depicted as the "Hollis" parcel on map 9, comprising			
10	approximately 1,538 acres; and			
11	(7) land generally depicted as the "Shelter Cove Area" parcel on map 7,			
12	comprising approximately 8,224 acres.			
13	(c) The Department of Natural Resources may, by mutual agreement with the United			
14	States Secretary of Agriculture, correct minor errors in any map, acreage estimate, or			
15	description of land subject to exchange under this section.			
16	(d) If there is a conflict between a map, acreage estimate, or description of land			
17	subject to exchange under this section, the map shall be given effect unless the Department of			
18	Natural Resources and the United States Secretary of Agriculture mutually agree otherwise.			
19	(e) In this section, "map" means the applicable map prepared by the Alaska Region of			
20	the United States Forest Service entitled "Alaska Mental Health Trust Act of 2017,"			
21	numbered			
22	(1) 1 - 9, and dated March 3, 2017; or			
23	(2) 10, and dated March 9, 2017.			
24	* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to			
25	read:			
26	LAND EXCHANGE PHASES. (a) Subject to the time limitations of the Alaska			
27	Mental Health Trust Land Exchange Act of 2017 or a federal Act with similar terms, the land			
28	described in sec. 3(a) and (b) of this Act shall be exchanged in two phases, as described in this			
29	section.			
30	(b) Subject to sec. 5 of this Act, if the United States Secretary of Agriculture has			
31	conveyed the parcel of federal land described in sec. 3(b)(1) of this Act to the Alaska Mental			

(2) land generally depicted as the "West Naukati" parcel on map 8, comprising

1

-5-

1	Health Trust Authority, the Department of Natural Resources shall convey the parcels of trust
2	land described in sec. 3(a)(1) and (2) of this Act to the federal government.
3	(c) Land to be conveyed under (b) of this section shall be appraised before land to be

- conveyed under (e) of this section.
- 5 (d) Notwithstanding sec. 5 of this Act, any cash equalization payment due under sec. 6 5 of this Act shall be
- 7 (1) deferred until the completion of land conveyances under (e) of this section; 8 and
- 9 (2) debited or credited, as appropriate, to any final land or cash equalization 10 that may be required under sec. 5 of this Act from either party upon completion of the 11 conveyances under (e) of this section.
- (e) Subject to sec. 5 of this Act, if the United States Secretary of Agriculture has conveyed the parcels of federal land described in sec. 3(b)(2) (7) of this Act to the Alaska Mental Health Trust Authority, the Department of Natural Resources shall convey the parcels of trust land described in sec. 3(a)(3) (20) of this Act to the federal government.
- * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to read:
 - EQUAL VALUE OF LAND AND OTHER CONSIDERATION EXCHANGED. (a) The value of the mental health trust land and other consideration exchanged for federal land and other consideration under this Act shall be equalized under this section when the Department of Natural Resources completes the land exchange described in sec. 4(e) of this Act.
 - (b) If the final appraised value of all of the federal land described in sec. 3(b) of this Act exceeds the final appraised value of all of the mental health trust land described in sec. 3(a) of this Act, the Department of Natural Resources may, in consultation with the United States Secretary of Agriculture,
 - (1) consent to the removal of one or more parcels of federal land described in sec. 3(b) of this Act from the exchange, beginning in the reverse order that the parcels are listed under that subsection until, to the maximum extent practicable, approximate equal value is achieved in the exchange; and
- 31 (2) equalize any remaining difference in value by

RMC 10-26-2017

4

18

19

20

21

22

23

24

25

26

27

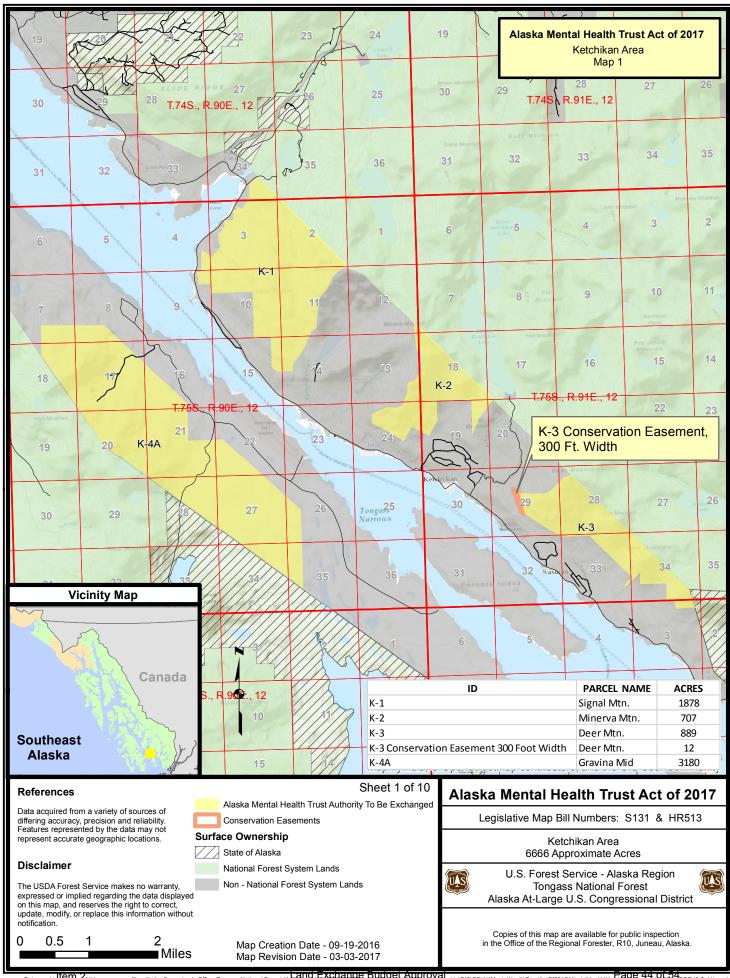
28

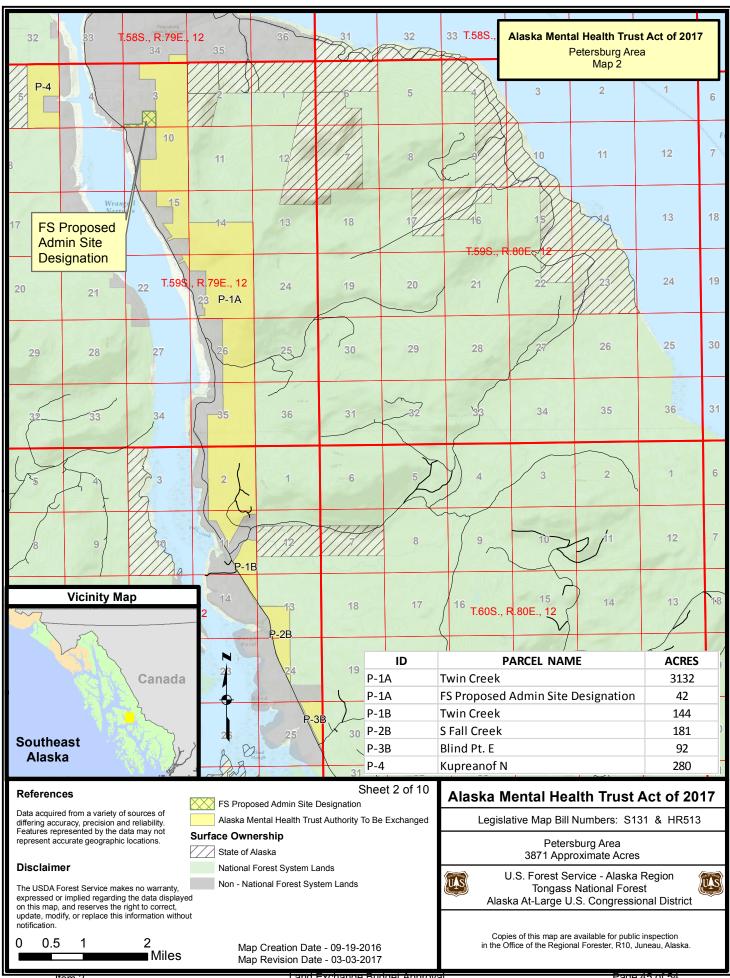
29

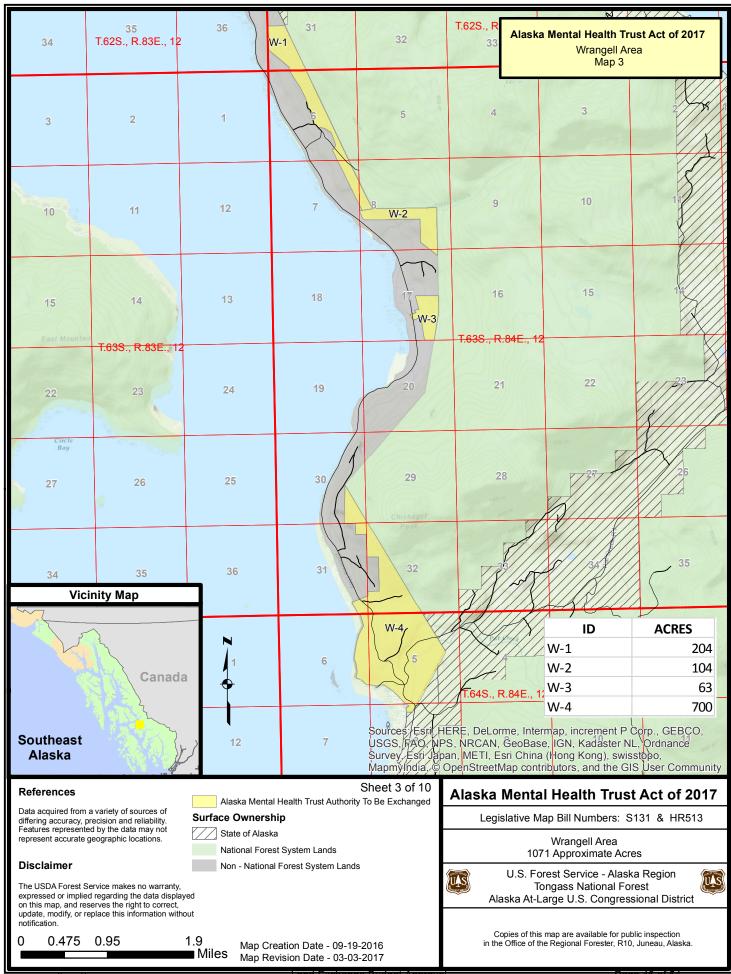
30

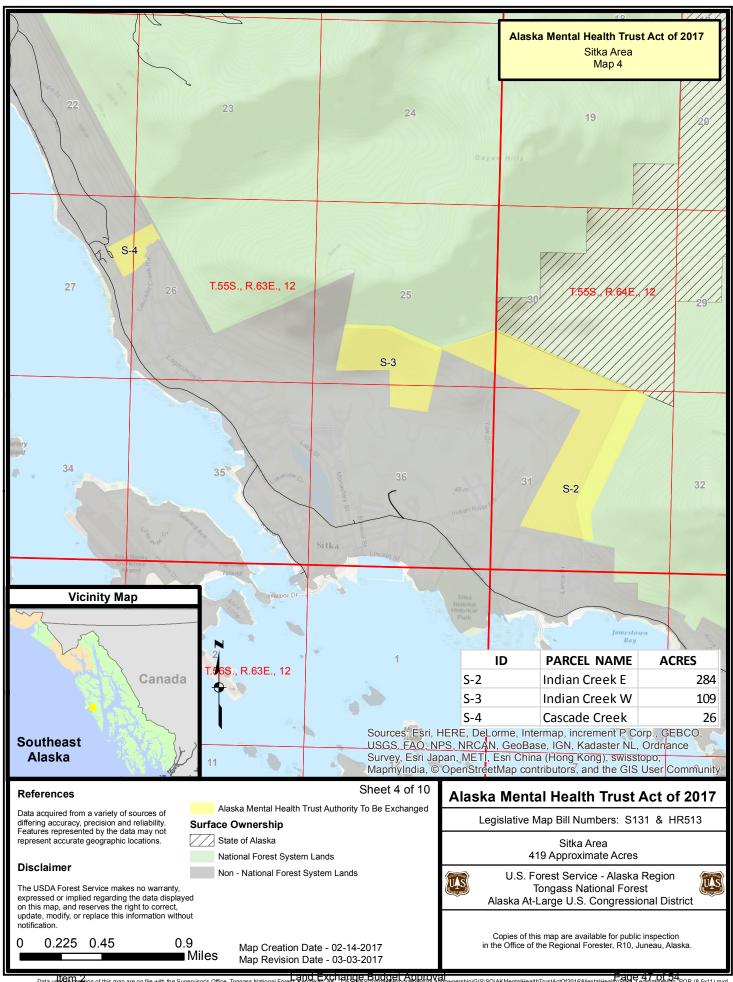
1	(A) removing a portion of a parcel of the federal land described in sec.
2	3(b) of this Act from the exchange;
3	(B) making a cash payment to the federal government that is equal to
4	the difference in value; or
5	(C) using both methods described in (A) and (B) of this paragraph.
6	(c) If the final appraised value of all of the mental health trust land described in sec.
7	3(a) of this Act exceeds the final appraised value of all of the federal land described in sec.
8	3(b) of this Act, the Department of Natural Resources may, in consultation with the United
9	States Secretary of Agriculture,
10	(1) remove one or more parcels of mental health trust land described in sec.
11	3(a) of this Act from the exchange, beginning in the reverse order that the parcels are listed
12	under that subsection, until, to the maximum extent practicable, approximate equal value is
13	achieved in the exchange; and
14	(2) equalize any remaining difference in value by
15	(A) removing a portion of a parcel of the mental health trust land
16	described in sec. 3(a) of this Act from the exchange;
17	(B) accepting a cash payment from the federal government that is
18	equal to the difference in value; or
19	(C) using both methods described in (A) and (B) of this paragraph.
20	(d) If a portion of a parcel of the federal land or the mental health trust land to be
21	conveyed under sec. 3 of this Act cannot be conveyed by the federal government or the
22	Department of Natural Resources because of the presence of hazardous material,
23	(1) that portion may be removed from the exchange; and
24	(2) the final values of the land exchanged under this Act shall be equalized
25	under this section.
26	(e) To expedite completion of the exchange, if the values of the federal land and the
27	mental health trust land cannot be exactly equalized under this section, the Department of
28	Natural Resources may, if the public officer in the Department of Natural Resources who is
29	responsible for the management of the land assets of the Alaska Mental Health Trust
30	Authority under AS 38.05.801 determines that it is in the best interests of the trust established
31	under the Alaska Mental Health Enabling Act of 1956, P.L. 84-830, 70 Stat. 709, waive any

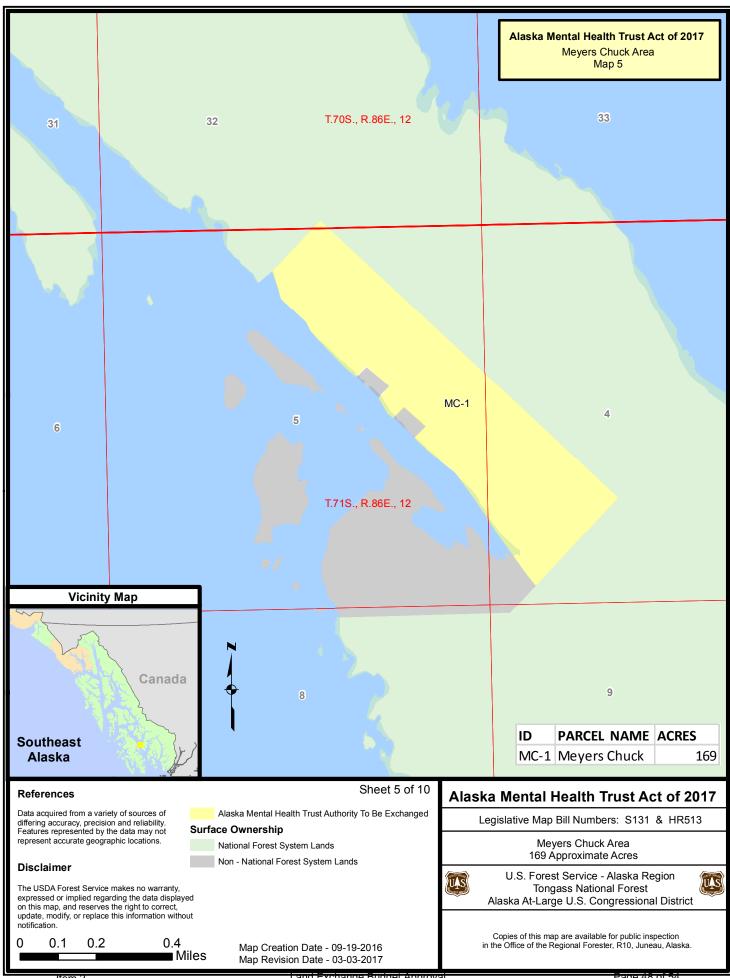
1	cash equalization payment due from the federal government under (c)(2) of this section.
2	(f) All land exchanged under this Act shall be appraised
3	(1) in accordance with nationally recognized appraisal standards, including the
4	Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of
5	Professional Appraisal Practice; and
6	(2) subject to any appraisal instructions issued by the United States Secretary
7	of Agriculture under the Alaska Mental Health Trust Land Exchange Act of 2017 or a federal
8	Act with similar terms.
9	(g) Once the value of a parcel of federal land or mental health trust land subject to
10	exchange under sec. 3 of this Act is approved as the final appraised value of the parcel by
11	both the federal government and the Department of Natural Resources under this section, the
12	state may not require the land to be reappraised or revalued.
13	* Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to
14	read:
15	CONDITIONAL EFFECT; DUTY TO NOTIFY. (a) This Act takes effect only if
16	(1) the Alaska Mental Health Trust Land Exchange Act of 2017 or a federal
17	Act with similar terms is passed by the 115th United States Congress and enacted into law;
18	(2) on or before January 1, 2024, the public officer in the Department of
19	Natural Resources who is responsible for the management of the land assets of the Alaska
20	Mental Health Trust Authority under AS 38.05.801 determines that the exchange authorized
21	by this Act is in the best interests of the trust established under the Alaska Mental Health
22	Enabling Act of 1956, P.L. 84-830, 70 Stat. 709; and
23	(3) on or before January 1, 2024, the Alaska Mental Health Trust Authority
24	approves the exchange authorized by this Act.
25	(b) The chair of the board of trustees of the Alaska Mental Health Trust Authority
26	shall certify in writing to the lieutenant governor and the revisor of statutes if, on or before
27	January 1, 2024, the Alaska Mental Health Trust Authority determines that the conditions in
28	(a) of this section have occurred.
29	* Sec. 7. If, under sec. 6 of this Act, this Act takes effect, it takes effect on the day after the
30	date on which the chair of the board of trustees of the Alaska Mental Health Trust Authority
31	makes the certification to the revisor of statutes under sec. 6 of this Act.

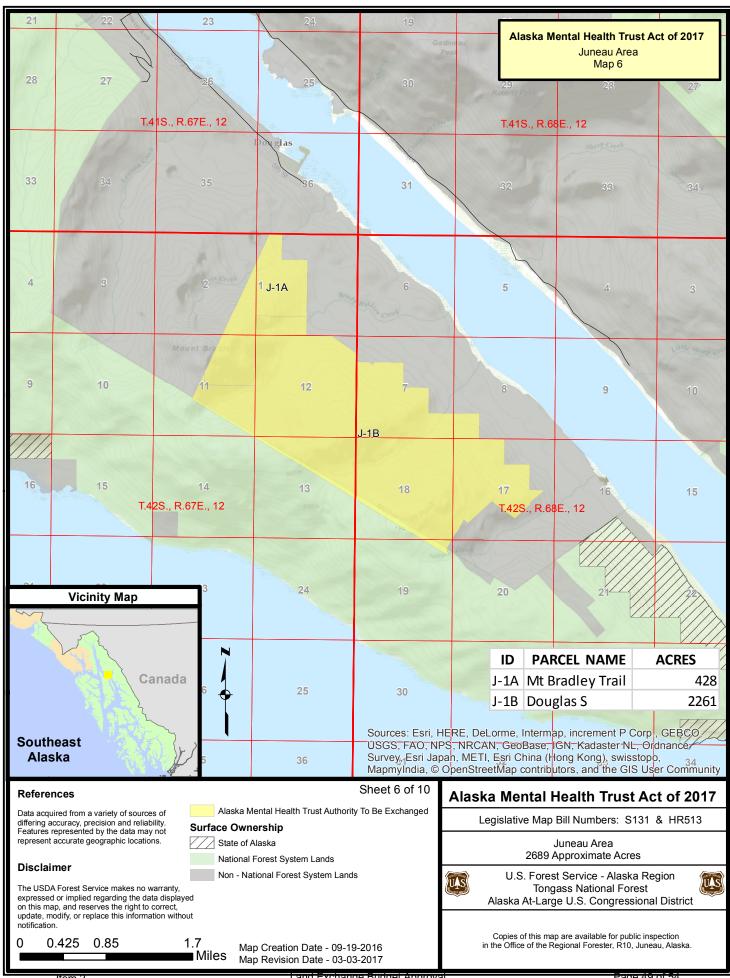


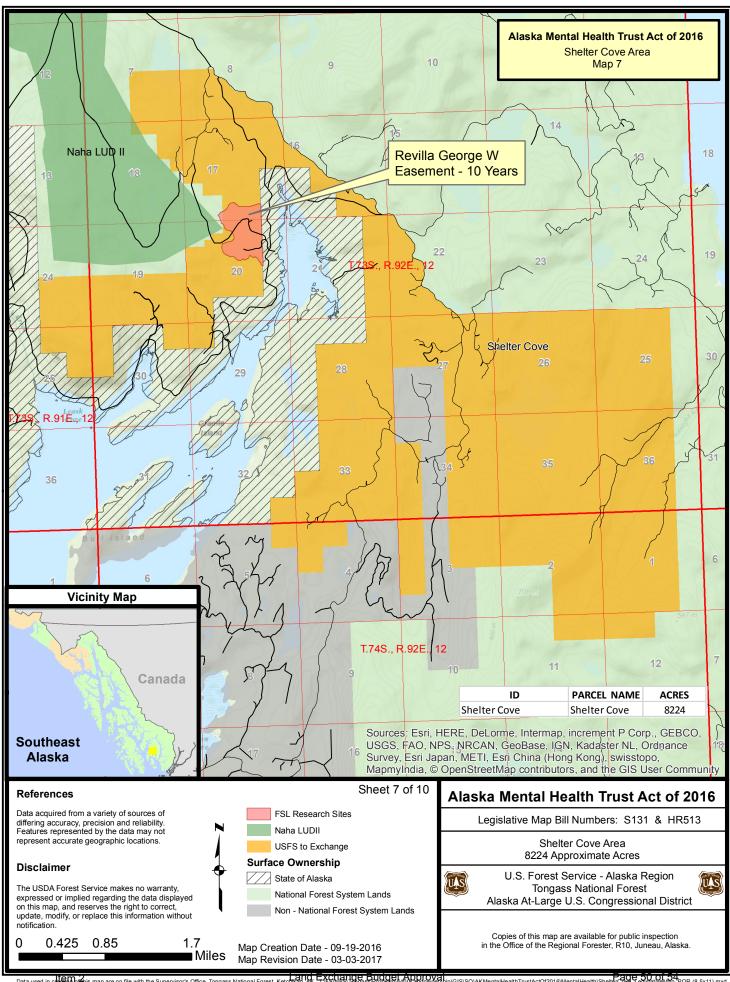


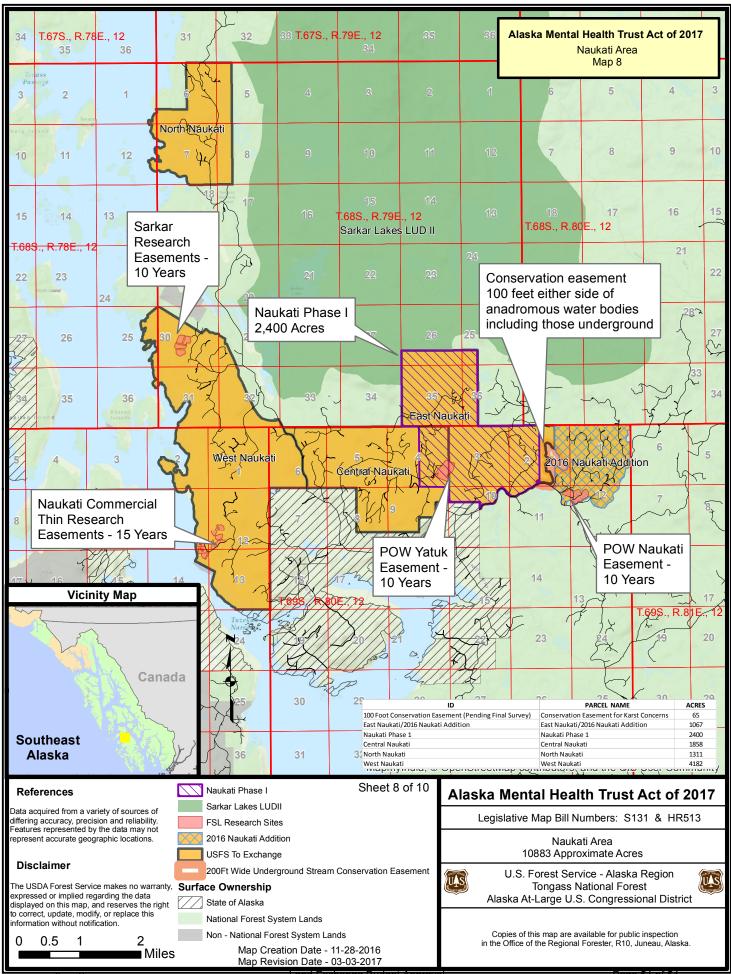


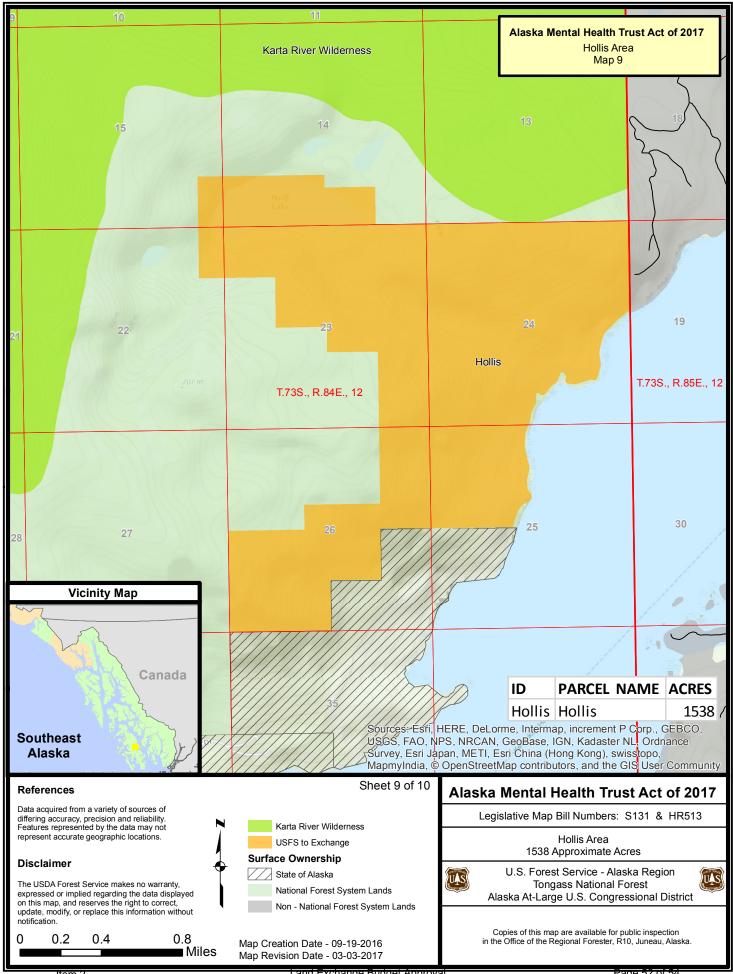


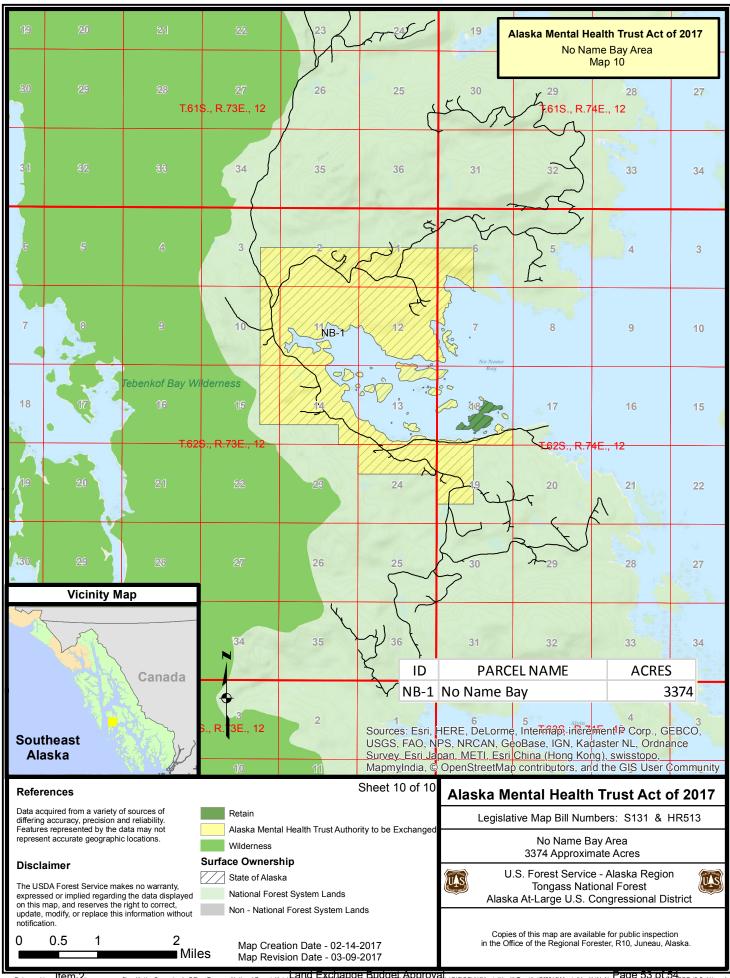












Projected Costs for AMHT - USFS Land Exchange

Though significant progress has been made, the exact scope of work for many of the tasks is still in development, but the budget has been prepared to reflect the highest anticipated costs to complete. The TLO has achieved many milestones including entering into a CCA to complete the appraisal process, negotiation and, pending approval of this budget, signing of the CCA to complete necessary surveys and reports. Moreover, continued dialog and cooperation with our exchange partner are anticipated to yield additional savings.

Graph Item #		Lov	v Estimate
1	Pre-Legislation Expenses	\$	604,000
2	Survey of Federal Lands	\$	725,000
3	Survey of Non-Federal Lands	\$	1,200,000
4	Posting & Blazing of Non-Federal La	\$	650,000
5	USFS CCA	\$	1,408,000
6	Appraisal CCA	\$	868,000
7	Timber Cruise	\$	200,000
8	Additional Consulting	\$	75,000
9	Legal Fees/Title Insurance	\$	150,000
10	Additional TLO Travel	\$	40,000
11	Performance under NHPA PA	\$	250,000
	Total	\$6	,170,000

