

118TH CONGRESS
2D SESSION

H. R. 1657

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Received; read twice and referred to the Committee on Agriculture, Nutrition,
and Forestry

AN ACT

To provide for a land exchange in the Chippewa National
Forest, Minnesota, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lake Winnibigoshish
3 Land Exchange Act of 2024”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) BWLT.—The term “BWLT” means Big
7 Winnie Land and Timber, LLC, a Minnesota Lim-
8 ited Liability Corporation.

9 (2) MAP.—The term “Map” means the map en-
10 titled “Heig Land Exchange” and dated December
11 14, 2023.

12 (3) FEDERAL LAND.—The term “Federal land”
13 means the approximately 17.5 acres of Federal land
14 in Itasca County, Minnesota, generally depicted as
15 the “Federal Parcel” on the Map.

16 (4) NON-FEDERAL LAND.—The term “non-Fed-
17 eral land” means the approximately 36.7 acres of
18 non-Federal land in Itasca County, Minnesota, gen-
19 erally depicted as the “Non-Federal Parcel” on the
20 Map.

21 (5) SECRETARY.—The term “Secretary” means
22 the Secretary of Agriculture, acting through the
23 Chief of the Forest Service.

24 **SEC. 3. EXCHANGE OF LAND.**

25 (a) EXCHANGE AUTHORIZED.—Subject to the provi-
26 sions of this Act, if BWLT offers to convey the non-Fed-

1 eral land to the United States, the Secretary shall, not
2 later than 1 year after the date on which such offer is
3 made—

4 (1) accept the offer;

5 (2) convey to BWLT all right, title, and inter-
6 est of the United States in and to the Federal land,
7 excepting and reserving an easement for road access
8 to National Forest System land west of the Federal
9 Parcel; and

10 (3) accept from BWLT all right, title, and in-
11 terest of BWLT in and to the non-Federal land.

12 (b) REQUIREMENTS.—The exchange under sub-
13 section (a) shall be—

14 (1) conditioned on title approval for the non-
15 Federal land by the Secretary in accordance with
16 subsection (e);

17 (2) conditioned on a cash equalization payment
18 made by BWLT to the United States in accordance
19 with subsection (c) if, under the appraisals con-
20 ducted in accordance with this Act, it is determined
21 that the value of the Federal land exceeds the value
22 of the non-Federal land;

23 (3) conditioned on the satisfactory completion
24 of a Phase I Environmental Site Assessment by

1 BWLT, provided to the Secretary, in advance of the
2 acceptance of the non-Federal parcel;

3 (4) subject to valid existing rights; and

4 (5) subject to any other terms and conditions
5 the Secretary determines appropriate.

6 (c) EQUAL VALUE AND CASH EQUALIZATION.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the exchange under subsection (a) shall
9 be for equal value or the values shall be equalized
10 by a cash payment.

11 (2) EXCEPTION.—Notwithstanding any other
12 provision of law, if the appraised value of the non-
13 Federal land to be conveyed to the United States ex-
14 ceeds the appraised value of the Federal land, a cash
15 equalization payment by the United States to
16 BWLT is hereby waived and the amount of such
17 waived payment shall be considered a donation by
18 BWLT to the United States for all purposes of law.

19 (d) APPRAISALS.—

20 (1) IN GENERAL.—The value of the land to be
21 exchanged under this Act shall be determined by ap-
22 praisals conducted by an independent and qualified
23 appraiser mutually agreed to by the Secretary and
24 BWLT.

1 (2) APPRAISAL STANDARDS.—The Secretary
2 shall complete appraisals of the land to be ex-
3 changed under this Act in accordance with—

4 (A) the Uniform Appraisal Standards for
5 Federal Land Acquisitions; and

6 (B) the Uniform Standards of Professional
7 Appraisal Practice.

8 (e) FORMAT.—Title to the non-Federal land to be
9 conveyed to the United States under this Act shall be
10 found sufficient by the Secretary pursuant to section 3111
11 of title 40, United States Code.

12 (f) MANAGEMENT OF ACQUIRED LAND.—The non-
13 Federal land acquired by the United States under sub-
14 section (a) shall be—

15 (1) added to, and managed as part of, the
16 Chippewa National Forest; and

17 (2) managed in accordance with the laws, rules,
18 and regulations pertaining to National Forest Sys-
19 tem lands.

20 (g) MAP AND LEGAL DESCRIPTIONS.—

21 (1) IN GENERAL.—As soon as practicable after
22 the date of enactment of this Act, the Secretary
23 shall finalize the Map and legal descriptions of all
24 land to be conveyed under this Act.

1 (2) CONTROLLING DOCUMENT.—In the case of
2 a discrepancy between the Map and a legal descrip-
3 tion, the Map shall control.

4 (3) CORRECTIONS.—The Secretary and BWLT,
5 by mutual agreement, may correct any minor errors
6 in the Map or in the legal descriptions, including
7 with respect to the boundaries of the Federal land
8 and the non-Federal land.

9 (4) MAP ON FILE.—The Map and legal descrip-
10 tions shall be on file and available for public inspec-
11 tion in appropriate offices of the Forest Service.

12 (h) CLOSING COSTS.—As a condition for the ex-
13 change under subsection (a), BWLT shall pay all closing
14 costs associated with the exchange, including for—

15 (1) title insurance and title search;

16 (2) any applicable inspection fees, escrow fees,
17 attorneys fees, and recording fees; and

18 (3) any environmental analysis or resource sur-
19 vey required under Federal law, regulation, or pol-
20 icy, including a Phase I Environmental Site Assess-
21 ment of the non-Federal land.

22 (i) SURVEY.—

23 (1) IN GENERAL.—The exact acreages and legal
24 descriptions of the Federal and non-Federal land to

1 be exchanged under subsection (a) shall be deter-
2 mined by surveys satisfactory to the Secretary.

3 (2) COSTS OF SURVEY.—BWLTT shall bear all
4 costs associated with the surveys under paragraph
5 (1).

Passed the House of Representatives September 24,
2024.

Attest:

KEVIN F. MCCUMBER,

Clerk.