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<current-chamber>IN THE HOUSE OF REPRESENTATIVES</current-chamber>

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<subsection id="HFC7CBB3AE59C4620A16D2E516FDF6A12"><enum>(a)</enum><header>Short
title</header><text display-inline="yes-display-inline">This Act may be cited as the
<quote><short-title>Superior National Forest Land Exchange Act of 2019</short-
title></quote>.</text></subsection>

<subsection id="HA343908FB9F5437589B5EE67EC4B30AD"><enum>(b)</enum><header>Table of
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<toc-entry idref="HC5CB35378B794C42A2B882461EFE10E4" level="section">Sec.â€,3.â€,Definitions.</toc-entry>

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<section id="H89A36C977A744ED188F80FD796542F49"><enum>2.</enum><header>Purpose and need for NorthMet Land Exchange</header>

<subsection id="H19BE239B54A14D0FB6DC9ECD1D388AE3"><enum>(a)</enum><header>Purpose</header><text display-inline="yes-display-inline">It is the purpose of this Act to further the public interest by consummating the NorthMet Land Exchange as specifically set forth in this Act.</text></subsection>

<subsection id="H3EADBBB2A474400AAAB008C4D3152DCF"><enum>(b)</enum><header>Need</header><text display-inline="yes-display-inline">According to the Final Record of Decision, the NorthMet Land Exchange is advisable and needed because the NorthMet Land Exchange willâ€"</text>

<paragraph id="H4DB78DF3A16642C9A3FB6B89933EE8B3"><enum>(1)</enum><text>result in a 40-acre net gain in National Forest System lands;</text></paragraph>

<paragraph id="H528C39023315482E81BFD1950CA88DFB"><enum>(2)</enum><text>improve the spatial arrangement of National Forest System lands by reducing the amount of ownership boundaries to be managed by 33 miles;</text></paragraph>

<paragraph id="H35910705CB7043FDB9D62EBC224EA4B7"><enum>(3)</enum><text>improve management effectiveness by exchanging isolated Federal lands with no public overland access for non-Federal lands that will have public overland access and be accessible and open to public use and enjoyment;</text></paragraph>

<paragraph id="H29E6C9BE15ED433FB3765B09AAB1FB3B"><enum>(4)</enum><text>result in Federal cost savings by eliminating certain easements and their associated administration costs;</text></paragraph>

<paragraph id="HD98D9AADDD824785BB0DA54FBAB108EC"><enum>(5)</enum><text>meet several of the priorities identified in the land and resource management plan for Superior National Forest to protect and manage administratively or congressionally designated, unique, proposed, or recommended areas, including acquisition of 307 acres of land to the administratively proposed candidate Research Natural Areas, which are managed by preserving and maintaining areas for ecological research, observation, genetic conservation, monitoring, and educational activities;</text></paragraph>

<paragraph id="H07F23AC5FBDB41C58F278081416ECCFC"><enum>(6)</enum><text>promote more effective land management that would meet specific National Forest needs for management, including acquisition of over 6,500 acres of land for new public access, watershed protection, ecologically rare habitats, wetlands, water frontage, and

improved ownership patterns;</text></paragraph>

<paragraph id="H7194F66E0FE944F0ABF2F6ED9F9E391F"><enum>(7)</enum><text>convey Federal land generally not needed for other Forest resource management objectives, because such land is adjacent to intensively developed private land including ferrous mining areas, where abundant mining infrastructure and transportation are already in place, includingâ€"</text>

<subparagraph id="H9DEA5F8F7053417D87C99968926A3CFA"><enum>(A)</enum><text>a large, intensively developed open pit mine lying directly to the north of the Federal land;</text></subparagraph>

<subparagraph id="HBB95DE377BA44D89A5F4C0CADD518807"><enum>(B)</enum><text>a private mine railroad, powerlines, and roads lying directly to the south of the Federal land; and</text></subparagraph>

<subparagraph id="H2FABE7A11D884B86ACFC3743A736ADD6"><enum>(C)</enum><text>already existing ore processing, milling, and tailings facilities located approximately 5 miles to the west of the Federal land; and</text></subparagraph></paragraph>

<paragraph id="HE7A31651FF0C4C438BBFCC300B417157"><enum>(8)</enum><text display-inline="yes-display-inline">provide a practical resolution to complex issues pertaining to the development of private mineral rights underlying the Federal land surface, and thereby avoid potential litigation which could adversely impact the status and management of the Federal land and other National Forest System land acquired under the authority of section 6 of the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 515).</text></paragraph></subsection></section>

<section id="HC5CB35378B794C42A2B882461EFE10E4"><enum>3.</enum><header>Definitions</header><text display-inline="no-display-inline">In this Act:</text>

<paragraph id="H5D9070F025B943E78C486EF62623AFC5"><enum>(1)</enum><header>Collection Agreements</header><text display-inline="yes-display-inline">The term <term>Collection Agreements</term> means the following agreements between the Secretary and PolyMet pertaining to the NorthMet Land Exchange:</text>

<subparagraph id="H3B06185B1B474D0185BC0C96EAA28852"><enum>(A)</enum><text>The agreement dated August 25, 2015.</text></subparagraph>

<subparagraph id="HABBF3346CF574A2D9340548D23752339"><enum>(B)</enum><text>The agreement dated January 15, 2016.</text></subparagraph></paragraph>

<paragraph id="H1586D8BD06794F6EBA114009B372582F"><enum>(2)</enum><header>Federal land parcel</header><text display-inline="yes-display-inline">The term <term>Federal land parcel</term> means all right, title, and interest of the United States in and to approximately 6,650 acres of National Forest System land, as identified in the Final Record of Decision, within the Superior National Forest in St. Louis County, Minnesota, as generally depicted on the map entitled <quote>Federal Land Parcelâ€"NorthMet Land Exchange</quote>, and dated June 2017.</text></paragraph>

<paragraph id="H953939AAB627468CAFD96CC24C0EAF15"><enum>(3)</enum><header>Non-Federal land</header><text display-inline="yes-display-inline">The term <term>non-Federal land</term> means all right, title, and interest of PolyMet in and to approximately 6,690 acres of land in four separate tracts (comprising 10 separate land parcels in total) within the Superior National Forest to be conveyed to the United States by PolyMet in the land exchange as generally depicted on an overview map entitled <quote>Non-Federal Land Parcelsâ€"NorthMet Land Exchange</quote> and dated June 2017, and further depicted on separate tract maps as follows:</text>

<subparagraph id="H7FF7F68C06E746D1A20045E876B4F59D"><enum>(A)</enum><header>Tract 1</header><text display-inline="yes-display-inline">Approximately 4,650 acres of land in St. Louis County, Minnesota, generally depicted on the map entitled <quote>Non-Federal Land Parcelsâ€"NorthMet Land Exchangeâ€"Hay Lake Tract</quote>, and dated June 28, 2018.</text></subparagraph>

<subparagraph id="H785D2162F3724FF88EA7885A60A1A11E"><enum>(B)</enum><header>Tract 2</header><text display-inline="yes-display-inline">Approximately 320 acres of land in 4 separate parcels in Lake County, Minnesota, generally depicted on the map entitled <quote>Non-Federal Land Parcelsâ€"NorthMet Land Exchangeâ€"Lake County Lands</quote>, and dated June 28, 2018.</text></subparagraph>

<subparagraph id="HD0015F5359BC4765A20531010D0BD0F0"><enum>(C)</enum><header>Tract 3</header><text display-inline="yes-display-inline">Approximately 1,560 acres of land in 4 separate parcels in Lake County, Minnesota, generally depicted on the map entitled <quote>Non-Federal Land Parcelsâ€"NorthMet Land Exchangeâ€"Wolf Lands</quote>, and dated June 2017.</text></subparagraph>

<subparagraph commented="no" id="H01E4E19C1DE446B5A550D265C6BB6C85"><enum>(D)</enum><header>Tract 4</header><text display-inline="yes-display-inline">Approximately 160 acres of land in St. Louis County, Minnesota, generally depicted on the map entitled <quote>Non-Federal Land Parcelâ€"NorthMet Land Exchangeâ€"Hunting Club Lands</quote>, dated June 2017.</text></subparagraph></paragraph>

<paragraph id="H4C8D1317EC184E09A22A3FEC73A0BC76"><enum>(4)</enum><header>NorthMet Land Exchange</header><text display-inline="yes-display-inline">The term <term>NorthMet Land Exchange</term> means the land exchange specifically authorized and directed by section 4 of this Act.</text></paragraph>

<paragraph id="H8D56B38F0AA24456A51A338FFD3D266B"><enum>(5)</enum><header>PolyMet</header><text>The term <term>PolyMet</term> means PolyMet Mining Corporation, Inc., a Minnesota Corporation with executive offices in St. Paul, Minnesota, and headquarters in Hoyt Lakes, Minnesota.</text></paragraph>

<paragraph id="H4A603E36AE7F43208C423B7C81550BA7"><enum>(6)</enum><header>Record of Decision</header><text display-inline="yes-display-inline">The term <term>Record of Decision</term> means the Final Record of Decision of the Forest Service issued on January 9, 2017, approving the NorthMet Land exchange between the United States and PolyMet Mining, Inc., a Minnesota Corporation, involving National Forest System land in the Superior National Forest in Minnesota.</text></paragraph>

<paragraph id="H6B6AC1EB73F44265943003DF7615A03E"><enum>(7)</enum><header>Secretary</header><text>The term <term>Secretary</term> means the Secretary of Agriculture.</text></paragraph>

<paragraph id="H1D14E7EE673C42069AF2CEB7AD211A46"><enum>(8)</enum><header>State</header><text>The term <term>State</term> means the State of Minnesota.</text></paragraph></section>

<section id="H22B485F5FF75486586A95C6B110F3D76"><enum>4.</enum><header>NorthMet Land Exchange</header>

<subsection id="HECC6F27C42AD4F77AA15F37556B3953A"><enum>(a)</enum><header>Exchange authorized and directed</header>

<paragraph id="HBA332F5B1098442BA1730E2DD2515033"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">Subject to section 5(c)(1) and other conditions imposed by this Act, if PolyMet offers to convey to the United States all right, title, and interest of PolyMet in and to the non-Federal land, the Secretary shall accept the offer and convey to PolyMet all right, title, and interest of the United States in and to the Federal land parcel.</text></paragraph>

<paragraph id="HBD717CD239C24EE49F0492C014915966"><enum>(2)</enum><header>Land exchange expedited</header><text>Subject to the conditions imposed by this Act, the NorthMet Land Exchange directed by this Act shall be consummated not later than 90 days after the date of enactment of this Act.</text></paragraph></subsection>

<subsection id="HBABDF0E28A9B4238A0F0D5BB847FE15A"><enum>(b)</enum><header>Form of conveyance</header>

<paragraph id="H1DD6273629A54E5DB426987093C10C19"><enum>(1)</enum><header>Non-Federal land</header><text>Title to the non-Federal land conveyed by PolyMet to the United States shall be by general warranty deed subject to existing rights of record, and otherwise conform to the title approval regulations of the Attorney General of the United States.</text></paragraph>

<paragraph id="HA0190CB468294F009F1CE3BA4A20ACB7"><enum>(2)</enum><header>Federal land parcel</header><text>The Federal land parcel shall be quitclaimed by the Secretary to PolyMet by an exchange deed.</text></paragraph></subsection>

<subsection id="HD559D472048F4B93BE0CD0B6F5AF0301"><enum>(c)</enum><header>Exchange

costs</header>

<paragraph id="H0C47A54DB2214F40B41CC010EEE9F787"><enum>(1)</enum><header>Reimbursement required</header><text display-inline="yes-display-inline">PolyMet shall pay or reimburse the Secretary, either directly or through the Collection Agreements, for all land survey, appraisal, land title, deed preparation, and other costs incurred by the Secretary in processing and consummating the NorthMet Land Exchange. The Collection Agreements, as in effect on the date of the enactment of this Act, may be modified through the mutual consent of the parties.</text></paragraph>

<paragraph id="H6CF8D3007E49435A9FF223D3041CB55E"><enum>(2)</enum><header>Deposit of funds</header><text>All funds paid or reimbursed to the Secretary under paragraph (1)â€"</text>

<subparagraph id="H21FBC95F8CC0457993478BBBF24272D9"><enum>(A)</enum><text>shall be deposited and credited to the accounts in accordance with the Collection Agreements;</text></subparagraph>

<subparagraph id="H3AEEEA1B7CBC459E969888D2DC6625F9"><enum>(B)</enum><text>shall be used for the purposes specified for the accounts; and</text></subparagraph>

<subparagraph id="H04F12919282F422199D5D32CA707C8AE"><enum>(C)</enum><text>shall remain available to the Secretary until expended without further appropriation.</text></subparagraph></paragraph></subsection>

<subsection id="H53E857C0D75A4D92BB9F661F629FEF20"><enum>(d)</enum><header>Conditions on land exchange</header>

<paragraph id="H0C23CB02939E43128A3E221DE9D651D0"><enum>(1)</enum><header>Reservation of certain mineral rights</header><text display-inline="yes-display-inline">Notwithstanding subsection (a), the United States shall reserve the mineral rights on approximately 181 acres of the Federal land parcel as generally identified on the map entitled <quote>Federal Land Parcelâ€"NorthMet Land Exchange</quote>, and dated June 2017.</text></paragraph>

<paragraph id="H394BAEDAE86E49A784F882456DC34FAF"><enum>(2)</enum><header>Third-party authorizations</header><text display-inline="yes-display-inline">As set forth in the Final Record of Decision, PolyMet shall honor existing road and transmission line authorizations on the Federal land parcel. Upon relinquishment of the authorizations by the holders or upon revocation of the authorizations by the Forest Service, PolyMet shall offer replacement authorizations to the holders on at least equivalent terms.</text></paragraph></subsection></section>

<section id="HC53C9511D5E740138FF5A8F45CCC6A14"><enum>5.</enum><header>Valuation of NorthMet Land Exchange</header>

<subsection id="H7A8548F767F746A38D899A75EE81A9DF"><enum>(a)</enum><header>Appraisals</header><text >The Congress makes the following new findings:</text>

<paragraph id="H3626070AC2004DC4846BDD3D5091C623"><enum>(1)</enum><text display-inline="yes-display-inline">Appraisals of the Federal and non-Federal lands to be exchanged in the NorthMet Land Exchange were formally prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, and were approved by the Secretary in conjunction with preparation of the November 2015 Draft Record of Decision on the NorthMet Land Exchange.</text></paragraph>

<paragraph id="H2171ABBF7ADF4ECDB376CB1C6F900A92"><enum>(2)</enum><text>The appraisals referred to in paragraph (1) determined that the value of the non-Federal lands exceeded the value of the Federal land parcel by approximately $425,000.</text></paragraph>

<paragraph id="H24B357BC3B764E1EBF889D9CAD6266D2"><enum>(3)</enum><text display-inline="yes-display-inline">Based on the appraisals referred to in paragraph (1), the United States would ordinarily be required to make a $425,000 cash equalization payment to PolyMet to equalize exchange values under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), unless such an equalization payment is waived by PolyMet.</text></paragraph></subsection>

<subsection id="H8EED82314DEC47ECB7F274A9ACB20E93"><enum>(b)</enum><header>Values for consummation of land exchange</header><text>The appraised values of the Federal and

non-Federal land determined and approved by the Secretary in November 2015, and referenced in subsection (a)â€"</text>

<paragraph id="H3A347513D85F4247BF693824FF71700F"><enum>(1)</enum><text>shall be the values utilized to consummate the NorthMet Land Exchange; and</text></paragraph>

<paragraph id="HED551E6027E94BA789768CF941621DDA"><enum>(2)</enum><text>shall not be subject to reappraisal.</text></paragraph></subsection>

<subsection id="HE7B1E871A6B048E98975F5E6557FA32A"><enum>(c)</enum><header>Waiver of equalization payment</header>

<paragraph id="HEC26877C5A544B5B8F00A49AD4C9EE59"><enum>(1)</enum><header>Condition on land exchange</header><text display-inline="yes-display-inline">Notwithstanding section 206(b) of the Federal Land Policy and Management Act (43 U.S.C. 1716(b)), and as part of its offer to exchange the non-Federal lands as provided in section 4(a)(1) of this Act, PolyMet shall waive any payment to it of any monies owed by the United States to equalize land values.</text></paragraph>

<paragraph id="H0CD482BF2A8F4F3C8B8C7E26A04E02CD"><enum>(2)</enum><header>Treatment of waiver</header><text display-inline="yes-display-inline">A waiver of the equalization payment under paragraph (1) shall be considered as a voluntary donation to the United States by PolyMet for all purposes of law.</text></paragraph></subsection></section>

<section id="H464A4B3916C345A4B685AF485F4FE31C"><enum>6.</enum><header>Maps and legal descriptions</header>

<subsection id="H7E2399DAC49A48B18FA6DA5A1ABD0695"><enum>(a)</enum><header>Minor adjustments</header><text display-inline="yes-display-inline">By mutual agreement, the Secretary and PolyMet may correct minor or typographical errors in any map, acreage estimate, or description of the Federal land parcel or non-Federal land to be exchanged in the NorthMet Land Exchange.</text></subsection>

<subsection id="HEB075BC9E93946C1A99F5E10D208B1A6"><enum>(b)</enum><header>Conflict</header><text>If there is a conflict between a map, an acreage estimate, or a description of land under this Act, the map shall control unless the Secretary and PolyMet mutually agree otherwise.</text></subsection>

<subsection id="H6957BFA42B5740FFA87978AF47CED0F1"><enum>(c)</enum><header>Exchange maps</header><text display-inline="yes-display-inline">The maps referred to in section 3 depicting the Federal and non-Federal lands to be exchanged in the NorthMet Land Exchange, and dated June 28 2018, depict the identical lands identified in the Final Record of Decision, which are on file in the Office of the Supervisor, Superior National Forest.</text></subsection></section>

<section id="HC64E730D2EA340D2BCDF646B5DAD2550"><enum>7.</enum><header>Post-exchange land management</header>

<subsection id="H990CF37172E24DA0A4BD38C5295586E4"><enum>(a)</enum><header>Non-Federal land</header><text display-inline="yes-display-inline">Upon conveyance of the non-Federal land to the United States in the NorthMet Land Exchange, the non-Federal land shall become part of the Superior National Forest and be managed in accordance withâ€"</text>

<paragraph id="H513F016DCB2046CF9824E51651D7B722"><enum>(1)</enum><text>the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 500 et seq.); and</text></paragraph>

<paragraph id="HC9358656AF1B49DB8747556758EADB84"><enum>(2)</enum><text>the laws and regulations applicable to the Superior National Forest and the National Forest System.</text></paragraph></subsection>

<subsection id="HDEBFC6ED317040B8BE328C9C703B1A6E"><enum>(b)</enum><header>Planning</header><text display-inline="yes-display-inline">Upon acquisition by the United States in the NorthMet Land Exchange, the non-Federal lands shall be managed in a manner consistent with the land and resource management plan applicable to adjacent federally owned lands in the Superior National Forest. An amendment or supplement to the land and resource management plan shall not be required solely because of the acquisition of the non-Federal lands.</text></subsection>

<subsection id="H16DB1649347145B5BFE0B5E2E97E087D"><enum>(c)</enum><header>Federal land</header><text display-inline="yes-display-inline">Upon conveyance of the Federal land parcel to PolyMet in the NorthMet Land Exchange, the Federal land parcel shall become private land and available for any lawful use in accordance with applicable Federal, State, and local laws and regulations pertaining to mining and other uses of land in private ownership.</text></subsection></section>

<section id="HAB7D0773696140A98FD497425C49057A"><enum>8.</enum><header>Miscellaneous provisions</header>

<subsection id="H5F2AEDD2915647DDBAED42682E4283C1"><enum>(a)</enum><header>Withdrawal of acquired Non-Federal land</header><text display-inline="yes-display-inline">The non-Federal lands acquired by the United States in the NorthMet Land Exchange shall be withdrawn, without further action by the Secretary, from appropriation and disposal under public land laws and under laws relating to mineral and geothermal leasing.</text></subsection>

<subsection id="H596077C8CFA94E55B6E23EFF86FA5E67"><enum>(b)</enum><header>Withdrawal revocation</header><text display-inline="yes-display-inline">Any public land order that withdraws the Federal land parcel from appropriation or disposal under a public land law shall be revoked without further action by the Secretary to the extent necessary to permit conveyance of the Federal land parcel to PolyMet.</text></subsection>

<subsection id="H71CD2CA8ED5B45CEB788AD954CA1C35F"><enum>(c)</enum><header>Withdrawal of federal land pending conveyance</header><text display-inline="yes-display-inline">The Federal land parcel to be conveyed to PolyMet in the NorthMet Land Exchange, if not already withdrawn or segregated from appropriation or disposal under the mineral leasing and geothermal or other public land laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land parcel to PolyMet.</text></subsection>

<subsection id="HF1A0A88303E6428C857ADEF16C64679D"><enum>(d)</enum><header>Act controls</header><text>In the event any provision of the Record of Decision conflicts with a provision of this Act, the provision of this Act shall control.</text></subsection></section>

</legis-body>

</bill>