

HR 687

Southeast Arizona Land Exchange and Conservation Act of 2013

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Feb 14, 2013

Current Status: Committee of the Whole House on the state of the Union rises leaving H.R. 687 as unfinished business

Latest Action: Committee of the Whole House on the state of the Union rises leaving H.R. 687 as unfinished business.
(Sep 26, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/687>

Sponsor

Name: Rep. Gosar, Paul A. [R-AZ-4]

Party: Republican • **State:** AZ • **Chamber:** House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Franks, Trent [R-AZ-8]	R · AZ		Feb 14, 2013
Rep. Kirkpatrick, Ann [D-AZ-1]	D · AZ		Feb 14, 2013
Rep. Salmon, Matt [R-AZ-5]	R · AZ		Feb 14, 2013
Rep. Schweikert, David [R-AZ-6]	R · AZ		Feb 14, 2013

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Discharged from	May 15, 2013
Natural Resources Committee	House	Discharged from	May 15, 2013

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
113 S 339	Identical bill	Nov 20, 2013: Committee on Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining. Hearings held. With printed Hearing: S.Hrg. 113-342.
113 HRES 351	Related bill	Sep 19, 2013: Motion to reconsider laid on the table Agreed to without objection.

Southeast Arizona Land Exchange and Conservation Act of 2013 - (Sec. 4) Authorizes and directs the Secretary of Agriculture (USDA) (the Secretary), if Resolution Copper Mining, LLC offers to convey specified parcels of non-federal land in Gila, Yavapi, Maricopa, Coconino, Pinal, and/or Santa Cruz Counties, Arizona, that are acceptable to the Secretary or the Secretary of the Interior, to convey certain federal land in Pinal County, Arizona, to Resolution Copper.

Instructs the Secretary to engage in government-to-government consultation with affected Indian tribes on issues related to the land exchange.

Sets forth requirements for appraisals of the federal and non-federal land. Makes the appraisals of the land to be exchanged available for public review.

Requires an appraisal prepared under this Act to include an income capitalization approach analysis of the market value of the federal land, which may be utilized, as appropriate, for determining such land's value, and to be the basis for the calculation of any value adjustment payment under section 6 of this Act.

Requires the values of the land to be exchanged under this Act to be equal or equalized, as specified.

Makes the federal lands available to Resolution Copper for use for mining and related activities.

Requires the Secretary, if so requested by Resolution Copper, to issue separate special use permits to it to carry out mineral exploration activities: (1) under the Oak Flat Withdrawal Area from existing drill pads outside the Area, if they would not disturb the surface of the area; and (2) within the Withdrawal Area (with the exception of within the Oak Flat Campground), if they are conducted from a single exploratory drill pad which is located to minimize visual and noise impacts on the Campground.

Terminates the authorization to undertake such activities in the Oak Flat Withdrawal Area when the Withdrawal Area land is conveyed to Resolution Copper.

Requires Resolution Copper to agree to pay, without compensation, costs that are associated with the land exchange and any environmental review document completed pursuant to this section and agreed to by the Secretary.

Expresses the intent of Congress that the land exchange under this Act be completed within one year of enactment of this Act.

Instructs Resolution Copper to submit a proposed mine plan of operations before starting production in commercial quantities of any valuable mineral from the federal land conveyed under this Act, with the exception of any production from exploration and mine development shafts, adits, and tunnels needed to determine the feasibility and pilot plant testing of production or to access the ore body and tailing deposition areas.

Requires the Secretary, within three years of such submission, to complete preparation of an environmental review document in accordance with the National Environmental Policy Act of 1969 (NEPA), to be used as the basis for all decisions regarding any federal actions or authorizations related to the proposed mine and mine plan, including for the construction of associated power, water, and other ancillary facilities.

(Sec. 5) Requires Resolution Copper, upon receipt of title to the federal land, to convey to the Secretary and Secretary of the Interior the non-federal land that was determined to be acceptable to them.

Makes lands acquired by the Secretary under this Act part of the National Forest within which the land is located.

Adds certain of the non-federal land in Pinal County acquired by the Secretary of the Interior to the San Pedro Riparian National Conservation Area. Requires updating of the Conservation Area's management plan to reflect the management requirements of the acquired land.

Requires certain of the non-federal land in Gila and Pinal Counties acquired by the Secretary of the Interior (Dripping Springs) to be managed according to the Federal Land Policy and Management Act of 1976 and applicable land use plans.

Adds certain of the non-federal land in Santa Cruz County acquired by the Secretary of the Interior to the Las Cienegas National Conservation Area.

Instructs Resolution Copper to surrender, without compensation, the rights held by it under mining and other U.S. laws to commercially extract minerals under Apache Leap.

(Sec. 6) Directs Resolution Copper to file annually with the Secretary of the Interior a report that indicates the quantity of valuable locatable minerals produced in commercial quantities from the federal land. Requires Resolution Copper to make value adjustment payments to the United States based upon locatable minerals produced from such land. Requires such Secretary to make such reports available to the state of Arizona.

Prohibits anything in this section from modifying, expanding, diminishing, amending, or otherwise affecting any state law related to the imposition, application, timing, or collection of a state excise or severance tax.

Requires funds paid to the United States under this section to be deposited in a special fund established in the Treasury and made available to the Secretaries to be used to maintain, repair, and rehabilitate projects for Forest Service and Bureau of Land Management (BLM) assets.

(Sec. 7) Withdraws Apache Leap and land acquired by the United States under this Act from: (1) entry, appropriation, or disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

(Sec. 8) Directs the Secretary to manage Apache Leap so as to preserve its natural character and to protect the archaeological and cultural resources located on it.

Authorizes the Secretary to issue to Resolution Copper special use permits that allow it to carry out underground activities (other than the commercial extraction of minerals) under the surface of Apache Leap that would not disturb the surface.

Requires preparation of a management plan for Apache Leap.

Prohibits this section's provisions from imposing additional restrictions on mining activities carried out by Resolution Copper adjacent to, or outside of, the Apache Leap area beyond those otherwise applicable to mining activities on privately owned land.

(Sec. 9) Revokes any public land order that withdraws the federal land from appropriation or disposal under a public land law to the extent necessary to permit the disposal of such land.

Withdraws from entry and appropriation without further action required by the Secretary the federal land or any federal

interest in the non-federal land to be exchanged under section 4 of this Act, if not already withdrawn or segregated from entry and appropriation under a public land law (including mining and mineral leasing laws and the Geothermal Steam Act of 1970).

Terminates such withdrawal: (1) upon the completion of the land exchange, or (2) if Resolution Copper notifies the Secretary in writing that it has elected to withdraw from such exchange.

Prohibits anything in this Act from interfering with, limiting, or otherwise impairing the unpatented mining claims or rights currently held by Resolution Copper on the federal land or in any way changing, diminishing, qualifying, or otherwise impacting Resolution Copper's rights and ability to conduct activities on such land under such claims and U.S. general mining laws.

Actions Timeline

- **Sep 26, 2013:** Considered under the provisions of rule H. Res. 351. (consideration: CR H5848-5863; text of an amendment in the nature of a substitute: CR H5854-5856)
- **Sep 26, 2013:** Rule provides for consideration of H.R. 687, H.R. 1526 and H.R. 3102. Measures will be considered read.
- **Sep 26, 2013:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 351 and Rule XVIII.
- **Sep 26, 2013:** The Speaker designated the Honorable Lee Terry to act as Chairman of the Committee.
- **Sep 26, 2013:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 687.
- **Sep 26, 2013:** DEBATE - Pursuant to the provisions of H.Res. 351, the Committee of the Whole proceeded with 10 minutes of debate on the Grijalva Part A amendment No. 1.
- **Sep 26, 2013:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Grijalva amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Grijalva demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Sep 26, 2013:** DEBATE - Pursuant to the provisions of H. Res. 351, the Committee of the Whole proceeded with 10 minutes of debate on the Ben Ray Lujan (NM) Part A amendment No. 2.
- **Sep 26, 2013:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Ben Ray Lujan (NM) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Ben Ray Lujan (NM) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Sep 26, 2013:** DEBATE - Pursuant to the provisions of H. Res. 351, the Committee of the Whole proceeded with 10 minutes of debate on the Napolitano Part A amendment No. 3.
- **Sep 26, 2013:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Napolitano amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mrs. Napolitano demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Sep 26, 2013:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Sep 26, 2013:** Mr. Hastings (WA) moved the the Committee now rise.
- **Sep 26, 2013:** On motion the the Committee now rise Agreed to by voice vote.
- **Sep 26, 2013:** Committee of the Whole House on the state of the Union rises leaving H.R. 687 as unfinished business.
- **Sep 18, 2013:** Rules Committee Resolution H. Res. 351 Reported to House. Rule provides for consideration of H.R. 687, H.R. 1526 and H.R. 3102. Measures will be considered read.
- **Jul 22, 2013:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 113-167.
- **Jul 22, 2013:** Placed on the Union Calendar, Calendar No. 121.
- **May 15, 2013:** Subcommittee on Energy and Mineral Resources Discharged.
- **May 15, 2013:** Subcommittee on Public Lands and Environmental Regulation Discharged.
- **May 15, 2013:** Committee Consideration and Mark-up Session Held.
- **May 15, 2013:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 19.
- **Mar 21, 2013:** Subcommittee Hearings Held.
- **Feb 21, 2013:** Referred to the Subcommittee on Public Lands and Environmental Regulation.
- **Feb 21, 2013:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Feb 14, 2013:** Introduced in House
- **Feb 14, 2013:** Referred to the House Committee on Natural Resources.