

106TH CONGRESS
1ST SESSION

H. R. 1695

To provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1999

Mr. GIBBONS introduced the following bill; which was referred to the
Committee on Resources

A BILL

To provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ivanpah Valley Airport
5 Public Lands Transfer Act”.

1 **SEC. 2. CONVEYANCE OF LANDS TO CLARK COUNTY, NE-**
2 **VADA.**

3 (a) IN GENERAL.—Notwithstanding the land use
4 planning requirements contained in sections 202 and 203
5 of the Federal Land Policy and Management Act of 1976
6 (43 U.S.C. 1712 and 1713), but subject to subsection (b)
7 of this section, the Secretary shall convey to the County
8 all right, title, and interest of the United States in and
9 to the Federal public lands identified for disposition on
10 the map entitled “Ivanpah Valley, Nevada-Airport Selec-
11 tions” numbered 01, and dated April 1999, for the pur-
12 pose of developing an airport facility and related infra-
13 structure. The Secretary shall keep such map on file and
14 available for public inspection in the offices of the Director
15 of the Bureau of Land Management and in the district
16 office of the Bureau located in Las Vegas, Nevada.

17 (b) CONDITIONS.—The Secretary shall make no con-
18 veyance under subsection (a) until each of the following
19 conditions are fulfilled:

20 (1) The County has conducted an airspace as-
21 sessment to identify any potential adverse effects on
22 access to the Las Vegas Basin under visual flight
23 rules that would result from the construction and
24 operation of a commercial or primary airport, or
25 both, on the land to be conveyed.

1 (2) The Federal Aviation Administration has
2 made a certification under section 4(b).

3 (3) The County has entered into an agreement
4 with the Secretary to retain ownership of Jean Air-
5 port, located at Jean, Nevada, and to maintain and
6 operate such airport for general aviation purposes.

7 (c) PHASING OF CONVEYANCES.—The Secretary
8 shall make conveyances of small parcels of land under sub-
9 section (a) over a period of up to 20 years, as such parcels
10 may be needed by the County to construct and develop-
11 ment the airport facility and infrastructure on the lands
12 conveyed.

13 (d) PAYMENT.—

14 (1) IN GENERAL.—As consideration for the con-
15 veyance of each parcel, the County shall pay to the
16 United States an amount equal to the fair market
17 value of the parcel.

18 (2) DEPOSIT IN SPECIAL ACCOUNT.—The Sec-
19 retary shall deposit the payments received under
20 paragraph (1) in the special account described in
21 section 4(e)(1)(C) of the Southern Nevada Public
22 Land Management Act (31 U.S.C. 6901 note).

23 (3) DETERMINATIONS OF FAIR MARKET
24 VALUE.—During the 3-year period beginning on the
25 date of the enactment of this Act, the fair market

1 value of a parcel to be conveyed under subsection (a)
2 shall be based on an appraisal of the fair market
3 value as of a date not later than 6 months after the
4 date of the enactment of this Act. The fair market
5 value of each parcel conveyed after such period shall
6 be based on an appraisal conducted after such pe-
7 riod. An appraisal conducted after such period shall
8 consider the parcel in its unimproved state and shall
9 not reflect any enhancement in value to the parcel
10 based upon the existence or planned construction of
11 infrastructure on or near the parcel.

12 (e) REVERSION AND REENTRY.—

13 (1) IN GENERAL.—During the 5-year period be-
14 ginning 20 years after the date on which the Sec-
15 retary conveys the first parcel under subsection (a),
16 if the Secretary determines that the County is not
17 developing or progressing toward the development of
18 any parcel of the conveyed lands as an airport facil-
19 ity, all right, title, and interest in that parcel shall
20 revert to the United States, and the Secretary may
21 reenter such lands.

22 (2) PROCEDURE.—Any determination of the
23 Secretary under paragraph (1) shall be made only
24 on the record after an opportunity for a hearing.

1 (3) REFUND.—If any right, title, and interest
2 in lands revert to the United States under this sub-
3 section, the Secretary shall refund to the County all
4 payments made to the United States for such lands
5 under subsection (d).

6 **SEC. 3. MINERAL ENTRY FOR LANDS ELIGIBLE FOR CON-**
7 **VEYANCE.**

8 The public lands referred to in section 2(a) are with-
9 drawn from mineral entry under the Act of May 10, 1872
10 (30 U.S.C. 22 et seq.; popularly known as the Mining Law
11 of 1872) and the Mineral Leasing Act (30 U.S.C. 181 et
12 seq.).

13 **SEC. 4. ACTIONS BY THE DEPARTMENT OF TRANSPOR-**
14 **TATION.**

15 (a) DEVELOPMENT OF AIRSPACE MANAGEMENT
16 PLAN.—The Secretary of Transportation shall, in con-
17 sultation with the Secretary, develop an airspace manage-
18 ment plan for the Ivanpah Valley Airport that shall, to
19 the maximum extent practicable and without adversely im-
20 pacting safety considerations, restrict aircraft arrivals and
21 departures over the Mojave Desert Preserve in California.

22 (b) CERTIFICATION OF ASSESSMENT.—The Adminis-
23 trator of the Federal Aviation Administration shall certify
24 to the Secretary that the assessment made by the County
25 under section 2(b)(1) is thorough and that alternatives

1 have been developed to address each adverse effect identi-
2 fied in the assessment, including alternatives that ensure
3 access to the Las Vegas Basin under visual flight rules
4 at a level that is equal to or better than existing access.

5 **SEC. 5. DEFINITIONS.**

6 In this Act—

7 (1) the term “County” means Clark County,
8 Nevada; and

9 (2) the term “Secretary” means the Secretary
10 of the Interior.

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