

Union Calendar No. 478

106TH CONGRESS
2^D SESSION

H.R. 4226

[Report No. 106-816]

To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2000

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

SEPTEMBER 6, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 10, 2000]

A BILL

To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improve-

ments in connection with the Black Hills National Forest.

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 “Black Hills National*
5 *Forest and Rocky Mountain Research Station Improvement*
6 *Act”.*

7 **SEC. 2. SALE OR EXCHANGE OF LAND, BLACK HILLS NA-**
8 **TIONAL FOREST, SOUTH DAKOTA.**

9 *(a) IN GENERAL.—The Secretary of Agriculture (re-*
10 *ferred to in this section as the “Secretary”)* may, under
11 *such terms and conditions as the Secretary may prescribe,*
12 *sell or exchange any right, title, and interest of the United*
13 *States in and to the approximately 362 acres contained in*
14 *the following parcels of land in the State of South Dakota:*

15 *(1) Tract BLKH–1 “Spearfish Dwelling” (ap-*
16 *proximately 0.24 acres); N¹/₂ of Lot 8 and Lot 9 of*
17 *Block 16, Section 10, T6N, R2E, Black Hills Merid-*
18 *ian.*

19 *(2) Tract BLKH–2 “Deadwood Garage” (ap-*
20 *proximately 0.12 acres); Lots 9 and 11 of Block 34,*
21 *Section 23, T5N, R3E, Black Hills Meridian.*

22 *(3) Tract BLKH–3 “Deadwood Dwellings” (ap-*
23 *proximately 0.32 acres); Lots 12-16, inclusive, of*

1 *Block 44, Section 23, T5N, R3E, Black Hill Merid-*
 2 *ian.*

3 (4) *Tract BLKH-4 “Hardy Work Center” (ap-*
 4 *proximately 150 acres); E^{1/2}SW^{1/4}SE^{1/4}, SE^{1/4}SE^{1/4},*
 5 *Section 19; NE^{1/4}NW^{1/4}NE^{1/4}, E^{1/2}NE^{1/4}SE^{1/4},*
 6 *E^{1/2}SE^{1/4}NE^{1/4}, NE^{1/4}NE^{1/4}, Section 30, T3N, R1E,*
 7 *Black Hills Meridian.*

8 (5) *Tract BLKH-6 “Pactola Work Center” (ap-*
 9 *proximately 100 acres); W^{1/2}SW^{1/4}NW^{1/4},*
 10 *W^{1/2}NW^{1/4}SW^{1/4}, W^{1/2}SW^{1/4}SW^{1/4}, SE^{1/4}SW^{1/4}SW^{1/4},*
 11 *Section 25; E^{1/2}NE^{1/4}SE^{1/4}, SE^{1/4}SE^{1/4}NE^{1/4}, Section*
 12 *26, T2N, R5E, Black Hills Meridian.*

13 (6) *Tract BLKH-7 “Pactola Ranger District Of-*
 14 *fice” (approximately 8.25 acres); Lot 1 of Ranger*
 15 *Station Subdivision, Section 4, T1N, R7E, Black*
 16 *Hills Meridian.*

17 (7) *Tract BLKH-8 “Reder Administrative Site”*
 18 *(approximately 82 acres); Lots 6 and 7, Section 29;*
 19 *Lot A of Reder Placer, Lot 19, NW^{1/4}SE^{1/4}NE^{1/4}, Sec-*
 20 *tion 30, T1S, R5E, Black Hills Meridian.*

21 (8) *Tract BLKH-9 “Allen Gulch Properties”*
 22 *(approximately 21 acres); Lot 14 less and except*
 23 *Tract STA #0029, Section 25, and Lot 1, Section 36,*
 24 *T1S, R4E, Black Hills Meridian.*

1 (9) *Tract BLKH-10 “Custer Ranger District Of-*
2 *fi ce” (approximately 0.39 acres); Lots 4 and 9 of*
3 *Block 125 and the East 15 feet of the vacated north/*
4 *south alley adjacent to Lot 4, City of Custer, Section*
5 *26, T3S, R4E, Black Hills Meridian.*

6 (b) *TECHNICAL CORRECTIONS.—The Secretary may*
7 *make technical corrections to the legal descriptions in para-*
8 *graphs (1) through (9) of subsection (a).*

9 (c) *APPLICABLE AUTHORITIES.—Except as otherwise*
10 *provided in this section, any sale or exchange of land de-*
11 *scribed in subsection (a) shall be subject to laws (including*
12 *regulations) applicable to the conveyance and acquisition*
13 *of land for National Forest System purposes.*

14 (d) *CASH EQUALIZATION.—Notwithstanding any other*
15 *provision of law, the Secretary may accept cash equali-*
16 *zation payments in excess of 25 percent of the total value*
17 *of the land described in subsection (a) from any exchange*
18 *under subsection (a).*

19 (e) *SOLICITATIONS OF OFFERS.—*

20 (1) *IN GENERAL.—In carrying out this section,*
21 *the Secretary may use solicitations of offers for sale*
22 *or exchange under this section on such terms and con-*
23 *ditions as the Secretary may prescribe.*

24 (2) *REJECTION OF OFFERS.—The Secretary may*
25 *reject any offer under this section if the Secretary de-*

1 *termines that the offer is not adequate or not in the*
2 *public interest.*

3 *(f) DISPOSITION OF FUNDS.—Any funds received by*
4 *the Secretary from a sale under this section or as cash*
5 *equalization payments from an exchange under this*
6 *section—*

7 *(1) shall be deposited into the fund established by*
8 *Public Law 90–171 (commonly known as the “Sisk*
9 *Act”) (16 U.S.C. 484a); and*

10 *(2) shall be available for expenditure, on appro-*
11 *priation, for—*

12 *(A) the acquisition from willing sellers of*
13 *land and interests in land in the State of South*
14 *Dakota; and*

15 *(B) the acquisition or construction of ad-*
16 *ministrative improvements in connection with*
17 *the Black Hills National Forest.*

18 *(g) AUTHORIZATION OF APPROPRIATIONS.—There are*
19 *authorized to be appropriated such sums as are necessary*
20 *to carry out this section.*

21 **SEC. 3. REPLACEMENT LABORATORY, ROCKY MOUNTAIN**
22 **RESEARCH STATION, RAPID CITY, SOUTH DA-**
23 **KOTA.**

24 *(a) IN GENERAL.—There are authorized to be appro-*
25 *priated to the Secretary of Agriculture \$2,100,000 for a lab-*

1 oratory facility for the Rocky Mountain Research Station
2 in Rapid City, South Dakota, to replace the obsolete labora-
3 tory capability at the research station. The replacement fa-
4 cility shall be colocated with at least one of the administra-
5 tive improvements for the Black Hills National Forest ac-
6 quired or constructed under the authority of section
7 2(f)(2)(B).

8 (b) *CONDITIONS ON ACQUISITION OF PROPERTY.*—No
9 funds available to carry out this section may be used to
10 purchase or otherwise acquire property unless—

11 (1) the acquisition is from willing sellers; and

12 (2) the property is located within the boundaries
13 of the State of South Dakota.

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