

106TH CONGRESS  
1ST SESSION

# S. 1088

To authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MAY 20, 1999

Mr. KYL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment 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 “Arizona National For-  
5 est Improvement Act of 1999”.

### 6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) CITY.—The term “City” means the city of  
2       Sedona, Arizona.

3           (2) SECRETARY.—The term “Secretary” means  
4       the Secretary of Agriculture.

5       **SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.**

6           (a) IN GENERAL.—The Secretary may, under such  
7       terms and conditions as the Secretary may prescribe, sell  
8       or exchange any and all right, title, and interest of the  
9       United States in and to the following National Forest Sys-  
10      tem land and administrative sites:

11           (1) The Camp Verde Administrative Site, com-  
12      prising approximately 213.60 acres, as depicted on  
13      the map entitled “Camp Verde Administrative Site”,  
14      dated April 12, 1997.

15           (2) A portion of the Cave Creek Administrative  
16      Site, comprising approximately 16 acres, as depicted  
17      on the map entitled “Cave Creek Administrative  
18      Site”, dated May 1, 1997.

19           (3) The Fredonia Duplex Housing Site, com-  
20      prising approximately 1.40 acres, and the Fredonia  
21      Housing Site, comprising approximately 1.58 acres,  
22      as depicted on the map entitled “Fredonia Duplex  
23      Dwelling, Fredonia Ranger Dwelling”, dated August  
24      28, 1997.

1           (4) The Groom Creek Administrative Site, com-  
2           prising approximately 7.88 acres, as depicted on the  
3           map entitled “Groom Creek Administrative Site”,  
4           dated April 29, 1997.

5           (5) The Payson Administrative Site, comprising  
6           approximately 296.43 acres, as depicted on the map  
7           entitled “Payson Administrative Site”, dated May 1,  
8           1997.

9           (6) The Sedona Administrative Site, comprising  
10          approximately 21.41 acres, as depicted on the map  
11          entitled “Sedona Administrative Site”, dated April  
12          12, 1997.

13          (b) CONSIDERATION.—Consideration for a sale or ex-  
14          change of land under subsection (a) may include the ac-  
15          quisition of land, existing improvements, and improve-  
16          ments constructed to the specifications of the Secretary.

17          (c) APPLICABLE LAW.—Except as otherwise provided  
18          in this section, any sale or exchange of land under sub-  
19          section (a) shall be subject to the laws (including regula-  
20          tions) applicable to the conveyance and acquisition of land  
21          for the National Forest System.

22          (d) CASH EQUALIZATION.—Notwithstanding any  
23          other provision of law, the Secretary may accept a cash  
24          equalization payment in excess of 25 percent of the value

1 of any land or administrative site exchanged under sub-  
 2 section (a).

3 (e) SOLICITATION OF OFFERS.—

4 (1) IN GENERAL.—The Secretary may solicit  
 5 offers for the sale or exchange of land under this  
 6 section on such terms and conditions as the Sec-  
 7 retary may prescribe.

8 (2) REJECTION OF OFFERS.—The Secretary  
 9 may reject any offer made under this section if the  
 10 Secretary determines that the offer is not adequate  
 11 or not in the public interest.

12 (f) REVOCATIONS.—Notwithstanding any other provi-  
 13 sion of law, on conveyance of land by the Secretary under  
 14 this section, any public order withdrawing the land from  
 15 any form of appropriation under the public land laws is  
 16 revoked.

17 **SEC. 4. CONVEYANCE TO CITY OF SEDONA.**

18 (a) IN GENERAL.—The Secretary may sell to the city  
 19 of Sedona, Arizona, by quitclaim deed in fee simple, all  
 20 right, title, and interest of the United States in and to  
 21 approximately 300 acres of land as depicted on the map  
 22 in the environmental assessment entitled “Sedona Efflu-  
 23 ent Management Plan”, dated August 1998, for construc-  
 24 tion of an effluent disposal system in Yavapai County, Ari-  
 25 zona.

1 (b) DESCRIPTION.—A legal description of the land  
2 conveyed under subsection (a) shall be available for public  
3 inspection in the office of the Chief of the Forest Service,  
4 Washington, District of Columbia.

5 (c) CONSIDERATION.—

6 (1) FAIR MARKET VALUE.—As consideration for  
7 the conveyance of land under subsection (a), the  
8 City shall pay to the Secretary an amount equal to  
9 the fair market value of the land as determined by  
10 an appraisal acceptable to the Secretary and pre-  
11 pared in accordance with the Uniform Appraisal  
12 Standards for Federal Land Acquisitions.

13 (2) COST OF APPRAISAL.—The City shall pay  
14 the cost of the appraisal of the land.

15 (3) PAYMENT.—Payment of the amount deter-  
16 mined under paragraph (1) (including any interest  
17 payable under paragraph (4)) shall be paid, at the  
18 option of the City—

19 (A) in full not later than 180 days after  
20 the date of the conveyance of the land; or

21 (B) in 7 equal annual installments com-  
22 mencing not later than January 1 of the first  
23 year following the date of the conveyance and  
24 annually thereafter until the total amount has  
25 been paid.

1           (4) INTEREST RATE.—Any payment due for the  
2           conveyance of land under this section shall accrue,  
3           beginning on the date of the conveyance, interest at  
4           a rate equal to the current (as of the date of the  
5           conveyance) market yield on outstanding, market-  
6           able obligations of the United States with maturities  
7           of 1 year.

8           (d) RELEASE.—Subject to compliance with all Fed-  
9           eral environmental laws by the Secretary before the date  
10          of conveyance of land under this section, on conveyance  
11          of the land, the City shall agree in writing to hold the  
12          United States harmless from any and all claims to the  
13          land, including all claims resulting from hazardous mate-  
14          rials on the conveyed land.

15          (e) RIGHT OF REENTRY.—At any time before full  
16          payment is made for the conveyance of land under this  
17          section, the conveyance shall be subject to a right of re-  
18          entry in the United States if the Secretary determines  
19          that—

20                (1) the City has not complied with the require-  
21                ments of this section or the conditions prescribed by  
22                the Secretary in the deed of conveyance; or

23                (2) the conveyed land is not used for disposal  
24                of treated effluent or other purposes related to the

1 construction of an effluent disposal system in  
2 Yavapai County, Arizona.

3 **SEC. 5. DISPOSITION OF FUNDS.**

4 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-  
5 posit the proceeds of a sale or exchange under this Act  
6 in the fund established under Public Law 90–171 (16  
7 U.S.C. 484a) (commonly known as the “Sisk Act”).

8 (b) USE OF PROCEEDS.—Funds deposited under sub-  
9 section (a) shall be available to the Secretary, without fur-  
10 ther Act of appropriation, for—

11 (1) the acquisition, construction, or improve-  
12 ment of administrative facilities for the Coconino  
13 National Forest, Kaibab National Forest, Prescott  
14 National Forest, and Tonto National Forest; or

15 (2) the acquisition of land and or an interest in  
16 land in the State of Arizona.

○