

106TH CONGRESS
2D SESSION

S. 1088

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Referred to the Committee on Resources

AN ACT

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”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

5 (2) SECRETARY.—The term “Secretary” means
6 the Secretary of Agriculture.

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

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

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

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

21 (3) The Fredonia Duplex Housing Site, com-
22 prising approximately 1.40 acres, and the Fredonia
23 Housing Site, comprising approximately 1.58 acres,
24 as depicted on the map entitled “Fredonia Duplex
25 Dwelling, Fredonia Ranger Dwelling”, dated August
26 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, reduced
13 by the total amount of special use permit fees for
14 wastewater treatment facilities paid by the City to
15 the Forest Service during the period beginning on
16 January 1, 1999, and ending on the earlier of—

17 (A) the date that is 270 days after the
18 date of enactment of this Act; or

19 (B) the date on which the full payment is
20 made by the City under paragraph (3)(A) or
21 the date on which first installment payment is
22 made under paragraph (3)(B), depending on
23 the election made by the City under paragraph
24 (3).

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

3 (3) PAYMENT.—Payment of the consideration
4 required under paragraph (1) (including any interest
5 payable under paragraph (4)) shall be paid, at the
6 option of the City—

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

9 (B) in 7 equal annual installments com-
10 mencing not later than January 1 of the first
11 year following the date of the conveyance and
12 annually thereafter until the total amount has
13 been paid.

14 (4) INTEREST RATE.—Any payment due for the
15 conveyance of land under this section shall accrue,
16 beginning on the date of the conveyance, interest at
17 a rate equal to the current (as of the date of the
18 conveyance) market yield on outstanding, market-
19 able obligations of the United States with maturities
20 of 1 year.

21 (d) RELEASE.—Subject to compliance with all Fed-
22 eral environmental laws by the Secretary before the date
23 of conveyance of land under this section, on conveyance
24 of the land, the City shall agree in writing to hold the
25 United States harmless from any and all claims to the

1 land, including all claims resulting from hazardous mate-
2 rials on the conveyed land.

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

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

11 (2) the conveyed land is not used for disposal
12 of treated effluent or other purposes related to the
13 construction of an effluent disposal system in
14 Yavapai County, Arizona.

15 **SEC. 5. DISPOSITION OF FUNDS.**

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

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

23 (1) the acquisition, construction, or improve-
24 ment of administrative facilities for the Coconino

1 National Forest, Kaibab National Forest, Prescott
2 National Forest, and Tonto National Forest; or
3 (2) the acquisition of land and or an interest in
4 land in the State of Arizona.

Passed the Senate November 19, 1999.

Attest:

GARY SISCO,
Secretary.