

106TH CONGRESS
2^D SESSION

S. 1936

AN ACT

To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System 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 “Bend Pine Nursery
5 Land Conveyance Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

5 (2) STATE.—The term “State” means the State
6 of Oregon.

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 or all right, title, and interest of the
11 United States in and to the following National Forest Sys-
12 tem land and improvements:

13 (1) Tract A, Bend Pine Nursery, comprising
14 approximately 210 acres, as depicted on site plan
15 map entitled “Bend Pine Nursery Administrative
16 Site, May 13, 1999”.

17 (2) Tract B, the Federal Government owned
18 structures located at Shelter Cove Resort, Deschutes
19 National Forest, buildings only, as depicted on site
20 plan map entitled “Shelter Cove Resort, November
21 3, 1997”.

22 (3) Tract C, portions of isolated parcels of Na-
23 tional Forest Land located in Township 20 south,
24 Range 10 East section 25 and Township 20 South,
25 Range 11 East sections 8, 9, 16, 17, 20, and 21
26 consisting of approximately 1,260 acres, as depicted

1 on map entitled “Deschutes National Forest Isolated
2 Parcels, January 1, 2000”.

3 (4) Tract D, Alsea Administrative Site, con-
4 sisting of approximately 24 acres, as depicted on site
5 plan map entitled “Alsea Administrative Site, May
6 14, 1999”.

7 (5) Tract E, Mapleton Administrative Site, con-
8 sisting of approximately 8 acres, as depicted on site
9 plan map entitled “Mapleton Administrative Site,
10 May 14, 1999”.

11 (6) Tract F, Springdale Administrative Site,
12 consisting of approximately 3.6 acres, as depicted on
13 site plan map entitled “Site Development Plan, Co-
14 lumbia Gorge Ranger Station, April 22, 1964”.

15 (7) Tract G, Dale Administrative Site, con-
16 sisting of approximately 37 acres, as depicted on site
17 plan map entitled “Dale Compound, February
18 1999”.

19 (8) Tract H, Crescent Butte Site, consisting of
20 approximately .8 acres, as depicted on site plan map
21 entitled “Crescent Butte Communication Site, Janu-
22 ary 1, 2000”.

23 (b) CONSIDERATION.—Consideration for a sale or ex-
24 change of land under subsection (a) may include the ac-

1 quision of land, existing improvements, or improvements
2 constructed to the specifications of the Secretary.

3 (c) APPLICABLE LAW.—Except as otherwise provided
4 in this Act, any sale or exchange of National Forest Sys-
5 tem land under subsection (a) shall be subject to the laws
6 (including regulations) applicable to the conveyance and
7 acquisition of land for the National Forest System.

8 (d) CASH EQUALIZATION.—Notwithstanding any
9 other provision of law, the Secretary may accept a cash
10 equalization payment in excess of 25 percent of the value
11 of land exchanged under subsection (a).

12 (e) SOLICITATIONS OF OFFERS.—

13 (1) IN GENERAL.—Subject to paragraph (3),
14 the Secretary may solicit offers for sale or exchange
15 of land under this section on such terms and condi-
16 tions as the Secretary may prescribe.

17 (2) REJECTION OF OFFERS.—The Secretary
18 may reject any offer made under this section if the
19 Secretary determines that the offer is not adequate
20 or not in the public interest.

21 (3) RIGHT OF FIRST REFUSAL.—The Bend
22 Metro Park and Recreation District in Deschutes
23 County, Oregon, shall be given the right of first re-
24 fusal to purchase the Bend Pine Nursery described
25 in subsection (a)(1).

1 (f) REVOCATIONS.—

2 (1) IN GENERAL.—Any public land order with-
3 drawing land described in subsection (a) from all
4 forms of appropriation under the public land laws is
5 revoked with respect to any portion of the land con-
6 veyed by the Secretary under this section.

7 (2) EFFECTIVE DATE.—The effective date of
8 any revocation under paragraph (1) shall be the date
9 of the patent or deed conveying the land.

10 **SEC. 4. DISPOSITION OF FUNDS.**

11 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-
12 posit the proceeds of a sale or exchange under section 3(a)
13 in the fund established under Public Law 90–171 (16
14 U.S.C. 484a) (commonly known as the “Sisk Act”).

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

18 (1) the acquisition, construction, or improve-
19 ment of administrative and visitor facilities and as-
20 sociated land in connection with the Deschutes Na-
21 tional Forest;

22 (2) the construction of a bunkhouse facility in
23 the Umatilla National Forest; and

1 (3) to the extent the funds are not necessary to
2 carry out paragraphs (1) and (2), the acquisition of
3 land and interests in land in the State.

4 (c) ADMINISTRATION.—Subject to valid existing
5 rights, the Secretary shall manage any land acquired by
6 purchase or exchange under this Act in accordance with
7 the Act of March 1, 1911 (16 U.S.C. 480 et seq.) (com-
8 monly known as the “Weeks Act”) and other laws (includ-
9 ing regulations) pertaining to the National Forest System.

10 **SEC. 5. CONSTRUCTION OF NEW ADMINISTRATIVE FACILI-**
11 **TIES.**

12 The Secretary may acquire, construct, or improve ad-
13 ministrative facilities and associated land in connection
14 with the Deschutes National Forest System by using—

15 (1) funds made available under section 4(b);

16 and

17 (2) to the extent the funds are insufficient to
18 carry out the acquisition, construction, or improve-
19 ment, funds subsequently made available for the ac-
20 quisition, construction, or improvement.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATION.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act.

 Passed the Senate July 27, 2000.

Attest:

Secretary.

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