

Calendar No. 452

108TH CONGRESS
2D SESSION**H. R. 708****[Report No. 108-242]**

IN THE SENATE OF THE UNITED STATES

OCTOBER 14, 2003

Received; read twice and referred to the Committee on Energy and Natural
Resources

MARCH 9, 2004

Reported by Mr. DOMENICI, without amendment

AN ACT

To require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, 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. LAND CONVEYANCE, FARAWAY RANCH,**
4 **MENDOCINO NATIONAL FOREST, CALI-**
5 **FORNIA.**

6 (a) CONVEYANCE REQUIRED.—Subject to subsection
7 (b), the Secretary of Agriculture shall convey to the owner

1 of the property known as the Faraway Ranch in Lake
2 County, California (in this section referred to as the “re-
3 cipient”), by quitclaim deed, all right, title, and interest
4 of the United States in and to the following National For-
5 est System lands in Mendocino National Forest in Lake
6 County, California:

7 (1) “Faraway Ranch, Tract 39” (approximately
8 15.8 acres), consisting of a portion of lot 6 of sec-
9 tion 4, township 18 north, range 10 west, Mount
10 Diablo base and meridian, as generally depicted on
11 the map entitled “Faraway Ranch, Tracts 39 and
12 40” and dated June 30, 2002.

13 (2) “Faraway Ranch, Tract 40” (approximately
14 105.1 acres) consisting of a portion of the N1/
15 2SW1/4 and lot 7 of section 4, and a portion of lots
16 15 and 16 of section 5, township 18 north, range 10
17 west, Mount Diablo base and meridian, as generally
18 depicted on the map referred to in paragraph (1).

19 (b) TIME FOR CONVEYANCE.—The Secretary shall
20 make the conveyance under subsection (a) not later than
21 120 days after the date on which the recipient deposits
22 sufficient funds with the Bureau of Land Management,
23 California State Office, Branch of Geographic Services, to
24 cover survey work costs and with the Forest Service,

1 Mendocino National Forest, to cover Forest Service direct
2 transaction costs described in subsection (e).

3 (c) CORRECTIONS.—With the agreement of the re-
4 cipient, the Secretary may make minor corrections to the
5 legal descriptions and map of the lands to be conveyed
6 pursuant to this section.

7 (d) CONSIDERATION.—As consideration for the con-
8 veyance under subsection (a), the recipient shall pay to
9 the Secretary an amount equal to the fair market value
10 of the National Forest System lands conveyed under such
11 subsection. The fair market value of such lands shall be
12 determined by an appraisal that is acceptable to the Sec-
13 retary and conforms with the Federal appraisal standards,
14 as defined in the Uniform Appraisal Standards for Fed-
15 eral Land Acquisitions developed by the Interagency Land
16 Acquisition Conference.

17 (e) PAYMENT OF COSTS.—All direct transaction costs
18 associated with the conveyance under section (a), includ-
19 ing the costs of appraisal, title, and survey work, shall be
20 paid by the recipient.

21 (f) USE OF PROCEEDS.—

22 (1) DEPOSIT.—The Secretary shall deposit the
23 amounts received by the Secretary as consideration
24 under subsection (d) in the fund established by Pub-

1 lic Law 90–171 (commonly known as the Sisk Act;
2 16 U.S.C. 484a).

3 (2) USE.—Funds deposited under paragraph
4 (1) shall be available to the Secretary until ex-
5 pended, without further appropriation—

6 (A) for the acquisition of land and inter-
7 ests in land for National Forest System pur-
8 poses in the State of California; and

9 (B) for reimbursement of costs incurred by
10 the Forest Service in making the conveyance
11 under subsection (a).

12 (3) STATUS OF ACQUIRED LAND.—Notwith-
13 standing Public Law 85–862 (16 U.S.C. 521a), any
14 lands acquired under paragraph (2)(A) shall be
15 managed as lands acquired under the Act of March
16 1, 1911 (commonly known as the Weeks Act; 16
17 U.S.C. 480, 500, 515 et seq.), regardless of whether
18 any of the lands conveyed under subsection (a) were
19 reserved from the public domain.

20 **SEC. 2. WITHDRAWAL.**

21 Subject to valid existing rights, the lands to be con-
22 veyed under subsection (a) of section 1 are hereby with-
23 drawn from all forms of location, entry, and patent under
24 the public land laws and the mining and mineral leasing
25 laws of the United States.

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