

Calendar No. 654

115TH CONGRESS
2^D SESSION

S. 2297

[Report No. 115–367]

To direct the Secretary of Agriculture to transfer certain National Forest System land to Custer County, South Dakota.

IN THE SENATE OF THE UNITED STATES

JANUARY 11, 2018

Mr. THUNE (for himself and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 15, 2018

Reported by Ms. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italie*]

A BILL

To direct the Secretary of Agriculture to transfer certain National Forest System land to Custer County, South Dakota.

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 “Custer County Airport
5 Conveyance Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COUNTY.—The term “County” means Custer
4 County, South Dakota.

5 (2) FEDERAL LAND.—The term “Federal land”
6 means all right, title, and interest of the United
7 States in and to approximately 65.7 acres of National
8 Forest System land, as generally depicted on
9 the map.

10 (3) MAP.—The term “map” means the map entitled
11 “Custer County Airport Conveyance” and
12 dated October 19, 2017.

13 (4) SECRETARY.—The term “Secretary” means
14 the Secretary of Agriculture, acting through the
15 Chief of the Forest Service.

16 **SEC. 3. LAND CONVEYANCE.**

17 (a) IN GENERAL.—Subject to the terms and conditions
18 described in subsection (b), if the County submits
19 to the Secretary an offer to acquire the Federal land for
20 the market value, as determined by the appraisal under
21 subsection (c), the Secretary shall convey the Federal land
22 to the County.

23 (b) TERMS AND CONDITIONS.—The conveyance
24 under subsection (a) shall be—

25 (1) subject to valid existing rights;

26 (2) made by quitclaim deed; and

1 (3) subject to any other terms and conditions
2 as the Secretary considers appropriate to protect the
3 interests of the United States.

4 (c) APPRAISAL.—

5 (1) IN GENERAL.—Not later than 60 days after
6 the date of enactment of this Act, the Secretary
7 shall complete an appraisal to determine the market
8 value of the Federal land.

9 (2) STANDARDS.—The appraisal under para-
10 graph (1) shall be conducted in accordance with—

11 (A) the Uniform Appraisal Standards for
12 Federal Land Acquisitions; and

13 (B) the Uniform Standards of Professional
14 Appraisal Practice.

15 (d) MAP.—

16 (1) AVAILABILITY OF MAP.—The map shall be
17 kept on file and available for public inspection in the
18 appropriate office of the Forest Service.

19 (2) CORRECTION OF ERRORS.—The Secretary
20 may correct any errors in the map.

21 (e) CONSIDERATION.—As consideration for the con-
22 veyance under subsection (a), the County shall pay to the
23 Secretary an amount equal to the market value of the Fed-
24 eral land, as determined by the appraisal under subsection
25 (c).

1 (f) SURVEY.—The exact acreage and legal description
 2 of the Federal land to be conveyed under subsection (a)
 3 shall be determined by a survey satisfactory to the Sec-
 4 retary.

5 ~~(g) ENVIRONMENTAL COMPLIANCE.—The Secretary~~
 6 ~~may determine whether compliance with the National En-~~
 7 ~~vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)~~
 8 ~~or any other environmental law is applicable in carrying~~
 9 ~~out the conveyance under subsection (a).~~

10 ~~(h)~~(g) COSTS OF CONVEYANCE.—As a condition on
 11 the conveyance under subsection (a), the County shall pay
 12 to the Secretary all costs associated with the conveyance,
 13 including the cost of—

14 (1) the appraisal under subsection (c); and

15 (2) the survey under subsection (f).

16 ~~(i) USE OF PROCEEDS.—Any proceeds received by~~
 17 ~~the Secretary as a consideration for the conveyance under~~
 18 ~~subsection (a) shall remain available to the Secretary until~~
 19 ~~expended, without further appropriation, for the mainte-~~
 20 ~~nance and improvement of land or administration facilities~~
 21 ~~in the State of South Dakota.~~

22 (h) PROCEEDS FROM THE SALE OF LAND.—Any pro-
 23 ceeds received by the Secretary from the conveyance under
 24 subsection (a) shall be—

1 (1) *deposited in the fund established under Pub-*
2 *lic Law 90–171 (commonly known as the “Sisk Act”)*
3 *(16 U.S.C. 484a); and*

4 (2) *available to the Secretary until expended,*
5 *without further appropriation, for the acquisition of*
6 *inholdings in units of the National Forest System in*
7 *the State of South Dakota.*

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