

116TH CONGRESS
1ST SESSION

S. 100

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 10, 2019

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

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”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COUNTY.—The term “County” means Cus-
9 ter County, South Dakota.

1 (2) FEDERAL LAND.—The term “Federal land”
2 means all right, title, and interest of the United
3 States in and to approximately 65.7 acres of Na-
4 tional Forest System land, as generally depicted on
5 the map.

6 (3) MAP.—The term “map” means the map en-
7 titled “Custer County Airport Conveyance” and
8 dated October 19, 2017.

9 (4) SECRETARY.—The term “Secretary” means
10 the Secretary of Agriculture, acting through the
11 Chief of the Forest Service.

12 **SEC. 3. LAND CONVEYANCE.**

13 (a) IN GENERAL.—Subject to the terms and condi-
14 tions described in subsection (b), if the County submits
15 to the Secretary an offer to acquire the Federal land for
16 the market value, as determined by the appraisal under
17 subsection (c), the Secretary shall convey the Federal land
18 to the County.

19 (b) TERMS AND CONDITIONS.—The conveyance
20 under subsection (a) shall be—

21 (1) subject to valid existing rights;

22 (2) made by quitclaim deed; and

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

1 (c) APPRAISAL.—

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

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

8 (A) the Uniform Appraisal Standards for
9 Federal Land Acquisitions; and

10 (B) the Uniform Standards of Professional
11 Appraisal Practice.

12 (d) MAP.—

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

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

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

23 (f) SURVEY.—The exact acreage and legal description
24 of the Federal land to be conveyed under subsection (a)

1 shall be determined by a survey satisfactory to the Sec-
2 retary.

3 (g) COSTS OF CONVEYANCE.—As a condition on the
4 conveyance under subsection (a), the County shall pay to
5 the Secretary all costs associated with the conveyance, in-
6 cluding the cost of—

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

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

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

12 (1) deposited in the fund established under
13 Public Law 90–171 (commonly known as the “Sisk
14 Act”) (16 U.S.C. 484a); and

15 (2) available to the Secretary until expended,
16 without further appropriation, for the acquisition of
17 inholdings in units of the National Forest System in
18 the State of South Dakota.

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