

117TH CONGRESS
1ST SESSION

H. R. 1638

To direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2021

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, 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 “Gilt Edge Mine Con-
5 veyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) FEDERAL LAND.—The term “Federal land”
9 means all right, title, and interest of the United
10 States in and to approximately 266 acres of Na-

1 tional Forest System land within the Gilt Edge Mine
2 Superfund Boundary, as generally depicted on the
3 map.

4 (2) MAP.—The term “map” means the map en-
5 titled “Gilt Edge Mine Conveyance Act” and dated
6 August 20, 2020.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of Agriculture, acting through the
9 Chief of the Forest Service.

10 (4) STATE.—The term “State” means State of
11 South Dakota.

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

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

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.—Before submitting an offer
3 under subsection (a), the State shall complete an ap-
4 praisal to determine the market value of the Federal
5 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 State 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 State shall prepare a survey that
24 is satisfactory to the Secretary of the exact acreage and

1 legal description of the Federal land to be conveyed under
2 subsection (a).

3 (g) COSTS OF CONVEYANCE.—As a condition on the
4 conveyance under subsection (a), the State shall pay all
5 costs associated with the conveyance, including the cost
6 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 maintenance
17 and improvement of land or administration facilities
18 in the Black Hills National Forest in the State.

19 (i) ENVIRONMENTAL CONDITIONS.—Notwith-
20 standing section 120(h)(3)(A) of the Comprehensive Envi-
21 ronmental Response, Compensation, and Liability Act of
22 1980 (42 U.S.C. 9620(h)(3)(A)), the Secretary shall not
23 be required to provide any covenant or warranty for the
24 Federal land conveyed to the State under this Act.

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