

116TH CONGRESS
2D SESSION

S. 4087

To provide for the conveyance of certain Federal land in Carson City, Nevada,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2020

Ms. ROSEN (for herself and Ms. CORTEZ MASTO) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To provide for the conveyance of certain Federal land in
Carson City, Nevada, 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 “Carson City Public
5 Land Correction Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ACCOUNT.—The term “Account” means the
9 Carson City Special Account established by section
10 2601(e)(1)(B) of the Omnibus Public Land Manage-

1 ment Act of 2009 (Public Law 111–11; 123 Stat.
2 1113).

3 (2) CARSON CITY FEDERAL LAND COLLABORA-
4 TION COMMITTEE.—The term “Carson City Federal
5 Land Collaboration Committee” means a committee
6 composed of—

7 (A) the city manager of the City;

8 (B) a designee of the city manager of the
9 City; and

10 (C) not more than 3 members appointed
11 by the Carson City Board of Supervisors to rep-
12 resent areas of City government, including—

13 (i) the parks, recreation, and open
14 space department of the City;

15 (ii) the community development de-
16 partment of the City; and

17 (iii) the property management depart-
18 ment of the City.

19 (3) CITY.—The term “City” means Carson
20 City, Nevada.

21 (4) COVERED LAND SALE.—The term “covered
22 land sale” means—

23 (A) a sale or disposal of land under section
24 3, 4, 5, or 6; and

1 (B) a sale of land under subparagraph (E)
2 of section 2601(b)(4) of the Omnibus Public
3 Land Management Act of 2009 (Public Law
4 111–11; 123 Stat. 1110) (as amended by sec-
5 tion 8(a)).

6 (5) MAP.—The term “Map” means the map en-
7 titled “Carson City OPLMA Lands” and dated Sep-
8 tember 20, 2018.

9 (6) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 **SEC. 3. CONVEYANCE TO CARSON CITY, NEVADA.**

12 (a) IN GENERAL.—Subject to valid existing rights
13 and notwithstanding the land use planning requirements
14 of section 202 of the Federal Land Policy and Manage-
15 ment Act of 1976 (43 U.S.C. 1712), the Secretary shall
16 convey to the City, without consideration, all right, title,
17 and interest of the United States in and to the Federal
18 land described in subsection (b).

19 (b) DESCRIPTION OF FEDERAL LAND.—The Federal
20 land referred to in subsection (a) is the approximately 258
21 acres of Federal land depicted as “Lands to Acquire” on
22 the Map.

23 (c) COSTS.—Any costs relating to the conveyance
24 under subsection (a) (including costs of surveys and ad-
25 ministrative costs)—

1 (1) shall be paid by the City; and

2 (2) are eligible for reimbursement from the Ac-
3 count.

4 (d) SALE OF LAND TO THIRD PARTIES.—If the City
5 subsequently sells all or a portion of the Federal land con-
6 veyed to the City under subsection (a)—

7 (1) the sale shall be for fair market value; and

8 (2) the proceeds from the sale shall be depos-
9 ited in the Account.

10 **SEC. 4. CARSON CITY STREET CONNECTOR CONVEYANCE.**

11 (a) IN GENERAL.—The Secretary of Agriculture shall
12 convey to the City, without consideration, all right, title,
13 and interest of the United States in and to the parcel of
14 Federal land described in subsection (b) for the expansion
15 of a roadway in the City.

16 (b) DESCRIPTION OF FEDERAL LAND.—The parcel
17 of Federal land referred to in subsection (a) is the ap-
18 proximately 0.45 acres of Forest Service land depicted as
19 “Proposed Land Transfer” on the map entitled “Carson
20 City OPLMA Lands” and dated April 28, 2020.

21 (c) COSTS.—Any costs relating to the conveyance
22 under subsection (a) (including any costs for surveys and
23 other administrative costs) shall be paid by the City.

24 (d) REVERSION.—If the Federal land conveyed to the
25 City under subsection (a) is used in a manner that is in-

1 consistent with the use authorized under that subsection,
2 the Federal land shall, at the discretion of the Secretary
3 of Agriculture, revert to the United States.

4 **SEC. 5. DISPOSAL OF FEDERAL LAND.**

5 (a) DISPOSAL.—Subject to valid existing rights and
6 notwithstanding the land use planning requirements of
7 section 202 of the Federal Land Policy and Management
8 Act of 1976 (43 U.S.C. 1712), the Secretary shall dispose
9 of the land described in subsection (b).

10 (b) DESCRIPTION OF LAND.—The land referred to in
11 subsection (a) is the approximately 28 acres of Federal
12 land depicted as “Prison Hills Property” on the Map.

13 (c) COSTS.—Any costs relating to the disposal of
14 Federal land under subsection (a) (including costs of sur-
15 veys and administrative costs) shall be paid by the person
16 who enters into the disposal agreement with the Secretary
17 for the land described in subsection (b).

18 (d) CONDITIONS.—On disposal of the land under sub-
19 section (a), the City shall retain—

20 (1) a public utility easement concurrent with
21 Koontz Lane and Conti Drive in the City, which
22 provides waterlines and access to the water tank im-
23 mediately east of the parcels of Federal land de-
24 scribed in subsection (b); and

1 (2) an existing drainage easement for a future
2 detention basin located on APN 010–152–06 de-
3 picted as “Lands for BLM Disposal” on the Map.

4 **SEC. 6. TRANSFER OF LAND TO THE UNITED STATES.**

5 (a) CONVEYANCE.—If the City offers to convey to the
6 Secretary all right and title of the City in and to the land
7 described in subsection (b), not later than 180 days after
8 the date of the offer, the Secretary shall accept the offer.

9 (b) DESCRIPTION OF LAND.—The land referred to in
10 subsection (a) is the approximately 21 acres of land de-
11 picted as “Bennett Ave Properties” and “Pinion Hills Dr
12 Property” on the Map.

13 (c) DISPOSAL BY SECRETARY OF THE INTERIOR.—
14 Subject to valid existing rights and notwithstanding the
15 land use planning requirements of section 202 of the Fed-
16 eral Land Policy and Management Act of 1976 (43 U.S.C.
17 1712), the Secretary shall dispose of the land conveyed
18 to the Secretary under subsection (a).

19 (d) COSTS.—

20 (1) COSTS RELATED TO CONVEYANCE.—Any
21 costs relating to the conveyance under subsection (a)
22 (including costs of surveys and administrative
23 costs)—

24 (A) shall be paid by the City; and

1 (B) are eligible for reimbursement from
2 the Account.

3 (2) COSTS RELATED TO DISPOSAL.—Any costs
4 relating to the disposal under subsection (c) (includ-
5 ing costs of surveys and administrative costs) shall
6 be paid by the person entering into the disposal
7 agreement with the Secretary for the land conveyed
8 under subsection (a).

9 (e) CONDITIONS.—On disposal of the land under sub-
10 section (c), the City shall retain—

11 (1) access and a public utility easement on
12 APN 010–252–02 for operation and maintenance of
13 a municipal well; and

14 (2) a public right-of-way for Bennet Avenue in
15 the City.

16 **SEC. 7. DISPOSITION OF PROCEEDS.**

17 (a) DISPOSITION OF PROCEEDS.—The proceeds from
18 a covered land sale shall be deposited in the Account.

19 (b) USE.—Amounts deposited in the Account under
20 subsection (a) shall be available to the Secretary or the
21 Secretary of Agriculture, as applicable, in collaboration
22 with and on approval in writing by, the Carson City Fed-
23 eral Land Collaboration Committee, for—

24 (1) the reimbursement of costs incurred by the
25 Secretary or the Secretary of Agriculture, as appli-

1 cable, in preparing for a covered land sale, includ-
2 ing—

3 (A) the costs of surveys and appraisals;

4 and

5 (B) the costs of compliance with—

6 (i) the National Environmental Policy
7 Act of 1969 (42 U.S.C. 4321 et seq.); and

8 (ii) sections 202 and 203 of the Fed-
9 eral Land Policy and Management Act of
10 1976 (43 U.S.C. 1712, 1713); and

11 (2) with respect to land acquired by the City
12 under a covered land sale, the reimbursement of
13 costs incurred by the City for—

14 (A) the conduct of wildlife habitat con-
15 servation and restoration projects, including
16 projects that benefit the greater sage-grouse;

17 (B) the development and implementation
18 of comprehensive, cost-effective, and multijuris-
19 dictional hazardous fuels reduction and wildfire
20 prevention and restoration projects;

21 (C) the acquisition of environmentally sen-
22 sitive land or an interest in environmentally
23 sensitive land;

24 (D) wilderness protection and processing
25 wilderness designations, including the costs of

1 appropriate fencing, signage, public education,
2 and enforcement for wilderness areas;

3 (E) capital improvements administered by
4 the Bureau of Land Management and the For-
5 est Service; and

6 (F) educational purposes of the City.

7 (c) INVESTMENT OF ACCOUNT.—Amounts deposited
8 in the Account under subsection (a)—

9 (1) shall earn interest in an amount determined
10 by the Secretary of the Treasury, based on the cur-
11 rent average market yield on outstanding marketable
12 obligations of the United States of comparable ma-
13 turities; and

14 (2) may be expended by the Secretary or the
15 Secretary of Agriculture, as applicable, in accord-
16 ance with this section and in collaboration with and
17 on approval in writing by, the Carson City Federal
18 Land Collaboration Committee.

19 (d) MANAGEMENT OF ACCOUNT.—The management
20 and procedures of the Account shall be determined by an
21 intergovernmental agreement between the City and the
22 Carson City Office of the Bureau of Land Management.

1 **SEC. 8. AMENDMENTS TO THE OMNIBUS PUBLIC LAND**
2 **MANAGEMENT ACT OF 2009.**

3 (a) AMENDMENT TO REVERSIONARY INTERESTS.—
4 Section 2601(b)(4) of the Omnibus Public Land Manage-
5 ment Act of 2009 (Public Law 111–11; 123 Stat. 1111)
6 is amended by inserting after subparagraph (D), the fol-
7 lowing:

8 “(E) SALE OR LEASE OF LAND TO THIRD
9 PARTIES.—

10 “(i) IN GENERAL.—The City may
11 enter into an agreement to sell, lease, or
12 otherwise convey all or a portion of the
13 land described in paragraph (2)(B)(iv) to
14 third parties for public purposes.

15 “(ii) CONDITION.—A sale of land
16 under clause (i) shall be for not less than
17 fair market value.”.

18 (b) POSTPONEMENT; EXCLUSION FROM SALE.—Sec-
19 tion 2601(d) of the Omnibus Public Land Management
20 Act of 2009 (Public Law 111–11; 123 Stat. 1112) is
21 amended by striking paragraph (6) and inserting the fol-
22 lowing:

23 “(6) DEADLINE FOR SALE.—Not later than 1
24 year after the date of enactment of the Carson City
25 Public Land Correction Act, if there is a qualified
26 bidder for the land described in subparagraphs (A)

1 and (B) of paragraph (2), the Secretary of the Inte-
2 rior shall offer the land for sale to the qualified bid-
3 der.”.

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