

105TH CONGRESS  
2D SESSION

# H. R. 4657

To provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition by the Secretary of the Interior of environmentally sensitive lands in the State of Nevada.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 1998

Mr. GIBBONS (for himself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition by the Secretary of the Interior of environmentally sensitive lands in the State of Nevada.

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 “Spring Mountain Ex-  
5       change Act of 1998”.

6       **SEC. 2. EXCHANGE OF LANDS AND MINERAL INTERESTS.**

7       (a) CONVEYANCE BY UNITED STATES.—

1           (1) IN GENERAL.—Subject to subsections (b),  
2           (c), and (d) and notwithstanding any other provision  
3           of law, not later than 90 days after the final deter-  
4           mination of lands and interests subject to exchange  
5           under this section, the Secretary of the Interior shall  
6           convey to Rhodes Design and Development Corpora-  
7           tion, subject to any valid existing rights and in ex-  
8           change for lands and interests conveyed by the Cor-  
9           poration in accordance with subsection (b), all right,  
10          title, and interest of the United States in and to ap-  
11          proximately 1,463 acres of Federal lands in the  
12          State of Nevada depicted on the map entitled  
13          “Spring Mountain Land Exchange, Map 1 dated  
14          August \_\_\_\_, 1998”. The Secretary shall make that  
15          map available for public inspection in the offices of  
16          the Director of the Las Vegas District of the Bureau  
17          of Land Management.

18          (2) DETERMINATION OF LANDS AND INTER-  
19          ESTS.—The Secretary shall determine the lands and  
20          interests that are subject to exchange under this sec-  
21          tion not later than 90 days after the date of the en-  
22          actment of this Act.

23          (b) OFFER AND ACCEPTANCE.—The Secretary shall  
24          make the conveyance to the Corporation under subsection  
25          (a) only if the Corporation conveys to the United States

1 all right, title, and interest of the Corporation in and to  
2 approximately 490 acres of lands in the State of Nevada  
3 depicted on a map entitled “Spring Mountain Land Ex-  
4 change Map 2 dated August \_\_\_\_, 1998”. The Secretary  
5 shall make that map available for public inspection in the  
6 offices of the Director of the Las Vegas District of the  
7 Bureau of Land Management.

8 (c) EQUALIZATION PAYMENTS.—

9 (1) IN GENERAL.—If the fair market values of  
10 lands and interests exchanged under this section are  
11 not equal, the Secretary shall ensure that they are  
12 equalized by the payment of money to the Secretary  
13 or to the Corporation as appropriate in accordance  
14 with section 206(b) of the Federal Land Policy and  
15 Management Act of 1976 (43 U.S.C. 1716(b)).

16 (2) VALUATION.—The value of lands and inter-  
17 ests shall be determined for purposes of this sec-  
18 tion—

19 (A) utilizing nationally recognized ap-  
20 praisal standards;

21 (B) in accordance with section 206 of the  
22 Federal Land Policy and Management Act of  
23 1976 (43 U.S.C. 1716(b)); and

24 (C) without regard to the presence of any  
25 species listed as threatened species or endan-

1           gered species under the Endangered Species  
2           Act of 1973 (16 U.S.C. 1531 et seq.).

3           (d) PAYMENTS TO STATE AND LOCAL GOVERN-  
4           MENT.—

5           (1) IN GENERAL.—The Secretary shall require,  
6           as a term of any conveyance under this section, that  
7           the Corporation shall make direct payments to the  
8           State of Nevada and the Southern Nevada Water  
9           Authority in accordance with paragraph (2). Such  
10          payments shall be considered to be a cost incurred  
11          by the Corporation and shall be compensated by the  
12          Secretary.

13          (2) AMOUNT OF PAYMENT.—

14           (A) PAYMENT TO STATE.—The amount  
15           paid by the Corporation to the State of Nevada  
16           shall be equal to 5 percent of the fair market  
17           value of the Federal lands conveyed by the  
18           United States under this section (as determined  
19           under subsection (b)), and shall be used by the  
20           State only in the general education program of  
21           the State.

22           (B) PAYMENT TO AUTHORITY.—The  
23           amount paid by the Corporation to the South-  
24           ern Nevada Water Authority shall be equal to  
25           10 percent of the fair market value of the Fed-

1           eral lands conveyed by the United States under  
2           this section (as determined under subsection  
3           (b)), and shall be used by the Authority only  
4           for water treatment and transmission facility  
5           infrastructure in Clark County, Nevada.

6           (e) ADJUSTMENTS TO MAPS.—The Secretary may  
7           make such minor corrections in the maps referred to in  
8           this section as may be agreed upon by the Secretary and  
9           the Corporation, after the Secretary notifies the Commit-  
10          tee on Energy and Natural Resources of the Senate and  
11          the Committee on Resources of the House of Representa-  
12          tives of any such minor corrections.

13          (f) ADMINISTRATION OF LANDS.—

14               (1) CANCELLATION.—If, before the exchange  
15               has been carried out pursuant to subsections (a) and  
16               (b), the Corporation provides written notification to  
17               the Secretary that the Corporation no longer intends  
18               to complete the exchange, the status of the lands  
19               and interests otherwise subject to the exchange shall  
20               revert to the status of such lands and interests as  
21               of the day before the date of enactment of this Act,  
22               and the lands and interests shall be managed in ac-  
23               cordance with applicable law and management plans.

24               (2) ADMINISTRATION OF LANDS ACQUIRED BY  
25               THE UNITED STATES.—On acceptance of title by the

1 United States, all land and interests acquired by the  
2 United States under this section that are located  
3 within the boundaries of a unit of the National For-  
4 est System, National Park System, National Wildlife  
5 Refuge System, National Wild and Scenic Rivers  
6 System, National Trails System, National Wilder-  
7 ness Preservation System, or any other system es-  
8 tablished by an Act of Congress, or within the  
9 boundaries of any national conservation area or na-  
10 tional recreation area established by an Act of Con-  
11 gress—

12 (A) shall become part of the unit or area  
13 without further administrative or legislative ac-  
14 tion; and

15 (B) shall be managed in accordance with  
16 all laws, regulations, and land use plans appli-  
17 cable to the unit or area.

18 (g) DEFINITIONS.—As used in this section:

19 (1) CORPORATION.—The term “Corporation”  
20 means the Rhodes Design and Development Cor-  
21 poration (a corporation established under the laws of  
22 the State of Nevada).

23 (2) SECRETARY.—The term “Secretary” means  
24 the Secretary of the Interior.

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