

106TH CONGRESS
1ST SESSION

H. R. 1757

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1999

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

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 1999”.

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 _____”. The Secretary shall make that map
15 available for public inspection in the offices of the
16 Director of the Las Vegas District of the Bureau of
17 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 _____”. The Secretary shall
5 make that map available for public inspection in the of-
6 fices of the Director of the Las Vegas District of the Bu-
7 reau 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
18 section—

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 Com-
10 mittee on Energy and Natural Resources of the Senate
11 and the Committee on Resources of the House of Rep-
12 resentatives 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
 11 Congress—

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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